AT-Vienna: monitoring and evaluation of the performance of the EU Agency for Fundamental Rights
2011/S 189-308053

Contract notice

Services

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
E-mail: procurement@fra.europa.eu

Internet address(es)
General address of the contracting authority http://www.fra.europa.eu
Electronic access to information 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)

I.2) Type of the contracting authority
European institution/agency or international organisation

I.3) Main activity
General public services

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:
Monitoring and evaluation of the performance of 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 11: Management consulting services [6] and related services
Main place of performance: The contractor's premises or any other place indicated in the tender.
NUTS code AT130

II.1.3) Information about a public contract, a framework agreement or a dynamic purchasing system (DPS)
The notice involves the establishment of a framework agreement

II.1.4) Information on framework agreement
Framework agreement with several operators
maximum number of participants to the framework agreement envisaged 5
Duration of the framework agreement
Duration in years: 4

Estimated total value of purchases for the entire duration of the framework agreement
Estimated value excluding VAT: 820 000 EUR

II.1.5) Short description of the contract or purchase(s)
The present framework contract concerns the timely gathering, analysis monitoring and reporting of accurate information (quantitative or qualitative) at the level of the FRA objectives and processes in relation to the FRA planning and programming cycle and will entail the following tasks that will be undertaken through specific contracts:

a) to review a consolidated performance measurement framework of the FRA by analysing the proposed methodology, the logic model and the list of developed results indicators;
b) to collect and gather information and data in order to establish a baseline situation that will be used to assess the achievement of the results as expressed in the performance measurement framework;
c) to design a monitoring and evaluation framework that will set out the methodology to be adopted, data collection methods and data sources to be used when implementing the monitoring and evaluation activities;
d) to implement the monitoring and evaluation activities at the level of the FRA results against the indicators defined in the performance measurement framework;
e) to provide the following monitoring and evaluation reports: an interim annual monitoring and evaluation report and a final annual monitoring and evaluation report that, based on the monitoring and evaluation activities, will describe the main results and achievements of the FRA;
f) advise on monitoring mechanisms and appropriate tools for data management;
g) to participate in several meetings that will be organised in the FRA premises to check the progress of the execution of the monitoring and reporting work.

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 purpose of this tender is to award a multiple framework contract with reopening of competition for the provision of services as described in Annex A.1, technical specifications.

Estimated total value of purchases for the entire duration of the framework agreement
Estimated value excluding VAT: 820 000 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: 48 (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
Where required by the contract for the payment of a prefinancing exceeding 150 000 EUR, the contractor shall provide a financial guarantee in the form of a bank guarantee or equivalent supplied by a bank or an authorised financial institution (guarantor) equal to the amount of prefinancing. Such guarantee may be replaced by a joint and several guarantee by a third party.

III.1.2) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them
As specified in the contract attached to the tender dossier.

III.1.3) Legal form to be taken by the group of economic operators to whom the contract is to be awarded
Joint tenders submitted by several economic operators (a consortium) are allowed. In such cases, 1 of members must be designated as the group leader or group manager. All members of a consortium or a group of companies (i.e. the leader and all other members) are jointly and severally liable towards the contracting authority. Changes in the composition of the consortium or group of companies must be expressly authorised by the contracting authority.

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: 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 European Union's financial interests;
(f) following another procurement procedure or grant award procedure financed by the European Union 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 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 ability**
Information and formalities necessary for evaluating if the requirements are met: Proof of economic and financial capacity of the tenderers shall be furnished by the following documents and minimum requirements:
(a) copy of the balance sheets and profit and loss accounts for the last 2 financial years for which accounts have been closed, where publication of the accounts is required under the company law of the country in which the economic operator is established. In the case of a consortium, each consortium member shall present their own balance sheets or extracts from balance sheets.
If the tenderer is not obliged to publish its accounts under the law of the state in which it is established, a copy of the audited accounts for the last 2 financial years should be presented. In the case of a consortium, audited accounts for each consortium partner shall be presented;
(b) a statement of the annual average turnover for the last 2 financial years for which accounts have been closed. The minimum average annual turnover of the tenderer shall be 100 000 EUR. In case of a consortium, the annual average turnover for each of the partners shall be presented. The sum of the annual average turnovers of each partner will be taken into account to reach the minimum annual average turnover of 100 000 EUR.
If for some exceptional reason which the contracting authority considers justified, the tenderer is unable to provide the documentary evidence requested above, he may prove his economic and financial capacity by any other means which the contracting authority considers appropriate.
Minimum level(s) of standards possibly required: (b) a minimum annual average turnover of 100 000 EUR during the last 2 years is required.

III.2.3) **Technical capacity**
Information and formalities necessary for evaluating if the requirements are met:
Proof of the technical and professional capacity of the tenderers shall be furnished by the following documents and minimum requirements:
(a) the educational and professional qualifications of the service provider or contractor and/or those of the firm’s managerial staff, in particular, those of the person or persons responsible for providing the services or carrying out the works. The tenderer is requested to include the CVs in Europass format of the profiles described in Annex A.1, technical specifications (available at [http://www.fra.europa.eu](http://www.fra.europa.eu)). The proposed CVs must possess the minimum educational and professional requirements stated in Annex A.1. The evidence of the educational and professional qualifications described in the CVs shall take the form of diplomas and employers’ certificates stating starting and end date of employment;
(b) a list of the principal services provided and supplies delivered in the past 3 years, with the sums, dates and recipients. Tenderers are required to prove that they have performed at least 3 projects of an amount/nature or scope similar to the services to be carried out under this tender.
The list of the principal services shall be accompanied by certificates of satisfactory performance and completion of the services.

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:**
F-SE-11-T05.

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: 2.11.2011 - 17:00
Payable documents: no

IV.3.4) **Time limit for receipt of tenders or requests to participate**
7.11.2011 - 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**

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 tenders**
Date: 15.11.2011 - 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 under 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) **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**
VI.4) **Procedures for appeal**

VI.4.1) **Body responsible for appeal procedures**
General Court of the European Union
boulevard Konrad Adenauer
2925 Luxembourg
LUXEMBOURG
E-mail: ecj.registry@curia.europa.eu
Telephone: +352 4303-1
Internet address: [http://curia.europa.eu](http://curia.europa.eu)
Fax: +352 433766

VI.4.2) **Lodging of appeals**

VI.4.3) **Service from which information about the lodging of appeals may be obtained**
General Court of the European Union
boulevard Konrad Adenauer
2925 Luxembourg
LUXEMBOURG
E-mail: ecj.registry@curia.europa.eu
Telephone: +352 4303-1
Internet address: [http://curia.europa.eu](http://curia.europa.eu)
Fax: +352 433766

VI.5) **Date of dispatch of this notice:**
21.9.2011