

UK-Central Bedfordshire Waste Treatment Contract (BEaR Project) CB-0005

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E-mail: ojs@publications.europa.eu Info & on-line forms: <http://simap.europa.eu>**CONTRACT NOTICE****SECTION I: CONTRACTING AUTHORITY****I.1) NAME, ADDRESSES AND CONTACT POINT(S)**

Official name: [UK-Central Bedfordshire Waste Treatment Contract \(BEaR Project\) CB-0005](#)

Postal address: [Central Bedfordshire Council, Priory House, Monks Walk, Chicksands](#)

Town: [Shefford](#) Postal code: [SG17 5TQ](#)

Country: [United Kingdom](#)

Contact point(s): [Ben Finlayson \(BEaR Project Manager\)](#) Telephone: [\(0044\)0300 300 8034](#)

For the attention of: [Ben Finlayson \(BEaR Project Manager\)](#)

Email: bearproject@centralbedfordshire.gov.uk Fax:

Internet address(es) (if applicable)General address of the contracting authority (URL): <http://www.centralbedfordshire.gov.uk/bear>

Address of the buyer profile (URL):

Further information can be obtained at:

- As in above-mentioned contact point(s)
- Other: please complete Annex A.I

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained at:

- As in above-mentioned contact point(s)
- Other: please complete Annex A.II

Tenders or requests to participate must be sent to:

- As in above-mentioned contact point(s)
- Other: please complete Annex A.III

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I.2) TYPE OF THE CONTRACTING AUTHORITY AND MAIN ACTIVITY OR ACTIVITIES

- | | |
|--|--|
| <input type="radio"/> Ministry or any other national or federal authority, including their regional or local sub-divisions | <input checked="" type="radio"/> General public services |
| <input type="radio"/> National or federal agency/office | <input type="radio"/> Defence |
| <input checked="" type="radio"/> Regional or local authority | <input type="radio"/> Public order and safety |
| <input type="radio"/> Regional or local agency/office | <input type="radio"/> Environment |
| <input type="radio"/> Body governed by public law | <input type="radio"/> Economic and financial affairs |
| <input type="radio"/> European institution/agency or international organisation | <input type="radio"/> Health |
| <input type="radio"/> Other (<i>please specify</i>): | <input type="radio"/> Housing and community amenities |
| | <input type="radio"/> Social protection |
| | <input type="radio"/> Recreation, culture and religion |
| | <input type="radio"/> Education |
| | <input type="radio"/> Other (<i>please specify</i>): |

The contracting authority is purchasing on behalf of other contracting authorities:

- yes no

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SECTION II: OBJECT OF THE CONTRACT

II.1) DESCRIPTION

II.1.1) Title attributed to the contract by the contracting authority

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II.1.2) Type of contract and location of works, place of delivery or of performance

(Choose one category only - works, supplies or services - which corresponds most to the specific object of your contract or purchase(s))

<input type="radio"/> (a) Works <input type="radio"/> Execution <input type="radio"/> Design and execution <input type="radio"/> Realisation, by whatever means of work, corresponding to the requirements specified by the contracting authorities	<input type="radio"/> (b) Supplies <input type="radio"/> Purchase <input type="radio"/> Lease <input type="radio"/> Rental <input type="radio"/> Hire purchase <input type="radio"/> A combination of these	<input checked="" type="radio"/> (c) Services Service category No 16 <i>(For service categories 1-27, please see Annex II of Directive 2004/18/EC)</i>
Main site or location of works	Main place of delivery	Main place of performance Central Bedfordshire NUTS code UKH22

II.1.3) The notice involves

- A public contract
 The establishment of a framework agreement
 The setting up of a dynamic purchasing system (DPS)

II.1.4) Information on framework agreement (if applicable)

<input type="radio"/> Framework agreement with several operators Number <i>OR, if applicable, maximum number of participants to the framework agreement envisaged</i>	<input type="radio"/> Framework agreement with a single operator
---	--

Duration of the framework agreement:

Duration in year(s): _____ or month(s): _____

Justification for a framework agreement, the duration of which exceeds four years:

