

AT-Vienna: fundamental rights of persons with intellectual disabilities and persons with mental health problems
2010/S 37-053092

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, 1040 Vienna, AUSTRIA. 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: no.

SECTION II: OBJECT OF THE CONTRACT

II.1) DESCRIPTION

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

Fundamental rights of persons with intellectual disabilities and persons with mental health problems.

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

Services.

Main site or location of works: The place of performance of the tasks shall be the contractor's premises or any other place indicated in the tender.

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 subject of the contract is the provision of services related to the study on the social situation of persons with intellectual disabilities and persons with mental health problems in the European Union, in order to assess the extent to which their fundamental rights are respected and protected.

II.1.6) Common procurement vocabulary (CPV):

79315000.

II.1.7) Contract covered by the Government Procurement Agreement (GPA):

Yes.

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 value of the contract is estimated at 500 000 EUR.

II.2.2) **Options:**

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

Duration in months: 16 (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:**

A pre-financing guarantee is required in return for the payment of pre-financing.

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 the contractual obligations by the date on which the invoice is submitted. Payment requests may not be made if payments for previous periods have not yet 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 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 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 providing information on their financial situation or evidence of professional risks indemnity insurance;

(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 where publication of the balance sheets is required under the company law of the country in which the economic operator is established;

(c) a statement of the overall turnover during the last 2 financial years.

Minimum level(s) of standards possibly required: (a) a minimum coverage of 150 000 EUR is required;

(c) a minimum overall turnover of 150 000 EUR during the last 2 years is required.

III.2.3) 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 either by the following documents:

(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;

(b) 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.2.4) 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. Project management. Weighting: 30.
2. Methodology. Weighting: 60.
3. Data protection and copyright. Weighting: 10.

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/SE/10/02.

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: 1.4.2010.

Payable documents: no.

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

6.4.2010.

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: 14.4.2010 - 15:00.

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 under 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 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.

VI.3) **ADDITIONAL INFORMATION:**

Section IV.2.1 — award criteria:

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 50 % in the points awarded for a single criterion will not be admitted to the next stage of the evaluation procedure.

Financial evaluation:

The tender with the lowest financial offer will receive a price indicator of 100 points. The remaining offers will receive lower price indicators in proportion to their prices.

Awarding:

The contract will be awarded to the most economically advantageous offer on the basis of the following ratio between the total points scored and the price:

final score = quality points * 70 % + price points * 30 %.

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. 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, 67001 Strasbourg, FRANCE. E-mail: euro-ombudsman@europarl.europa.eu. Tel. +33 388172313. URL: <http://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:**

General Court of the European Union, boulevard Konrad Adenauer, 2925 Luxembourg, 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:**

11.2.2010.