

Tender Specifications

Attached to the Invitation to tender

Invitation to tender No. EMSA/NEG/34/2017 for Acquisition of flooring solutions

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.

2. Objective, scope and description of the contract

The objective of this call for tender is to establish a Framework Supply Contract for acquisition of flooring solutions, such as finishing flooring (vinyl or carpet), technical raised access floor structure systems, and other relevant accessories, as well as associated services, *i.e.* delivery and installation, dismantling and removal of replaced materials, disposal of packaging and of replaced materials, and warranty, for the EMSA premises located at Praça Europa 4, 1249-206, Lisbon, Portugal.

2.1 Supply of flooring

The Contractor must have the technical capacity to supply technical raised access floor structure systems (including all necessary accessories, pedestals, profiles, supports, etc.), vinyl and carpet tiles, and other related relevant accessories or equipment required by EMSA.

For the purpose of this FWC, supply means that the contractor shall deliver not only the flooring items but also:

- dismantle and remove from the building the existing flooring, floor panels and/or raised access floor structure system (if applicable), and disposing of it in an appropriate way in accordance to Portuguese law;
- install the new technical floor panels (including all necessary accessories, pedestals, profiles, supports, etc.) and/or finishing flooring (vinyl or carpet);
- in each specific contract, supply additional 3% of the finishing flooring material only as spare parts (no associated services);
- implement the contract in such a way as not to impede the proper functioning of EMSA;
- be liable for any damage caused by dismantling, removal and/or installation of the flooring solutions in EMSA's premises.

Tenderers are strongly encouraged to visit EMSA's premises and check if they would need any technical infrastructures or accessories (to be provided by EMSA) in order to fulfil the contract properly. To participate in the **on-site visit planned for 29 November 2017**, follow the procedure described in the invitation to tender.

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.).

The flooring solutions and floor panels proposed must be in full conformity with the specifications described in Annex A “Compliance Matrix for flooring and panels”. These are the minimum requirements to be offered. Tenderers shall also present the technical data sheet(s) of each product proposed in the tender.

Tenderers shall add their full catalogue to their bid as EMSA may request other items from the full catalogue. Throughout the duration of the FWC, such catalogue may be updated on a biyearly basis, following the written agreement of EMSA. The scope of proposed products of the catalogue will be taken into account for evaluation purposes.

Note: The tables in Annex A “Compliance Matrix for flooring and panels” must be filled in.

2.1.1 Delivery, installation, and disposal

The contract includes the supply, transportation, delivery, assembly and installation costs as well as costs related to disposal of packaging and of replaced materials, according to Portuguese law. This shall be taken into account when preparing the bid.

Delivery receipts including the list of material and quantities should be signed by the authorised EMSA staff on the day of the delivery. This note acknowledges the fact that the goods are delivered and in no way implies conformity of the goods with the contract.

2.1.2 Dismantling and removal of replaced material

The contract includes the dismantling and removal of the materials being replaced. This shall be taken into account when preparing the bid.

2.1.3 Warranty

The tenderer shall warrant:

- the installation works for a minimum of two years; and
- the materials supplied for a minimum of 5 years.

If the tenderer can provide a warranty for a longer period, this should be specified in the technical offer and will be taken into account for evaluation purposes.

2.1.4 Additional materials

The contract includes the supply of 3% additional flooring materials as spare parts (no associated services), that be delivered by the contractor with each specific contract. This shall be taken into account when preparing the bid.

3. Contract management responsible body

EMSA Unit A.2 - in charge of Legal, Financial & Facilities Support - will be responsible for managing the contract.

4. Project Planning

A kick-off meeting will be arranged between EMSA and the successful tenderer in order to agree upon a detailed timetable for the delivery and installation (which will be managed under EMSA's supervision). The successful tenderer must appoint a technical supervisor of works who will be the focal contact person for EMSA.

5. Timetable

The estimated date for signature of the contract is end of December 2017. First execution of works is foreseen to take place between 22nd December 2017 and 7th January 2018.

For the remaining duration of the FWC act dates of implementation of specific contracts will be agreed upon between the contractor and EMSA.

6. Estimated Value of the Contract

The maximum budget available for this contract is EUR 130000 excluding VAT.

7. Terms of payment

Payments will be made in accordance with the provisions of the draft Framework Supply Contract available in the Procurement Section under the call to tender EMSA/NEG/34/2017 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 Framework Supply Contract.

