

Germany-Darmstadt: Gaskets
OJ S 144/2023 28/07/2023
Contract notice
Supplies

Legal Basis:
Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: FAIR - Facility for Antiproton and Ion Research in Europe GmbH
Postal address: Planckstr. 1
Town: Darmstadt
NUTS code: DE711 Darmstadt, Kreisfreie Stadt
Postal code: 64291
Country: Germany
E-mail: proekf332@gsi.de
Telephone: +49 615971-3534
Fax: +49 615971-3983
Internet address(es):
Main address: <http://www.fair-center.de>

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.dtv.de/Satellite/notice/CXS0YYEY1M6V7SZK/documents>
Additional information can be obtained from the abovementioned address
Tenders or requests to participate must be submitted electronically via: <https://satellite.dtv.de/Satellite/notice/CXS0YYEY1M6V7SZK>

I.4. Type of the contracting authority

Other type: Major research facility

I.5. Main activity

Other activity: Research

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Inflatable Seals: Super-FRS
Reference number: 332/2600001371FAIR

II.1.2. Main CPV code

34312500 Gaskets

II.1.3. Type of contract

Supplies

II.1.4. Short description

20 pieces of inflatable seals DN400

II.1.5. Estimated total value

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

18513300 Articles of precious metal, 31643000 Particle accelerators, 39360000 Sealing equipment

II.2.3. Place of performance

NUTS code: DE711 Darmstadt, Kreisfreie Stadt

Main site or place of performance: FAIR - Facility for Antiproton and Ion Research in Europe GmbH Planckstr. 1 64291 Darmstadt

II.2.4. Description of the procurement

20 pieces of one type of inflatable seals. Inflatable seals are special vacuum sealing techniques used in the beamline vacuum system of the Super-FRS. They are used in specific locations in the super-FRS beamline vacuum system for the following reasons, To facilitate the robot handling (removal and reinstallation) of the gate valves situated in the per-separator area of the super-FRS is required due to the high radiation environment. Alternative solution at locations in the beamline where there is no space for a standard bellows. Easy removal and reinstallation of the focal plane chambers and beam pipes which are situated at the experimental focal planes of super-FRS.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 8

This contract is subject to renewal: no

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds: no

II.2.14. Additional information

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.1.

Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions:

Supporting documents:

- 2. Company presentation (To be submitted with the participation request by means of self-declaration): "With the information asked for on the FAIR preprinted form, the number of employees over the previous three years - on the FAIR preprinted form under Company presentation"
- 4. Self-declaration of suitability pursuant to Sections 123, 124 GWB (To be submitted with the participation request by means of self-declaration): Self-declaration of possessing the knowledge pursuant to Sections 123, 124 GWB is incorrect and that the cases mentioned therein do not apply - FAIR preprinted form

III.1.2. Economic and financial standing

List and brief description of selection criteria:

- 2.1 Information on overall revenues and order-specific revenue (To be submitted with the participation request by means of self-declaration): Declaration of the total company turnover and the turnover in relation to the particular type of service to which the award relates, in both cases, in relation to the last 3 financial years - on the FAIR preprinted form under Company presentation.
- 6.1 Proof of commercial liability insurance (To be submitted with the participation request by means of self-declaration): "Proof of a commercial liability insurance must be provided - FAIR preprinted form

III.1.3. Technical and professional ability

List and brief description of selection criteria:

- 3. Description of reference projects (To be submitted with the participation request by means of self-declaration): Description of three comparable reference projects, including the project data asked for on the FAIR preprinted form.
- 11. Self declaration of compliance with standards in the style of DIN EN ISO 9001 (or comparable certification) (To be submitted with the participation request by means of third party confirmation): or submit Certification DIN EN ISO 9001 (or comparable certification)
- 14. Information about technical equipment, QM/QS, R&D (To be submitted with the participation request by means of third party confirmation): - Information on technical equipment, QM/QA, R&D: Description of the technical equipment, the company's measures to ensure quality, and the company's investigation and research capabilities.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

- 1. Participation - General declaration within the meaning of Section 126b (German Civil Code -BGB) (To be submitted with the participation request by means of self-declaration): General declaration of the person making the declaration within the meaning of Section 126b BGB. If the person making the declaration is not named in the request to participate, the request to participate will be deemed to have not been submitted.
- 5. Act Regulating a General Minimum Wage (Mindestlohngesetz - MiLoG) (To be submitted with the participation request by means of self-declaration): Declaration as per Section 19 (3) MiLoG - FAIR preprinted form
- 8. Proofs for subcontractors (To be submitted with the participation request by means of self-declaration): "The name and address of each intended subcontractor must be given when submitting the tender.

Each subcontractor used must meet the same suitability criteria as the primary contractor.

Suitable proof for each subcontractor must be submitted.

The subcontractor must also submit

- A declaration of availability (see Declaration of availability preprinted form) together with the request to participate/tender. - FAIR preprinted form"
- 9. Russia sanctions - Declaration on Regulation (EU) 833/2014 (To be submitted with the participation request by means of self-declaration): On 08.04.2022, the Council of the European Union adopted Regulation (EU) 2022/576 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine. This entered into force on 09.04.2022. As a regulation, it has direct legal effect in the member states and has a direct impact on the award of public contracts and concessions.
- 10. Declaration of compliance with data protection requirements (To be submitted with the participation request by means of self-declaration): The bidder must comply with technical and organizational measures to ensure data protection and data security - FAIR prprinted form

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Competitive procedure with negotiation

IV.1.3. Information about a framework agreement or a dynamic purchasing system

IV.1.4. Information about reduction of the number of solutions or tenders during negotiation or dialogue

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

IV.1.5. Information about negotiation

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

IV.2. Administrative information

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 25/08/2023 Local time: 12:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

Date: 08/09/2023

IV.2.4. Languages in which tenders or requests to participate may be submitted

English

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted
Electronic payment will be used

VI.3. Additional information

The only form of submission of participation applications accepted by Awarding Authority is in writing, electronically

Note: In Writing, Electronically

Participation applications shall be submitted electronically within the deadline via the German awarding platform DTVP.

