

Tender specifications

Attached to the Invitation to tender

Invitation to tender No. EMSA/OP/01/2017 for provision of ship and company data for the Equasis database

1. Introduction

The European Maritime Safety Agency (EMSA) was established under Regulation (EC) No 1406/2002 of the European Parliament and of the Council¹ for the purpose of ensuring a high, uniform and effective level of maritime safety.

Among its tasks, the Agency represents the European Commission in the Equasis Supervisory Committee and hosts the Management Unit of Equasis. The Equasis information service is recognised as an essential tool to help promote quality, safety and protection of the environment in maritime transport. The service went live in May 2000, following the signature of a Memorandum of Understanding to establish the information system by the Commission, France, Japan, Singapore, Spain, the UK and the US Coast Guard. Since 2007, the Commission has been represented by EMSA in both the MoU and the governing bodies of Equasis. The composition of the Supervisory Committee has evolved with time; at the moment, the members are: Brazil, Canada, France, Spain, Japan, Norway, the Republic of Korea, the United Kingdom, the United States and EMSA.

The system presents safety, quality and environmentally related information on the world's merchant fleet with a particular focus on information on port State control inspections, class and P&I coverage. The information is supplied by several port State control regions and various industry-based organizations. The data is accessible freely on the Internet.

In June 2008, the Equasis Supervisory Committee mandated EMSA to take responsibility for the hosting of the Management Unit as from the beginning of 2009. The Management Unit is in charge of the daily operation of the Equasis system and is intended to operate on a non-profit basis with the aim of improving quality in maritime transport. The technical operation of the Equasis system is handled by the French maritime administration – *Sous-direction des Systèmes d'Information Maritimes* (SDSI) – located in Saint-Malo (France).

2. Objective, scope and description of the contract

2.1. Objective

The overall objective of the contract is to supply the Equasis system with up to date electronic ship and company related information of the world merchant fleet of self-propelled seagoing merchant ships that are furnished with an IMO number in accordance with the mandatory and voluntary IMO numbering. Complete history since 2000 and dates of effect shall be supplied to ensure management of historical data on ship and company.

¹ Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ L 208, 5.8.2002, p.1.).

2.2. Scope of the contract

The scope of the contract is the provision of regular updates of ship and company related information under electronic format for non-commercial use. This data will be made available free of charge on the Equasis public internet website. The data will be accessible to the general public on a ship-by-ship or company-by-company basis through search functionalities on different criteria pre-defined by the Equasis governing bodies. The data can be used also at an aggregated level, for example to produce statistics.

The tender covers two main areas of information with one dataset on ship particulars and a second dataset on the particulars of the companies owning and managing these ships. Therefore, the tender is divided in two Lots: Lot 1 (ship data) and Lot 2 (company data).

Each Lot will have a separate contract and tenderers can provide bids either for one Lot only or for both Lots.

Guidelines for tenderers interested in submitting bids for this framework contract can be found in EMSA website under the section “*working with us - procurement*”.

The intention is to order the information procured under each contract on a weekly basis. However, data may be ordered with different frequencies (e.g. bi-monthly, monthly, weekly, etc) throughout the 4-years which are the total duration of the framework contract.

The contractor shall be responsible for the data collection and clearly indicate how information is updated and collected. Original sources of information and the way maritime data are collected shall be clearly indicated.

2.2.1.Scope of the data of Lot 1: Ship data

The scope of the data procured for Lot 1 is all self-propelled seagoing merchant ships that are furnished with an IMO number in accordance with the mandatory and voluntary IMO numbering scheme. Data elements to be provided under Lot 1 are described in Appendix I.

The IMO number is used as a common reference for all data-providers of the Equasis database as a mean for data correlation. Therefore no other identification scheme can be used as a replacement of the IMO number to designate a ship. It follows that the IMO number of the ship is a mandatory data field.

The ship IMO number is validated and verified by Equasis before the insertion of data and in case of an invalid number the contractor may be requested to verify and correct the provided ship IMO number².

Ships without a known IMO number are excluded from Equasis for technical reasons. It is the responsibility of the tenderer to produce all necessary efforts to collect the IMO number, when available, of all ships that fall in the scope of this tender.

Ships that are dead or scrapped before 2000 are excluded from the scope of the contract. If a ship was active after 2000 but “dead” at the time of the contract is awarded then the ships must appear as “dead” in the provision of data. Dead ships do not need regular updates but the corresponding data might be corrected if errors are detected, even after several years.

