

B-Brussels: supply and update of data for the section 'Requirements and taxes' of the European Commission's export helpdesk database

OJ S 155/2012 14/08/2012

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: European Commission, Directorate-General for Trade, Directorate A — Resources, Information and Policy Coordination

Postal address: CHAR 07/003

Town: Brussels

Postal code: 1049

Country: Belgium

Contact person: Holger Standertskjold-Nordenstam, Head of Unit Trade A.3, Information, Communications and Civil Society; Andrea Scheidl, Export Helpdesk Coordinator, tel. +32 22987766, e-mail: andrea.scheidl@ec.europa.eu

For the attention of: Peter Sandler

E-mail: trade-contracts@ec.europa.eu

Telephone: +32 22967435

Fax: +32 22921760

Internet address(es):

General address of the contracting authority: <http://ec.europa.eu/trade/about/procurement/calls-for-tender/>

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: Official name: European Commission, Directorate-General for Trade, Directorate A — Resources, Information and Policy Coordination

Postal address: avenue du Bourget 1, CHAR 07/003

Town: Brussels

Postal code: 1049

Country: Belgium

For the attention of: Financial Cell Unit A.1 (CHAR 07/003)

Internet address: <http://ec.europa.eu/trade/procurement/calls-for-tender/>

I.2. Type of the contracting authority

European institution/agency or international organisation

I.3. Main activity

General public services

Other: Trade policy

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 and update of data for the section 'Requirements and taxes' of the European Commission's export helpdesk database.

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

Services

Main site or place of performance: The services will be performed at the premises of the contractor.

NUTS code

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)

Lot 1: contract for supply and regular update of the general and specific import requirements within the 'Requirements and taxes' section of the export helpdesk database of Trade DG.

Lot 2: contract for data supply and regular update of the EU internal taxes and excise duties within the 'Requirements and taxes' section of the export helpdesk database of Trade DG.

The export helpdesk website can be visited under: <http://www.exporthelp.europa.eu>
The 'Requirements and taxes' section, subject of this call for tenders, is part of this website.

II.1.6. CPV code(s)

79400000 Business and management consultancy and related services, 72300000 Data services

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: yes

Tenders may be submitted for one or more lots

II.1.9. Information about variants

Variants will be accepted: no

II.2. Scope of the procurement

II.2.1. Total quantity or scope

The tenderer will need to supply and update data for the year 2013 with 2 possible renewals of the contract for the years 2014 and 2015 respectively. Each contract concerns 1 lot out of 2.

The 2 lots are as follows:

lot 1: overview of import procedures at EU and Member State level. General import requirements applicable to all products. Specific requirements at EU and Member State level whenever applicable to specific goods;

lot 2: overview of internal taxation at EU and Member State level. Internal taxes at Member States level, i.e. VAT, excise duties applicable to a number of products, e.g. alcoholic beverages, tobacco products, mineral oil products, etc.

Estimated value excluding VAT: 1 608 000 EUR

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: 2

In the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts:

in months: 12 (from the award of the contract)

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

Duration in months: 12 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: Contract for data supply and regular update of the general and specific import requirements within the 'Requirements and taxes' section of the export helpdesk database of Trade DG

1) Short description

Lot 1 includes all information concerning:

- a) overview of import procedures;
- b) general requirements (including models of forms to be used to export goods into the EU);
- c) specific requirements, explanatory texts and information to link the explanatory texts to both the 8-digit CN codes and the country of origin of the product (including possible exceptions).

2) CPV code(s)

79400000 Business and management consultancy and related services, 72300000 Data services

3) Quantity or scope

Deliverables for lot 1 include all information concerning EU and Member States' import requirements:

- a) overview of import procedures;
 - b) general requirements (including models of forms to be used to export goods into the EU);
 - c) specific requirements, explanatory texts and information to link the explanatory texts to both the 8-digit CN codes and the country of origin of the product (including possible exceptions).
- For the purpose of these terms of reference, 'explanatory text' (for the overview of import procedures, general requirements for all products, overview of internal taxation, and specific requirements) means the summary of the subject matter. For example the 'explanatory text' for the specific requirement 'Health control of products of animal origin for human consumption' will contain, for example, an explanation of the conditions to be fulfilled for such products to be imported into the EU, including references to sources of information, applicable legislation, etc. The explanatory texts' titles have to be delivered in Arabic, English, French, Portuguese, Russian, and Spanish since these document titles appear in the multilingual 'Requirement list' page of the EH website.

