

**Belgium-Brussels: Fire-safety and personal-assistance services**

OJ S 180/2014 19/09/2014

Contract notice

Services

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: European Parliament, Directorate-General for Security and Safety

Postal address: rue Wiertz 60 (WIE 01U026)

Town: Brussels

Postal code: 1047

Country: Belgium

For the attention of: Budget Unit

E-mail: [marches-tenders@ep.europa.eu](mailto:marches-tenders@ep.europa.eu)

Fax: +32 22843038

**Internet address(es):**General address of the contracting authority: <http://www.europarl.europa.eu>Address of the buyer profile: <http://www.europarl.europa.eu/tenders/invitations.htm>Electronic access to information: <http://www.europarl.europa.eu/tenders/invitations.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**

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**II.1. Description****II.1.1. Title attributed to the contract by the contracting authority**

Fire-safety and personal-assistance services.

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

Services

Service category No 23: Investigation and security services, except armoured car services

Main site or place of performance: Strasbourg, France.

NUTS code

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

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The procurement involves the establishment of a framework agreement

#### **II.1.4. Information about framework agreement**

Framework agreement with a single operator

##### **Duration of the framework agreement**

Duration in months: 48

#### **II.1.5. Short description of the contract or purchase(s)**

In Strasbourg, the European Parliament occupies a building complex comprising a high-rise building and 2 public access buildings with a total surface area of 313 006 m<sup>2</sup>.

In addition to the MEPs, their employees and staff, approximately 193 000 people visited these buildings in 2013.

The European Parliament would like to sign a framework contract for security services in the field of fire safety (pursuant to the regulations against fire and panic risks) and personal assistance.

The main tasks are:

- surveillance patrols and technical patrols (using clocking system) inside and outside the buildings,
- prevention of fire risks,
- on-site intervention and assistance to persons,
- inspections of fire-safety installations,
- operating control stations for the fire-safety control centre,
- technical planning, advice, implementing plans and following instructions,
- drawing up detailed reports,
- any other task assigned by the internal security unit with a view to bolstering overall security.

The working schedule fluctuates considerably, depending on the rhythm of parliamentary activity. In Strasbourg, the buildings are heavily occupied for 12 weeks a year (in principle, once a month, except in August, and twice in September). For the remaining 40 weeks, there is reduced activity, meaning that there is an appreciable variation in the volume of services related to the contract and necessary staff.

It should be noted that, several times a year, the European Parliament's buildings hold one-off events, such as open days, which require specific organisation and additional staff.

The contract has an initial duration of 12 months, renewable 3 times up to a maximum of 48 months.

The framework contract will be carried out via periodic purchase orders for fire-safety and personal-assistance services. In principle, 3 periodic purchase orders are set up as follows:

- 1 purchase order for January–February,
- a second purchase order for March–September,
- a third purchase order for October–December.

The one-off events will, if applicable, be subject to specific purchase orders.

#### **II.1.6. CPV code(s)**

75250000 Fire-brigade and rescue services

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

The procurement is covered by the Government Procurement Agreement: no

#### **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**

To enable tenderers to assess the volume of the services required under this contract, the following information regarding activity on the Strasbourg site in 2013 is given.

These figures are given for information only and have no contractual value.

Hours worked:

control-station chiefs (level 3 fire-safety and personal-assistance qualification — SSIAP 3) 4 238;

team leaders (SSIAP 2) 22 403;

fire officers (SSIAP 1) 94 163.

Permits issued:

fire permits 834;

dust permits 1 424;

cradle permits 71.

Intervention activities:

activities following fire detection 49;

personal assistance 94;

lifting installations (lifts and goods lifts) 42;

other 127.