² The algorithm used to validate the ship IMO number is described in the Equasis Technical Protocol in Appendix I.

Military vessels and ships with a status “projected”, “on order”/“not commenced” or “under construction” are excluded from this procurement. Newbuildings that are furnished with an IMO number in accordance with the mandatory and voluntary IMO numbering are to be included.

If a ship changes its type regularly, for example on a seasonal basis, and if one of its ship types falls in the scope of Equasis, then the ship must be considered in the scope of Equasis.

All historical data for ships in the scope of this tender shall be provided since 2000 with the corresponding dates of effect, if available, and in all cases with a clear indication of the chronological order. The first historical value provided for each data must reflect the situation on the 1st of January 2000, even if the corresponding date of effect is before (or well before) 2000.

2.2.2.Scope of the data of Lot 2: Companies data

The scope of the data procured for Lot 2 is all companies that have some relation (e.g. ship or ISM managers, owners,...) with the ships that are in the scope of Lot 1. Data elements to be provided under Lot2 are described in Appendix I.

A data dictionary must be provided containing the IMO number of the company, the name of the company, the address, the country where the offices are located, the country of registration for the company and the status of the company.

This lot includes any known relations (e.g. ship or ISM managers, owners...) between the companies in the dictionary and the ships that are in the scope of Lot 1. Each relation is a link between a company and a ship and is defined by four elements:

- The ship (identified by its IMO number)
- The company (identified by its IMO number)
- The nature of the relation (Owner, Ship Manager, ISM Manager...)
- The date and chronology of the relation in the history of the ship

The historical information for this lot should start on the 1st of January 2000. Considering each ship in the scope of Lot 1, Lot 2 should give the history of all companies that had a relation with each ship since the 1st of January 2000. For ships built before 2000, the oldest relation described should be the relation that was in effect on 1st of January 2000 (even if the relation started before the 1st of January 2000). Each entry in the history has a date of effect and a sequence to give the order in the succession of companies in a certain role for a given ship.

The scope of this Lot includes relations with ships that turned dead after 2000, but not relations with ships that were already dead on the 1st of January 2000.

The company IMO number is validated and verified by Equasis before the insertion of data and in case of an invalid number the contractor may be requested to verify and correct the provided company IMO number³.

In case a company has no relation with any of the ship in the scope of Lot 1 taking into consideration historical data since 1st of January 2000, then the company may be excluded from the data provided to the Equasis database under Lot 2. If the Equasis Management Unit has some evidence that a company has been related

³ The algorithm used to validate the company IMO number is described in the Equasis Technical Protocol in Appendix I.

to a ship included in the scope of Lot 1, the tenderer may be required to include this company in the data of Lot 2 and provide updates for the remainder of the contract with all its historical background data.

It is also allowed and possible to provide all companies with a valid IMO number regardless of the fact that it has at least one relation with a ship.

2.3. Technical Protocol

2.3.1. Status of the Technical Protocols in the tender

A technical protocol has been established to govern the data transfers to the Equasis database and is included to this call for tender as Appendix I to these specifications. The technical protocol is unique and valid for both lots and will be included as an Annex to each of the contracts. In case there are discrepancies between the technical protocol and the tender specifications, the tender specification should take precedence.

2.3.2. Compatibility with current loading procedures of Equasis

Contractors must provide data in a format that is fully compatible with the current loading procedures of Equasis. The contractors shall ensure that the format does not modify the architecture of the Equasis system.

The format and architecture of the Equasis system relative to the loading procedure of Equasis are described in Appendix I.

2.3.3. Modification of the Technical Protocol

The Equasis database is hosted in a secure IT environment by the French Maritime Administration - *Sous-direction des Systèmes d'Information Maritimes* (SDSI) located in Saint-Malo (France). All files sent to update the Equasis database shall be transmitted directly to SDSI.

The technical protocol is part of the Framework contracts as Appendix to these tender specifications. However, it may be revised during the course of the tender if both contracting parties agree. These types of modification and technical adjustments should not affect the scope of the tender and the prices, as they are intended to clarify, simplify or secure the way data are transmitted by mutual agreement.

2.3.4. Modification of the coding nomenclature

Transmission of data as detailed in the technical protocols includes information on codes used to describe the data for each lot.

In case the contractor changes its internal coding, this can be accommodated without affecting the technical protocol. However, because such changes require adjustments by the Equasis Technical Unit, these must be organized in advance. This is the reason why any substantial change in the coding system should be notified and agreed with the Equasis Management Unit and Technical Unit, with a pre-notice of at least three months in advance.

