

France-Valenciennes: ERA 2016 02 OP 'Provision of legal services in the field of preparation and implementation of the Agency's new tasks envisaged after the adoption of the European Commission legislative proposal "4th railway package — technical pillar"

OJ S 26/2016 06/02/2016

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: European Railway Agency

Postal address: 120 rue Marc Lefrancq

Town: Valenciennes

Postal code: 59300

Country: France

For the attention of: Procurement

E-mail: procurement@era.europa.eu

Telephone: +33 327096500

Internet address(es):

General address of the contracting authority: <http://www.era.europa.eu/The-Agency/Procurement/Pages/Procedures-over-60000.aspx>

Additional information can be obtained from:

the abovementioned address

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

the abovementioned address

Tenders or requests to participate must be submitted: the abovementioned address

I.2. Type of the contracting authority

European institution/agency or international organisation

I.3. Main activity

Other: Railways.

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

ERA 2016 02 OP 'Provision of legal services in the field of preparation and implementation of the Agency's new tasks envisaged after the adoption of the European Commission legislative proposal "4th railway package — technical pillar".

II.1.2. Type of contract and place of performance or delivery

Services

Service category No 21: Legal services

Main site or place of performance: At the contractor's premises and at ERA.
NUTS code

II.1.3. Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

II.1.4. Information about framework agreement

Framework agreement with several operators

Maximum number Envisaged maximum number of participants to the framework agreement
: 3

Duration of the framework agreement

Duration in years: 2

Estimated total value of purchases for the entire duration of the framework agreement

Estimated value excluding VAT: 60 000 EUR

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

Legal analysis under EU law of specific aspects related to the implementation of the Agency's new tasks envisaged after the adoption of the European Commission legislative proposal '4th railway package' http://ec.europa.eu/transport/modes/rail/packages/2013_en.htm

II.1.6. CPV code(s)

79100000 Legal services

II.1.7. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: 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. Scope of the procurement

II.2.1. Total quantity or scope

The initial maximum value of the contract is 60 000 EUR, but in case the use of FWC is faster than initially assumed or additional similar services are required, provided that these do not account for more than 50 % of the initial contract value, the Agency, in compliance with Article 114a(3)(a) of the Financial Regulation, reserves the right to modify the FWC.

II.2.2. Information about options

Options: no

II.2.3. Information about renewals

This contract is subject to renewal: yes

Number of possible renewals: 1

In the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts:

in months: 12 (from the award of the contract)

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

Duration in months: 24 (from the award of the contract)

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

None.

III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

See tender.

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

See tender.

III.1.4. Contract performance conditions

III.2. Conditions for participation

III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: See tender.

III.2.2. Economic and financial ability

List and brief description of conditions: Not applicable.

III.2.3. Technical and professional ability

List and brief description of conditions:

1. Proof of authorisation to perform the contract under national law, as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organisation, express authorisation, or entry in the VAT register.
2. List of at least 3 relevant services similar to the tasks envisaged under the present specifications in the field of legal analysis in regulated sectors provided in the past 3 years with:
 - a) brief description of the services rendered and how they would be relevant to the ones envisaged in this document; and
 - b) dates and recipients, public or private, with at least 1 service valued at a minimum of 15 000 EUR.
3. The tenderer must have proven experience in all the following:
 - a) legal analysis and advice on issues of legal liability in an international or EU context and drafting reports and recommendations;
 - b) legal analysis and advice on issues regarding the functioning of judiciary bodies and drafting opinions and recommendations.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

III.3.2. Information about staff responsible for the performance of the contract

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: yes

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Open

IV.1.2. Information about the limits on the number of candidates to be invited

IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue

IV.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of Criteria below

1. Technical criteria. Weighting 70
2. Price. 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

ERA 2016 02 OP.

IV.3.2. Previous publication concerning this procedure

Prior information notice

Notice number in the OJ S: [2015/S 243-440493](#) of 16.12.2015

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: 9.3.2016 - 12:30
Payable documents: no

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

9.3.2016 - 12:30

IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.3.6. Languages in which tenders or requests to participate may be submitted

Any EU official language

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

Duration in days: 180 (from the date stated for receipt of tender)

IV.3.8. Conditions for opening of tenders

Date: 16.3.2016 - 14:00

Place:

at ERA HQ.

Persons authorised to be present at the opening of tenders: yes

Information about authorised persons and opening procedure: 1 per tenderer.

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:
no

VI.3. Additional information

VI.4. Procedures for review

VI.4.1. Review body

VI.4.2. Review procedure

VI.4.3. Service from which information about the review procedure may be obtained

VI.5. Date of dispatch of this notice

27.1.2016