

Invitation to Tender for the Supply of High Environmental Performance Cars/Vans¹ to

[Name of Contracting Authority]

Tenders are to be returned in a sealed envelope marked:
“[Title of Contract]”

To:
[Contact Person]
[Name of Office]
Contracting Authority
[Address]

Deadline for Submission of Tenders: [Date and Time]

This sample tender document is provided as an example of how the Topten criteria for the procurement of high environmental performance cars/vans can be applied. **In addition, Annex 1A gives an example of how operational lifetime cost can be calculated in accordance with the Clean Vehicles Directive (2009/33/EC).** For further information, or for assistance in applying the criteria, please refer to www.topten.eu/pro.

****Comments are invited on the structure and content of these documents****

Responsibility for the content of tender documents remains with the contracting authority issuing them and legal advice should be sought.

 To be customised by the contracting authority

¹ Please note that the specification applies to cars and vans with combustion engines only, including hybrids. For specific guidance on the public procurement of clean and energy efficient vehicles, such as buses and other heavy duty vehicles as well as cars and vans and including alternative fuel vehicles including those running on electricity or hydrogen fuel cells, please consult www.clean-fleets.eu.

 To be completed by the tendering organisation

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SAMPLE

Sample Tender Document: High Environmental Performance Cars/Vans (Open Procedure)

Tender Checklist

Please ensure that the following required documents are included with your tender:

[Remove items not required]

- **Information and Documents required for Eligibility Criteria (Section 5.1)**
 - Evidence of Turnover
 - Evidence of Insurances
 - Evidence of Tax Clearance

- **Information responding to each of the Award Criteria (Section 5.2)**
- **Form of Tender (Appendix 1), completed and signed**
- **Detailed Breakdown of Tender Costs (Appendix 1A)**
- **Declaration under Article 45 of Directive 2004/18/EC (Appendix 2), completed and signed**

The above checklist is for guidance purposes only and the Contracting Authority will not accept any responsibility for omissions from this checklist. Tenderers are advised to read all tender documentation and appendices in full in order to provide a comprehensive response.

SAMPLE

Invitation to Tender for the Supply of High Environmental Performance Cars/Vans

1. Background

[Insert background information on Contracting Authority and the office/unit conducting the tender]

2. Context for Tender

[Include here the background and context for this specific invitation to tender – e.g. describe purpose of vehicles, current fleet, user profile and whether lease or purchase]

3. Invitation to Tender

[Name of Contracting Authority] is using the Open procedure for this tender, which means that any interested party can submit a tender. Valid tenders submitted in accordance with the Instructions to Tenderers and received before the stated deadline will be assessed on the basis of the eligibility criteria and award criteria set out in Section 5. Tenderers are requested to review this document in detail and ensure that they have addressed all of the relevant requirements in their tender.

4. Specification

4.1 Technical Specification

[Specify the number of vehicles including class, type, required features, finish, minimum warranty and location/timing for delivery. Also include your minimum requirements in terms of maintenance and servicing, if applicable. State if used vehicles will be considered – this may be included as a variant under section 4.3]

1. All cars and vans must achieve the following minimum Eco Point² rating and not exceed the maximum permissible emissions shown below for their vehicle type. The calculation scheme for Eco Points is included below.

[Remove vehicle types which are not relevant for this tender]

Vehicle Type	Length of car (l)	Minimum Eco Points
Mini	$l < 3.6 \text{ m}$	69.0
Small cars	$3.6\text{m} \leq l < 4.0 \text{ m}$	66.5
Compacts	$4.0\text{m} \leq l < 4.4 \text{ m}$	65.0
Middle class	$4.4\text{m} \leq l < 4.8 \text{ m}$	58.3
Upper middle class	$4.8\text{m} \leq l < 5.0 \text{ m}$	50.0
Vans, 5 seats	$5.0\text{m} < l$	57.0
Vans, ≥ 6 seats	$5.0\text{m} < l$	51.0

² The Eco Points rating system was developed by the Institut für Energie- und Umweltforschung (IFEU), by order of the German Office for Environment (Bundesumweltamt) and is used by the Swiss Association for Traffic and Environment (ATE) together with its sister organisations – the traffic associations of Germany and Austria.

