

Tender Specifications

Attached to the Invitation to tender

Invitation to tender No. EMSA/NEG/6/2019 for Provision of new city model bicycles and related maintenance services

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 is implementing measures to reduce its environmental impact. Since 2014 6 bicycles are available to EMSA staff members, to be used as alternative transportation, encouraging healthy practices and reducing EMSA ecological footprint.

2. Objective, scope and description of the contract

The objective of this procurement procedure is to establish a Framework Supply Contract for the supply of city model bicycles, including electric models, as well as associated services, i.e. delivery, warranty, supply and replacement of spare parts, preventive and corrective maintenance of both existing bicycles as well as of bicycles purchased under the Framework Contract, for the EMSA premises located at Praça Europa 4, 1249-206, Lisbon, Portugal.

2.1 Supply of bicycles

The Contractor must have the technical capacity to supply city model bicycles, including electric models and any related accessories or equipment required by EMSA.

The proposed models and accessories must be in conformity with the specifications described in Annex A "Compliance Matrix". These are the minimum requirements to be offered. The tenderers shall also present the technical data sheet(s) of each model proposed in the tender.

Note: The table in Annex A "Compliance Matrix" must be completed.

Tenderers are encouraged to add their full catalogue to their bid.

2.1.1 Delivery

The contract includes the supply, assembly, delivery and transportation costs as well as costs related to disposal of packaging.

2.1.2 Guarantee

If the tenderer provides a guaranty for a longer period than the legal warranty period of 2 years, this will be taken into account positively for evaluation purposes.

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 Maintenance

2.2.1 Preventive maintenance

The preventive maintenance for the existing 6 EMSA bicycles, shall also include transportation of contractor's staff to the place of performance of the maintenance.

The contractor shall perform a preventive maintenance check at least once per year. For reference purposes, please consult Annex C "EMSA existing bicycles".

An on-site visit is planned for 07/03/2019 at the following address: European Maritime Safety Agency, Praça Europa 4, 1249-206, Lisbon, Portugal. To schedule an on-site visit, an e-mail should be sent to the dedicated e-mail address: neg62019@emsa.europa.eu no later than 06/03/2019.

New bicycles supplied under this Framework Contract will also be included in the Preventive maintenance services.

2.2.2 Corrective maintenance

The contractor shall perform Corrective maintenance depending on immediate needs.

Corrective maintenance shall include:

- The labour;
- Transportation of contractor's staff to EMSA premises;
- Transportation service to and from the tenderer facilities, if required for a frame respray service or repair;

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

For the total duration of the Framework Contract, a minimum of four Preventive maintenance inspections are foreseen - in 2019, 2020, 2021 and 2022- at dates to be agreed upon between the contractor and EMSA.

The purchase of city model bicycles, including electric models and the performance of the Corrective maintenance will depend on actual needs.

Bicycles shall be delivered within eight weeks of the signature of an Order Form by EMSA, unless otherwise specified therein.

Corrective maintenance will be purchased through an Order Form and interventions shall take place immediately after their request by EMSA, within 1-5 working days, depending on the urgency.

5. Timetable

The estimated date for signature of the contract is April 2019.

6. Estimated Value of the Contract

The maximum budget available for this contract is EUR 10000 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/6/2019** on EMSA's website (www.emsa.europa.eu).

8. Terms of contract (purchase order)

When drawing up a bid, the tenderer shall 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.³ However, the selection criteria may apply individually where it is relevant in view of their nature.

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 the Agency is English, bids should preferably be submitted in English and shall in particular include an English version of the documents requested under points 13.5 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, 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.⁴

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 "Statement of Subcontracting /

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.

³ To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

⁴ 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).

Joint Offer". This document is available on the Procurement Section / Calls for Tenders (Documents for tenderer) of EMSA's website (www.emsa.europa.eu).

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, the bank account on which payments are to be made and the email address to be used for contacts during the procurement procedure.
- 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 Identification 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 shall 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 Technical and professional capacity (part of the selection Criteria) set out under point 13.2 of these specifications;

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~~**14** of these specifications;

Part C: Setting out prices in accordance with point ~~11~~**14** of these specifications and Annex B ("Price List/Financial Proposal").

11. Price

- a) Price must be quoted for Provision of new city model bicycles and related maintenance services and shall include:
 - **Prices for the supply of city model bicycles**, including electric models and any related accessories required by EMSA – of each item described in Annex A "Compliance Matrix", as described in point 2.1, i.e. prices include supply, assembly, delivery and transportation costs as well as costs related to disposal of packaging;
 - **Price for Preventive maintenance** as described in point 2.2.1, including transportation of contractor's staff to the place of performance of the maintenance, taking into account that such maintenance shall occur at least once a year;
 - **Price for Corrective maintenance** as described in point 2.2.2, including transportation of contractor's staff to the place of performance of the maintenance: the tenderer shall present the price per man hour of corrective maintenance.
- b) Prices must be fixed amounts and non-revisable.
- c) Prices must be quoted in euro.

- d) 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 Technical and professional capacity – Selection criteria

13.2.1 Prerequisites

The tenderer must have relevant technical and professional capacity to provide Preventive and Corrective maintenance services on bicycles as mentioned in point 2 above.

