

Germany-Berlin: World wide web (www) site design services

OJ S 240/2022 13/12/2022

Contract notice

Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: EIT RawMaterials GmbH

Town: Berlin

NUTS code: DE300 Berlin

Country: Germany

E-mail: tender@eitrawmaterials.eu

Internet address(es):

Main address: <https://eitrawmaterials.eu/>

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.dtvp.de/Satellite/notice/CXP4Y9P6M9E/documents>

Tenders or requests to participate must be submitted electronically via: <https://www.dtvp.de/Satellite/notice/CXP4Y9P6M9E>

Additional information can be obtained from another address:

Official name: LUTZ | ABEL Rechtsanwalts PartG mbB

Town: Berlin

NUTS code: DE300 Berlin

Country: Germany

E-mail: vergabe-b@lutzabel.com

Internet address(es):

Main address: <https://www.lutzabel.com/>

I.4. Type of the contracting authority

Other type: Legal entity under private law

I.5. Main activity

Economic and financial affairs

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

EIT RawMaterials Website Development

Reference number: EITRM-Web

II.1.2. Main CPV code

72413000 World wide web (www) site design services

II.1.3.

Type of contract

Services

II.1.4. Short description

Creation of a new website for EIT RawMaterials and provision of further related services

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)

72268000 Software supply services, 72262000 Software development services, 72267000 Software maintenance and repair services, 72260000 Software-related services

II.2.3. Place of performance

NUTS code: DE300 Berlin

II.2.4. Description of the procurement

The object and purpose of the procurement procedure is to award a contract to of a high-performance agency on the creation of a new website for EIT RawMaterials as well as with further related services.

As the result of an agile project, the contractor will launch a visually attractive, responsive, rich and innovative website for EIT RawMaterials. This mission comprises all the steps of web project management, from the audit of the current website to the delivery of the final product including testing, necessary content migration to a new CMS, training and continued website hosting, trouble shooting and development maintenance.

Details of the services to be provided are detailed in the tender specifications and the contractual terms and conditions, which will be made available to the candidates selected in the preliminary competition tender as a basis for the preparation of initial tenders.

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: 24

This contract is subject to renewal: yes

Description of renewals:

EIT RawMaterials is entitled to unilaterally extend the contract two times for a maximum period of 12 months each time (resulting in a maximum duration of the contract of $24 + 12 + 12 = 48$ months). The exercise of this right shall be at the sole discretion of EIT RawMaterials and shall be effected by written notice to the contractor no later than 3 months before the expiry of a contract year.

II.2.9. Information about the limits on the number of candidates to be invited

Envisaged number of candidates: 10
Objective criteria for choosing the limited number of candidates:

The contracting entity will select the candidates whose requests to participate did not have to be excluded on the basis of the proven technical and professional ability applying the following criteria:

1. Proven experience addressing multiple audiences (business, research, academia, EU stakeholders)
1 reference minimum requirement
1 point per additional reference, max. 5 points
2. Proven commercial experience, i.e., proven examples/case studies of work experience with B2B and/or B2C clients
1 reference minimum requirement
1 point per additional reference, max. 5 points
3. Proven experience in interaction design and user experience design, i.e.:
 - 3.1 Showcase responsive website designs (especially with content-heavy and/or lengthy navigation menus)
1 reference minimum requirement
1 point per additional reference, max. 5 points
 - 3.2 Content-heavy website: easy to navigate, examples of data and content visualisation
1 reference minimum requirement
1 point per additional reference, max. 5 points
4. Proven experience in the development of websites following Web Content Accessibility Guidelines (WCAG) or BITV 2.0 standard
1 reference minimum requirement
1 point per additional reference, max. 5 points
5. Experience in agile software development projects
1 reference minimum requirement
1 point per additional reference, max. 5 points
6. Experience with EU General Data Protection Regulation (GDPR)
1 reference minimum requirement
1 point per additional reference, max. 5 points

The evaluation will be based on the declarations and evidence submitted by the candidate. It must be possible to verify on the basis of the information provided by the candidate whether the above-mentioned evaluation criteria are met i.e., candidates are requested to address the above-mentioned characteristics in the description of the respective reference project if these are considered to be met by the candidate. Missing information from candidates will not be requested. In this case, the evaluation criterion is deemed not to be met.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

Additional services related to the website (i.e. development of enhancements) and remunerated on a time and material basis.

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: EIT RawMaterials Grant Agreement

II.2.14. Additional 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:

In order to prove their qualification and authorisation to pursue the professional activity, tenderers must declare whether they are registered in the commercial register, under which number and with which court or authority, if applicable, using form "Declaration on Eligibility". If there is no obligation to be registered in the commercial register (e.g. due to the legal form of the tenderer), a declaration must be made accordingly.

For the Member States of the European Union, the respective professional or trade registers are set out in Annex 11 to Directive 2014/24/EU.

Declarations must be made by using the form "Declaration on eligibility".

III.1.2. Economic and financial standing

List and brief description of selection criteria:

1.) Total turnover: Annual turnover in EUR (net), based on the last three completed financial years before the time limit for requests to participate, for which figures are already available.

2.) Business liability insurance: Evidence must be provided of the existence of business liability insurance for activities that are the subject of the tendered contract (IT-services).

Declarations must be made by using the form "Declaration on eligibility".

Minimum level(s) of standards possibly required:

2.) The business liability insurance to be proven must include the following minimum coverage:

- Personal injury and property damage: EUR 1 million sum insured per claim and limited to EUR 2 million sum insured for all claims in an insurance year.

