

Tender Specifications attached to the Invitation to tender

Invitation to tender N° EMSA/NEG/43/2015 for further development of EMSA's mobile applications for Integrated Maritime Services

1 Introduction

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

Among its tasks, the Agency should progress on the Integrated Maritime Data Environment (IMDatE), data integration (the exchange of data between information systems) and data fusion (combining data from different sources). Mobile applications can play a significant role in terms of allowing new usage occasions of EMSA maritime applications as well as expand the range of users of EMSA systems.

2 Objective, scope and description of the contract

The objective of this procurement is to further develop the existing Integrated Maritime Services (IMS) mobile applications and associated web services. The project main objectives are:

- 1) To develop new functionalities for the three main mobile applications developed (iPad, iPhone and Android tablet), including a new fisheries monitoring and reporting use case.
- 2) To increase performance and implement new functionalities on the IMS web services, cloud catalogue and storage
- 3) To ensure convergence (graphically and technically) with the new SSN ecosystem projects (SSN ecosystem single graphical interface (SEG) and Earth Observation Data Centre (EODC))
- 4) To provide maintenance to the implemented solutions.

3 Contract management responsible body.

The European Maritime Safety Agency – Section C.0.1, in charge of Coordination and Innovation– will be responsible for managing the contract.

4 Project Planning

Ref	Work package name	Work package main activities
WP1	Further developments to the IMS mobile application for multiple platforms:	<p>WP1.1: Further development, testing and deployment of IMS mobile application for iOS (iPad)</p> <p>WP1.2 - Further development, testing and deployment of IMS mobile application for iOS (iPhone)</p> <p>WP1.3 - Further development, testing and deployment of IMS mobile application Android (tablet)</p>

Ref	Work package name	Work package main activities
WP2	Further development, testing and deployment of IMS server side components:	WP2.1 Additional functionalities related with the OSB server side business logic component WP2.2 Additional functionalities linked with the cloud catalogue and cloud storage components
WP3	Alignment with the SSN ecosystem	Alignment with the SSN ecosystem single graphical interface (SEG) and interaction with the new EO-DC.
WP4	Maintenance	1 year of maintenance and support for the developed solutions

5 Timetable

The estimated date for signature of the contract is 16th December 2015.

The following milestones are foreseen:

- 1) The kick-off meeting shall be organised within 15 calendar days from the contract signature.
- 2) Total time from the KO meeting to completion of WP1 should not exceed 240 days
- 3) Total time from the KO meeting to completion of WP2 should not exceed 240 days
- 4) Total time from the KO meeting to completion of WP3 should not exceed 340 days
- 5) The Maintenance phase of the project is initiated as soon WP3 is completed and lasts for 1 year.

6 Estimated Value of the Contract

The maximum budget available for this contract is of 60 000 Euro excluding VAT.

7 Terms of payment

Payment will be made in accordance with the provisions of the draft contract available in the Procurement Section under the call to tender EMSA/NEG/43/2015 on the EMSA website at the following address:
www.emsa.europa.eu

8 Terms of contract

In drawing up a bid, the tenderer should bear in mind the terms of the draft contract.

EMSA may, before the contract is 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).

The tenderer must provide required evidence for the exclusion and selection criteria on its own behalf and when applicable on behalf of its subcontractors. The evidence for the selection criteria on behalf of subcontractors must be provided where the tenderer relies on the capacities of subcontractors to fulfil selection criteria¹. The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria, the evidence provided will be checked to ensure that the tenderer and its subcontractors as a whole fulfil the criteria.

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 13.4 & 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

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

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**)

¹ To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

Part B: all the information and documents required by the contracting authority for the appraisal of tenders on the basis of the **Technical and professional capacity** (part of the Selection Criteria) set out under point **13.4** of these specifications.

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

11 Price

11.1 General considerations

Price must be quoted for the further developments of mobile applications for IMS and shall include:

- Total Price for WP1 - Further developments to the IMS application for multiple platforms (WP1.1 + WP1.2 + WP1.3)
- Price for WP1.1
- Price for WP1.2
- Price for WP1.3
- Total Price for WP2 - Further development, testing and deployment of server side components: (WP2.1+WP2.2)
- Price for WP2.1
- Price for WP2.2
- Price for WP3 - Alignment with SSN ecosystem projects
- Price for WP4 - Maintenance
- Maximum price quoted for all work packages (WP1+WP2+WP3+WP4) is 60 000€.
- Maximum price for WP1+WP2 is 40 000€.
- Maximum price for WP3 is 15 000€
- Maximum price for WP4 is 5 000€
- 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.

11.2 Price for WP1 and WP2

The price for WP1, WP2 shall include all requirements defined for these work packages as mentioned in Annex A of these tender specifications. Furthermore it should include all necessary meetings, works and adaptations of products to be compliant with the specifications. Compliance is only ensured after the necessary acceptance tests of each delivery are passed. Price for these 2 Work packages shall be a maximum of 40 000 €.

11.3 Price for WP3

The price for WP3 shall include all requirements defined for this work packages as mentioned in Annex A of these tender specifications. Furthermore it should include all necessary meetings, works and adaptations of products to

be compliant with the specifications. Compliance is only ensured after the necessary acceptance tests of each delivery are passed. Price for this Work package shall be a maximum of 15 000 €.

