



Call for Tenders LISA/2017/OP/02

Framework Supply Contract

**For the Supply of furniture for the new building in eu-
LISA's operational site in Strasbourg**

Tender specifications

TABLE OF CONTENTS

1. SUMMARY	2
2. DESCRIPTION OF SUPPLIES/SERVICES COVERED BY THE CALL FOR TENDERS	3
2.1. Purpose	3
2.2. Participation in the tendering procedure, access to the market	3
2.3. Volume and Value of the Contract	4
2.4. Duration.....	4
2.5. Type of contract and location.....	4
2.6. Account manager	4
2.7. Workflow and implementation.....	4
2.8. Reporting.....	4
2.9. Other contract particulars.....	5
E-request, e-invoicing and e-Ordering.....	5
Nature of the contractual relationship resulting from the award of the contract.....	5
Collaborating with other companies.....	5
Joint offers.....	5
Subcontracting	6
Freelancing	7
3. ASSESSMENT OF THE TENDERERS AND OFFERS	7
3.1. Administrative information	7
3.2. Exclusion criteria.....	8
3.3. Selection of tenderers.....	11
A. Economic and financial capacity.....	11
B. Technical and professional capacity	12
3.4. Evaluation of offers	13
Technical offer evaluation	13
Financial offer evaluation	13
3.5. Award.....	14
3.6. General terms and conditions for submitting an offer.....	14
3.7. Tax exemption	14
3.8. Availability of documents.....	14

1. SUMMARY

Contracting Authority	European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice ("eu-LISA")
Purpose	Supply of furniture for the new building in eu-LISA's operational site in Strasbourg
Procedure	Open Procedure
Lots	This call for tenders is not divided into lots.
Volume (indicative)	The volume of the contract is defined in Section 2.3. Please note that the volumes indicated are estimations only and the total value of the contract depends on the quantities the contracting authority will order.
Contracts	eu-LISA will sign a framework contract with the successful tenderer – framework with single provider. A <i>Draft framework/supply/service contract</i> is included.
Submission of offers	Each tenderer can only submit <u>one</u> offer.
Duration of framework contract	2+1+1 years
Main places of delivery	The premises of eu-LISA's operational site that is located at 18 Rue de la Faisanderie, 67100 Strasbourg, France
Particulars of delivery	Delivery must be in conformity with the placed orders.
Variants	Not permitted.
Joint offers	Permitted.
Subcontracting	Subcontracting is permitted.

2. DESCRIPTION OF SUPPLIES/SERVICES COVERED BY THE CALL FOR TENDERS

2.1. Purpose

The objective of this call for tenders is the the supply of furniture for the new building in eu-LISA's operational site in Strasbourg. The range of furniture that may be ordered under the Framework Contract will include, but is not limited to, the following:

- Furniture for the work spaces: desks, storage, office accessories, management office furnishings, pigeon-holes, office chairs, visitor chairs;
- Furniture for meeting spaces: meeting room and video-conferencing tables, team working space tables, team working space chairs, meeting room chairs, modular and reception rooms, boxes;
- Furniture for common relaxation areas and cafeteria area;
- Decoration (plants and plant wall);
- Lockers.

For further details see Annexes 1.1 Technical Specifications and 1.2 – Service Level Requirements

2.2. Participation in the tendering procedure, access to the market

Participation in this Open procurement procedure is open on equal terms to all natural and legal persons coming within the scope of the Treaties, as well as to international organisations.

It is also open to all natural and legal persons established in a third country, which has a special agreement with the European Union in the field of public procurement on the conditions laid down in that agreement. In specific, procurement procedures launched by eu-LISA are open to the EEA countries¹ and countries under the Stabilisation and Association Agreements². Procurement procedures launched by eu-LISA are not open to countries that are parties to the Agreement on Government Procurement³.

The rules of access to the market apply to all joint tenderers but do not apply to subcontractors.

