

**SUPPLY OF OFFICE STATIONERY AND OFFICE MATERIAL FOR
THE AGENCY FOR THE COOPERATION OF ENERGY REGULATORS**

Framework Contract

TENDER SPECIFICATIONS

OPEN CALL FOR TENDERS

ACER/OP/ADMIN/17/2012

Table of Contents

1.	TITLE OF THE INVITATION TO TENDER	3
2.	BACKGROUND INFORMATION	3
3.	SUBJECT OF THE CONTRACT	3
3.1.	Office material.....	4
3.2.	Samples.....	4
3.3.	Delivery	5
3.4.	Customer service	5
4.	PARTICIPATION IN THE CALL FOR TENDER.....	5
5.	VARIANTS	5
6.	SIZE OF THE CONTRACT.....	6
7.	DOCUMENTS AVAILABLE TO THE TENDERER	6
8.	CONTRACTUAL FRAMEWORK	6
8.1.	Type of contract	6
8.2.	Modus Operandi	6
8.3.	Subcontracting.....	7
9.	CONTRACTORS' OBLIGATIONS	7
	Employment law applicable to transfers of undertakings	7
10.	LANGUAGE	7
11.	PAYMENT METHODS	7
12.	PRICES.....	8
13.	SUBMISSION OF OFFERS.....	8
14.	TECHNICAL TENDER.....	9
15.	EXCLUSION CRITERIA	9
16.	SELECTION CRITERIA.....	12
16.1.	Professional capacity	12
16.2.	Financial and economic capacity.....	13
16.3.	Technical capacity	13
17.	AWARD CRITERIA	14
17.1.	Technical quality	14
17.2.	Price	15
17.3.	Final evaluation.....	15

1. Title of the invitation to tender

Supply of office stationery and office material for the Agency for the Cooperation of Energy Regulators, tender no. ACER/OP/ADMIN/17/2012.

This tender is not divided into lots.

2. Background information

The Agency for the Cooperation of Energy Regulators (the “Agency”) is a European Union body, established in 2010 by Regulation (EC) No 713/2009¹ and is central to the liberalisation of the EU's electricity and natural gas markets. The Agency is based in Ljubljana, Slovenia.

The Agency works towards a competitive, sustainable, secure and transparent Internal Energy Market for the benefit of all consumers in the European Union (EU). Its overall mission is to assist national energy regulatory authorities (NRAs) to perform their duties at the EU level and to coordinate their actions whenever necessary. The Agency thus cooperates closely with NRAs, but also with EU institutions, European associations of stakeholders and market participants, especially the European Networks of Transmission System Operators (ENTSOs), to deliver a series of instruments for the completion of a single EU energy market.

The main areas on which the Agency's activities focus are:

- supporting European market integration: this is mainly done through the development of common network and market rules as well as through the coordination of regional initiatives which are concrete efforts from market participants to work towards greater integration;
- advising the EU institutions on trans-European Energy infrastructure issues: the Agency issues opinions on ten-year network development plans with a view to making sure that these are in line with priorities set at EU level;
- energy market monitoring: the Agency has a general mission in terms of market monitoring at the EU level and has, since the end of 2011, a very specific responsibility when it comes to oversight of wholesale energy trading. More specifically, on 28 December 2011, the Regulation (EU) No 1227/2011² of the European Parliament and the Council on wholesale energy market integrity and transparency (hereafter: REMIT) entered into force.

3. Subject of the contract

The subject of this contract is the provision of a large assortment of high quality office stationery and office material which are necessary for the daily work of the Agency's staff.

A list of office stationery and office material mostly used by the Agency staff are listed in Annex A to these tender specifications and shall be offered by the tenderer, however the tenderer's offer should not be limited to that only.

¹ Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators, OJ L 211, 14.8.2009, p. 1

² Regulation (EU) No 1227/2011 of the European Parliament and the Council on wholesale energy market integrity and transparency, OJ L 326, 08.12.2011, p.1

3.1. Office material

The selected Contractor shall provide an assortment of various general stationery and office material which can be grouped in the following basket categories:

- Paper products
- Writing items (i.e. pens, pencils, markers,
- Document filing and presentation (i.e. folders, binders, dividers...)
- Labelling
- Stationery (i.e. sticky notes, tape, pads...)
- Archiving
- Small stationery (i.e. staples, staplers, paper clips, punchers, pencil sharpeners, erases, correction pens and tapes...)
- Presentation material
- Books and pads (i.e. notepads, pads ...)
- Mailroom supplies (i.e. envelopes, bags...)

