

European Commission
Directorate-General for Development
and Cooperation - EuropeAid

PROCUREMENT AND GRANTS
FOR EUROPEAN UNION EXTERNAL ACTIONS
A Practical Guide

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5. Works contracts#Works

5.1. Introduction

Works contracts cover either the execution, or both the execution and design, of works or a work related to one of the activities referred to in Annex II to Directive 2004/24/EU, or the realisation, by whatever means, of a work corresponding to the requirements specified by the contracting authority exercising a decisive influence on the type or design of the work. A 'work' means the outcome of building or civil engineering works taken as a whole that is sufficient in itself to fulfil an economic or technical function.

Works contracts are usually concluded by the partner country with which the European Commission has a financing agreement (under indirect management).

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5.2. Procurement procedures

5.2.1. Contracts with a value of EUR 5 000 000 or more

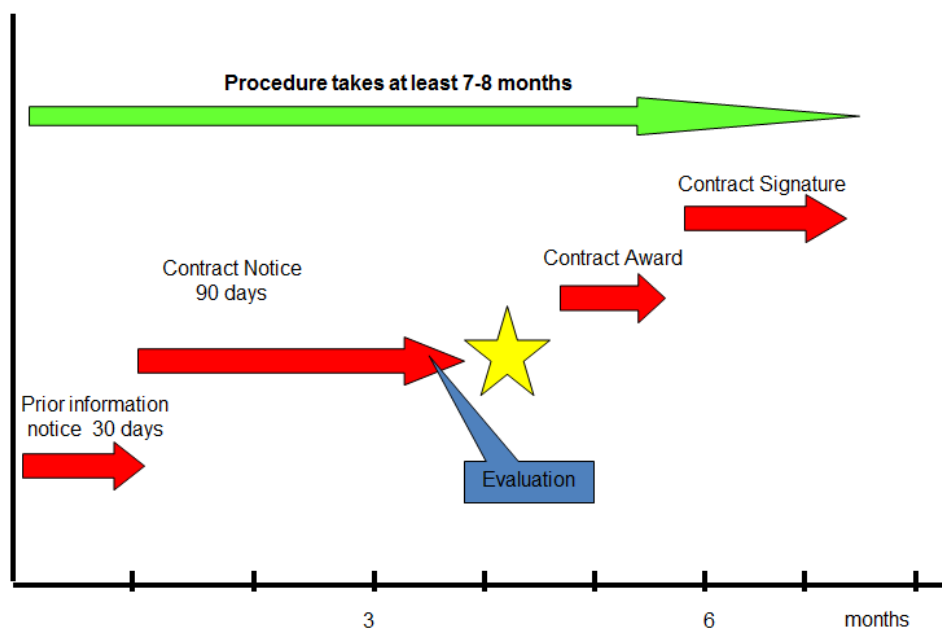
5.2.1.1. Open procedure

The standard method of awarding works contracts is by means of an international open tender procedure following publication of all relevant notices as stipulated in the publication guidelines (Annex A11e). For details, see section 5.3.

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Timeline of an international open tender procedure for a works contract



5.2.1.2. Restricted procedure

In view of the characteristics of certain works, a restricted tender procedure may be used. The competent authority of the European Commission must authorise the use of this approach and may provide technical support on a case-by-case basis. Publication of the relevant notice as stipulated in the publication guidelines (Annex A11e) remains mandatory to ensure the widest possible participation. For details, see section 5.4.

5.2.2. Contracts with a value of EUR 300 000 of more but less than EUR 5 000 000

5.2.2.1. Local open procedure

Contracts are awarded after an open tender procedure published locally, i.e. a procedure in which the contract notice is published in the partner country and on the EuropeAid website with the address from which firms can obtain further information. For details, see section 5.5.

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5.2.3. Contracts with a value of less than EUR 300 000

5.2.3.1. Competitive negotiated procedure

Works contracts under EUR 300 000 are awarded by competitive negotiated procedure. At least three candidates are sent an invitation to tender. No contract notice needs to be published. For details, see section 5.6.

5.2.4. Contracts with a value of less than EUR 20 000

The contracting authority may award works contracts of a value of EUR 20 000 or less on the basis of a single tender. See point 2.4.8.

For works less than or equal to EUR 2 500, payments may be made against invoices without prior acceptance of a tender.

5.2.5. Procedures applicable without ceilings

5.2.5.1. Negotiated procedure

DIRECT MANAGEMENT:

Prior approval/event to be reported as the case may be is required from the European Commission for the use of the negotiated procedure.

INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS:

The Contracting Authority must seek prior authorisation from the European Commission to use the negotiated procedure.

INDIRECT MANAGEMENT WITH EX-POST CONTROLS:

No prior authorisation by the European Commission is required.

See also text box in section 2.4.8.

Works contracts may be awarded by negotiated procedure on the basis of one or several tenders in the following cases:

- a) Where strictly necessary, for reasons of extreme urgency brought about by events which the contracting authorities could not have foreseen and which can in no way be attributed to them, the ordinary time-limits for the competitive procedures cannot be kept.

Operations carried out in crisis situations as referred to in Article 190(2) of the Rules of Application for the EU Financial Regulations satisfy the test of extreme urgency.¹

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¹ 'Emergency assistance' is another case, specific to the EDF, and distinct from the 'extreme urgency' referred to here, in which the negotiated procedure may be used mainly for actions which are not governed by Article 19c of Annex IV to the Cotonou Agreement. Emergency assistance is linked to the application of Articles 72 and/or 73 of the Cotonou Agreement. For OCTs, see also Article 79(5) of the Council Decision 2013/755/EU of 25 November 2013.

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b) For new works consisting in the repetition of similar works entrusted to the original contractor, provided that the initial contract had been awarded after publication of a contract notice which announced the possibility of using the negotiated procedure for the new works, their extent, the conditions under which they would be awarded, as well as their estimated cost.

c) Where the tender procedure has been unsuccessful, that is to say where no qualitatively and/or financially worthwhile tender has been received. In such cases, after cancelling the tender procedure, the Contracting Authority may negotiate with one or more tenderers of its choice, from among those that took part in the invitation to tender procedure, if they comply with the selection criteria, provided that the original procurement documents are not substantially altered and the principle of equal treatment is observed.

d) For contracts declared to be secret, or for contracts whose performance must be accompanied by special security measures or when the protection of the essential interests of the European Union or the partner country so requires, provided the essential interests concerned cannot be guaranteed by other measures (such as requirements to protect the confidential nature of information which the contracting authority makes available in the procurement procedure).

e) For the purchase of public communication networks³.

f) For the renting of buildings already constructed, after prospecting the local market.

g) Where a new contract has to be concluded after early termination of an existing contract.

h) Where the works can only be provided by a single economic operator for any of the following reasons: (i) the aim of the procurement is the creation or acquisition of a unique work of art or artistic performance; (ii) competition is absent for technical reasons; (iii) the protection of exclusive rights including intellectual property rights must be ensured (e.g., where performance of the contract is exclusively reserved for the holders of patents or licences to use patents). The exceptions in points (ii) and (iii) shall only apply when no reasonable alternative or substitute exists and the absence of competition is not the result of an artificial narrowing down of the parameters when defining the procurement.

