

**SUPPLY TENDER OPENING CHECKLIST
PUBLICATION REFERENCE:**

Step	
Preparatory session	
1. Chairperson describes the scope of the proposed contract, identifies the organisation(s) responsible for preparing the tender dossier, and summarises the essential features of the tender procedure to date, including the evaluation grid published as part of the tender dossier.	
2. All tender envelopes must be numbered according to the order in which they have been received.	
3. Paper submission: Chairperson verifies that all tender envelopes which have been received are available at the tender opening session.	
Tender opening session	
<p>1. Only in case of presential session (i.e. requiring physical attendance), tenderers' representatives attending the meeting must sign the presence list (attached to the tender opening record, Annex C6). If tender opening session is organised on-line, the presence list has to be drawn and signed by the secretary after verifying details of the connected representatives (e.g. in chat) and always including the email addresses, in case further correspondence is needed (e.g. discrepancies between information on price in e-submission and Financial offer).</p> <p>Electronic submission (direct management): The attendance list from the Annex C6 should be attached to the opening record extracted from the esubmission.</p>	
2. Paper submission: all tender envelopes are handed over to the chairperson.	
3. Paper submission: chairperson and secretary verify that all tender envelopes are sealed and in good condition.	
<p>4. Paper submission: chairperson and secretary open the tender envelopes in order of receipt. They mark the tender envelope number on the front page of each document. The chairperson and secretary initials the first page of all original documents and all pages of the original financial offer. Only the envelopes sent before the submission deadline should be opened.</p> <p>Electronic submission: The opening session will take place in MyWorkplace. Following their nomination in PPMT, opening committee members get access to opening task in MyWorkplace. From the opening session, the system automatically lists all tenders deemed to be in order.</p>	
<p>Paper submission: For each tender envelope, the chairperson and secretary announce and check that the summary of tenders received correctly records:</p> <ul style="list-style-type: none"> <input type="checkbox"/> the registration number on the envelope, <input type="checkbox"/> the name of the tenderer, <input type="checkbox"/> the date (and time, for those hand delivered on the last date for submission of tenders) of dispatch, <input type="checkbox"/> the condition of the outer envelope, <input type="checkbox"/> whether or not the tenderer has included a tender form for a supply contract, <input type="checkbox"/> the total financial offer and any discounts applicable (exact wording as 	

<p>in the tender form),</p> <ul style="list-style-type: none"> <input type="checkbox"/> the breakdown of the cost of the products and of any other amount not directly related to the intrinsic value of the products in question, <input type="checkbox"/> whether or not a tender guarantee has been provided, if required. <input type="checkbox"/> overall decision regarding suitability of tenders for further evaluation <p>Electronic submission: The system automatically lists all tenders deemed to be in order from the Opening session. The chairperson and secretary have to check the total financial offer and if any discounts are applicable, and announce it to the tender representatives. If later the Evaluation committee discovers a discrepancy in the total amount of the tender inserted in the e-Submission field "Total amount excl. taxes" and in the amount indicated in the uploaded financial offer, only the amount indicated in the financial offer will be taken into account. Tenderers will be informed by email about the discrepancy noted by the evaluation committee.</p>	
<p>5. The chairperson reminds the committee members of the following:</p> <p><i>Participants in this evaluation who might be, by any reason or mean, in a situation of conflict of interest, direct or indirect, actual or potential, please let us know and withdraw from this procedure.</i></p> <p><i>Shall be considered as being in a situation of conflict of interest any person having 'shared interest' with one or more of the tenderers and partners if any, and subcontractors, which may compromise the objective and impartial exercise of his/her functions as member of this committee. Shared interest might result inter alia from reasons involving family, emotional life, political or national affinities, economic interest – such as an employment contract-</i></p> <p>If any person points out a conflict of interest to the chairperson, the chairperson shall ask him/her to withdraw from the procedure. Once these persons have withdrawn from the committee, the chairperson continues reminding the following:</p> <p><i>All the participants in the evaluation of this tender procedure must guarantee impartiality and confidentiality in order to avoid any conflict of interest that may distort and condition the sound and fair progress of it.</i></p> <p>All members of the evaluation committee and any observers sign declarations of impartiality and confidentiality.</p>	
<p>6. Paper submission: chairperson signs the summary of tenders received.</p>	
<p>7. Paper submission: All members of the evaluation committee sign the tender opening record.</p> <p>Electronic submission: chairperson and/or secretary extracts generated opening record from e-submission.</p>	

TENDER OPENING RECORD

PUBLICATION REF.: _____

Contents: Timetable
Observers
Minutes
Conclusion
Signatures

Annexes: Summary of tenders received
List of tenderers' representatives
Declarations of impartiality and confidentiality

1. Timetable

	DATE	TIME	VENUE
Publication of contract notice			
Deadline for submission of tenders			
Tender opening session			

2. Observers

Name	Representing

3. Minutes

The tender opening session was based on the register of tenders received, which was prepared using the information on the envelopes. Each tender envelope had been given a sequential number by the contracting authority upon receipt.

