

B-Brussels: Security equipment for the foyer of a building on the site of the European Parliament in Brussels

OJ S 111/2013 11/06/2013

Contract notice

Supplies

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: European Parliament, Directorate-General for the Presidency

Postal address: rue Wiertz 60, PHS 07C82

Town: Brussels

Postal code: 1047

Country: Belgium

For the attention of: Programming, Budget Management and Contracts Unit

E-mail: marches-tenders@ep.europa.eu

Fax: +32 22843038

Internet address(es):General address of the contracting authority: <http://www.europarl.europa.eu/tenders/invitations.htm>**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

General public services

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**

Security equipment for the foyer of a building on the site of the European Parliament in Brussels.

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

Supplies

Main site or place of performance: Brussels.

NUTS code BE100 Arr. de Bruxelles-Capitale/Arr. Brussel-Hoofdstad

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

The notice involves a public contract

II.1.4. Information about framework agreement

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

This contract includes the supply, installation, configuration, integration into the existing system and commissioning access control and security modules, as well as its maintenance during the warranty period.

II.1.6. CPV code(s)

35121000 Security equipment, 35123100 Magnetic-card system, 35125000 Surveillance system, 35121700 Alarm systems, 35125300 Security cameras, 35125110 Biometric sensors

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

- Access corridors with access control (1CAS,1CAS/PMR),
- interior volumetric radar,
- moving baggage X-ray screening equipment,
- moving a walk-through metal detector,
- equipment for controlled-access doors, emergency exit doors, doors, turnstiles and garage doors.

NB: the access control equipment must be IDCS-branded equipment in order to be compatible with the existing system.

II.2.2. Information about options

Options: no

II.2.3. Information about renewals

This contract is subject to renewal: no

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

Duration in months: 6 (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

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

Invoices will be issued by the contractor as follows:

- 90 % upon provisional acceptance,
- 10 % upon final acceptance.

Payments will only be made if the contractor has fulfilled all his contractual obligations on the

date of sending his request for payment. Payment of sums owed are due within 30 calendar days.

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

Applications for the first phase of selection can be submitted by groupings of economic operators.

If the contract (2nd phase) is awarded to a grouping, the European Parliament reserves the right to request that it takes on a special legal form if it is necessary for satisfactory performance of the contract. The European Parliament may give notice of this requirement at any time during the contract award procedure but, in any event, before the contract is signed. The grouping of economic operators must provide proof of its legal form at the latest before signature of the contract, if it is awarded to the grouping. This legal form may be 1 of the following:

- an entity with a legal personality recognised by a Member State,
- an entity with no legal personality, but which gives the European Parliament sufficient protection as regards contractual interests (depending on the Member State concerned, this may be a consortium or temporary association, for example),
- signature, by all partners, of a type of 'proxy agreement' or equivalent document which will ratify a form of cooperation.

The grouping's actual status will be proven by any document or agreement signed by members of the grouping. In exceptional cases, these documents or agreements may be changed and/or sent after the final date for submission of tenders but not, under any circumstances, after the notification of the invitation to tender results to the tenderers concerned. The European Parliament reserves the right to reject a tender if the conditions of the agreements between members of a grouping are amended during the course of the procedure, if they do not stipulate joint and several liability between the members, or if no legally valid agreement has been submitted with the tender.

The European Parliament may accept other legal forms not included above on the condition that they guarantee that the parties are jointly and severally liable and are compatible with performance of the contract. In any event, tenderers are reminded that the European Parliament will expressly refer to the existence of joint and several liability between the members in the contract to be signed with the grouping of operators. In addition, it reserves the right to request, as part of the contract, the nomination of a joint representative able to represent the members and having, amongst other things, the power to issue invoices in the name of the other members.

Applications from groupings of economic operators must specify the role, skills and experience of each member of the grouping. Members must declare themselves jointly responsible for the grouping's commitments.

Each member of a grouping of economic operators must provide proof that they have right of access to the contract (eligibility), status (authorisation) and the relevant documentary evidence concerning the exclusion and selection criteria (see point III.2 of this notice). With regard to the selection criteria, the European Parliament may take into account the capacities of other members of the grouping in order to determine whether the candidate has the resources needed to carry out the contract. In this case, a written commitment will be required from these members stating that they will provide the other members with the resources needed to carry out the contract.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: no

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: 1. Eligibility:

in order to determine the eligibility of candidates, they must indicate in their applications the country in which they have their head office or are domiciled. They must also submit the proof required under the national law in force. This applies to all members in the case of a grouping of operators and subcontractors, if necessary.

