

## **Tender Specifications attached to the Invitation to tender**

**Invitation to tender N° EMSA/NEG/17/2015 for “Supply, installation and arrangement of a new archiving system in the room 01.42 in the EMSA building”**

### **1. Introduction**

The European Maritime Safety Agency (EMSA) was established under Regulation 1406/2002/EC of the European Parliament and of the Council, as amended, to contribute to the enhancement of European maritime safety.

### **2. Objective, scope and description of the contract**

The objective of this tender is the supply and installation of a new archiving system in the room 01.42 of the EMSA building (according to the plan presented in Annex A) as well as arrangement of the existing files/documents/shelving.

The tender is divided into two Lots and will result in the award of one contract per Lot. One contract for the arrangement, it means distribution and logistics, of existing files/documents/shelving (Lot 1) and one contract for the supply and installation of a new archiving system (Lot 2).

The two contracts for Lot 1 and for Lot 2 will be signed separately, but both Lots could be awarded to one and the same tenderer provided that he will present the best bids for each Lot.

#### **2.1. General description of archiving system**

The EMSA existing archiving system consists of:

- I. Shelving and archiving files/documents of Departments A,B, C, Executive Bureaux and Unit A.2 in the room 01.42

A new archiving system should be arranged as follows:

- I. A new archiving system in the room 01.42 for Departments A,B,C, Executive Bureaux, Events and Unit A.2 in the room 01.42

After the installation of new system, the files/documents from 01.42 should be placed back to room 01.42 and old shelving should be disposed and dismantled (when necessary), some of them will be placed to the room 01.51.

**Note: The 13 metal cupboards from the room 01.42 (dimension 2.00x1.00x0.40) should be removed and disposed by the contractor who will provide the new archiving system (Lot 2).**

The room 01/51 will be the EMSA storage for the shelving and furniture not used.

## 2.2. General obligations of the contractors, applicable to both Lot 1 and Lot 2 - Project plan and responsibilities

The contractors for the two Lots have to closely cooperate according to the project plan below.

Table 1 "Project plan: the responsibilities per Lot with description of supplies and hands on work and corresponding timeframes"

Room	Lots	Supplies and hands on work	Weekly useful days (Working Days)				
			1	2	3	4	5
01.42	Lot 1	Removal and pack files and documents to a temporary storage area					
		Disassembling shelves and removal parts and cupboards to a temporary area					
		Delivery and unpacking files and documents from the temporary storage to new archiving system					
		Delivery and setting shelves and cupboards in room 01.51					
	Lot 2	Supply and installation of 8 sliding rows each with 8 cupboards; 13 cupboards disposal					

**Note: Exact dates for the work start and work end date will be agreed between EMSA, successful tenderer for Lot 1 and successful tenderer for Lot 2 during the kick-off meeting planned after award of the contracts.**

Dimensions of EMSA areas involved in the project:

1. Current archive: +/- 41,00 m<sup>2</sup> (room 01.42)

The daily office hours of the Agency are from Monday to Friday between 08.30 and 17.30.

The contractor should protect the areas around the intervention from the potential damages which may be caused by the works.

Tenderers are strongly encouraged to visit EMSA's premises and check if they would need any additional technical information as well as technical infrastructures or accessories in order to fulfil the works properly.

An on-site visit/information meeting is planned for **22/04/2015 and 23/04/2015** at the following address: EMSA, Praça Europa 4, 1249-206 Lisbon, Portugal between 10.00-16.00. An e-mail to the dedicated address: [NEG172015@emsa.europa.eu](mailto:NEG172015@emsa.europa.eu) should be sent by the interested parties no later than Tuesday **21/04/2015** in order to book a visit.

### **2.3. Detailed description Lot 1 - “Distribution and logistics of existing files/documents/shelving”**

The purpose of the Lot 1 is not only preparation of the space for the new archiving systems but also, after installation of a new archiving system under Lot 2, arrangement of files/documents.

All works should be done under the supervision of EMSA authorized staff member.

The tenderer should take into account that the all documents/files/shelving need distribution within a maximum distance of 100 meters.

The works schedule is presented in Table 1 “Project plan”.

All the works should be done in 3 working days (non-consecutive).

#### **2.3.1 Tasks description for Lot 1:**

- packing and removal of the existing files/documents from the current place to temporary storage (from the room 01.42)
- distribution of existing shelving to storage places agreed with EMSA responsible staff member
- delivery and unpacking files/documents from temporary storage to permanent archive (to the room 01.42 )

**Please note that, after installation of new archiving system:**

- **files/documents should be placed into the same room 01.42.**

#### **2.3.2 Packing**

The tenderer should supply suitable boxes for the packing/unpacking of documents/files. The boxes should be correctly sealed (ensuring the data protection) as some of the documents/files are sensitive.