However the explanatory texts shall be delivered in English only, in the electronic format described in the technical requirements described in Annex 1, and are to be kept continuously updated during a period of 3 years (2013, 2014 and 2015).

The 'latest revision date' will have to be included in the files for each update delivery.

For the whole period of the 3 years, 2013, 2014 and 2015 the budget is estimated not to exceed 1 200 000 EUR for lot 1.

Estimated value excluding VAT: 1 200 000 EUR

4) Indication about different time frame or duration

Duration in months: 12 (from the award of the contract)

5) Additional information about lots

It is permitted to submit an offer either for 1 lot only or for both lots.

The budget is divided into 2 lots, includes all costs and is estimated not to exceed 1 200 000 EUR for lot 1 and 408 000 EUR for lot 2 for the whole period of the 3 years, 2013, 2014 and 2015.

For the year 2013 the budget is estimated not to exceed:

400 000 EUR for lot 1

136 000 EUR for lot 2.

Lot No: 2

Lot title: Contract for the regular update of the EU internal taxes and excise duties within the 'Requirements and taxes' section of the export helpdesk database of Trade DG

1) Short description

Deliverables for lot 2 include all information concerning EU and Member States' internal taxation:

a) overview of internal taxation;

b) specific internal taxes applicable in each of the EU Member State for goods imported in particular from developing countries as identified by their 8-digit CN code.

These data include:

— VAT rates,

— excise and other duties applicable to products (as for example excise duties for tobacco, etc.).

The information is expected to be delivered in English only, in the electronic format described in the technical requirements described in Annex 1, and are to be kept continuously updated for a period of 3 years (2013, 2014 and 2015).

The 'latest revision date' will have to be included in the files for each update delivery.

2) CPV code(s)

79400000 Business and management consultancy and related services, 72300000 Data services

3) Quantity or scope

Deliverables for lot 2 include all information concerning EU and Member States' internal taxation:

a) overview of internal taxation;

b) specific internal taxes applicable in each of the EU Member State for goods imported in particular from developing countries as identified by their 8-digit CN code.

These data include:

— VAT rates,

— excise and other duties applicable to products (as for example excise duties for tobacco, etc.).

The information is expected to be delivered in English only, in the electronic format described in the technical requirements described in Annex 1, and are to be kept continuously updated for a period of 3 years (2013, 2014 and 2015).

The 'latest revision date' will have to be included in the files for each update delivery.

For the whole period of the 3 years, 2013, 2014 and 2015 the budget is estimated not to exceed 408 000 EUR for lot 2.

Estimated value excluding VAT: 408 000 EUR

4) Indication about different time frame or duration

Duration in months: 12 (from the award of the contract)

5) Additional information about lots

It is permitted to submit an offer for either 1 lot or for both lots together.

The budget is divided into 2 lots, includes all costs and is estimated not to exceed 1 200 000 EUR for lot 1 and 408 000 EUR for lot 2 for the whole period of the 3 years, 2013, 2014 and 2015.

For the year 2013 the budget is estimated not to exceed:

400 000 EUR for lot 1

136 000 EUR for lot 2.

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

Conditions of the Commission's service contract. Terms of payment are stated in the tender specifications.

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

No specific legal form is required but each service provider will be required to become jointly and severally responsible under 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: Tenderers shall be excluded from participation in this procurement procedure if:

- a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) they have been convicted of an offence concerning their professional conduct by a judgement which has the force of 'res judicata';
- c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- e) they have been the subject of a judgement 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) they have been the subject of an administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or failing to supply information, or being declared to be in serious breach of their obligation under contract covered by the budget.

Contracts may not be awarded to tenderers who, during the procurement procedure:

(a) are subject to a conflict of interest;

(b) are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this information;

(c) find themselves in one of the situations of exclusion, referred to at the beginning of point 11 (letters (a) to (f)).

Tenderers must provide a declaration on honour that they are not in one of the abovementioned situations.

Only the tenderer to whom the contract is to be awarded shall be required to submit, before signing the contract, evidence confirming his declaration on honour, by providing:

— for points (a), (b) or (e): a recent extract from the judicial record or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied,

— for point (d), a recent certificate issued by the competent authority of the State concerned.