The chairperson and secretary completed the attached summary of tenders received during the tender opening session. Only tenders contained in envelopes sent before the deadline for submission of tenders were opened. Tenders sent beyond the deadline were rejected without opening them. Tenders received already open were rejected without examining their content.

[If any tenderers withdrew their tenders:

The following tenderers withdrew their tenders:

Tender envelope number	Tenderer name	Reason (if known)

]

All members of the evaluation committee (and observers) signed declarations of impartiality and confidentiality, which are attached to this record. The tender envelope number was marked on all copies of the tenders. The chairperson and the secretary initialled the front page of each original document and all the pages of the original financial offer.

4. Conclusion

The following tenders are suitable and regular, and can be submitted to further evaluation:

Tender number	Tenderer name	Financial offer [by lot] [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate]	Discount conditions (as stated in item 4 of the tender submission form)

5. Signatures

	Name	Signature
Chairperson		
Secretary		
Evaluators		

CONTRACT TITLE: _____

PUBLICATION REF.: _____

SUMMARY OF TENDERS RECEIVED													
Tender number	(Lead) ¹ tenderer name	By post or private courier		Hand delivered		Number of packages	Within deadline? (Yes/No)	Tender package(s) duly sealed? (Yes/No)	Tender submission form included? (Yes/No)	Other consortium members ¹ included? (Yes/No)	Declaration(s) included? (Yes/No)	Tender guarantee included? (Yes/No)	Overall decision (Accept / Reject)
		When sent	When received	Received by ² (Initials)	Date and time of reception ³								
1													
2													
3													
4													
5													
6													

Chairperson's name	
Chairperson's signature	
Date	

¹ For tenders submitted by a consortium.
² Name(s) of person(s) receiving tenders.
³ Time and date of reception to be recorded only for hand delivered tenders.

ADMINISTRATIVE COMPLIANCE GRID

Contract title :		Invitation to tender for Supply of waste collection equipment : Lot 1 – waste collection vehicles, Lot 2 – Recycling Bins, Lot 3 – Press machine					Publication reference :		Wasterreact/5
Tender number	Name of tenderer	Is tenderer (consortium) nationality ¹ eligible? (Y/N)	Is documentation complete? (Y/N)	Is language as required? (Y/N)	Is tender submission form complete? (Y/N)	Is tenderer's declaration signed (by all consortium members if a consortium)? (Yes/No/ Not Applicable)	Declaration(s) of honour included? (Yes/No)	Other administrative requirements of the tender dossier? (Yes/No/N or applicable)	Overall decision? (Accept / Reject)
1									
2									
3									
4									
Chairperson's name									
Chairperson's signature									
Date									

¹ If the tender has been submitted by a consortium, the nationalities of **all** the consortium members must be eligible.

EVALUATION GRID

Contract title :	Invitation to tender for Supply of waste collection equipment : Lot 1 – waste collection vehicles, Lot 2 – Recycling Bins, Lot 3 – Press machine					Publication reference :		Wasterreact/5
-------------------------	--	--	--	--	--	--------------------------------	--	---------------

Tender No	Name of tenderer	Rules of origin respected? (additional guidance ¹) (Y/N)	Economic & financial capacity? (OK/a/b/...)	Professional capacity? (OK/a/b/...)	Technical capacity? (OK/a/b/...)	Compliance with technical specifications? (OK/a/b/...)	Ancillary services as required? (OK/a/b/.../NA)	Subcontracting statement in accordance with art. 6 of the general conditions? (Y/N)	Other technical requirements in tender dossier? (Yes/No/Not applicable)	Technically compliant? (Y/N)	Justification/ notes:
1											
2											
3											

Evaluator's name & signature	
Evaluator's name & signature	
Evaluator's name & signature	
Date	

¹ Applicable only to contracts financed by a basic act under the MFF 2014-2020 (contracts/lots above EUR 100 000 under CIR and independently of the value for other instruments).
² The selection criteria, in the previous section of this form, have to be met before the technical requirements are assessed.