2.3.5.Right of use

The conditions of use described in the Equasis website detail the way data is used in the Equasis system and the right of use that each user of the Equasis website must agree with when registering and before being able to consult any data element. The data will then be accessible on the Equasis public internet websites, free of charge, on a ship-by-ship or company-by-company basis.

Data provided to the Equasis database may be used for statistical purposes and may be published at an aggregated level.

Data delivered to the Equasis database should be, ideally, either public or owned by the contractor itself. If however, and in accordance with the draft contract attached to the technical specifications, some data are copyrighted by a third party, the contractor shall point it out in its bid and ensure that it can be delivered to the Equasis database in accordance with this copyright.

2.4. Quality of the data and reactivity in case of problems

The quality of the data in the Equasis information system relies upon the quality of the data transmitted by the data suppliers. The quality of the service Equasis provides may be degraded by insufficient frequency updates or lack of specific data elements. Therefore special attention shall be paid to the accuracy of the data. The contractor shall ensure information remains as accurate as possible with reliable and up-to-date data to avoid any discrepancies.

In case data is found to be inaccurate or the validity of the displayed information is challenged, the contractor shall undertake an investigation. Within 15 days after a notification of the issue/problem by the Equasis Management or Technical Unit, the contractor shall provide documented explanations and/or corrections.

2.5. Loading procedures

For each lot, tenderers must take into consideration that, if awarded the contract, they will provide two different deliveries: full or incremental.

Each delivery, for each lot, can be either a full or incremental delivery, as explained in the technical protocol. In normal conditions (deliveries are loaded in Equasis without errors), for each lot, there should be one full delivery at the start of the contract and, after that, once a year. All other deliveries shall be incremental.

2.5.1.Providing Lot 1 and Lot 2 in a combined file

The technical protocol allows the possibility to provide data for Lot 1 and Lot 2 separately (as two different files/deliveries) or jointly (in a single combined file/delivery).

In case both lots are awarded to the same contractor, then the contractor must provide a combined file for both Lot 1 and Lot 2.

If each lot is awarded to a different contractor, then each contractor should provide a separate file corresponding to the awarded lot only.

2.5.2.Full delivery

A “full” delivery, as described in the Equasis Technical Protocol in Appendix I, is considered to be a full replacement delivery that will overwrite all previous deliveries, including all historical data. A full delivery contains data on active and dead ships.

The relevant order form will precise when the annual full delivery shall be provided. However, the Management Unit or the Technical Unit may request a full delivery in replacement of an incremental delivery at any time, by email, after the order form has been sent. There is no limitation to the number of full deliveries that can be requested in replacement of incremental deliveries and it should not affect the cost of the deliveries.

2.5.3.Incremental delivery

After the initial full delivery, the contractors shall provide “incremental” deliveries of data, as described in the Equasis Technical Protocol in Appendix I. These updates contain information that has changed since last delivery (whether this delivery was a full or incremental delivery).

The incremental deliveries should update the historical data for ships and companies, if necessary, and not only the current values.

2.5.4.Archiving deliveries

The contractor shall keep a copy of at least the last four (4) files delivered.

2.6. Additional data proposed to be provided to the Equasis database

Tenderers are invited to propose additional data to be provided to Equasis on top of the data that are requested in these tender specifications and described in Appendix I. The description of the additional data should be done per lot and should be relevant to either the ships or the companies.

Following the recently amended Memorandum of Understanding (MoU) of Equasis through which data related to the protection of the environment have been included, any relevant additional data will be of high added value under quality criteria 4. Some examples of what is considered to be environmental related data elements are the following: ship fuel types, ship emission abatement method, destination breaking yard, etc.

In case additional data were proposed in the bid of the contractor, the Equasis Management Unit may decide, during the course of the contract, to modify the technical protocol to include these new data and integrate them in the Equasis database. The contractor shall be notified at least three months in advance with the new version of the technical protocol so that it can prepare the necessary changes in the extraction process.

If the tenderer proposes additional data in its bid the tenderer shall not request modification of the price of the delivery for the corresponding lot.

By proposing additional data in its bid, the tenderer accepts to modify its extract process to provide the new data to the Equasis database at no cost, if necessary, in due time.

3. Contract management responsible body

The European Maritime Safety Agency – Unit B.3, in charge of Environment and Capacity Building – will be responsible for managing the contract.