The following products in the area of general stationery and office material are ordered by the Agency on a regular basis: copier paper, notepads, pens, highlighters, post-it notes, folders, binders. A detailed list of these items is described in detail in Annex A to these tender specifications.

For ALL items listed in Annex A to these tender specifications the tenderer shall provide, as a part of his offer, the following:

- full description of the item, specifying the material and dimensions, where applicable;
- brand name;
- characteristics of the item;
- availability of the item in colours and specifying the colours, where applicable
- a sample or a colour picture as indicated in Annex A to these tender specifications, properly marked with a reference number of the item.

For each item tenderers are allowed to provide only one sample which has to include a price quotation. The tenderers are allowed to provide more samples of each item only in the case the price per item in question is the same.

In addition to the items listed in Annex A to these tender specifications the tenderer shall provide the official catalogue in paper copy and in electronic version. The catalogue shall be accompanied by the price list (for all the items included in the catalogue) which shall form an integral part of the Contract.

3.2. Samples

The tenderer shall provide one sample per item/product, as indicated in Annex A.

For certain items the tenderer shall provide a colour picture.

The samples submitted with the offer shall be free of charge and the Agency shall return them to the tenderers within 15 calendars days after notifying all tenderers of the outcome of the tender.

Tenderers who do not include the requested samples and/or colour picture as required in Annex A will be rejected.

3.3. Delivery

The contractor shall deliver all items ordered, properly packed, to the Agency's official premises in Ljubljana, Slovenia and place the goods in the designated storage rooms at their expense. The storage areas are located in the basement, on the 1st and the 2nd floor of the Agency's official premises. The Agency does not dispose of any equipment that might facilitate the delivery of the goods to the storage areas.

Deliveries of all items ordered must be carried out within five (5) calendar days from the date of signature of the order form, but no later than seven (7) calendar days.

Emergency deliveries will be done within the period agreed upon by both parties which will be no less than two (2) working days.

Deliveries must be free of charge and must consist of packaged items corresponding to the order.

Delivery receipts including the list of items and quantities should always be provided to the authorised Agency staff on the day of the delivery.

The tenderers have to state in their offer the delivery time for normal orders and the delivery time for emergency deliveries.

3.4. Customer service

The tenderer shall provide a dedicated e-mail address and refund policies regarding damaged and unrequested goods.

4. Participation in the call for tender

Participation in the Agency's procurement procedure is open on equal terms to all natural and legal persons or groupings of such persons (consortia) falling within the scope of the Treaties. It includes all economic operators registered in the EU and all EU citizens.

Pursuant to Article 106 of the general Financial Regulation³ the participation is also open to all natural and legal persons from non-EU countries that have a ratified agreement with the European Union in the field of public procurement on the conditions laid down in that agreement. The Agency can therefore accept offers from and sign contracts with tenderers from 34 countries, namely: the 27 EU Member States, 3 European Economic Area (EEA) Countries (Lichtenstein, Norway, Iceland) and 4 Stabilisation and Associations Agreements (SAA) Countries (Croatia, FYROM, Albania and Montenegro).

The Agency's procurement procedures are not open to tenderers from countries covered by the Agreement on Government Procurement (GPA).

5. Variants

No variants are permitted.

³ Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities, as amended by Council Regulation (EC, Euratom) No 1995/2006 of 13 December 2006

6. Size of the contract

The initial duration of the framework Contract shall be one (1) year as from date of signature and may be renewed up to three times for an additional period of one (1) year each time. The total duration of the framework Contract shall not exceed four (4) years. The Agency reserves the right to cancel the contract with the selected Contractor whose services are deemed to be of insufficient quality.

The maximum total value of the orders which may be placed each year is as follows:

- maximum ceiling for 2013: EUR 30,000.00 excluding VAT,
- maximum budget ceiling for the total duration of the contract (4 years) shall be EUR 120,000.00 excluding VAT.

The estimated date for signature of the framework Contract is December 2012. The execution of the Contract shall start on 1 January 2013.