EVALUATION REPORT

PUBLICATION REF.: _____

- Contents:**
- Timetable
 - Observers
 - Evaluation
 - Preparatory session
 - Tender opening session
 - Administrative compliance
 - Technical compliance
 - Financial evaluation
 - Conclusion
 - Signatures

- Annexes:**
- Tender opening record and its annexes]
 - Administrative compliance grid
 - Technical evaluation grids completed by the individual evaluators,
[incl Annex III Technical offer]

1. Timetable

	DATE	TIME	VENUE
Preparatory session			
Deadline for the submission of tenders			
Tender opening session			
< Meeting 1 >			
< Meeting 2 >			
Etc.			

2. Observers

Name	Representing

3. Evaluation

Preparatory session

The chairperson informed the evaluation committee of the scope of the proposed contract, identified the organisations responsible for preparing the tender dossier, and summarised the essential features of the tender procedure to date, including the evaluation grid published as part of the tender dossier.

Tender opening session

The tender opening record is attached to this report. The evaluation committee only considered those tenders, which were found to be suitable for further evaluation following the tender opening session.

3.1 Administrative compliance

The evaluation committee used the administrative compliance grid included in the tender dossier to assess the compliance of each of the tenders with the administrative requirements of the tender dossier.

[If clarifications were requested for the submissions from any tenderers:

With the agreement of the other evaluation committee members, the chairperson wrote to the following tenderers whose tenders required clarification, offering them the possibility to respond by <within a reasonable time limit fixed by the evaluation committee> (all correspondence is attached in the annex indicated):

Tender number	Tenderer name	Lot number*	Summary of exchange of correspondence

]

The completed administrative compliance grid is attached. On the basis of this, the evaluation committee decided that the following tenders were administratively non-compliant and should not be considered further:

Tender number	Tenderer name	Lot number*	Reason
			[The tenderer is in an exclusion situation.]
			[The tenderer has misrepresented or failed to supply the information required.]
			[The tenderer was previously involved in the preparation of procurement documents, this entailing a distortion of competition which cannot be remedied otherwise.]

Tender number	Tenderer name	Lot number*	Reason
			[The tenderer does not meet the selection criteria.]
			[<Other reason>]

3.2 Technical compliance

Each evaluator on the evaluation committee used the technical evaluation grid included in the tender dossier to assess the compliance of each of the tenders with the technical requirements of the tender dossier. The completed technical evaluation grids are attached.

[If clarifications were requested from any tenderers :

With the agreement of the other evaluation committee members, the chairperson wrote to the following tenderers whose tenders required clarification, offering them the possibility to respond by <within a reasonable time limit fixed by the evaluation committee> (all correspondence is attached in the annex indicated):

Tender number	Tenderer name	Lot number*	Summary of exchange of correspondence

After discussing the individual conclusions of the evaluators, the evaluation committee concluded that the following tenders were technically non-compliant and should not be considered further:

Tender number	Tenderer name	Lot number*	Reason
			[The tender does not comply with the minimum requirements specified in the procurement documents.]
			[The tender does not meet the minimum quality levels.]

3.3 Financial evaluation

The evaluation committee checked the technically compliant tenders for arithmetic errors.

[If any arithmetic errors were found:

As stated in the instructions to tenderers, arithmetic errors were corrected on the following basis:

- Where the total amount of the tender inserted in the e-Submission field “Total amount excl. taxes” does not correspond to the amount indicated in the uploaded financial offer, only the amount indicated in the financial offer will be taken into account.
- Where there was a discrepancy between amounts in figures and in words, the amount in words prevailed
- Where there was a discrepancy between a unit price and the total amount derived from the multiplication of the unit price and the quantity, the unit price as quoted prevailed, except where the evaluation committee agreed that there was an obvious error in the unit price, in which case the total amount as quoted prevailed
- Where unconditional discounts applied to financial offers for individual lots, the discount was applied to the financial offer

The following arithmetic corrections were made:

Tender number	Tenderer name	Lot number *	Stated financial offer [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate]	Arithmetically corrected financial offer [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate]

The arithmetically corrected financial offers were compared [for each lot] to identify the technically compliant tender with the lowest price [for that lot].]

