

ECB - T070 general contractor for construction of the new ECB premises (D-Frankfurt-on-Main)
2007/S 161-199994

Contract notice

Section I: Contracting authority

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

European Central Bank, attn: Mr Horst Roman-Müller, Kaiserstraße 29, D-60311 Frankfurt-on-Main.
Tel. (49-69) 13 44-0, switchboard. Fax (49-69) 13 44-6000, central fax number. E-mail:
new_ecb_premises-procurement@ecb.int.

Internet address(es):

General address of the contracting authority (URL): www.ecb.int.

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), at www.new-ecb-premises.com.

Tenders or requests to participate must be sent to:

the above-mentioned contact point(s).

I.2) Type of the contracting authority and main activity or activities:

European institution/agency or international organisation.

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:

T070 General Contractor for construction of the New ECB Premises

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

Works.

Design and execution.

Realisation, by whatever means of work, corresponding to the requirements specified by the contracting authorities.

Main site or location of works:

D-Frankfurt-on-Main.

NUTS code: DE712.

II.1.3) 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) tenders the construction of its new headquarters (the new ECB premises) to a general contractor. The works and services to be provided include construction works as well as management and planning services.

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

45200000, 74260000, 74230000.

II.1.7) **Contract covered by the Government Procurement Agreement (GPA):**

No.

Candidates from States who are parties to the GPA are invited to participate in the tender under the same conditions as candidates from EU Member States.

II.1.8) **Division into lots:**

No.

II.1.9) **Variants will be accepted:**

Yes.

Alternative offers will only be accepted for trades or areas defined by the ECB in the invitation to tender (ITT), which will be sent to the shortlisted candidates.

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

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

The European Central Bank (ECB) tenders the construction of its new headquarters — the new ECB premises — to a general contractor.

The new ECB premises will be built on the site of the former wholesale market hall in the eastern part of D-Frankfurt am Main (Sonnemannstraße). The site comprises approximately 120 000 m².

The design for the new premises was developed following an international architectural competition and further optimised and detailed to suit the ECB's requirements. The new premises have a total gross floor area of around 190 000 m². They include a high rise building of about 180 m, the former wholesale market hall (Großmarkthalle), as well as minor buildings and landscape works on the site. The former market hall is a listed monument built in the 1920s which will be converted to house new functions such as a conference centre and the staff restaurant.

Some preliminary works will be tendered via a separate public tender (Tender 069) and executed in advance of the general contractor works. This includes the excavation of the pit, the sheeting, the demolition of certain structures on site and the construction of the foundation piles for the high rise building. The preliminary construction works will be completed prior to completion of the present tender procedure for the general contractor.

Transportation and disposal of soil will be provided by another contractor tendered in parallel (Tender 081).

II.2.2) **Options:**

Yes.

Details will be provided in the ITT.

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

Duration: 34 months from the award of the contract or starting 29.10.2008.

Section III: Legal, economic, financial and technical information

III.1) **Conditions relating to the contract**

III.1.1) **Deposits and guarantees required:**

The successful tenderer will be required to provide appropriate securities in the form of bank guarantees for the performance (in an area of 10 % of the contract volume) and for the warranty phase (in an area of 5 % of the contract volume). Details will be provided in the ITT.

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

The successful tenderer will be paid in accordance with a payment plan. The payment plan will foresee appropriate security retention (up to 10 % of the payment) which can be exchanged against the performance guarantee mentioned in III.1.1 above. Details will be provided in the ITT.

III.1.3) **Legal form to be taken by the grouping of economic operators to whom the contract is to be awarded:**
Temporary groupings of companies with a view to obtaining a contract may be established under conditions set out in the application form.

III.1.4) **Other particular conditions to which the performance of the contract is subject:**
No.

III.2) **Conditions for participation**

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

1. absence of convictions for corruption, money laundering, involvement in a criminal organisation or any other illegal activity detrimental to the financial interests of the European Communities, the ECB or any national central bank which forms part of the European System of Central Banks;
2. absence of bankruptcy or similar situations;
3. absence of convictions for an offence concerning professional conduct;
4. absence of grave professional misconduct;
5. compliance with social security and tax payment obligations;
6. absence of declaration by a court to be in serious breach of contract;
7. absence of conflicts of interest;
8. absence of misrepresentation in supplying the information required by the ECB;
9. absence of contacts with other candidates or tenderers with the purpose of restraining competition; each as evidenced by the application documents, in particular the applicant's declaration (annex A to the application form).

These conditions for participation must be fulfilled by the candidate, by each member of a temporary grouping and by the subcontractors that are nominated for the key trades (façade and technical building installation) in the application. Candidates who do not comply with condition 1 above will be excluded from the tender procedure. Candidates who do not comply with any other condition may be excluded.

III.2.2) **Economic and financial capacity:**

Information and formalities necessary for evaluating if requirements are met:

Financial soundness, as evidenced by:

- (a) applicant's declaration (annex A to the application form);
- (b) statement of the company's accumulated total net turnover of the last 3 financial years;
- (c) balance sheets or extracts from the balance sheets, where publication of the balance sheets is required under the law of the country in which the company is established.

The criterion must be fulfilled by each candidate and by each member of a temporary grouping.

