



INVITATION LETTER TO TENDER

Dear Sir, Dear Madam,

Subject: Open Call for Tenders for the management of the investment portfolio of the European University Institute's Pension Reserve Fund.

Ref: OP/EUI/BFA/2017/001

1. General information

The European University Institute (EUI) is launching an Open Call for Tender for the selection of Asset Managers to entrust, either exclusively or with other managers, the services indicated in the above subject.

The Tender documentation consists in this letter, the draft service contract, the Tender specifications (Annex I) and the contractor's tender (Annex II) including: technical offer, economic offer and related supporting documents. All the documentation is available for consultation and download at: www.eui.eu/About/Tenders/Index.aspx.

2. Conditions for participation to the tender

If you are interested in this contract, you must submit a tender in English provided you comply with the conditions for participation to tenders as set out in Article 3.4 of President's Decision N° 36/2016, of 4 August 2016, implementing Title V concerning procurement of the EUI's Financial Rules (Public Procurement Regulation), available for consultation at: www.eui.eu/About/Tenders/Index.aspx.

3. Submission of the tenders

Tenders must be submitted on paper and must be placed inside two sealed envelopes, as indicated below (Double envelope system).

Tenders must be submitted:

- a) either by post or by courier service not later than **17.00 (CET) on 08/09/2017**, to the address indicated below, in which case the evidence of the date of dispatch shall be constituted by the date of dispatch, the postmark or by the date of the deposit slip,

- b) or delivered in person by the Tenderer or candidate or by an agent to the premises of the Institute no later than **17.00 (CET) on 08/09/2017** to the address indicated below. In this case, the tenderer must obtain a proof of receipt, signed and dated by the EUI's agent in the Protocol Office who took delivery.

The EUI's Protocol Office is open from Monday to Friday during business hours between 8.30 -13.00 and 14.00 - 17.00. It is closed on Saturdays, Sundays and EUI public holidays and closure days. During the month of August the closure period is from 07/08/2017 to 21/08/2017 inclusive.

The dispositions in point 8 of this invitation letter are valid and will also be guaranteed during the official closure period.

Address to which tenders must be submitted (by post/by courier or in person):

Open Call for Tenders for the management of the investment portfolio of the European University Institute's Pension Reserve Fund – OP/EUI/BFA/2017/001
EUROPEAN UNIVERSITY INSTITUTE
Protocol Office
Via dei Roccettini, n. 9
50014 San Domenico di Fiesole (FI)
Italy

The inner envelope must bear, in addition to the name of the department to which it is addressed, as indicated in the invitation to tender, the words '*Call for tenders – Not to be opened by the internal mail service*'. If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across that tape.

The outer envelope must be sealed with adhesive tape and signed across the tape. The outside of the envelope must give the following information:

- the code referring to this tender procedure: OP/EUI/BFA/2017/001;
- the name of the Service to which it is addressed to: Budget And Financial Affairs Service;
- the caption '*Call for tenders – Not to be opened by the internal mail service*';
- the name of the Tenderer;

Boxes may be used instead of envelopes if the size or weight of the documentation so requires.

The content of the inner envelope must be subdivided into **4 (four) envelopes**, according to the following instructions, **on penalty of exclusion from the tender procedure**.

Envelope no. 1: sealed with adhesive tape and signed across the tape, bearing on the outside the name of the Tenderer and the words "**Envelope no. 1 – Administrative Documents**". This envelope *shall contain 1 original, 1 paper copy* (clearly distinguishable

from the original) and 1 digital copy (e.g. CD, DVD, pen drive, etc.) of the following documents:

- a. **Checklist**, filled in and signed (*Annex II - A*).
- b. **Self-certification**, dated and signed by the Company's Legal Representative, or by a person entitled to sign on behalf of the Company; this request may only be submitted using *Annex II - B*.

A photocopy of a valid identity document of the signatory shall be attached to the Declaration.