#### **2.3.3 Technical Team**

The technical team responsible for the works under Lot 1 must be fully covered by an insurance scheme. The insurance certificates of technical team should be available upon EMSA request.



2 working days prior to the agreed start date of services, the contractor shall send to the authorised EMSA Staff member, the copy of the identification cards of its technical team.

Upon start of works the members of the technical team should sign the confidentiality declaration.

The contractor should nominate one person from technical staff to be a supervisor of its team. Only the supervisor will be a contact person to EMSA authorized staff.

## **2.4. Detailed description Lot 2 – “Supply and installation of a new archiving system”**

The purpose of the Lot 2 is supply, delivery and assembly of items listed in Annex A.

The contractor is also obliged to take away 13 metal cupboards from the room 01.42 (dimension 2.00x1.00x0.40).

All the works should be done after preparation tasks covered by Lot 1.

All works should be done under the supervision of EMSA authorized staff member.

The works schedule is presented in Table 1 “Project plan”

### **2.4.1 Description of archiving system**

The new archiving system should be a mechanical (rolling) system with a shelving system fixed to it that moves along tracks laid and levelled onto a floor, controlled by the use of a handwheel with 1 access aisle.

#### **Room 01.42** (as in the Annex A).

- This system should be composed from 8 rolling units with maximum height 2.20m
- Each rolling unit should have 8 cabinets, 4 turned to each side with the dimensions: 2.20m(height ) X1.0m (width ) X0.4m (depth)
- The minimum size of the aisle between the rolling unit should be 0.70m
- Each cabinet should have 5 shelves allowing division on 6 compartments (adjustable), considering the size of standard case files
- The cabinets should be metal structure and with coated finishing, light colour for example white or beige
- Each cabinet should have individual doors with lock

**Note: The preferred dimensions are stated in Annex A, however, a margin of 5cm alterations in the stated length and width dimensions will be acceptable.**

#### **2.4.2 Delivery timeframes:**

It is expected that the contractor shall deliver all the shelving to the garage and afterwards distribute them according to the project plan described in the Table 1. The maximum height of the tracks delivering the supply is 2.50 m.

All deliveries shall be made on a specific date agreed with EMSA during the kick-off meeting.

The delivery shall be done during daily office hours of EMSA, i.e. Monday to Friday, between 08.30 – 17.30.

Deliveries must be free of additional charge, as the price for the delivery of the archiving system must be included in the total price of the bid.

Delivery receipt including the list of shelving, the respective quantities & dimensions should always be provided to the authorised EMSA staff.

#### **2.4.3 Installation**

It is expected that the contractor will finish installation of all the shelving within 60 calendar days from the date of signature of the Supply Contract although all the works should be done in 2 working days.

**Note: The designated room that will be exclusively used as the new archive shall be made available by tenderer who wins the Lot 1 and the successful tenderer of Lot 2 shall not be involved in any removal services (except disposal of 13 cupboards from room 01.42) following the installation of the shelving, although the successful tenderers from Lot 1 and Lot 2 should cooperate closely in terms of synchronisation of works.**

#### **2.4.4 Technical Team**

The technical team responsible for the works under Lot 2 must be fully covered by an insurance scheme. The insurance certificates of technical team should be available upon EMSA request.

2 working days prior to the agreed date of delivery, the contractor shall send to the authorised EMSA Staff member, the copy of the identification cards of its technical team.

The contractor should nominate one person from technical staff to be a supervisor of its team. Only the supervisor will be a contact person to EMSA authorized staff.

#### **2.4.5 Return policy**

The tenderer should present its refund and/or return policy for faulty or damaged items within their bid.

#### **2.4.6 Warranty**

The tenderer shall warrant the functioning of the supplies for at least two years. If the tenderer can provide a warranty for a longer period, this must be specified in the technical offer.

### **3. Contract management responsible body.**

The European Maritime Safety Agency – Unit A.2.3, in charge of Facility & Logistics – will be responsible for managing the contract.

### **4. Project Planning**

Following the signature of the Purchase Order for Lot 1 and Supply Contract for Lot 2, a kick-off meeting with contractors shall be scheduled at the EMSA premises in order to present project planning of the works. Notification will be sent to contractors in advance.

