

Belgium-Brussels: Study on the law applicable to insurance contracts

OJ S 149/2014 06/08/2014

Contract notice

Services

Directive 2004/18/EC**Section I: Contracting authority**

I.1. Name and addresses

Official name: European Commission, DG Justice, Unit JUST/A4 Programme Management

Postal address: Office MO59 04/21

Town: Brussels

Postal code: 1049

Country: Belgium

For the attention of: Mr Renatas Mazeika

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Telephone: +32 22962152

Fax: +32 22988812

Internet address(es):General address of the contracting authority: http://ec.europa.eu/justice/newsroom/contracts/index_en.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**

Study on the law applicable to insurance contracts.

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

Services

Service category No 11: Management consulting services [6] and related services

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)

The study aims at collecting the necessary information on the application of Article 7 of the Rome I Regulation in the Member States with a view to drafting the report referred to in Article 27 of the Regulation.

II.1.6. CPV code(s)

79000000 Business services: law, marketing, consulting, recruitment, printing and security, 79400000 Business and management consultancy and related services, 79410000 Business and management consultancy services, 79420000 Management-related 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: 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

Estimated value excluding VAT: 120 000 EUR

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: 13 (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

See tender specifications.

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

See tender specifications.

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

See tender specifications.

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: See tender specifications.

III.2.2. Economic and financial ability

List and brief description of conditions: In order to prove their economic and financial capacity, the tenderers (i.e. in the case of a joint tender, the combined capacity of all members of the consortium and identified subcontractors) must show that their annual consolidated turnover exceeds 120 000 EUR (average for the past 3 years).

The following evidence should be provided:

- the completed 'Simplified balance sheet' and 'Simplified profit & loss account' completed for the last 3 years,
- copy of the profit & loss account and balance sheet for the last 3 years for which accounts have been closed,
- failing that, appropriate statements from banks,
- if applicable, evidence of professional risk indemnity insurance.

III.2.3. Technical and professional ability

List and brief description of conditions:

a. Criteria relating to tenderers:

Tenderers (in the case of a joint tender the combined capacity of all tenderers and identified subcontractors) must comply with the following criteria:

- the tenderer must prove experience in the field of EU insurance law, including private international law aspects of insurance,
- the tenderer must prove ability to put together a team of national rapporteurs covering all 28 Member States of the EU, experts in their respective national insurance law,
- the tenderer must prove capacity to draft reports in English at native speaker level.

b. Criteria relating to the team delivering the service:

The team delivering the service should include, as a minimum, the following profiles:

project manager: at least 5 years experience in project management, including overseeing project delivery, quality control of the delivered service, client orientation and conflict resolution experience in a project of a similar size and coverage (geographical scope of at least half of the one subject to this call for tender), with experience in management of a big team of national rapporteurs.

Team drafting the study:

- at least 1 member involved in drafting the reports should have native level language skills in English, as proven by a certificate or past relevant experience,
- the team must be composed of experts in EU insurance law, including private international law aspects; each member of this team must have a relevant higher education degree and professional experience in the field of EU insurance law, including private international law aspects.

Team for data collection (including national rapporteurs): collectively this team should have a good knowledge of all EU official languages for the purposes of collecting data on national laws from the Member States and proven work experience in the subject matter of the study.

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: yes

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

JUST/2014/JCOO/PR/CIVI/0050.

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

10.10.2014 - 16:00

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

Any EU official language

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

Duration in months: 6 (from the date stated for receipt of tender)

IV.3.8. Conditions for opening of tenders

Date: 20.10.2014 - 10:30

Place:

rue Montoyer 59, 1040 Brussels, BELGIUM.

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

Information about authorised persons and opening procedure: 1 representative of each tenderer may attend the opening of the bids.

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

Terms of reference can be downloaded at the following address: http://ec.europa.eu/justice/newsroom/contracts/index_en.htm

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
Telephone: +352 4303-1
Fax: +352 4303-2100
Internet address: <http://curia.europa.eu/>

Body responsible for mediation procedures

Official name: Same as above

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: Within 2 months of the notification of 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 as an effect either to suspend this period or 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

25.7.2014