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**Austria-Vienna: Biometric data in large EU IT systems in the areas
of borders, visa and asylum — fundamental rights implications
2015/S 136-250040**

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1) Name, addresses and contact point(s)

European Union Agency for Fundamental Rights
Schwarzenbergplatz 11
For the attention of: Procurement Section
1040 Vienna
AUSTRIA

Telephone: +43 158030610

E-mail: procurement@fra.europa.eu

Fax: +43 158030691

Internet address(es):

General address of the contracting authority: <http://www.fra.europa.eu>

Further information can be obtained from: The above mentioned contact point(s)

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from: The above mentioned contact point(s)

Tenders or requests to participate must be sent to: The above mentioned contact point(s)

I.2) Type of the contracting authority

European institution/agency or international organisation

I.3) Main activity

General public services

Other: Fundamental rights.

I.4) Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: no

Section II: Object of the contract

II.1) Description

II.1.1) Title attributed to the contract by the contracting authority:

Biometric data in large EU IT systems in the areas of borders, visa and asylum — fundamental rights implications.

II.1.2) Type of contract and location of works, place of delivery or of performance

Services

Service category No 27: Other services

Main site or location of works, place of delivery or of performance: The contractor's premises or any other place indicated in the tender documents.

NUTS code

II.1.3) **Information about a public contract, a framework agreement or a dynamic purchasing system (DPS)**

The notice involves a public contract

II.1.4) **Information on framework agreement**

II.1.5) **Short description of the contract or purchase(s)**

The overall objective of the contract is to analyse the broader fundamental rights implications of inserting, storing and searching biometric data in large-scale IT databases in the areas of asylum, borders and visa.

II.1.6) **Common procurement vocabulary (CPV)**

79315000

II.1.7) **Information about Government Procurement Agreement (GPA)**

The contract is covered by the Government Procurement Agreement (GPA): no

II.1.8) **Lots**

This contract is divided into lots: no

II.1.9) **Information about variants**

Variants will be accepted: no

II.2) **Quantity or scope of the contract**

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

The contract amount has been estimated at 590 000 EUR, excluding VAT. The contracting authority may exercise the option to increase the estimated contract amount at a later stage via negotiated procedure with the successful tenderer(s) in accordance with Article 134(1) (e) and (f) of the rules of application of the Financial Regulation.

Estimated value excluding VAT: 590 000 EUR

II.2.2) **Information about options**

Options: no

II.2.3) **Information about renewals**

This contract is subject to renewal: no

II.3) **Duration of the contract or time limit for completion**

Duration in months: 13 (from the award of the contract)

Section III: Legal, economic, financial and technical information

III.1) **Conditions relating to the contract**

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

Please refer to Section 8 of Annex A — tender specifications, available at: <http://fra.europa.eu/en/about-fra/procurement>

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

Please refer to Sections 7 and 8 of Annex A — tender specifications, available at: <http://fra.europa.eu/en/about-fra/procurement>

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

Please refer to Sections 10 and 11 of Annex A — tender specifications, available at: <http://fra.europa.eu/en/about-fra/procurement>

III.1.4) **Other particular conditions**

The performance of the contract is subject to particular conditions: 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 the requirements are met: Please refer to Sections 17.1 and 17.2 of the tender specifications (Annex A — tender specifications), available at: <http://fra.europa.eu/en/about-fra/procurement>

III.2.2) **Economic and financial ability**

Information and formalities necessary for evaluating if the requirements are met: Please refer to Section 17.2.1 of the tender specifications (Annex A — tender specifications), available at: <http://fra.europa.eu/en/about-fra/procurement>

Minimum level(s) of standards possibly required: Please refer to Section 17.2.1 of the tender specifications (Annex A — tender specifications), available at: <http://fra.europa.eu/en/about-fra/procurement>

III.2.3) **Technical capacity**

Information and formalities necessary for evaluating if the requirements are met:

Please refer to Section 17.2.2 of the tender specifications (Annex A — tender specifications), available at: <http://fra.europa.eu/en/about-fra/procurement>

Minimum level(s) of standards possibly required:

Please refer to Section 17.2.2 of the tender specifications (Annex A — tender specifications), available at: <http://fra.europa.eu/en/about-fra/procurement>

III.2.4) **Information about reserved contracts**

III.3) **Conditions specific to services contracts**

III.3.1) **Information about a particular profession**

Execution of the service is reserved to a particular profession: no

III.3.2) **Staff responsible for the execution of the service**

Legal persons 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 in the specifications, in the invitation to tender or to negotiate or in the descriptive document

IV.2.2) **Information about electronic auction**

An electronic auction will be used: no

IV.3) **Administrative information**

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

D-SE-15-T01.

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

no

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

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

10.9.2015 - 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**

Any EU official language

Other: But preferably in English.

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

Duration in months: 6 (from the date stated for receipt of tender)

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

Date: 17.9.2015 - 10:30

Place:

European Union Agency for Fundamental Rights' premises.

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

Additional information about authorised persons and opening procedure: 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 72 hours in advance to the fax or e-mail given under Section 14 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) **Information about recurrence**

This is a recurrent procurement: no

VI.2) **Information about European Union funds**

The contract is related to a project and/or programme financed by European Union funds: no

VI.3) **Additional information**

Tender documents will be available for download at the address indicated under heading I.1. The website will be updated regularly and it is the tenderers' responsibility to check for updates and modifications during the tendering period.

VI.4) **Procedures for appeal**

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

General Court

rue du Fort Niedergrünwald

2925 Luxembourg

LUXEMBOURG

E-mail: generalcourt.registry@curia.europa.eu

Telephone: +352 4303-1

Internet address: <http://curia.europa.eu>

Fax: +352 4303-2100

VI.4.2) **Lodging of appeals**

Precise information on deadline(s) for lodging appeals: You may submit any observations concerning the award procedure to the contracting authority indicated under heading I.1.

If you believe that there was maladministration, you may lodge a complaint to the European Ombudsman within 2 years of the date when you became aware of the facts on which the complaint is based (see <http://www.ombudsman.europa.eu>). Such complaint does not have as an effect either to suspend the time limit to launch an appeal or to open a new period for lodging an appeal.

Within 2 months of the notification of the award decision you may lodge an appeal to the body referred to in VI.4.1.

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

VI.5) **Date of dispatch of this notice:**

7.7.2015