**< Letterhead of contracting authority >**

< Date >

< Address of tenderer >

Our ref: < Publication reference > / < Letter number >

Dear <Contact name>

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

Thank you for participating in the above-mentioned tender procedure. I regret to inform you, however, that your tender was not [admissible] only for the last reason: [successful] for the following reason[s]:

Delete rows not applicable

|  |  |
| --- | --- |
| □ | [your tender did not relate to the subject matter of the contract] |
| □ | [your tender did not arrive before the deadline] |
| □ | [your tender was not administratively regular for the following reason(s): < specify>] |
| □ | [your tender was not properly sealed] |
| □ | [the declarations required with your tender form for a supply contract were altered or were missing] |
| □ | [General budget of the Union: your tender included a firm whose nationality is not that of one of the EU Member States or the countries and territories of the regions covered and/or authorised by the regulation or other specific instruments applicable to the programme under which the contract is to be financed]  [EDF: your tender included a firm/sub-contractor whose nationality is not that of one of the ACP States or EU Member States or a country or territory authorised by the ACP-EC Partnership Agreement under which the contract is to be financed] |
| □ | [no tender guarantee was provided with your tender] |
| □ | [your [consortium's] economic and financial standing was not considered to satisfy criterion <a/b/…> specified in the tender dossier] |
| □ | [your [consortium's] professional capacity was not considered to satisfy criterion <a/b/…> specified in the tender dossier] |
| □ | [your [consortium's] technical capacity was not considered to satisfy criterion <a/b/…> specified in the tender dossier] |
| □ | [your technical offer was not considered to respect the rules of origin specified in the tender dossier] |
| □ | [your technical offer was not considered compliant on the following aspects of the technical specifications: <explain which aspects>] |
| □ | [your financial offer exceeded the maximum budget available for the contract] |
| □ | [your tender was not the least expensive of those tenders which were technically compliant] |
| □ | [your tender did not offer the best price-quality ratio among those tenders which were technically compliant] |
| □ | [to be specified] |

For your information, the contract has been awarded to <name of successful tenderer> for an amount of <amount> [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate].

We draw your attention to the legal remedies available to you to contest this decision, explained in Section 2.12. of the practical guide.

If you so request in writing, you may be informed of the characteristics and relative advantages of the successful tender(s) and the contract value. However, certain information may be withheld where its release would impede law enforcement, would be contrary to public interest, or would prejudice the legitimate commercial interests of economic operators or might distort fair competition between them.

[To be inserted when the contract value exceeds the threshold of EUR 300 000 and for the cases where the following situations do **not** apply:

1) in a procedure where only one tenderer has been submitted

2) negotiated procedure without prior publications, see PRAG 5.2.5.1.

The contract can be signed only after a period of [10 calendar days when using electronic means] [15 calendar days when using other means] starting from the day following the date on which this notification was sent. During this period you may submit any observations concerning the procurement procedure to the contracting authority. If it is not possible to conclude the contract as envisaged, we reserve the right to review our decision and to award the contract to another tenderer or to cancel the procedure].

Although we have not been able to make use of your services on this occasion, I trust that you will continue to take an active interest in our initiatives.

[Your original tender guarantee is hereby returned.]

Yours sincerely ,

< Name >