4. Project Planning

Delivery procedures shall be in place within 25 working days after the signature of the contract.

5. Timetable

The estimated date for signature of the contract is **early July 2017**.

6. Estimated Value of the Contract

The maximum budget available for this procurement is divided per delivery and per Lot. The maximum budget for each Lot, excluding VAT, and paid over a maximum of 4 years of duration is:

- Lot 1: 2,670 EUR per delivery (maximum ceiling of 555,360 EUR)
- Lot 2: 1,770 EUR per delivery (maximum ceiling of 368,160 EUR)

It is mandatory to provide separate prices per lot even if bidding for the two lots simultaneously.

7. Terms of payment

Payments shall be issued in accordance with the provisions of the **draft contract** available in the Procurement Section under the call to tender EMSA/OP/01/2017 on EMSA's website (www.emsa.europa.eu).

8. Terms of contract

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

EMSA may, before the contract is signed cancel the award procedure without the tenderers being entitled to claim any compensation.

9. Financial guarantees

Not applicable.

10. Subcontracting

If the tenderer intends to either subcontract 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. It should be noted that the 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 criteria⁴. 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.

11. Requirements as to the tender

Bids can be submitted in any of the official languages of the EU. However, as the main working language of the Agency is English, bids should preferably be submitted in English and should in particular include an English version of the documents requested under points 14.5 and 15 of the present tender specifications.

The tenderer must comply with the minimum requirements provided for in these tender specifications. This includes compliance with applicable obligations under environmental, social and labour law established by Union law, national law and collective agreements or by the international environmental, social and labour law provisions listed in Annex X to Directive 2014/24/EU of the European Parliament and of the Council.⁵

The tenderer shall complete the Tenderer's Checklist.

If the tenderer intends to either subcontract part of the work or realise the work in co-operation with other partners (Joint Offers) he shall indicate it in his offer by completing the form "Information regarding joint offers and subcontracting".

The tender must be presented as follows and must include:

- a) **A signed letter** indicating the name and position of the person authorised to sign the contract and the bank account to which payments are to be made.
- b) **The Financial Form** completed, signed and stamped. This document is available on the Procurement Section (Financial Form) of EMSA's website (www.emsa.europa.eu).
- c) **The legal Entity Form** completed, signed and stamped along with the requested accompanying documentation. This document is available on the Procurement Section (Legal Entity Form) of EMSA's website (www.emsa.europa.eu).

Tenderers are exempt from submitting the Legal Entity Form and Financial Form requested if such a form has already previously been completed and sent either to EMSA or any EU Institution. 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 **10, 13, 14.2 and 14.6** of these specifications (part of the exclusion criteria).

Part B: All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the **Economic and Financial capacity** (part of the Selection criteria) set out under point **14.4** of these specifications.

⁴ To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

⁵ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

Part C: 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 **14.5** of these specifications.

Part D: 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 **15** of these specifications.

Part E: Setting out **prices** in accordance with **point 12** of these specifications.

12. Price

- a) Price for the provision of ship data (Lot 1) shall be provided as a price per delivery.
- b) Price for the provision of company data (Lot 2) shall be provided as a price per delivery.
- c) The price of a delivery is interpreted as the price for the service of updating the Equasis database in order to reflect the latest changes since the last delivery. From a technical point of view, the delivery can be a “full delivery” or an “incremental delivery” containing only the change since last delivery. However, the service provided for the Equasis database is the same and the price is the same for both types of deliveries.
- d) Prices must be quoted in Euro.
- e) Under Article 3 and 4 of the Protocol on the privileges and immunities of the European Union, EMSA is exempt from all duties, taxes and other charges, including VAT. This applies to EMSA pursuant to the Regulation (EC) No 1406/2002. These duties, taxes and other charges can therefore not enter into the calculation included in the bid. The amount of VAT must be shown separately.

13. 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.

14. Information concerning the personal situation of the tenderer and information and formalities necessary for the evaluation of the minimum economic, financial and technical capacity required

14.1. Legal position – means of proof required

When submitting their bid, tenderers are requested to complete and enclose the **Legal Entity Form** and requested accompanying documentation, available in the Procurement Section (Legal Entity Form) of EMSA's website (www.emsa.europa.eu).