This system takes into account the greenhouse gas, air pollutant and noise emissions for each vehicle type and awards a cumulative score reflecting environmental performance. Higher Eco Points reflect better performance.

Calculation of Eco Points

The four categories of environmental effects contribute to the calculation of the Eco-points are as follows:

- Category A: CO₂ emissions – weighting: 60%
- Category B: noise emissions – weighting: 20%
- Category C: air pollutants affecting human health – weighting: 15%
- Category D: nature pollution – weighting: 5%

Category A: CO₂ emissions

A vehicle's CO₂ emissions are rated here with a linear function. For CO₂ emissions of 60 grams per kilometre 10 points are granted, while 180 grams of CO₂ per kilometre score 0 points. The precise formula for calculating the category A Eco Points is:

$$\text{Eco Points} = (180 - x) \cdot 0.0833, \quad x = \text{CO}_2 \text{ emissions in g/km}$$

Category B: noise emissions

The rating is based on a model's indications of the type test. The scale runs linearly between 10 points for 65 dB(A) and 0 points for 75 dB(A) and more, as shown below:

dB(A)	65	66	67	68	69	70	71	72	73	74	75
Points	10	9	8	7	6	5	4	3	2	1	0

Categories C and D

These categories are both rated according to the same scheme. A car's score in these categories is defined by its emission class (Euro 4, Euro 5 or Euro 6), according to the following table:

Emission Class³	C: Air pollutants points⁴	D: Nature pollution points⁵
Euro 5 petrol ⁶	9.35	7.6
Euro 5 petrol with direct fuel injection	7.48	7.6
Euro 5 diesel	6.4	2.8
Euro 6 petrol	9.35	7.6
Euro 6 petrol with direct fuel injection	7.48	7.6
Euro 6 diesel	8.4	6.8

Total Eco points

For a vehicle's total Eco points the scores of the single environmental effect categories are weighted, added up and multiplied by 10:

$$\text{Eco points} = ((\text{Cat A score}) \cdot 0.6 + (\text{Cat B score}) \cdot 0.2 + (\text{Cat C score}) \cdot 0.15 + (\text{Cat D score}) \cdot 0.05) \cdot 10$$

³ The emissions classes for passenger vehicles are defined in [Regulation \(EC\) No 692/2008](#).

⁴ Air pollutants consist of nitrogen oxides (NO_x) and non-methane hydrocarbons (NMHC).

⁵ Nature pollution refers to the amount of particulate matter contained in exhaust emissions.

⁶ Cars which use natural gas are treated like petrol cars, because they also use an Otto engine.

Sample Tender Document: High Environmental Performance Cars/Vans (Open Procedure)

Verification: Bidders must supply technical data and test results for the vehicles tendered to demonstrate performance in each of the categories covered by the Eco Point rating, accompanied by the above calculation demonstrating the Eco Points achieved.

Where reference is made in the technical specification to any particular make, source, origin, patent, process, trademark, brand name or standard, such reference shall on every occasion be understood as being accompanied by the words “or equivalent.” These references are provided only where it is not otherwise possible for a sufficiently precise description to be defined.

Test Drive: The Contracting Authority reserves the right to carry out a test drive of any vehicles proposed in order to verify their conformance with the minimum specification and to enable evaluation against the contract award criteria.

