

**AT-Vienna: provision of audiovisual and multimedia products  
and services for the EU Agency for Fundamental Rights**

**2009/S 188-269887**

**CONTRACT NOTICE**

**Services**

**SECTION I: CONTRACTING AUTHORITY**

- I.1) **NAME, ADDRESSES AND CONTACT POINT(S):**  
European Union Agency for Fundamental Rights, Schwarzenbergplatz 11, Attn: Procurement Section, A-1040 Vienna. E-mail: [procurement@fra.europa.eu](mailto:procurement@fra.europa.eu). Fax +43 158030-691.  
**Internet address(es):**  
General address of the contracting authority: <http://www.fra.europa.eu>.  
**Further information can be obtained at:** As in above-mentioned contact point(s).  
**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained at:** As in above-mentioned contact point(s).  
**Tenders or requests to participate must be sent to:** As in above-mentioned contact point(s).
- I.2) **TYPE OF THE CONTRACTING AUTHORITY AND MAIN ACTIVITY OR ACTIVITIES:**  
European institution/agency or international organisation.  
General public services.

**SECTION II: OBJECT OF THE CONTRACT**

- II.1) **DESCRIPTION**
- II.1.1) **Title attributed to the contract by the contracting authority:**  
Provision of audiovisual and multimedia products and services for the EU Agency for Fundamental Rights.
- II.1.2) **Type of contract and location of works, place of delivery or of performance:**  
Services.  
Service category: No 27.  
Main place of performance: the contractor's premises or any other place indicated in the tender.  
NUTS code: AT130.
- II.1.3) **The notice involves:**  
The establishment of a framework agreement.
- II.1.4) **Information on framework agreement:**  
Duration of the framework agreement: Duration in year(s): 4.  
Estimated total value of purchases for the entire duration of the framework agreement:  
Estimated value excluding VAT: 2 600 000 EUR.
- II.1.5) **Short description of the contract or purchase(s):**  
Lot 1: audiovisual products and services.  
Lot 2: multimedia products and services.
- II.1.6) **Common procurement vocabulary (CPV):**  
72212500, 32351300, 32323300.
- II.1.7) **Contract covered by the Government Procurement Agreement (GPA):**

No.

II.1.8) **Division into lots:**

Yes.

Tenders should be submitted for: one or more lots.

II.1.9) **Variants will be accepted:**

No.

II.2) **QUANTITY OR SCOPE OF THE CONTRACT**

II.2.1) **Total quantity or scope:**

Estimated value excluding VAT: 2 600 000 EUR.

II.2.2) **Options:**

No.

II.3) **DURATION OF THE CONTRACT OR TIME-LIMIT FOR COMPLETION:**

Duration in months: 48 (from the award of the contract).

**INFORMATION ABOUT LOTS**

**LOT NO 1**

TITLE: Audiovisual (AV) services and products

1) **SHORT DESCRIPTION:**

Development of concepts for audiovisual (AV) presentations and products;  
production of films, TV spots, web-TV materials;  
production of summaries and on-site AV services during conferences et al.;  
production of audio files;  
ability to develop and produce AV products for any channel (TV, web, DVD, Blu-Ray, mobile, etc.);  
preparation (including transcription) and insertion of subtitles;  
production of different language versions;  
production, and if needed, hosting of both live and on-demand webcasts or podcasts (audio and video);  
provision of media training using TV crews or TV studios (for FRA representatives in front of the camera);  
provision of technical training and support for in-house productions;  
production of A-roll and B-roll about the FRA and its activities;  
measuring the impact and efficiency of the products developed with regards to the target audiences.

2) **COMMON PROCUREMENT VOCABULARY (CPV):**

32321200, 32321300, 32351300.

3) **QUANTITY OR SCOPE:**

Lot 1 — AV products and services.

Estimated cost excluding VAT: 1 400 000 EUR.

4) **INDICATION ABOUT DIFFERENT DATE FOR DURATION OF CONTRACT OR STARTING/COMPLETION:**

Duration in months: 48 (from the award of the contract).

5) **ADDITIONAL INFORMATION ABOUT LOTS:**

**LOT NO 2**

TITLE: Multimedia products and services

1) **SHORT DESCRIPTION:**

Project or theme-specific web-enabled multimedia solutions, rich media presentation, animations and content visualisation aimed at serving the needs of different target groups including development of concepts for specific web and multimedia solutions;  
development of graphic design elements, style sheets, templates, et al.;  
development of solutions for content, data visualisation, e-games, animations 2D, 3D, highly interactive applications (e.g. e-books, audio-books, flash animations, shockwave movies, et al.);  
provision of user interface/screen design services ensuring usability and applying relevant web standards;  
ability to develop and implement for any available channel or medium (e.g. web, CD/DVD-ROM, USB-sticks, mobile technology, web, social media, et al.);  
provision of web research (identifying available materials, videos, content we could use related to our activities and for specific target groups);  
ability to provide web-writing and editing services as well as new media marketing services.