### **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**

## **Section III: Legal, economic, financial and technical information**

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### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

An irrevocable, unconditional guarantee, payable on first demand, for 10 % of the estimated annual contract value shall be set up before the first request for payment is made. This guarantee shall be evidenced by a letter of guarantee issued by a bank, financial institution or third party approved by the European Parliament's accounts officer. Requests for payment issued by the contractor will only be admissible on condition that he has forwarded proof of having set up the bank guarantees to the European Parliament. The guarantees shall be released at the request of the contractor, 60 calendar days after the contract has ended. All costs related to these guarantees shall be borne by the contractor. These guarantees are for contract performance in accordance with the conditions stipulated in the specifications.

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

Invoices are to be drawn up monthly by the contractor. They are payable within 30 calendar days of their date of receipt by the European Parliament's Official Mail Service, provided that the contractor has fulfilled all his obligations.

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

Groupings of economic operators are permitted to tender. The European Parliament reserves the right to request that the grouping awarded the contract assume a specific legal form if this is necessary for satisfactory performance of the contract. The European Parliament may give notice of this requirement at any time during the contract award procedure but, in any event, before the contract is signed.

Tenderers belonging to the economic grouping must specify in detail the existing contractual arrangements or agreements between them.

The grouping of economic operators must provide proof of its legal form in the tender. This legal form may be 1 of the following:

- an entity with a legal personality recognised by a Member State,
- an entity with no legal personality, but which gives the European Parliament sufficient protection as regards contractual interests (depending on the Member State concerned, this may be a consortium or temporary association, for example),
- signature, by all partners, of a proxy agreement or equivalent document which will ratify a form of cooperation.

The document submitted must provide proof of the grouping's actual status.

The European Parliament may accept other legal forms not included above on the condition that they guarantee that the parties are jointly and severally liable and are compatible with performance of the contract. However, the European Parliament will expressly refer to the existence of this joint and several liability in the contract to be signed with the grouping of operators. In addition, it reserves the right to request, as part of the contract, the nomination of a joint representative able to represent the members and having, amongst other things, the power to issue invoices in the name of the other members.

Tenders from groupings of economic operators must specify the role, skills and experience of each member of the grouping. Tenders shall be submitted by groupings of economic operators who will be jointly and severally liable for the submission.

#### **III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: for this contract, French law shall apply. For information purposes, a list of the main texts is given below. This list is non-exhaustive and shall in no way exempt the contractor from his legal and social obligations:

- French Labour Code and prevailing social legislation in France,
- Decree of 22.12.2008 amending the Decree of 2.5.2005 on the activities, employment and qualifications of permanent fire-safety staff in public access buildings and high-rise buildings,
- Decree No 2012-870 of 10.7.2012 regarding the code of ethics for natural persons and legal entities performing private security activities,
- Decree of 25.7.1985 and successive decrees extending the national collective agreement for prevention and security companies of 15.2.1985 and texts supplementing or amending it and its rider of 28.1.2011 to the agreement regarding staff recruitment, entered into as part of the aforementioned national collective agreement, as well as the associated texts; Decree of 29.11.2012 extending a rider to an agreement entered into under the national collective agreement for prevention and security companies (No 1351),
- Decree of 26.4.2011 extending an agreement entered into as part of the national collective agreement for prevention and security companies (No 1351),
- Decree No 2005-1122 of 6.9.2005 implementing Law No 83-629 of 12.7.1983 on the regulation of private security activities and regarding the professional capacity of executives and employees of companies performing surveillance, guard, fund transport and personal-protection services.

## 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: exclusion criteria:

\* Article 106 of the Financial Regulation:

1. candidates or tenderers shall be excluded from participation in procurement procedures 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 or persons having powers of representation, decision making or control over them have been convicted of an offence concerning their professional conduct by a judgment of a competent authority of a Member State 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 including by decisions of the EIB and international organisations;

(d) they are not in compliance with their 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 or persons having powers of representation, decision making or control over them have been the subject of a judgment which has the force of 'res judicata' for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such illegal activity is detrimental to the Union's financial interests;

(f) they are subject to an administrative penalty referred to in Article 109(1).