URL: <http://www.dtv.de/Center/>

The forms and other documents to be completed, provided by FAIR, may be

- either completed on the online tendering tool under the section "Documents to Be Completed" or

- created and compiled separately by Candidate together with the other components of the participation application or tender (concepts or explanations etc.), then uploaded under the heading "Own Documents".

However, Candidates should not fill in the forms online and upload them again separately, as this can result in transmission errors and increases the workload on both sides.

In order to comply with the text form (in writing) according to § 126b BGB [transl.: German Civil Code] when submitting participation applications, Candidates must provide the following information:

- In the case of natural persons, the full name (first name and surname) must be given (name of the declaring person in the participation application form).
- In the case of legal entities and commercial companies and corporations, the name of the company and its legal form must be stated. In addition, the full name of the employee who is submitting the participation application on behalf of the company (name of the declaring person in the participation application form) must be stated. The insertion of a company logo is not sufficient.
- In the case of Bidding Consortia, the declaring person according to § 126b BGB shall be the employee of the leading member who submits the participation application on behalf of the Bidding Consortium; besides, the form "Bidding Consortium Declaration" must be submitted. It should be noted that in the case of electronic submission, the text form according to § 126b BGB is only observed if the participation applications are transmitted in encrypted form via the awarding platform (cf. information on eVergabe). Submitting the participation application via email is not sufficient.

In the case of incorrect/ incomplete information that violates the aforementioned formal requirements, participation applications will be excluded unless Candidate cannot be held responsible (§ 57 para. 1 nr. 1, para. 3 VgV).

Note: Weighting (Best possible rating is 10 and worst possible rating is 0)

40 % price

60 % performance criteria - Performance criteria: 60% are scaled to 100%

1. Description of quality assurance and documentation = 30 %

2. Detailing of the entire manufacturing concept and the performance of all technical acceptance tests = 50 %

3. Time schedule = 20 %

Note: Communication with Candidates

Communication with Candidates takes place via the DTVP's tender platform. Questions must be sent to FAIR via DTVP and will be answered via DTVP. Questions posed orally or by

telephone regarding the documents or the contractual object will not be answered; answers given orally or by telephone are not binding.

Note: Electronic Invoicing

"The XInvoicing format is accepted with additional transmission of the invoice as a -pdf-."

Bekanntmachungs-ID: CXS0YYEY1M6V7SZK

VI.4. Procedures for review

VI.4.1. Review body

Official name: Vergabekammer des Bundes

Postal address: Villemomblerstr. 76

Town: Bonn

Postal code: 53123

Country: Germany

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Candidate/ Bidder is requested to clearly identify those sections of the participation application (and eventually of the tender, if applicable) that contain a trade or business secret. If Bidder fails to do so, the Public Procurement Tribunal may, in the case of a review procedure, assume that Bidder has agreed to have these documents inspected (§165 para. 3 GWB). As Awarding Authority, FAIR is obliged to make the tender file available to the Public Procurement Tribunal immediately when initiating a review procedure (§ 163 para. 2 cl. 3 GWB).

Candidates/ Bidders have a right to expect the contracting authority's compliance with the Bidder-protecting provisions re: the tender procedure (§ 97 para. 6 GWB). If Candidate/ Bidder interested in the contract considers that Bidder's rights have been infringed through failure to comply with award regulations, the infringement must be reported to FAIR within ten calendar days (§ 160 para. 3 cl. 1 nr. 1 GWB).

Infringements identifiable on the basis of the announcement or the award documents must be asserted against FAIR within the deadline for submission of applications (or tenders) specified in the announcement (§ 160 para. 3 cl. 1 nr. 2 - 3 GWB).

If FAIR informs Candidate/ Bidder that FAIR is unwilling to redress its complaint, it is possible to file an appeal for review with the aforementioned Public Procurement Tribunal within 15 days of receipt of the notification (§ 160 para. 3 cl. 1 nr. 4 GWB).

Bidders whose tenders are not to be considered for the award will be informed prior to the award according to § 134 GWB. A contract may only be concluded 15 calendar days after this information has been sent by FAIR. In the case of transmission by fax or electronic means, this period shall be ten calendar days. It commences on the day after dispatch of the information by FAIR. After this period has expired, a surcharge is possible, even if the deadline is not passed according to § 160 para. 3 GWB. An application for review would therefore have to be delivered to FAIR by the Public Procurement Tribunal before the expiry of the deadline according to § 134 GWB in order to prevent a surcharge.

According to § 135 para. 1 and 2 GWB, the ineffectiveness of a commission can only be established if it has been asserted in the review procedure within 30 calendar days of the conclusion of the contract but not later than six months after the conclusion of the contract. If the contracting entity has published the award in Official Journal of the European Union, the period unenforceability shall end 30 calendar days after announcement of the publication of the award in Official Journal of the European Union.

Information pursuant to Art. 13 GDPR on the processing of your personal data within the scope of our business relationship is available at: www.gsi.de/data-protection

VI.4.4. Service from which information about the review procedure may be obtained

Official name: Vergabekammer des Bundes

Postal address: Villemomblerstr. 76

Town: Bonn

Postal code: 53123

Country: Germany

VI.5. Date of dispatch of this notice

25/07/2023