30/09/2009 S188 Community institutions – Commission – Works contracts – General information

I. II. III. IV. VI.

AT-Vienna: provision and installation of sound-absorbing equipment for acoustics and lighting system

2009/S 188-269882

CONTRACT NOTICE

Works

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. Tel. +43 158030-610. E-mail: 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.
The contracting authority is purchasing on behalf of other contracting authorities: yes.

SECTION II: OBJECT OF THE CONTRACT

II.1) **DESCRIPTION**

II.1.1) **Title attributed to the contract by the contracting authority:**
Provision and installation of sound-absorbing equipment for acoustics and lighting system.

II.1.2) **Type of contract and location of works, place of delivery or of performance:**
Works.
Realisation, by whatever means of work, corresponding to the requirements specified by the contracting authorities.
NUTS code: AT130 .

II.1.3) **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 purpose of this contract is the provision and installation of sound-absorbing equipment and lighting systems, used in conference and meeting areas, etc. at the contracting authority's premises.

II.1.6) **Common procurement vocabulary (CPV):**
45453100, 31527260.

II.1.7) **Contract covered by the Government Procurement Agreement (GPA):**
No.

II.1.8) **Division into lots:**
No.

II.1.9) **Variants will be accepted:**
No.

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

II.2.1) **Total quantity or scope:**
The maximum volume of the contract is estimated at 300 000 EUR.

II.2.2) **Options:**
No.

II.3) **DURATION OF THE CONTRACT OR TIME-LIMIT FOR COMPLETION:**
Duration in months: 12 (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:**
Not applicable.

III.1.2) **Main financing conditions and payment arrangements and/or reference to the relevant provisions regulating 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 periods have not been executed as a result of default or negligence on the part of the contractor.

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 the 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.
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 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 risk indemnity insurance;
(b) the presentation of balance sheets or extracts from balance sheets for at least the last 2 years for which accounts have been closed, where publication of the balance sheet 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.
Minimum level(s) of standards possibly required: (a) risk indemnity insurance: a minimum coverage of 100 000 EUR is required;
(b) a minimum turnover of 300 000 EUR during the last 2 years for which accounts have been closed is required.

Technical capacity:
Information and formalities necessary for evaluating if requirements are met:
Evidence of the technical and professional capacity of economic operators shall be furnished on the basis of the following documents:
(a) the educational and professional qualifications of the service provider or contractor and/or those of the firm's managerial staff should be in adherence to the profiles described in the technical specifications;
(b) a list of the services carried out in the last 5 years, with sums, dates and places. The service provider(s) must provide references of 3 related projects. Each of the 3 projects must be documented by a 2-page note describing the main tasks of the project, the project's duration, total project budget and resources used (man-days);
(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) if the tenderer intends to subcontract any part of the services, an indication of the proportion of the contract which the service provider may intend to subcontract;

III.2.3) (e) a statement of the average annual manpower and the number of managerial staff of the service provider or contractor in the last 3 years.
Minimum level(s) of standards possibly required:
(e) a minimum of 8 technical staff members is required.

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:**

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

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. Technical completeness. Weighting: 0,50.
2. Work plan programme. Weighting: 0,30.
3. Delivery time and installation. Weighting: 0,20.

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:**
'D/SU/09/01 Provision and installation of sound absorbing equipment for acoustic and lighting system'.

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: 4.11.2009.
Payable documents: no.

IV.3.4) **Time-limit for receipt of tenders or requests to participate:**
9.11.2009.

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: 17.11.2009 - 11:00.
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 I.1. This notification must be signed by an authorised officer of the tenderer and specify the name of the person who will attend the opening of the bids 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.

ADDITIONAL INFORMATION:
The contract will be awarded to the tender that offers the best value for money on the basis of the quality and the price.
The ranking of tenders in order to determine their relative value for money will be based on the

VI.3) quality/price ratio of each tender, calculated as follows: score for tender X = (lowest price):(price of tender X) * total quality score (out of 100) for all criteria of tender X.

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. 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, PO box 403, F-67001 Strasbourg Cedex. E-mail: euro-ombudsman@europarl.europa.eu. Tel. +33 388172313. URL: http://www.euro-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 the 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. Tel. +352 4303-1. URL: http://curia.europa.eu. Fax +352 433766.

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

18.9.2009.