

Tender Specifications

Attached to the Invitation to tender

Invitation to tender No. EMSA/NEG/36/2019 for Security equipment in EMSA building

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

2.1. Contract objective and technical requirements

In order to increase the security level at EMSA premises, it has been decided to install new security equipment in the EMSA building.

The present tender relates to the upgrade of the existing security equipment at the entrance hall of the EMSA building situated in Lisbon (Praça Europa 4 - Cais do Sodré), with the following security equipment: an X-ray scanner for baggage and parcels, a walk-through multi-zone metal detection gate and a hand-held metal detector.

The tender covers the following:

- a) plan of the installation indicating technical requirements in the building;
- b) delivery of the equipment and essential accessories (all brand new products - production date: not earlier than 2019), fully compliant with applicable European and Portuguese regulations;
- c) transport to the EMSA premises, full installation of the equipment, configuration and calibration (up-and-running);
- d) all materials, cables, connections, etc;
- e) delivery of the products' documents, manuals, software packages, certification of all the works, as-built documentation;

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.).

- f) technical training for security staff about the set-up, operation and the images' interpretation of the X-ray scanning machine, walk-through metal detection gate and hand-held metal detector;
- g) re-training for security staff after six months of use;
- h) complete preventive maintenance, technical inspections and radiation measurements of the equipment during the period of the contract, service carried out every 6 months (8 services during the contract) - scope of the services according to producer's requirements, European and Portuguese regulations;
- i) corrective maintenance of devices related to technical issues not covered by the quality warranty (on request);
- j) collection of the equipment at the end of its life-cycle for recycling (the tender will need to deliver a proof of its disposal, according the safety recycling rules applied for this kind of radioactive material).

2.2. Scope of contract and technical requirements

This is a list of the requested security equipment and the technical requirements for the devices to be offered. Proposed devices shall comply with all of them. It is mandatory to present the technical data sheet of the devices proposed in the tender.

The list of security equipment and required specifications are as follows:

a) X-ray scanner for baggage and parcel inspection (incl. two beds with passive rollers):

- Tunnel size: min. 60 cm (W) x min. 40 cm (H)
- Length (device only): max. 210 cm
- Width: max. 90 cm
- Height: max. 145 cm
- Conveyor height: 75-85 cm
- Min. conveyor speed: 0,18 m/sec.
- Min. conveyor load: 150 kg
- Power supply: 220-240 V
- X-ray generator (anode voltage): 140-160 kV
- Min. steel penetration: typical: 30 mm / standard: 27 mm
- Max. external dose rate (radiation leakage) measured 10 cm from the scanner's body - 1.0 μ Sv/h (0.1 mrem)
- Dedicated for internal use, operating conditions (at least):
 - temperature: 10-40°C
 - relative humidity: 10-90% (non-condensing)
- Operator's console + monitor – movable (not fixed to the scanner's body)
- Flat panel LCD monitor min. 17" colour
- Image presentation: colour, B/W

- Detection of organic and non-organic materials
- Image zoom: min. 16x
- Return to image of previous scan
- Both directions conveyor movement (forward and return)
- Baggage counter
- Menu language of operation system and manual: English
- Additional accessories to be delivered:
 - two beds with passive rollers for front input and rear output, with stainless frame, dismountable, 40-60 cm long
 - min. four trays (size matched to tunnel dimensions).

b) Walk-through metal detection gate:

- Clear height: min. 205 cm
- Clear width: min. 70 cm
- Programmable sensitivity
- Localization zones – min. 24 zones / at least 12 vertical and 2 horizontal rows (left and right indication)
- Detection of ferrous and non-ferrous metals
- Dedicated for internal use, operating conditions (at least):
 - temperature: 10-40°C
 - relative humidity: 10-90% (non-condensing)
- Power supply: 220-240V / possibility of both sides' connection
- Audible and visible alarm signalling
- Random alarm capability system
- Persons counter
- Menu language of operation system and manual: English
- The device must be safe/harmless for pregnant women and people with cardiac pacemaker.

c) Hand-held metal detector (incl. two sets of batteries + charger):

- Weight: max. 450 g (including batteries)
- Dedicated for internal and external use, operating conditions (at least):
 - temperature: 0-40°C
 - relative humidity: 10-90% (non-condensing)
- Programmable sensitivity
- Detection of ferrous and non-ferrous metals
- Visual and audible detection alarm indication
- Low battery indicator (visual or audible)

- Batteries – rechargeable
- Battery life: min. 100 hours of continuous service
- Menu language of operation system and manual: English
- The device must be safe/harmless for pregnant women and people with cardiac pacemaker.

2.3. Warranty for the equipment and installation

Tenderers shall provide a minimum period of quality warranty of two years for all security devices and executed installations.

During the period of warranty, the tenderer is required to provide preventive maintenance and perform technical inspections of the equipment. The scope of services shall be established according to producer's requirements, EU and Portuguese regulations.

EMSA expects from the tenderers' proposals the extension of the standard two years quality warranty. If the tenderer provides a warranty (including preventive maintenance as described above) for a longer period, this should be specified in the technical offer and will be considered for evaluation purposes (Appendix 2). Every additional year of warranty presented by the tenderer over the required minimum will be additionally scored in the award (separately for X-ray scanner for baggage and parcel inspection, and walk-through metal detection gate).