Where no such documents or certificates are issued in the country concerned, they may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

Depending on the national legislation of the country in which the tenderer or candidate is established, the documents referred to in the above 2 paragraphs shall relate to legal persons and/or natural persons including, where considered necessary by the contracting authority, company directors or any person with powers of representation, decision-making or control in relation to the candidate or tenderer.

Wherever the tenderer is a consortium of firms or groups of service providers, the abovementioned information must be provided for each member or group.

However, if such evidence confirming the declaration on honour has already been submitted to the Commission for the purpose of another procurement procedure, and provided that the issuing date of the documents does not exceed 1 year and that they are still valid, the tenderer to whom the contract is to be awarded is allowed to send a copy of the relevant documentation together with a declaration on honour that no changes in his situation have occurred.

Please refer to the e-Certis website, which provides the possibility of determining the exact certificates and attestations required: <http://ec.europa.eu/markt/ecertis/login.do>

III.2.2. Economic and financial ability

List and brief description of conditions: Evidence of the tenderer's financial and economic capacity to perform the tasks involved in this contract notice should be proven by providing a full set of financial statements (comprising at least a balance sheet and profit and loss account) for the last 2 financial years (or the annual budget of the last 2 years in the case of semi-public or non-profit organisations), where the tenderer is required by law to produce such statements.

— Where the relevant company law requires these financial statements to be audited, the auditors' statement should be included.

— Where the tenderer is not required to produce full financial statements, other documents establishing financial capacity should be submitted (e.g. internal reports, management

accounts, appropriate bankers' statements, evidence of professional risk indemnity insurance, etc.).

III.2.3. Technical and professional ability

List and brief description of conditions:

For both lots 1 and 2, the team must include substantial expertise and professional experience in the following areas:

- an excellent knowledge in handling data processing and website applications,
- an excellent knowledge of English.

The following information, concerning the service provider's own position and the information and formalities necessary for an appraisal of the minimum technical standards required, should be supplied:

1. details of educational and professional qualifications of the proposed experts providing the services (detailed CVs have to be included for this contract):

— for lot 1: this should clearly indicate their expertise in, and their knowledge of:

(1) trade measures affecting imports into the EU and customs procedures at EU and Member State level;

(2) the European Union's coding system for classifying products (combined nomenclature), including practical experience in classification of goods,

— for lot 2: this should clearly indicate their expertise in, and their knowledge of:

(1) VAT and other internal taxes' related legislation;

(2) the European Union's coding system for classifying products (combined nomenclature), including practical experience in classification of goods; and

2. a list of the principal similar projects that were carried out under the applicant's direct responsibility during the past 3 years proving merit and experience in:

— for lot 1:

(1) trade measures affecting imports into the EU and other related legislation at EU and Member State level;

(2) the European Union's coding system for classifying products (combined nomenclature), including practical experience in classification of goods,

— for lot 2:

(1) VAT and other internal taxes' related legislation;

(2) the European Union's coding system for classifying products (combined nomenclature), including practical experience in classification of goods.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

Execution of the service is reserved to a particular profession: no

III.3.2. Information about staff responsible for the performance of the contract

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: no

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Open

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

IV.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

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

TRADE12/A3/A22.

IV.3.2. Previous publication concerning this procedure

no

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: 18.9.2012
Payable documents: no

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

25.9.2012 - 17:00

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

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

IV.3.7. Minimum time frame during which the tenderer must maintain the tender

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

IV.3.8. Conditions for opening of tenders

Date: 2.10.2012

Place:

rue de la Loi 170, 1049 Brussels.

Persons authorised to be present at the opening of tenders: yes

Information about authorised persons and opening procedure: Requests have to be submitted by 18.9.2012 at the latest exclusively by e-mail to the name of the contact point and address mentioned in point I.1.

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

Tenderers are invited to download the tender documents and any additional information from the website of Trade DG mentioned above. The site will be regularly updated and it is the tenderers' responsibility to check for updates and modifications during the tendering period.

VI.4. Procedures for review

VI.4.1. Review body

Official name: General Court of the European Union

Postal address: rue du Fort Niedergrünwald

Town: Luxembourg

Postal code: 2925

Country: Luxembourg

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

Telephone: +352 4303-1

Fax: +352 4303-2100

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

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: Within 2 months of the notification to the plaintiff, or, in absence thereof, of the day on which it came to the knowledge. A complaint to the European Ombudsman does not have an effect either to suspend this period nor to open a new period for lodging appeals.

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

VI.5. Date of dispatch of this notice

3.8.2012