

Germany-Darmstadt: Particle accelerators
OJ S 158/2023 18/08/2023
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: proekf33@gsi.de

Telephone: +49 6159711987

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.dtvp.de/Satellite/notice/CXS0YYEY1M2QUC0T/documents>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://satellite.dtvp.de/Satellite/notice/CXS0YYEY1M2QUC0T>

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

Controllers for cold cathode gauges used in the UHV system of SIS100

Reference number: 33/2600008624FAIR

II.1.2. Main CPV code

31643000 Particle accelerators

II.1.3. Type of contract

Supplies

II.1.4. Short description

32 controllers are required for the UHV system of SIS100 with

- 3 channels to control and read out cold cathode gauges of type MKS 422;
 - 1 communication module for Profibus (DPV1)
- All necessary documentation: CE certificate, operations manual including troubleshooting

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)

38423000 Pressure-measuring equipment, 38424000 Measuring and control 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

- 3 channels to control and read out cold cathode gauges of type MKS 422;
- 937B-EU-CCCCC-PF or equivalent;
- Firmware version: 3.0.2

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: 6

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: yes

Description of options:

Extended warranty to 5 years per controller.

Extended warranty per controller is a requirement item/option. The order is only concluded if the customer requests the execution of this position in writing no later than 12 months after the award.

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:

- Self-declaration of suitability pursuant to Sections 123, 124 GWB (To be submitted with the tender 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:

Supporting documents:

- Proof of commercial liability insurance (To be submitted with the tender by means of self-declaration)

Information about the insurance provider and the amount of coverage on the FAIR preprinted form

- Creditworthiness check (To be submitted with on request of contracting authority by means of third party confirmation): Carried out by FAIR GmbH as part of the suitability check.

Minimum level(s) of standards possibly required:

Advance payments required within the realm of a contract to be concluded (down payments) shall only be paid upon the presentation of an unlimited suretyship with assumption by principal debtor.

As a general rule, FAIR GmbH only accepts suretyships which meet the following minimum conditions:

- Guarantees with debts owed as a principal debtor waiving the defence of §§ 770, 771 BGB
- only suretyships under German law
- suretyships are irrevocable
- free of charge for FAIR GmbH
- issued by a reputable international, preferably European bank
- usually for an indefinite period or a period linked to the date ownership transfer took place"

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

Supporting documents:

- Act Regulating a General Minimum Wage (Mindestlohngesetz - MiLoG) (To be submitted with the tender by means of self-declaration): Declaration as per Section 19 (3) MiLoG - FAIR preprinted form

- Russia sanctions - Declaration on Regulation (EU) 833/2014 (To be submitted with the tender 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

- Declaration of compliance with data protection requirements (To be submitted with the tender by means of self-declaration)

- Self-declaration of compliance with standards in the style of ISO 9001 (or equivalent standard) (To be submitted with the tender by means of self-declaration): Respect standards in the style of ISO 9001

- We reserve the right to carry out all tests to check the proper functionality and integrity of the product before final acceptance!

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Open procedure

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

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: 14/09/2023 Local time: 12:00

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

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

English

IV.2.6. Minimum time frame during which the tenderer must maintain the tender

Tender must be valid until: 15/11/2023

IV.2.7. Conditions for opening of tenders

Date: 14/09/2023 Local time: 12:00

Place:

Project purchasing

Information about authorised persons and opening procedure: The opening of the offers takes place according to Article 55 VgV.

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

VI.3. Additional information

Note: Weighting

90 % price

10 % performance criteria - delivery time

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: CXS0YYEY1M2QUC0T

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:

The competent reviewing authority is

Vergabekammer des Bundes [transl.: Federal Public Procurement Tribunal]

Villemombler Straße 76

53123 Bonn

Tel.: 0228 9499-0

Fax: 0228 9499-163

Email: vk@bundeskartellamt.bund.de

Website: <http://www.bundeskartellamt.de/SharedDocs/KontaktDaten/DE/Vergabekammern.html>

Candidate/ Bidder is requested to clearly identify those sections of the tender 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 no. 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 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 no. 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 Amtsblatt der Europäischen Union [transl.: Official Journal of the European Union], the period unenforceability shall end 30 calendar days after announcement of the publication of the award in the Amtsblatt der Europäischen 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.5. Date of dispatch of this notice

14/08/2023