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

9. 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 criteria². 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. However, as the main working language of EMSA is English, bids should preferably be submitted in English and should in particular include an English version of the documents requested under points 13.3 and 14 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,

² To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

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.³

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 (Join 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 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.
- b) **The Financial Identification Form** completed, signed and stamped. This document is available on the Procurement Section (Financial Identification 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 **9, 12** and **13.2** 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 Technical and professional capacity (part of the **Selection Criteria**) set out under point **13.3** 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 **14.14** of these specifications;

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

11. Price

- Price must be quoted for the Acquisition of flooring solutions and shall include the **prices for each item listed in Annex B "Price list" as described in point 2.1**, i.e. prices must include delivery and installation, dismantling and removal of replaced materials, disposal of packaging and of replaced materials, warranty, and additional 3% of the relevant flooring material as spare parts.
- Prices must be fixed amounts and non-revisable.

³ 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).

- 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 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 tenderer and information and formalities necessary for the evaluation of the minimum economic, financial, 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 of EMSA's website (www.emsa.europa.eu).

13.2 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.

13.3 Technical and professional capacity – Selection criteria

13.3.1 Requirements:

The tenderer must have relevant technical and professional capacity to supply flooring solutions, such as vinyl and carpet tiles, raised access floor structure systems, and other relevant accessories mentioned in point 2 above for at least the last two years.

13.3.2 Evidence:

- a) Certification and classification of the relevant technical and professional capacity, namely for safety (reaction to fire), environmental, sustainability and human well-being;

- b) A list of the principal services provided and supplies delivered in the past two years, with the sums, dates and clients;
- c) Description of the skills, experience and expertise of the persons responsible for the performance of the contract;
- d) Full description of the proposed flooring solutions as specified in Annex A, namely the production process certificated under ISO 9001 and ISO 14001 or equivalent.

13.4 Declaration of Honour

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

14. Award criteria

Only the tenders meeting the requirements of 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 ($W_1 = 10\%$), Proposed planning for responding to a request for supplies, such as the one described in Annex C "Evaluation scenario", including timeline and method for the delivery and installation of materials, process of disposal of packaging and of replaced materials, organisation of the dismantling and removal of replaced materials, in such a way as not to impede the proper functioning of EMSA.
2. Quality criterion 2 ($W_2 = 10\%$), Catalogue offering multiple choices and solutions for flooring and floor panels.
3. Quality criterion 3 ($W_3 = 15\%$), Additional warranty offered for works.
4. Quality criterion 4 ($W_4 = 10\%$), Additional warranty offered for materials supplied.
5. Quality criterion 5 ($W_5 = 5\%$), Additional certification and classification for production processes.

and the price criterion and associated weighting:

6. Price of the bid ($W_{\text{Price}} = 50\%$): price of the scenario (Annex C "Evaluation scenario")
 - a) Supply of vinyl flooring (as described in Annex A "Compliance Matrix for flooring and panels" and point 2.1 above) for cafeteria area 135m² (colour different from b));
 - b) Supply of vinyl flooring (as described in Annex A "Compliance Matrix for flooring and panels" and point 2.1 above) for corridor area 45m² (colour different from a));
 - c) Supply of calcium sulphate core (as described in Annex A "Compliance Matrix for flooring and panels" and point 2.1 above) for cafeteria and corridor area 180m² (including all necessary accessories, pedestals, profiles, supports, etc.).

Prices for each item listed in Annex C "Evaluation scenario" for the supply of the material included in Annex A "Compliance Matrix for flooring and panels", as described in point 2.1 (*i.e.* prices must include delivery and installation, dismantling and removal of replaced material, disposal of packaging and of replaced material, warranty, and additional 3% of the relevant flooring material as spare parts) for the area represented in Annex D.

Total price for evaluation purposes = (1xa)+(1xb)+(1xc).

Note: The table in Annex C “Evaluation scenario” must be filled in.

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 and 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 60% for the score S will be taken into consideration for awarding the contract.

15. 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.

16. 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.

Annex A “Compliance Matrix for flooring and panels”	
1.1 Vinyl Flooring specifications	Y/N
Dimensions 66 x 66 cm	
Floor covering classification EN ISO 10874 Commercial very heavy: 34	
CE certification EN 14041	
Phthalate-free	
Total thickness EN ISO 24346 4.5 mm	
Wear layer thickness EN ISO 24340 0.80 mm	
Total weight EN ISO 23997 5195 g/m ²	
Abrasion group EN 660-2 T-Class	
Dimensional stability EN ISO 23999	
Reaction to fire EN 13501-1	
Residual indentation Average measured value EN ISO 24343-1 requirement	
Furniture leg EN 424 no damage	
Castor chair ISO 4918 no damage	
Reduction on transmitted impact noise EN ISO 717-2	
Reduction of in room impact noise NF S 31-074	
Acoustical absorption EN ISO 11654	
Thermal resistance ISO 10456	
Electrical properties EN 1081	
Light fastness EN ISO 105-B02	
Resistance to chemicals EN ISO 26987 High resistance	
Slip resistance EN 13893 DIN 51130	
100% recyclable	
Warranty period minimum 5 years	
Contribution to indoor air quality	

