



European School Mol  
Europawijk 100  
2400 Mol

## Invitation to negotiate & Specifications

Date : 10/07/2024

Procedure n°: **2024\_14 INTERNET AND TELECOMMUNICATIONS PROVISION  
(SCHOOLNET+FIBER)**

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Type of procedure: negotiated procedure without prior publication on the basis of article 11.1, alinea 2, b) and l), and 11.3 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union (Financial Regulation)

Award method: Price

Type of contract : Framework contract

Contracting authority: European School of Mol

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### **Part 1 –Administrative provisions**

The contracting authority is planning the award of the contract with the object described above. The procurement documents consist of the present document, of the project of contract and of the documents annexed.

If you are interested in this contract, you are invited to submit the following documents exclusively by electronic mail to [mol-procurement@eursc.eu](mailto:mol-procurement@eursc.eu):

- your offer
- the documents 1 to 4 annexed, or if necessary, please insert any other document that the tenderer should send

The tender must be received no later than **15:00h** (Central European Time) on **19/08/2024**.

Tenders must be:

- signed by a duly authorized representative of the tenderer;
- perfectly legible so that there can be no doubt as to technical and financial conditions proposed by the tenderer;
- expressed in Euros every costs and fees included, and exclusive of VAT;

The period of validity of the tenders, during which all the conditions of your tender must be maintained, is 60 days from the deadline for receipt of the offer. Submission of a tender implies acceptance of all the terms and conditions set out in the procurement documents and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. The submitted tender is binding on the tenderer to whom the contract is awarded for the duration of the contract.

By submitting a tender, the tenderer also accepts all the terms and conditions set out in the draft contract annexed to these specifications. The successful tenderer of the contract may no longer request an adaptation of any clause whatsoever.

All costs incurred for the preparation and submission of tenders are to be borne by the tenderers and will not be reimbursed by the contracting authority.

Contacts between the contracting authority and tenderer are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the deadline for receipt of the offer:

Upon request of the tenderer, the contracting authority may provide additional information solely for the purpose of clarifying the procurement documents.

Any request for additional information must be made in writing only to [mol-procurement@eursc.eu](mailto:mol-procurement@eursc.eu)

The contracting authority may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other type of clerical error in the text of the procurement documents.

After the opening of the tenders:

Where a tender give rise to requests for clarification or where obvious clerical errors in the drafting of the tender need to be corrected, the contracting authority may take the initiative of contacting the tenderer; such contact cannot lead to a substantial modification of the tender..

The contracting authority may negotiate with the tenderer the tender he has submitted with a view to adapting them to the contract documents and seeking the lowest offer. The minimum requirements laid down in the contract documents shall not be subject to negotiation. The contracting authority reserves the right not to negotiate and to award the contract on the basis of the tender initially received.

Once the contracting authority has opened the tender, it becomes its property and it shall be treated confidentially.

This invitation to tender is in no way binding on the contracting authority. The contracting authority's contractual obligation commences only upon signature of the framework contract with the successful tenderer.

Up to the point of signature, the contracting authority may cancel the procurement procedure without the tenderer being entitled to claim any compensation. This decision must be substantiated and the tenderer notified.

Tenderer will be notified of the outcome of this procurement procedure by e-mail. The notification will be sent to the e-mail address provided in the tender for the tenderer (group leader in case of a joint tender). The same e-mail address will be used by the contracting authority for all other communications with the tenderer. It is the tenderer's responsibility to provide a valid e-mail address and to check it regularly.

**Data protection:**

If processing a reply to the invitation to tender involves the recording and processing of personal data (such as name, address and CV), such data will be processed pursuant to Regulation (EC)

No 2016/679 of the European Parliament and of the Council of 27 April 2016<sup>1</sup> on the protection of individuals with regard to the processing of personal data, and with due regard for the national legislation applicable to the protection of privacy. Unless indicated otherwise, any personal data will be processed solely for evaluation purposes under the call for tenders by the procurement Unit of the Director of the European School Mol.

### **Remedies:**

You have the possibility to lodge an action against the judicial court of the district of Anvers, according to the Articles 14, 15, 23 and 24 of the law of the 17<sup>th</sup> of June 2013 related to « *motivation, à l'information et aux voies de recours en matière de marchés publics, de certains marchés de travaux, de fournitures et de services et de concessions* » within the time limits provided for in Article 23 of the said law.

Any requests you may make and any replies to them or complaints of maladministration will have neither the object nor the effect of suspending the time limit for lodging an appeal or of opening a new period for lodging an annulment procedure.

## **Part 2 – Tender specifications and minimum technical requirements**

Subject: Internet and telecommunications provision (SCHOOLNET+FIBER)

Quantity:

- Installation line:
- Internet Backup Line. Coax Line 1000/100
- Internet FiberNet 500/500 (including Anti-DDOS)
- Cell phones 4 number

Duration of the contract: 12 months tacitly renewable 2 times for successive periods of 12 months, i.e. **36 months maximum**, unless one of the parties receives formal notification to the contrary at least three months before the end of the current duration.

Date et place of delivery: European School Mol. Europawijk 100 -2400 Mol

Award method: Price

The maximum total amount of the contract (for its whole duration) is **25.000€ (TWENTY-FIVE THOUSAND EUROS)**, disagreed in **23.088,52€ (plus other possible provisions: 1.911,48€)**

The contract shall automatically terminate if this maximum amount is reached, without notice or compensation, unless an addendum has been previously signed by both parties.

**The European Schools are exempt from VAT for operations of deliveries of goods and services in Belgium, pursuant to the provisions of Article 42 §3, first paragraph, 4° of the Belgian VAT Code. Potential tenderers will state on their invoices the following reference « *Exemption de la TVA. Article 42 §3, alinéa 1<sup>er</sup>, 4° du Code de la TVA. Décision ministérielle ET 121.600/A29/L92 du 19 décembre 2017* ».**

## **Part 3 – Evaluation and award**

Exclusion criteria

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<sup>1</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&from=FR>

The objective of the exclusion criteria is to assess whether the tenderer is in any of the exclusion situations listed in Article 136(1) of the Financial Regulation.

As evidence of non-exclusion, the tenderer needs to submit with its tender a Declaration on Honour (annex 2) in the model annexed. The declaration must be signed by an authorised representative of the entity providing the declaration.

#### Compliance with the minimum requirements of the tender specifications

By submitting a tender, a tenderer commits to perform the contract in full compliance with the terms and conditions of the documents for this call for tender. Particular attention is drawn to the minimum requirements specified in [Part 2 of these specifications][the Technical specifications document (Tender specifications – part 2)] and to the fact that tenders must comply with applicable data protection, environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU.

The minimum requirements shall be observed throughout the entire duration of the contract. Compliance with these requirements is mandatory and cannot be subject to any, limitations, conditions, or reservations on the part of a tenderer and not be the subject of any negotiation initiated by the contracting authority.

#### Award of the procurement

The contract will be awarded provided that the tender complies with the minimum clauses and requirements of the tender specifications and submitted by a tenderer who is not in a situation of exclusion.

Kind regards,

The authorizing officer:

**Roberto Teruel Martínez**, *Procurement Officer*

European School Mol.

Signature:

The following documents are annexed to the specifications and form an integral part of the contract documents:

1. Annex 1 : ID Form
2. Annex 2 : Declaration of honour on the exclusion criteria
3. Annex 3 : Bank account form (Excell file)
4. Annex 4 : Project of framework contract