[If a tender appears to have an abnormally low price in relation to the market for the supplies in question:

The tender submitted by <tenderer name> appeared to have an abnormally low price in relation to the market for the supplies in question. Consequently, the chairperson of the evaluation committee wrote to <tenderer name> to obtain a detailed explanation for the low price proposed.

On the basis of the response of the tenderer, the evaluation committee decided to

EITHER [accept the tender because

[the tenderer used an economic production method]

[of the nature of the technical solution used]

[the financial offer reflected exceptionally favourable conditions available to the tenderer.]]

OR [reject the tender as the abnormally low price could not be justified on objective grounds.]

[For each lot] The ranking of the tenders which were not excluded during the evaluation was as follows, in order of the arithmetically corrected financial offers:

Tender number	Tenderer name	[Lot number] *	Financial offer [after arithmetical correction] [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate]	Ranking

]

[If discounts are offered: Application of discounts:

[Lot number*]	Tender number	Tenderer name	Financial offer [after arithmetical correction] [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate]	Discount applicable [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate]

* Delete column if there are no lots.]

EDF only: If preferential rules are to be applied:

[Preferences: for supply contracts of a value of less than EUR 300 000, tenderers of the ACP states, either individually or in a consortium with European partners, shall be accorded a 15% price preference during the financial evaluation.

Moreover, where two tenders are acknowledged to be equivalent, preference shall be given:

- (a) to the tenderer of an ACP State; or
- (b) if no such tender is forthcoming, to the tenderer who:
 - allows for the best possible use of the physical and human resources of the ACP States,
 - offers the greatest subcontracting possibilities to ACP companies, firms or natural persons, or
 - is a consortium of natural persons, companies and firms from ACP States and the European Union.

The application of these rules concluded the following results:

[Lot number*]	Tender number	Tenderer name	Financial offer [after arithmetical correction] [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate]	Financial offer after applying preferential rules [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate]

]

[Only very exceptionally, subject to prior approval, if the best price-quality ratio criterion applies, add the following paragraph:

Financial scoring

The evaluation committee compared the financial offers to calculate their financial scores:

[Lot number] *	Tender number	Tenderer name	Financial offer [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate]	Financial score

]

3.4 Most economically advantageous tender

[Either: The most economically advantageous tender is the technically compliant tender with the lowest price.]

[Or, where exceptionally the best price-quality ratio criterion applies (subject to prior approval): The most economically advantageous tender is the technically compliant tender with the best price-quality ratio. The best price-quality ratio is established by weighting technical quality against price on a basis to be determined on a case by case basis:

Tender number	Tenderer name	Overall score (technical score x 0.**0 + financial score x 0.**0)	Final ranking

]

4. Conclusion

Correspondence regarding the Declaration on Honour criteria and documentary evidence for exclusion and selection criteria

[The requirement to submit an **original** Declaration on Honour on exclusion criteria and selection criteria is only **applicable** in case of paper submission.]

[Email below is not to be used for the simplified procedure if the original Declaration on Honour and documentary evidence on exclusion and selection were submitted with the tender (i.e. they were deemed necessary and requested in the Instructions to Tenderers)]

[Email below is not to be used in case of a local open procedure if the original Declaration on Honour and documentary evidence on exclusion and selection were submitted with the tender (i.e. they were deemed necessary and requested in the Instructions to Tenderers)]

An email requesting the original Declaration on Honour on exclusion criteria and selection criteria, if applicable, and copies of documentary evidence for exclusion and selection criteria for the tender with the highest overall scores was sent on <specify the date>. [The text of the email to the tenderer offering the cheapest technically compliant tender must at least contain the following information:

Please send to <address of the Contracting Authority> or/and <email address of the Contracting Authority>.

1. The Declaration(s) on honour on exclusion criteria and selection criteria.

[Paper submission:

Please submit the original Declaration(s) on honour, a copy of which has been submitted by you with the tender form. The original signed Declaration(s) on honour should be submitted for every member of the consortium and any capacity providing entity or subcontractor (if applicable). Please use a reliable courier service or registered mail to avoid any delays or loss of the documents. The envelope, clearly mentioning the reference of the call for tenders and, if applicable, the e-Submission ID of the tender must be marked as "CALL FOR TENDERS – NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT".

If you use the Qualified Electronic Signature (QES) for the signing of documents, please sign the Declaration(s) on honour on exclusion and selection criteria with QES and send by email.]