Annex A “Compliance Matrix for flooring and panels”	
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1.2 Vinyl Flooring colour and design (or similar)	Y/N
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1.2 Vinyl Flooring colour and design (or similar)	Y/N
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Annex A “Compliance Matrix for flooring and panels”	
2.1 Carpet Flooring specifications	Y/N
Use classification EN 1307 33 commercial heavy use	
Type of manufacture ISO 2424	
Aspect ISO 2424	
Dimension 50x50cm	
Primary backing ISO 2424 polyester fleece	
Secondary backing ISO 2424	
Pile fibre composition ISO 2424 BCF polyamide 6.6	
Total thickness ISO 1765 5.5mm	
Effective pile thickness ISO 1766 0.5mm	
Total mass ISO 8543 4050 g/m ²	
Total pile mass ISO 2424 500 g/m ²	
Effective pile mass ISO 8543 185 g/m ²	
Pile density ISO 8543 0.174 g/cm ³	
Number of tufts ISO 1763 1380 /dm ²	
Stroll test ≤ 2,0 kV	
Vertical resistance ≤ 1 x 10 ⁹ Ohm	
Horizontal resistance ISO 10965	
Dimension stability EN 986 ≤ 0.2%	
Impact sound reduction ISO 10140 19dB	
Sound absorption ISO 354 0.15α _w	
Thermal resistance ISO 8302	
Flammability EN 13501-1	
Warranty period minimum 5 years	

Annex A “Compliance Matrix for flooring and panels”	
2.2 Carpet Flooring colour and design (or similar)	Y/N
	

Annex A “Compliance Matrix for flooring, panels and accessories”	
3. Panels specifications	Y/N
3.1 Chipboard core	
Dimensions 600x600mm	
Thicknesses 38mm	
E1- class chipboard according to EN 717-2	
Density 730Kg/m3	
Acoustic insulation in line with UNI EN ISO 10848-2:2006	
Fire resistance minimum 30 minutes	
FSC certification wood from well managed forests	
3.2 Calcium sulphate core	
Dimensions 600x600mm	
Thicknesses 34mm	
Reaction to fire in class 0	
Reaction to fire in class A1 according to EN 13501-1	
Density 1600Kg/m3	
Acoustic insulation in line with UNI EN ISO 10848-2:2006	
Fire resistance minimum 60 minutes	
3.3 Accessories (only adjustable support pedestal)	
EN 12825 compatible	
Fully in galvanized steel	

Annex B “Price list”

Item (as described in Annex A “Compliance Matrix for flooring and panels” and point 2.1 above)	Price per square meter below 50m ²	Price per square meter 51m ² -100m ²	Price per square meter 101m ² -300m ²	Price per square meter 301m ² -600m ²
Supply of vinyl finishing as described in Annex A “Compliance Matrix for flooring and panels” and point 2.1 above				
Supply of carpet finishing as described in Annex A “Compliance Matrix for flooring and panels” and point 2.1 above				
Supply of Calcium sulphate core panels as described in Annex A “Compliance Matrix for flooring and panels” and point 2.1 above (including all necessary accessories, pedestals, profiles, supports, etc.)				
Supply of Chipboard core as described in Annex A “Compliance Matrix for flooring and panels” and point 2.1 above (including all necessary accessories, pedestals, profiles, supports, etc.)				

Annex C “Evaluation scenario”

Item (as described in Annex A “Compliance Matrix for flooring and panels” and point 2.1 above, for the area represented in Annex D)	Price per square meter	Total price
a) Supply of vinyl flooring (as described in Annex A “Compliance Matrix for flooring and panels” and point 2.1 above) for cafeteria area 135m ² (colour different from b))		
b) Supply of vinyl flooring (as described in Annex A “Compliance Matrix for flooring and panels” and point 2.1 above) for corridor area 45m ² (colour different from a))		
c) Supply of calcium sulphate core (as described in Annex A “Compliance Matrix for flooring and panels” and point 2.1 above) for cafeteria and corridor area 180m ² (including all necessary accessories, pedestals, profiles, supports, etc.)		
Total price for evaluation purposes = (1xa)+(1xb)+(1xc)		

Annex D

3rd floor

