

Tender Specifications

Attached to the Invitation to tender

Invitation to tender No. EMSA/NEG/15/2022 for Gala dinner for EMSA's 20th anniversary

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.

EMSA is applying the environmental management systems ISO 14001:2015 and EMAS (Environmental Management and Audit Scheme of the EU), aiming to continuously improve its environmental performance. EMSA complies with all applicable legal requirements relating to the environment and endeavours to ensure that suppliers comply with its environmental policy within the remit of the activities carried out for the contract. EMSA invites tenderers to consult the document and consider it when preparing bids.

This year marks 20 years since EMSA's foundation in 2002, and the Agency plans to organise a High-Level Maritime Conference, to be held at its Lisbon headquarters, on 16 and 17 June 2022. This event will gather key maritime stakeholders over two days to discuss the future of shipping and EMSA's contribution to it.

In line with the above-mentioned event, EMSA will host a Gala Dinner to its high-level guests, scheduled for 16 June 2022.

2. Objective, scope and description of the contract

The scope of this procurement procedure is the provision of services for the Gala Dinner, including a venue, greeters, catering services for welcome drink and dinner, decoration of the venue (lounge area and dining room), entertainment before, during and after the dinner, and all necessary services related to the high-level event.

The Gala dinner will take place on 16 June 2022 from 19h30 until 23h30, therefore the services shall in principle be available for the full duration of the event, unless specified otherwise.

The services shall be provided at the contractors' proposed venue, which shall be in the Lisbon area, within a maximum time distance by bus of 20 minutes from EMSA headquarters (Praça Europa, 4, Cais do Sodré).

The event involves the attendance of several VIPs and shall be organised as a VIP event in terms of related services. It is expected that the event will involve around 200 participants, that will arrive at the venue by bus (provided by EMSA) or by their own means. The final number of participants shall be communicated to the contractor(s) closer to the dates of the event, but not later than 8 June 2022.

Within the scope of this procedure, EMSA is procuring the following services:

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.).

- a) Venue for Welcome Drink and Gala Dinner
- b) Catering services for Welcome Drink and Dinner
- c) Decoration for lounge area and dining room
- d) Entertainment for three moments during the event
- e) Audio-visual equipment for the event
- f) Greeters for the event
- g) Support and related (ancillary) services upon request

Prices shall be submitted for all items using Appendix A.

2.1 General requirements

The general requirements for the services to be provided under this contract are as follows:

a) **Venue for Welcome Drink and Gala Dinner:**

- for the Welcome Drink, a lounge area (adjacent to the dining room) for 200 standing participants and enough space for entertainment as described in d.1) and d.3) below.
- for the Gala Dinner, a room with capacity for 200 seated participants, distributed by tables of 8 persons each with pre-defined allocated seats (to be shared to the Contractor by EMSA at least 2 working days before the event). The dining room shall have enough space for entertainment as described in d.2) below.

b) **Catering services for Welcome Drink and Gala Dinner:**

- Welcome Drink: including red, white, and sparkling wine, beer, Port wine, juices, still and sparkling water, soft drinks, salted nuts and crisps;
- Gala Dinner: sit-down meal, comprised of a starter, a main course, a dessert, and drinks (including wines in harmony with the dishes, beer, still and sparkling water, juices, soft drinks, coffee and tea). The items shall be prepared from the finest and freshest products; vegan (or vegetarian) options shall be foreseen.

Tenderers shall propose three Menu options at the same price, fully described, from which EMSA will choose one in the relevant Order Form. The prices presented in Appendix A shall be inclusive, besides the menus, also the waiters, kitchen and pantry service, assembly, disassembly and transport of the relevant material and all necessary equipment to perform the service.

c) **Decoration service for lounge area and dining room**

The **lounge area** decoration shall include: cocktail high and low tables, sofas and seats, carpets under the tables to delimit social space, and a carpet at the dining room entrance, ambience white and blue lights, flowers or similar decoration on the tables and small elements dispersed along the area.

The **dining room** decoration shall include: decoration on the tables (flowers, candles or another element to be decided by EMSA based on the contractor's offer), ambience white and blue lights, tablecloths, napkins, and any other necessary items in accordance with the high-level of the event.

In both areas, the colours for decoration used shall be white and blue and within the sea/vessels/maritime themes.

Tenderers shall include photos for two possible decoration options for each area.

d) **Entertainment** for three moments during the event:

- 1) Musical group to perform during the Welcome Drink;
- 2) Fado singer and guitar players performing 3 to 4 times during the dinner;
- 3) DJ for lounge chill out/soft music after dinner for approximately 1 ½ hours.

e) **Audio-visual equipment**: sound system for the lounge area and dining room according to the entertainment requests; projector and screen for projection of video in the dining room, projector for EMSA's logo in the lounge area, stage, pulpit, and portable microphone in the dining room; lights for lounge area and dining room in white and blue colours for entertainment, equipment technician to provide support during the event.

f) **Greeters for the event**: greeters to welcome participants, collect coats if needed, provide logistic information about the venue, Welcome Drink, dinner, etc., indicate allocated seats and to provide general assistance during the event.

g) **Support and related (ancillary) services** upon request may include, but are not limited to, additional audio-visual equipment or parking space (for EMSA team members). Tenderers should include in the tender their full-service catalogue with associated prices.