4.2 Lots

[If the contract is divided into lots, describe each Lot and include one of the following:

Tenderers must submit a proposal for each of the Lots included in this Invitation to Tender

OR

Tenders may be submitted for one or more Lots.]⁷

4.3 Variants

[If you have ticked the box on the notice to allow variants, this means that tenderers can submit solutions which deliver the required or enhanced functionality in a different way to that envisaged. If you have chosen to accept variants, you need to clearly state:

i) The minimum requirements which must be met by all solutions, whether variant or not (i.e. what mandatory features or functions must be included);

AND

ii) Whether it is a requirement for submitting a variant that the tenderer also submit a solution which exactly matches the specification (this is sometimes necessary to ensure comparability for evaluation purposes)]

An example of a variant which may be appropriate in this case is to request flexible-fuel or bi-fuel vehicles which are capable of running on biofuels.

⁷ Information on lots must be included in the Contract Notice.

5. Assessment of Tenders

5.1 Eligibility Criteria

The Contracting Authority is using the open procedure for the procurement of these requirements, therefore, while all interested parties may submit a tender, only those demonstrating they have the required level of financial and technical capacity will have their tender considered. In order to demonstrate eligibility, tenderers are required to provide the information set out below.

[Note: not all of the below eligibility criteria may be relevant for your contract. Ensure that each of the criteria and rules you use is relevant and proportionate to the contract and will not result in the inappropriate inclusion/exclusion of tenderers]

5.1.1 Evidence of Turnover and Profitability

Please provide the following information based on your organisation's annual accounts:

Year	Turnover (€)	Profitability (%)
[Enter]		
[Enter]		
[Enter]		

Rule: Tenderers must provide evidence of their turnover and profitability for the past three financial years by submitting extracts from audited accounts or an auditor's signed statement. Alternatively, tenderers may demonstrate turnover and profitability by any means at their disposal. If these figures are not available for the full three year period please include an explanation for this and provide figures for all years/ part years available.

OR

Rule: Tenderers must provide evidence, by way of extracts from audited accounts or an auditor's signed statement that their annual turnover has exceeded € XX [Set minimum turnover requirement, if applicable] in at least one of the previous 3 financial years or pro-rata if more recently established. Alternatively, tenderers may demonstrate turnover by any means at their disposal. If these figures are not available for the full three-year period please include an explanation for this and provides figures for all years/ part years available.

Sample Tender Document: High Environmental Performance Cars/Vans (Open Procedure)

5.1.2 Evidence of Insurances

Please provide evidence of the current valid policies which your organisation has in place in respect of the following:

Type of Insurance	Amount of Policy	Excess/Deductible	Expiry Date
Public Liability			
Product Liability			
Employer's Liability			
Goods in Transit			

[Modify this table to remove policy types not relevant for tender]

Rule: Tenderers must demonstrate that they are in possession of valid policies for each of the above forms of insurance by providing a certificate or letter from their broker within the tender.

OR

Rule: Tenderers are required to demonstrate, by producing a valid certificate or broker's letter, that they have the following minimum levels of insurance in place [OR provide a letter from insurer/broker indicating required level could put in place if successful.]

- Public Liability - € X million
- Employer's Liability - € X million
- Products Liability - € X million
- Goods in Transit - € X million

[Delete as appropriate]

5.1.3 Tenderer's Organisation and Structure

Please provide the following information:

[Delete as appropriate]

- Company name, address and contact details for individual responsible for this tender.
- Outline of relevant Human Resources. Please provide an organisation chart and give details of the manpower levels and skills base within your organisation, in particular related to the delivery and maintenance of the required products.
- Outline of Technical Resources within the organisation which are relevant to a contract of this nature, including delivery, maintenance and disposal equipment.
- Details of quality assurance policies and whether 3rd party attested. Please provide copies of the relevant certification, if any.
- Details of health and safety policy and statement.
- [Request details of other aspects of technical capacity relevant to the contract]

Rule: Tenderers must demonstrate that they have adequate and appropriate resources at their disposal to deliver a contract of this nature.

