

**B-Brussels: Study on the feasibility of the creation of a European system of border guards to control the external borders of the Union**

OJ S 249/2012 28/12/2012

Contract notice

Services

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: European Commission, Directorate-General for Home Affairs

Postal address: LX46, 8/104

Town: Brussels

Postal code: 1049

Country: Belgium

Contact person: Martina Kurillova

For the attention of: Stefano Signore

E-mail: [home-ext-borders-fund@ec.europa.eu](mailto:home-ext-borders-fund@ec.europa.eu)**Internet address(es):**General address of the contracting authority: [http://ec.europa.eu/justice\\_home/funding/tenders/funding\\_calls.en.htm](http://ec.europa.eu/justice_home/funding/tenders/funding_calls.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**

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

Study on the feasibility of the creation of a European system of border guards to control the external borders of the Union.

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

Services

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

Main site or place of performance: Contractor's premises and in other locations relevant for performing visits in the Member States. However, meetings between the contractor and the Commission shall be held on Commission premises in Brussels.

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 the study is to identify 3 models of what a European system of border guards could be composed of. In that context, develop for each model:

- if the creation of a European system of border guards is feasible from a legal and operational point of view; if necessary identify and describe the different steps that could in the longer term lead to the gradual creation of such a system,
- determine what legal provisions are necessary to create a European corps of border guards under the control and command of the Frontex Agency in order to perform border control duties at the external borders of the Union, building upon an earlier study on the 'Conferring of executive powers to border officers',
- find out the main aspects that are necessary to build a European system of border guards (tasks, powers, budget, human or other resources, etc.),
- determine the boundaries of such a system and provide information on the needs that such a system would require and provide different scenarios in this context,
- define the added value of the creation of a European system of border guards, also in terms of saving budgetary means, including a rough estimation of the necessary EU budget that such a European system would require,
- provide the necessary elements to determine the role of the Frontex Agency to operate a European system of border guards,
- analyse if changes are necessary to the Schengen Borders Code if such a European system of border guards is created, and which role such a system might have in relation to Eurosur and the Schengen evaluation mechanism.

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

79411000 General management consultancy 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**

Maximum amount of 300 000 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: 10 (from the award of the contract)

## **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**

Refer to tender documents.

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

Refer to tender documents.

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

Refer to tender documents.

#### **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: — all tenderers must provide proof of registration, as prescribed in their country of establishment, on one of the professional or trade registers or provide a declaration or certificate,

— if the tenderer is a natural person, he/she must provide a copy of his/her identity card /passport or driving licence and proof that he/she is covered by a social security scheme as a self-employed person.

Each tenderer (including subcontractor(s) or any member of a consortium or grouping) must complete and sign the identification forms in Annex 1 and also provide the abovementioned documents. However, the subcontractor(s) shall not be required to fill in or provide those documents when the services represent less than 20 % of the contract.

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

List and brief description of conditions: Tenderers must provide proof of their financial and economic capacity by means of the following documents:

— the balance sheets or extracts from balance sheets for the last 3 financial years,

— a statement of overall turnover and turnover relating to the relevant services for the last 3 financial years,

— completed 'Simplified balance sheet' and 'Simplified profit & loss account' (Annex 5), filled in for 3 years.

This rule applies to all service providers, regardless of the percentage of tasks they intend to execute, once they have chosen to submit a tender. However, if the tender includes subcontractors whose tasks represent less than 20 % of the contract, those subcontractors are not obliged to provide evidence of their economic and financial capacity.

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

List and brief description of conditions:

a. Proven knowledge and expertise in the field of justice and home affairs. Qualifications of personnel: senior expert with at least 5 years' and junior expert with at least 2 years' experience in one or more of the following areas: management of migratory flows, visa policy, fight against illegal immigration and/or trafficking in human beings, law enforcement and/or fight against cross-border crimes, EU external border control.

Senior experts must have a university degree (master's level), and have experience in evaluation, opinion surveys, interviews, case studies or in a related field.

Junior expert must have a university degree (master's level) and have experience in evaluation, opinion surveys, interviews, case studies or in a related field.

b. Demonstrated ability to work with representatives of different Member States and to work in more than 5 EU official languages.

### **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**

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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**

The most economically advantageous tender in terms of Criteria below

1. Quality and clarity of the approach, methodology and working methods proposed for this assignment, including a breakdown of tasks (such as gathering documentation, conducting interviews, case studies and on-site visits, etc.), a timetable and delivered products with inputs, estimated effort, project milestones and expected outcome. Weighting 40
2. Understanding of the environment in which the assignment is being carried out: ability to understand the political context, objectives, challenges, and the operational problems and needs as regards integrated border management, as well as the tasks to be performed and results to be achieved under this assignment. Weighting 35
3. Composition and quality of the organisation of the proposed team and the description of the role of the team within the assignment. Here you should give details, using the form in Annex VI, of the composition of the proposed team (total number of people directly involved in working on the study, number of days for each task, each person/grade/level of experience), including the level of direct participation by experienced (senior) staff within the organisation, but only for the purpose of the requested service. Weighting 25

#### **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**

HOME/2012/EBFX/PR/1001.

##### **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: 8.3.2013 - 16:00

Payable documents: no

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

15.3.2013 - 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: 10 (from the date stated for receipt of tender)

##### **IV.3.8. Conditions for opening of tenders**

Date: 21.3.2013 - 10:30

Place:

DG Home Affairs, Office 02/SDR99, rue du Luxembourg 46, 1049 Brussels, BELGIUM.

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

Information about authorised persons and opening procedure: Each tenderer may be represented by not more than 1 person.

### **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:

yes

Identification of the project: External Borders Fund.

#### **VI.3. Additional information**

Tender documents may be downloaded from the following address:

[http://ec.europa.eu/dgs/home-affairs/financing/tenders/index\\_en.htm#/c](http://ec.europa.eu/dgs/home-affairs/financing/tenders/index_en.htm#/c)

#### **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  
Telephone: +352 4303-1000  
Fax: +352 4303-2100

**VI.4.2. Review procedure**

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

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

18.12.2012