

I-Ispra: Supply, installation and maintenance of a facility for electromagnetic compatibility testing of electric and hybrid electric vehicles (Vela 9)

OJ S 120/2013 22/06/2013

Contract notice

Supplies

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: European Commission, Joint Research Centre (JRC), Institute for Energy and Transport

Postal address: via Enrico Fermi 2749, TP 263

Town: Ispra VA

Postal code: 21027

Country: Italy

For the attention of: Mr D. Eardley

E-mail: jrc-ispra-iet-procurement@ec.europa.eu

Fax: +39 0332789540

Internet address(es):

General address of the contracting authority: <http://www.jrc.ec.europa.eu/callsfortender>

Additional information can be obtained from:

Official name: European Commission, Joint Research Centre (JRC), Institute for Energy and Transport

Postal address: via Enrico Fermi 2749, TP 263

Town: Ispra VA

Postal code: 21027

Country: Italy

For the attention of: Mr D. Eardley

E-mail: jrc-ispra-iet-procurement@ec.europa.eu

Fax: +39 0332789540

Internet address: <http://www.jrc.ec.europa.eu/callsfortender>

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

Official name: European Commission, Joint Research Centre (JRC), Institute for Energy and Transport

Postal address: via Enrico Fermi 2749, TP 263

Town: Ispra VA

Postal code: 21027

Country: Italy

For the attention of: Mr D. Eardley

E-mail: jrc-ispra-iet-procurement@ec.europa.eu

Fax: +39 0332789540

Internet address: <http://www.jrc.ec.europa.eu/callsfortender>

Tenders or requests to participate must be submitted: Official name: European Commission, Joint Research Centre (JRC), Institute for Energy and Transport

Postal address: via Enrico Fermi 2749, TP 263

Town: Ispra VA

Postal code: 21027
Country: Italy
For the attention of: Mr D. Eardley
E-mail: jrc-ispra-iet-procurement@ec.europa.eu
Fax: +39 0332789540

I.2. Type of the contracting authority

European institution/agency or international organisation

I.3. Main activity

General public services
Other: Research.

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

Supply, installation and maintenance of a facility for electromagnetic compatibility testing of electric and hybrid electric vehicles (Vela 9).

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

Supplies

Purchase

Main site or place of performance: via Enrico Fermi 2749, 21027 Ispra VA, ITALY.
NUTS code ITC41 Varese

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)

The Electromobility and Interoperability Laboratories of the Sustainable Transport Unit require a semi-anechoic chamber that contains a 2-axis roller bench testing electric and electric hybrid vehicles in view of the EMC behaviour under load. The size class of vehicles under test on this equipment will range from passenger cars to light city-delivery vans and minibuses.

The contract will include preventive and corrective maintenance.

II.1.6. CPV code(s)

42992200 Anechoic chamber, 42992300 Electromagnetic absorbent material, 34328100 Test benches

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

The procurement is covered by the Government Procurement Agreement: yes

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

Tenders in the second stage of this procurement with a total price of more than 3 100 000 EUR shall not be taken into consideration.

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

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

Duration in months: 63 (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

On completion of the procurement procedure the proposed contractor will be asked to provide a performance guarantee of 10 % of the amount of the contract at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days from the signature of the contract by the last contracting party. Failure to provide the guarantee within the time limit specified may lead to suspension of the contract.

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

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

Requests to participate and subsequent tenders submitted in the second stage by groupings of suppliers will not be required to adopt a particular legal form prior to the contract being awarded. The composition of groupings must remain the same throughout the procedure as those proposed in the request to participate. Should they be awarded the contract they may form a consortium or an association or adopt some other form which would allow them to act as a legal entity or provide the lead member with a power of attorney (to be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration, and for coordination and safety). If the contractor is a grouping or consortium of 2 or more persons, all such persons shall be jointly and severally liable to the Commission for the fulfilment of the terms and conditions of the contract.