[Electronic submission: Tenderers must keep the originals of the Declaration on Honour for control purposes and must provide them to the contracting authority upon request.]

[Documentary evidence on exclusion criteria is requested for all tender procedures above EUR 300 000. For tender procedures below EUR 300 000, the contracting authority may, if it has doubts about whether the tenderer to whom the contract is to be awarded is in one of the situations leading to exclusion, require the tenderer to provide the evidence on exclusion criteria

2. Documentary evidence for the exclusion criteria. Please send by email or by courier service or registered mail¹ the documentary evidence demonstrating that you do not fall into any of the exclusion situations listed in Section 2.6.10.1.1. of the Practical Guide. Examples of the admissible supporting documents are provided in Section 2.6.10.1.3. of the Practical Guide. The admissible proof or statement should be under the law of the country in which you (including all consortium members, as well as subcontractors and capacity providing entities, if applicable) are established in accordance with the undertaking in the declaration(s) which was included in your tender. The date on the evidence or documents provided must be no earlier than 1 year before the date of submission of the tender. [You] [Your firm] [each consortium member] must, in addition, provide a statement that the situation has not been altered in the period that has elapsed since the evidence in question was drawn up.

¹ Please use a reliable courier service or registered mail to avoid any delays or loss of the documents. The envelope, clearly mentioning the reference of the call for tenders and, if applicable, the e-Submission ID of the tender must be marked as "CALL FOR TENDERS – NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT".

If the nature of your entity is such that it cannot fall into the exclusion situations and/or cannot provide the documents indicated above (for instance, national public administrations and international organisations), please provide a declaration explaining this situation.

The contracting authority may waive the obligation of any tenderer to submit the documentary evidence referred to above if such evidence has already been submitted for the purposes of another procurement procedure, provided that the issue date of the documents does not exceed one year and that they are still valid. In this case, please declare that the documentary evidence has already been provided in a previous procurement procedure, indicating its title and reference number, and provide confirmation that the situation has not changed.]

[Documentary evidence on selection criteria is requested for all tender procedures above EUR 300 000. For tender procedures below EUR 300 000: The contracting authority may, depending on its assessment of the risks, decide not to require proof for selection criteria, but then no pre-financing must be made, see Section 2.6.11. of the practical guide.

3. Documentary evidence for selection criteria. The documentary evidence of the financial and economic capacity and the technical and professional capacity according to the selection criteria specified in the additional information about the contract notice (A5f) has to be provided by email or by courier service or registered mail¹.

Where the documentary evidence submitted is in an official language of the European Union other than the one of the procedure, it is strongly recommended to provide a translation into the language of the procedure, in order to facilitate the evaluation of the documents. Although copies of the documentary evidence can be submitted at this stage, the originals must be available to send to the contracting authority upon request.

We would be grateful to receive the requested documents at the latest by <date>.

[Only for procedures where tenders were submitted via electronic submission (open/ negotiated): In the course of the procedure the EU Validation Services of REA may contact you and all consortium members via the Participant Register and ask for supporting documents with respect to the legal existence, status and financial data of your organisation (PIC validation). Please note that a request for supporting documents in no way implies that the tenderer has been successful. All communications with the EU Validation Services will take place through the F&T portal.]

]

The original (if applicable) signed declaration(s) on honour on exclusion and selection criteria for the tender with the highest overall scores, including the declarations of every member of the consortium and any capacity providing entity (if applicable), and documentary evidence on compliance with exclusion and selection criteria were submitted on <specify the date>.

[If further clarifications on documentary evidence were requested from the tenderer:

With the agreement of the other evaluation committee members, the chairperson wrote to the tenderer offering them the possibility to respond by fax or email within a reasonable time limit fixed by the evaluation committee (all correspondence is attached in the annex indicated):

Tender number	Tenderer name	Summary of exchange of correspondence

]

The evaluation committee verified the documentary evidence for exclusion and selection criteria for the tenderer offering the most economically advantageous tender and the documents were found [admissible] [not admissible].

If the documentary evidence is not found admissible the evaluation committee will proceed as stated above with the second best technically and financially acceptable tender, using the email text template provided above to request the original (if applicable) Declaration on honour and the documentary evidence. Upon receipt and verification of all requested documents, the evaluation committee may recommend awarding the contract to the second best tenderer.

The evaluation committee has ensured that the recommended tenderer or the members in the consortium are not in a situation of exclusion in the early detection and exclusion system. [In indirect management if the contracting authority does not have access to the early detection and exclusion system this has to be verified with the representative of the European Commission.]