¹ Iceland, Norway and Liechtenstein

² Currently FYROM, Albania, Montenegro, Serbia, Bosnia and Herzegovina, Kosovo, Moldavia, please verify updates with the legal team before launching the call or at the time of assessing access to the market

³ Except for Iceland, Norway and Liechtenstein that are parties to the Agreement on Government Procurement and EEA countries. In case economic operators do not have access to the procurement procedures according to the above-mentioned agreements, EU institutions nevertheless may exceptionally accept their participation in a particular procurement procedure without creating a precedent or obligation for the future. The ad hoc acceptance must be adequately justified by the authorising officer. As a principle it should happen only for purchase made on specific markets where there are no economic operators established in countries having access to the EU market or when delivery takes place in a country which has no agreement with the EU on procurement.

2.3. Volume and Value of the Contract

The maximum value of the contract is 2,500,000.00 EUR (two million five-hundred thousand Euros) over complete duration of the contract.

The Agency may exercise the option to increase this estimated maximum volume at a later stage via negotiated procedure with the successful tenderer in accordance with Art. 134 (1) (e) of the Rules of Application of the Financial Regulation.

The volumes provided in annex 1.1 (Technical specifications) are estimations only and the total value of the contract will depend on the actual orders placed by the contracting authority.

It should be stressed that the framework contract entails no direct commitment and does not place eu-LISA under any obligation to place an order. Instead, it lays down the legal, financial, technical and administrative provisions governing the relationship between eu-LISA and the contractor during its period of validity. Actual orders will be placed after the framework contract is signed through "order forms" concluded in accordance with its provisions.

2.4. Duration

The contract resulting from the present call for tenders will have an initial duration of 2 years as from the date of signature, and may be renewed up to 2 times, each for an additional period of 1 year.

2.5. Type of contract and location

The contract(s) resulting from the present call for tenders will be a single framework supply contract concluded with the contracting authority. The place of delivery of furniture is premises of eu-LISA's operational site that is located at 18 Rue de la Faisanderie, 67100 Strasbourg, France.

2.6. Account manager

The future contractor shall designate an account manager who must be able to communicate orally and in writing in English, to act as a single point of contact with eu-LISA.

In case of absence of the Account Manager a suitable replacement shall be determined.

2.7. Workflow and implementation

Framework contract implementation shall follow the provisions of subclause 1.4.1 of the Framework Contract (Annex 3 – Contract template). The future contractor shall submit an offer together with the draft order form within 7 working days from reception of the request for offer. After the acceptance of the offer, the contractor shall prepare and send the signed order form based on the template included in Annex 3 (Contract template) within 7 working days.

The future contractor can not start processing the order before both parties have signed the before mentioned draft order form.

2.8. Reporting

The future contractor shall submit a yearly report including the supplies provided, contract execution report and consumption.

2.9. Other contract particulars

E-request, e-invoicing and e-Ordering

The execution of the contract between the contracting authority and the contractor may be automated by the use of the following applications: e-Request, e-Invoicing and e-Ordering and further applications upon request of the contracting authority.

Nature of the contractual relationship resulting from the award of the contract

The contractual relationship between eu-LISA and the successful tenderer will be governed by a special type of contract known as a “**framework contract**”.

It should be stressed that framework contracts involve **no direct commitment** and, in particular, do not constitute orders *per se*. Instead, they lay down the legal, financial, technical and administrative provisions governing the relationship between eu-LISA and the contractor during their period of validity.

Actual orders will be placed after the framework contract is signed and in force, through “**order forms**” or “**specific contracts**” concluded in performance of the framework contract.

The tender specifications include :

(1) *Special Conditions*: on completion of the tender procedure, this draft will be modified as necessary in line with the successful offer (e.g. prices).

(2) *General Conditions*

When preparing your offer, **you should take full account of these and any other documents included in the tender specifications**, as they will define and govern the contractual relationship to be established between eu-LISA and the successful tenderer.

Collaborating with other companies

Companies can consider two ways of collaborating in an offer: either as joint partners in the offer or through subcontracting. **Joint offers** and **subcontracting** are allowed in response to this call for tenders issued by eu-LISA. Offers may even combine both approaches.

In any case, the file must specify very clearly whether each company involved in the offer is acting as a partner in a joint offer or as a subcontractor (this also applies where the various companies involved belong to the same group, or even where one is the parent company of the others). The questionnaires annexed to the tender specifications include a **tender form** for this purpose (Section 1.1 of the Standard Submission Form included in Annex 2 of the tender specifications).

