

Spain-Barcelona: Auditing Services for 'Cost Plus Fee' Contracts

OJ S 217/2020 06/11/2020

**Contract notice
Services****Legal Basis:**

Regulation (EU, Euratom) No 2018/1046

Section I: Contracting authority

I.1. Name and addresses

Official name: The European Joint Undertaking for ITER and the Development of Fusion Energy ('Fusion for Energy')

Postal address: Josep Pla 2; Torres Diagonal Litoral, Edificio B3

Town: Barcelona

NUTS code: ES511 Barcelona

Country: Spain

Contact person: Procurement Unit — For the attention of: Roberta Rubbino

E-mail: roberta.rubbino@f4e.europa.eu

Telephone: +34 933201800

Internet address(es):

Main address: <http://f4e.europa.eu/>

Address of the buyer profile: <https://industryportal.f4e.europa.eu/default.aspx>

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: https://industryportal.f4e.europa.eu/IP_PAGES/ehome.aspx

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: https://industryportal.f4e.europa.eu/IP_PAGES/ehome.aspx

I.4. Type of the contracting authority

European institution/agency or international organisation

I.5. Main activity

Other activity: Energy

Section II: Object

II.1. Scope of the procurement**II.1.1. Title**

Auditing Services for 'Cost Plus Fee' Contracts

Reference number: F4E-OMF-1094

II.1.2. Main CPV code

79212000 Auditing services

II.1.3. Type of contract

Services

II.1.4. Short description

Provision of contract audit services for the determination of the actual incurred cost under 'Cost Plus Fee' supply contracts OMF-900-01 and OMF-900-02, for the production of the ITER Blanket First Wall Panels.

II.1.5. Estimated total value

Value excluding VAT: 6 000 000,00 EUR

II.1.6. Information about lots

This contract is divided into lots: yes
Tenders may be submitted for all lots

II.2. Description

II.2.1. Title

Auditing Services for 'Cost plus Fee' Contracts
Lot No: 1

II.2.2. Additional CPV code(s)

79212000 Auditing services

II.2.3. Place of performance

NUTS code: ES España

NUTS code: FR France

Main site or place of performance: Contractor's premises and premises of the Blanket First Wall Panels supplier(s) (France or Spain).

II.2.4. Description of the procurement

Provision of contract audit services for one of the two supply contracts for the production of the Blanket First Wall Panels (either OMF-900-01 or OMF-900-02).

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

Value excluding VAT: 3 000 000,00 EUR

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

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

Up to two renewals of 24 months each.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

Option 1: support in the form of technical or legal assistance to F4E in case of disagreements with the FWP Supplier related to the results of the audit.

II.2.13.

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: ITER

II.2.14. Additional information

See section VI.3).

II.2. Description

II.2.1. Title

Auditing Services for 'Cost plus Fee' Contracts

Lot No: 2

II.2.2. Additional CPV code(s)

79212000 Auditing services

II.2.3. Place of performance

NUTS code: ES España

NUTS code: FR France

Main site or place of performance: Contractor's premises and premises of the Blanket First Wall Panels supplier(s) (France or Spain)

II.2.4. Description of the procurement

Provision of contract audit services for one of the two supply contracts for the production of the Blanket First Wall Panels (either OMF-900-01 or OMF-900-02).

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

Value excluding VAT: 3 000 000,00 EUR

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

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

Up to two renewals of 24 months each.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

Option 1: support in the form of technical or legal assistance to F4E in case of disagreements with the FWP Supplier related to the results of the audit.

II.2.13. 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: ITER

II.2.14. Additional information

See section VI.3).

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:

See internet address provided in section I.3).

III.1.2. Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3. Technical and professional ability

Selection criteria as stated in the procurement documents

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

See internet address provided in section I.3).

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

The procurement involves the establishment of a framework agreement

Framework agreement with several operators Envisaged maximum number of participants to the framework agreement: 4 In the case of framework agreements, provide justification for any duration exceeding 4 years:

This duration is required to cover the duration of the supply contracts OMF-900-01 and -02

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

The contracting authority reserves the right to award the contract on the basis of the initial tenders without conducting negotiations

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

The procurement is covered by the Government Procurement Agreement: no

IV.2. Administrative information

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

Date: 01/12/2020 Local time: 10:00

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

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about electronic workflows

Electronic payment will be used

VI.3. Additional information

Tenderers are informed that the awarded contract will not be signed in paper. Signature of the contract will take place through a web-based tool called deviation, amendment and contract changes (DACC). The contract must be signed by the tenderer's legal representative in DACC. Signature of the contract in DACC is considered as equivalent to a paper document with a handwritten signature and shall be admissible as evidence in legal proceedings. It is legally binding.

1) This notice and the rest of the procurement documents will be published also on the joint undertaking's buyer's profile. Economic operators are strongly advised to regularly visit the webpage in section I) of this notice.

2) This procurement procedure is governed by the rules laid down by:

(a) Regulation (EU, Euratom) 2018/1046; referred to as the 'General Financial Regulation' (GFR); and

(b) complemented, where it derogates, by the: Financial Regulation for Fusion for Energy adopted by Governing Board decision of 10 December 2019.

All legislation can be found on: <http://www.fusionforenergy.europa.eu/procurementsgrants/keyreference.aspx>

3) Tenderers can only submit a tender via the foreseen e-Submission tool detailed in the procurement documents.

4) In accordance with point 11 of Annex I of the GFR, F4E may use the negotiated procedure without publication of a contract notice to award new contracts for additional similar services to the contractors chosen as a result of the present call for tender, in which case the amount to be awarded will not exceed 50 % of this contract (amount included in the total estimated value as detailed in the procurement documents). Such right will be exercised by F4E in case the manufacturing contracts OMF-0900 should exceed their planned duration.

VI.4. Procedures for review

VI.4.1. Review body

Official name: General Court

Postal address: Rue du Fort Niedergrünewald

Town: Luxembourg

Postal code: L-2925

Country: Luxembourg

E-mail: GC.Registry@curia.europa.eu

Telephone: +352 4303-1

Fax: +352 4303-2100

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

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Within 2 months of notice of the award decision, you may launch an action for annulment of the award decision. Any request you may make and any reply from us, or any complaint for maladministration, will have neither the purpose nor the effect of suspending the time-limit for launching an action for annulment or to open a new period for launching an action for annulment. The body responsible for hearing annulment procedures is indicated in Section VI.4.1) of the contract notice.

If you believe that there was maladministration, you may lodge a complaint to the European Ombudsman within two years of the date when you became aware of the facts on which the complaint is based (see <http://www.ombudsman.europa.eu>).

VI.5. Date of dispatch of this notice

27/10/2020