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D-Frankfurt-on-Main: ECB - T052b furnishing planning

2010/S 139-212893

T052b furnishing planner — final 9.7.2010

Contract notice

Section I: Contracting authority

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

European Central Bank, attention: Mr Horst Roman-Müller, Kaiserstraße 29, 60311 Frankfurt-on-Main, GERMANY. Tel. +49 691344-0 (central switchboard). Fax +49 691344-6000 (central fax number). E-mail: newpremises-tender@ecb.europa.eu

Internet address(es):

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

Address of the tender forum for the new ECB premises procurement: <http://www.tender.new-ecb-premises.com>

Interested suppliers must register in the forum and download the application documents and complementing forms.

Further information can be obtained at:

As in abovementioned contact point(s).

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained at:

As in abovementioned contact point(s).

Tenders or requests to participate must be sent to:

As in abovementioned contact point(s).

I.2) Type of the contracting authority and main activity or activities:

European institution/agency or international organisation.

Economic and financial affairs.

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:

T052b furnishing planning.

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

Services.

Service category: No 12.

Main place of performance: Frankfurt-on-Main, GERMANY.

NUTS code: DE712.

II.1.3) The notice involves:

A public contract.

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

The European Central Bank (ECB) builds its new headquarters on the site of the former wholesale market in Frankfurt-on-Main, Germany. The successful contractor shall provide the furnishing planning (e.g. office or conference furniture) for the new ECB premises. Further general information on the project is available in the tender forum (Internet address see I.1 above).

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

79932000, 79931000, 71330000, 79418000, 71210000.

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 NEP-PO is seeking a company to provide the furnishing planning for the new ECB premises. The main objective of the services is:

- (i) to establish planning parameters and design criteria;
- (ii) to develop an adequate furnishing concept for the new ECB premises;
- (iii) to prepare the invitation to tender documentation;
- (iv) to contribute to the invitation to tender procedure; and
- (v) to develop a positioning and logistic concept for the furniture purchased.

The planning will establish the basis for future planning of deliverables. Preliminary planning in terms of 'organisational planning', i.e. the loose and the standard furnishing, has been carried out by an organisational planner, as well as by the architect in terms of fixed and non-standard furnishing. According to major functional areas the furniture can be categorised into:

- (i) office areas;
- (ii) meeting and conference areas;
- (iii) restaurant and cafeteria area; and
- (iv) library area.

The approximate volume of service is estimated according to the approximate office area of 90 000 m² GFA (gross floor area), meeting and conference area of 12 000 m² GFA, library area of 3 000 m² GFA, and restaurant area of 5 000 m² GFA.

II.2.2) **Options:**

Yes.

Description of these options: details will be provided in the ITT (invitation to tender).

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

Starting: May 2011.

Completion: March 2014.

Details will be provided in the invitation to tender (ITT), which will be sent to the shortlisted candidates.

Section III: Legal, economic, financial and technical information

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

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

Details will be provided in the invitation to tender (ITT), where applicable, which will be sent to the shortlisted candidates.

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

Details will be provided in the invitation to tender (ITT), where applicable, which will be sent to the shortlisted candidates.

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

Candidates may establish groupings with a view to jointly obtaining a contract. No specific legal form is required but the grouping members will have joint and several liability for performance of the contract.

The grouping must, in principle, remain unchanged from the start of the tender procedure until completion of the works. If unforeseen circumstances require a change in the composition of a grouping, the ECB may allow such change at its own discretion provided that the change does not distort competition amongst the candidates.

Companies that submit several applications or tenders (for example as a sole tenderer and member of a grouping or a member of several groupings) will in principle be excluded from the tender procedure. The ECB will ask all the companies concerned to provide evidence that their participation does not have a detrimental effect on competition. In particular, they must explain in detail what measures they have taken in order to prevent an exchange of essential information between candidates. The ECB will decide on whether to exclude the companies concerned from the tender procedure, taking into account the information provided and the principles of transparency, equal access, publicity and equal treatment.

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:

In line with Article 24 of the ECB procurement rules (see point VI.3. below) the following shall apply:

The ECB shall exclude candidates from participation in a tender procedure if they have been the subject of a judgment which has the force of 'res judicata' for fraud, corruption, money laundering, involvement in a criminal organisation or any other illegal activity detrimental to the financial interests of the EU, of the ECB or of the NCBs.

