

Ljubljana, 08.03.2024

NOTICE ON PROSPECTION FOR OFFICE PREMISES FOR THE AGENCY'S HEADQUARTERS IN LJUBLJANA, SLOVENIA

The European Union Agency for the Cooperation of Energy Regulators (the Agency) intends to rent office premises according to the preliminary specifications provided below (sections 1 and 2), and soon to launch a negotiated procedure. At this stage, the Agency is carrying out a market prospection. Owners or operators of suitable premises who are interested in participating in the negotiated procedure (see section 3) are invited to submit a proposal by 18.00 hours (Ljubljana time) on 25 March 2024, according to the instruction provided below (sections 4 and 5).

1. Agency contact details

The European Union Agency for the Cooperation of Energy Regulators
Trg republike 3, 1000 Ljubljana, Slovenia

E-mail: ACER-NEG-FM-05-2024@acer.europa.eu

Internet: <http://acer.europa.eu/the-agency/public-procurement/open-calls>

2. Object of the market prospection

The Agency intends to rent unequipped office premises for its headquarters in Ljubljana (Slovenia)

- with a preferred gross above-ground surface area within the range of 4,000 m² and 4,500 m², but not strictly adhering to these limits;
- suitable to accommodate office space for approx. 280 staff;
- suitable to host 210 working stations of minimum 7 m² per working desk and other support facilities, such as focus areas, meeting facilities, storage and archiving facilities, other support facilities and a small local data centre;
- located on a single floor, or floors adjacent to each other.

The Agency intends to rent these premises for an initial period of ten (10), renewable up to twenty (20) years.

The premises must be located within or around the Ljubljana ring road, and preferably in the city centre. If located outside the city centre, the location of the premises must be served by frequent municipal public transport services connecting it to the city centre¹, with a bus stop in the immediate vicinity of the premises (e.g. 300 meters).

¹ Frequent municipal public transport services mean services with the following frequency of a bus, connecting the location of the business premises with the city centre:

- In peak hours (during working days from 7:30 to 9:30 hours, from 12:00 to 14:00 hours and from 15:30 to 19:00 hours) bus services with a maximum interval of 15 minutes.
- Outside peak hours (during working days from 7:00 to 21:00 hours but outside the hours indicated above) bus services with a maximum interval of 25 minutes.

The premises shall be made available to the Agency fully fitted for their use in accordance with the description to be provided by the Agency at a later stage. Fitting shall be understood to include, without limitation, ancillary works such as partitioning, wiring, security installations and other completion work which might be required for the premises to comply with the requirements of the Agency.

The premises shall be located in a single building complex intended exclusively for business activities and shall form a functionally self-contained whole. The Agency will not share office space with other occupants, but accepts mixed occupation of the base of a building on condition that it functions independently and completely separately from the proposed office space. This applies particularly to building technology, vertical and horizontal movement, points of access and emergency exit routes.

3. Availability of the premises

The business premises should be made available ideally as of the second half of 2026, although availability in the first half of 2027 will also be considered.

4. Procedure

On the basis of the proposals received within the stated deadline (see section 6 below), in line with Article 33(11) of Regulation (EU) 2019/942², in line with Article 89 of Decision No 8/2019 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 21 June 2019 on the Financial Regulation of the Agency for the Cooperation of Energy Regulators and point 11(1)(g) of Annex I of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union³, the Agency plans to launch a negotiated procedure without prior publication of a contract notice.

The current stage will be concluded with the pre-selection of proposals complying with the Agency's requirements. The Agency will then launch a negotiated procedure, inviting proponents of preselected proposals, but not necessarily them only.

This notice is not in any way binding on the Agency as regards contract award procedures. The Agency reserves the right, at any time, to renounce or cancel this notice, without proposers being entitled to claim any compensation. Prior to, or during, the negotiated procedure, the Agency will not sign any exclusivity contracts or similar clauses in favour of any proposer.

5. Requirements on the content of the proposals

The information contained in the proposal shall include, as a minimum, the following:

- The name and full address of the commercial real estate (i.e. commercial building).
- Proponent's name, address and contact details.

² Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators, OJ L 158, 14.6.2019, p. 22.

³ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, OJ L 193, 30.7.2018, p. 1–222.

- Owner's name, address and contact details, and particulars, where these are different from those of the proponent.
- A description of the base building (the term 'base building' refers to the building proposed before the specific improvements for the Agency are made) including, as a minimum, the information when the commercial building was built and the last time it was renovated.
- 1/100 scale drawings (floors, façades, cross-sections) of the base building. In case this is not available, an explanation needs to be provided, indicating when this would be available.
- A table giving the surface areas (m²) per floor and type of above-ground surfaces (offices, archives, miscellaneous) and basements.
- For an existing commercial building, a copy of the use permit for commercial premises according to the Slovenian legislation.
- In case the building does not hold the use permit yet:
 - a copy of the building permit according to the Slovenian legislation;
 - a time schedule indicating the steps needed to obtain the use permit; and
 - the indicative time (i.e. month and year) when the use permit is expected to be issued.
- In case the building does not hold the building permit yet:
 - a time schedule indicating the steps needed to obtain the building and the use permit, as well as the steps to be undertaken for the building to be built;
 - the indicative time (i.e. month and year) when the building permit is expected to be issued;
 - the indicative time (i.e. month and year) when the building is expected to be built; and
 - the indicative time (i.e. month and year) when the use permit is expected to be issued.
- The minimum and maximum available lease area in m².
- The minimum and the maximum estimated time required to carry out the fitting out.
- Expected time of availability of commercial premises excluding the time needed for the fitting-out of premises (i.e. month and year).
- Information on the parking availability and bike and/or electric bike and scooter storage in the building.
- Information on the parking availability in the vicinity of the building.
- Information on the vicinity of public transport (i.e. frequent municipal public transport services connecting the building to the city centre, with a bus stop in its immediate vicinity and (max. 300 meters walking distance from the main entrance of the proposed building)).
- Building energy performance certification, if available.
- Description of measures in place for environmental sustainability, as applicable (i.e. supply of electricity from renewable energy resources, building management system (BMS)).
- Availability of the proposed premises.

6. Submission of proposals

Proposals, addressed to the European Union Agency for the Cooperation of Energy Regulators, Trg republike 3, 1000 Ljubljana, Slovenia must be submitted **exclusively by electronic mail to ACER-NEG-FM-05-2024@acer.europa.eu** not later than **18.00 hours** (Ljubljana time) **on 25 March 2024**.

The proponents may submit the proposals in one of the official languages of the European Union. Please note that the working language of the Agency is English.

7. Contacts and additional information

The proponents will be informed of the decision taken with regard to their proposals. Any contact between the proponents and the Agency is prohibited, except in exceptional circumstances where clarification needs to be given regarding the prospection notice. Should additional information be required before the date for submission of proposals, requests should be sent by e-mail to the address referred to in point 1, specifying in the subject: '*ACER premises - building prospection notice*'.

Requests for additional information received less than six (6) working days before the closing date for submission of proposals will not be processed.

Proposers are also invited to consult the website referred to in point 1 on a regular basis, where questions and responses from the Agency will be published regularly.