14.2. Grounds for exclusion - exclusion criteria

To be eligible to participate in this contract award procedure, a tenderer must not be in any of the following exclusion situations:

- a) it is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under national legislation or regulations;
- b) it is subject to a final judgement or a final administrative decision establishing that it is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract ;
- c) it is subject to a final judgement or a final administrative decision establishing that it is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:
 - i. fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract;
 - ii. entering into agreement with other persons with the aim of distorting competition;
 - iii. violating intellectual property rights;
 - iv. attempting to influence the decision-making process of the contracting authority during the award procedure;
 - v. attempting to obtain confidential information that may confer upon it undue advantages in the award procedure ;
- d) it is subject to a final judgement establishing that the person is guilty of any of the following:
 - i. fraud
 - ii. corruption
 - iii. participation in a criminal organisation
 - iv. money laundering or terrorist financing
 - v. terrorist-related offences or offences linked to terrorist activities
 - vi. child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council
- e) the person has shown significant deficiencies in complying with the main obligations in the performance of a contract financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an Authorising Officer, OLAF or the Court of Auditors;
- f) it is subject to a final judgement or a final administrative decision establishing that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95
- g) for the situations of grave professional misconduct, fraud, corruption, other criminal offences, significant deficiencies in the performance of the contract or irregularity, the applicant is subject to:
 - i. facts established in the context of audits or investigations carried out by the Court of Auditors, OLAF or internal audit, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;

- ii. non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
- iii. decisions of the ECB, the EIB, the European Investment Fund or international organisations;
- iv. decisions of the Commission relating to the infringement of the Union's competition rules or of a national competent authority relating to the infringement of Union or national competition law; or
- v. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.

14.3. Legal and regulatory capacity – Selection criteria

14.3.1. Requirements: The tenderer must have the legal and regulatory capacity to pursue the professional activity needed for performing the contract.

14.4. Economic and financial capacity – Selection criteria

14.4.1. Requirements:

a) The tenderer must be in a stable financial position and must have the economic and financial capacity to perform the contract

14.4.2 Evidence:

- a) Financial statements or their extracts for the last three years for which accounts have been closed.
- b) Statement of the overall turnover and, where appropriate, turnover relating to the relevant services for the last three financial years available.
- c) Tenderers are exempt from submitting the documentary evidence if such evidence has already been completed and sent to EMSA for the purpose of another procurement procedure and the provided documents are up-to-date. In this case the tenderer should simply indicate on the cover letter the procurement procedure where the evidence has been provided.
- d) If, for some exceptional reason which EMSA considers justified, a tenderer is unable to provide one or other of the above documents, he may prove its economic and financial capacity by any other document which EMSA considers appropriate. In any case, EMSA must at least be notified of the exceptional reason and its justification in the tender. EMSA reserves the right to request at any moment during the procedure any other document enabling it to verify the tenderer's economic and financial capacity.⁴

14.5. Technical and professional capacity – Selection criteria

The tenderer shall provide evidence of expertise in collecting and delivering comprehensive reliable data on marine information and data worldwide.

Such evidence of knowledge and experience in the field shall be provided on the basis of a detailed description of the procedures of how the data relevant for this tender is collected, loaded and updated in the source database, including the quality processes used to validate the accuracy of the information.

The above mentioned description shall incorporate the resources allocated to the tasks under this tender (inter alia: human resources - including CV – IT tools and methods).

14.6. Declaration of Honour

For this purpose the Declaration of Honour available on the Procurement Section of EMSA's website (www.emsa.europa.eu) shall be completed and signed.

Please note that **only upon request** and within the time limit set by EMSA the tenderer shall provide information on the persons that are members of the administrative, management or supervisory body, as well as the following evidence concerning the tenderer or the natural or legal persons which assume unlimited liability for the debt of the tenderer:

For exclusion situations described in (a), (c), (d) or (f) of point 14.2 above, production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the tenderer showing that those requirements are satisfied.

For the exclusion situation described in (a) or (b) of point 14.2 above, production of recent certificates issued by the competent authorities of the State concerned is required. These documents must provide evidence covering all taxes and social security contributions for which the tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

If the tenderer already submitted such evidence for the purpose of another procedure, its issuing date does not exceed one year and it is still valid, the person shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation.

If the tenderer is a legal person, information on the natural persons with power of representation, decision making or control over the legal person shall be provided only upon request by the contracting authority.

When the tenderer to be awarded the contract has already submitted relevant evidence to EMSA, it remains valid for 1 year from its date of submission. In such a case, the reference of the relevant project(s) should be mentioned and the tenderer is required to submit a statement confirming that its situation has not changed.