The ECB may exclude candidates from participation at any time 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 these 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;

(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 reside 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 declared by a court or an arbitration tribunal to be in serious breach of contract for failure to comply with their contractual obligations following another tender procedure;

(f) their management, staff or agents are subject to a conflict of interest;

(g) they are guilty of serious misrepresentation in supplying the information required by the ECB;
(h) they contact other candidates or tenderers with the purpose of restraining competition.
Further, candidates should be aware that the ECB may exclude a company which has been awarded the contract for T052b and its affiliates from the tender procedures for the procurement of furniture. Candidates shall indicate in their application if their main business purpose is furniture production and supply. Candidates must certify that they are not in any of the situations listed above by signing the application form and provide the evidence specified therein. Each member of a grouping must comply with these conditions. If such circumstances arise in the course of the procedure the candidate concerned shall inform the ECB thereof without undue delay.

III.2.2) Economic and financial capacity:

Information and formalities necessary for evaluating if requirements are met:
The signed application form, which specifies the total net turnover in the last 3 financial years.
Minimum level(s) of standards possibly required:
Financial capacity: accumulated total net turnover of at least 600 000 EUR in the last 3 financial years.
Temporary groupings may add the turnover of the grouping members.

III.2.3) Technical capacity:

Information and formalities necessary for evaluating if requirements are met:
The signed application form, which specifies the requested evidence as regards the minimal level(s) of standards required.

III.2.4) Reserved contracts:

No.

III.3) Conditions specific to service contracts

III.3.1) Execution of the service is reserved to a particular profession:

No.

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

Yes.

Details will be provided in the invitation to tender (ITT), where applicable, which will be sent to the shortlisted candidates.

Section IV: Procedure

IV.1) Type of procedure

IV.1.1) Type of procedure:

Negotiated.
Candidates have already been selected: no.

IV.1.2) Limitations on the number of operators who will be invited to tender or to participate:

Envisaged number of operators:
Envisaged minimum number: 3.
Objective criteria for choosing the limited number of candidates:
1. candidate's experience and expertise (reference projects) (80 %);
2. candidate's resources (20 %).
Scoring system:
A total of 10 000 points are obtainable. This maximum score is divided according to the weightings assigned to the different criteria and sub-criteria. The 'maximum score per criterion' is then divided by 4 in order to determine the base unit of the assessment for each criterion.

The scoring system for each criterion applies an assessment scale from 0 to 4 points maximum. In the evaluation process, the score (0–4 points) is multiplied by the base unit for each criterion. The tenderer's total score results from adding up the scores for the individual criteria. The minimum requirement of 3 000 points out of 10 000 points must be met. The complete scoring matrix is found in the application form.

The evaluation will solely be based on the application including its attachments.

IV.1.3) Reduction of the number of operators during the negotiation or dialogue:

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated: yes.

IV.2) Award criteria

IV.2.1) Award criteria:

The most economically advantageous tender in terms of the criteria stated below:

Criteria; weighting:

1. price; 60 %;
2. quality; 35 %;
3. contract conditions; 5 %.

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:

'T052b furnishing planning'.

IV.3.2) Previous publications 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:

18.8.2010 (12:00), CEST.

Payable documents: no.

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

Date: 18.8.2010 (12:00), CEST.

IV.3.5) Date of dispatch of invitations to tender or to participate to selected candidates:

Date: 30.9.2010.

IV.3.6) Language(s) in which tenders or requests to participate may be drawn up:

English, German.

Applications shall be submitted in English or German. Information on reference projects and related information may be submitted in English or German. External documents like company registrations and certificates may be submitted in their original language. The ECB may request the candidate to provide a certified translation.

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

IV.3.8) Conditions for opening tenders:

Place: at the address in I.1 above.

Persons authorised to be present at the opening of tenders: no.

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:**

Applicable rules:

The tender procedure is conducted in accordance with the European Central Bank Decision of 3.7.2007 laying down the Rules on Procurement (ECB/2007/5), amended by the European Central Bank Decision of 27.1.2009 (ECB/2009/2). Both decisions were published in the 'Official Journal of the European Union' (respectively OJ L 184 of 14.7.2007, p. 34 and OJ L 51 of 24.2.2009, p. 10) and are available on the ECB website at <http://www.ecb.europa.eu> (link: 'for suppliers').