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 estimated date for the delivery and installation of the security equipment is 1st/2nd quarter of 2020. Further services will be executed throughout the duration of the Framework Contract according to agreed planning.

5. Timetable

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

6. Estimated Value of the Contract

The maximum budget available for this contract is EUR 50000 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/36/2019** 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 it shall indicate in its 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) it shall indicate it in its 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).

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).

- 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, 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 13.5 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 **15** of these specifications;

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

11. Price

- a) Price must be quoted for Security equipment in EMSA building and shall include also the costs of transport (materials and personnel), all materials and installations, the protection and cleaning of the areas of intervention, all workmanships and all applicable insurances (particularly in terms of safety measures).
- 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 Union, 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 Standards / Prerequisites

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

13.3.2 Evidence

n/a

13.4 Economic and financial capacity – Selection criteria

13.4.1 Standards / Prerequisites

n/a

13.4.2 Evidence

n/a

13.5 Technical and professional capacity – Selection criteria

13.5.1 Standards / Prerequisites

The tenderer must have relevant technical capacity, namely a minimum of five years of previous experience in provision of the required services.

13.5.2 Evidence

- a) Statement or equivalent confirming at least five years of business activity on the market in an area relevant to the subject of the contract;
- b) List of at least three clients (name of the clients, type of devices installed) for which similar security equipment has been delivered and installed during last three years;

- c) Statement or equivalent from the manufacturer (producer of the security devices) confirming the professional competence of the tenderer to sell and install its products.

14. Declaration of Honour (DoH)

Please note that the tenderer shall provide information with regards its situation and on the natural or legal persons that are members of the administrative, management or supervisory body or that have powers of representation, decision or control and beneficial owners.

Upon request and within the time limit set by EMSA, the tenderer shall provide the following evidence concerning itself, the natural or legal persons as listed under the first paragraph, and concerning the natural or legal persons which assume unlimited liability for the debt of the tenderer:

For the exclusion situations described in (a), (c), (d), (f), (g) and (h) of the Declaration of Honour, 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 situations described in (a) and (b) of the Declaration of Honour, production of recent certificates issued by the competent authorities of the country of establishment 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.

The successful tenderer must provide the documents mentioned as supporting evidence before signature of the contract and within the deadline given by EMSA. This requirement applies to each member of the group in case of joint tender.

15. 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 ($W_1 = 25\%$): Quality of the proposal in terms of warranty for X-ray scanner for baggage and parcel inspection (Appendix 2).
2. Quality criterion 2 ($W_2 = 5\%$): Quality of the proposal in terms of warranty for walk-through metal detection gate (Appendix 2).

For all bids which offer extra years of warranty on top of the minimum requested threshold, the evaluators will give marks between 1 - 10 for this quality criterion. Attributed score is 10 points for the best offer in terms of extra years of warranty.

and the price criterion and associated weighting:

3. Price of the bid ($W_{Price} = 70\%$): For evaluation purposes, the tenderer shall fill in the Appendix 1 - PRICE LIST table no. 1 / TOTAL PRICE OF THE BID = e1 + e2 + e3 + (2 x e4) + (8 x e5).

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

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 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.

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 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 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.

Appendix 1 to the Tender Specifications – EMSA/NEG/36/2019

PRICE LIST – table no. 1

	Item	Proposed brand and model	Compliance with the requirements	Price of item in Euro (VAT excl.)
a	b	c	d	e
1	X-ray scanner for baggage and parcel inspection (including accessories) with delivery and installation as per points 2.1.a), b), c), d), e), j)		described in point 2.2.a) <input type="checkbox"/> YES <input type="checkbox"/> NO	
2	Walk-through metal detection gate with delivery and installation as per points 2.1.a), b), c), d), e), j)		described in point 2.2.b) <input type="checkbox"/> YES <input type="checkbox"/> NO	
3	Hand-held metal detector (including accessories) with delivery as per points 2.1.a), b), c), d), e), j)		described in point 2.2.c) <input type="checkbox"/> YES <input type="checkbox"/> NO	
4	Training (price per one session) as per points 2.1.f), g)	N/A	N/A	
5	Preventive maintenance and inspection (price per one service) as per point 2.1.h)	N/A	N/A	
TOTAL PRICE OF THE BID for evaluation purpose = (1 x e1) + (1 x e2) + (1 x e3) + (2 x e4) + (8 x e5)				

PRICE LIST – table no. 2

	Item	Description	Price in Euro
1	Corrective maintenance of devices as per point 2.1.i)	Technician (technical service on call) cost per hour during working hours between 9:00 – 18:00.	

The total final prices of the bid must be all inclusive – including the costs of transport (materials and personnel), all materials and installations, the protection and cleaning of the areas of intervention, all workmanships and all applicable insurances (particularly in terms of safety measures).

Appendix 2 to the Tender Specifications – EMSA/NEG/36/2019

WARRANTY PROPOSAL

	Item	Proposed warranty period (required minimum: 2 years)
1	Delivery and installation of X-ray scanner for baggage and parcel inspection (including accessories)	
2	Delivery and installation of walk-through metal detection gate	