The evaluation committee has ensured that there is no detection of a recommended tenderer or members in the consortium in the lists of EU restrictive measures².

[Electronic submission The evaluation committee requested the PIC validation³ of the tenderer offering the cheapest technically compliant tender (lead of the consortium and all consortium members).]

² The updated lists of sanctions are available at www.sanctionsmap.eu. Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

³ For further guidance on the procedure to request the PIC validation, please consult RELEX internal Wiki

Consequently, the evaluation committee recommends that the contract[s] [is] [are] awarded as follows:

[Lot number*]	Tender No	Tenderer name	Financial offer (after arithmetical correction and discounts) [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate]	[Spare parts and/or consumables] [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate]	Contract value [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate]

* Delete column if there are no lots.

5. Signatures

	Name	Signature
Chairperson		
Secretary		
Evaluators		

[For simplified procedure where only one tender was received the following must be inserted and the award decision template is not to be used:

Awarded to the tenderer recommended by the Evaluation committee:

Name & signature:

Date:]

< Letterhead of the contracting authority >

AWARD DECISION

PUBLICATION REF: <Ref>

<Contract title>

[Lot number and lot title: <number and title>]

Maximum budget: <amount and currency>

The contracting authority, having examined the evaluation report prepared by the evaluation committee on the <date>, acknowledges that the evaluation committee recommends that <tenderer name> is awarded the contract with a contract value of [EUR] [<ISO code of the country of the contracting authority> only for indirect management] <amount>.

The contracting authority

[approves the evaluation report.

Choose an option:

[Following the evaluation committee's recommendation, the contracting authority takes the decision to award the contract to <tenderer name>, the latter being the tenderer who provides the most economically advantageous tender while meeting the selection criteria.]

Or: [However, the contracting authority cannot follow the evaluation committee's recommendation for the following reason(s): <explain>. Therefore, the contracting authority takes the decision to award the contract to <tenderer name> which, while meeting the selection criteria <insert the reasons>.]

[For contracts awarded following a competitive dialogue: The recourse to the competitive dialogue was justified by the following circumstances <insert>.]

[has decided not to award the contract for the following reason(s): <explain>.]

Name and signature:

Date:

Notification letter

< Letterhead of contracting authority >

< Date >
< Official name of tenderer / candidate
/contractor >
<Address of tenderer / candidate /
contractor >

Our ref: < Publication reference >

Dear < Contact name >,

< Contract title >, < Location >

We are pleased to inform you that your tender has successfully passed the evaluation for the above contract for the amount mentioned in your tender [, as corrected for arithmetic errors as follows: <...>] and on the basis of the conditions stipulated in the tender dossier. The contract value is [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate] <amount>.

Please complete a new financial identification form if your bank account details have changed since those submitted with your tender.

[Where applicable: To facilitate the contract preparation, could you please confirm that you will request the pre-financing of < amount of pre-financing >.]

[For contracts that are not already managed through OPSYS: Kindly confirm as soon as possible whether you are able to sign the contract using a Qualified Electronic Signature (QES). Please note that only the QES within the meaning of Regulation (EU) No 910/2014 (eIDAS Regulation) will be accepted¹.

Documents signed with a QES benefit from the highest level of security and legal certainty under the eIDAS Regulation. You can find more background information here: <https://ec.europa.eu/cefdigital/wiki/display/CEFDIGITAL/eSignature+-+Businesses>.

It is recommended that you check the QES signature and the validity of your certificate before sending back the countersigned document. Please use one of the following tools:

- DSS Demonstration validation tool available at <https://ec.europa.eu/cefdigital/DSS/webapp-demo/validation> to check the validity of a certificate by indicating the number and type of valid signatures in a document.

- Adobe Acrobat Reader: https://helpx.adobe.com/be_en/acrobat/using/validating-digital-signatures.html

¹ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC.

- EU Trusted List Browser can be consulted in order to check whether the electronic signature provider and the trust service it provides are part of European Union Trusted List: <https://webgate.ec.europa.eu/tl-browser/#/>

To make sure you use a QES compliant to eIDAS Regulation, you need to check that both the service provider and the qualified certificate generation service used are included in the EU Trusted List Browser.]

The contract will be sent to you for signature within 15 calendar days following receipt of this notification of award. [The contract must be signed by the two parties by <specify date> at the latest.]