Minimum level(s) of standards required:

Minimum accumulated total net turnover of EUR 2 billion in the last 3 financial years.

Temporary groupings may add up the turnover of each grouping member.

III.2.3) **Technical capacity:**

Information and formalities necessary for evaluating if requirements are met:

1. experience and expertise in comparable construction projects, i.e.:
 - 1.1 planning experience in complex building projects above 30 000 m² gross floor area;
 - 1.2 construction experience in complex building projects above 30 000 m² gross floor area;

1.3 construction experience in high-rise building projects (i.e. more than 60 m height above ground);

1.4 experience with construction works in listed buildings (protected monuments);

2. sound organisational structure;

3. adequate human and technical resources;

each as evidenced by the application documents, in particular annexes A, C and D to the application form.

The criteria must be fulfilled by the candidate, by at least 1 member of a temporary grouping or by a nominated subcontractor (see point VI.3).

Minimum level(s) of standards required:

Management experience as general contractor in at least 2 comparable large construction projects (comparable large construction projects are projects with a gross floor area of at least 30 000 m² which aimed at construction of commercial buildings, offices, administration buildings, buildings for cultural purposes, hospitals, hotels, airports, shopping centres or similar uses) as evidenced by Annexes A and C to the application form.

The criterion must be fulfilled by the candidate, by at least 1 member of a temporary grouping or by a nominated subcontractor (see VI.3).

III.2.4) **Reserved contracts:**

No.

III.3) **Conditions specific to service contract**

Section IV: Procedure

IV.1) **Type of procedure**

IV.1.1) **Type of procedure:**

Negotiated.

Candidates have already been selected: no.

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 6.

Criteria for selecting the operators who will be invited to tender:

the candidate's financial soundness, experience and expertise in comparable construction projects, sound organisational structure and adequate human and technical resources, each assessed on the basis of the information requested in III.2.2 and III.2.3 above and in the application form.

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 below:

1. financial terms; weighting: 70 %;

2. expected quality of works and services; weighting: 20 %;

3. compliance with the ECB's contract terms; weighting: 10 %.

IV.2.2) **An electronic auction will be used:**

No.

IV.3) **Administrative information**

IV.3.1) **File reference number attributed by the contracting authority:**

T070 General Contractor

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

Yes.

Prior information notice number in OJ: [2007/S 130-158762](#) of 10.7.2007.

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:

18.9.2007 (12:00), CEST.

Payable documents: no.

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

21.9.2007 (12:00), CEST.

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

25.2.2008.

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:

Place: tenders shall be opened shortly after the deadline for receipt of tenders has expired, at the address in I.1.

Persons authorised to be present at the opening of tenders: no.

Section VI: Complementary information

VI.1) This is a recurrent procurement:

No.

VI.2) Contract related to a project and/or programme financed by Community funds:

No.

VI.3) Additional information:

The candidates must submit their applications using the application form.

The application documents are available in the tender forum on the web site www.new-ecb-premises.com. All interested companies should register in the forum and download the application documents.

The application documents include further information, in particular on the scope of works, the tender process and the format in which candidates must submit their applications.

Questions to the ECB should be submitted exclusively via the tender forum.

The tender procedure will be conducted in accordance with the ECB Procurement Rules under the principles of transparency, equal access, publicity and equal treatment, with the overall objective to obtain best value for money for the ECB.

The procurement rules are detailed in ECB decision of 3.7.2007 laying down the Rules on Procurement (ECB/2007/5). The decision was published in the 'Official Journal of the European Union' under OJ L 184, 14.7.2007, 34 and on the ECB's web site (<http://www.ecb.int/ecb/proc/tenders/html/index.en.html>).

The ECB welcomes widespread international competition and invites all interested suppliers, including temporary groupings to participate in the tender procedure. The key tender documents will be available in German and English languages. The ECB will compensate candidates who are invited to tender and submit valid bids for the preparation of the bids. The terms of the compensation and the exact amount will be defined in the ITT.

The contract shall be governed by and interpreted under German civil law.

Candidates or tenderers may rely on the capacities of other entities as subcontractors, in particular with regard to the technical capacity (see III.2.3), regardless of the legal nature of the links which they have with them.

The candidate or tenderer must prove to the ECB that it will have at its disposal the resources necessary, for

example, by producing an undertaking by those entities to that effect. Under the same conditions, a group of economic operators may rely on the capacities of participants in the group or of other entities.

VI.4) **Procedures for appeal**

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

European Central Bank — Procurement Review Body, Kaiserstraße 29, D-60311 Frankfurt-on-Main. Tel. (49-69) 13 44-0, switchboard. Fax (49-69) 13 44-6000. E-mail: procurement@ecb.int. URL: www.ecb.int.

VI.4.2) **Lodging of appeals:**

Precise information on deadline(s) for lodging appeals:

15 calendar days from receipt of the notification to unsuccessful bidders.

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

European Central Bank — Procurement Review Body, Kaiserstraße 29, D-60311 Frankfurt-on-Main. Tel. (49-69) 13 44-0, switchboard. Fax (49-69) 13 44-6000. E-mail: procurement@ecb.int. URL: www.ecb.int.

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

13.8.2007.