

Germany-Munich: Miscellaneous business-related services

OJ S 76/2020 17/04/2020

Contract notice

Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Goethe-Institut e.V. — Zentrale

Postal address: Oskar-von-Miller-Ring 18

Town: Munich

NUTS code: DEA11 Düsseldorf, Kreisfreie Stadt

Postal code: 80333

Country: Germany

Contact person: Goethe-Institut e.V.

E-mail: kassandra-beckmann@goethe.de

Internet address(es):

Main address: www.goethe.de

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.dtv.de/Satellite/notice/CXP4YXSD980>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://www.dtv.de/Satellite/notice/CXP4YXSD980>

I.4. Type of the contracting authority

Other type: Awarding authority pursuant to § 99 Number 2 GWB

I.5. Main activity

Other activity: Education and culture

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Digital Activation Promotion

II.1.2. Main CPV code

79990000 Miscellaneous business-related services

II.1.3. Type of contract

Services

II.1.4. Short description

The procurement as outlined in more detail in the service description (Part B of the tender documents) is for the planning and execution of a small-scale activation promotion for the

Studio Olafur Eliasson Future GmbH (SOEF) app, in all 27 EU countries at the end of June 2020. The contractor (Promotion Organiser) shall be responsible to perform these services. It is the ultimate goal of this promotion to collect messages using the app from at least 10 children from each of the 27 EU countries. The Promotion Organiser is responsible for finalising the promotion's concept with SOEF team, ensuring participation of enough children, producing digital and non-digital activation material (excluding the app and other material provided by SOEF team), execution of the promotion and providing upon the end of the activation.

II.1.5. Estimated total value

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.3. Place of performance

NUTS code: DE212 München, Kreisfreie Stadt

Main site or place of performance: Munich.

II.2.4. Description of the procurement

The procurement as outlined in more detail in the service description (Part B of the tender documents) is for the planning and execution of a small-scale activation promotion for the Studio Olafur Eliasson Future GmbH (SOEF) app, in all 27 EU countries at the end of June 2020. The contractor (Promotion Organiser) shall be responsible to perform these services. It is the ultimate goal of this promotion to collect messages using the app from at least 10 children from each of the 27 EU countries. The Promotion Organiser is responsible for finalising the promotion's concept with SOEF team, ensuring participation of enough children, producing digital and non-digital activation material (excluding the app and other material provided by SOEF team), execution of the promotion and providing upon the end of the activation.

The value of the present tender is — significantly — below the relevant EU threshold. Accordingly, the present notice has been published voluntarily. The aim is to create the highest possible degree of competition. As a consequence, however, the legal regime for procurement procedures above the EU thresholds does not apply. This applies, in particular, to the possibilities of taking legal action against the procurement procedure or the award decision, respectively. Sections 155 et seq. of the German act against restraints of competition (Gesetz gegen Wettbewerbsbeschränkungen — GWB) do not apply.

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: 50 000,00 EUR

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

Start: 15/05/2020 End: 01/07/2020

This contract is subject to renewal: no

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:

- 1) Self-declaration confirming that no grounds for exclusion apply in accordance with section 31 UVgO in conjunction with sections 123 and 124 GWB (to be submitted as form Annex A.1 and Annex A.2).
- 2.1) Proof of entry (e.g. certificate or excerpt) in the trade register of the state in which the tenderer is established. The proof may not be older than 6 months at the expiry of the time limit for the submission of tenders. If a tenderer is not required to be registered in a professional or trade register under the law of the state in which he is established, he must make a self-declaration on this and on the reasons (e.g. the legal status). For the member states of the European Union, the respective professional or trade registers and the certificates or declarations of professional practice are set out in Annex 11 to directive 2014/24 /EU; if a proof of entry is issued only once according to the legal framework of the state in which the tenderer is established it is admissible to submit an older proof under the condition that the circumstances are explained by the tenderer.
- 2.2) Alternative proof: provided that the tenderer is not registered in the trade register, alternative proof of suitability to pursue the professional activity (e.g. entry in a partnership or association register, membership in a business association). Supplementary documents (e.g. certificate or excerpt from the trade register) are to be enclosed as separate documents to the tender.
- 3) Meaningful company presentation with reference to the subject of the contract, the general service portfolio, the main areas of activity of the last 3 years and experience in cooperation with public clients and digital activation promotion.

III.1.2. Economic and financial standing

List and brief description of selection criteria:

- 1) total turnover (to be submitted as form Annex A.3): annual turnover in EUR (net), based on the last 3 financial years before the expiry of the time limit for the submission of tenders;
- 2) specific turnover (to be submitted as form Annex A.4): annual turnover in relation to the scope of the contract (digital activation promotion) in EUR (net) in relation to the last 3 financial years before the expiry of the time limit for the submission of tenders.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

- 1) Suitable references (to be submitted as form Annex A.5) for previously executed contracts in the form of a list of the services provided in the last 3 years before the expiry of the time limit for the submission of tenders, including the following information:

- description of the services provided, their nature, extend and difficulty, including an indication of the number of staff employed;
- order value in EUR (net);
- performance period;
- declaration on the performance of the services as contractor, subcontractor or member of a consortium;
- competent contact person with the client.