Estimated total value of purchases for the entire duration of the framework agreement (if applicable; give figures only):	
Estimated value excluding VAT:	Currency:
OR Range: between _____ and _____	Currency:
Frequency and value of the contracts to be awarded: <i>(if known)</i> :	

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II.1.5) Short description of the contract or purchase(s)

Central Bedfordshire Council (the "Council"), a Waste Disposal Authority for the purpose of the UK Environmental Protection Act 1990, is seeking to enter into a long-term PPP contract with a contractor(s) for the delivery of a residual waste treatment solution and related services that will divert the Council's Residual Municipal Solid Waste (MSW) from landfill.

In addition to the residual waste treatment solution, the Council may seek to include ancillary works and services including (but not limited to):

- An organic waste processing facility
- A Waste Transfer Station (WTS)
- The re-development of four Household Waste Recycling Centres ("HWRCs"), of which one will require to be relocated, and
- A Highways Depot

These ancillary works and services may include the management of the facilities identified above.

It is envisaged that the contract let will be for the design, build, financing and operation of the proposed solution. However, bidders may offer solutions other than DBFO, i.e. capacity in a merchant plant. The Council reserves the right to adopt a contract structure or financing model that best meets its needs.

The bidders will be expected to fund the capital infrastructure of the solution however the ultimate financing structure will be subject to dialogue. In the case of a solution involving project finance, the project may be subject to a funding competition after the appointment of preferred bidder. However, the Council reserves the right to provide or procure capital contributions and/or finance and to facilitate funding from other public sector bodies.

It is intended that the contract will be based on the Standardisation of PFI Contracts version 4 (March 2007) (or any replacement or updated version if applicable) as varied by the DEFRA derogations May 2006 and WIDP standard form. However, the Council may adapt the contract documentation or adopt different contractual documentation as appropriate to the solution.

The Council is not prescribing any specific waste treatment technologies and all technical solutions put forward will be considered. Further information can be obtained by accessing Central Bedfordshire Council's website (<http://www.centralbedfordshire.gov.uk/bear>).

The Council has identified a site (within its ownership) that it may make available although the use of alternatives sites proposed by the bidders will be considered.

The Council reserves the right to enter into the whole or part of this contract, both in terms of the scale and scope of the contract.

For further details on the BEaR Project, please refer to the Initial Descriptive Document that will be issued to interested organisations and will be made available from 1st June 2010 via the E-Box portal. Details on the registration and use of E-Box are provided in Section V1.3 of this notice.

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	Main vocabulary	Supplementary vocabulary (if applicable)
Main object	90500000	

II.1.7) Contract covered by the Government Procurement Agreement (GPA)

yes no

II.1.8) Division into lots (for information about lots, use Annex B as many times as there are lots)

yes no

If yes, tenders should be submitted for (tick one box only)

one lot only

one or more lots

all lots

II.1.9) Variants will be accepted

yes no

II.2) QUANTITY OR SCOPE OF THE CONTRACT**II.2.1) Total quantity or scope (including all lots and options, if applicable)**

The Council wishes to enter into a long-term contract for the provision of a waste treatment solution that will divert residual Municipal Solid Waste (MSW) from landfill. Subject to affordability and value for money, the solution will enable the Council to reduce the increasing impact of landfill tax and waste disposal costs on revenue budgets, achieve long-lasting environmental benefits (such as carbon efficiency) and reach its Landfill Allowance Trading Scheme (LATS) diversion targets throughout the duration of the contract.

In the context of this procurement, 'residual MSW' means waste that is not held back by the Council, or its agents, for recycling, composting, re-use or any other reason. It is roughly estimated that the total MSW arisings in 2009/10 were approximately 121,000 tonnes of which 69,000 tonnes were recycled or composted and 52,000 tonnes were consigned to landfill. At present, the Council's recycling and composting activities primarily target dry recyclables, green waste and some kitchen waste. By way of guidance but without warranty, the current projection (allowing for waste growth, waste minimisation and improved recycling) is that approximately 55,000 to 75,000 tonnes of residual MSW will need to be treated by year 2040/41.