The implications of these two modes of collaboration are different. In order that you can understand them fully, they are outlined below.

Joint offers

Partners in a joint offer assume **joint and several liability** towards eu-LISA for the performance of the contract as a whole.

Statements saying, for instance:

- that one of the partners of the joint offer will be responsible for part of the contract and another one for the rest , or
- that more than one contract should be signed if the joint offer is successful,

are thus incompatible with the principle of joint and several liability. Eu-LISA will disregard any such statement contained in a joint offer, and reserves the right to reject such offers without further evaluation on the grounds that they do not comply with the tender specifications.

Joint offers will be assessed as follows:

- the exclusion criteria and the selection criteria for economic and financial capacity will be assessed in relation to each company individually. However, economic and financial selection criteria that one deemed to be achieved above a certain level (e.g.: overall and specific turnover), will be assessed in relation to the tendering group as a whole.
- the selection criteria for technical and professional capacity and the evaluation criteria will be assessed in relation to the tender group as a whole.

If you intend to tender with a partner and have already set up a consortium or similar entity to that end, you should mention this fact in your offer, together with any other relevant information in this regard.

If you intend to submit a joint offer, you should be aware that, in the case that you are awarded the contract, eu-LISA will require that you give a formal status to the proposed partnership before the contract is signed. This can take the form of:

- an entity with legal personality recognised by a Member State; or
- an entity without legal personality but offering sufficient protection of eu-LISA's contractual interests (depending on the Member State concerned, this may be, for example, a consortium or a temporary association); or
- the signature by all the partners of a "power of attorney" – see annexes of draft framework contract (Annex 4 to this Tender Specifications)

Subcontracting

Subcontracting is the situation where a contract has been or is to be established between eu-LISA and a contractor and where the contractor, in order to carry out that contract, enters into legal commitments with other legal entities for performing part of the work, service or supply. However, eu-LISA has no direct legal commitment with the subcontractor(s).

Certain tasks provided for in the contract may be entrusted to subcontractors, but **the main contractor retains full liability** towards eu-LISA for performance of the contract as a whole. Accordingly:

- eu-LISA will treat all contractual matters (e.g. payment) exclusively with the main contractor, whether or not the tasks are performed by a subcontractor;
- under no circumstances can the main contractor avoid liability towards eu-LISA on the grounds that the subcontractor is at fault.

If your offer envisages subcontracting, your file must include:

- a document
 - mentioning the reasons why you are envisaging subcontracting;
 - stating clearly the roles, activities and responsibilities of subcontractor(s), and;
 - specifying the volume / proportion for each subcontractor
- a letter of intent by each subcontractor stating its intention to collaborate with you if you win the contract (section 1.3 of Standard Submission Form included in Annex 2 of the tender specifications).

Offers involving subcontracting will be assessed as follows:

- The exclusion criteria and the economic and financial selection criteria will be assessed in relation to the tenderer and each proposed subcontractor. However, economic and financial selection criteria that one deemed to be achieved above a certain level (e.g.: overall and specific turnover), will be assessed in relation to the tenderer and the possible subcontractor(s) as a whole.
- The technical and professional selection criteria will be assessed in relation to the tenderer and possible subcontractor(s) as a whole.
- The evaluation criteria will be assessed in relation to the tender.

Subcontracting is permitted to subcontractors proposed in the offers submitted in reply to the call for tenders.

One-person companies (or freelancers) may be authorised as subcontractor and added to the list of subcontractors at any time during the execution of the contract.

Additional subcontracting to other than one-person companies (or freelancers) during the execution of the contract will only be accepted in case of a second round of the cascade (when the first round is fruitless) or for some very specialised technical expertise required for the provision of the services.

During execution of the contract, the contractor will need eu-LISA's express authorisation to replace a subcontractor with another and/or to subcontract tasks for which subcontracting was not envisaged in the original offer based.

Freelancing

Freelancing, drawing on the activities or staff of any other entirely different legal entity than the contractor, independently of its exact legal form (and independently of the applicable national law), does qualify as subcontracting. Nevertheless, one-person companies (or freelancers) may be authorised as subcontractor and added to the list of subcontractors at any time during the execution of the contract.