15. Award Criteria

The award criteria apply to both lots. However the evaluation will be done per lot.

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. Completeness and quality of the source data based on the provided statistics ($W_1 = 20\%$) – see **paragraph 15.1**
2. Quality and comprehensiveness of the data model of the source database ($W_2 = 15\%$) – see **paragraph 15.2**
3. Level of the quality control to ensure correct and up-to-date information ($W_3 = 15\%$) – see **paragraph 15.2**
4. Presence and relevance of possible additional data proposed for enhancement of the Equasis database ($W_4 = 10\%$) – see **paragraph 15.3**
5. Quality of the organisation and procedure (project plan) put in place to effectively adapt to Equasis format and needs in a short time frame accordingly to Equasis tools and procedures, at the beginning and during the course of the contract ($W_5 = 10\%$) – see **paragraph 15.4**

and the price criterion and associated weighting:

6. Price of the bid per lot ($W_{Price} = 30\%$).

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

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

Only bids that have reached a minimum of 60% for Q_1 , a minimum of 60% for Q_2 , 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 70% for the score S will be taken into consideration for awarding the contract.

15.1. Supporting Document to evaluate Criterion 1 - Statistics of the source database

Statistics on the source data to be used for extracting the data provided to the Equasis database.

- a) For Lot 1, these statistics should provide, at least, the following elements:
 - Total number of ships in the scope of Equasis with an IMO number (merchant ships, sea-going, above 100GT), active or dead.
 - Breakdown of these ships by type, age, size (GT), flag, classification society and status. The tenderer may propose to aggregate size and age by categories (four or five ranges for each). The tenderer may propose to aggregate ship types by categories as well, with a minimum of ten different groups and a maximum of 25. The categories must cover all the range of possibilities divided in fair and balanced groups.
 - Total number of historical records of ship names and flags for ships in the scope of Equasis with an IMO number (merchant ships, sea-going, above 100GT), active or dead
- b) For Lot 2, these statistics should provide, at least, the following elements:
 - Total number of companies with an IMO number.
 - Breakdown of these companies by role (owner, ISM manager...) and fleet size. For these breakdowns, only consider the companies that have a role for at least one ship with an IMO number in the scope of Equasis. The fleet size is the number of distinct ships related to the company (with a certain role). The tenderer may propose to make categories of fleet size, with a minimum of 10 and a maximum of 20 fair and balanced groups.

15.2. Supporting Document to evaluate Criteria 2 and 3 - Detailed technical documentation of the source database

The tender should contain a detailed technical documentation of the source database from which data will be extracted to Equasis database. This shall include a detailed Entity/Relationship diagram (ER diagram) with at least:

- Entities and columns
- Type and format of data (text, number, date...)
- Relationships and cardinality (foreign keys)
- Constraints (primary/unique keys)

The tenderer should incorporate as well the tenderers' detailed internal procedures for collecting and validating data from their original sources.

15.3. Supporting Document to evaluate Criterion 4 - Additional data proposed to be provided to the Equasis database

Tenderers have the possibility to propose additional data to be provided to Equasis, as described in paragraph 2.6 of these tender specifications.

The tenderer must detail the proposed additional data, if any, and give an overview of the availability of this information in its database (number of ships or companies for which these data are available).

The tenderer must acknowledge that this additional data can be included during the course of the contract and provided without modification to the price of the delivery. If that is not the case the proposed additional data will be ignored during the evaluation.

15.4. Supporting Documents to evaluate Criterion 5 - Detailed project plan

The tenderer should explain in his bid the procedures and organisation that he will put in place to set up the automatic procedure to produce the requested deliveries. These explanations should contain a time-plan and a detailed description of allocated resources to provide data in an appropriate format and in due time (no more than one month after the signature of the contract).

In addition of that, the tenderer shall explain how it will handle incoming requests in case some of the provided data is reported to be incorrect or outdated by a user of Equasis (and communicated by the Equasis Management or Technical Unit). These explanations should indicate under which maximum delay the request shall be opened by the tenderer and what is the maximum time to solve the issue after it is opened, in relation with the complexity of the request.

16. Rejection from the procedure

Contracts will not be awarded to tenderers who, during the procurement procedure, are in one of the following situations:

- a) are in an exclusion situation;
- b) have misrepresented the information required as a condition for participating in the procedure or have failed to supply that information;
- c) were previously involved in the preparation of procurement documents where this entails a distortion of competition that cannot be remedied otherwise.

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 to these 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.