Please take note of the possibility – as described in the instructions to tenderers – that the tender procedure may – under certain circumstances – be cancelled by the contracting authority. In no circumstances will the contracting authority be liable for damages, whatever their nature (in particular damages for loss of profits) or relationship to the cancellation of a tender, even if the contracting authority has been informed of the possibility of damage. The publication of a contract notice does not commit the contracting authority to implement the programme or project announced.

Letters have also been sent today to the unsuccessful tenderers informing them that they may obtain your name, the characteristics and relative advantages of your tender, as well as the overall price of your tender.

[To be inserted when the contract value exceeds the threshold of EUR 300 000 and for the cases where the following situations do **not** apply:

- 1) in a procedure where only one tenderer has been submitted
- 2) negotiated procedure without prior publications, see PRAG 5.2.5.1.

The contract can be signed only after a period of [10 calendar days when using electronic means] [calendar 15 days when using other means] starting from the day following the date on which this notification was sent. During this period you may submit any observations concerning the procurement procedure to the contracting authority. If it is not possible to conclude the contract as envisaged, we reserve the right to review our decision and to award the contract to another tenderer or to cancel the procedure].

Implementation of the tasks may not start before the contract is signed by both parties.

< Add any special instructions as appropriate >

Yours sincerely,

< Name >

< Letterhead of contracting authority >

< Date >

< Address of tenderer >

Our ref: < Publication reference > / < Letter number >

Dear <Contact name>

< Contract title >, < Location >

Thank you for participating in the above-mentioned tender procedure. I regret to inform you, however, that your tender was not [admissible] only for the last reason: [successful] for the following reason[s]:

Delete rows not applicable

- [your tender did not relate to the subject matter of the contract]
- [your tender was submitted after the deadline]
- [your tender was not administratively regular for the following reason(s): < specify>]
- [your tender was not properly sealed]
- [the declarations required with your tender form for a supply contract were altered or were missing]
- [General budget of the Union: your tender included a firm whose nationality is not that of one of the EU Member States or the countries and territories of the regions covered and/or authorised by the regulation or other specific instruments applicable to the programme under which the contract is to be financed]
- [EDF: your tender included a firm/sub-contractor whose nationality is not that of one of the ACP States or EU Member States or a country or territory authorised by the ACP-EC Partnership Agreement under which the contract is to be financed]
- [no tender guarantee was provided with your tender]
- [your [consortium's] economic and financial standing was not considered to satisfy criterion <a/b/...> specified in the tender dossier]
- [your [consortium's] professional capacity was not considered to satisfy criterion <a/b/...> specified in the tender dossier]
- [your [consortium's] technical capacity was not considered to satisfy criterion <a/b/...> specified in the tender dossier]
- [your technical offer was not considered to respect the rules of origin specified in the tender dossier]
- [your technical offer was not considered compliant on the following aspects of the

technical specifications: <explain which aspects>]

- [your financial offer exceeded the maximum budget available for the contract]
- [your tender was not the least expensive of those tenders which were technically compliant]
- [your tender did not offer the best price-quality ratio among those tenders which were technically compliant]
- [to be specified]

For your information, the contract has been awarded to <name of successful tenderer> for an amount of <amount> [EUR] [<ISO code of national currency>] only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate].

We draw your attention to the legal remedies available to you to contest this decision, explained in Section 2.12. of the practical guide.

If you so request in writing, you may be informed of the characteristics and relative advantages of the successful tender(s) and the contract value. However, certain information may be withheld where its release would impede law enforcement, would be contrary to public interest, or would prejudice the legitimate commercial interests of economic operators or might distort fair competition between them.

[To be inserted when the contract value exceeds the threshold of EUR 300 000 and for the cases where the following situations do **not** apply:

- 1) in a procedure where only one tenderer has been submitted
- 2) negotiated procedure without prior publications, see PRAG 5.2.5.1.

The contract can be signed only after a period of [10 calendar days when using electronic means] [15 calendar days when using other means] starting from the day following the date on which this notification was sent. During this period you may submit any observations concerning the procurement procedure to the contracting authority. If it is not possible to conclude the contract as envisaged, we reserve the right to review our decision and to award the contract to another tenderer or to cancel the procedure].

Although we have not been able to make use of your services on this occasion, I trust that you will continue to take an active interest in our initiatives.

[Your original tender guarantee is hereby returned.] [Your original tender guarantee will be returned.]

Yours sincerely ,

< Name >