The contracting authority must prepare a negotiation report (see template in Annex A10) justifying the manner in which the negotiations were conducted and the basis for the contract award decision resulting from these negotiations. The procedures set out in section 5.3.11.1. and section 5.3.11.2. must be followed by analogy, and the negotiation report included in the contract dossier.

5.2.5.2. Competitive dialogue

See point 2.4.7. for further details.

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Deleted: <#>For additional works not included in the initial contract but which have, through unforeseen circumstances, become necessary for carrying out the works described therein subject to the following conditions:¶
<#>where such works cannot be technically or economically separated from the main contract without serious inconvenience for the contracting authority;¶
<#>where such works, although separable from the performance of the original contract, are strictly necessary to its completion;¶
<#>The aggregate value of contracts awarded for additional works must not exceed 50 % of the value of the principal contract. See section 5.7.¶

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³ 'Electronic communications network' means transmission systems and, where applicable, switching or routing equipment and other resources which permit the conveyance of signals by wire, by radio, by optical or by other electromagnetic means, including satellite networks, fixed (circuit- and packet-switched, including Internet) and mobile terrestrial networks, electricity cable systems, to the extent that they are used for the purpose of transmitting signals, networks used for radio and television broadcasting, and cable television networks, irrespective of the type of information conveyed;

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5.3. International open tender (for contracts of EUR 5 000 000 or more)#International open procedure - works

5.3.1. Publicity

To ensure the widest possible participation in competitive tendering and the requisite transparency, a prior information notice and a contract notice must be published for every open tender procedure, according to the guidelines on publication (see Annex A11e).

5.3.1.1. Publication of prior information notices

A prior information notice setting out the specific characteristics of the planned tender procedure must be published, save in exceptional circumstances, at least 30 days before the publication of the contract notice.

The prior information notices must give a brief indication of the subject and content of the tenders (see template in Annex D1). Prior information notices are sent as soon as possible after the decision approving the programme for works contracts. Publishing a prior information notice does not bind the Contracting Authority to finance the contracts proposed and prospective contractors are not expected to submit tenders at this stage. Prior information notices are published in the Official Journal of the European Union, on the EuropeAid website and in any other appropriate media.

DIRECT MANAGEMENT, INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS AND INDIRECT MANAGEMENT WITH EX-POST CONTROLS:

Prior information notices must be submitted for publication to the relevant services of the European Commission in electronic form using the template in Annex D1 at least 15 days before the intended date of publication, to allow time for translation.

5.3.1.2. Publication of contract notices

In addition to prior information notices, all works contracts of EUR 5 000 000 or more must also be the subject of a contract notice published in the Official Journal of the European Union, on the EuropeAid website and in any other appropriate media. A minimum of 30 days must be given between the publication of the prior information notice and the contract notice. The European Commission (acting on behalf of the Contracting Authority) is responsible for publication in the Official Journal of the European Union and on the EuropeAid website. The Contracting Authority must arrange local publication and publication in any other appropriate media directly.

DIRECT MANAGEMENT AND INDIRECT MANAGEMENT WITH EX-POST CONTROLS:

Contract notices must be submitted for publication to the relevant services of the European Commission in electronic form using the template in Annex D2 at least 15 days before the intended date of publication, to allow time for translation.

INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS:

In addition, the finalised tender dossier (see point 5.3.2.) must be submitted to the European Commission either at the same time or in advance to demonstrate that the proposed contract notice corresponds to the objectives of the contract.

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The contract notice must state clearly, precisely and completely the subject of the contract and the contracting authority. If the contract notice is also published locally, it must be identical to the contract notice published on the EuropeAid website and appear at the same time.

The contracting authority must send tender dossiers to would-be tenderers upon request. Because of their size and printing costs, tender dossiers for works contracts are usually sent out for a fixed fee. The tender dossier will also be available for inspection at the premises of the contracting authority. If applicable, the complete bank details will be published in the contract notice to transfer the fee for purchase of the tender documents.

If the contracting authority, either on its own initiative or in response to the request of a tenderer, amends information in the contract notice, it must send a corrigendum using the appropriate template (Annex A5b) and complying with the deadlines set up in the publication guidelines (see Annex A11e) to the relevant services of the European Commission for publication.

The corrigendum may extend the deadline to allow candidates to take the changes into account.

The corrigendum will be published before the **original** submission deadline and no later than 10 days after the request for publication was sent to the relevant service of the European Commission.

5.3.2. Drafting and content of the tender dossier#Lots – works;Price revision clause – works;Technical Specifications –works;Tender dossier – works;Financial guarantee – works;Pre-financing – works

Tender documents must be carefully drafted to ensure that both the contract and the procurement procedure are carried out correctly.

Tender documents must contain all the provisions and information that tenderers need to submit their tenders: the procedures to follow, the documents to provide, cases of non-compliance, award criteria, etc. When the contracting authority is the European Commission, it may be appropriate for representatives of the final beneficiaries to participate in preparing the tender at an early stage. See section 2.6. for guidelines on drafting Technical Specifications.

Technical specifications must afford equal access for candidates and tenderers and not have the effect of creating unjustified obstacles to competitive tendering. They specify what is required of a product, service or material or work to achieve the purpose for which they are intended.

The specifications may include as appropriate:

- a) quality levels;
- b) environmental performance and climate performance;
- c) for purchases intended for use by natural persons, accessibility criteria for people with disabilities or design for all users, except in duly justified cases;
- d) the levels and procedures of conformity assessment;
- e) performance (fitness for use);
- f) safety and measurements, including, for supplies, the sales name and user instructions, and, for all contracts, terminology, symbols, testing and test methods, packaging, marking and labelling, production processes and methods;
- g) the procedures relating to quality assurance and the rules relating to design and costing, the test, inspection and acceptance conditions for works and methods or techniques of construction and all other technical conditions which the contracting authority is in a position

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to prescribe under general or specific regulations in relation to the finished works and to the constituent materials or parts.

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The contracting authority is responsible for drawing up these documents.

