

**Spain-Barcelona: Design and execution of research and development**

OJ S 86/2019 03/05/2019

Contract award notice

Services

**Legal Basis:**

Directive 2014/24/EU

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: The European Joint Undertaking for ITER and the Development of Fusion Energy ("Fusion for Energy")

Postal address: C/ Josep Pla, 2, Torres Diagonal Litoral, Building 3, Office 10/03

Town: Barcelona

NUTS code: ES511 Barcelona

Postal code: 08019

Country: Spain

Contact person: Cristina Ortiz Schousboe

E-mail: [Tenders-APE@f4e.europa.eu](mailto:Tenders-APE@f4e.europa.eu)

Telephone: +34 933201800

**Internet address(es):**

Main address: <http://f4e.europa.eu>

Address of the buyer profile: [https://industryportal.f4e.europa.eu/IP\\_PAGES/ehome.aspx](https://industryportal.f4e.europa.eu/IP_PAGES/ehome.aspx)

**I.4. Type of the contracting authority**

Other type: EU Joint Undertaking

**I.5. Main activity**

Other activity: Energy

**Section II: Object**

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

Provision of Support Services for the Finalisation of the Design of the EC Upper Launcher (EC UL) and Ex-vessel Waveguide System (EC EW)

Reference number: F4E-OFC-0958

**II.1.2. Main CPV code**

73300000 Design and execution of research and development

**II.1.3. Type of contract**

Services

**II.1.4. Short description**

This FW contract concerns the provision of design/analyses towards the final design reviews of the EC launcher (EC UL) and the ex-vessel waveguide system (EC EW). The scope of this framework also includes support to F4E for IO design reviews (including document preparation and review, attendance to meetings and missions) as well as support to F4E for technical

follow-up of prototype/fabrication contracts (limited to technical support, including document review, attendance to meetings and missions). The duration of this contract is until March 2024.

#### **II.1.6. Information about lots**

This contract is divided into lots: no

#### **II.1.7. Total value of the procurement**

Value excluding VAT: 1 980 000,00 EUR

### **II.2. Description**

#### **II.2.3. Place of performance**

NUTS code: CH Schweiz / Suisse / Svizzera

NUTS code: IT Italia

#### **II.2.4. Description of the procurement**

See description.

The duration of the contract is 60 months with option to extend it to 24 additional months.

#### **II.2.5. Award criteria**

Price

#### **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:  
yes

Identification of the project: ITER

#### **II.2.14. Additional information**

### **Section IV: Procedure**

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#### **IV.1. Description**

##### **IV.1.1. Type of procedure**

Award of a contract without prior publication of a call for competition in the Official Journal of the European Union in the cases listed below

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
  - absence of competition for technical reasons

Explanation:

As outlined above, this contract is put in place to provide to F4E the unique expertise on the mm-wave launcher engineering and applied physics design that has been provided to F4E by GRT 161 (until 30.11.2018). The suppliers identified (SPC and CNR, with SPC main supplier) are those that have created the mm-wave design of the launcher and components under the grant. The knowledge of their senior physicists and engineers on the launcher is unique, and their area of expertise key for the completion of the design and to provide support to F4E in prototype qualification and manufacturing. It should be noted, that this market monopoly pre-existed the previous contract/grant awarded by F4E, therefore it is not F4E which created it.

Also, F4E as contracting authority is not in a position to neutralize the de facto competitive advantage the tenderers have.

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

The procurement involves the establishment of a framework agreement

**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.2.8. Information about termination of dynamic purchasing system**

**IV.2.9. Information about termination of call for competition in the form of a prior information notice**

**Section V: Award of contract**

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**Contract No:** F4E-OFC-0958

**Title:**

Provision of Support Services for the Finalisation of the Design of the EC Upper Launcher (EC UL) and Ex-vessel Waveguide System (EC EW)

A contract/lot is awarded: yes

**V.2. Award of contract**

**V.2.1. Date of conclusion of the contract**

29/04/2019

**V.2.2. Information about tenders**

Number of tenders received: 1

The contract has been awarded to a group of economic operators: yes

**V.2.3. Name and address of the contractor**

Official name: Ecole Polytechnique Fédérale de Lausanne (EPFL)

National registration number: CHE116075613

Town: Lausanne

NUTS code: CH Schweiz / Suisse / Svizzera

Country: Switzerland

The contractor is an SME: no

**V.2.3. Name and address of the contractor**

Official name: Istituto per la Scienza e Tecnologia dei Plasmi — Institute for Plasma Science and Technology (CNR- ISTP)

National registration number: IT02118311006

Town: Milano

NUTS code: IT Italia

Country: Italy

The contractor is an SME: no

**V.2.4. Information on value of the contract/lot**

Total value of the contract/lot: 1 980 000,00 EUR

## **V.2.5. Information about subcontracting**

### **Section VI: Complementary information**

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#### **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](mailto:generalcourt.registry@curia.europa.eu)

Telephone: +35 2430301

Fax: +352 43032100

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

##### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

Within 2 months of notice of the award decision, you may launch an action for annulment of the award decision. Any request you may make and any reply from us, or any complaint for maladministration, will have neither the purpose nor the effect of suspending the time-limit for launching an action for annulment or to open a new period for launching an action for annulment. The body responsible for hearing annulment procedures is indicated in Section VI. 4.1 of the Contract Notice.

If you believe that there was maladministration, you may lodge a complaint to the European Ombudsman within 2 years of the date when you became aware of the facts on which the complaint is based (see <http://www.ombudsman.europa.eu>)

##### **VI.5. Date of dispatch of this notice**

30/04/2019