3. ASSESSMENT OF THE TENDERERS AND OFFERS

The assessment of the tenderers and offers will be conducted based on the rules set out below.

Tender offers must be:

- written in one of the official languages of the European Union;
- clear and concise, with continuous page numbering, and assembled in a coherent fashion (but not bound or stapled);
- perfectly legible in order to rule out any doubt whatsoever concerning the words or figures;
- drawn up by using the Standard Submission Form –Annex 2 to this document; provided forms must not be changed;
- accompanied with a cover letter signed by the candidate or his duly authorised agent.

3.1. Administrative information

This section must provide the following information, set out in the standard identification forms in Annex 2 – Standard Submission Form - section 1:

1) Signed Cover letter

The prospective tenderers are requested to provide a signed cover letter including the fact of submitting an offer, the identity of the tenderer and the acceptance of the terms and conditions included in the Tender Documents.

2) Tenderer 's identification

–Tenderers must provide proof of **registration**, as prescribed in their country of establishment, on one of the **professional or trade registers** or provide a declaration or certificate.

Each applicant (including sub-contractor(s) or any member of a consortium or a grouping) must complete and sign the identification form in Annex 2 – section 1 and also provide the above-mentioned documents.

Remark: Economic Operators that are already registered in the Contracting Authority's accounting system (i.e. they have already been direct contractors) must not provide the form in case nothing has changed in their data.

3) Legal entities

The legal entity form in Annex 2 must be filled in and should be accompanied by a number of supporting documents, available on the Web site:

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

4. Financial identification

The tenderer (or the single point of contact in case of joint tender) must provide a Financial Identification Form and supporting documents. Only one form per offer should be submitted. The form is available on:

http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm

Remark: Economic Operators that are already registered in the Contracting Authority's accounting system (i.e. they have already been direct contractors) must not provide the form in case nothing has changed in their data.

3.2. Exclusion criteria

a) Exclusion criteria applicable for participation in procurement procedures (Article 106 Financial Regulation)

To be eligible for participating in this procurement procedure, tenderers must not be in any of the following situations:

- (a) are bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under national legislation or regulations;
- (b) it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes

or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract;

- (c) it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:
 - (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract;
 - (ii) entering into agreement with other persons with the aim of distorting competition;
 - (iii) violating intellectual property rights;
 - (iv) attempting to influence the decision-making process of the contracting authority during the award procedure;
 - (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;
- (d) it has been established by a final judgement that the person is guilty of any of the following:
 - (i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;
 - (ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the legal provisions of the country where the contracting authority is located, the country in which the person is established or the country of the performance of the contract;
 - (iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;
 - (iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council;
 - (v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;
 - (vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;
- (e) the person has shown significant deficiencies in complying with the main obligations in the performance of a contract financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered

following checks, audits or investigations by an Authorising Officer, OLAF or the Court of Auditors;

- (f) it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95
- (g) for the situations of grave professional misconduct, fraud, corruption, other criminal offences, significant deficiencies in the performance of the contract or irregularity, the applicant is subject to:
 - i. facts established in the context of audits or investigations carried out by the Court of Auditors, OLAF or internal audit, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
 - ii. non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
 - iii. decisions of the ECB, the EIB, the European Investment Fund or international organisations;
 - iv. decisions of the Commission relating to the infringement of the Union's competition rules or of a national competent authority relating to the infringement of Union or national competition law; or
 - v. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.

b) Evidence to be provided by the candidates

1. When submitting their application, each tenderer (including declared subcontractor(s) or any member of a joint-candidature) shall provide a declaration on their honor, duly signed and dated, stating that they are not in one of the situations mentioned above. For that purpose, they must complete and sign the form in Section 2 of the Standard Submission Form (Annex 2). Where the applicant is a legal entity, they shall, whenever requested by the Contracting authority, provide information on the ownership or on the management, control and power of representation of the legal entity.
2. The winning tenderer **upon request of eu-LISA** (including declared subcontractor(s) or any member of a consortium or grouping) must also provide the following evidence, confirming the declaration referred to above: The Contracting authority shall accept, as satisfactory evidence that the applicant is not in one of the situations described in (a), (b) and (e), production of a recent extract from the judicial record is required or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. Where the applicant is a legal person and the

national legislation of the country in which the applicant is established does not allow the provision of such documents for legal persons, the documents should be provided for natural persons, such as the company directors or any person with powers of representation, decision making or control in relation to the applicant.