The solution should include the provision of a waste treatment service for all of the Council's residual MSW and any associated infrastructure and additional services, such as the provision of treatment options for residues to the extent necessary, haulage services (as required) and all services necessary to deal with outputs (such as energy, heat and recyclates). The solution may also include the acceptance of other third party waste.

The bidder will be responsible for sourcing end markets for all products from the process, such as residues, recyclates and energy. As part of the dialogue process, the Council may also explore with those bidders proposing high energy output technologies the possibility of contracting to purchase electricity and/or heat produced by the treatment facility.

The solution may also contribute to improved recycling and composting performance by allowing for additional pre or post-processing of the contract waste.

The duration of the contract for the residual waste treatment solution is anticipated to be between 20 to 35 years from contract award including possible extensions. The duration of the contract terms for any potential additional works or services (such as those identified in Section II.1.5 of this notice) may vary from 7 to 20 years. Contract duration of all contract elements will be discussed with bidders during dialogue.

If applicable, estimated value excluding VAT (give figures only):	Currency:
OR Range: between and	Currency:

II.2.2) Options (if applicable)

yes no

If yes, description of these options:

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The contract terms referred to in Section II.2.1 of this notice may include an option to extend exercisable at the Council's discretion during the initial term for up to a further 5 years, which could be secured by a single 5 year extension or by up to 5 one year extensions. As stated in section II.2.1 "Total quantity or scope", the contract period including any extension options will be discussed during dialogue with bidders.

<i>If known</i> , provisional timetable for recourse to these options:		
in months: 60	or days:	(from the award of the contract)
Number of possible renewals (<i>if any</i>):		
	or Range: between	and
<i>If known</i> , in the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts:		
in months:	or days:	(from the award of the contract)

II.3) DURATION OF THE CONTRACT OR TIME-LIMIT FOR COMPLETION

Duration in months: 420	or days:	(from the award of the contract)
OR Starting	(dd/mm/yyyy)	
Completion	(dd/mm/yyyy)	

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SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

III.1) CONDITIONS RELATING TO THE CONTRACT

III.1.1) Deposits and guarantees required (if applicable)

The Council reserves the right to require guarantees, deposits, bonds or other forms of appropriate security.

III.1.2) Main financing conditions and payment arrangements and/or reference to the relevant provisions regulating them

Payment for the services will be in accordance with the Performance Framework and Payment Mechanism for the duration of the contract by way of a unitary charge paid in sterling. This unitary charge will be abatable for events including but not limited to non-acceptance of waste, poor performance and/or missing contract targets. The development of the Payment Mechanism will be a key part of the dialogue process.

III.1.3) Legal form to be taken by the group of economic operators to whom the contract is to be awarded (if applicable)

The Council reserves the right to require, prior to contract award, the groupings of contractors to take a particular legal form or to require a single contractor to take primary liability or to require that each party undertakes joint and several liability. In any event, in the case of a joint venture or group bid, the partners must make clear how they intend to deliver the services (i.e. through a prime/sub-contractor route or by forming an SPV).

III.1.4) Other particular conditions to which the performance of the contract is subject (if applicable)

yes no

If yes, description of particular conditions

The contractor(s) may be required to participate actively in the achievement of social policy objectives relating to recruitment and training for example and/or environmental policy objectives. Accordingly, contract performance conditions may relate in particular to social and environmental considerations.

III.2) CONDITIONS FOR PARTICIPATION

III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers

Information and formalities necessary for evaluating if requirements are met:

Submission of a Pre-Qualification Questionnaire ("PQQ") is required.

Legal/eligibility questions will be marked as "pass" or "fail". In order to pass the legal/eligibility criteria, bidders must:

- Declare there are no grounds under Regulation 23(1) that apply to the bidder; and
- Declare there are no grounds under Regulation 23(4) that apply to the bidder

Where the bidder fails to comply with the above and/or the grounds listed in Regulation 23(1) or 23(4) apply, then subject to Regulation 23(2) and the Council's right to exercise its discretion in respect of Regulation 23(4), the bidder will be excluded from further participation in the procurement process.

