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**Germany-Frankfurt-on-Main: ECB - T139a — Screening systems for baggage and people screening
2014/S 101-175779**

Contract notice

Supplies

Directive 2004/18/EC

Section I: Contracting authority

I.1) Name, addresses and contact point(s)

European Central Bank
Kaiserstraße 29
For the attention of: Mr Alberto Molon
60311 Frankfurt-on-Main
GERMANY
Telephone: +49 6913440
E-mail: newpremises-tender@ecb.europa.eu
Fax: +49 6913446000

Internet address(es):

General address of the contracting authority: <http://www.ecb.europa.eu>
Electronic access to information: <http://www.tender.new-ecb-premises.com>

Further information can be obtained from: The above mentioned contact point(s)

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from: The above mentioned contact point(s)

Tenders or requests to participate must be sent to: The above mentioned contact point(s)

I.2) Type of the contracting authority

European institution/agency or international organisation

I.3) Main activity

Economic and financial affairs

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

II.1) Description

II.1.1) Title attributed to the contract by the contracting authority:

T139a — Screening systems for baggage and people screening.

II.1.2) Type of contract and location of works, place of delivery or of performance

Supplies
Purchase
Main site or location of works, place of delivery or of performance: Frankfurt-on-Main, Germany.
NUTS code DE712

II.1.3) Information about a public contract, a framework agreement or a dynamic purchasing system (DPS)

The notice involves a public contract

II.1.4) **Information on framework agreement**

II.1.5) **Short description of the contract or purchase(s)**

The European Central Bank (ECB) is constructing its new headquarters on the site of the former wholesale market hall in Frankfurt-on-Main, Germany.

The services to be awarded involve:

- delivery of screening systems, metal detectors and conveyor equipment, and
- relocation and software updates of pre-existing screening systems from current locations.

Additional services:

- networking services for screening devices,
- provision of training and maintenance services.

Further general information on the project is available in the tender forum (see Section I.1 for the Internet address).

II.1.6) **Common procurement vocabulary (CPV)**

35124000, 38582000, 34961000, 34962000, 35000000, 38434500, 38546000, 38580000, 38581000, 39181000, 42417300, 48210000

II.1.7) **Information about Government Procurement Agreement (GPA)**

The contract is covered by the Government Procurement Agreement (GPA): no

II.1.8) **Lots**

This contract is divided into lots: no

II.1.9) **Information about variants**

Variants will be accepted: no

II.2) **Quantity or scope of the contract**

II.2.1) **Total quantity or scope:**

The contract scope involves the achievements in the area of physical security. Principal elements are as follows:

- 6 screening checkpoints for baggage and people screening,
- 4 goods screening systems,
- relocation and software updates of 3 existing screening systems from current locations,
- manual control screening devices for CBR threat detection,
- IT hard- and software for remote monitoring of screening devices,
- supply of services for task and flow control,
- training services,
- maintenance services.

II.2.2) **Information about options**

Options: yes

Description of these options: Extension of training and maintenance services.

Provisional timetable for recourse to these options:

in months: 53 (from the award of the contract)

II.2.3) **Information about renewals**

This contract is subject to renewal: yes

Number of possible renewals: 1

In the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts:

in months: 48 (from the award of the contract)

II.3) Duration of the contract or time limit for completion

Starting 31.8.2014. Completion 31.12.2014

Section III: Legal, economic, financial and technical information

III.1) Conditions relating to the contract

III.1.1) Deposits and guarantees required:

Details, where applicable, can be found in the specifications sent to the selected candidates.

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

Details, where applicable, can be found in the specifications sent to the selected candidates.

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

Candidates may establish groupings with a view to jointly obtain a contract. No specific legal form is required. The grouping members will be jointly and severally liable for the performance of the contract.

The grouping must, in principle, remain unchanged from the start of the tender procedure until completion of the services. If unforeseen circumstances require a change in the composition of a grouping, the ECB may allow such a change at its own discretion provided that the change does not distort competition amongst the candidates.

In accordance with Article 24(3) of the ECB procurement rules (see point VI.3), the ECB may exclude from participation companies that submit several applications or tenders (for example as a sole tenderer and member of a grouping or a member of several groupings).