Given the technical complexity of many works contracts, preparation of the tender dossier - particularly the technical specifications - may require the assistance of one or more external technical specialist(s). Each such specialist must sign a Declaration of Objectivity and Confidentiality (see Annex A3).

As with the terms of reference for service contracts, particular care must be taken when drafting the technical specifications. They are the key to successful procurement, a sound works contract and a successful project.

Technical specifications state - where applicable, lot by lot - the exact nature and performance characteristics of the works. Where applicable, they also specify conditions for delivery and installation, training and after-sales service.

It is essential that the performance characteristics suit the intended purpose. If there needs to be an information meeting or a site visit to clarify technical requirements at the site where the works are to be carried out, this should be specified in the instructions to tenderers, together with details of the arrangements.

The purpose of the technical specifications is to define the required works precisely. The minimum quality standards, defined by the technical specifications, will enable the evaluation committee to determine which tenders are technically compliant.

Unless warranted by the nature of the contract, technical specifications referring to or describing products of a given brand or origin and thereby favouring or excluding certain products are prohibited. However, where products cannot be described in a sufficiently clear or intelligible manner, they may be named as long as they are followed by the words 'or equivalent'.

DIRECT MANAGEMENT:

The tender dossier must be agreed upon by the relevant services of the European Commission. The standard practice is to also consult and obtain the agreement of the partner country, and where appropriate of other parties involved, on the tender dossier.

INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS:

The contracting authority must submit the tender dossier to the Delegation of the European Union for authorisation prior to issue.

INDIRECT MANAGEMENT WITH EX-POST CONTROLS:

No prior authorisation of the tender dossier by the European Commission is required.

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The tender dossier must contain the following documents:

CONTENT OF THE TENDER DOSSIER

Volume 1: Instructions to tenderer and tender forms

Volume 2: Draft contract and conditions

Volume 3: Technical specifications

Volume 4: Model financial offer

Volume 5: Design documents and drawings

See Annex D4 for template.

The tender dossier must clearly state whether a firm, non-revisable price must be quoted. A price revision clause might be justified and works contracts are commonly subject to price revision. If that is the case, it is recommended that a price revision formula, following the models given in art. 48 of the Special Conditions, be included. When taking a decision on price revision, the contracting authority must consider:

- a) the object of the procurement procedure and the economic situation in which it is taking place;
- b) the type of tasks and contract and their duration;
- c) its financial interests.

A tender guarantee assures the Contracting Authority that submitted tenders will not be withdrawn. If the contracting authority deems a tender guarantee to be appropriate and proportionate, it may request it, representing 1% to 2% of the overall value of the contract. The contracting authority shall return the tender guarantee as foreseen in points 5.3.9.3. at the end and 5.3.10. and release it for all tenderers when the contract is signed. The contracting authority shall call in the tender guarantee if the tender is withdrawn before contract signature.

According to the applicable rules, guarantees (pre-financing, retention and/or performance guarantee) could be required or not. If so, this must be mentioned in the tender dossier.

5.3.3. Selection and award criteria#Award criteria – works;Selection criteria - works

The criteria should be precise, non-discriminatory and not prejudicial to fair competition. All criteria must be applied as specified in the tender dossier and cannot be changed during the procedure.

1. The selection criteria concern the tenderer's capacity to execute the contract.

The selection procedure involves:

- eliminating tenderers who are ineligible in view of their nationality (see point 2.3.1.) or fall into one of the situations described in sections 2.3.3.1 (exclusion from participation in procurement procedures) and 2.3.3.2 (rejection from a given procedure);
- checking that the tenderers' financial situation (financial and economic capacity) is sound, as backed up, for example, by balance sheets and turnover for the previous three years (see point 2.4.11. 1.2) if specifically required in the tender dossier;

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- verifying the tenderers' technical and professional capacity, for example, by looking at their average annual staffing levels, the size and professional experience of their management, and the main works carried out in the sector in question in recent years (see point 2.4.11.1.3).

The selection criteria specified in the annexes to this Practical Guide are given by way of illustration and need to be adapted to the nature, cost and complexity of the contract. They must be in a YES/NO format to allow a clear assessment of whether or not the offer meets them.

2. Evidence of selection criteria

If, for some exceptional reason which the contracting authority considers justified, the tenderer or candidate is unable to provide the references required by the contracting authority, it may prove its economic and financial capacity by any other means which the contracting authority considers appropriate. Where the works to be implemented are complex or, exceptionally, are required for a special purpose, evidence of technical and professional capacity may be secured by means of a check carried out by the contracting authority or on its behalf by a competent official body of the country in which the tenderer is established, subject to that body's agreement. These checks will cover the tenderer's technical capacity and production capacity and, if necessary, its study and research facilities and quality control measures.

3. Technical evaluation

The technical evaluation will be based on the evaluation grid published in the tender dossier, which must not be changed in any way during the evaluation process.

As a rule, the technical requirements for the works are laid down in the design (including plans, drawings, material-specifications, ...) previously made by a service provider in engineering/architecture which is annexed to the tender dossier and which to the very detail determines how the works must look like. In such cases, in a YES/NO format, a clear assessment can be made of whether or not the offer meets the technical specifications set out in the tender dossier.

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Only very exceptionally, subject to derogation⁴, the technical requirements for the works will limit themselves to minima above for which the tenderers can propose its own solutions: only in such cases, the offers which comply with those minimum quality levels, should be technically scored in accordance with the technical evaluation grid (setting out the technical criteria, subcriteria and weightings) laid down in the tender dossier.

4. Financial evaluation

As a rule, the award criterion during the financial evaluation of works offers, is the lowest price.

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Subject to prior approval, the financial evaluation may take into account not only the acquisition costs but, to the extent relevant, costs borne over the life cycle of the works (such as for instance maintenance costs and operating costs): if so, the procurement dossier must in advance indicate the data to be provided by the tenderers and the method which will be used to determine the life-cycle costs on the basis of those data.

5. Most economically advantageous tender

Where no technical scoring is given to the offers, the most economically advantageous tender is the technically compliant tender with the lowest price.

⁴ Such derogation shall no longer be required for a Design and Build ("DB") and/or a Design, Build and Operate ("DBO") tender dossier if and when such tender dossier templates have been added to the PRAG's annexes.

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Where exceptionally, subject to derogation, a technical scoring is given to the offers, the most economically advantageous tender is the technically compliant tender with the best price-quality ratio, determined by the results of the technical and financial evaluation in accordance with the weightings laid down in the tender dossier.

5.3.4. Additional information during the procedure

The tender dossier must be clear enough to save tenderers from requesting additional information during the tender procedure. The contracting authority can provide additional information on the tender dossier, either on its own initiative or in response to a tenderer's request. It must send that information in writing to all tenderers at the same time.