### **5. Timetable**

The estimated date for signature of Purchase Orders and Supply Contract is mid of May 2015.

### **6. Value of the Contract**

The maximum budget available for this procurement is of 30.000,00 Euro excluding VAT for both Lots.

The above maximum budget will be distributed within the two lots as follows:

- **Lot 1 “Distribution and logistics of existing files/documents/shelving”** - the maximum budget is 2.500,00 Euro.
- **Lot 2 “Supply and installation of a new archiving system”** - the maximum budget is 27.500,00 Euro.

### **7. Terms of payment**

Payment will be made in accordance with the provisions of the Purchase Order for Lot 1 and Supply Contract for Lot 2 available in the Procurement Section under the call to tender EMSA/NEG/17/2015 on the EMSA website at the following address: [www.emsa.europa.eu](http://www.emsa.europa.eu)



## 8. Terms of Purchase Order and Contract

In drawing up a bid, the tenderer should bear in mind the terms of the draft Purchase Order for Lot 1 and draft Supply Contract for Lot 2.

EMSA may, before the contracts are signed, either abandon the procurement or cancel the award procedure without the tenderers being entitled to claim any compensation.

## 9. Subcontracting

If the tenderer intends to either sub contract part of the work or realise the work in co-operation with other partners he shall indicate in his offer which part will be subcontracted, as well as the name and qualifications of the subcontractor or partner. (NB: overall responsibility for the work remains with the tenderer).

## 10. Requirements as to the tender

Bids can be submitted in any of the official languages of the EU. The working language of the Agency is English. Bids must include an English version of the documents requested under point 13.5 & 14 of the present tender specifications.

The tenderer shall complete Tenderer's checklist.

If the tenderer intends to either sub contract part of the work or realise the work in co-operation with other partners (Join Offers) he shall indicate in his offer by completion of the form – Information regarding joint offers and subcontracting.

The tender must be presented as follows and must include:

**Signed cover letter** indicating the name and position of the person authorised to sign the contract/Purchase Order and the bank account on which payments are to be made.

**Financial Form** completed, signed and stamped; available on the Procurement Section (Financial Form) on the EMSA Website at the following address: [www.emsa.europa.eu](http://www.emsa.europa.eu)

**Legal Entity Form** completed, signed and stamped and requested accompanying documentation, available on the Procurement Section (Legal Entity Form) on the EMSA Website at the following address: [www.emsa.europa.eu](http://www.emsa.europa.eu)

Tenderers are exempt from submitting the Legal Entity Form and Financial Form requested if such a form has already been completed and sent either to EMSA or any EU Institution previously. In this case the tenderer should simply indicate on the cover letter the bank account number to be used for any payment in case of award.

**Part A:** all the information and documents required by the contracting authority for the appraisal of tenders on the basis of the points 9, 12, 13.2, 13.3 of these specifications (**Exclusion criteria**)

**Part B:** all the information and documents required by the contracting authority for the appraisal of tenders on the basis of the **Award Criteria** set out under point **14** of these specifications;

**Part C:** setting out **prices** in accordance with **point 11** of these specifications.

## 11. Price

- Prices must be quoted for :
  - ✓ Total price Lot 1 - "Distribution and logistics of existing files/documents/shelving"
  - ✓ Total price Lot 2 - "Supply and installation of a new archiving system"

and shall include:

- ✓ all labour involved
- ✓ cost of purchased archiving system (installation and supply) – Lot 2 exclusively
- ✓ all necessary materials, potential material surplus and all means deemed necessary for execution of the tasks
- ✓ the associated costs of transportation in and out of the building,
- ✓ cleaning of the premises and removal of work related rubbish
- Prices must be fixed amounts and non revisable.
- Prices must be quoted in euro.
- Under Article 3 and 4 of the Protocol on the privileges and immunities of the European Communities, the latter is exempt from all duties, taxes and other charges, including VAT. This applies to EMSA pursuant to the Regulation 1406/2002/EC. Therefore price and the amount of VAT must be shown separately.

## 12. Joint Offer

Groupings, irrespective of their legal form, may submit bids. Tenderers may, after forming a grouping, submit a joint bid on condition that it complies with the rules of competition. Such groupings (or consortia) must specify the company or person heading the project and must also submit a copy of the document authorising this company or person to submit a bid.

Each member of the consortium must provide the required evidence for the exclusion. The exclusion criteria will be assessed in relation to each economic operator individually checked to ensure that the consortium as a whole fulfils the criteria.

