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**AT-Vienna: catering services  
2012/S 162-269186**

**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 158030-610

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>

Electronic access to information: [http://fra.europa.eu/fraWebsite/about\\_fra/procurement/open\\_calls/open\\_calls\\_en.htm](http://fra.europa.eu/fraWebsite/about_fra/procurement/open_calls/open_calls_en.htm)

**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

**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:**

Catering services.

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

Services

Main site or location of works, place of delivery or of performance: The main place of performance will be the contracting authority's premises.

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: 3

**Duration of the framework agreement**

Duration in months: 48

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

The purpose of the tender is to provide catering services at the premises of the contracting authority. The services will include:

- provision of food and beverages for catering purposes such as coffee breaks and lunches,
- provision of related human resources for the set-up, serving and dismantling of the catering stations.

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

55520000

**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:**

Estimated value excluding VAT: 285 000 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**

**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 governing them:**

Payments shall be executed only if the contractor has fulfilled all his contractual obligations by the date on which the invoice is submitted. Payment requests may not be made if payments for previous orders or specific contracts have not yet been executed as a result of default or negligence on the part of the contractor. Within 30 days from reception of the relevant invoices payment equal to 100 % of the total contract value shall be made.

**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 or a group of companies) are allowed. In such cases, one of the 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 EU's financial interests;

(f) following another procurement procedure or grant award procedure financed by the EU 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.

The contracting authority shall accept as satisfactory evidence that the tenderer is not in one of the situations described: for (a), (b), (c), (d), (e) and (f) above, a declaration on the tenderer's honour, duly signed and dated, stating that they are not in any of the situations listed; for (g) and (h) above, a declaration on the tenderer's honour, duly signed and dated, stating that they are not in any of the situations listed.

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

Information and formalities necessary for evaluating if the requirements are met: A statement of the annual average turnover for the last 2 financial years for which accounts have been closed. In the case of a consortium, the annual average turnover for each of the partners shall be presented. 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: The minimum average annual turnover of the tenderer shall be of 50 000 EUR. The sum of the annual average turnovers of each partner will be taken into account to reach the minimum annual average turnover of 50 000 EUR.

III.2.3) **Technical capacity**

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

A declaration or certificate of enrolment in a relevant professional or trade register.

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 below

1. Description of the procedure followed by the tenderer to address the submitted request of the contracting authority. This includes the steps to be taken to provide the required catering services and its organisation.

Weighting 50

2. Description of how the tenderer intends to manage the contract (account and contract management) including management of catering staff. Weighting 20

3. Description of the measures taken by the tenderer to ensure that the requested food and beverage are of the required variety (e. g. requests for vegetarian, halal, kosher and gluten-free options) and ensuring freshness of food and beverages. Weighting 30

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-12-T08.

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: 27.9.2012

Payable documents: no

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

2.10.2012

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

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: 9.10.2012

Place:

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

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 48 hours in advance to the fax or e-mail given in Section I.1 of the present document. 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**

All tender documents can be downloaded at the address of the buyer profile given in Section I.1 of this notice. Tenderers are strongly advised to check regularly on the contracting authority's website if either tender documents have been updated or if clarification requests received for this tender and the responses have been published (website address see Section I.1 of this contract notice).

VI.4) **Procedures for appeal**

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

General Court of the European Union  
2925 Luxembourg  
LUXEMBOURG  
E-mail: [generalcourt.registry@curia.europa.eu](mailto:generalcourt.registry@curia.europa.eu)  
Telephone: +352 4303-2100  
Internet address: <http://curia.europa.eu>

VI.4.2) **Lodging of appeals**

Precise information on deadline(s) for lodging appeals: Within 2 months of notification to the plaintiff, or in the absence thereof, of the day on which it came to the 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**

General Court of the European Union  
rue du Fort Niedergrünwald  
2925 Luxembourg  
LUXEMBOURG  
E-mail: [generalcourt.registry@curia.europa.eu](mailto:generalcourt.registry@curia.europa.eu)  
Telephone: +352 4303-2100  
Internet address: <http://curia.europa.eu>

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

14.8.2012