

This notice in TED website: <http://ted.europa.eu/udl?uri=TED:NOTICE:218165-2012:TEXT:EN:HTML>

**D-Frankfurt-on-Main: ECB - dark fibre services
2012/S 132-218165**

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

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

European Central Bank

Kaiserstraße 29

Contact point(s): For downloading tender documentation, please see Section VI.3

For the attention of: Fadila Ben Meradi

60311 Frankfurt-on-Main

GERMANY

Telephone: +49 6913440

E-mail: procurement@ecb.europa.eu

Fax: +49 6913447110

Internet address(es):

General address of the contracting authority: <http://www.ecb.europa.eu>

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:

Dark fibre services.

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

Services

Service category No 5: Telecommunications services

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 the establishment of a framework agreement

II.1.4) Information on framework agreement

Framework agreement with a single operator

Duration of the framework agreement

Duration in months: 60

Justification for a framework agreement, the duration of which exceeds four years: Only 1 lot will have a longer duration, which is mostly due to the need to put in place considerable public infrastructure with extensive building/installation required for the service provision in certain circumstances.

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

In the Frankfurt-on-Main area, the ECB at this time occupies multiple locations and is currently constructing the new ECB premises (NEP). The NEP project will enable the ECB to consolidate and reduce the overall number of required locations in Frankfurt. In order to support both current needs and the upcoming needs of the NEP, the ECB intends to tender in 2 lots the following provision of dark fibre (DF) services:

— NEP dark fibre services covering all ECB locations which remain after the move to the NEP and including all potential further locations which may have to be connected in the future and the temporary dark fibre connections to support the service migration from today's ECB main office locations to the new NEP location,
— the existing dark fibre services between all current locations in the Frankfurt area until the move to the NEP has been finalised.

Please refer to 'Information about lots' for further details on the lots.

II.1.6) Common procurement vocabulary (CPV)

32560000, 32570000, 32562100

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

The contract is covered by the Government Procurement Agreement (GPA): yes

II.1.8) Lots

This contract is divided into lots: yes

Tenders may be submitted for one or more lots

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:

Please see detailed scope in tender documentation; please refer to Section VI.3 for downloading tender documentation.

II.2.2) Information about options

Options: no

II.2.3) Information about renewals

This contract is subject to renewal: yes

Number of possible renewals: Range: between 1 and 5

In the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts:
in months: 60 (from the award of the contract)

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

Duration in months: 60 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: Service for future new premises location(s)

1) Short description

Lot 1 will cover all dark fibre (DF) interconnections required for the new ECB premises (NEP) and respective data centres and will also include the short-term DF services to support NEP service migration. The DF services shall cover all ECB locations which remain after the move to the new premises and include all potential further locations which may have to be connected in the future.

2) Common procurement vocabulary (CPV)

32560000

3) Quantity or scope

This lot covers interconnections between all locations that the ECB will require during and after the migration to the NEP location within the Frankfurt area. The contract shall have a duration of 5 years with an option to be extended for up to an additional 5 years. All further demand for DF services after the move to the NEP, including the addition of further locations, is in principle to be covered by this lot.

4) Indication about different date for duration of contract or starting/completion**5) Additional information about lots**

The contract for lot 1 shall be awarded to the first 2 suppliers, namely to a principal supplier and to a secondary supplier, as determined by the supplier ranking after evaluation of the bids. The secondary supplier will be requested to provide services in case the first supplier cannot deliver the required DF link/services or in case the ECB requires a DF link from a different supplier in order to support a provider independence strategy.

Lot No: 2

Lot title: Existing dark fibre connections between ECB sites

1) Short description

Lot 2 shall cover all currently existing interconnections between the existing ECB sites in the Frankfurt area.

2) Common procurement vocabulary (CPV)

32560000

3) Quantity or scope

The contract is expected to have a duration of 1 to 2 years. The actual end date will be aligned to the new premises construction and relocation schedule and will include options to extend the duration of the contract in accordance with the migration schedule.

4) Indication about different date for duration of contract or starting/completion**5) Additional information about lots****Section III: Legal, economic, financial and technical information****III.1) Conditions relating to the contract****III.1.1) Deposits and guarantees required:**

No deposit is required, but where applicable, the successful tenderer (or in the case of a successful consortium bid, each member of the consortium) may be required to provide a parent-company guarantee.

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

In accordance with the terms and conditions of the contract.

