

Spain-Vigo: Legal Services in the Field of Maritime Law, Marine Insurance Law, Law of the Sea and Aviation Law

OJ S 47/2020 06/03/2020

Contract notice

Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: European Fisheries Control Agency

Postal address: Avenida García Barbón, 4

Town: Vigo

NUTS code: ES114 Pontevedra

Postal code: 36201

Country: Spain

Contact person: EFCA Procurement

E-mail: procurement@efca.europa.eu

Telephone: +34 986120610

Fax: +34 886125237

Internet address(es):Main address: <http://www.efca.europa.eu>**I.3. Communication**The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://etendering.ted.europa.eu/cft/cft-display.html?cftId=5997>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://etendering.ted.europa.eu/cft/cft-display.html?cftId=5997>

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

I.4. Type of the contracting authority

European institution/agency or international organisation

I.5. Main activity

General public services

Section II: Object

II.1. Scope of the procurement**II.1.1. Title**

Legal Services in the Field of Maritime Law, Marine Insurance Law, Law of the Sea and Aviation Law

Reference number: EFCA/2020/OP/01

II.1.2. Main CPV code

79000000 Business services: law, marketing, consulting, recruitment, printing and security

II.1.3. Type of contract

Services

II.1.4. Short description

The contractor shall provide to EFCA legal services in the field of maritime law, marine insurance law, law of the sea and aviation law. Note: the budget does not cover litigation and pre-litigation cases. Any services that EFCA may require related to litigation or pre-litigation cases would be procured separately.

II.1.5. Estimated total value

Value excluding VAT: 200 000,00 EUR

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

79100000 Legal services, 79900000 Miscellaneous business and business-related services, 79110000 Legal advisory and representation services, 79130000 Legal documentation and certification services

II.2.3. Place of performance

NUTS code: ES114 Pontevedra

Main site or place of performance: The tasks are to be performed at the premises designated by the contractor.

II.2.4. Description of the procurement

The following tasks are listed in order of estimated volume needs.

Task A: Legal advice estimated at 30 % of the contract volume. The contractor shall primarily provide legal advice in the field of maritime law, marine insurance law and law of the sea relating to the implementation of the current FWC (hereinafter 'the FWC') for the chartering of an offshore vessel and/or any possible future maritime related contract EFCA may conclude. The legal advice will mainly consist in interpreting the terms of the FWC, identifying possible liabilities and legal exposure of EFCA arising from the employment of the vessel as well as advice on P&I matters. Likewise, the contractor shall provide legal advice relating to aerial surveillance services used by EFCA and RPAS deployed from its chartered vessel. The contractor shall provide legal advice and support during a procurement process that EFCA may launch for chartering maritime or aerial assets;

Task B: Drafting of legal documents at estimated 30 % of the contract volume. The contractor will be requested to draft legal documents, including the future FWC for the chartering of an offshore vessel (hereinafter 'the future FWC') and parts of tender documentation, which will have to be re-tendered in 2021 at the latest;

Task C: Document review estimated at 20 % of the contract volume. The contractor shall review possible agreements and contracts that EFCA may conclude with other European Agencies (like FRONTEX and EMSA) or a member state or directly with a company, identify potential liability issues for EFCA and advice accordingly, including on suitable insurance cover;

Task D: Assistance with claims on ad-hoc basis. In case of claims against EFCA or of EFCA, including those arising from the FWC or the future FWC and/or insurance coverage of the P&I club, the contractor shall provide full legal support;

Task E: Representation/attendance in meetings on ad-hoc basis. If requested by EFCA, the contractor shall represent EFCA or attend meetings with the shipping or the aviation company, the P&I club or any other relevant party;

Task F: Record keeping. The contractor shall keep a record/archive of the tasks being assigned to them by EFCA including a summary of the proposed way of action;

Task G: General cooperation.

Note: in the unlikely event that the contractor was requested to travel to perform tasks under the contract, related eligible expenses would be reimbursed in accordance with article I.5.3 of the draft contract in Annex A.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

Value excluding VAT: 200 000,00 EUR

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

Subject to budgetary availability, satisfactory performance of the initial contract and continued requirement by EFCA, the contract may be renewed 3 times for a period of 1 year.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

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

II.2.14. Additional information

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions:

The contractor shall be a law firm providing services in maritime law, marine insurance law, law of the sea and aviation law.

III.1.2. Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3. Technical and professional ability

Selection criteria as stated in the procurement documents

III.2. Conditions related to the contract

III.2.1. Information about a particular profession

Execution of the service is reserved to a particular profession Reference to the relevant law, regulation or administrative provision:
Legal profession.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Open procedure

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

The procurement involves the establishment of a framework agreement
Framework agreement with a single operator

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

IV.2. Administrative information

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 06/04/2020 Local time: 15:30

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.2.4. Languages in which tenders or requests to participate may be submitted

Bulgarian, Czech, Danish, German, Greek, English, Spanish, Estonian, Finnish, French, Irish, Croatian, Hungarian, Italian, Lithuanian, Latvian, Maltese, Dutch, Polish, Portuguese, Romanian, Slovak, Slovenian, Swedish

IV.2.6. Minimum time frame during which the tenderer must maintain the tender

Duration in months: 9 (from the date stated for receipt of tender)

IV.2.7. Conditions for opening of tenders

Date: 07/04/2020 Local time: 15:30

Place:

European Fisheries Control Agency, room 6.15, Avenida García Barbón, 4, 36201 Vigo (Pontevedra), SPAIN.

Information about authorised persons and opening procedure: A maximum of 2 representatives per tenderer may attend the opening session. For organisational and security reasons the tenderer must provide the full name, ID or passport number of the representatives at least 2 working days in advance to: procurement@efca.europa.eu The representatives are required to present the tender reception confirmation generated by eSubmission.

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: yes

Estimated timing for further notices to be published:

Publications of further services are likely to follow a 4-year cycle.

VI.2. Information about electronic workflows

Electronic ordering will be used
Electronic invoicing will be accepted
Electronic payment will be used

VI.3. Additional information**VI.4. Procedures for review****VI.4.1. Review body**

Official name: General Court
Postal address: rue du Fort Niedergrünwald
Town: Luxembourg
Postal code: 2925
Country: Luxembourg
E-mail: generalcourt.registry@curia.europa.eu
Telephone: +352 4303-1
Internet address: <http://curia.europa.eu>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:
See internet address provided in Section I.3).

VI.5. Date of dispatch of this notice

25/02/2020