7. Documents available to the tenderer

- Contract notice published in the Official Journal of the European Union (OJ EU) S 155 on 14.08.2012;
- Call for tender documents and annexes;
- Other documents, as mentioned in these tender specifications.

8. Contractual framework

8.1. Type of contract

The services described above will be the subject of a single framework supply Contract. The Contract will lay down the legal, financial, administrative and technical conditions applicable throughout its period of validity, including price indexation.

The draft framework Contract is attached in Annex III to this invitation to tender. Signature of the framework Contract does not commit the Agency to placing orders and does not give the Contractor any exclusive rights regarding the services covered by the framework Contract. In any case, the Agency reserves the right, at any time during the validity of the framework Contract, to cease placing orders, without the Contractor having the right to any compensation.

8.2. Modus Operandi

Within two (2) working day of a request for services being sent by the Agency to Contractor, the Agency shall receive a notification from the Contractor confirming that the request has been received, the items are available and the price quote. Should the Contractor not be able to provide the requested items, he shall give reasons and provide substitute options within the same quality and price range. In the event of failure to observe this deadline or disagreement on the items available (either in quality or price), the Contractor shall be considered unavailable.

Should the Contractor be unavailable, he shall give reasons for refusal within the same period.

Once the offer is accepted by the Agency, the Agency shall forward the order form to the Contractor for signature. The Contractor shall return a duly signed order form to the Agency by e-mail or fax within two (2) working days.

In the event of failure to observe any of the above mentioned deadlines or disagreement on the items, the Contractor shall be considered unavailable.

For each specific order form, the prices will be calculated on the basis of the prices quoted in the price list and in Annex II to this invitation to tender, which shall form an integral part of the framework Contract.

Performance of the tasks shall start from the date on which the order form is signed by the last contracting party.

The Contractor must work in close and regular cooperation with the responsible unit within the Agency. The Contractor works under his own capacity and responsibility and does not represent the Agency. The Contractor's staff works under the instructions of the Contractor.

8.3. Subcontracting

Special attention will be paid to the approach proposed by the Contractor for managing his subcontractors. Tenderers will be required to indicate the kind of work which they plan to subcontract and the name of any companies to which they are intending to subcontract part of the work.

Subcontracting during the performance of the contract is permitted only with the prior written consent of the Agency. The Contractor remains solely liable for the proper performance of the contract.

9. Contractors' obligations

Employment law applicable to transfers of undertakings

Tenderers are reminded that their bid must be established in conformity with the applicable national and European employment legislation regarding the transfer of undertakings, and specifically Directive 2001/23/EC⁴ and its national implementing measures. In particular, tenderers should take note of the provisions on safeguarding employees' rights in the event of a change of employer as a result of a legal transfer.

10. Language

Working language of the Agency is English. All communication, all the required services and all documentation must be provided in English.

11. Payment methods

Except where the specific purchase order provides for otherwise, provisions related to payment are laid down in the draft Contract (Annex III to the Invitation to Tender). Payments

⁴ Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or part of undertakings or businesses, OJ L 82 of 22.03.2001, p. 16.

will be made exclusive of VAT, as the Agency is exempt from all duties and taxes, including value added tax (VAT) under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities. Invoice(s) presented by the Contractor must specify the amount(s) exclusive of VAT.

The supplies will be invoiced on the basis of the supplies provided after full delivery and against invoice(s), in line with the payment schedule described in the draft Contract (Annex III) to the invitation to tender.

12. Prices

- The prices should be quoted in Euro.
- Under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities the Agency is exempt from all duties and taxes, including value added tax (VAT). VAT should be indicated separately and will not be taken into account when considering prices.
- The unit prices quoted must be firm and not subject to revision for the first year of the contract.

From the beginning of the second year prices may be revised upwards or downwards according to the harmonised indices of consumer prices (HICP) for Slovenia (MUICP index) and the method laid down in the contract.

The prices quoted should include all services as described in these tender specifications and its annexes, including any delivery and packing charges, corresponding to the order. Ordered items shall be delivered to the official premises of the Agency.

- No expenses incurred within the framework of the preparation of the offer will be reimbursed.
- No expenses incurred within the framework of supplying the material will be reimbursed.