2) **COMMON PROCUREMENT VOCABULARY (CPV):**

32322000, 72212500, 72212520, 48500000.

3) **QUANTITY OR SCOPE:**

Estimated cost excluding VAT: 1 200 000 EUR.

4) **INDICATION ABOUT DIFFERENT DATE FOR DURATION OF CONTRACT OR STARTING/COMPLETION:**

Duration in months: 48 (from the award of the contract).

5) **ADDITIONAL INFORMATION ABOUT LOTS:**

**SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION**

III.1) **CONDITIONS RELATING TO THE CONTRACT**

III.1.1) **Deposits and guarantees required:**

III.1.2) **Main financing conditions and payment arrangements and/or reference to the relevant provisions regulating them:**

Payments under the framework contract shall be made in accordance with Articles 1.4 and 2.5 of the framework contract. Payments shall be executed only if the contractors have fulfilled all their contractual obligations by the date on which the invoice is submitted. Payment requests may not be made if payments for previous periods have not been executed as a result of default or negligence on the part of the contractor. The services shall be invoiced after they have been provided and approved by the Agency. 1 invoice for each deliverable specified in the specific contract shall be issued.

III.1.3) **Legal form to be taken by the group of economic operators to whom the contract is to be awarded:**

Consortia are allowed. In such cases, 1 of members must be designated as the group leader or group manager.

III.1.4) **Other particular conditions to which the performance of the contract is subject:**

No.

III.2) **CONDITIONS FOR PARTICIPATION**

III.2.1) **Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers:**

Information and formalities necessary for evaluating if requirements are met: candidates or tenderers shall be excluded from participation in a procurement procedure if:

(a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

- (b) they have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;
- (c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- (d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- (e) they have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- (f) following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations. Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:
- (g) are subject to a conflict of interest;
- (h) are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this information.

**III.2.2) Economic and financial capacity:**

Information and formalities necessary for evaluating if requirements are met: proof of economic and financial capacity shall be furnished by the following documents:

- (a) appropriate statements from banks or evidence of professional risks indemnity insurance. A minimum coverage of 245 000 EUR for Lot 1 and of 145 000 EUR for Lot 2 is required;
- (b) the presentation of the balance sheets or extracts from balance sheets for at least the last 2 years for which accounts have been closed shall be presented where publication of the balance sheets is required under the company law of the country in which the economic operator is established. It is necessary that the extracts from balance sheets be dated, signed and stamped by the representatives of the tenderer;
- (c) a statement of the overall turnover and turnover concerning the services and supplies relating to the last 2 financial years. A minimum turnover 245 000 EUR for Lot 1 and of 145 000 EUR for Lot 2 during the last 2 years is required.

**III.2.3) Technical capacity:**

Information and formalities necessary for evaluating if requirements are met:

- (a) the educational and professional qualifications of the service provider or contractor and/or those of the firm's managerial staff and, in particular, those of the person or persons responsible for providing the services or carrying out the works; in accordance with Annex A1 of the technical specifications;
- (b) a description of the technical equipment and tools to be employed by the firm for performing a service or works contract;
- (c) an indication of the technicians or technical bodies involved, whether or not belonging directly to the firm, especially those responsible for quality control;
- (d) a description of the measures employed to ensure the quality of supplies and services: the tenderer shall provide the ISO certificate for the services in this respect;
- (e) if the tenderer intends to subcontract any part of the services, an indication of the proportion of the contract which they intend to subcontract.

**III.2.4) Reserved contracts:**

No.

**III.3) CONDITIONS SPECIFIC TO SERVICES CONTRACTS**

III.3.1) **Execution of the service is reserved to a particular profession:**

No.

III.3.2) **Legal entities should indicate the names and professional qualifications of the staff responsible for the execution of the service:**

Yes.

**SECTION IV: PROCEDURE**

IV.1) **TYPE OF PROCEDURE**

IV.1.1) **Type of procedure:**

Open.