Tenderers may submit questions in writing no later than 21 days before the deadline for submission of tenders. The contracting authority must reply to all tenderers' questions (sending a copy to the European Commission, in the case of indirect management with ex-ante controls) no later than 11 days before the deadline for receipt of tenders. The questions and answers will be published on the EuropeAid website. Please note that the contracting authority cannot give a prior opinion on the assessment of the tender.

If the questions result in an amendment to the contract notice, a corrigendum must be published as explained in point 5.3.1.2.

The corrigendum must be published before the submission deadline. The deadline for the submission of tenders may be extended to allow tenderers to take account of the changes. The corrigendum must also be published on the EuropeAid website.

If the technical content of the tender is complex, the contracting authority may hold an information meeting and/or site visit. This meeting must be announced in the tender dossier and must take place at least 21 days before the deadline for submission of tenders. The Contracting Authority must state in the tender dossier if attendance at this meeting or site visit is strongly advised or compulsory. All costs of attending the meeting must be met by the tenderers. Individual visits by companies during the tender period cannot be organised by the contracting authority for reasons of transparency and equal treatment of the tenderers. Although they are not compulsory, these information meetings are encouraged since they have proven to be an efficient way to clarify many questions related to the tender dossier. Any presentation/documentation to be delivered in the information session, as well as the outcome and the minutes, must also be uploaded at least on the EuropeAid website where the call was published.

5.3.5. Deadline for the submission of tenders

Tenders must reach the contracting authority at the address and by the date and time indicated in the tender dossier. The period for submission must be sufficient to guarantee the quality of tenders and so permit truly competitive tendering. Experience shows that too short a period prevents candidates from tendering or causes them to submit incomplete or ill-prepared tenders. The deadline for submissions must fall on a working day in the country of the Contracting Authority and, if possible, be combined with the tender-opening session.

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DIRECT MANAGEMENT AND INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS:

The minimum period between the date of publication of the contract notice and the deadline for receipt of tenders is 90 days. However, in exceptional cases, this time period may be shortened in compliance with internal procedures. Under indirect management this is also subject to prior authorisation of the relevant services of the European Commission.

INDIRECT MANAGEMENT WITH EX-POST CONTROLS:

No prior authorisation is required from the European Commission for a shorter deadline.

5.3.6. Period of validity

See point 2.8.5.

5.3.7. Submission of tenders

Each technical and financial offer must be placed in a single sealed envelope, itself placed in a package or outer envelope. The tender must be sent in accordance with the instructions to tenderers.

5.3.8. The Evaluation Committee#Evaluation committee - works

For the committee's composition, impartiality and confidentiality and responsibilities, and the timetable, see section 2.8.

5.3.9. Stages in the evaluation process**5.3.9.1. Receipt and registration of tenders**

On receiving tenders, the contracting authority must register them, stating the date and time of reception. It must provide a receipt for tenders delivered by hand. The envelopes containing the tenders must remain sealed and be kept in a safe place until they are opened. The outer envelopes of tenders must be numbered in order of receipt (whether or not they are received before the deadline for submission of tenders).

5.3.9.2. Preparatory meeting

The first meeting of the Evaluation Committee should be held before the tender opening session. The tender dossier should have been distributed in advance to the members of the evaluation committee. The chairperson states the purpose of the tender and explains the procedures to be followed by the Evaluation Committee, including evaluation grids, and selection and award criteria specified in the tender dossier.

5.3.9.3. Tender opening session

The purpose of the tender opening session is to check that the tenders are complete, that the requisite tender guarantee has been provided and that the tenders are generally in order.

The tender opening session is a formal, public process. The evaluation committee opens the tenders in

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public at the place and time set in the tender dossier. Although it is public, participation in the tender opening session is restricted to representatives of the companies that are tendering for the contract.

See the tender opening checklist in Annex D5 for the detailed formalities to be carried out by the chairperson with the assistance of the secretary.

DIRECT MANAGEMENT

The evaluation committee appointed by the relevant services of the European Commission must carry out the tender opening session.

INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS:

The European Commission must be informed of the tender opening session. It may be represented as an observer at the tender opening session and receive a copy of each tender.

INDIRECT MANAGEMENT WITH EX-POST CONTROLS:

The European Commission need not be informed of the tender opening session and does not participate in it.

The chairperson must check that no member of the evaluation committee has a potential conflict of interest with any of the tenderers (on the basis of the shortlist, the tenders received, consortium members and any identified subcontractor). See points [2.8.2](#) and [2.8.3](#).

The evaluation committee must decide whether or not tenders comply with the formal requirements. The Summary of tenders received, which is attached to the tender opening report (see Annex D6), must be used to record the compliance of each of the tenders with the formal submission requirements. It must be made available to the tenderers upon request.

Any tender guarantee must be returned to the tenderers which do not comply with the formal submission requirements. This implies that any tenders which arrive after the submission deadline must also be opened (after the opening session) so that the guarantees can be returned.

5.3.9.4. Evaluation of tenders

The evaluation committee must use the administrative compliance grid and the evaluation grid published in the tender dossier.

As part of the technical evaluation, the evaluation committee analyses the commercial aspects, and, where applicable, the service component of the tenders to determine whether they satisfy the requirements set in the tender dossier. The results are recorded in a YES/NO grid for all elements specified in the tender dossier. [Only very exceptionally, subject to derogation, a technical scoring method should be used, in accordance with section 5.3.3 above.](#) If the tender is divided into lots, the evaluation should be carried out lot by lot.

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With the agreement of the majority of the evaluation committee voting members, the chairperson may write to tenderers whose submissions require clarification, asking them to reply within a reasonable deadline set by the evaluation committee.

Part 1: Administrative compliance

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Before conducting a detailed evaluation of the tenders, the evaluation committee checks that they comply with the essential requirements of the tender dossier (i.e. the administrative compliance grid).

A tender is deemed to comply if it satisfies all the conditions, procedures and specifications in the tender dossier without substantially departing from or attaching restrictions to them. Substantial departures or restrictions are those which affect the scope, quality or performance of the contract, differ widely from the terms of the tender dossier, limit the rights of the contracting authority or the tenderer's obligations under the contract or distort competition for tenderers whose tenders do comply.

Each offer is examined for administrative compliance with the tender dossier in accordance with the published administrative compliance grid.

The administrative compliance of each of the tenders must be recorded in the evaluation report (see Annex D7).