- c. **Declaration on Honour on exclusion criteria and absence of conflict of interests**, signed by the Company's Legal Representative, using *Annex II - C*.

A photocopy of a valid identity document of the signatory shall be attached to the Declaration.

- d. Copies of the **Invitation to Tender Letter and of the Draft Contract**, without any additions, amendments or changes, initialled on each page and bearing the Tenderer's stamp and full signature of the owner or Legal Representative on the last page.

- e. **Chamber of Commerce company registration or equivalent register.**

- f. **Anti-mafia self-certification or equivalent certification.**

Envelope no. 2: sealed with adhesive tape and signed across the tape, bearing on the outside the name of the Tenderer and the words "**Envelope no. 2 – Technical Offer**"; this envelope shall contain 1 original, 1 paper copy (clearly distinguishable from the original), and 1 digital copy (e.g. CD, DVD, pen drive, etc.) of the Technical Offer to be detailed as requested in the form *Annex II - D*.

The Technical Offer (*Annex II - D*) shall be signed by the Tenderer's Legal representative.

The Tenderer must declare which information in the documentation is an industrial and/or commercial secret, and must therefore be considered strictly confidential.

Envelope no. 3: sealed with adhesive tape and signed across the tape, bearing on the outside the name of the Tenderer and the words "**Envelope no. 3 – Economic Offer**"; this envelope shall contain 1 original, 1 paper copy (clearly distinguishable from the original), and 1 digital copy (e.g. CD, DVD, pen drive, etc.) of the Economic Offer, to be detailed as requested in the form *Annex II - E*.

The Economic Offer (*Annex II - E*) shall be signed by the Tenderer's Legal representative.

Envelope no. 4: sealed with adhesive tape and signed across the tape, bearing on the outside the name of the Tenderer and the words "**Envelope no. 4 – Other information**"; this envelope shall contain a CD, DVD, pen drive, etc. with the data requested in the Excel files available on www.eui.eu/About/Tenders/Index.aspx.

The envelope must contain the document in *Annex II - F*, signed by the Tenderer's Legal Representative.

4. Signature and legibility of tender documents

All tenders must be:

- signed by an authorised representative of the Tenderer;
- perfectly legible so that there can be no doubt as to words/terms and figures included;
- include the costing sheet or other model documents as indicated in the technical specifications.

All Tenderers are kindly requested to inform the Institute that they have sent a bid by writing to the e-mail address: BFA.Tender@EUI.eu. The Institute shall acknowledge receipt of this message.

Once the Offer has been received by the Contracting Authority, all the documents become the property of the Institute and shall be treated with the strictest confidentiality.

5. Period of validity of submitted tenders

The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect, is 6 (six) months from the date indicated in point 3 i.e. the deadline for submission of tenders.

6. Legal obligations related to the submission of a tender

Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the tender specification and in the draft contract and, where appropriate, waiver of the Tenderer's own general or specific terms and conditions. Submission of a tender is binding on the Tenderer to whom the contract is awarded for the duration of the contract.

7. Costs

All costs incurred during the preparation and submissions of tenders are to be borne by the tenderers and will not be reimbursed.

8. Contacts

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

- Before the deadline for submission of tenders, as indicated in point 3:
 - At the initiative/request of Tenderers, the Institute may communicate additional information solely for the purpose of clarifying the nature of the

contract. Such information shall be communicated on the same date to all interested Tenderers.

Any requests for additional information must be made in writing only to BFA.Tender@EUI.eu, no later than 5 (five) working days before the deadline for submission of tenders.

The contracting authority is not bound to reply to requests for additional information received after such date.