If awarded, the contract will be signed by the person authorised by all members of the consortium. Tenders from consortiums of firms or groups of service providers, contractors or suppliers must specify the role, qualifications and experience of each member or group.

## 13. Information concerning the personal situation of the service provider.

### 13.1. Legal position – means of proof required

When submitting their bid, tenderers are requested to complete and enclose the **Legal Entity Form** available on the Procurement Section on the EMSA Website at the following address: [www.emsa.europa.eu](http://www.emsa.europa.eu).



### 13.2. Grounds for exclusion – Exclusion criteria

To be eligible to participate in this contract award procedure, tenderers must not be in any of the following exclusion grounds:

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) they have been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;
- (c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- (d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- (e) they have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- (f) following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

### 13.3. Evidence to be provided by the tenderers

For this purpose the Declaration on Honour available on the Procurement Section on the EMSA Website ([www.emsa.europa.eu](http://www.emsa.europa.eu)) shall be completed and signed.

## 14. Award criteria

Only the tenders meeting the requirements of the exclusion criteria will be evaluated in terms of quality and price.

The contract will be awarded to the tenderer who submits the most economically advantageous bid (the one with highest score) based on the following quality criteria and their associated weightings:

### 14.1. Award criteria LOT 1

1. Quality criterion 1 Lot 1 ( $W_1 = 20\%$ ): Description of the tools and transport means to be used for the files /documents/shelving arrangement inside EMSA building

2. Quality criterion 2 Lot 1 ( $W_2 = 30\%$ ): Quality of the project proposed: Description of the manner of doing the works in accordance with the project plan under the point 2.2 and the price criterion and associated weighting:
3. Price of the bid Lot 1 ( $W_{price} = 50\%$ ).

#### 14.2. Award criteria LOT 2

1. Quality criterion 1 Lot 2 ( $W_1 = 15\%$ ): Quality of the tools and transport mean: Description of the tools and transport means to be used for the files /documents/shelving arrangement inside EMSA building
2. Quality criterion 2 Lot 2 ( $W_2 = 35\%$ ): - Quality of the project proposal: Description of the manner of doing the works in accordance with the project plan under the point 2.2 – including disposal of the 34 metal cupboards (dimension 2.00x1.00x0.40) and possible extended warranty (for a period longer than 2 years).

and the price criterion and associated weighting:

3. Price of the bid Lot 2 ( $W_{price} = 50\%$ ).

For all bids evaluators will give marks between 0-10 (half points are possible) for each quality criterion.

The score is calculated as

$$S = SQ + SP$$

where:

The average quality for quality criterion  $i$  is

$$Q_i = \frac{1}{\text{number of evaluators}} * \sum_{\text{evaluator}} \text{mark of the evaluator for quality criterion } i$$

The overall weighted quality is

$$Q = \sum_i Q_i * W_i$$

The score for quality is

$$SQ = \frac{Q}{Q \text{ of the bid with highest } Q} * 100 * \sum_i W_i$$

The score for price is

$$PP = \sum_i \frac{\text{lowest Price}_i \text{ of all bids}}{\text{Price}_i} * 100 * W_{\text{Price}_i}$$

Only bids that have reached a minimum of 60 % for  $Q_1$ , a minimum of 60 % for  $Q_2$ , etc. will be taken into consideration when calculating the score for quality  $SQ$ , score for price  $SP$  and score  $S$ .

Only bids that have reached a minimum of 60 % for the score  $S$  will be taken into consideration for awarding the contract.

**15. Contracts will not be awarded to tenderers who during the procurement procedure:**

- (a) are subject to a conflict of interest
- (b) are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this information.

**16. False declarations**

Without prejudice to the application of penalties laid down in the contract, tenderers and contractors who have been guilty of making false declarations concerning situations referred to in points 12 and 13 above or have been found to have seriously failed to meet their contractual obligations in an earlier procurement procedure or grant shall be subject to administrative and financial penalties set out in Article 145 of Commission Delegated Regulation of 29.10.2012 on the rules of application of Regulation (EU) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union.

**17. Intellectual Property Right (IPR)**

Please consult the contract for IPR related clauses.

If the results are not fully created for the purpose of the contract this should be clearly pointed out by the tenderer in the tender. Information should be provided about the scope of pre-existing rights, their source and when and how the rights have been or will be acquired.

In the tender all quotations or information originating from other sources and to which third parties may claim rights have to be clearly marked (source publication including date and place, creator, number, full title etc.) in a way allowing easy identification.





