



EUROPEAN CENTRAL BANK
EUROSYSTEM

Directorate General Secretariat

ECB-UNRESTRICTED

Ms Valentina Pop

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3 July 2014

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Request for public access to ECB documents

Dear Ms Pop,

On 12 June 2013 the European Central Bank (ECB) received your request for access to “1) the names of every supplier awarded contracts under negotiated procedures since 2010 and the associated TED reference numbers for each of those tenders and 2) the sums of the contracts and the reason why these suppliers were awarded through negotiated procedure rather than an open tender”.

Following a thorough assessment of your request in line with the requirements established by Decision ECB/2004/3 on public access to ECB documents¹ (hereinafter Decision ECB/2004/3), it was concluded that none of the exceptions foreseen in this Decision applies and that therefore access can be granted. As such document is not readily available, we have for your convenience, established, in a user-friendly format, a comprehensive list relevant to your application (see annex to this letter). This list compiles the contract award notices for contracts awarded via public tender procedures conducted as negotiated procedures since 2010. The contract award notices, which have been published both on the ECB's website and in the Official Journal of the European Union, include the TED reference numbers and information on the value of the contracts.

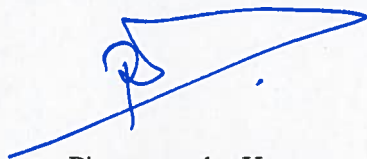
On the last part of your second point we should like to inform you that in accordance with Decision ECB/2007/5 laying down the Rules on Procurement² the contracts listed were awarded via negotiated procedure since the nature of the works, supplies, or services or the risks attached thereto did not permit prior overall pricing, or the nature of the services was such that specifications could not be established with sufficient precision to permit the award of the contract by selection of the best tender according to the rules governing open or restricted procedures.

¹ OJ L 80, 18.3.2004, p. 42, as amended by Decision ECB/2011/6 of 9 May 2011, OJ L 158, 16.6.2011, p. 37.

² OJ L 184, 14.7.2007, p. 34, as amended by Decision ECB/2009/2 (OJ L 51, 24.2.2009, p. 10), Decision ECB/2010/8 (OJ L 238, 9.9.2010, p. 14) and Decision ECB/2012/10 (OJ L 178, 10.7.2012, p. 14).

We would like to draw your attention to Article 10 of Decision ECB/2004/3, which states that *“documents released [...] shall not be reproduced or exploited for commercial purposes without the ECB’s prior specific authorisation. The ECB may withhold such authorisation without stating reasons”*.

Yours sincerely,

A handwritten signature in blue ink, consisting of a stylized 'P' followed by a long horizontal stroke that curves upwards at the end.

Pierre van der Haegen
Director General

A handwritten signature in blue ink, featuring a stylized 'R' followed by a series of loops and a long horizontal stroke.

Roman Schremser
Senior Adviser