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**DK-Copenhagen: Transformation software to support reporting and exchange of air quality data under Decision (2011/850/EU) (e-reporting)  
2012/S 247-405281**

**Contract notice**

**Services**

Directive 2004/18/EC

**Section I: Contracting authority**

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

European Environment Agency (EEA)  
Kongens Nytorv 6  
Contact point(s): EEA Procurement Services  
For the attention of: Mr Olivier Cornu  
1050 K Copenhagen  
DENMARK  
Telephone: +45 33367246  
E-mail: [procurement@eea.europa.eu](mailto:procurement@eea.europa.eu)  
Fax: +45 33367273

**Internet address(es):**

General address of the contracting authority: <http://www.eea.europa.eu>  
Electronic access to information: <http://www.eea.europa.eu/about-us/tenders>

**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**

Environment

**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:**

Transformation software to support reporting and exchange of air quality data under Decision (2011/850/EU) (e-reporting).

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

Services  
Service category No 7: Computer and related services

Main site or location of works, place of delivery or of performance: The services shall be performed at the contractor's premises and occasionally at the premises of the EEA in Kongens Nytorv 6, Copenhagen 1050 K, DENMARK.

NUTS code

**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)**

A number of EU legal instruments require EU Member States to monitor and report/exchange air quality data. This information is collated, analysed and shared by the European Environment Agency (EEA). To date much of the data is already reported electronically by the countries concerned, but not in an integrated fashion. Other Eionet countries than the Member States exchange their data following the same reporting mechanism. The European Commission and the EU Member States have agreed, through an Implementing Decision, to establish a new mechanism of electronic air quality data reporting and data exchange (e-reporting) within the framework 'Infrastructure for spatial information in Europe' (Inspire). The Implementing Decision (2011/850/EU) merged several separate legal instruments with the intention of streamlining the reporting and data exchange. It applies from 1.1.2014.

The EEA, supported by the European Topic Centre for Air Pollution and Climate Change Mitigation (ETC/ACM) will assist the Commission to establish and operate the new e-reporting mechanism for reporting and sharing air quality information. EEA's role is to institute and perform a number of support activities aimed at a smooth transition to the new reporting and data exchange provisions as well securing the alignment with Inspire.

To facilitate a quick and smooth transition to e-reporting, EEA aims, through this call for tenders, at a specially developed transformation software which will provide an interface for e-reporting. By October 2013, the interface software needs to be developed, tested and deployed, to be acting as a common mechanism for bridging the gap between national systems and the prescribed XML format.

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

48000000, 48600000

**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 estimated maximum budget is 125 000 EUR covering all services.

Estimated value excluding VAT: 125 000 EUR

**II.2.2) Information about options**

Options: no

**II.2.3) Information about renewals**

This contract is subject to renewal: no

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

Starting 15.3.2013. Completion 15.10.2013

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### **Section III: Legal, economic, financial and technical information**

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

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

As specified in the draft service contract attached as Annex 6 to the tender specifications.

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

As specified in the draft service contract attached as Annex 6 to the tender specifications.

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

Tenders may be submitted by consortia of economic operators. If a consortium is awarded a contract, it may be required to adopt a given legal form before the contract is signed if this change is necessary for proper performance of the contract. This can take the form of an entity with or without legal personality but offering sufficient protection to the EEA's contractual interests (depending on the member country concerned, this may be for instance incorporation or partnership or a temporary association). Consortia must identify one of their members as coordinator who will interface with the EEA. Each member of a consortium must fulfil the conditions for participation specified under Section III.2.1 below.

##### **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: Exclusion criteria — to be eligible for participation in this contract award procedure, tenderers must not be in any of the exclusion situations referred to in Articles 106 and 107 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25.10.2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002, OJ L 298/1 of 26.10.2012. To that effect, tenderers are requested to submit a declaration on honour (see Annex 2 to the tender specifications) in accordance with Article 134 of Commission Regulation (EC, Euratom) No 2342/2002 of 23.12.2002, OJ L 357/1 of 31.12.2002 as last modified by Commission Regulation (EC, Euratom) No 478/2007 of 23.4.2007, OJ L 111/13 of 28.4.2007. Under the same provision, the tenderer to whom the contract is to be awarded will be required to produce evidence confirming the prior declaration (see Section 11.1.2 of the tender specifications).

Legal capacity — tenderers are required to prove that they are authorised to perform the contract under national law, as evidenced by inclusion in a trade or professional register and/or entry in the VAT register. To that effect, tenderers are required to submit a legal entity form (see Annex 3 to the tender specifications) duly filled out and signed, accompanied by a copy of inscription in the trade register and/or a copy in the VAT register, where applicable. In addition, tenderers must indicate in which country they have their headquarters, registered office or residence, and provide the necessary supporting documents in accordance with their national law (see Annex 1 to the tender specifications).