[Alternatively, specific pass/fail rules may be set for any of the above requirements]

Sample Tender Document: High Environmental Performance Cars/Vans (Open Procedure)

5.1.4 Previous Similar Contracts

Please provide details of at least **X** previous contracts (of a value exceeding €Y OR in a range of €Y to €Z) successfully delivered by your organisation which are similar in nature and scope to the requirements of this contract. The details to include:

- Client Name
- Details of start/end dates of contract
- Approx. value of contract (€)
- Nature and description of work done
- Similarity to Contracting Authority's requirements

Rule: *Tenderers must demonstrate that they have acquired the necessary experience by providing details in relation to **X** previous contract[s] of a similar nature and scope.*

5.1.5 Evidence of Tax Clearance Status

Tenderers should provide a copy of their current Tax Clearance Certificate or equivalent.

Tenderers are asked to demonstrate their eligibility (i.e. their financial and technical capacity) by responding to all the information requested above. In addition, Tenderers must ensure that they have completed and signed the Declaration under Article 45 of Directive 2004/18/EC. Failure to supply the required information may result in elimination from detailed tender evaluation.

A tenderer may rely on the capacities of other entities in demonstrating its eligibility, regardless of the legal nature of the links which it has with them. In that case, evidence must be provided that the tenderer will have at its disposal the resources necessary for performance of the contract, for example by producing a clear undertaking on the part of those entities to place the relevant resources at its disposal.

Sample Tender Document: High Environmental Performance Cars/Vans (Open Procedure)

5.2 Award Criteria

Only tenders which have met the eligibility criteria and are valid and responsive to the specification set out in this document will be evaluated against the award criteria. Tenderers should ensure that they have submitted sufficient relevant information to allow their tenders to be assessed under each of the award criteria set out below.

Prior to award of the contract, tenderers may be invited to attend a meeting for the purpose of clarification of the submitted offers only. The Contracting Authority also reserves the right to request a demonstration and/or undertake a site visit or test drive(s) of any vehicles proposed prior to finalising the tender evaluation.

Assessment of tenders and award of contract will be on the basis of the **most economically advantageous tender**, in accordance with the following criteria, weightings and minimum requirements.

[Careful consideration should be given to the criteria and relative weightings used, including the requirement for meeting a minimum score under any particular heading. As emissions and energy consumption are addressed both in the specification and in the life-cycle cost calculation, they are not repeated in the indicative award criteria.]

	Criterion	Weighting	Maximum Score	Minimum Required
(A)	Quality and Performance	20%	2500	1500
(B)	Delivery, Maintenance & End-of-life	10%	1000	600
(C)	Environmental Features	15%	1500	900
(D)	Warranty Length & Inclusiveness	5%	500	300
(E)	Life-cycle Cost	50%	5000	N/A

In relation to minimum score required - Tenderers should note that they must achieve a minimum rating of 60% for each of the individual qualitative criteria (A) - (D) in order to avoid elimination from the competition.

5.3 Explanation of Award Criteria

Tenderers should ensure in their tenders that they provide detailed information in respect of all aspects of the contract award criteria as stated below.

[Describe what you are looking for under each criterion and what information tenderers should provide. State any sub-criteria if relevant and the weightings and minimum requirements for each sub-criterion]

A) Quality and Performance (20%)

[Describe any additional elements of quality and performance **above** the minimum specified requirements which will result in a higher score being achieved under this criterion. For example, you may wish to assess ergonomic features, quality of finish, steering, engine/body/chassis quality and durability, etc. Sub-criteria and weightings may be included if appropriate.]

B) Delivery, Maintenance & End-of-life (10%)

[Describe any additional elements of delivery, maintenance and disposal **above** the minimum specified requirements which will result in a higher score being achieved under this criterion, e.g. does the supplier offer vehicle trade in? Sub-criteria and weightings may be included if appropriate]

C) Environmental Features (15%)

[Describe any environmental features **above** the minimum specified requirements which will result in a higher score under this criterion, and **which are not assessed elsewhere, i.e. in the specification or life-cycle costing**. Environmental features must be directly related to the subject matter of the contract. Examples include limits on hazardous substances/inefficient materials in components, gear shift indicators, on-board devices for emission and consumption monitoring, automated speed control/speed limiter and dual fuel capabilities. Sub-criteria and weightings may be included if appropriate.]