III.1.4) Other particular conditions

The performance of the contract is subject to particular conditions: no

III.2) Conditions for participation

III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers

Information and formalities necessary for evaluating if the requirements are met: Pursuant to Article 24 of the ECB procurement rules (see point VI.3), the following shall apply:

the ECB shall exclude candidates from participating in a tender procedure if they have been the subject of a judgment which has the force of 'res judicata' for fraud, corruption, money laundering, involvement in a criminal organisation or any other illegal activity detrimental to the financial interests of the Communities, of the ECB or of the NCBs.

The ECB may exclude candidates from participation at any time if:

(a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning these matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

(b) they have been convicted of an offence concerning their professional conduct by a judgment which has the force of 'res judicata';

(c) they have been guilty of grave professional misconduct;

(d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they reside or with those of the country of the contracting authority or those of the country where the contract is to be performed;

(e) they have been declared by a court or an arbitration tribunal to be in serious breach of contract for failure to comply with their contractual obligations following another tender procedure;

(f) their management, staff or agents are subject to a conflict of interests;

(g) they are guilty of misrepresentation in supplying the information required by the ECB;

(h) they contact other candidates or tenderers with the purpose of restraining competition.

Candidates must certify that they are not in any of the situations listed above by signing the application form and provide the evidence requested therein. In the case of groupings, all members must fulfil these conditions. If such circumstances arise in the course of the procedure, the candidate concerned shall inform the ECB thereof without undue delay.

III.2.2) Economic and financial ability

Information and formalities necessary for evaluating if the requirements are met: The signed application form, which specifies the total net turnover in the past 3 financial years.

Minimum level(s) of standards possibly required: Financial capacity: accumulated total net turnover of at least 3 000 000 EUR in the last 3 financial years (2011–2013).

III.2.3) Technical capacity

Information and formalities necessary for evaluating if the requirements are met:

The signed application form, which specifies the requested evidence as regards the minimal level(s) of standards required.

Minimum level(s) of standards possibly required:

The company must be able to provide EU-qualification approvals for all screening devices.

The company must provide evidence that it is officially certified by a public institution at EU or national level to handle confidential information according to EU classifications or equivalent on EU national level defined as 'secret'.

The company must provide evidence that, up from the date of installation, an emergency maintenance service will be available based on an 8 hours/next working day scheme.

The company must be able to provide a replacement service in case of unsuccessful repair within 1 working day.

III.2.4) Information about reserved contracts

III.3) Conditions specific to services contracts

III.3.1) Information about a particular profession

III.3.2) Staff responsible for the execution of the service

Section IV: Procedure

IV.1) Type of procedure

IV.1.1) Type of procedure

Restricted

IV.1.2) Limitations on the number of operators who will be invited to tender or to participate

Envisaged number of operators: 5

Objective criteria for choosing the limited number of candidates: 1. Reference projects (50 % = 5 000 points); 2. number of screening devices (50 % = 5 000 points). The application documents contain the complete evaluation matrix. The evaluation will solely be based on the application including its attachments.

IV.1.3) Reduction of the number of operators during the negotiation or dialogue

IV.2) Award criteria

IV.2.1) Award criteria

The most economically advantageous tender in terms of the criteria stated below

1. Price. Weighting 50

2. Quality. Weighting 45

3. Contract conditions. Weighting 5

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:**

T139a — Screening systems for baggage and people screening.

IV.3.2) **Previous publication(s) concerning the same contract**

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: 16.6.2014 - 12:00

Payable documents: no

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

17.6.2014 - 12:00

IV.3.5) **Date of dispatch of invitations to tender or to participate to selected candidates**

25.6.2014

IV.3.6) **Language(s) in which tenders or requests to participate may be drawn up**

German. English.

Other: Applications shall be submitted in English or German. Information on reference projects and related information may be submitted in English or German. External documents like company registrations and certificates may be submitted in their original language. The ECB may request the candidate to provide a certified translation.