2. Proof of status:

candidates must provide proof of their authorisation to produce the object covered by the contract in accordance with national law. To this end, they must provide the relevant documentary evidence. This applies to all members in the case of a grouping of operators and subcontractors, if necessary.

III.2.2. Economic and financial ability

List and brief description of conditions: candidates must include in their application:

— statement indicating the overall annual turnover and the turnover relating to the supplies in this invitation to tender for the financial years 2011 and 2012, and

— balance sheets and profit and loss accounts for the financial years 2011 and 2012.

If, for some exceptional reason which the contracting authority considers to be justified, a candidate is unable to produce the means of proof required above, he may provide evidence of his economic and financial capacity by any other means which the contracting authority deems suitable.

For groupings of companies, all the members' turnover will be taken into account and aggregated so that the minimum level set by the contracting authority can be reached.

Minimum level(s) of standards possibly required: for this contract, the contracting authority requires candidates to have:

— a minimum overall annual turnover of 500 000 EUR in 2011 and 2012, and

— a positive operating result in 2011 and 2012.

III.2.3. Technical and professional ability

List and brief description of conditions:

in order to assess whether this requirement has been met, candidates must include in their applications:

— list of the main assignments which are similar to those in this invitation to tender, carried out over the past 5 years. This list shall include their values, dates and the public or private recipients thereof, as well as a description. For the largest contracts, candidates must provide certificates of satisfactory performance, stating whether they were duly completed to a good professional standard. If the recipient of said services was a department of a EU institution, economic operators shall supply proof of this in the form of certificates issued or countersigned by the appropriate body, and

— professional certificates, official approvals and/or qualification certificates in the field of installing and maintaining security equipment.

Minimum level(s) of standards possibly required:

for this contract, the contracting authority requires candidates (or grouping members, if necessary) to prove that they have at least 3 years' experience in performing similar tasks.

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

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Restricted

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

Envisaged minimum number 3: and Maximum number 10

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

Lowest price

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

EP/DGPRES/SEC/FOUR/2013-022.

IV.3.2. Previous publication concerning this procedure

no

IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document

Payable documents: no

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

31.7.2013

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

26.8.2013

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

IV.3.8. Conditions for opening of tenders

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

This contract notice is the first phase of the restricted procedure and aims to select candidates based on the aforementioned exclusion criteria (see below) and selection criteria listed in point III.2 of this notice.

Only candidates who have successfully completed the first phase will receive the specifications. They will also be invited to participate in a site visit (mandatory for those who wish to submit a tender) which will take place on 13.9.2013 (9:30).

1. The following exclusion criteria apply to each grouping member.

* Article 106 of the Financial Regulation applicable to the budget of the Union:

candidates and tenderers will be disqualified from taking part in procurement procedures if they:

- (a) are bankrupt or being wound up, if their affairs are being administered by the court or if they have entered into an arrangement with creditors, if they have suspended business activities, if they are the subject of proceedings of this nature or if they are in any analogous situation arising from a similar procedure under national laws or regulations;
- (b) themselves, or the persons with powers of representation, decision-making or control with regard to them have been convicted of an offence concerning their professional conduct by a judgment which has the force of 'res judicata';
- (c) have been guilty of grave professional misconduct proven by any means which the contracting authorities can justify, including by a decision of the EIB or an international organisation;
- (d) they have not fulfilled their obligations to pay social security contributions or taxes in accordance with the legal provisions of their country of residence or with those of the country of the contracting authority, or those of the country where the contract is to be carried out;
- (e) themselves, or the persons with powers of representation, decision-making or control with regard to them 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 Union's financial interests;
- (f) are currently subject to an administrative penalty referred to in Article 109(1) of the Financial Regulation applicable to the budget of the Union.

Points (b) and (e) of the first paragraph do not apply if candidates or tenderers can prove that appropriate measures have been taken with regard to the persons with powers of representation, decision-making or control who are the subject of the judgments referred to in points (b) or (e) of the first paragraph.

* Article 107 of the Financial Regulation applicable to the budget of the Union:

candidates and tenderers will not be considered for contract award if, at the time of the procurement procedure for this contract, they:

- (a) are in a situation where interests conflict;
- (b) are guilty of misrepresentation in supplying the information required by the contracting authority in order to participate in the contract, or if they have not supplied such information;
- (c) are in any of the situations giving grounds for exclusion from the procurement procedure for this contract referred to in paragraph 1, points (a) to (f) above.

