

Dear Sir/Madam,

Subject: *ERA 2016 02 OP "Provision of legal services in the field of preparation and implementation of the Agency's new tasks envisaged after the adoption of the European Commission legislative proposal '4th railway package-technical pillar' "*

1. The European Railway Agency (ERA) is planning to award the public contract referred to above. Please find enclosed the related tender specification listing all the documents that must be produced in order to submit a tender, and the draft contract.
2. If you are interested in this contract, you should submit a tender in one of the official languages of the European Union.

Tenderers shall submit tenders:

- a) either by post or by courier not later than 09/03/2016, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip, to the address indicated below.
- b) or delivered by hand not later than 12.30 on 09/03/2016, to the address indicated below. In this case, a receipt must be obtained as proof of submission, signed and dated by the ERA reception who took delivery.

The department is closed on Saturdays, Sundays and ERA holidays.

By post, courier or by hand:

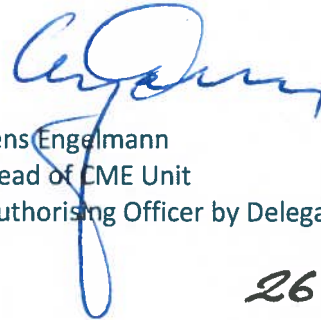
European Railway Agency
Call for tenders / ERA 2016 02 OP
For the attention of Procurement service
Rue Marc Lefrancq 120
59300 Valenciennes
France

Tenders must be placed inside two sealed envelopes. The inner envelope, addressed as indicated above, should be marked as follows: "CALL FOR TENDERS ERA 2016 02 OP" NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT ". If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.

The inner envelope must also contain two sealed envelopes, one containing the technical tender and the other the financial tender. Each of these envelopes must clearly indicate the content ("Technical" and "Financial").

3. Tenders must be:
 - › signed by a duly authorised representative of the tenderer;
 - › perfectly legible so that there can be no doubt as to words and figures;
4. The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect, is six months from the final date for submission.
5. Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the tender specification and in the draft contract and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. Submission of a tender is binding on the tenderer to whom the contract is awarded for the duration of the contract.
6. All costs incurred during the preparation and submissions of tenders are to be borne by the tenderers and will not be reimbursed.
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, the contracting authority 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 only to procurement@era.europa.eu. Requests for additional information received less than five working days before the final date for submission of tenders will not be processed.
 - The ERA 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 be posted on <http://www.era.europa.eu/The-Agency/Procurement/Pages/Procedures-over-60000.aspx>. The website will be updated regularly and it is the tenderers' responsibility to check for updates and modifications during the tendering period.
 - › After the opening of tenders: If clarification is required or if obvious clerical errors in the tender need to be corrected, the contracting authority may contact the tenderer provided the terms of the tender are not modified as a result.
8. This invitation to tender is in no way binding on the ERA. The ERA's contractual obligation commences only upon signature of the contract with the successful tenderer.
9. 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.
10. Once the ERA has opened the tender, the document shall become the property of the ERA and it shall be treated confidentially.

11. You will be informed of the outcome of this procurement procedure by e-mail. It is your responsibility to provide a valid e-mail address together with your contact details in your tender and to check it regularly.
12. If processing your reply to the invitation to tender involves 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 Head of Resources and Support. Details concerning the processing of your personal data are available on the privacy statement at: http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf



Jens Engelmann
Head of CME Unit
Authorising Officer by Delegation

26/1/2016

Enclosure: Tender specifications
Draft service contract