Should an economic operator take part directly (sole tenderer or member of a grouping) or indirectly (subcontractor) in more than 1 request and/or tender, the contracting authority reserves the right to examine the tender in the second stage to assess the possible existence of a conflict of interests and/or collusion between tenderers. Should such a conflict and/or collusion be confirmed, the contracting authority reserves the right to exclude the tenderers involved from participating in this procedure.

Tenders in the second stage submitted by consortia, groupings or associations of companies must include:

(a) a document detailing the composition and constitution of the entity or the legal form of this

cooperation in the event they are awarded the contract;

(b) a letter signed by each grouping member, stating that they undertake to carry out the work, and specifying their role, qualifications and experience. Tenderers in the second stage who fail to provide this document may be automatically excluded.

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: Interested economic operators submitting a request to participate will not be eligible to take part in this procurement if they are in any of the exclusion situations listed in Articles 106 and 107 of Council Regulation (EU, Euratom) No 966/2012 of 25.10.2012 (OJ L 298 of 26.10.2012). Candidatures must include the documents stipulated in Article 143(1) of Commission Regulation (EU, Euratom) No 1268/2012 of 29.10.2012 (OJ L 362 of 31.12.2012) (see tender documents). Should a contract be awarded in the second stage, the successful candidate will need to produce the supporting documents required in Article 143 of the same Regulation.

In the case of groupings, the information required shall be supplied by every member of the grouping including subcontractors to whom it is anticipated more than 20 % of the total value of the contract will be subcontracted.

III.2.2. Economic and financial ability

List and brief description of conditions: Interested economic operators submitting a request to participate must demonstrate that they have sufficient economic and financial resources to be able to carry out the tasks specified in this contract notice:

(a) appropriate statements from banks as regards current financial standing or professional risk indemnity insurance;

(b) balance sheets, or summaries thereof, and profit and loss accounts for the past 3 financial years for which accounts have been closed, where publication of balance sheets is prescribed under company law in the country in which the economic operator is resident.

If, for a valid reason, the tenderer is unable to provide them, he/she must enclose a statement as to annual pre-tax profits for the past 3 financial years. In the case of groupings, this criterion will be assessed in relation to the combined capacities of all members of the grouping and subcontractors to whom more than 20 % of the total value of the contract will be subcontracted;

(c) a statement as to overall annual turnover and turnover related to the subject of this procurement during the past 3 financial years.

Should the application be submitted by a grouping, this information must be submitted to the contracting authority in the form of a separate document for each grouping member and a document summarising the consolidated data for the grouping as a whole including subcontractors to whom more than 20 % of the total value of the contract will be subcontracted.

If, for some exceptional reason which the contracting authority considers to be justified, the economic operator is unable to produce the references required under (b) and (c) above, he /she is permitted to provide evidence of his economic and financial capacity by any other means which the contracting authority deems suitable.

Minimum level(s) of standards possibly required: (b) the balance sheets must show pre-tax profits for the past 3 financial years for which accounts have been closed;

(c) the overall total turnover of the tenderer over the past 3 years must exceed 5 000 000 EUR. In the case of groupings this minimum applies to the whole grouping including subcontractors.

III.2.3. Technical and professional ability

List and brief description of conditions:

- a) proof that economic operators are authorised 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;
- b) the educational and professional qualifications of the person or persons responsible for overseeing the supplies, assembly and testing and other aspects related to this procurement.
- c) a description of the technical equipment and the measures employed to ensure the quality of supplies and services, and a description of the firm's study and research facilities;
- d) an indication of the technicians or technical bodies involved, whether or not belonging directly to the firm, especially those responsible for quality control;
- e) an indication of the proportion of the contract maintenance which the service provider may intend to subcontract.

In the case of groupings of contractors the documents required must be supplied by every member of the grouping and by subcontractors to whom more than 20 % of the total value of the contract will be subcontracted.

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

Negotiated

Some candidates have already been selected (if appropriate under certain types of negotiated procedures) no

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

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated no

IV.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of Criteria below

1. Technical quality. Weighting 50
2. Price. Weighting 50

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

JRC/IPR/2013/F8/0045/NC.