13. Submission of offers

The offer must be accompanied by a **dated cover letter signed by the tenderer** and the **duly completed reference table** (see Annex B of these tender specifications) related to the exclusion and selection criteria.

The tenderer's offer should include:

- The declaration on honour relating to the exclusion criteria listed under point 15 of these tender specifications (model provided in Annex D to these tender specifications), fully completed and signed and dated by the tenderer;
- All the documents relating to the selection criteria listed under point 16 of these tender specifications;
- The technical tender, as described under point 14 of these tender specifications;

- The financial offer based on the model in Annex II to the invitation to tender, signed and dated by the tenderer. In addition, the tender shall include a price list of all office stationery and office material the tenderer offers, as per the submitted catalogue.

In case the offer involves subcontracting or the tender is submitted by a consortium or grouping of service providers, the tender must contain additional information as specified in points 15 and 16 of these tender specifications.

Tenders may be drafted in any of the official languages of the European Union.

The working language of the Agency is English.

14. Technical tender

Tenderers should include in their bid a technical tender detailing how they intend to perform the tasks covered by the contract, in compliance with all the requirements of these tender specifications. Bids that fail to comply with this requirement will be rejected.

The technical tender should not include any of the documents referred to under the exclusion or selection criteria, nor should it refer to matters already covered by the exclusion and selection criteria.

As a part of a technical tender, the tenderer shall provide the following:

- Official catalogue accompanied by a price list for all items included in the catalogue.
- Samples and/or colour pictures of items, as specified in Annex A to these tender specifications. Each sample and/or colour picture has to be properly marked with a reference number of the item.
- Detailed description of customer services (i.e. availability of the contact person assigned for the contract, after sale services, etc.).
- Detailed description of delivery policy, with minimum response time for normal and urgent deliveries.
- Detailed description of return policy indicating the minimum response times, including the approach for resolving issues when the Agency is not satisfied with a certain product.

15. Exclusion criteria

Tenderers must prove that they are not in one of the situations giving rise to exclusion as described below, by providing the following information, evidence and documents with their bid.

Exclusion from participation

Candidates or tenderers will be excluded from participation in a procurement procedure if:

- a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are

- the subject of proceedings concerning these matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) they have been convicted of an offence concerning their professional integrity by a judgment which has the force of *res judicata*;
 - c) they have been guilty of grave professional misconduct proven by any means which the awarding authority can justify;
 - d) they have not fulfilled their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established, or with those of the country of the awarding authority, or with those of the country where the contract is to be performed;
 - e) they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the European Union's financial interests;
 - f) following another procurement procedure or grant award procedure financed by the European Union budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

Evidence

1. Tenderers shall provide a declaration on their honour, duly signed and dated, stating that they are not in one of the situations referred to above, using the form provided in Annex D to these tender specifications.
2. The tenderers to whom it is proposed to award the contract shall furnish, within a time-limit specified by the awarding authority and prior to the signature of the contract, the following evidence in support of their declarations:

The contracting authority will accept, as evidence that the candidate or tenderer is not in one of the situations described in points (a), (b) and (e) above, the production of a recent extract from the judicial record (issued less than 90 days prior to the deadline for tender submission) or, failing this, a recent equivalent document (issued less than 90 days prior to the deadline for tender submission), issued by a judicial or administrative authority in the country of origin or provenance, showing that the requirements are met. The contracting authority will accept, as satisfactory evidence that the candidate or tenderer is not in one of the situations described in point (d) above, a recent certificate (i.e. less than 90 days old on the date of the deadline for tender submission) issued by the competent authority of the State concerned.

Where no document or certificate of the type referred to in the paragraph above is issued in the country concerned, and for the other cases of exclusion referred to in points c) and f), it may be replaced by a declaration under oath, or, failing that, a solemn declaration made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

Depending on the national legislation of the country in which the tenderer or candidate is established, the documents referred to above shall relate to legal persons and/or natural persons, including, where considered necessary by the awarding authority, company directors or any person with powers of representation, decision-making or control in relation to the candidate or tenderer.

3. The Agency reserves the right to check the information provided by tenderers.

Exclusion from award of the Framework contracts

The Framework contracts will not be awarded to tenderers who, during the procurement procedure:

(a) are subject to a conflict of interests.