IV.1.2) **Limitations on the number of operators who will be invited to tender or to participate:**

IV.1.3) **Reduction of the number of operators during the negotiation or dialogue:**

IV.2) **AWARD CRITERIA**

IV.2.1) **Award criteria:**

The most economically advantageous tender in terms of the criteria stated below:

1. Methodology. Weighting: 70.
2. Quality of SLA and of onsite technical support presence. Weighting: 25.
3. Delivery time. Weighting: 5.

IV.2.2) **An electronic auction will be used:**

No.

IV.3) **ADMINISTRATIVE INFORMATION**

IV.3.1) **File reference number attributed by the contracting authority:**

FRA-CAR-2009-T02.

IV.3.2) **Previous publication(s) concerning the same contract:**

No.

IV.3.3) **Conditions for obtaining specifications and additional documents or descriptive document:**

Time limit for receipt of requests for documents or for accessing documents: 3.11.2009 - 17:00.

Payable documents: no.

IV.3.4) **Time-limit for receipt of tenders or requests to participate:**

9.11.2009 - 17:00.

IV.3.5) **Date of dispatch of invitations to tender or to participate to selected candidates:**

IV.3.6) **Language(s) in which tenders or requests to participate may be drawn up:**

Spanish. Danish. German. Greek. English. French. Italian. Dutch. Portuguese. Finnish. Swedish. Czech. Estonian. Hungarian. Lithuanian. Latvian. Maltese. Polish. Slovak. Slovenian. Irish. Bulgarian. Romanian.

IV.3.7) **Minimum time frame during which the tenderer must maintain the tender:**

Duration in month(s): 6 (from the date stated for receipt of tender).

IV.3.8) **Conditions for opening tenders:**

Date: 10.11.2009 - 10:30.

Place: European Union Agency for Fundamental Rights, Schwarzenbergplatz 11, 1040 Vienna, AUSTRIA.

Persons authorised to be present at the opening of tenders: yes.

an authorised representative of each tenderer may attend the opening of the bids. Companies wishing to attend are requested to notify their intention by sending a fax or e-mail at least 48 hours in advance to the fax or e-mail

given in Article 17 of the tender specifications. This notification must be signed by an authorised officer of the tenderer and specify the name of the person who will attend the opening on the tenderer's behalf.

#### **SECTION VI: COMPLEMENTARY INFORMATION**

**VI.1) THIS IS A RECURRENT PROCUREMENT:**

No.

**VI.2) CONTRACT RELATED TO A PROJECT AND/OR PROGRAMME FINANCED BY EU FUNDS:**

No.

**VI.3) ADDITIONAL INFORMATION:**

The maximum final score a tender offer can reach is 100 points. Tenders scoring less than 60% in the overall points total or less than 60 % in the points awarded for a single criterion will not be admitted to the next stage of the evaluation procedure. For each lot, the framework contract will be awarded to the tender that offers the best value for money based on the quality/price ratio of each tender, calculated as follows: score for tender X = cheapest evaluation scenario/evaluation scenario of tender X quality score (out of 100) for all criteria of tender X for both lots. The Agency will award a minimum of 3 multiple framework contracts with reopening competition, provided that sufficient number of admissible tenders meet the award criteria.

**VI.4) PROCEDURES FOR APPEAL**

**VI.4.1) Body responsible for appeal procedures:**

Court of First Instance of the European Communities, boulevard Konrad Adenauer, L-2925 Luxembourg. E-mail: [ECJ.registry@curia.europa.eu](mailto:ECJ.registry@curia.europa.eu). Tel. +352 4303-1. URL: <http://curia.europa.eu>. Fax +352 433766.

**Body responsible for mediation procedures:**

The European Ombudsman, 1, avenue du Président Robert Schuman, Post Box 403, F-67001 Strasbourg. E-mail: [euro-ombudsman@europarl.eu.int](mailto:euro-ombudsman@europarl.eu.int). Tel. +33 388172313. URL: <http://ombudsman.europa.eu>. Fax +33 388179062.

**VI.4.2) Lodging of appeals:**

Precise information on deadline(s) for lodging appeals: within 2 months of the notification to the plaintiff, or, in absence thereof, of the day on which it came to knowledge. A complaint to the European Ombudsman does not have as an effect either to suspend this period or to open a new period for lodging appeals.

**VI.4.3) Service from which information about the lodging of appeals may be obtained:**

Court of First Instance of the European Communities, boulevard Konrad Adenauer, L-2925 Luxembourg. E-mail: [ECJ.registry@curia.europa.eu](mailto:ECJ.registry@curia.europa.eu). Tel. +352 4303-1. URL: <http://curia.europa.eu>. Fax +352 433766.

**VI.5) DATE OF DISPATCH OF THIS NOTICE:**

18.9.2009.