

Lisbon, 13 DEC 2013

**INVITATION TO SUBMIT REQUEST TO PARTICIPATE IN THE
COMPETITIVE DIALOGUE No. EMSA/CDI/01/2014**

Dear Sir/Madam,

1. The European Maritime Safety Agency (EMSA) is launching a Competitive Dialogue Procedure following publication of a Contract Notice in the Official Journal of the European Union with the purpose of establishing aerial dispersant capability in order to top-up the capabilities of a coastal State in the event of oil pollution from off-shore installations as well as ship-sourced pollution.
2. Please note that this procurement procedure is divided into the following four phases:
 - a) Phase 1: Pre-selection of candidates
 - b) Phase 2: Dialogue
 - c) Phase 3: Tender phase
 - d) Phase 4: Award and signature.

a) Pre-selection of candidates

Any interested party is invited to submit a Request to Participate in this Competitive Dialogue 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 requests, a list of pre-selected candidates will be drawn up according to the criteria set out in the Contract Notice and in the "Description of needs and requirements" (enclosure 1) as published on the EMSA website www.emsa.europa.eu.

b) Dialogue

EMSA shall send an Invitation letter to Participate in the Dialogue phase to the short-listed candidates. Dialogue meetings will be conducted separately with each candidate. The meetings will be held at the EMSA's premises in accordance with the timeline included in the Invitation letter.

c) Tender Phase

At the end of the Competitive Dialogue the pre-selected candidates will be invited to submit a full offer in the Tender Phase.

d) Award and Signature.

The Service Contract will be awarded to the tender that offers the most economically advantageous bid in accordance with the award criteria that will be published in the Tender phase.

THE DEADLINE FOR SUBMITTING REQUESTS TO PARTICIPATE IS 10 February 2014

3. Interested parties who wish to participate must submit an official request in paper to EMSA **duly signed** by their authorised representative together with three copies of their requests, strictly identical to the original one (total: 1 original and 3 copies). Requests can be submitted in three different ways to the Agency:

(a) either by registered post

In this case the request should be posted not later than 10/02/2014 (**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 (Lisbon local time) on 10/02/2014. 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 10/02/2014 (the slip issued by the private courier service acting as proof).

In whichever form the request is submitted, the following address should be used:

European Maritime Safety Agency

Mr Bernd Bluhm

Head of Unit Pollution Response Services

Praça Europa 4

1249-206 Lisbon

PORTUGAL

4. Requests must be submitted in two envelopes, one inside the other. Both envelopes must be sealed. The inner envelope must be marked as follows:

Invitation to Submit Requests No. EMSA/CDI/01/2014
Lot
NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT
To the attention of
Mr Bernd Bluhm

The outer envelope must be marked as follows:

Invitation to Submit Requests No. EMSA/CDI/01/2014
Lot
To the attention of
Mr Bernd Bluhm

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 request must also be submitted in PDF format. Such an electronic copy must be submitted by **10 February 2014** to the following email address: CDI012014@emsa.europa.eu or included in a CD, USB key or similar. In case of inconsistency, the paper version will have precedence over the electronic one. The date of submission of the paper version will in any case be taken into consideration for the assessment of the opening criteria (i.e whether the request was dispatched on time or not).
6. Requests must be
- signed by the candidate 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 service is provided in the "Description of needs and requirements" (enclosure 1).

All the documents relevant during this first phase of the procedure ("Pre-selection of candidates" phase) are available on the EMSA website www.emsa.europa.eu, through the "Procurement" section, under the link identifying the procurement procedure No. EMSA/CDI/01/2014.

8. An acknowledgement of receipt of the request will be issued to the candidates. Such an acknowledgment indicates only that the request has been received by the Agency.

Candidates will be duly informed whether or not their requests have been accepted for the Dialogue phase (second phase).

9. Contacts between the contracting authority and candidates are limited throughout the procedure:

- **Before the final date for submission of tenders:**

- * EMSA intends to organise an information meeting in January 2014, regarding this procurement procedure, open for any interested party. The exact details on location and date will be published on the EMSA website by 7 January at the latest.
- * At the request of the candidate, EMSA may provide additional information deemed necessary for preparing an adequate offer.

Any questions for additional information must be made in writing and sent to the following e-mail address CDI012014@emsa.europa.eu.

Questions for additional information received less than five working days before the closing date for submission of requests will not be processed.

- * 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 tenders.
- * Any additional information including that referred to above will be published on EMSA website in the Procurement section.
- * Up to three dialogue meetings with each pre-selected candidate could be held from 18 March to 8 May 2014 at the EMSA's premises in Lisbon.
- * EMSA will reimburse the travel expenses for the pre-selected candidates invited to the dialogue meetings. The reimbursement rules will be attached in the Invitation letter.

- **After the opening of tenders**

- * If clarification is required or if obvious clerical errors in the offers need to be corrected, EMSA may contact the tenderers provided the terms of the offers are not modified as a result.

10. All information made available by the candidates to EMSA during the dialogue phase in the context of the dialogue shall remain available with due observance of the requirements of confidentiality and security, in particular the protection of personal data.

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 submit requests 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 request, 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 Pollution Response Services Unit). 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
The Executive Director

Enclosures:

1. Description of needs and requirements
2. Checklist for the candidate
3. Statement of subcontracting/Joint offer
4. Legal Entity Form
5. Financial Identification Form
6. Declaration of Honour