11.4 Price for WP4

WP4 includes the maintenance phases of the project. Maintenance price should include all requirements defined in Annex A – WP4, and respective appendices. The maximum price for WP4 is 5 000€.

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 and selection criteria. The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria, the evidence provided by each member of the consortium will be 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 and information and formalities necessary for the evaluation of the minimum technical and professional capacity required

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.

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) shall be completed and signed.

13.4 Technical and professional capacity – Selection criteria

Requirements:

The tenderer's technical capacity will be evaluated on the basis of the following criteria that will be applied to the legal entity submitting the offer and executing the contract:

- a) The suitability of the tenderer's organizational structure to supply the services covered by the contract, based on the description of the measures employed to ensure the quality of the services covered. This description should include:
 - List of relevant mobile/tablet projects developed by the company and when it is possible the reference to visualize / download them.
 - Updated CVs (in Europass format) of the proposed project manager, technical manager / architect, software developer iOS, software developer Android, User experience and graphical interface developer and Web designer
 - Evidence of the proposed team experience in projects dealing with Mobile application projects
- b) The minimum requirements for the project manager, Technical manager / Architect, Software Developer iOS, Software developer Android, User Experience and Interface developer and Web designer are:

Project Manager

- University Degree(s) in IT or Engineering field.
- At least 5 years of experience as project manager of ICT projects
- Excellent English speaking and writing skills (C1 or C2 CEFR level).
- Experience in projects involving different countries related to the production of systems and coordination with beneficiaries' personnel.

Technical Manager/Architect:

- University Degree(s) in IT or Engineering field.
- Experience in team coordination and managing development projects
- Experience in software architecture
- Experience in Software Testing, Quality Assurance and Quality Control
- Very good English speaking and writing skills (B2 or above CEFR level).
- At least 5 years' experience in projects involving mobile applications development for iOS and Android.

Software developer iOS

- University Degree(s) in the IT field.
- At least 5 years of experience in developing mobile applications for iOS
- Very good English speaking and writing skills (B2 or above CEFR level).

Software developer Android

- University Degree(s) in the IT field.
- At least 5 years of experience in developing mobile applications for Android.
- Very good English speaking and writing skills (B2 or above CEFR level).

User Experience and Graphic Interface developer

- University Degree(s) in the IT field.
- At least 5 years' experience with graphical interface design and user experience in the mobile context, demonstrated by the description of the performed projects.
- Very good English speaking and writing skills (B2 or above CEFR level).

Web designer

- Degree (minimum 2 years post-secondary), or equivalent background knowledge and experience in communication-related field;
- Minimum 5 years previous experience in design projects demonstrated by the description of the performed projects;
- Proven experience in web design, advertising or graphic interface development;
- Minimum 2 years previous experience in projects related to ergonomics of operational web-based interfaces demonstrated by the description of the performed projects;
- Very good English speaking and writing skills (B2 or above CEFR level).

14 Award criteria

1. Quality of the proposed services - based on the information provided in the offer regarding the quality of the proposed solutions for WP1, WP2, WP3 and WP4 ($W_1 = 45\%$). In this respect the offer should include:
 - i. Detailed compliance matrix for all the requirements mentioned in the Annex A of this technical specification providing the necessary details to enable EMSA to assess the quality of the bid. Compliance matrix should include: Requirement name and code, level of compliancy (fully compliant, partially compliant, not compliant) and a clear description on how this compliancy will be ensured.
 - ii. Clear list of dependencies. Should the implementation of a specific requirement depend on actions to be undertaken on EMSA's side, concerning existing applications or middleware, the interdependencies should be clearly highlighted in the offer.
 - iii. Level of technical information and details included in the offer and the associated impact of implementing the proposed approach within EMSA existing systems/applications/ICT landscape.
2. Quality of the proposed project and risk management plans, and associated project team – based on the clarity and completeness of the project and risk management plan, and the experience and distribution of responsibilities for each member of the team ($W_2 = 25\%$). In this respect the offer should include:
 - i. Experience of the team in terms of mobile application development
 - ii. Work breakdown structure

- iii. Team composition and organization
- iv. Detailed work plan and Gantt chart for all work packages
- v. Clear allocation of tasks to team members, per work package
- vi. Person-day effort per work package
- vii. Duration of the project (total and per work package)
- viii. Assessment of risks and specific mitigation measures. This assessment should include:
 - a. Description of the risk, associating it specifically with a WP (or within a WP to the specific development, if possible)
 - b. Probability and impact
 - c. Concrete mitigation measures and responsibility for their implementation (bidder, EMSA or shared).

3. Price of the bid ($W_{Price} = 30\%$).

The total price as stated in the Price Grid (Annex B to the Tender Specifications).

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

Only the tenders meeting the requirements of the exclusion and selection 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:

- 1. Quality criterion 1 ($W_1 = 45\%$),
- 2. Quality criterion 2 ($W_2 = 25\%$),

and the price criterion and associated weighting:

- 3. Price of the bid ($W_{Price} = 30\%$).

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

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

Only bids that have reached a minimum of 60% for Q_1 , a minimum of 60% for Q_2 , 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 50 % 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.