Part 2: Technical compliance of tenders

The detailed technical evaluation of the tenders takes place after the administrative compliance check. The criteria to be applied are those published in the tender dossier and, accordingly, the evaluation grid included in the tender dossier must be used. Under no circumstances may the evaluation committee or its members change the evaluation grid communicated to the tenderers in the tender dossier. The purpose of this evaluation is to assess whether or not the competing tenders meet the minimum technical requirements and selection criteria.

Rule of origin: All tenders must comply with the rule that goods purchased and materials to be incorporated in the permanent works fulfil the requirements referred to in point 2.3.1. Tenders which fail to satisfy the rule of origin must be rejected. The rule of origin does not apply to the contractor's equipment used during the construction, unless the tender dossier explicitly stipulates that this equipment becomes the full property of the contracting authority at the end of the contract. For more details, see point 2.3.1.

Nationality of subcontractors: The evaluation committee must check at this stage that the nationalities of subcontractors identified in the technical offers comply with the nationality rule in point 2.3.1.

Having evaluated the tenders, the evaluation committee rules on the technical compliance of each tender, classifying it as technically compliant or not technically compliant. Only very exceptionally, subject to derogation, the technically compliant offers are subsequently technically scored in accordance with a technical evaluation grid laid down in the tender dossier (cf. section 5.3.3 above).

5.3.9.5. Evaluation of financial offers

Once the technical evaluation has been completed, the evaluation committee checks that the financial offers contain no obvious arithmetical errors. Any obvious arithmetical errors are corrected without penalty to the tenderer. If the tender procedure contains several lots, financial offers are compared for each lot. The financial evaluation must pick out the best financial offer for each lot, taking due account of any discounts offered.

For an example of how to treat discounts, see point 4.3.9.5.

5.3.9.6. Choice of contractor

The successful tenderer is the one with the most economically advantageous tender determined in

accordance with section 5.3.3 above. It must be declared the successful tender if it is equal to or lower than the maximum budget available for the contract.

Deleted: submitting the least expensive tender classified as 'technically compliant' during the technical evaluation.

If the chosen tender exceeds the maximum budget available for the contract, the provisions set out in point 5.2.5.1.(c) may apply.

Abnormally low tenders

Contracting authorities can reject tenders that appear to be abnormally low in relation to the works concerned.

However rejection on that ground alone is not automatic.

The concerned tenderer must be asked, in writing, to provide details of the constituent elements of its tender, notably those relating to compliance with employment protection legislation and working conditions in the location of the contract, such as the construction method, the technical solutions chosen or any exceptionally favourable condition available to the tenderer, the originality of the tender.

In view of the evidence provided by the tenderer, the contracting authority decides on whether to reject the tender or not.

Both that decision and its justification must be recorded in the evaluation report.

EDF-FUNDED PROGRAMMES:

Where two tenders are acknowledged to be equivalent, preference is given:

- (a) to the tenderer of an ACP State; or
- (b) if no such tender is forthcoming, to the tenderer who:
 - offers 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.

If the tender dossier expressly permits variants, such variants are scored separately. Where variants are allowed, the Contracting Authority may take them into account if:

- they are submitted by the chosen contractor at the end of the evaluation; and
- they meet the requirements specified by the tender dossier, attaining at least the minimum quality and performance required by the technical specifications; and
- the price of the variant proposed is not higher than the price of the winning tender.

It is up to the evaluation committee to compare the variant and the original offer, and to recommend the best solution to the Contracting Authority.

5.3.9.7. The evaluation committee's conclusions

As a result of its deliberations, the evaluation committee may make any of the following recommendations:

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- Award the contract to the tenderer which has submitted a tender:
 - which complies with the formal requirements and the eligibility rules;
 - whose total budget is within the maximum budget available for the project;
 - which meets the minimum technical requirements specified in the tender dossier; and
 - which is the most economically advantageous tender (satisfying all of the above conditions).
- Cancel the tender procedure, see point 2.4.13.

Deleted: least expensive tender

DIRECT MANAGEMENT:

The entire procedure (technical and financial evaluation) is recorded in an evaluation report (see template in Annex D7) to be signed by the chairperson, the secretary and all evaluators. This evaluation report must be submitted to the competent authority of the European Commission, which must decide whether or not to accept its recommendations.

INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS:

The entire procedure (technical and financial evaluation) is recorded in an evaluation report (see template in Annex D7) to be signed by the chairperson, the secretary and all voting members of the evaluation committee. This evaluation report must be submitted to the relevant services of the contracting authority, which must decide whether or not to accept its recommendations. Consequently, the contracting authority must then submit the evaluation report together with its proposed decision to the European Commission. If there is an award proposal and the European Commission has not already received a copy of the tenders, these must be submitted.

If the European Commission does not accept the proposed decision, it must write to the contracting authority stating the reasons for its decision. The European Commission may also suggest how the contracting authority should proceed and give the conditions under which the European Commission may endorse a proposed contract on the basis of the tender procedure.

If the European Commission accepts the proposed decision, the contracting authority will either commence awarding the contract (see point 5.3.11.) or cancel the tender, as decided.

INDIRECT MANAGEMENT WITH EX-POST CONTROLS:

No prior authorisation from the European Commission is required before the contracting authority acts on the recommendations of the evaluation committee.

The entire evaluation procedure, including notification of the successful tenderer, must be completed while the tenders are still valid. It is important to bear in mind that the successful tenderer might be unable to maintain its tender if the evaluation procedure takes too long.

Subject to the contracting authority's legislation on access to documents, the entire tender procedure is confidential from the end of the tender opening session to the signature of the contract by both parties. The evaluation committee's decisions are collective and its deliberations must remain secret. The evaluation committee members and any observers are bound to secrecy. If the law of the country of the contracting authority conflicts with the confidentiality required, the contracting authority must obtain prior authorisation from the European Commission before disclosing any information.

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The evaluation report is for official use only and may be divulged neither to tenderers nor to any party outside the authorised services of the contracting authority, the European Commission and the supervisory authorities (e.g. the Court of Auditors).

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5.3.10. Cancelling the tender procedure

See point 2.4.13.

Tenderers are entitled to the immediate release of their tender guarantee. If the tender procedure is cancelled before the opening session, the unopened and sealed envelopes must be returned to the tenderers.

5.3.11. Award of the contract#Award of contract - works

5.3.11.1. Notifying the successful tenderer

See section 2.9. and point 2.4.12. (for the suspension clause).

5.3.11.2. Contract signature

See section 2.9.

The proposed contract must follow Annex D4.

5.3.11.3. Publicising the award of the contract

See section 2.9.