D) Warranty Length & Inclusiveness (5%)

Marks will be awarded on the basis of warranty length **beyond the minimum required (if specified)** and the comprehensiveness of coverage, including availability of spare parts.⁸

E) Life-cycle Cost (50%)

Tenderers must complete the Form of Tender attached in Appendix 1 and return this with their tender submission. Appendix 1A must also be completed with a detailed breakdown of unit prices. The cost of each tender will be calculated based on **the total life-cycle cost associated with the purchase, delivery, operational lifetime, maintenance and disposal of the vehicles over a period of X years. [Ensure this corresponds to the elements included in Appendix 1A]**

Tender costs will be scored in inverse proportion to the maximum score, which will be allocated to the lowest cost tender not previously eliminated.

⁸ If flexible- or bi-fuel capability has been requested as part of the specification or as a variant, the warranty should cover the use of all fuels and blends.

Sample Tender Document: High Environmental Performance Cars/Vans (Open Procedure)

6. Instructions to Tenderers

6.1 Submission of Tenders

It is the responsibility of the tenderer to ensure that their tender is complete and reaches the correct address by the designated deadline. **Late, faxed or e-mailed tenders will not be considered.**

The completed Tender shall be enclosed in a sealed envelope and submitted either by post or hand delivery, using the below label as a template:

Tender for: *Supply of High Environmental Performance Cars/Vans*
Tender Ref. No: XXXXXX

Delivery to:
[Contact Name]
[Name of Unit/Office]
Contracting Authority
[Address]

The number of copies required for the tender is:

- X hard copies and
- 1 soft copy in .pdf format

Tenderers should ensure that the softcopy contains all of the information submitted as part of the tender, is in a commonly readable file format and is free of viruses.

6.2 Queries

All queries regarding this tender should be emailed to <EMAIL ADDRESS> for the attention of <NAME>. The closing date for receipt of queries is [7 days before Closing Date].

Queries should be in question format and submitted by email **only**. Responses to queries will be issued to all parties who have expressed an interest in the contract, in order to ensure that no party has an unfair advantage over any other.

For the purpose of circulating responses queries may be edited to avoid disclosing the identity of the party submitting it. Any sensitive information included in the query should be clearly indicated by the party submitting it.

6.3 Sufficiency & Accuracy of Tender

Tenderers will be deemed to have examined all the documents enclosed and by their own independent observations and enquiries will be held to have fully informed themselves as to the nature and extent of the requirements of the tender.

Tenderers are cautioned to check the accuracy of their tender prior to submission. A tender found to contain any clerical errors or omissions may, at the sole discretion of the Contracting Authority, be referred back to the tenderer for correction. Any

Sample Tender Document: High Environmental Performance Cars/Vans (Open Procedure)

subsequent adjustment(s) must be confirmed in writing. The Contracting Authority reserves the right to disqualify incomplete tenders.

[Only include if relevant & appropriate] While tenderers are requested to ensure they have included all of the information requested as part of this tender, excess documentation impedes the evaluation process and should not be submitted. Tenderers are requested to keep the total documentation submitted to under XX pages of printed material.

6.4 Tender Documents - Ambiguity, Discrepancy, Error, Omission

If you consider that you are missing any documents which would prevent you from submitting a comprehensive tender please email <EMAIL ADDRESS> as soon as possible.

Tenderers shall immediately notify the Contracting Authority should they become aware of any ambiguity, discrepancy, error or omission in the Tender Documents. The Contracting Authority will, upon receipt of such notification, issue a clarification in respect of any such ambiguity, discrepancy, error or omission. Such clarification shall then form part of the Tender Documents.

6.5 Qualification of Tenders and Referential Bids

Please note that qualifications to a tender in respect of any of the requirements stated in the Tender Documents may render the tender invalid. Tenders made by reference to other tenders are not valid and cannot be considered.