For situations described in (a), (c), (d) or (f), production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the person showing that those requirements are satisfied.

For the situation described in point (a) or (b), production of recent certificates issued by the competent authorities of the State concerned are required. These documents must provide evidence covering all taxes and social security contributions for which the person is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

If the person already submitted such evidence for the purpose of another procedure, its issuing date does not exceed one year and it is still valid, the person shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation.

3. The contracting authority reserves the right to request any other document relating to the proposed application for assessment and verification purpose, within a delay determined in its request.

The Early Detection and Exclusion System (EDES) will be consulted regarding all economic operators submitting a tender offer for the present procedure.

3.3. Selection of tenderers

A. Economic and financial capacity

Tenderers are required to have sufficient economic and financial capacity to perform the contract.

The financial and economic capacity of each candidate will be evaluated on the basis of the following criteria:

1. The candidate must have an overall annual turnover of at least 1,000,000.00 EUR (one million Euro) in each of the past three/two years for which the accounts have been closed.
2. The candidate must have a valid professional risk indemnity insurance.

Evidences required

The candidate must provide proof of its financial and economic capacity by filling in the relevant parts of the Standard Submission Form (Annex 2, section 3). In particular, the candidate shall provide the following evidence:

1. Balance sheets or extracts from balance sheets for the past two/three financial years for which accounts have been closed, or equivalent documentation (where the law of the country in which the candidate is established does not require to publish balance sheets) and completed "Financial and Economic Capacity Overview Form" in section 3 of the Standard Submission Form. In case of conversion from currencies other than EURO, the rate to be used is the INFOREURO⁴ valid for the month in which the Contract Notice for the present call was published.

2. An insurance policy/certificate from the sole candidate or -in case of joint candidature- from each economic operator composing the grouping (excluding subcontractors), proving that the candidate is covered by a professional risk indemnity insurance which is valid at the time of submission of the candidature, and, in case of contract award, a commitment to keep it valid for the entire duration of the contract.

If, for some exceptional reasons which eu-LISA considers justified, a candidate is unable to provide one or more of the above documents, it may prove its economic and financial capacity by any other relevant means of proof which eu-LISA considers appropriate. In any case, eu-LISA must at least be notified of the exceptional reason and its justification in the candidature. eu-LISA reserves the right to request any other document or further information enabling it to verify the candidate's economic and financial capacity.

B. Technical and professional capacity

Tenderers are required to have sufficient technical and professional capacity to perform the contract.

The technical and professional capacity of each candidate will be evaluated on the basis of the following criteria:

1. The candidate must have relevant proven experience in the supply of office furniture contracts for at least 2 different customers during the last 3 years. These contracts must be relevant (executed in the field of the supply of office furniture) and of minimum 500,000.00 EUR (five hundred thousand Euro) as total value of supplies for each customer.

Provided that the aforementioned minimum requirements are met, on-going projects may be taken into consideration, if these projects effectively started no later than 6 (six) months before the deadline to submit candidatures in response to this call.

Evidences required

Candidates must provide proof of their technical and professional capacity by filling in the relevant parts of the Standard Submission Form (Annex 2, section 4) and providing the evidences of technical capacity. In particular the candidate shall provide the following evidences:

⁴ http://ec.europa.eu/budget/contracts_grants/info_contracts/inforeuro/inforeuro_en.cfm

1. A description of the contracts referred to in section B.1 above. The project references must fulfil all the requirements stated in point 1 of *section B. Technical and professional selection criteria*. The candidate should provide any other information they deem relevant to demonstrate that they will be capable of mobilising the necessary profiles during the entire duration of the contract.

3.4. Evaluation of offers

Technical offer evaluation

The technical proposal must provide all the information and necessary documentation that give evidence that the technical requirements laid down in the Technical Specifications (Annex 1.1) are met.