5.4. Restricted tender for contracts of EUR 5 000 000 or more#International restricted procedure – works;Restricted procedure – works

In view of the characteristics of certain works, a restricted tender procedure may be used in justified cases. The relevant services of the European Commission may provide technical support on a case-by-case basis.

DIRECT MANAGEMENT

A prior approval is required.

INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS:

Prior authorisation by the European Commission is required.

INDIRECT MANAGEMENT WITH EX-POST CONTROLS:

No prior authorisation by the European Commission is required.

5.4.1. Publicity

In order to ensure the widest possible participation in competitive tendering and the requisite transparency, the Contracting Authority must publish prior information notices and contract notices for all work contracts of EUR 5000 000 or more.

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5.4.1.1. Publication of prior information notice

A prior information notice setting out the specific characteristics of the planned tender procedure must be published, save in exceptional circumstances, at least 30 days before the publication of the contract notice.

The prior information notice is sent as soon as possible after the decision approving the programme for works contracts and must briefly state the subject and content of the contracts concerned (see Annex D1). Publishing a prior information notice does not oblige the contracting authority to finance the contracts mentioned and candidates are not expected to submit applications at this stage.

The contracting authority is responsible for drafting the prior information notice using the template in Annex D1 and for submitting it for publication on EuropeAid and in the OJ to the European Commission in electronic form (see publication guidelines Annex A11e). If necessary, the contracting authority arranges simultaneous local publication and publication in any other appropriate media directly.

DIRECT MANAGEMENT, INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS AND INDIRECT MANAGEMENT WITH EX-POST CONTROLS:

Prior information notices must be submitted for publication to the relevant services of the European Commission in electronic form using the template in Annex D1 at least 15 days before the intended date of publication, to allow time for translation.

5.4.1.2. Publication of contract notices

Minimum 30 days after publication of the prior information notice, a contract notice must be published in the Official Journal of the European Union, on the EuropeAid website (at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>) and in any other appropriate media.

The European Commission (acting on behalf of the contracting authority) is responsible for publication in the Official Journal of the European Union and on the EuropeAid website. If the contract notice is published locally, the contracting authority must arrange local publication directly.

DIRECT MANAGEMENT AND INDIRECT MANAGEMENT WITH EX-POST CONTROLS:

Contract notices must be submitted for publication to the relevant services of the European Commission in electronic form, using the template in Annex D~~r~~2, at least 15 days before the intended date of publication, to allow time for translation.

INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS:

In addition to the contract notice required above, the finalised terms of reference must be submitted to the European Commission either at the same time or in advance to demonstrate that the proposed contract notice corresponds to the objectives of the contract.

The contract notice must provide potential candidates with the information they need to determine

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their capacity to fulfil the contract in question.

The selection criteria set out in the contract notice must be:

- clearly formulated, without any ambiguity
- easy to check on the basis of the information submitted using the standard application form (see Annex D4c)
- devised to allow a clear YES/NO assessment to be made as to whether or not the candidate satisfies a particular selection criterion
- possible to prove by the tenderer.

The selection criteria given in the annexes to this Practical Guide are given by way of illustration and need to be adapted to the nature, cost and complexity of the contract.

The time allowed for candidates to submit their applications must be sufficient to permit proper competition. The minimum deadline for submitting applications is 30 days from the date of the notice's publication in the Official Journal of the European Union and on the EuropeAid website. The actual deadline will be determined by the contract's size and complexity.

If the contract notice is also published locally by the Contracting Authority, it must be identical to the contract notice published by the European Commission in the Official Journal and on the EuropeAid website and must appear at the same time.

The contract notice must be clear enough to save candidates from requesting clarifications or additional information during the procedure. Candidates may however submit questions should they need to. If the Contracting Authority modifies the contract notice, either in response to a question or on its own initiative, a corrigendum including the changes must be submitted for publication to the relevant service of the European Commission (see Annex A5b). The corrigendum will be published no later than seven days after the request for publication. The corrigendum must be published before the submission deadline and the latter may be extended to allow candidates to take the changes into account. Please note that with a clarification, the contracting authority cannot give an opinion on the assessment of the application.

If information in the contract notice needs to be clarified but does not require an amendment of the contract notice, a clarification must be published on the EuropeAid Webpage.

5.4.2. Drawing up shortlists

Candidates are shortlisted by an evaluation committee appointed by the contracting authority comprising a non-voting chairperson, a non-voting secretary and an odd number of voting members (the evaluators).

There must be at least five evaluators. They must have the technical and administrative capacities necessary to give an informed opinion on the applications. Each member must have a reasonable command of the language in which the applications are submitted. All members of the Evaluation Committee must sign a Declaration of Impartiality and Confidentiality (see Annex A4). For the

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responsibilities of the Evaluation Committee members, see point 2.8.3.

DIRECT MANAGEMENT:

The evaluation committee (i.e. the chairperson, the secretary and the evaluators) must be appointed on a personal basis by the European Commission.

INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS:

The evaluation committee (i.e. the chairperson, the secretary and the voting members) must be appointed on a personal basis by the contracting authority and the appointments submitted to the European Commission for agreement. The European Commission should participate as an observer. The membership of the evaluation committee is deemed to be approved if the European Commission does not object within five working days. As a general rule, the European Commission appoints an observer to attend all or part of the evaluation committee meetings. Prior authorization must be sought from the European Commission for other observers to attend.

INDIRECT MANAGEMENT WITH EX-POST CONTROLS:

The evaluation committee (i.e. the chairperson, the secretary and the evaluators) must be appointed on a personal basis by the contracting authority.

The selection procedure involves:

- drawing up a long list (see template in Annex D⁴) summarising all the applications received;
- eliminating applications that are inadmissible because submitted by ineligible candidates (see point 2.3.1 on nationality-rules.) or fall into one of the situations described in sections 2.3.3.1 (exclusion from participation in procurement procedures) and 2.3.3.2 (rejection from a given procedure);
- applying the selection criteria exactly as published.

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For the supply of supporting documents in relation to the exclusion and selection criteria, see points 2.3.3. and 2.4.11.

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After examining the responses to the contract notice, the evaluation committee shortlists the candidates offering the best guarantee of satisfactory performance of the contract.

The shortlist comprises between four and six candidates.

If the number of eligible candidates meeting the selection criteria is greater than six, the additional criteria published in the contract notice are applied in order to reduce the number to the six best candidates. For further details please see section 2.4.11.1; "Selection criteria".

If the number of eligible candidates meeting the selection criteria is less than the minimum of four, the contracting authority may invite only those candidates who satisfy the selection criteria to submit a tender. Before accepting a reduced competition of less than four candidates, prior authorisation of the European Commission is required save in indirect management with ex post control as stated in the text box below. This prior authorisation may be granted based on a verification showing that the timing of the publication, the selection criteria used and the scope of the works in relation with the budget were satisfactory. This shall be justified in the evaluation report.