Points (a)–(d) of the first subparagraph shall not apply in the case of the purchase of supplies on particularly advantageous terms from a supplier which is definitively winding up its business activities or from the receivers or liquidators of a bankruptcy, through an arrangement with creditors, or through a similar procedure under national law.

Points (b) and (e) of the first paragraph shall not apply where the candidates or tenderers can demonstrate that adequate measures have been adopted against the persons having powers of representation, decision making or control over them, who are subject to a judgment as referred to in points (b) or (e) of the first subparagraph.

\* Article 107 of the Financial Regulation:

2. a contract shall not be awarded to tenderers who, during the procurement procedure for that contract:

(a) are subject to a conflict of interests;

(b) are guilty of misrepresenting the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply that information;

(c) find themselves in 1 of the situations of exclusion, referred to in Article 106(1), for the procurement procedure.

\* Evaluation of exclusion criteria:

the tenderer (or all members of the grouping, if applicable) must provide the following document with his tender:

— solemn declaration, duly signed and dated, declaring that he is not in any of the situations mentioned in Articles 106 and 107 of the Financial Regulation. The required solemn declaration template is attached to the administrative forms (form C). See invitation to tender documents.

Only the tenderer to whom the contract is to be awarded must submit the following means of

proof within 14 calendar days of notification of provisional contract award and before contract signature:

- recent extract from the judicial record or, failing this, an equivalent document recently issued by a judicial or administrative body in the country of origin or provenance, showing that the tenderer to be awarded the contract is not in any of the situations mentioned in points (a), (b) or (e) of Article 106(1) of the Financial Regulation,
- recent certificate issued by the appropriate body in the country concerned as proof that the tenderer is not in the situation mentioned in point (d) of Article 106(1) of the Financial Regulation.

Where the documents or certificates indicated above are not issued in the country concerned, and for the other exclusion cases referred to in Article 106 of the Financial Regulation, they may be replaced by a statement under oath or, failing that, a solemn declaration made by the interested party before a judicial or administrative body, a notary or a qualified professional body in the country of origin or provenance (according to form C).

The tenderer to whom the contract is to be awarded is exempt from having to provide the documentary evidence referred to in paragraph 1 if it has already been submitted as part of another European Parliament procurement procedure, and provided that the documents in question are less than 1 year old and still valid. In such a case, the tenderer must solemnly declare that the supporting documents have already been provided for a specified previous contract award procedure and that no change in his situation has occurred.

\* Proof of status:

tenderers must provide proof of their authorisation to produce the object covered by the contract in accordance with national law. Proof of status will be assessed on the basis of 1 the following documents:

- enrolment on the trade or professional register, or
- statement under oath, or
- certificate showing membership of a specific organisation or express authorisation, or
- VAT registration.

For groupings of companies, the tenderer must provide evidence of the grouping's formation and of the current contractual arrangements between its members.

\* Proof of access to the contract:

tenderers must provide proof of their access to the contract under national law.

They must state the name of the country in which they have their head office or are domiciled and enclose the documents evidencing this under their national law.

All elements submitted by the tenderer must be backed up by official documents.

### **III.2.2. Economic and financial ability**

List and brief description of conditions: the tenderer's economic and financial capacity must be sufficient for him to carry out the contract in accordance with the contract provisions. If, in the light of the information given, the European Parliament has serious doubts as to the tenderer's financial capacity, or if the latter proves to be clearly insufficient to carry out the contract, the tender will be rejected without the tenderer being entitled to any financial compensation.

To assess the financial and economic capacity, tenderers must provide the following documents:

1. annual accounts for the past 2 financial years for which accounts have been closed, where publication of balance sheets is prescribed by company law in the country in which the economic operator resides; and
2. statement as to overall turnover and turnover for the services and supplies related to the field of the contract, realised over a period covering the past 3 financial years.