The Agency must ensure that on the date on which the tender is submitted, no tenderer is subject to a conflict of interests; such conflict of interests could arise in particular as a result of economic interest, political or national affinity, family or emotional ties, or any other relevant connection or shared interest.

The Agency reserves the right to judge whether such a conflict of interests exists.

Tenderers are also asked to declare:

- that they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
- that they have not granted, sought, attempted to obtain or accepted any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award of the contract;
- that they will inform the contracting authority without delay of any situation constituting a conflict of interests or which could give rise to a conflict of interests.

(b) are guilty of misrepresentation in supplying the information required by the awarding authority as a condition of participation in the procurement procedure, or fail to supply this information.

Evidence:

Tenderers shall provide a declaration on their honour, duly signed and dated, stating that they are not in one of the situations referred to above, using the form provided in Annex D to these tender specifications.

The Agency reserves the right to check the information provided by tenderers.

Tenders submitted by consortia or groups of service providers – tenders involving subcontracting:

In the case of tenders submitted by consortia or groups of service providers, each of the economic operators involved in the tender must provide a dated and signed declaration on honour, based on the model provided in Annex D to these tender specifications, confirming that none of the exclusion criteria for participation in or award of the contract apply to them.

The tenderers proposed for award of the Framework contract must furnish, within the time-limit specified by the awarding authority and prior to the signature of the framework Contract, the evidence listed above, corroborating the declaration on their honour, in respect of each economic operator forming part of their consortium or group of service providers.

In the case of tenders involving subcontracting, the tenderer proposed for award of the contract must furnish, within the time-limit specified by the awarding authority and prior to the signature of the contract, the declaration on their honour and/or the evidence listed above regarding exclusion criteria for participation in or award of the contract, in respect of each of the subcontractors in respect of whom the Agency requests such evidence.

The Agency reserves the right to check the information provided by tenderers.

16. Selection criteria

Tenderers must demonstrate that they have the necessary economic, financial, technical and professional capacity to perform the tasks described in these tender specifications in accordance with the payment schedule specified in the draft Contract at Annex III to the Invitation to Tender.

Where the bid is submitted by a consortium or group of service-providers, the economic and financial capacity must be ascertained at the level of each economic operator forming part of the consortium or group. Technical and professional capacity may be ascertained at consortium or group level, or at the level of each member of the consortium or group.

Where the bid is submitted by a tenderer who intends to subcontract part of the tasks or entrust them to another economic operator, the subcontractors or economic operators involved must demonstrate that they have the requisite economic, financial, technical and professional capacity.

An economic operator may, if necessary and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links he has with them. He must in this case prove to the awarding authority that he will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal.

Tenderers must provide proof of their professional, economic, financial, and technical capacity by enclosing with their tender the following information and documents, accompanied by the reference tables shown in Annex B to these tender specifications:

16.1. Professional capacity

For natural and legal persons:

- Duly completed and signed form “Identification of the tenderer” (see Annex C to these tender specifications);
- Duly completed and signed financial identification form (see Annex E to these tender specifications) - the form can be downloaded from:
http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm
- Certificate of enrolment on the professional or trade register in accordance with the legislation of the Member State in which the tenderer is established;
- Duly completed and signed legal entity form (see Annex F to these tender specifications) – the form can be downloaded from:
http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

For legal persons the following information is necessary in addition to the above:

- Legal form
- Copy of the Company's Articles of Association
- Names and duties of managerial staff

16.2. Financial and economic capacity (for natural and legal persons)

Evidence of financial and economic capacity must be provided by means of one or more of the following documents:

- Statements from the bank indicating good financial viability or evidence of professional risk insurance covers;
- Balance sheets or extracts from balance sheets for at least the last two years for which accounts have been closed, where publication of the balance sheet is required under the company law of the country in which the economic operator is established;
- A statement of overall turnover concerning the services covered by the contract during the last two (2) financial years.

16.3. Technical capacity

Tenderers must provide the following documentation to enable an assessment of their technical and professional capacity. For joint applications, the capacities of all members of the joint application, including subcontractors, shall be taken into account.