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DIRECT MANAGEMENT

An event to be reported is required.

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INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS:

Prior authorisation by the European Commission is required.

INDIRECT MANAGEMENT WITH EX-POST CONTROLS:

No prior authorisation by the European Commission is required.

The shortlisting process and the final shortlist itself must be fully documented in a shortlist report (see template in Annex Dr5 of the DR1 tender dossier).

Before the shortlist is approved by the evaluation committee, the contracting authority must check that no candidate (including partners) are in an exclusion situation in the Early Detection and Exclusion System.

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The shortlist report is signed by the chairperson, the secretary and all the evaluators.

DIRECT MANAGEMENT:

The shortlist report must be submitted to the European Commission, which must decide whether or not to accept its recommendations, before the shortlisted candidates can be invited to submit a tender.

INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS:

The shortlist report must be submitted to the contracting authority, which must decide whether or not to accept its recommendations. The contracting authority must then submit the Shortlist Report together with its recommendation to the European Commission before the shortlisted candidates can be invited to submit a tender.

If the European Commission does not accept the recommendation of the contracting authority, it must write to the contracting authority stating the reasons for its decision.

INDIRECT MANAGEMENT WITH EX-POST CONTROLS:

No prior authorisation by the European Commission is required before the contracting authority acts on the recommendations of the evaluation committee.

Candidates not selected will be informed of that fact by the contracting authority by means of a standard letter, the format of which is given in Annex Dr7. Candidates who are selected will receive a letter of invitation to tender and the tender dossier (see template in Annex Dr8a). At the same time, the final shortlist must be published on the EuropeAid website.

The contracting authority is responsible for preparing the shortlist notice using the template in Annex Dr6 and for submitting it in electronic form to the European Commission for publication on the EuropeAid website at the time of tender launch.

If unsuccessful candidates request further information, they may be given any information which is not confidential, e.g. reasons why a reference does not meet the technical selection criterion, as this may help them to be successful in future tenders.

Between the date of dispatch of the letters of invitation to tender and the deadline for receipt of tenders there must be a minimum of 60 days.

The measures applicable to an open procedure, as described in sections 5.3.3.3 to 5.3.11.3., apply by analogy to the rest of the restricted procedure for works contracts, with the caveat that the elements related to the selection phase should not be taken into account.

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5.5. Local open tender (for contracts of at least EUR 300 000 and under EUR 5 000 000)#Local open procedure - works

In this case, the publication of a prior information notice is not obligatory and the contract notice is not published in the Official Journal of the European Union, but only in the partner country and on the EuropeAid website with the address from which firms can obtain further information. The contract notice for a local tender must, as a minimum, be published in the Official Journal of the partner country or any equivalent media. Publication is the responsibility of the partner country.

As the cost of publishing the full contract notice in the local media may be high, the template in Annex D3 gives the minimum information which must be included in a local advertisement. However, the full contract notice must be available from the address referred to in the advertisement, together with the tender dossier.

Note that a local open tender procedure must provide other eligible contractors with the same opportunities as local firms. No conditions seeking to restrict the participation of other eligible contractors are allowed (e.g. obliging such firms to be registered in the partner country or to have won contracts there in the past).

In this procedure, there must be a minimum of 60 days between the date of publication of the contract notice in the local press and the deadline for receipt of tenders. However, in exceptional cases, a shorter deadline may be allowed in compliance with internal procedures, and subject to prior authorisation of the competent authority of the European Commission.

If it proves impossible to identify potential tenderers in a local open tender procedure, a clarification/correction notice setting out any changes to the tender dossier must be published. The deadline for the submission of tenders may be extended to allow tenderers to take account of the changes. Any clarification given during the tender procedure must be published locally and on the EuropeAid website and a reference to it must be given in the summary contract notice (Annex D3).

The measures applicable to an international open procedure, as described in section 5.3., apply by analogy to the local open procedure. The principal difference is that the minimum number of evaluators in the evaluation committee is three.

EDF-FUNDED PROGRAMMES:

For works contracts of a value of less than EUR 5 000 000, tenderers from the ACP States, provided that at least one quarter of the capital stock and management staff originates from one or more ACP States, shall be accorded a 10 % price preference during the financial evaluation.

In addition, where two tenders for works 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:

(i) allows for the best possible use of the physical and human resources of the ACP States;

(ii) offers the greatest subcontracting possibilities for ACP companies, firms or natural persons; or

(iii) is a consortium of natural persons, companies and firms from ACP States and the Community.

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5.6. Competitive negotiated procedure#Competitive negotiated procedure – works;Single tender - works

The contracting authority may award contracts under EUR 300 000 by competitive negotiated procedure, without publishing the contract notice. The contracting authority draws up a list of at least three contractors with a justification for its choice. The candidates are sent a letter of invitation to tender accompanied by a tender dossier. The contract notice is not published, but it is included in the tender dossier as it contains important information for those firms which are invited to tender.

Annex DS1 contains a specific procurement dossier for competitive negotiated procedures.

Tenders must reach the contracting authority at the address and by no later than the date and time shown in the invitation to tender. The chosen candidates must be allowed at least 30 days from the dispatch of the letter of invitation to tender in which to submit their tenders.

The tenders are opened and evaluated by an evaluation committee with the necessary technical and administrative expertise, appointed by the contracting authority.

If, following consultation of the tenderers, the contracting authority receives only one tender that is administratively and technically valid, the contract may be awarded provided that the award criteria are met.

In the event of one failure of the competitive negotiated procedure, the contract may be awarded by negotiated procedure subject to prior authorisation of the relevant services of the European Commission. The remainder of the procedure (including preparation of the tender dossier, evaluating the tenders and awarding the contract) is the same as under the international open procedure (see points 5.3.2. to 5.3.11.2.).

EDF-FUNDED PROGRAMMES:

For works contracts of a value of less than EUR 5 000 000, tenderers from the ACP States, provided that at least one quarter of the capital stock and management staff originates from one or more ACP States, shall be accorded a 10 % price preference during the financial evaluation.

In addition, where two tenders for works 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:

(i) allows for the best possible use of the physical and human resources of the ACP States;

(ii) offers the greatest subcontracting possibilities for ACP companies, firms or natural persons; or

(iii) is a consortium of natural persons, companies and firms from ACP States and the Community.

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5.7. Modifying works contracts#Contract modification – works;Measurement – works;Addendum – works;Administrative order - works

See section 2.10 for general information on modifying contracts.