For further details and formalities, please refer to the PQQ which will be available to download from the E-Box portal (as described in Section V1.3 of this notice). Such requirements are also set out in Regulations 23 – 26 (Selection of Economic Operators) of the UK Public Contracts Regulations 2006, as amended.

III.2.2) Economic and financial capacity

Information and formalities necessary for evaluating if requirements are met:

Please refer to the PQQ which will be available to download from the E-Box portal (as described in Section V1.3 of this notice).

Minimum level(s) of standards possibly required (if applicable):

Submission of a Pre-Qualification Questionnaire ("PQQ") is required.

Bidders must achieve at least 50% of the total available marks for economic and financial standing. Bidders who fail to achieve the minimum threshold will be excluded from further participation in the procurement process.

III.2.3) Technical capacity

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Information and formalities necessary for evaluating if requirements are met:

Please refer to the PQQ which will be available to download from the E-Box portal (as described in Section V1.3 of this notice).

Minimum level(s) of standards possibly required (if applicable):

Submission of a Pre-Qualification Questionnaire ("PQQ") is required. Pass/fail elements for technical capacity are outlined in the PQQ.

III.2.4 Reserved contracts (if applicable)

yes no

The contract is restricted to sheltered workshops

The execution of the contract is restricted to the framework of sheltered employment programmes

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III.3) CONDITIONS SPECIFIC TO SERVICES CONTRACTS**III.3.1) Execution of the service is reserved to a particular profession**

yes no

If yes,reference to the relevant law, regulation or administrative provision:

III.3.2) Legal entities should indicate the names and professional qualifications of the staff responsible for the execution of the service

yes no

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SECTION IV: PROCEDURE

IV.1) TYPE OF PROCEDURE

IV.1.1) Type of procedure

<input type="radio"/> Open	
<input type="radio"/> Restricted	
<input type="radio"/> Accelerated restricted	Justification for the choice of accelerated procedure:
<input type="radio"/> Negotiated	<p>Candidates have already been selected</p> <p><input type="radio"/> yes <input type="radio"/> no</p> <p>If yes, provide names and addresses of economic operators already selected under Section VI.3) <i>Additional information</i></p>
<input type="radio"/> Accelerated negotiated	Justification for the choice of accelerated procedure:
<input checked="" type="radio"/> Competitive dialogue	

IV.1.2) Limitations on the number of operators who will be invited to tender or to participate (*restricted and negotiated procedures, competitive dialogue*)

Envisaged number of operators
OR Envisaged minimum number 3 and , if applicable, maximum number 8
Objective criteria for choosing the limited number of candidates: By application of the selection criteria set out in the PQQ.

IV.1.3) Reduction of the number of operators during the negotiation or dialogue (*negotiated procedure, competitive dialogue*)

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

yes no

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IV.2) AWARD CRITERIA

IV.2.1) Award criteria (please tick the relevant box(es))

Lowest price

OR

The most economically advantageous tender in terms of

the criteria stated below (the award criteria should be given with their weighting or in descending order of importance where weighting is not possible for demonstrable reasons)

the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document

Criteria	Weighting	Criteria	Weighting
1.		6.	
2.		7.	
3.		8.	
4.		9.	
5.		10.	

IV.2.2) An electronic auction will be used

yes no

If yes, additional information about electronic auction (if appropriate)

IV.3) ADMINISTRATIVE INFORMATION

IV.3.1) File reference number attributed by the contracting authority (if applicable)

[UK-Central Bedfordshire Waste Treatment Contract \(BEaR Project\) CB-0005](#)

IV.3.2) Previous publication(s) concerning the same contract

yes no

If yes,

<input type="radio"/> Prior information notice	<input type="radio"/> Notice on a buyer profile
Notice number in OJ:	of (dd/mm/yyyy)
<input type="radio"/> Other previous publications (if applicable)	

IV.3.3) Conditions for obtaining specifications and additional documents (except for a DPS) or descriptive document (in the case of a competitive dialogue)