13.2.2 Evidence

The tenderer must present a list of clients (minimum 5) which are comparable to EMSA, covering at least the last two years.

14. Award criteria

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 ($W_1 = 25\%$), **Proposed city model bicycles, including electric models** in compliance with the description in Annex A "Compliance Matrix Checklist".

2. Quality criterion 2 ($W_2 = 15\%$), Proposed plan of **Preventive** and **Corrective maintenance**.
3. Quality criterion 3 ($W_3 = 10\%$), Additional **guaranty** offered.
4. Price of the bid ($W_{Price} = 50\%$), The price of the bid shall be determined as follows:
 - a) Price for the supply of bicycle as described in Annex A, Men frame.
 - b) Price for the supply of bicycle as described in Annex A, Women frame.
 - c) Price for the supply of electric bicycle as described in Annex A, Men`s frame.
 - d) Price for the supply of electric bicycle as described in Annex A, Women`s frame.
 - e) Price of Preventive maintenance per bicycle.
 - f) Price of Preventive maintenance per electric bicycle.
 - g) Price of Preventive maintenance for 6 existing EMSA bicycles.
 - h) Frame respray service per bicycle
 - i) Price for replacement battery.
 - j) Price for Led lamps replacement kit.
 - k) Price for Led lamps batteries replacement kit.
 - l) Price for Permanent ring lock supply and installation.
 - m) Price for plug in chain of 140 cm replacement.
 - n) Price for supply of EMSA sticker (as visible on Annex C on the bicycle frame).
 - o) Price for one man hour of corrective maintenance.

Total price for evaluation purpose =

$$(1xa)+(1xb)+(1xc)+(1xd)+(1xe)+(1xf)+(1xg)+(1xh)+(1xi)+(1xj)+(1xk)+(1xl)+(1xm)+(1xn)+(12xo)$$

Note: Please fill in the table in Annex B “Price List / Financial proposal”

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 , 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 used in the award procedure where this entails a breach of the principle of equality of treatment, including 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 shall be clearly pointed out by the tenderer in the tender. Information shall 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” | | | |
|---------------------------------|---|------------|---|
| Specifications | | Yes/ No | Dimensions or additional description |
| Bicycles | | | |
| Frame (Men and Women's options) | Steel frame | | |
| Fork | Straight steel fork | | |
| Colour | White | | |
| Brakes | Aluminium V-Brakes | | |
| Pedals | Platform pedals | | |
| Derailleur gears | Shimano TY21 or equivalent | | |
| Tires | 700x35c | | |
| Wheel covers | Metal | | |
| Accessories for bicycles | | | |
| Chain cover | Material to be defined by tenderer | | |
| EMSA sticker | Supplied with EMSA sticker | | |
| LED lights | Front and rear lights & wheels light reflectors | | |
| Permanent ring lock | Optional plug in chain of 140 cm | | |

| Annex A “Compliance Matrix” | | | |
|---------------------------------|---|--------|--------------------------------------|
| Specifications | | Yes/No | Dimensions or additional description |
| Electric bicycles | | | |
| Frame (Men and Women's options) | Aluminium | | |
| Fork | Rigid | | |
| Engine type | Brushless 250W, rear wheel | | |
| Range | 45 km | | |
| Batterie | 36V Li-ion 7 ah 252 wh, minimum 500 charge cycles | | |
| Brakes | Disk brakes | | |
| Pedals | Aluminium | | |
| Number of speeds | 7 | | |
| Wheels | 28" | | |
| Wheel covers | Metal | | |
| Accessories for bicycles | | | |
| Chain cover | Material to be defined by tenderer | | |
| EMSA sticker | Supplied with EMSA sticker | | |
| Led lights | Front and rear lights & wheels light reflectors | | |
| Phone holder | Waterproof case | | |
| Permanent ring lock | Optional plug in chain of 140 cm | | |

| Annex B “Price List / Financial proposal” | |
|--|----------------|
| Item | Price per unit |
| a) Price for the supply of bicycle as described in Annex A, Men frame. | |
| b) Price for the supply of bicycle as described in Annex A, Women frame. | |
| c) Price for the supply of electric bicycle as described in Annex A, Men`s frame. | |
| d) Price for the supply of electric bicycle as described in Annex A, Women`s frame. | |
| e) Price of Preventive maintenance per bicycle | |
| f) Price of Preventive maintenance per electric bicycle | |
| g) Price of Preventive maintenance for 6 existing EMSA bicycles | |
| h) Frame respray service per bicycle | |
| i) Price for replacement battery | |
| j) Price for Led lamps replacement kit | |
| k) Price for Led lamps batteries replacement kit | |
| l) Price for Permanent ring lock supply and installation | |
| m) Price for plug in chain of 140 cm replacement | |
| n) Price for supply of EMSA sticker (as visible on Annex C on the bicycle frame) | |
| o) Price for one-man hour of corrective maintenance | |
| Evaluation total price= $(1xa)+(1xb)+(1xc)+(1xd)+(1xe)+(1xf)+(1xg)+(1xh)+(1xi)+(1xj)+(1xk)+(1xl)+(1xm)+(1xn)+(12xo)$ | |

Annex C “EMSA existing bicycles”