6.6 Extension of Tender Period

The Contracting Authority reserves the right, at its sole discretion, to extend the closing date for receipt of tenders by giving notice in writing to all parties who have downloaded the tender documents before the original closing date.

6.7 Modifications to Tenders prior to the Closing Date for Receipt

Modifications to tenders will be accepted in the form of supplementary information and/or addenda, provided they are submitted in a sealed envelope *before the closing date for receipt of tenders* and clearly marked as part of the tender. Any modifications received after the closing time for receipt of tenders will not be considered.

6.8 Form of Tender

Tenderers are required to complete, sign and return the Form of Tender set out in Appendix 1, and Breakdown of Costs in Appendix 1A. Failure to sign the Form of Tender, or to complete it in the required format, may result in rejection of the tender.

6.9 Cost of Preparation of Tender

The Contracting Authority will not be liable for any costs, charges or expenses incurred by tenderers in the preparation of proposals or any associated efforts. It is the responsibility of the tenderer to ensure that they are fully aware and understand the requirements as laid down in this document. Tenderers will be responsible for any

Sample Tender Document: High Environmental Performance Cars/Vans (Open Procedure)

costs incurred by them in the event of their being required to attend clarification or other meetings or make a presentation of their proposals.

6.10 Tender Validity Period

To allow sufficient time for tender assessment a tender validity period of **6 months** is required, during which all elements of the offer contained in the tender shall remain open for acceptance by the Contracting Authority. The tender validity period commences on the date by which the tenders are to be returned (tender deadline).

6.11 Currency

The currency and invoices in which all prices and rates shall be tendered, and which payments under the contract will be paid, shall be **Euros (€)**. All prices and rates quoted should be exclusive of VAT.

6.12 Confidentiality

The distribution of the tender documents is for the sole purpose of obtaining offers. The distribution does not grant permission or licence to use the documents for any other purpose. Tenderers are required to treat the details of all documents supplied in connection with the tender process as private and confidential.

6.13 Freedom of Information

All responses to this invitation to tender will be treated in confidence and no information contained therein will be communicated to any third party without the written permission of the tenderer except insofar as is specifically required for the consideration and evaluation of the response or as may be required under law, including Freedom of Information legislation [[refer to relevant national law\(s\)](#)].

Tenderers are asked to consider if any of the information supplied by them in response to this request for tenders should not be disclosed because of its sensitivity. If this is the case, tenderers should specify the information that is sensitive and the reasons for its sensitivity. The Contracting Authority cannot guarantee that any information provided by tenderers, either in response to this tender or in the course of any contract awarded as a result thereof, will not be released pursuant to the Contracting Authority's obligations under law, including [[relevant national law\(s\)](#)]. The Contracting Authority accepts no liability whatsoever in respect of any information provided which is subsequently released or in respect of any consequential damage suffered as a result of such disclosure.

6.14 Tax Clearance Status

It will be a condition of award of contract that the successful tenderer(s) can promptly produce evidence of their tax clearance status, if not already submitted to the Contracting Authority. This tax clearance status must be maintained throughout the lifetime of the contract.

6.15 Applicable Law

Tenderers should be aware that national legislation applies in other matters such as [[list any relevant national legislation](#)]. Tenderers must have regard to statutory terms

Sample Tender Document: High Environmental Performance Cars/Vans (Open Procedure)

relating to minimum pay and to legally binding industrial or sectoral agreements in preparing tenders and in delivering contracts awarded to them.

The contract[s] awarded on foot of this tender process will be governed by [Name of jurisdiction] law.

6.16 Clarification of Tenders

To assist in the examination and comparison of tenders, the Contracting Authority may ask tenderers for clarification of their bids, including breakdowns of unit prices. No change in the price or substance of any tender shall be sought, offered or permitted. To assist in finalising the tender evaluation, selected tenderers may be invited to attend clarification meetings with the Contracting Authority.