Additionally, the tenderer is requested to provide representational images, drawings and text for each reference.

2) Declaration (to be submitted as form Annex A.6) on the average annual number of permanent employees of the tenderer and the number of executives in the last 3 years before the expiry of the time limit for the submission of tenders.

Minimum level(s) of standards possibly required:

1) At least two references must be proven covering services that are comparable in terms of type, scope and difficulty with the services of the contract to be awarded here if the following three criteria are completely fulfilled:

- experience organising events or promotions in multiple EU countries;
- experience working with artistic projects;
- experience working simultaneously with physical and digital forms of production and outreach.

Comparability must be verifiable on the basis of the information provided by the tenderer.

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

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: 06/05/2020 Local time: 09:00

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

German, English

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

Tender must be valid until: 05/08/2020

IV.2.7. Conditions for opening of tenders

Date: 06/05/2020 Local time: 09:00

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.3. Additional information

A. The value of the present tender is — significantly — below the relevant EU threshold. Accordingly, the present notice has been published voluntarily. The aim is to create the highest possible degree of competition. As a consequence, however, the legal regime for procurement procedures above the EU thresholds does not apply. This applies, in particular, to the possibilities of taking legal action against the procurement procedure or the award decision, respectively. Sections 155 et seq. of the German act against restraints of competition (Gesetz gegen Wettbewerbsbeschränkungen — GWB) do not apply.

B. Several tenderers may form a bidding consortium (to be submitted as form Annex A.7). In the case of a bidding consortium, all documents listed under section III.1.1) must be submitted by all members of the bidding consortium. The documents listed under section III.1.2) and section III.1.3) may be submitted for the bidding consortium as a whole.

C. A tenderer/bidding consortium may provide for the execution of parts of the contract by subcontractors within the meaning of section 26 (1) UVgO. In this case, the tenderer/bidding consortium shall specify the party of the contract which it intends to subcontract to other enterprises. In addition, the tenderer/bidding consortium must name and address the intended subcontractors in the tender (to be submitted as form Annex A.8) and submit the documents referred to in section III.1.1) for the respective subcontractor. The awarding authority reserves the right to request the submission of a letter of commitment (Verpflichtungserklärung) within the meaning of section 26 (1) UVgO before awarding the contract. If the tenderer/bidding consortium intends to use the capacities of subcontractors with regard to economic and financial as well as technical and professional capacity, C) shall also apply.

D. A tenderer/bidding consortium may, with regard to the required economic and financial as well as technical and professional capacity, make use of the capacities of other companies — including subcontractors within the meaning of section 26 (1) UVgO (cf. section 34 UVgO). In this case, the tenderer/bidding consortium must name and address these other enterprises (third parties) in the tender (to be submitted as form Annex A.9) and submit all of the documents specified in section III.1.1) for these third parties. The tenderer/bidding consortium must submit the documents listed under section III.1.2) and section III.1.3) for these third parties to the extent that the tenderer/bidding consortium makes use of the capacities of the third party with regard to the required economic and financial and/or technical and professional capacity. Furthermore, the tenderer/bidding consortium must submit a signed declaration of commitment (to be submitted as form Annex A.10) from each of the named third parties with the tenderer's offer.

E. The tender must be accompanied by a signed self-declaration that the prerequisites for exclusion pursuant to section 19 (1) MiLoG (to be submitted as form Annex A.11) of the tenderer or each member of the bidding consortium are not met. The contracting entity reserves the right to request third-party certification of the absence of grounds for exclusion under (1) to (3) above if doubts arise as to the accuracy of the self-declarations and to request additional information from the central trade register pursuant to section 150a GewO (Trade Regulation Act) or the competition register at any time.

VI.4. Procedures for review

VI.4.1. Review body

Official name: n/a

Postal address: n/a

Town: n/a

Postal code: n/a
Country: Germany
E-mail: vk@bundeskartellamt.bund.de
Telephone: +49 2289499-0
Fax: +49 2289499-163
Internet address: www.bundeskartellamt.de

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

The value of the present tender is — significantly — below the relevant EU threshold. Accordingly, the present notice has been published voluntarily. The aim is to create the highest possible degree of competition. As a consequence, however, the legal regime for procurement procedures above the EU thresholds does not apply. This applies, in particular, to the possibilities of taking legal action against the procurement procedure or the award decision, respectively. Sections 155 et seq. of the German act against restraints of competition (Gesetz gegen Wettbewerbsbeschränkungen — GWB) do not apply.

VI.5. Date of dispatch of this notice

15/04/2020