

Tender Specifications

Attached to the Invitation to tender

Invitation to tender No. EMSA/NEG/16/2019 for Provision of trainings, drills and consultancy services in the safety domain

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.

Article 15(2c) of Regulation 1406/2002 establishes that the Executive Director “shall take all necessary steps (...) to ensure the functioning of the Agency in accordance with provisions of this Regulation.”

2. Objective, scope and description of the contract

The objective of this tender is the provision of trainings, drills and consultancy services in the safety domain in compliance with national law.

2.1. Training services

The contractor shall deliver all trainings in English, at EMSA's premises (except the First Intervention Team training), on a predefined EMSA working day (Monday to Friday), and during EMSA working hours (i.e. 09h30-17h00), upon EMSA's request.

The contractor shall provide all training materials and equipment necessary for carrying out the training. EMSA provides an appropriate venue and any audio-visual equipment necessary for delivering the training (e.g. projector, screens, PC) if requested by the contractor in advance.

2.1.a) General informative training

All EMSA staff (around 250 staff members) must attend this training which is expected to last 1.5 hours.

Objectives:

- Inform on EMSA's Internal Emergency Plan (IEP);
- Explain the roles and responsibilities of the Head of Safety, Safety Delegate and Deputy Safety Delegate in light of the Safety Manual;
- Explain emergency escape procedures and routes;
- Describe collective and individual responsibilities during fire evacuation and the importance of fire-drill exercises;

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.).

- Clarify preferred means of reporting incidents;
- Remind emergency telephone numbers;
- Raise awareness on responsibilities and individual roles.

2.1.b) Evacuation Team training

EMSA's Evacuation Team (around 40 staff members) must attend this training which is expected to last 2 hours.

Objectives:

- Explain on how to help colleagues evacuate the building safely;
- Clarify on ways to ensure a fast and organised evacuation of staff under areas of responsibility;
- Raise awareness on the importance of this role for the implementation of EMSA's IEP.

2.1.c) First Intervention Team training

EMSA's First Intervention Team (around 20 staff members) must attend this training which is expected to last a full day. The contractor shall make the necessary arrangements for an appropriate venue for practical exercises outside EMSA premises. EMSA will arrange transportation for EMSA staff if need be.

Objectives:

- Present basic definitions and classifications related to fire safety (classes of fire, types of fire extinguishing equipment, types of agents, etc.);
- Explain the theory of firefighting and methods of extinguishing;
- Coach the team to react quickly and efficiently to firefight;
- Prepare for proper acting during building evacuation;
- Simulate individual and team confrontation with fire emergency situations by using a variety of practical exercises on the training ground simulating firefighting including the use of different extinguishing equipment (fire extinguishers, hoses, etc.) depending on the typo of fire source;
- Clarify the specificities of the first intervention equipment available in EMSA.

2.1.d) Informative training related with earthquakes

All EMSA staff (around 250 staff members) must attend this training which is expected to last 1.0 hour.

Objectives:

- Inform on EMSA's IEP in a case of earthquake;
- Present main measures in terms of earthquake preparedness;
- Explain earthquake response procedures and present the proper way of reacting in affected areas (outdoors, inside the building, etc.);
- Advise on potential consequences and secondary effects after earthquakes (aftershocks, damages of technical infrastructure, fires, landslides, flooding, tsunamis, diseases, etc.);
- Raise awareness on responsibilities and individual roles.

2.2. Drills

The contractor shall organise a drill exercise for evacuation, first intervention, and first aid to all EMSA staff (around 250 staff members) plus possible outside visitors, in English, in EMSA's premises, on a predefined EMSA working day (Monday to Friday), and during EMSA's working hours (i.e. 09h30-17h00), upon EMSA's request, and in line with the periodicity required by law.

The contractor's specialised team shall prepare and accompany the drill exercises and shall supply all materials and equipment necessary for execution (e.g. jackets for the different teams, fire extinguishers to be used on the drill, masks, smoke generating machines, and other equipment it deems necessary).

The content of the drill exercise shall be adapted to the specific needs and risks of the building.

Upon completion of the drill, the contractor shall provide a post-drill report outlining the findings and proposing improvements and/or alterations to the IEP.

Objectives:

- Ensure that the training(s) undergone by EMSA staff is kept up to date;
- Practical verification of the existing IEP;
- Identify issues where there is room for improvement.

2.3. Consultancy services

EMSA may request consulting services for:

1. Analytic verification of existing IEP procedures;
2. Revision and re-drafting of IEP;
3. Preparation of instructions related to behaviour/actions in EMSA's premises classified as 'danger/critical zones' during emergencies;
4. Preparation of main objectives and scenarios for the informative trainings dedicated to the security guards in-house (external contractor);
5. Provision of information and technical advice with respect to legal requirements related to evacuation, first intervention and first aid;
6. Adjustment of the IEP to organisational, structural and/or functional changes in EMSA and/or its premises;
7. Improvements/alterations of the IEP based on post-drill reports;
8. Update of plans with respect to emergency exits;
9. Development of impact and risk assessments related to fire safety of the building and its users;
10. Preparation of leaflets to inform the EMSA's contractors and visitors (users of the Conference Centre and meeting rooms) how to act in case of emergency.