EMSA reserves the right to purchase all or only some of the abovementioned services based on Order Forms. Prices in Appendix A – shall be quoted for all services under “Price List”.

2.3 General conditions

- It is the contractor's responsibility to provide healthy, balanced, and tasty food options to EMSA guests attending the event. The contractor shall provide a nutritious and attractively presented selection of food and drinks.
- The contractor shall provide appropriately dressed service staff, tables, chairs, dishware, cutlery, and necessary items for the catering services. All services, including food, staff dress code and dishware, shall be adapted to the VIP event type. No plastic or branded materials shall be used.
- The contractor shall provide dishware, cutlery, glasses, and napkins for the catering services in sufficient numbers. Disposable items shall in principle not be used. The contractor is recommended to use environmentally friendly products and procedures.
- The contractor shall strive to optimise the use of water, energy and minimise waste, reducing the environmental impact of the event.
- The price of catering menus must include enough staff to perform and guarantee the set up and maintenance of the service indicated above.

- The contractor shall meet all the hygiene and food certification rules legally required for all relevant services provided.
- The contractor shall assume full responsibility for the behaviour and performance of its staff.

3. Contract management responsible body

EMSA Unit 4.2 will be responsible for managing the contract.

4. Timetable of the EMSA 20th Anniversary Gala Dinner

16 June 2022 from 19h30 until 23h30: 19h30 to 20h00 - Welcome Drink, 20h00 to 22h00 Dinner, 22h00 to 23h30 - musical entertainment.

5. Timetable

The estimated date for signature of the contract is May 2022.

6. Estimated Value of the Contract

The maximum budget available for this contract is EUR 35,000.00 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/15/2022** on EMSA's website (www.emsa.europa.eu).

8. Terms of contract

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. 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 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. However, the selection criteria may apply individually where it is relevant in view of their nature.

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 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.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) 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).
- c) **The Legal Entity Form** completed, signed by the person authorised to sign the contract and stamped along with the requested accompanying documentation, including recent proof of that authorisation (not more than one year old). 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 10, 13 13 and 14.2 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 Economic and Financial Capacity (part of the selection criteria) set out under point 14.4 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 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 1616 of these specifications;

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

12. Price

- a) Price must be quoted for the Gala dinner for EMSA's 20th anniversary services and shall include all the elements described under Point 2. Prices must be quoted using Appendix A. Failure to provide any price listed in this Appendix may lead to the rejection of the tender.
- 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.

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 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 group 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 group will be checked to ensure that the group 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 group. Tenders from 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, technical and professional 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** available on the Procurement Section 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 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.

14.3 Legal and regulatory capacity – Selection criteria

14.3.1 Standards / Prerequisites

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

14.3.2 Evidence

Declaration on Honour

14.4 Economic and financial capacity – Selection criteria

14.4.1 Standards / Prerequisites

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

14.4.2 Evidence

Declaration on Honour

14.5 Technical and professional capacity – Selection criteria

14.5.1 Standards / Prerequisites

- a) The tenderer must have the technical and professional capacity to perform the contract, with at least 5 years' experience within the relevant market.
- b) The proposed entertainers (musical group, fado singer and guitar players, and DJ) shall have experience of performing in at least 3 similar events.

14.5.2 Evidence

- a) List of similar events organised in the past 5 years.
- b) Brief CV of the proposed entertainers demonstrating relevant experience.

15. 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 points (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.

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.

16. 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 ($W_1 = 25\%$), adequacy of the proposed **methodology for use of the venue** to host the event as described in section 2.1 a) in terms of location (e.g. within an historical area; in the vicinity of maritime landmarks/ riverside); proposed spaces (e.g. dining room and lounge area adequate for high-level event); service level (e.g. organisation of the event related services, proposed service approach, flexibility to adjustments, etc.).
2. Quality criterion 2 ($W_2 = 25\%$), quality of the proposed **catering services**: range and adequacy of the proposed offer in terms of the three menu options – range and quality of the products (variety, biological, local, seasonal, non-industrial, etc.), quality of the cutlery and dining equipment (materials and design) and relevance to the high-level nature of the event, in accordance with the services described under section 2.1.b).;
3. Quality criterion 3 ($W_3 = 10\%$), quality and adequacy of the proposed **decoration** approach - theme, design, items and services related to the concept and scope of the event as described under section 2.1.c);

and the price criterion and associated weighting:

4. Price of the bid ($W_{price} = 40\%$). Price scenario as presented in Appendix A.

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 70% for Q_1 , a minimum of 70% for Q_2 , a minimum of 70% for Q_3 , and a minimum of 70% for Q_4 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.

17. 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.

18. 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.