

Brussels,

20 AUGUST 2015

INVITATION TO TENDER N°. SRB/NEG/1/2015

Dear Sir/Madam,

1. The Single Resolution Board (SRB) is launching an invitation to tender regarding **"Provision of legal advice for bridge financing"**
2. Tenderers who wish to submit an offer are invited to send a bid to the SRB before the **31st August 2015 17h00 (Brussels time)**. The offer should be **duly signed** by the authorised representative, scanned and submitted by e-mail to the following address: SRB-PROCUREMENT@ec.europa.eu. The size of the mail may not exceed 12 Mb per one email. Please note that an original hard copy of the offer including all accompanying documentation will be requested from the company to which the contract is awarded.
3. Tenders must be
 - signed by the tenderer or his duly authorised representative;
 - perfectly legible so that there can be no doubt as to words and figures;
4. Period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect shall be until 30/06/2016.
5. Submission of a bid implies full acceptance of the Framework Service Contract attached to this invitation to tender and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. These requirements are binding on the tenderer to whom the contract is awarded for the duration of the contract.
6. The specification, listing all the documents that must be produced in order to tender, including supporting evidence of economic, financial, technical and professional capacity and the draft Framework Service Contract are available (see Annexes).
7. Contacts between the contracting authority and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the final date for submission of tenders:

At the request of the tenderer, SRB may provide additional information solely for the purpose of clarifying the nature of the contract.

Any requests for additional information must be made in writing and sent to the following e-mail address: SRB-PROCUREMENT@ec.europa.eu.

SRB is not bound to reply to requests for additional information made after the 28/08/2015 12:00 Brussels time.

SRB 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 tenders.

Any additional information including that referred to above will also be published on SRB website.

After the opening of tenders

If clarification is required or if obvious clerical errors in the tender need to be corrected, SRB may contact the tenderer provided the terms of the tender are not modified as a result.

In case of negotiated procedure, SRB may negotiate with tenderers the offers they have submitted, in order to adapt them to the requirements set out in tender specifications or any additional document and in order to find the tender offering best value for money. During negotiations equal treatment of all tenderers will be ensured.

8. Public Procurement rules applying to calls for tender launched by SRB are contained in the SRB Financial Regulation on the SRB website (www.srb.europa.eu).
9. This invitation to tender is in no way binding on the SRB. SRB's contractual obligation commences only upon signature of the contract with the successful tenderer.

10. 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.
11. Once SRB has opened the tender, the document shall become the property of SRB and it shall be treated confidentially.
12. Tenderers will be informed of the outcome of this procurement procedure by email or fax. It is the tenderers' responsibility to provide a valid email address and fax number together with your contact details in your tender offer and to check it regularly.

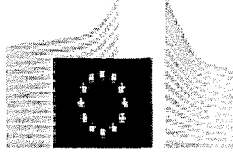
13. If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.
14. Processing your reply to the invitation to tender will involve the recording and processing of personal data (such as your name, address 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 the SRB. Tenderers will be informed by the Agency whether or not their bids have been accepted.
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 annexed this document).

Yours faithfully,



Elke KONTIG
Chair

Annex 1: Privacy Statement for the Central Exclusion Database



March 2013

PRIVACY STATEMENT FOR THE CENTRAL EXCLUSION DATABASE

1. DESCRIPTION OF THE PROCESSING OPERATION

Article 108 of the Financial Regulation (FR) requires the Commission to set up of a central exclusion database and register all entities affected by an exclusion situation within the meaning of the FR with a view to circulate this information to all contracting authorities implementing Union funds and to enable them protecting European Union' financial interests.

This central database is administered by the Accounting Officer of the Commission (controller) who registers exclusion warnings upon request of Commission Departments, other European Union' institutions, national authorities of Member States and third countries or International Organisations when their contracting authorities are implementing European Development Fund and Union' funds.

2. WHAT PERSONAL INFORMATION DO WE COLLECT, FOR WHAT PURPOSE AND THROUGH WHICH TECHNICAL MEANS?

The following personal data are collected from entities, involved in the course of a tender or grant procedure or executing a contract funded by Community's funds, as contractor or sub-contractor: name and first name of the tenderer/applicant (the entity) - and where these latter are legal entities, business address and business registration numbers of the entity.

The purpose of the processing is to enforce exclusion rules laid down in Articles 106, 107, 109, and 131 of the Financial Regulation and to protect European Union financial interests from entities presenting a threat for Union funds or any other funds administered by the European Union (insolvent and non reliable entities).

3. WHO HAS ACCESS TO YOUR INFORMATION AND TO WHOM IS IT DISCLOSED?

In addition to the Accounting Officer and its subordinate staff managing the central exclusion database, duly authorised users to whom access to the exclusion data is indispensable for the proper exercise of their tasks (grant & procurement agents) within European Union' institutions and Member States national authorities have access to the information contained in the central exclusion database.

Under conditions ensuring an adequate level of personal data protection, authorised users from third country national authorities and International Organisations delegated by the Commission for the implementation of Union funds may have access to the central exclusion database.

4. HOW DO WE PROTECT AND SAFEGUARD YOUR INFORMATION?

In order to protect your personal data, a number of technical and organisational measures have been put in place. Concerning unauthorised access to equipment and data, network firewalls protect the logic perimeter of the Accounting IT infrastructure and access to the database is filtered to allow solely registered users through European Commission Authentication Service (ECAS). Administrative measures include the obligation of all authorised users to be registered and any access to the central database is recorded (logfile).

5. HOW LONG DO WE KEEP YOUR DATA?

The data are registered for the duration of the exclusion situation which can not exceed five years from the beginning of the exclusion situation where a repeated offence has not been noticed within these 5 years. After this period the warning is automatically removed from the data base and related data are not accessible any more for authorised users, save for statistical, audit and investigation operations made by the European Anti Fraud Office (OLAF). In any case, personal data are completely erased 5 years after removal.

6. HOW CAN YOU VERIFY, MODIFY OR DELETE YOUR INFORMATION?

You have the right to access, correct and complete the data we hold regarding the legal entity you are representing or regarding your personal data. Upon request, you may be sent a copy of these data to correct and complete them. Any request for access, rectification, blocking and/or erasing these data should be directed to the Accounting Officer of the Commission. You may also contact the Data Protection Officer of the Commission (DATA-PROTECTION-OFFICER@ec.europa.eu) in case of any difficulties or for any questions relating to the processing of these data.

7. RIGHT of RECOURSE

You have the right to have recourse to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EC) N° 45/2001 have been infringed as a result of the processing of your personal data by the administrator of the central exclusion database.