

13 DEC 2013

Invitation to Apply:

**Procurement Procedure No EMSA/NEG/1/2014 concerning
Service Contracts for Stand-by Oil Spill Recovery Vessel(s)
(Negotiated Procedure following publication of a Contract Notice in the OJEU)**

Dear Sir/Madam,

1. The European Maritime Safety Agency (EMSA) is launching a Negotiated Procedure following publication of a Contract Notice in the Official Journal of the European Union for Service Contracts for Stand-by Oil Spill Recovery Vessels. These services are covered by Annex II B of Directive 2004/18/EC.
2. Please note that this procurement procedure is divided into two phases, an Application phase followed by a Tender phase.

a) Application Phase

Any interested party is **invited to apply** to this Negotiated procedure following publication of a Contract Notice in accordance with the rules set out in this document and its associated Enclosures.

Following the deadline for submission of applications, a list of pre-selected candidates will be drawn up according to the criteria set out in the Contract Notice and Application Specifications as published on the EMSA website www.emsa.europa.eu.

b) Tender Phase

All the candidates included on the list of pre-selected candidates will be invited to submit a full offer in the Tender Phase.

THE DEADLINE FOR SUBMITTING APPLICATIONS IS 18 February 2014

3. Interested parties who wish to participate must submit an application in paper to EMSA **duly signed** by their authorised representative. Applications can be submitted in three different ways to the Agency:

(a) either by registered post

In this case the application should be posted not later than 18 February 2014 (**the stamp of the post office** acting as proof);

(b) or by hand-delivery

In this case hand delivery should be made not later than 17.00 (local time) on 18 February 2014. **A dated and signed receipt issued by an official** of the Pollution Preparedness and Response Unit has to be **requested by the person delivering the application** as proof of delivery.

(c) or by private courier service

In this case the application should be "deposited" with a private courier service not later than 18 February 2014 (**the slip issued by the private courier service** acting as proof).

In whichever form the application is submitted, the following address should be used:

European Maritime Safety Agency

Mr Bernd Bluhm

Head of Unit: Pollution Response Services

Praca Europa 4

Cais do Sodre

1249-206 LISBOA

PORTUGAL

4. Applications must be submitted in two envelopes, one inside the other. Both envelopes must be sealed.

The inner envelope must be marked as follows:

Invitation to Apply No. EMSA/NEG/1/2014

Lot xx

NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT

To the attention of: Mr Bernd Bluhm

Head of Unit: Pollution Response Services

The outer envelope must be marked as follows:

<p style="text-align: center;">Invitation to Apply No. EMSA/NEG/1/2014</p> <p style="text-align: center;">Lot xx</p> <p style="text-align: center;">To the attention of: Mr Bernd Bluhm</p> <p style="text-align: center;">Head of Unit: Pollution Response Services</p>
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If self-sealed envelopes are used, they must be closed by adhesive tape with the sender's signature written across it.

5. In addition, an electronic copy of the application must also be submitted in PDF format. Such an electronic copy must be submitted by 18 February 2014 to the following email address: NEG12014@emsa.europa.eu and/or included in the Application in a CD, USB key or similar. In case of inconsistency, the paper version will have precedence over the electronic one.
6. Applicants must complete the Legal Entity Form, which is available through the EMSA website www.emsa.europa.eu, select "Working with us" → "Procurement" → "Legal Entity Form" → "Documents for the Tenderer".
7. Information on the Application Specifications (Enclosure 1) is attached to this Invitation to Apply.
All these documents are available on the EMSA website www.emsa.europa.eu, through the tab "Working with us" → "Procurement" section, under the link relevant to the procurement procedure No. EMSA/NEG/1/2014
8. An acknowledgement of receipt of the Application will be issued to the applicants. Such an acknowledgment indicates only that the application has been received by the Agency.
Applicants will be duly informed whether or not their applications have been accepted for the Invitation to Tender phase of the procurement procedure.
9. Contacts between the contracting authority and applicants are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:
 - **Before the final date for submission of applications:**
 - * EMSA intends to organise information meeting(s) in January 2014, regarding this procurement procedure, open for any interested party. The exact details on location and date will be published on the EMSA website by 7 January at the latest.

- * At the request of the applicant, EMSA may provide additional information deemed necessary for preparing an adequate application.

Any requests for additional information must be made in writing and sent to the following e-mail address NEG12014@emsa.europa.eu.

Requests for additional information received after 11 February 2014 will not be processed. Both the request and answer will be published on the EMSA website www.emsa.europa.eu, through the tab "Working with us" → "Procurement" section, under the link relevant to the procurement procedure No. EMSA/NEG/1/2014. The name of the requesting party will not appear on the website. Applicants are invited to consult this "question/answer" section on a regular basis.

- * EMSA may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the call for applications.

Any additional information including that referred to above will be published on EMSA website in the Procurement section.

- **After the opening of applications**

- * If clarification is required or if obvious clerical errors in the application need to be corrected, EMSA may contact the applicant provided the terms of the application are not modified as a result.

10. Public procurement rules applying to the Negotiated Procedure following publication of a Contract Notice launched by the Agency are contained in the EMSA Financial Regulation available on the EMSA website www.emsa.europa.eu, through the tab "About us" → "Financial Management" → "Financial Regulations and Budget".
11. Up to the point of signature, the contracting authority may either abandon the procurement or cancel the award procedure, without the candidates or tenderers being entitled to claim any compensation. This decision must be substantiated and the candidates or tenderers notified.
12. Once EMSA has opened the application, the document shall become the property of EMSA and it shall be treated confidentially.
13. If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.

14. Processing your reply to the invitation to tender will involve the recording and processing of personal data (such as your name, address and CV). Such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, your replies to the questions and any personal data requested are required to evaluate your tender in accordance with the specifications of the invitation to tender and will be processed solely for that purpose by Mr Bernd Bluhm, Head of Unit – Pollution Response Services. Details concerning processing of your personal data are available on the privacy statement "Information on personal data protection in procurement procedures" at: <http://www.emsa.europa.eu/about/personal-data-protection.html>.
15. Your personal data may be registered in the Central Exclusion Database (CED) by the Accounting Officer of the Commission, should you be in one of the situations mentioned in the Commission Regulation 2008/1302 of 17.12.2008 on the Central Exclusion Database (for more information see the Privacy Statement on http://ec.europa.eu/budget/library/explained/management/protecting/privacy_statement_ced_en.pdf).

Yours sincerely,



Markku Mylly
Executive Director

Enclosures:

1. Application Specifications
2. Checklist
3. Legal Entity Form (template)
4. Financial Identification Form (template)
5. Declaration on Honour (template)
6. Statement of Subcontracting/Joint Offer (template)