



***Provision of Building Repair and Maintenance Services  
for the European Environment Agency (EEA)***

**Reference:** Open call for tenders EEA/OSE/13/003

**Closing date:** 04.12.2013

### **1. Introduction to EEA**

The European Environment Agency (EEA) is a European Union public body governed by Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009<sup>1</sup>. The EEA role is to support the European Union in the development and implementation of environmental policy by providing relevant, reliable, targeted and timely information on the state of the environment and future prospects. The EEA also provides the necessary independent scientific knowledge and technical support to enable the Union and the member countries to take appropriate measures to protect and improve the environment as laid down in the Treaty and by successive Community action programmes on the environment and sustainable development. Currently, the EEA has 33 member countries.

The EEA is the hub of the European Environment Information and Observation Network (Eionet), a network of around 350 organisations across Europe through which it collects and disseminates environment-related data and information, including European Topic Centres. The EEA and Eionet contribute to the European Shared Environmental Information System (SEIS), a distributed, integrated, web-enabled information system based on a network of public information providers sharing environmental data and information. It builds on existing e-infrastructure, systems and services in the Member States and EU institutions.

There are approximately 200 staff members working at the EEA. These staff members come from a wide range of national, professional and cultural backgrounds. Their functions at the EEA vary from environment-related research and data-analysis to administrative or managerial tasks.

Further information about the work of EEA can be obtained on its website: <http://www.eea.europa.eu>.

---

<sup>1</sup> OJEU L 126 of 21.5.2009, p. 13.

## 2. Presentation of the tender

Tenders shall be submitted in accordance with the **double envelopes system**:

The outer envelope or parcel should be sealed with adhesive tape and signed across the seal and carry the following information:

- The call for tenders reference No **EEA/OSE/13/003**
- The contract title ***“Provision of building repair and maintenance services for the EEA”***
- The name of the tenderer
- The indication ***“Tender – Not to be opened by the internal mail services”***
- The address for submission of tender (as specified in the letter of invitation to tender)
- The date of submission shall be legible on the outer envelope or parcel

The outer envelope or parcel must contain three inner envelopes, i.e. Envelopes No 1, 2 and 3, corresponding to the following three sections: administrative section, technical offer and financial offer.

**(a) Envelope No 1 – Administrative section** shall include the following:

- The Tender submission form drawn up in accordance with the template in annex 1
- The declaration(s) on exclusion criteria as required under section 11.1.2 drawn up in accordance with the template in annex 2
- The legal entity form as required under section 11.2.1 drawn up in accordance with the template in annex 3
- The financial identification form drawn up in accordance with the template in annex 4
- The evidence and documentation demonstrating the fulfilment of the selection criteria as required under sections 11.2.2 (economic and financial capacity) and 11.2.3 (technical and professional capacity)

**(b) Envelope No 2 – Technical offer** shall include the following:

The technical offer providing all information requested under sections 6, 7 and 11.3.1 including information relevant to subcontracting as requested under section 4.3.

**(c) Envelope No 3 – Financial offer** shall include the following:

The financial offer providing all information requested under sections 10 and 11.3.2, drawn up in accordance with the template in annex 5.

Tenders shall be drafted in one of the official languages of the European Union, **preferably in English** (supporting evidence does not need to be translated) and submitted **in triplicate** (one signed original unbound and two copies).

It is important that tenders are presented in the correct format and include all documents necessary to enable the evaluation committee to assess them. Failure to respect these requirements will constitute a formal error and may result in the rejection of the tender.

Tenderers shall observe precisely the indications in points 2, 3, 4 and 6 of the letter of invitation to tender to ensure their tender is admissible. Late delivery will lead to non-admissibility of the tender and its rejection from the award procedure for this contract. Offers sent by e-mail or by fax will also be non-admissible and discarded. Envelopes found opened at the opening session will also lead to

non-admissibility of the tender. Consequently, tenderers must ensure that their tenders are packed in such a way as to prevent any accidental opening during their mailing.

### **3. Confidentiality and protection of personal data**

For the processing of this tendering procedure, the EEA observes the rules set in Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by Community institutions and bodies and on the free movement of such data (OJEU L 8 of 12.1.2001, p. 1).

For further detailed information please refer to the privacy statement available on the EEA external website at the following address: <http://www.eea.europa.eu/about-us/tenders/privacy-statement>.

### **4. Participation in the tendering procedure**

Submission of a tender implies acceptance of the terms and conditions set out in the invitation to tender, in these tender specifications and in the draft framework contract attached to the latter (see annex 6) and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. It is binding on the tenderer to whom the contract is awarded for the duration of the contract.

#### **4.1. Eligibility**

This call for tenders is open on equal terms to all natural and legal persons from one of the 33 EEA member countries and to all natural and legal persons established in a third country which has a special agreement with the European Union in the field of procurement on the conditions laid down in that agreement<sup>2</sup>.

As proof of eligibility tenderers must indicate in the tender submission form (see annex 1) in which country they have their headquarters, registered office or residence, and provide the necessary supporting documents in accordance with their national law. If the tender is a natural person, he/she must provide a copy of identity card/passport or driving license and proof that he/she is covered by a social security scheme as a self-employed person.

#### **4.2. Application**

All eligible natural and legal person (as per above) or groupings of such persons (consortia) may apply.

A consortium may be a permanent, legally established grouping or a grouping, which has been constituted informally for a specific tender procedure. If awarded the contract, the members of the consortium (i.e. the leader and all other partners) will have an equal standing towards the EEA in executing the framework contract and they will be jointly and severally liable to the EEA.