Time limit for receipt of requests for documents or for accessing documents Date: 19/07/2010 (dd/mm/yyyy) Time: 17:00
Payable documents <input checked="" type="radio"/> yes <input type="radio"/> no If yes, price (give figures only): 20.00 Currency: GBP Terms and method of payment: Twenty (20) GBP per month per user for access to the E-Box portal (for further details, please refer to Section V1.3 of this notice)

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IV.3.4) Time-limit for receipt of tenders or requests to participate

Date: 19/07/2010 (dd/mm/yyyy) Time: 17:00

IV.3.5) Date of dispatch of invitations to tender or to participate to selected candidates (if known) (in the case of restricted and negotiated procedures, and competitive dialogue)

Date: (dd/mm/yyyy)

IV.3.6) Language(s) in which tenders or requests to participate may be drawn up

ES	CS	DA	DE	ET	EL	EN	FR	IT	LV	LT	HU	MT	NL	PL	PT	SK	SL	FI	SV	
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other:

IV.3.7) Minimum time frame during which the tenderer must maintain the tender (open procedure)

Until: (dd/mm/yyyy)

OR Duration in month(s):

OR days: (from the date stated for receipt of tender)

IV.3.8) Conditions for opening tenders

Date: (dd/mm/yyyy) Time:

Place (if applicable):

Persons authorised to be present at the opening of tenders (if applicable)

 yes no

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SECTION VI: COMPLEMENTARY INFORMATION**VI.1) THIS IS A RECURRENT PROCUREMENT** *(if applicable)*

yes no

If **yes**, estimated timing for further notices to be published:

VI.2) CONTRACT RELATED TO A PROJECT AND/OR PROGRAMME FINANCED BY EU FUNDS

yes no

If **yes**, reference to project(s) and/or programme(s):

VI.3) ADDITIONAL INFORMATION *(if applicable)*

All interested organisations are required to return three (3) copies in total of their completed Pre-Qualification Questionnaire (PQQ). Each submission will comprise one (1) hard copy, one (1) CD Rom and one (1) electronic copy via the E-Box portal, an online secure file sharing system which will give bidders access to the PQQ, the Descriptive Document and other tender documentation. Only those PQQ submissions returned by the closing date and time will be deemed valid. Late submissions will not be accepted.

During the procurement process, it is compulsory for bidders to utilise E-Box as the main channel of communication and exchange of documents. In declaring an interest in this procurement process, bidders agree to the use of E-Box.

For access to the E-Box system, bidders should register their interest by sending an email to bearproject@centralbedfordshire.gov.uk. Bidders will be required to indicate in the email the company name(s), postal address, contact telephone number(s), email address(es) of the bid lead officer(s) and the Company Registration number. In response, bidders will receive an email from E-Box with instructions on enrolment, access and use of the secure portal. A User Agreement form will also be attached to the registration email. All bidders will be required to complete and return the User Agreement form to E-Box prior to submitting their PQQ. At PQQ stage, each bidder will be allowed to register up to three (3) users. The turnaround time for enrolment and access to E-Box will be two (2) working days.

Following bidder registration to E-Box, the PQQ will be immediately available for download. However, for administration purposes bidders will not be able to upload their PQQ submission until 1st June 2010.

During the PQQ stage, bidders will not incur any charges for the use of E-Box. Following evaluation of the PQQ submissions, bidders who will be invited to participate in dialogue will be charged twenty (20) GBP per month per user which will be invoiced to and made payable by the bidder directly to E-Box.

Bidders who register an interest as described above will be invited to attend a Bidders' Day on 7th June 2010. Further details will be included in the PQQ.

Tenders will be opened in accordance with the Council's Procurement procedure rules.