To this end tenderers must fill in Section 5 in Standard Submission Form annexed to this document (Annex 2) and Technical and Financial Offer Form (Annex 3).

Financial offer evaluation

Tenderer has to submit filled in Technical and Financial Offer Form (Annex 3).

The financial evaluation will be performed on the basis of the prices submitted in the Technical and Financial Offer Form (Annex 3).

Prices must be quoted free of all duties, taxes and other charges, i.e. also free of VAT, as the European Union is exempt from such charges in the EU under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965 (OJ L 152 of 13 July 1967). Exemption is granted to the Agency by the Agency and by the governments of the Member States, either through refunds upon presentation of documentary evidence or by direct exemption.

Please note that:

- each page of the financial proposal must be signed by a legal representative of the tenderer;
- financial proposals will be compared on the basis of the total calculation of the financial scenario;
- prices must be quoted inclusive of all costs and expenses directly and indirectly connected with the goods and/or services to be supplied;
- all prices must be quoted in Euro;
- for tenderers to which the exemption does not apply under their national law, the financial proposal shall clearly state the prices exclusive of taxes, together with the corresponding tax;
- the financial proposal should be completely unambiguous and will be disqualified if it contains any statements preventing an accurate and complete comparison of the offers (such as "To be discussed", "Depending on x", etc.) or referring to external circumstances (such as an already existing but separate contract).

The tenderer shall also submit a paper catalogue or an online catalogue (website/webshop, if available) in English and/or French containing both: 1) items listed in the Technical and Financial Offer form (Annex 3) and 2) any other furniture items the tenderer would be able to supply during this Framework contract. All items of the catalogue should be with full descriptions of each item offered: brands, characteristics, price and including colour pictures. The purpose of the catalogue is for eu-LISA to be able to order furniture not listed in the Annex 1.1 and Annex 3.

The catalogue must indicate the NET prices of all articles offered to eu-LISA. Prices should be fixed at the time of offer, and prices can be revised only in accordance with the price revision clause defined in Framework Contract Template. The applicable VAT rate shall be stated separately. In case of online catalogue, the tenderer has to submit in paper and electronic format the printout of the catalogue.

During the course of contract implementation in case of changes to the catalogue (e.g. addition or removal of a product from catalogue) for the items not listed in the Annex 1.1 and Annex 3, the contractor shall inform eu-LISA within 7 working days, and provide updated catalogue.

3.5. Award

The contract will be awarded to the tenderer who submitted a compliant offer that satisfies the conditions laid down in the tender documents and that represents the lowest price for the scenario set in the Technical and Financial Offer Form (Annex 3).

3.6. General terms and conditions for submitting an offer

Submission of a offer in response to an open call for tenders implies that the candidate accepts all the terms and conditions set out in the invitation and its annexes and waives all other terms of business.

The contracting authority will not reimburse expenses incurred in preparing and submitting requests to participate.

Variants are not allowed.

3.7. Tax exemption

eu-LISA is exempt from all duties and taxes, in accordance with:

- Articles 3 and 4 of the *Protocol on the Privileges and Immunities of the European Communities* annexed to the Treaty;

- Article 15(10) of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes, as last amended.

The Governments of the Member States grant this exemption either through refunds upon presentation of documentary evidence, or by immediate exemption. eu-LISA will give the successful tenderer instructions covering this point.

3.8. Availability of documents

The electronic version of the invitation to submit an offer for open tender and all the annexes thereto are available at the following Internet address:

<http://www.eulisa.europa.eu/Procurement/Pages/OpenTenders.aspx>

No paper copy of these documents will be issued.

Answers to questions of general interest and any other important information about the call for tenders arising during the candidature phase will also be published on the eu-LISA website. Interested parties are invited to consult this site regularly until the deadline for submission of tender.

List of annexes

Annex 1.1: Technical Specifications

Annex 1.2 Service Level Requirements

Annex 1.3 Furniture Design Book

Annex 2 : Standard Submission Form

Annex 3: Technical and Financial Offer Form

Annex 4: Framework Contract template with annexes