If the tenderer is unable to furnish the means of proof required, he may prove his economic

and financial capacity by any other means which the European Parliament deems appropriate. For economic groupings, the financial capacity of each member of the grouping will be treated cumulatively.

The tenderer may also make use of the capacities of other bodies irrespective of the legal relationship between himself and said bodies. In such an event, he must provide the European Parliament with proof that he will have the resources needed to carry out the contract, for example, by a commitment from said bodies to make such resources available. In this case, the European Parliament is entitled to refuse the tender submitted if it has any doubts about the third party's commitment.

Minimum level(s) of standards possibly required: — minimum turnover of 10 000 000 EUR /year during the past 3 financial years for which accounts have been closed (2011, 2012 and 2013),

### **III.2.3. Technical and professional ability**

List and brief description of conditions:

tenderers' technical and professional capacity shall be proven by the following documents:

- (a) submission of a list of the main activities which are similar to those in this invitation to tender, performed over the past 3 years. This list shall include their values, dates and the public or private recipients thereof, as well as a description. The list of the major contracts must be backed up by certificates of satisfactory performance, stating that they were duly completed to a good professional standard. If the recipient of said services was a department of an EU institution, the economic operators must provide proof in the form of certificates issued or countersigned by the competent authority; and
- (b) CVs of the site manager and the logistics assistant proposed for performance of the contract — administrative part; and
- (c) proposition of the profile for a standard team to perform the contract — operational part; covering the roles of control-station chief, team leader and fire-safety officer; and
- (d) organisational chart and average staff numbers in 2011-2012-2013 for all staff categories; and
- (e) professional certificates and qualifications in the field of the services under this contract (for the tendering firm and his staff according to prevailing French legislation); and
- (f) description of the technical resources and software to ensure satisfactory performance of the activities required under this contract; and
- (g) any quality and environmental certifications (the company's ISO 9001 and/or 14001 certification will be an advantage).

Only the CVs of the site manager and logistics assistant are required at this stage in the procedure. The selected tenderer must provide, following contract signature, the list of staff to whom he will assign the roles of control-station chief, team leader and fire-safety officer. CVs will thus be required to ensure that the requirements have been met.

Minimum level(s) of standards possibly required:

tenderers must demonstrate that they have sufficient technical and professional capacity to perform this contract. The contracting authority requires that they:

- have at least 3 years' experience in providing similar security services,
- have sufficient human, IT and logistics resources to manage a contract of this size, involving considerable fluctuations in the working rhythm (session periods, non-session periods),
- be certified/hold authorisations in the field of fire safety in accordance with applicable French legislation,
- have suitable quality procedures in place to ensure satisfactory performance of this contract,
- have the environmental procedures in place in accordance with the requirements of this

contract (point 11 of this document on EMAS).

Minimum requirements applicable to staff assigned to carry out the contract.

Administrative/logistics team:

\* site manager:

- at least an A-level equivalent qualification with at least 5 years' experience in a similar role, or a GCSE-level equivalent qualification with at least 10 years' professional experience in a managerial role,
- knowledge of the MS Windows and AutoCAD desktop environments,
- knowledge of French (C2 level) and English (A2 level),
- in-depth knowledge of the legislation applicable to the activities related to this contract,

\* logistics assistant:

- GCSE-level equivalent qualification,
- at least 5 years' experience in similar roles,
- knowledge of French (C2 level) and English (A2 level),
- this post requires a member of staff who is qualified in the field of logistics management and planning and has a good knowledge of standard office-automation tools.