IV.3.2. Previous publication concerning this procedure

Prior information notice

Notice number in the OJ S: [2012/S 83-135393](#) of 28.4.2012

Other previous publications

Notice number in the OJ S: [2013/S 59-096649](#) of 23.3.2013

Notice number in the OJ S: [2012/S 144-240126](#) of 28.7.2012

Notice number in the OJ S: [2012/S 172-283349](#) of 7.9.2012

Notice number in the OJ S: [2012/S 198-324342](#) of 13.10.2012

Notice number in the OJ S: [2012/S 201-329623](#) of 18.10.2012

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: 25.7.2013

Payable documents: no

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

25.7.2013

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

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

Prospective candidates are informed that this procedure is enabled as a negotiated procedure under Article 135.1.a of the rules of application applicable to the general budget of the European Union following the unsuccessful open call for tender with contract notice No [2012/S 144-240126](#) of 28.7.2012 as amended by corrigenda [2012/S 172-283349](#) of 7.9.2012, [2012/S 198-324342](#) of 13.10.2012 and [2012/S 201-329623](#) of 18.10.2012.

Information on the open call to which this refers can be found here <http://web.jrc.ec.europa.eu/callsfortender/index.cfm?action=app.tender&id=1689>

The contract under the open call for tender was not awarded as no regular or acceptable offers were received.

The authorising officer then decided to relaunch the procedure by means of a negotiated

procedure without prior publication of a contract notice as foreseen under Article 135.1.a and 135.2 of the rules of application of Regulation (EU, Euratom) 966/2012 applicable to the general budget of European Union. However, for administrative reasons linked to an alleged irregularity in the previous open procedure the authorising officer has decided that in order to fully safeguard the interests of the Commission it is necessary to cancel this first negotiated procedure and to launch a new negotiated procedure with publication of a contract notice as foreseen under Article 135.1.a of the rules of application.

The aim of this contract notice is to have economic operators who are interested submit requests to participate/candidatures (1st stage of the procedure). Those operators meeting the exclusion and selection criteria in this notice will be invited to tender, and thus will be sent the invitation to tender documents (2nd stage). Only the 'Request for candidature', 'Declaration on honour' mentioned in point III.2.1(a) of the notice and complementary information (below) are available for prospective candidates at this stage.

These documents can be downloaded from the JRC calls for tender website: <http://web.jrc.ec.europa.eu/callsfortender/> (under the filter IET and with reference JRC/IPR/2013/F.8/0045 /NC).

Interested parties are invited to regularly check this Internet address where answers to requests for additional information and to relevant questions will be made available. It is the responsibility of interested economic operators to check updates and modifications during the procurement period.

For exclusion and selection criteria the contracting authority hereby waives the obligation for a candidature to include documentary evidence if such evidence has already been submitted in a previous procurement procedure and provided the documents were issued not more than 1 year earlier and are still valid. In such cases, the economic operator making the request will need to declare on his/her honour that the documentary evidence has already been provided in a previous procurement procedure, provide the reference to that procedure, and confirm that there has been no change in the situation.

An on-site visit to the proposed site of the new VELA laboratory (Building No 18) will be planned for the second stage of this procurement procedure. Further details will be provided at the time.

VI.4. Procedures for review

VI.4.1. Review body

Official name: General Court of the European Union

Postal address: boulevard Konrad Adenauer

Town: Luxembourg

Postal code: 2925

Country: Luxembourg

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

Telephone: +352 4303-1

Fax: +352 433766

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

VI.4.2. Review procedure

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

Official name: General Court of the European Union

Postal address: boulevard Konrad Adenauer

Town: Luxembourg

Postal code: 2925

Country: Luxembourg
E-mail: ecj.registry@curia.europa.eu
Telephone: +352 4303-1
Fax: +352 433766
Internet address: <http://curia.europa.eu>

VI.5. Date of dispatch of this notice

12.6.2013