Required format of applications:

(a) applications must be submitted as hard copies and on CD using the application form (with appendices) published in the tender forum. Details are outlined in the 'Supplementary Regulations for the Application Procedure' in the tender forum;

(b) applications submitted via e-mail are inadmissible and will not be considered.

Questions:

Any questions to the ECB should be submitted exclusively via the tender forum (see I.1 above). They may be in German or English and the answers will be provided in the language in which the questions were submitted.

Notification duty:

Should candidates or tenderers believe that the ECB's requirements stipulated in the contract notice, call for competition or additional documents are incomplete, inconsistent or illegal, or that the ECB or another candidate/tenderer has breached the prevailing award rules, they must notify the ECB in writing within 14 days. The deadline begins from the date on which they notice or should reasonably have noticed the irregularity. For irregularities regarding requirements stipulated in ECB documents, the notification must be made within a maximum of 14 days of the candidate or tenderer having access to these documents. Thereupon, the ECB can either amend or complete the requirements, remedy the irregularity or oppose the request, providing the reasons therefore. Objections not notified to the ECB within this deadline cannot be raised at a later date.

Subcontracting:

Candidates may rely on the capacities of other entities as subcontractors, in particular with regard to the technical capacity (see III.2.3), regardless of the legal nature of the links which they have with them. The candidate must prove that it will have at its disposal the resources necessary, for example, by producing an undertaking by those entities to that effect.

The use of subcontractors does not modify the candidate's responsibility and liability for due performance of all obligations under the works contract. The ECB reserves the right to refuse any subcontractor for valid reasons taking into account the principles of transparency, equal access, publicity and equal treatment. The replacement of a major subcontractor and the subcontracting of additional major works will require the ECB's prior approval. Companies that submit sole applications and, at the same time, appear as subcontractors to another candidate, and companies that appear as subcontractor to several candidates, will in principle not be excluded from the tender procedure. In either case, the ECB will request all companies affected to evidence that the participation does not have a detrimental effect on competition. They must in particular explain in detail what measures they have taken in order to prevent an exchange of critical information between the competing candidates. The ECB will decide on an exclusion from the tender procedure taking into account the information provided and the principles of transparency, equal access, publicity and equal treatment.

Exclusion from the tender procedure:

The ECB may, in its own discretion, exclude candidates from the tender who do not comply with the requirements and conditions set out in the application form and contract notice or do not provide the information requested.

Cancellation of the tender procedure:

The ECB reserves the right to cancel the tender procedure as a whole or in parts. The decision will take into account the principles of transparency, equal access, publicity and equal treatment.

Liability and compensation:

The ECB is not liable for any costs nor shall it reimburse any expenses or losses which candidates incur or suffer in connection with the tender procedure, including in the event of a cancellation.

Language requirement for the conduct of the services:

Candidates should note that for the communication with the responsible business areas, English language skills are required.

VI.4) Procedures for appeal

VI.4.1) Body responsible for appeal procedures:

Procurement Review Body of the European Central Bank, c/o Legal Advice Team, Kaiserstraße 29, 60311 Frankfurt-on-Main, GERMANY. Tel. +49 691344-0 (switchboard). Fax +49 691344-6558. E-mail: LegalAdviceTeam@ecb.europa.eu Internet: <http://www.ecb.europa.eu>

Body responsible for mediation procedures:

The European Ombudsman, 1 avenue du Président Robert Schuman, CS 30403, 67001 Strasbourg Cedex, FRANCE.

VI.4.2) Lodging of appeals:

Precise information on deadline(s) for lodging appeals:

15 days from the receipt of the information specified in Article 28(3) of the ECB procurement rules (see Section VI.3) or, if no information is requested, 15 days from the receipt of the notification to unsuccessful tenderers.

Further requirements are outlined in Article 33 of the ECB procurement rules (see Section VI.3).

The complaint to the European Ombudsman does not affect the submission deadline nor does it create a new deadline by which complaints can be submitted.

VI.5) Date of dispatch of this notice:

9.7.2010.