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Where no contract modification is needed

In the vast majority of cases, the works contract stipulates that it is paid by measurement: in such contracts, the quantities indicated in the bill of quantities are estimates, as is the initial contract price derived from these estimated quantities.

Whenever an application for payment is submitted, the supervisor measures, for each item, the actual quantities of the works executed and calculates the amount due by applying the unit rates.

Increases vis-à-vis the initial contract price which are the sole result of the measured actual quantity exceeding the stated bill of quantities or price schedule do not represent a change of the contract and do not require an administrative order to amend the contract or an addendum.

Likewise, the application of the price revision clause of the contract will have the same effect. Again, since the price revision formula is already agreed upon by the contracting parties in the initial contract, the contract does not need to be amended to allow increases vis-à-vis the initial contract price to deal with their effect.

A contract addendum or administrative order cannot be used to obtain additional works which are not necessary for the completion of the initial contract.

Administrative order

In a works contract, the supervisor has the power to issue an administrative order to change any part of the works if necessary for the proper completion and/or functioning of the works. These changes may include additions, omissions, substitutions, changes in quality, quantity, form, character, kind, position, dimension, level or line and changes in the specified sequence, method or timing of execution of the works. See Article 37 of the General Conditions.

The contractor is bound to make the changes ordered. The contractor cannot delay the works ordered pending a decision on the claim he might have either to extend the period of implementation or for additional payment.

Addendum

Changes to the contract not covered by an administrative order must be formalised through an addendum. An addendum must be issued when the change entails an increase or reduction of the total value of the works in excess of 15 % of the initial contract price.

INDIRECT MANAGEMENT WITH EX-ANTE CONTROLS:

If additional EU financing is sought, it must be endorsed by the European Commission before any commitment is made by the contracting authority.

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The total period of execution of a works contract includes the period of implementation of the works and the defects liability period between provisional and final acceptance. During this time, the period(s) of implementation can be extended by administrative order or by contract addendum, even after the implementation period specified in the contract has expired.

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A works contractor is committed to completing the works, and the contracting authority is committed to paying for the certified works. These commitments and the contract remain valid even if the contractor fails to complete the works within the period(s) specified in the contract, the consequence being that liquidated damages for delay can be deducted from the amounts due.

5.8. List of Annexes

D	Works	
D1	Prior information notice	d1_priorinfo_en.doc
D2	Contract notice	d2_contractnotice_en.doc
D3	Summary Contract notice – Local Advertisement	d3_summarycn_en.doc
<u>D4.1.1</u>	<u>Standard tender dossier (including standard contract) - VOLUME 1 - Section 1</u>	
D4a	Letter of invitation to tender	d4a_invit_en.doc
D4b	Instructions to tenderers	d4b_itt_en.doc
<u>D4.1.2</u>	<u>Standard tender dossier (including standard contract) - VOLUME 1 - Section 2</u>	
D4c	Tender Form	d4c_tenderform_en.doc
<u>D4.1.3</u>	<u>Standard tender dossier (including standard contract) - VOLUME 1 - Section 3</u>	
D4d	Tender Guarantee	d4d_tenderguarantee_en.doc
<u>D4.1.4</u>	<u>Standard tender dossier (including standard contract) - VOLUME 1 - Section 4</u>	
D4e	Technical Offer Questionnaire	d4e_techofferquestion_en.doc
D4f	Technical Offer Form 4.1	d4f_techofferform_4dot1_en.doc
D4g	Technical Offer Form 4.2	d4g_techofferform_4dot2_en.doc
D4h	Technical Offer Form 4.3	d4h_techofferform_4dot3_en.doc
D4i	Technical Offer Form 4.4	d4i_techofferform_4dot4_en.doc
D4j1	Bank account notification form	d4j1_fif_en.pdf

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D4j2	Legal Entity File (individual)	d4j2_lefind_en.pdf
D4j3	Legal Entity File (private companies)	d4j3_lefcompany_en.pdf
D4j4	Legal Entity File (public bodies)	d4j4_lefpublic_en.pdf
D4k	Technical Offer Form 4.6	d4k_techofferform_4dot6_en.doc
<u>D4.1.5</u>	<u>Standard tender dossier (including standard contract) - VOLUME 1 - Section 5</u>	
D4l	Administrative Compliance Grid	d4l_admingrid_en.doc
D4m	Evaluation Grid	d4m_evalgrid_en.doc
<u>D4.2</u>	<u>Standard tender dossier (including standard contract) - VOLUME 2</u>	
D4n	Draft contract	d4n_contract_en.doc
D4o	Draft contract: Special Conditions	d4o_specialconditions_en.doc
D4p	Draft contract: General Conditions	d4p_annexgc_en.pdf
D4q	Pre-financing Guarantee	d4q_prefinanceguarantee_en.doc
D4r	Performance Guarantee	d4r_perfguarantee_en.doc
D4s	Retention Guarantee	d4s_retentionguarantee_en.doc
D4t	Tax and Custom Arrangements	d4t_taxcustomsarrangements_en.doc
<u>D4.3</u>	<u>Standard tender dossier (including standard contract) - VOLUME 3</u>	
D4u	Technical Specifications	d4u_techspec_en.doc
<u>D4.4</u>	<u>Standard tender dossier (including standard contract) - VOLUME 4</u>	
D4v	Financial Interpretative Note	d4v_finoffer_4dot1_en.doc
D4w	Financial Offer Lump Sum Contracts	d4w_finoffer_4dot2_en.doc
D4x	Financial Offer Unit Price Contracts	d4x_finoffer_4dot3_en.doc
<u>D4.5</u>	<u>Standard tender dossier (including standard contract) - VOLUME 5</u>	
D4y	Design Drawings	d4y_designdrawing_en.doc

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D5	Tender opening checklist	d5_openchecklist_en.doc
D6	Tender opening report	d6_openreport_en.doc
D7	Evaluation report	d7_evalreport_en.doc
D8	Letter to unsuccessful tenderers	d8_letterunsuccessful_en.doc
D8a	Notification letter	d8a_notifletter_works_en.doc
D9a	Contract award notice for international calls	d9a_awardnotice_internationalcalls_en.doc
D9b	Contract award notice for other procedures	d9b_awardnotice_en.doc
D10	Contractor assessment form	d10_assessment_en.doc
D11	Addendum to contract	d11_addendum_en.doc
D12	Budget modification	d12_budgetmodif_en.xls
DR1	Tender dossier for restricted tender procedure	dr1_tender_dossier_restr_en.zip
<u>DS1</u>	<u>Tender dossier for simplified tender procedure</u>	<u>ds1_tender_dossier_simpl_en.zip</u>