- Financial losses: EUR 500,000 sum insured per claim and limited to EUR 1 million sum insured for all claims in an insurance year.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

1.) Candidates have to make proof of suitable references on supply and service contracts performed in the past, in the form of a list of the main supplies and services delivered or performed over the last three years before the time limit for requests to participate, at most, with details of the contract value, delivery or performance dates, public or private clients. The number of references to be indicated is not limited. A reference is suitable if it demonstrates experience in the provision of services comparable to the services of the tendered contract.

2.) Declaration showing the candidate's average annual number of permanent employees over the last three completed fiscal years before the time limit for requests to participate.

3.) Candidates have to declare which parts of the contract the candidate intends to subcontract, where such a declaration is already possible.

Declarations must be made by using the form "Declaration on eligibility".

Minimum level(s) of standards possibly required:

1.) Each of the following criteria has to be met through references at least once (exclusion criteria):

1. Proven experience addressing multiple audiences (business, research, academia, EU stakeholders)

2. Proven commercial experience, i.e., proven examples/case studies of work experience with B2B and/or B2C clients

3. Proven experience in interaction design and user experience design, i.e.
 - 3.1 Showcase responsive website designs (especially with content-heavy and/or lengthy navigation menus)
 - 3.2 Content-heavy website: easy to navigate, examples of data and content visualisation
4. Proven experience in the development of websites following Web Content Accessibility Guidelines (WCAG) or BITV 2.0 standard
5. Experience in agile software development projects
6. Experience with EU General Data Protection Regulation (GDPR)

One reference may cover more than one of the above-mentioned exclusion criteria.

It must be possible to verify on the basis of the information provided by the candidate whether the above-mentioned exclusion criteria are met i.e., candidates are requested to address the above-mentioned exclusion criteria in the description of the respective reference project if these are considered to be met by the candidate. Missing information will not be requested. In this case, the criterion is deemed not to be met.

2.) Candidates must prove an annual average of at least 20 permanent staff members over the last three completed fiscal years before the time limit for requests to participate.

III.2. Conditions related to the contract

III.2.3. 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

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

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: yes

IV.2. Administrative information

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

Date: 12/12/2022 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

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.3. Additional information

1) Candidates must declare the absence of the exclusion grounds stated in sections 123 et seq. of the Act against Restraints of Competition (ARC). In addition, candidates shall, for the purpose of implementing Art. 5k (1) of Regulation (EU) No 833/2014 as amended by Art. 1 No. 23 of Council Regulation (EU) 2022/576 of 8 April 2022, declare that they are not a person with relations to the Russian Federation within the meaning of Art. 5k (1) of Regulation (EU) No 833/2014 and will not subcontract services to such a person. For this purpose the form "Declaration on the absence of grounds for exclusion" must be used.

2) Candidates may refer to the capacities of third parties under the conditions of section 47 of the Procurement Ordinance (Vergabeverordnung - VgV).

3) It is admissible to participate as a candidate consortium. A candidate consortium is treated legally like a single candidate. Insofar as candidates are mentioned in this contract notice or in the procurement documents, this refers to both individual candidates and candidate consortia. In the request to participate, members of the consortium must name an authorised representative. The authorised representative is available as contact person for the consortium in this procurement procedure. The eligibility review shall be carried out taking into account all documents submitted by the candidate consortium. The suitability to pursue the professional activity and the absence of grounds for exclusion under section 123 ARC and section 124 ARC must be proven individually for each member of a candidate consortium. With regard to the other eligibility criteria, the candidate consortium as a whole is subject of the eligibility review. For this reason, each member completes the declaration on eligibility only to the extent that it applies to that member. If and insofar as members refer to third parties' capacities, the declaration on third parties' capacities must also be completed and submitted. The eligibility review shall take into account all documents submitted by the candidate consortium.

4) In the preliminary competition, only the preparation of a request to participate on the basis of the specifications in the contract notice and in this procedure information is required. No tenders are to be submitted within the framework of the preliminary competition. The procurement documents for the tender and negotiation phase will not be published in the competition preliminary and will only be made available to the candidates selected in the preliminary competition via the procurement platform.

5) The language of this procurement procedure shall be English. All communication shall be conducted in English. In addition to copies of original documents in other languages than English (also German), simple translations into English must also be enclosed for information and proof which are not in English. Services will have to be provided exclusively in English, as the working language at EIT RawMaterials is exclusively English. However, the contract to be awarded in this procurement procedure as the procurement procedure itself will be subject to German law exclusively. Therefore, the successful tenderer will be asked to provide a full translation into German of his final tender.

Bekanntmachungs-ID: CXP4Y9P6M9E

VI.4. Procedures for review

VI.4.1. Review body

Official name: Vergabekammer Berlin - Senatsverwaltung für Wirtschaft, Technologie und Forschung

Postal address: Martin-Luther-Straße 105
Town: Berlin
Postal code: 10825
Country: Germany
E-mail: poststelle@senwtf.berlin.de
Telephone: +49 3090138316
Fax: +49 3090137613
Internet address: <http://www.berlin.de/>

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

According to section 160 (3) sentence 1 No 4 ARC a review procedure is inadmissible, if more than 15 calendar days have expired since receipt of notification from the contracting authority that it is unwilling to redress the objection.

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

Official name: Vergabekammer Berlin - Senatsverwaltung für Wirtschaft, Technologie und Forschung
Postal address: Martin-Luther-Straße 105
Town: Berlin
Postal code: 10825
Country: Germany
E-mail: poststelle@senwtf.berlin.de
Telephone: +49 3090138316
Fax: +49 3090137613
Internet address: <http://www.berlin.de/>

VI.5. Date of dispatch of this notice

08/12/2022