

INVITATION TO APPLY:
Procurement Procedure N° EMSA/NEG/1/2015
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 2015

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 2015** (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 2015**. A **dated and signed receipt issued by an official** of EMSA 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 2015** (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

Praça Europa 4

Cais do Sodré

1249-206 LISBON

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:

<p style="text-align: center;">Invitation to Apply N°. EMSA/NEG/1/2015</p> <p style="text-align: center;">Lot “xx”</p> <p style="text-align: center;"><u>NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT</u></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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The outer envelope must be marked as follows:

<p style="text-align: center;">Invitation to Apply N°. EMSA/NEG/1/2015</p> <p style="text-align: center;">Lot “xx”</p> <p style="text-align: center;"><u>NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT</u></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 2015** to the following email address: NEG12015@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. Applications 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;
 - drawn up using the model reply forms in the specification.
7. Information on the Application Specifications is attached to this Invitation to Apply.

All these documents are available on the EMSA website www.emsa.europa.eu, through the "Procurement" section, under the link relevant to the procurement procedure N°EMSA/NEG/1/2015.
8. An acknowledgement of receipt of the Application will be issued to the candidates. Such an acknowledgment indicates only that the application has been received by the Agency.


Candidates 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 candidates are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:
 - **Before the final date for submission of applications:**
 - * At the request of the candidate, 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 NEG12015@emsa.europa.eu.

EMSA is not bound to reply to requests for additional information made less than five working days before the deadline for submission of tenders.
 - * 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 candidate provided the terms of the application are not modified as a result.

10. EMSA intends to organise information meeting(s) in the end of January 2015, regarding this procurement procedure, open for any interested party. The exact details on location and date will be published on the EMSA website by 15 January 2015 at the latest.
11. Public Procurement rules applying to calls for tender launched by EMSA are contained in the EMSA Financial Regulation available under the Financial Regulations section on the EMSA Website (www.emsa.europa.eu).
12. This invitation to apply is in no way binding on EMSA. EMSA contractual obligation commences only upon signature of the contract with the successful tenderer.
13. 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.
14. Once EMSA has opened the application, the document shall become the property of EMSA and it shall be treated confidentially.
15. 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>.
16. 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. Application Checklist;
3. Legal Entity Form (template);
4. Financial Identification Form (template);
5. Declaration on Honour (template);
6. Statement of Subcontracting/Joint Offer (template).