Additional CPV Codes:

90510000-5 Refuse disposal and treatment

90513000-6 Non-Hazardous refuse and waste treatment

45222110-3 Waste disposal site construction works

45222100-0 Waste treatment plant construction works

90512000-9 Refuse transport services

45232470-7 Waste transfer station

90513300-9 Refuse incineration services

90524200-8 Clinical waste disposal services

90514000-3 Refuse Recycling Services

90530000-1 Operation of refuse site

45252300-1 Refuse-incineration plant construction work

45252000-8 Construction works for sewage treatment plants, purification plants and refuse incineration plants

45111000-8 Demolition, Site prep and clearance work

45210000-2 Building construction work

45213270-6 Construction works for recycling station

45213280-9 Construction works for compost facility

45213310-9 Construction works for buildings related to road transport

90522200-4 Disposal of contaminated soil

90513100-7 Household-refuse disposal services

90513200-8 Urban Solid-refuse disposal services

65300000-6 Electricity distribution and related services

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09310000-5 Electricity

09320000-8 Steam, hot water and associated products

VI.4) PROCEDURES FOR APPEAL**VI.4.1) Body responsible for appeal procedures**

Official name: HMCS - Royal Courts of Justice
Postal address: HMCS, Royal Courts of Justice, Strand, London
Town: London Postal code: WC2A 2LL
Country: United Kingdom Telephone:
Email: Fax:
Internet address (URL): <http://www.hmcourts-service.gov.uk>

Body responsible for mediation procedures (if applicable)

Official name:
Postal address:
Town: Postal code:
Country: Telephone:
Email: Fax:
Internet address (URL):

VI.4.2) Lodging of appeals (please fill heading VI.4.2 OR if need be, heading VI.4.3)

Precise information on deadline(s) for lodging appeals:

The Council will incorporate a minimum of ten (10) calendar days standstill period at the point information on the award of the contract is communicated to the bidders. Precise information on deadline(s) for lodging appeals: In accordance with regulation 32 (Information about contract award procedures) and regulation 47 (Enforcement of obligations) of the UK Public Contracts Regulations 2006, as amended.

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VI.4.3) Service from which information about the lodging of appeals may be obtained

Official name: [Legal and Democratic Services \(Central Bedfordshire Council\)](#)

Postal address: [Central Bedfordshire Council, Priory House, Monks Walk, Chicksands](#)

Town: [Shefford](#) Postal code: [SG17 5TQ](#)

Country: [United Kingdom](#) Telephone:

Email: Fax:

Internet address (URL): <http://www.centralbedfordshire.gov.uk>

VI.5) DATE OF DISPATCH OF THIS NOTICE:

[25/05/2010 \(dd/mm/yyyy\)](#)

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ANNEX A*ADDITIONAL ADDRESSES AND CONTACT POINTS***I) ADDRESSES AND CONTACT POINTS FROM WHICH FURTHER INFORMATION CAN BE OBTAINED**

Official name:

Postal address:

Town:

Postal code:

Country:

Contact point(s):

Telephone:

For the attention of:

Email:

Fax:

Internet address (URL):

II) ADDRESSES AND CONTACT POINTS FROM WHICH SPECIFICATIONS AND ADDITIONAL DOCUMENTS (INCLUDING DOCUMENTS FOR COMPETITIVE DIALOGUE AS WELL AS A DYNAMIC PURCHASING SYSTEM) CAN BE OBTAINED

Official name:

Postal address:

Town:

Postal code:

Country:

Contact point(s):

Telephone:

For the attention of:

Email:

Fax:

Internet address (URL):

III) ADDRESSES AND CONTACT POINTS TO WHICH TENDERS/REQUESTS TO PARTICIPATE MUST BE SENT

Official name:

Postal address:

Town:

Postal code:

Country:

Contact point(s):

Telephone:

For the attention of:

Email:

Fax:

Internet address (URL):

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ANNEX B (1)*INFORMATION ABOUT LOTS***LOT NO TITLE****1) SHORT DESCRIPTION****2) COMMON PROCUREMENT VOCABULARY (CPV)****3) QUANTITY OR SCOPE**

<i>If applicable, estimated value excluding VAT (give figures only):</i>	Currency:
OR Range: between and	Currency:

4) INDICATION ABOUT DIFFERENT DATE FOR DURATION OF CONTRACT OR STARTING/COMPLETION*(if applicable)*

Duration in months:	or days:	(from the award of the contract)
OR Starting	(dd/mm/yyyy)	
Completion	(dd/mm/yyyy)	

5) ADDITIONAL INFORMATION ABOUT LOTS