Candidates (or grouping members, where applicable), must include the following proof in their application:

— recent extract from the judicial record or, failing this, an equivalent document recently issued by a judicial or administrative body in the country of origin or provenance, showing that

the candidate is not in any of the situations mentioned in points (a), (b) or (e) of Article 106(1) of the Financial Regulation, Likewise for those persons having powers of representation, decision-making or control over the tenderer for the cases mentioned in points (b) and (e) of Article 106(1),

— recent certificate issued by the appropriate body in the country concerned as proof that the candidate is not in the situation mentioned in point (d) of Article 106(1) of the Financial Regulation,

— where the documents or certificates indicated above are not issued in the country concerned, and for the other exclusion cases referred to in Article 106 of the Financial Regulation, they may be replaced by a statement under oath or, failing that, a solemn declaration made by the interested party before a judicial or administrative body, a notary or a qualified professional body in the country of origin or provenance,

— solemn declaration, duly signed and dated, declaring that they are not in any of the situations mentioned in Articles 106 and 107 of the Financial Regulation.

The template for the required solemn declaration can be found below and can also be downloaded from <http://www.europarl.europa.eu/aboutparliament/en/0036ddd1cc/Invitations-to-tender.html>

2. Candidates are exempt from having to provide the documentary evidence referred to above if it has already been submitted as part of another European Parliament contract award procedure and provided that the documents in question are less than 1 year old and still valid. In such a case, candidates must solemnly declare that the supporting documents have already been provided for a previous contract award procedure, which they will specify, and that no change in their situation has occurred.

3. Template to be used for the solemn declaration relating to the exclusion criteria and the absence of conflicts of interest

(Select an option for the parties in brackets)

The undersigned (name of the signatory of this form):

acting in his own name (in the case of a natural person)

or

acting as a representative of the following legal entity: (only if the economic operator is a legal entity)

full official name:

official legal form:

full official address:

VAT number:

hereby declares that the aforementioned legal entity is not in a situation in which he:

(a) is bankrupt or being wound up, his affairs are being administered by the court or has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings of this nature or is in any analogous situation arising from a similar procedure under national laws or regulations;

(b) has been convicted of an offence concerning their professional conduct by a judgment which has the force of 'res judicata', delivered by the appropriate body in a Member State;

(c) has been guilty of grave professional misconduct proven by any means which the contracting authorities can justify, including by a decision of the EIB or an international organisation;

(d) has fulfilled his obligations relating to the payment of social security contributions and taxes in accordance with the legal provisions of his country of residence or those of the country of the contracting authority or those of the country where the contract will be carried out;

(e) has been the subject of a judgment which has the force of 'res judicata' for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal

activity, when said illegal activity is detrimental to the Union's financial interests;
(f) has been declared, in the tender procedure for another contract or in the procedure to award a grant financed by the European Union budget, to be in serious breach of contract for failure to comply with their contractual obligations, or is the subject of an administrative penalty for being guilty of misrepresentation or for failing to provide the information required by the contracting authority.

(Only for legal entities other than the Member States and the local authorities; if not, remove) hereby declares that the natural persons with powers of representation, decision-making or control are not in any of the situations specified in points (a), (b) or (e) above;

hereby declares that the aforementioned legal entity:

(g) has no conflict of interests in connection with this contract; a conflict of interests may arise in particular as a result of economic interests, political or national affinities, family or emotional ties, or any other kind of relationship or mutual interest;

(h) shall inform the contracting authority, without delay, of any situation constituting a conflict of interests or which could give rise to a conflict of interests;

(j) has not agreed to, sought, tried to obtain or accepted any inducement, whether financial or in kind, and that he undertakes not to do so, for or on behalf of any person, which, directly or indirectly, would constitute an illegal or corrupt practice serving as an incentive or reward linked to the award of the contract;

(j) has provided exact, sincere and complete information to the contracting authority as part of this contract award procedure;

acknowledges that the aforementioned legal entity is aware of the administrative and financial penalties which may be applied if it is established that false declarations were made or false information was provided.

Surname, first name

Date. Signature

VI.4. Procedures for review

VI.4.1. Review body

Official name: General Court of the Court of Justice of the European Union

Postal address: rue du Fort Niedergrünwald

Town: Luxembourg

Postal code: 2925

Country: Luxembourg

E-mail: generalcourt.registry@curia.europa.eu

Telephone: +352 4303-1

Fax: +352 4303-2100

Internet address: <http://curia.europa.eu>

Body responsible for mediation procedures

Official name: European Ombudsman

Postal address: 1 avenue du Président Robert Schuman, PO Box 403

Town: Strasbourg

Postal code: 67001

Country: France

Telephone: +33 388172313

Fax: +33 388179062

Internet address: <http://www.ombudsman.europa.eu>

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: see point VI.4.1

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

Official name: see point VI.4.1

VI.5. Date of dispatch of this notice

30.5.2013