

Above Threshold EU Rules Apply	Successful Tenderer	Open Procedure	Ref. O.eu6 Version 1.0 10 June 2013
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To *[Name and address of Tenderer]*

Re Invitation *[Name of Contract]*  
to Tender

OJEU *[Insert reference no. e.g. 2013/s-xx/xxxxx]*  
Contract  
Notice  
Reference No.

Date<sup>1</sup>

By<sup>2</sup> Email/fax/post/hand

SUBJECT TO CONTRACT/CONTRACT DENIED

A Dhaoine Uaisle

I refer to your tender for the above contract. I am pleased to inform you that your company has been identified as having submitted the *[lowest price/most economically advantageous tender]*<sup>3</sup> for this project. *[Your tender scored the following marks against each criterion]*<sup>4</sup>

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This is not a Letter of Acceptance. *[Insert name of contracting authority]* has not accepted your tender. Please note that this letter does not purport to create binding legal relations.

I would be obliged if you would forward the following by *[insert date]*:

*[insert required documents such as confirmation of bond, insurance details, etc.]*

Subject to satisfactory compliance with the above, [and to *[insert and other conditions such as the need to seek Departmental approval]*]<sup>5</sup> it is our intention to issue a Letter of Acceptance to you, following the expiry of the standstill period applicable to this contract (conditional on there being no legal challenge). The exact standstill period applicable is *[insert 14 or 16 days as set out below, depending on how the letter is sent]*.

- [14 calendar days from the day following the day this letter was emailed to you]
- [16 calendar days from the day following the day this letter was posted to you]

Is mise, le meas

Signed \_\_\_\_\_  
On behalf of *[Name of Contracting Authority]*

<sup>1</sup> Ensure issued on same date as all Letters to Unsuccessful Tenderer and not before those to non-compliant tenderer letters. Failure to do so may mean the standstill period has not commenced.

<sup>2</sup> Delete as appropriate

<sup>3</sup> Delete as appropriate

<sup>4</sup> If it is "the most economically advantageous tender" the criteria and marks should be listed in the space provided otherwise this should be deleted.

<sup>5</sup> Delete as appropriate