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

The establishment of a temporary grouping is allowed under the conditions laid down in the call for applications/ invitation to tender.

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: Please see the details in the tender documentation to be requested from the contact point indicated in Sections I.1 and VI.3.

Relevant licences to ensure regulatory compliance, such as the licence No 3 of German 'Telekommunikationsverordnung' allowing the provision of dark fibre services in Frankfurt and, if applicable, a building permit from the City of Frankfurt according to TKG § 68 (mandatory).

III.2.2) Economic and financial ability

Information and formalities necessary for evaluating if the requirements are met: Please see the details in the tender documentation to be requested from the contact point indicated in Sections I.1 and VI.3.

III.2.3) Technical capacity

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

Please see the details in the tender documentation to be requested from the contact point indicated in Sections I.1 and VI.3.

Minimum level(s) of standards possibly required:

1/ candidates must comply with regulatory requirements;

2/ candidates must demonstrate that first level of support can be delivered on a 24*7 basis in English, i.e. calls placed in English will be accepted. A service desk shall be available to manage the required services;

2/ 3 reference contracts which the company has performed during the past 2 years proving experience. 1 reference should include a project with helpdesk and field support services in the English language.

III.2.4) Information about reserved contracts**III.3) Conditions specific to services contracts****III.3.1) Information about a particular profession**

Execution of the service is reserved to a particular profession: yes

Reference to the relevant law, regulation or administrative provision: Licences to ensure regulatory compliance, such as the licence No 3 of German 'Telekommunikationsverordnung' allowing the provision of dark fibre services in Frankfurt and, if applicable, a building permit from the City of Frankfurt according to TKG § 68.

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

Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service: no

Section IV: Procedure**IV.1) Type of procedure****IV.1.1) Type of procedure**

Negotiated

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

Envisaged minimum number 3: and maximum number 5

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

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

IV.2) Award criteria**IV.2.1) Award criteria**

The most economically advantageous tender in terms of the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document

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:

20388/IS/INO/2011.

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

no

IV.3.3) Conditions for obtaining specifications and additional documents or descriptive document

Payable documents: no

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

10.8.2012 - 12:00

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

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

English.

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

IV.3.8) Conditions for opening 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

Documentation:

The documentation for this procurement procedure can be downloaded from an Internet platform.

If you are interested in participating, please register using the following Internet address: <https://www.ecb.europa.eu/secure/procurement/login.html>

User ID: 20388/IS/INO/2011

Password: 2D867D

After registration, an e-mail will be sent to you with a new user name and password. The Internet address will remain the same. Please use the new user name and password to download the procurement documentation.

Should you experience any issues in accessing the Internet platform for registration and/or downloading the procurement documentation, please do not hesitate to contact us under the following e-mail address: 'procurement@ecb.europa.eu' quoting the procurement number and describing the problem experienced. Please do not call for this purpose as these issues cannot be dealt with on the phone.

Participation:

The tender procedure shall be open on equal terms to all natural or legal persons resident or located in the European Union and to all natural and legal persons resident or located in a country which has ratified the World Trade Organisation Agreement on Government Procurement or has concluded with the European Union a bilateral agreement on procurement under the conditions laid down in the said agreements.

The ECB shall exclude tenderers that are in one of the situations described in Article 24(4) of Decision ECB/2007/5 (e.g. conviction for fraud or corruption) or put on a blacklist in accordance with Article 24(7) of Decision ECB/2007/5.

The ECB may exclude tenderers that are in one of the situations described in Article 24(5) of Decision ECB/2007/5 (e.g. insolvency; grave professional misconduct; misrepresentation). Further information about ECB procurement rules and procedures may be obtained at <http://www.ecb.europa.eu/ecb/jobsproc/tenders/html/index.en.html>

Other information:

Ref.: IV.3.7: Minimum time-frame during which the tenderer must maintain the tender:

Duration in months: 12 months from the date stated for receipt of tender.

VI.4) **Procedures for appeal**

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

Procurement Review Body of the ECB, c/o Legal Advice Team

Kaiserstraße 29

60311 Frankfurt-on-Main

GERMANY

E-mail: legaladviceteam@ecb.europa.eu

Fax: +49 6913446886

Body responsible for mediation procedures

The European Ombudsman

1 avenue du Président Robert Schuman, CS 30403

Strasbourg

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:**

2.7.2012