6.17 Correction of Errors

Detailed pricing of all tenders will be examined for errors that might alter the tender pricing as determined from the figures on the tender form or as between the hard copy and electronic versions of the tender. In general, the following approach will be applied to manifest errors:

- (a) Where there is a discrepancy between the hard copy and the electronic copy of the tender, the hard copy will take precedence.
- (b) Where there is a discrepancy between amounts in figures and words the amount in words shall apply.
- (c) Where there is a discrepancy between the unit price and the total amount derived from the multiplication of the unit price and the quantity, the unit price as quoted will normally govern unless, in the opinion of the Contracting Authority, there is a gross mathematical error in the unit price, in which event the total amount as quoted will govern.

The amount stated in the tender form will be adjusted by the Contracting Authority in accordance with the above procedure and, with the agreement of the tenderer, shall be considered as binding upon the tenderer. Without prejudice to the above, a tenderer not accepting the correction of their tender as outlined may have their tender rejected.

6.18 Change in the Composition of a Tender

The Contracting Authority reserves the right, but is not obliged, to disqualify any tenderer that makes any change to its composition after submission of a tender.

6.19 Interference and Inducement to Purchase

Any tenderer attempting to unduly influence the Contracting Authority or any other relevant persons or bodies in the process of examination, clarification, evaluation and comparison of tenders and in decisions concerning the award of contract shall have their tender rejected.

6.20 Notification of Outcome [Required if contract is above EU threshold]

All tenderers will be informed of the outcome of their proposals following tender evaluation and any necessary clarifications. Potential outcomes can be:

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- a) Letter of Intent of award of contract.
- b) Letter of Regret.

6.21 Award of Contract [Required if contract is above EU threshold]

The Contracting Authority will undertake not to award the contract for a period of at least [\[standstill period according to national legislation\]](#) from the date of notification of unsuccessful tenderers ('standstill period').

Following the award of contract, an award notice will be despatched to the Official Journal of the European Union announcing the results of the competition no later than 48 days after the award of contract. [It should be noted that it is standard practice for the Contracting Authority to include the price of the winning tender or the range of prices of tenders received in the publication of the award notice as required under European procurement rules.](#)

6.22 Award to Runner-up

If for any reason it is not deemed possible, in the view of the Contracting Authority, to award a contract to the tenderer achieving the highest overall score in the competition, the Contracting Authority reserves the right to award a contract to the tenderer achieving the next highest score in the competition. This provision is without prejudice to the right of the Contracting Authority to cancel or suspend the procedure at any time.

6.23 Payment

A schedule of payments will be agreed with the successful tenderer. The Contracting Authority operates in accordance with the [\[\(Late Payment in Commercial Transactions\) Regulations – if applicable\]](#)

6.24 Cancellation of Procedure

Please note that the Contracting Authority is not obliged to award any contract on foot of this procedure. The Contracting Authority reserves the right to cancel the procedure at any time, including where funding for the project or approval of the competent authorities is not forthcoming.

Appendix 1 – Form of Tender
(Sample only - change as required)

THIS FORM OF TENDER MUST BE COMPLETED AND RETURNED BY ALL TENDERERS.

To: The Contracting Authority

From: _____

- I/We have examined the tender documentation and hereby offer to provide the Supplies in accordance with the Tender Documents and the attached Detailed Breakdown of Costs.

COST OF TENDER	Total (Excluding VAT)
Total Fee for supply, delivery, maintenance and disposal of X vehicles as per specification and Appendix 1A	€
Cost of Warranty (item iii of Appendix 1A)	€
Operational Lifetime Costs (item iv of Appendix 1A)	€

This offer will remain open for acceptance by you for a period of 6 months from the closing date for receipt of tenders.