IV.3.7) **Minimum time frame during which the tenderer must maintain the tender**

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

Section VI: Complementary information

VI.1) **Information about recurrence**

This is a recurrent procurement: no

VI.2) **Information about European Union funds**

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

VI.3) **Additional information**

Applicable procurement rules:

the tender procedure is launched in accordance with the European Central Bank Decision of 3.7.2007 laying down the rules on procurement (ECB/2007/5), last amended by the European Central Bank Decision of 19.6.2012 (ECB/2012/10). The Decisions were published in the Official Journal of the European Union (OJ L 184 of 14.7.2007, p. 34; OJ L 51 of 24.2.2009, p. 10; OJ L 238 of 9.9.2010, p. 14; OJ L 178 of 10.7.2012, p. 14) and are available on the ECB website at <http://www.ecb.europa.eu> (link 'for suppliers').

Required format of applications:

(a) applications must be submitted as hard copies and on CD using the application form (with annexes) published in the tender forum. Details are outlined in 'Explanations on the application form' in the tender forum;

(b) applications submitted via e-mail are inadmissible and will not be considered.

Questions:

any questions to the ECB should be submitted exclusively via the tender forum. They may be in English or German and the answers will be provided in the language in which the questions were submitted.

Notification duty:

should candidates or tenderers believe that the ECB's requirements stipulated in the contract notice, call for competition or additional documents are incomplete, inconsistent or illegal, or that the ECB or another candidate/tenderer has breached the prevailing procurement rules, they must notify the ECB within 15 days (see Article 21(2) of the ECB procurement rules). Objections not notified to the ECB within this deadline cannot be raised at a later date.

Subcontracting:

candidates may rely on the capacities of other entities as subcontractors, in particular with regard to their technical capacity (see Section III.2.3). No specific legal relationship is required. The candidate must prove, however, that he will have the necessary resources at his disposal, for example, by providing a binding undertaking from the subcontractor.

The use of subcontractors does not limit the candidate's responsibility and liability for due performance of all the contractual obligations. The ECB reserves the right to refuse any subcontractor on the basis of the principles of transparency, equal access, publicity and equal treatment. Prior approval from the ECB will be required for both replacing a subcontractor and subcontracting additional major works for the entire duration of the contract.

Companies that submit sole applications and, at the same time, appear as subcontractors for another candidate, or companies that appear as subcontractors for several candidates, may, in accordance with Article 24(3) of the ECB procurement rules, be excluded from participating.

Exclusion from the tender procedure:

the ECB may, at its own discretion, exclude applicants from the tender procedure who do not comply with the requirements and conditions set out in the application form and contract notice, or do not provide the information requested.

Cancellation of the tender procedure:

the ECB reserves the right to cancel all or part of the tender procedure. This decision will take into account the principles of transparency, equal access, publicity and equal treatment.

Liability and compensation:

the ECB is not liable for any costs, nor will it reimburse any expenses or losses which candidates incur or suffer in connection with the tender procedure, including in the event of a cancellation.

VI.4) **Procedures for appeal**

VI.4.1) **Body responsible for appeal procedures**

Procurement Review Body of the European Central Bank, c/o Legal Advice Team

Kaiserstraße 29

60311 Frankfurt-on-Main

GERMANY

E-mail: legaladviceteam@ecb.europa.eu

Telephone: +49 691344-0

Internet address: <http://www.ecb.europa.eu>

Fax: +49 691344-6886

Body responsible for mediation procedures

The European Ombudsman

1 avenue du Président Robert Schuman, CS 30403

67001 Strasbourg Cedex

FRANCE

VI.4.2) **Lodging of appeals**

Precise information on deadline(s) for lodging appeals: 15 days from the receipt of the information specified in Article 28(3) of the ECB procurement rules (see Section VI.3) or, if no information is requested, 15 days from the receipt of the notification to unsuccessful tenderers.

Further requirements are outlined in Article 33 of the ECB procurement rules (see Section VI.3).

The complaint to the European Ombudsman does not affect the submission deadline nor does it create a new deadline by which complaints can be submitted.

VI.4.3) **Service from which information about the lodging of appeals may be obtained**

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

15.5.2014