The tenderers must provide:

- A statement of the average annual manpower and the number of managerial staff over the last two (2) years.
- A detailed description of the tenderer's organisational structure (managerial and operational staff), infrastructure and resources available for the performance of the work required (premises, equipment, etc.).
- A description of the services provided in 2010 and 2011 in the subject areas covered by the contract, indicating the amount(s), date(s) and recipient(s), including the information on the total invoiced amount, similar to the supplies as described in these tender specifications, which shall be at least EUR 240.000,00 in 2010 and 2011 respectively.
- CV of staff proposed for the implementation of this contract, with the following minimum qualifications: excellent knowledge of English language and very good communication and organisational skills.

For those tenders including subcontracting, the tenderer must submit:

- A document stating clearly the identity, roles, activities and responsibilities of the subcontractor(s) and specifying the volume/proportion of the tasks of (each of) the subcontractor(s), as well as the description of the quality control measures he intends to apply on the tasks to be carried out by (each of) the subcontractor(s);
- A letter of intent by (each of) the subcontractor(s) stating its unambiguous undertaking to collaborate with the tenderer if he wins the contract and the extent of the resources that it will put at the tenderer's disposal for the performance of the contract;
- In the absence of this, a document stating that the tenderer does not intend to subcontract and that he/she will inform the Agency about any change in this situation. The Agency reserves the right to judge if such change would be acceptable.

For those tenders submitted by a consortium or grouping of service providers, the tender must contain:

- A document stating clearly the composition and constitution of the grouping or similar entity (company/temporary association/...), or the legal form their cooperation will take, should they be awarded the contract;
- A letter signed by each member stating its commitment to execute the services in the tender clearly indicating its role, qualifications and experience;
- A document signed by all members specifying the lead of the consortium or grouping of service providers and authorising the appointed lead of the consortium or grouping of service providers to submit the offer.

Tenders which do not meet the exclusion and/or selection criteria will not be considered. Tenderers who do not provide the documents required in these tender specifications with regard to the exclusion and/or selection criteria may be excluded. The Agency will decide whether the substantiating documents provided constitute compliance with the selection criteria.

17. Award criteria

The contract will be awarded to the tender offering the best value for money on the basis of the criteria specified below.

17.1. Technical quality, with 60% weighting

Tenders scoring less than 60 overall points or less than 50% of the points awarded for each of the single criterion will be excluded from further evaluation.

The quality criteria, their importance factor and system of scoring are presented in detail below:

- A. Relevance and quality of the catalogue (i.e. variety of items⁵ contained, relevance of the content of the catalogue in relation to the needs of the Agency, quality of the items contained in the catalogue). *This criterion receives maximum 25 points.*
- B. Appropriateness and quality of the samples and/or colour pictures submitted (i.e. matching the description, quality, colour, etc.). *This criterion receives maximum 30 points.*
- C. Relevance and quality of the customs services. *This criterion receives maximum 10 points.*
- D. Quality of the delivery policy (including delivery time). *This criterion receives maximum 20 points.*
- E. Quality of return policy (including minimum response time, approach for handling issues when the Agency is not satisfied with a certain product). *This criterion receives maximum 15 points.*

⁵ Only office stationery and office material will be taken into account (i.e. office equipment such as furniture, computer equipment such as hardware, toners, etc. will not be considered).

17.2. Price, with 40% weighting

In order to evaluate the offers, the Agency will calculate a total reference price, based on the financial offer submitted by the tenderer in Annex II to the invitation to tender. The total reference price has no contractual value and will be used solely for the purpose of the evaluation.

In addition, the tenderer shall submit a detailed price list which shall include all the supplies the tenderer offers, and which are included in his catalogue.

The detailed price list shall correspond to the prices indicated in the financial offer. In case the tenderer offers a discount, this shall be clearly indicated.

The price list and the financial offer shall be contractually binding. In case there will be a difference between the price in the financial offer and the price in the detailed price list which shall not be explained (i.e. the amount of the discount applied), the price in the price list shall apply.

In case the tenderer applies any discount on any of the items included in the catalogue these should be clearly indicated.

17.3. Final evaluation

The formulae to calculate economically the most advantageous offer is:

$$\text{Final score for tender X} = \frac{\text{Cheapest total reference price}}{\text{Total reference price of tender X}} * 40 + \frac{\text{Total technical quality of tenderer X}}{100} * 60$$

The tenderer with the highest mark for the final score will be awarded the Framework contract.