

Belgium-Brussels: An economic study on the impact of differences in insurance contract law on cross-border trade in the insurance sector

OJ S 160/2014 22/08/2014

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

E-mail: just-a4-cft@ec.europa.eu

Telephone: +32 22962152

Fax: +32 22988812

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

An economic study on the impact of differences in insurance contract law on cross-border trade in the insurance sector.

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

Services

Service category No 21: Legal 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 purpose of this assignment is:

- a) to collect data and analyse from an economic point of view the existence and extent of possible problems for concluding cross-border insurance contracts, stemming from the differences of national contract laws applying either to all or particular classes of mass risk insurances;
- b) to analyse the macroeconomic impact of such possible problems at the EU or national level.

II.1.6. CPV code(s)

66513000 Legal insurance and all-risk insurance services, 79100000 Legal services, 66513100 Legal expenses insurance services, 71620000 Analysis services, 72316000 Data analysis 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

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: 7 (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 joint tender, the combined capacity of all members of the consortium and identified subcontractors) must show that their annual consolidated turnover exceeds 400 000 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,
- a 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 insurance services and insurance contract law with at least 3 projects delivered in this field in the last 5 years with a minimum value for each project of 200 000 EUR,
- the tenderer must prove experience in working in all EU official languages with at least 2 projects delivered in the last 3 years showing the necessary language coverage,
- the tenderer must prove experience of working in all EU countries with at least 2 projects delivered EU-wide in the last 3 years,
- the tenderer must prove experience in survey techniques, data collection, statistical, legal and economic analyses and drafting reports.

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 of experience in project management including professional and/or academic experience in law, preferably in the subject matter of the study. The experience should also include overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in projects of a similar size and coverage.

Team: the team must be comprised of persons who have:

- as a minimum a university degree or equivalent,
- a proven professional experience of at least 5 years in the fields of civil law and comparative law and in particular insurance contract law,
- a proven professional experience of at least 5 years in the area of insurance services,
- a proven experience of at least 5 years in data collection techniques,

- a proven experience of at least 5 years in macroeconomics,
- a proven collective knowledge of all EU official languages and proven native-level language skills in English as guaranteed by a certificate or past relevant experience.

If several service providers/subcontractors are involved in the bid, they must jointly have the professional and technical capacity to perform the tasks assigned to them.

a. Evidence:

The following evidence should be provided to fulfil the above criteria:

1. tenderers should provide with their offer detailed curriculum vitae of each staff member responsible for carrying out the work, including his or her educational background, degrees and diplomas, professional experience, research work, publications and linguistic skills. The CVs shall be presented, preferably, in accordance to the Commission Recommendation on a common European format for curricula vitae, published in OJ L 79 of 22.3.2002, p. 66;
2. a list of the principal services of the same type provided in the past 5 years, with the sums, dates and recipients, whether public or private, of the services provided, together with certificates issued or countersigned by public authorities or by private clients or, failing this, simply declared by the service provider to have been effected;
3. the part of the contract which the service provider intends to subcontract.

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/RCON/PR/CIVI/0069.

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: 21.10.2014

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

28.10.2014 - 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: 4.11.2014 - 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

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 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 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

12.8.2014