- We acknowledge that you are not obliged to accept the lowest or any offer and that this contract award procedure may be cancelled by you.
- We undertake to deliver the Supplies in accordance with the terms and conditions of the tender specification.
- We acknowledge that all costs and expenses incurred by us in producing and submitting this offer will be borne by us in full.
- We undertake to treat the details of this offer as private and confidential. We acknowledge that no part of these documents may be transmitted by us to a third party.

Signed: _____ **Date:** _____

Name in Capital Letters: _____

On behalf of: _____

Address: _____

Telephone: _____ **E-mail:** _____

****Failure to sign this Form of Tender will invalidate the offer****

**Appendix 1A – Detailed Breakdown of Costs
(Change as appropriate)**

Item	Quantity	Unit Price in € (ex VAT)	Total Cost in € (ex VAT)
i) Supply of vehicles as specified in Section 4.1			
ii) Delivery			
iii) Warranty			
iv) Operational Lifetime Costs[†]	Energy Consumption per Kilometre ^{††} * Lifetime Mileage* Number of Vehicles	Lower of the cost per unit of diesel or petrol before tax when used as a transport fuel	
	CO ₂ emissions (kg/km)* Lifetime Mileage* Number of Vehicles	0,035 EUR/kg	
	NO _x , emissions (g/km)* Lifetime Mileage* Number of Vehicles	0,0044 EUR/g	
	NMHC emissions (g/km)* Lifetime Mileage* Number of Vehicles	0,0001 EUR/g	
	Particulate matter emissions (g/km)* Lifetime Mileage* Number of Vehicles	0,087 EUR/g	
v) Maintenance			
vi) Disposal^{†††}			

[†]This column gives an example of how operational lifetime cost can be calculated in accordance with Directive 2009/33/EC (*Clean Vehicles Directive*). Further information, definitions of the relevant terms, lifetime mileage figures and a calculator tool are available at http://ec.europa.eu/transport/urban/vehicles/directive/directive_en.htm

^{††} The Annex to Directive 2009/33/EC sets out the relevant energy content for different types of motor fuel. The tenderer should show the calculation of energy consumption based upon the fuel type, its average consumption per kilometre and the conversion rate provided in the Annex.

^{†††}This may include e.g. the costs associated with trade-in or upgrade of vehicles

Appendix 2 – Declaration under Article 45 of Directive 2004/18/EC

THIS FORM MUST BE COMPLETED AND SIGNED BY A DULY AUTHORISED OFFICER OF THE TENDERER'S ORGANISATION

Name of Tenderer:	
Address:	

Please tick Yes or No as appropriate to the following statements relating to the current status of your organisation.

No.	QUESTION	YES	NO
		Please ✓	
1.	The Tenderer is bankrupt or is being wound up, or its affairs are being administered by a court, or it has entered into an arrangement with creditors or has suspended business activities or is in any analogous situation arising from a similar procedure under national laws and regulations.		
2.	The Tenderer is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by a court or for an arrangement with creditors or of any other similar proceedings under national laws and regulations.		
3.	The Tenderer, a Director or Partner, has been convicted of an offence concerning professional conduct by a judgment which has the force of <i>res judicata</i> or has been guilty of grave professional misconduct.		
4.	The Tenderer has not fulfilled its obligations relating to the payment of taxes or social security contributions in any jurisdiction in which the Tenderer is located or has operations.		
5.	The Tenderer, a Director or Partner has been found guilty of fraud.		
6.	The Tenderer, a Director or Partner has been found guilty of money laundering.		
7.	The Tenderer, a Director or Partner has been found guilty of corruption.		
8.	The Tenderer, a Director or Partner has been convicted of being a member of a criminal organisation.		
9.	The Tenderer has been guilty of serious misrepresentation in providing information to a public buying agency.		
10.	The Tenderer has contrived to misrepresent any information relevant to this proposal.		

I certify that the information provided above is accurate and complete to the best of my knowledge and belief. I understand that the provision of inaccurate or misleading information in this declaration may lead to my organisation being excluded from participation in this and future tenders.

Signature		Date	
Print Name		Position	
Telephone		Email	