##### **III.2.2) Economic and financial ability**

Information and formalities necessary for evaluating if the requirements are met: Evidence of economic and financial capacity shall be furnished by (one or more of) the following documents:

— appropriate statements from banks or evidence of professional risk indemnity insurance,

- the presentation of balance sheets or extracts from balance sheets for at least the last 2 years for which account have been closed, where publication of the balance sheet is required under the company law of the country in which the economic operator is established,
- a statement of overall turnover and turnover concerning the services covered by the contract during the last 2 financial years.

If, for some exceptional reason, which the EEA considers justified, a tenderer is unable to provide the references requested above, he may prove his economic and financial capacity by any other means which the EEA considers appropriate.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the EEA that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal.

### III.2.3) **Technical capacity**

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

Tenderers should show their degree of technical and professional capacity to carry out the requested tasks by providing information on the criteria described below. If several service providers or subcontractors are involved in the tender, the selection criteria for the technical and professional capacity will be assessed in relation to the combined capacities of the service providers and subcontractors as a whole, to the extent that service providers or subcontractors put their resources at the disposal of the tenderer for performance of the contract.

— Human resources:

Tenderers shall provide the following documents:

CVs detailing the educational and professional qualifications of the firm's managerial staff as well as those of the staff designated to provide the services indicating the required professional experience as follows:

managerial staff: minimum 1 CV (contract manager) documenting a minimum of 5 years' relevant experience;

persons responsible for providing the knowledge on reporting processes followed by countries for the Exchange of Information Decision (EoI) (97/101/EC) and the questionnaire for annual reporting on ambient air quality assessment and management (2004/461/EC): minimum 2 CVs providing clear references and examples and documenting a minimum of 5 years' relevant experience;

persons responsible for providing the knowledge of the Implementing Decision (2011/850/EU) and its guidance document: minimum 1 CV providing clear references and examples and documenting relevant experience;

persons responsible for providing the knowledge of XML/GML and the Inspire data model and specifications in the areas related to air quality: minimum 2 CVs providing clear references and examples and documenting relevant experience;

persons responsible for providing the experience of developing software to support national reporting of environmental data under EU legislation: minimum 2 CVs providing clear references and examples and documenting relevant experience.

— Past contracts:

Tenderers shall provide details of major contracts awarded to them relevant to the services required by the EEA under the following 2 categories:

(1) contracts currently undertaken; and

(2) contracts that have been undertaken over the last 3 years;

indicating the value, brief description of the services undertaken and recipients of the services (public or private).

— Environmental policy:

The tenderer shall provide a description of their environmental policy specifying the status of implementation. In the event of a joint offer submitted by a consortium, each member of the consortium shall provide the requested description.

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: no

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**

Open

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

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 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:**

EEA/OSE/12/008.

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

no

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

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

11.2.2013 - 16:00

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**

Any EU official language

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

Duration in months: 6 (from the date stated for receipt of tender)

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

Date: 18.2.2013 - 10:00

Place:

EEA premises at Kongens Nytorv 6, 1050 Copenhagen K, DENMARK.

Persons authorised to be present at the opening of tenders: yes

Additional information about authorised persons and opening procedure: Representatives (1 per tenderer) are allowed to participate in the opening session. They are requested to inform EEA's procurement services in advance and at the latest by 15.2.2013 (14:00), CET by e-mail at [procurement@eea.europa.eu](mailto:procurement@eea.europa.eu) or by fax at number +45 33367273.

**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**

All tender documents and any additional information are available for consultation and download from EEA's external website at the following address: <http://www.eea.europa.eu/about-us/tenders>

**VI.4) Procedures for appeal**

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

General Court  
rue du Fort Niedergrünwald  
2925 Luxembourg  
LUXEMBOURG  
E-mail: [generalcourt.registry@curia.europa.eu](mailto:generalcourt.registry@curia.europa.eu)  
Telephone: +352 4303-1  
Internet address: <http://curia.europa.eu>  
Fax: +352 4303-2100

**Body responsible for mediation procedures**

European Ombudsman  
1, avenue du Président Robert Schuman  
67001 Strasbourg Cedex  
FRANCE  
E-mail: [eo@ombudsman.europa.eu](mailto:eo@ombudsman.europa.eu)  
Telephone: +33 388172313  
Internet address: <http://www.ombudsman.europa.eu>  
Fax: +33 388179062

**VI.4.2) Lodging of appeals**

Precise information on deadline(s) for lodging appeals: Within 2 months of the notification to the plaintiff (date of receipt), or, in the absence thereof, the day on which the person concerned had knowledge of the relevant information, an appeal may be lodged with the General Court. A complaint to the European Ombudsman has no impact on the above deadline for lodging an appeal.

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

General Court  
rue du Fort Niedergrünwald  
2925 Luxembourg  
LUXEMBOURG  
E-mail: [generalcourt.registry@curia.europa.eu](mailto:generalcourt.registry@curia.europa.eu)  
Telephone: +352 4303-1  
Internet address: <http://curia.europa.eu>

Fax: +352 4303-2100

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

14.12.2012