Operational team:

the following requirements apply to all operational staff:

- be at least 18 years of age,
- hold authorisation from the regional authority,
- hold a first-aid certificate — PSE2 — which includes a qualification as a user of semi-automatic and automatic defibrillators and oxygen therapy,
- have been trained in receiving and managing telephone calls,
- have been trained in stress management,
- have knowledge of 2 official languages of the European Union, including French (C2 level) and another language (A2 level) recognised by the Council of Europe (knowledge of German is an advantage),
- have sufficient IT knowledge to enable them to receive instructions and draft and send clear, concise, accurate reports by computer, as well as to consult the databases used by the security team,

\* control-station chief:

- supervisor, coefficient 170, SSIAP 3; professional licence and a professional qualification certificate,
- at least 2 years' experience as an SSIAP 2 team leader,
- hold a GSCE-level equivalent certificate,
- hold a certificate attesting to at least 4 years' experience in a position of responsibility in the fire-safety sector,
- hold an SSIAP 3 or equivalent diploma,
- hold a diploma or an internship attestation relating to using AutoCAD software for the management of plans,

\* team leader:

- supervisor, coefficient 150, SSIAP 2; professional licence and a professional qualification certificate,
- hold a GSCE-level equivalent certificate,
- hold a certificate attesting to at least 2 years' experience as a team leader in the fire-safety sector,
- hold an SSIAP 2 or equivalent certificate,

\* fire-safety officer:

- operational officer, coefficient 140, SSIAP 1; professional licence and a professional qualification certificate,

- hold a certificate attesting to at least 1 year's experience as a fire-safety officer,
- hold an SSIAP 1 or equivalent certificate.

#### **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: yes  
Reference to the relevant law, regulation or administrative provision: see point III.1.4.

##### **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**

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#### **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**

Lowest price

##### **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**

EP/DGSEC/DIR B/SER/2014-005.

##### **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**

10.11.2014 - 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**

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: 17.11.2014 - 10:00

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

Information about authorised persons and opening procedure: the tender opening session will take place on 17.11.2014 (10:00) at the following address: European Parliament, Directorate-General for Security and Safety, rue Wiertz 60 (WIE 0U030SR), 1047 Brussels, BELGIUM.

Tenderers wishing to attend the opening of tenders should confirm this with the department responsible for managing this contract by 13.11.2014 at the latest, limiting their representation to 2 persons, either:

— by fax: +32 22843038,

— or by e-mail to the address: [marches-tenders@ep.europa.eu](mailto:marches-tenders@ep.europa.eu)

All requests to participate must give details of the people who will attend the opening of tenders, namely:

(a) surname and first name;

(b) position;

(c) date of birth;

(d) ID card number.

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

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#### **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**

\* The documents relating to the invitation to tender are available and must be downloaded from: <http://www.europarl.europa.eu/tenders/invitations.htm>

\* Economic operators interested in this invitation to tender are invited to regularly check this website in order to be kept informed of the latest information related to the invitation to tender procedure.

\* The European Parliament departments concerned will arrange a mandatory site visit.

Economic operators wishing to participate in this visit should go to the following address on 21.10.2014 (16:00): European Parliament, LOW Building, tradesman's ('Firmes') entrance, allée du Printemps, 67000 Strasbourg, FRANCE.

Tenders submitted by economic operators who did not attend the mandatory site visit will be automatically rejected.

Up to 2 representatives per company may attend. Confirmation of attendance should be sent to the department responsible for managing this contract before 17.10.2014:

— by fax: +32 22843038,

— or by e-mail to the address: [marches-tenders@ep.europa.eu](mailto:marches-tenders@ep.europa.eu)

All requests must give details of the people who will take part in the visit, namely:

(a) surname and first name;

(b) position;

(c) date of birth;

(d) ID card number.

## **VI.4. Procedures for review**

### **VI.4.1. Review body**

Official name: General Court of the Court of Justice of the European Union

Town: Luxembourg

Postal code: 2925

Country: Luxembourg

E-mail: [generalcourt.registry@curia.europa.eu](mailto:generalcourt.registry@curia.europa.eu)

Telephone: +352 4303-1

Fax: +352 433766

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

### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: interested parties should contact the body responsible for appeal procedures to obtain information on deadline(s) for lodging appeals.

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

Official name: see point VI.4.1.

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

9.9.2014