All documents requested under consultancy services must be prepared in English. If requested by EMSA, documents shall also be provided with a **translation to Portuguese certified according to Portuguese law** (i.e. by a notary or lawyer).

Upon request for consultancy services, the contractor must send a quotation to EMSA with an estimate of resources within 10 working days.

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

The Framework Contract will have a duration of 48 months and will be implemented by Order Forms. The preliminary indicative time planning for implementation is:

- a) General informative training: twice in the lifetime of the contract (depending on EMSA's needs);
- b) Evacuation Team training: twice in the lifetime of the contract (depending on EMSA's needs);
- c) First Intervention Team training: every 2 years (twice in the lifetime of the contract), 1st/2nd quarter of 2020 and 2022;
- d) Informative training related with earthquakes: twice in the lifetime of the contract (depending on EMSA's needs);
- e) Drill exercise: at least every 2 years (minimum twice in the lifetime of the contract), 3rd/4th quarter of 2020 and 2022;
- f) Consultancy services – *ad hoc* basis.

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 40000 excluding VAT.

7. Terms of payment

Payments will be made in accordance with the provisions of the draft **Framework Service Contract** available in the Procurement Section under the call to tender **EMSA/NEG/16/2019** 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 Service 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 / 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 points 9, 0 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 13.5 of these specifications.

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).

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

- a) Price must be quoted for Provision of trainings, drills and consultancy services in the safety domain and shall be all inclusive. Tenderers must fill in the Appendix 1 with the prices for each service type as specified in Section 2. **Failure to do so may lead to the rejection of the bid.**
- 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. However, the selection criteria may apply individually where it is relevant in view of their nature

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 exclusion situations listed in the 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.

13.3 Legal and regulatory capacity – Selection criteria

13.3.1 Requirements

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

13.3.2 Evidence

Copy of accreditation by the relevant national authority proving that it is authorised to perform the services described in Section 2 of the Tender Specifications, such as the one issued by *Autoridade Nacional de Protecção Civil* (ANPC) or equivalent in the country where the contractor is established.

13.4 Economic and financial capacity – Selection criteria

13.4.1 Requirement

Not applicable.

13.4.2 Evidence

Not applicable.

13.5 Technical and professional capacity – Selection criteria

13.5.1 Requirements

- a) The tenderer must have relevant technical capacity, namely a minimum of five years of experience in the provision of similar services.
- b) Staff involved in the implementation of the contract shall have an adequate level of education and professional qualifications (trainers must have at least 3 years of relevant professional experience) and must be able to implement the contract in the English language.

13.5.2 Evidence

- a) Certificate confirming at least five years of relevant business activity on the market;
- b) List of at least three clients where similar training projects have been carried out during the last five years (the list shall include the name of the client and the scope of the trainings and services);
- c) Detailed CV of each member of the team responsible for carrying out the trainings, drills, and consultancy services, including their educational background, degrees and diplomas, professional experience in fire safety domain, level of training, and linguistic skills (in particular English) – with clear indication of their roles during implementation of the contract (e.g. contract coordinator, trainer, consultant, back-up team member, etc).

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 ($W_1 = 20\%$): Proposed methodology for organising and carrying out trainings and drills, including location of the first intervention team training.
2. Quality criterion 2 ($W_2 = 30\%$): Quality of the material/equipment and team proposed for trainings, drills, and consultancy services, including the adequacy of the profiles proposed for the roles during contract implementation (e.g. composition in terms of contract coordinator, proposed trainers, proposed consultants, back-up team members, etc).

and the price criterion and associated weighting:

Price of the bid ($W_{price} = 50\%$) - Price of the scenario in Appendix 1.

The tenderer shall fill in the price table in the Appendix 1 and the 'Total price of the bid' based on the scenario. Failure to include prices for services in the tender will lead to its rejection.

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 , etc. will be taken into consideration when calculating the score for quality SQ , score for price SP and score S .

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

15. 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.

Appendix 1 – Financial Offer Template

(Failure to complete this Appendix may lead to the rejection of the tender)

PRICE LIST

	TYPE OF SERVICE	UNIT PRICE	PRICE SCENARIO	PRICE OF THE BID for evaluation purposes (unit price x scenario)
A.	General informative training for all EMSA staff <u>per training</u> (approx. 250 EMSA staff)		A x 2	
B.	Evacuation Team training <u>per training</u> (approx. 40 EMSA Staff)		B x 2	
C.	First Intervention Team training <u>per person</u>		(C x 20) x 2	
D.	Informative training related with earthquakes <u>per training</u> (approx. 250 EMSA staff)		D x 2	
E.	Drill exercise <u>per exercise</u> (approx. 250 EMSA staff plus outside visitors)		E x 2	
F.	Consultancy services <u>per hour</u>		F x 100	
G.	Certified document translation <u>per standard page (25 lines, 45 characters per line)</u>		G x 50	
	Total price of the bid for evaluation purposes (A*2 + B*2 + C*20*2 + D*2 + E*2 + F*100 + G*50)			