

How to complete these notification letter. Please insert information between the <> brackets as indicated for each tender procedure. Square brackets [] and parts shaded in grey indicate options to choose: they should be included when applicable, but should only be modified in exceptional cases, dictated by the requirements of a specific call for tenders. **All other parts of these standard instructions must be left unchanged.** In the final version of letter, please remember to delete this paragraph, any other text with yellow highlighting and to suppress all brackets.

Notification Letter

< **Letterhead of Contracting Authority** >

< **Date** >

< **Official name of tenderer / candidate**
/contractor>

< **Address of tenderer / candidate /**
contractor >

Our ref: < **Publication reference** >

Dear < **Contact name** >,

< **Contract title** >, < **Location** >

The above contract may be awarded to you subject to the eligibility of the proofs when requested, related to the exclusion situations and selection criteria mentioned below, for the amount mentioned in your tender [, as corrected for arithmetic errors as follows: <...>] and on the basis of the conditions stipulated in the tender dossier. The contract value is [EUR] [<ISO code of national currency>only for indirect management] <amount>.

Please complete a new financial identification form if your bank account details have changed since those submitted with your tender.

[Where applicable depending on the amount of the contract: To facilitate the contract preparation, could you please confirm that you will request the pre-financing of < amount of pre-financing >.]

[Where evidence documents for exclusion criteria shall be submitted (for contracts with a value of less than the international thresholds works < €5.000.000 there is no obligation to submit the above mentioned documents). The Contracting Authority may however, where it has doubts as to whether the tenderer to whom the contract is to be awarded is in one of the situations of exclusion, require him to provide the evidence:

Please submit admissible proof or statement usual under the law of the country in which [you] [your firm] [each consortium member] [each capacity-providing entity] [each subcontractor providing more than 10% of the works] is established that [you] [your firm] [each of the consortium members] [each capacity-providing entity] [each subcontractor providing more than 10% of the works] does not fall into any of the exclusion situations listed in Section 2.3.3.1 of the Practical Guide, in accordance with the undertaking in the tenderer's declaration[s] included in your tender. Examples of the admissible supporting documents are provided in Section 2.3.3.3 of the Practical Guide. The date on the evidence or documents provided must be no earlier than 1 year before the date of submission of the tender. [You] [Your firm] [each consortium member]

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[each capacity-providing entity] [each subcontractor providing more than 10% of the works] must, in addition, provide a statement that the situation has not been altered in the period that has elapsed since the evidence in question was drawn up.]

The contracting authority may waive the obligation of any candidate or tenderer to submit the documentary evidence referred to above if such evidence has already been submitted to it for the purposes of another procurement procedure and provided that the issuing date of the documents does not exceed one year and that they are still valid. In such a case, the candidate or tenderer shall declare on his/her honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that no changes in his/her situation have occurred.

[For contracts over international thresholds (works EUR 5.000.000):

Furthermore evidence of the financial and economic capacity as well as the technical and professional capacity according to the selection criteria specified in the procurement notice have to be submitted for the following references <specify for which references evidence have to be submitted> (note that tenderers should only be asked to submit evidence for the published selection criteria) (see further point 2.4.11 of the Practical Guide).]

[For contracts with a value of less than the international thresholds (works <EUR 5.000.000) the Contracting Authority may, depending on its assessment of the risks, decide not to require proofs for selection criteria, but then no pre-financing shall be made. The previous possibility to grant in such case pre-financing against a financial guarantee of an equivalent amount, has been erased in the RAP.]

Evidence of financial and economic capacity as well as the technical and professional capacity according to the selection criteria specified in the procurement notice is not obligatory to submit but then no pre-financing shall be made.]

If the documentary evidence submitted is not written in one of the official languages of the European Union, a translation into the language of the procedure must be attached. Where the documents are in an official language of the European Union other than the one of the procedure, it is however strongly recommended to provide a translation into the language of the procedure, in order to facilitate the evaluation of the documents.

The documentary evidences may be in original or copy. If copies are submitted, the originals must be dispatched to the Contracting Authority upon request.

If the nature of your entity is such that it cannot fall into one or more of the exclusion situations and/or cannot provide the documents indicated above (for instance, national public administrations and international organisations), please provide a declaration explaining this situation.

Please use a reliable courier service or registered mail to avoid any delays or loss of the documents. Please submit the requested information within below specified deadline to the following address:

<Name and address of the Contracting Authority, for the attention of <address of unit/section>>

The contract will be sent to you for signature if you provide the above requested evidence documents within 15 calendar days following receipt of this notification of award. Note that the Contracting Authority may not be in a position to honour the contract if the required documents/information is not submitted within the above time limit or if they do not meet the requirements set out above. [The contract must be signed by the two parties by <specify date> at the latest.]

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Please take note of the possibility – as described in the instructions to tenderers – that the tender procedure may – under certain circumstances – be cancelled by the Contracting Authority. In no circumstances will the Contracting Authority be liable for damages, whatever their nature (in particular damages for loss of profits) or relationship to the cancellation of a tender, even if the Contracting Authority has been informed of the possibility of damage. The publication of a procurement notice does not commit the Contracting Authority to implement the programme or project announced.

Implementation of the tasks may not start before the contract is signed by both parties.

< Add any special instructions as appropriate >

Yours sincerely,

< Name >

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