- The Institute may, on its own initiative, contact the Tenderers, if it discovers an error, a lack of precision, an omission or any other type of clerical defect in the text of the contract notice, invitation to tender or specifications and will inform all the persons concerned on the same date and in a manner identical with that applicable in respect of the original invitation to tender.
 - Any additional information including that referred to above will be posted on www.eui.eu/About/Tenders/Index.aspx.
The website will be updated regularly and it is the responsibility of the Tenderers to check for updates and modifications during the tendering period.
- After the opening of tenders:
 - If, after the tenders have been opened, some clarification is required in connection with a tender, or if obvious clerical errors in the tender must be corrected, the responsible officer may contact the Tenderer(s), although such contact may not lead to any alteration of the terms of the tender.

9. Indicative timeline of the procurement procedure

The indicative timeline for this procurement procedure is summed up as it follows:

INDICATIVE TIMELINE OF THE PROCUREMENT PROCEDURE	
DESCRIPTION	DATE
Launch of the procurement procedure	31 July 2017
Deadline for Submission of Queries or Clarification Requests	01 September 2017
Deadline for submission of tenders	8 September 2017 17 p.m.
Announcement of results	By 19 December 2017

10. Waiver

This invitation to tender is in no way binding on the part of the EUI. The EUI's contractual obligation commences only upon signature of the contract with the successful Tenderer.

11. Right of the Institute to cancel the procedure

Up to the point of signature, the Institute may either abandon the procurement or cancel the award procedure, without the candidates or Tenderers being entitled to claim any compensation. This decision will be substantiated and the candidates or tenderers notified.

12. Alteration or withdrawal of tenders

Tenderers may alter or withdraw their tenders by written notification prior to the deadline for submission of tenders. No tender may be altered after this deadline. Withdrawals must be unconditional and will end all participation in the tender procedure.

13. Ownership of tenders

Once the EUI has opened the tender, the document shall become the property of the EUI and shall be treated confidentially.

14. Award notice and information to tenderers

You will be informed of the outcome of this procurement procedure by e-mail with delivery receipts and by publication of the name of the successful tenderer on EUI's website: www.eui.eu/About/Tenders/Index.aspx.

It is your responsibility to provide a valid e-mail address together with your contact details in your tender and to check both the mailbox and the EUI's website regularly.

15. Data Protection Policy

If processing your reply to the invitation to tender involves the recording and processing of personal data (such as names, addresses and CVs), such data will be processed pursuant to the EUI's Data Protection Policy (President's Decision N. 40/2013 regarding Data Protection at the European University Institute, <http://www.eui.eu/About/DataProtectionOfficer/DataProtection.aspx>).

Unless indicated otherwise, your replies to the questions and any personal data requested required to evaluate your tender in accordance with the specifications of the invitation to tender and will be processed solely for that purpose by the Director of the Service in charge, acting as Data Controller.

16. Dispute settlement

Any dispute relating to a procurement procedure under the present rules shall be submitted in good faith by either party to mediation under the International Mediation Rules of the Milan Chamber of Arbitration. The request for mediation shall be submitted in writing to the

Secretariat of the Milan Chamber of Arbitration at the latest within 13 (thirteen) days from the notification of the results of the adjudication pursuant to Article 44 of the EUI's Public Procurement Regulation (outlined in EUI President's Decision No. 36/2016 of 4 August 2016).

If for any reason the dispute remains unsettled 60 (sixty) days after the request for mediation, it shall be subject to arbitration under the Rules of the Milan Chamber of Arbitration to be commenced within the following 30 (thirty) days. The seat of the arbitration shall be Milan and the language of the arbitration shall be English. The award shall be final and binding.

The arbitral tribunal shall apply the EUI's relevant regulatory acts, including the EUI's regulation on Public Procurement and the EUI's Financial Rules, complemented, where necessary, by the law of Italy.

17. Applicability of the Protocol on the Privileges of the European Institute

The Tenderer acknowledges that the Protocol on the Privileges and Immunities (attached to the [Convention setting up a European University Institute](#)) of the European University Institute applies to all contracts signed with the Institute.

31/07/2017

Júlia Serrano
Chief Accountant
Budget and Financial Affairs Service
(Original signed)