The participation of ineligible natural or legal persons will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

The EEA will not request consortia to have a given legal form in order to be allowed to submit a tender, but reserves the right to require a consortium 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

---

<sup>2</sup> At this point in time, tenderers established in one of the following countries are eligible: EU28, Iceland, Liechtenstein, Norway and Turkey; under the stabilisation and association agreements: FYROM, Albania and Montenegro; under bilateral agreements: Mexico and Chile.

contractual interests (depending on the member countries 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 mentioned in sections 4.1 above and 4.2 and provide the required documents listed in these tender specifications under sections 11.1 and 11.2 below. Therefore, each member of a consortium shall specify his role, qualifications and experience.

#### **4.3. Subcontracting**

A contractor may subcontract part of the tasks.

Tenderers must state what part of the work, if any, they intend to subcontract, and to what extent (for instance % of the total contract value), specifying the names, addresses and legal status of the subcontractors. If subcontracting is **not** envisaged, tenderers shall clearly state so in the tender submission form (see annex 1).

Tenderers shall provide a document containing a list of the professional qualifications of the subcontractors and statement of the means of confidentiality when subcontractors are used. If awarded the contract, contractors may not choose subcontractors other than those mentioned in the bids unless they obtain the prior written authorisation of the EEA. The overall responsibility of the work remains with the contractor.

Tenderers shall acknowledge (see annex 1) that the EEA reserves the right to request them at a later stage to provide documentation in relation to the exclusion and selection criteria for any proposed subcontractors (see sections 11.1 and 11.2 below).

The contractor must ensure that Article II.17 of the draft framework contract (see annex 6) can be applied to subcontractors. Once the contract has been signed, Article II.12 of the above-mentioned draft framework contract shall govern subcontracting.

### **5. Contractual terms**

In drawing up their bid tenderers should bear in mind the provisions of the standard framework contract and standard specific contract attached to these tender specifications (see annex 6).

### **6. Purpose and scope of the contract**

The purpose of this call for tenders is to establish a framework contract with a company that offers a wide spectrum of building repair and maintenance services in the following areas:

- Electrical work
- Plumbing
- Carpentry/Joinery
- Painting & decorating
- Flooring
- Plastering

### **7. Subject of the contract**

The successful contractor must be able to offer staff with the following profiles who are fully qualified and have experience working in a similar environment

#### **7.1. Electrician**

To carry out a wide variety of electrical installations and fittings, as well as repair and maintenance of all electrical equipment on site.

## **7.2 Plumber**

To install and repair pipes, fittings, fixtures, and other plumbing equipment used for water distribution, waste water disposal and ventilation.

## **7.3 Carpenter/joiner**

To carry out a wide variety of tasks from mounting of items such as notice boards, pictures, paintings, hooks, etc., to installation/repair/replacement of door-pumps, ceilings, windows, blinds, etc.

## **7.4 Painter and decorator**

To carry out diverse painting and decorating tasks.

## **7.5 Floor maintenance**

To carry out laying, repair and maintenance of wood linoleum floors, as well as carpets.

## **7.6 Plasterer**

To carry out repairs to walls, ceilings and floors.

## **8. Place of delivery of the services**

Work will be carried out at the Agency's premises at Kongens Nytorv 6 and 8, in Copenhagen, Denmark.

## **9. Type and volume of contract**

The successful tenderer will be awarded a framework service contract for a period of 48 months, starting from the date of signature. The services will be implemented through specific contracts depending on the EEA's demand.

The aggregated total estimated value of the contract is EUR 260.000 over a maximum period of 48 months covering all services.

## **10. Price**

Tenderers are required to quote prices for the services to be provided as follows:

- To avoid misunderstandings and for the purpose of comparing bids, the price terms for the contract should be set out in the form provided (Annex 5 to these specifications). The prices tendered must include **all costs and be expressed in euro**, including for tenderers established in countries that are not part of the Eurozone. For tenderers in countries that do not belong to the Eurozone, the price quoted may not be revised in line with exchange rate movements. It is for the tenderers to select an exchange rate and assume the risks or the benefits deriving from any variation.
- No additional costs may be introduced/charged (e.g. administrative, environmental etc.) at a later stage.
- The price quoted must be fixed and not subject to revision during the first year of duration of the contract.

From the beginning of the second year of duration of the contract, 80% of the prices may be revised upwards or downwards each year, where such revision is requested by one of the contracting parties by registered letter no later than 3 (three) months before the anniversary of the date on which it was signed.

The EEA shall purchase on the basis of the price in force on the date on which specific contracts are signed. Such prices shall not be subject to revision.

The revision shall be determined by the trend in the harmonised indices of consumer price (HICP) published by the European Commission on Eurostat web page at [http://epp.eurostat.ec.europa.eu/portal/statistics/search\\_database](http://epp.eurostat.ec.europa.eu/portal/statistics/search_database) (Theme 2 – Economy and Finance; Price; HICP – Harmonised Indices of Consumer Prices; HMIDX – Monthly data (index); GEO – Euro area (EA11-2000, EA12-2006, EA13-2007, EA15-2008, EA-16-2010, EA17); COICOP – cp00).

Revision shall be calculated in accordance with the following formula:

$$Pr = Po \times (0,2 + (0,8 \times Ir/Io))$$

Where:

Pr = revised price;

Po = price in the original tender;

Io = index for the month in which the validity of the tender expires;

Ir = index for the month corresponding to the date of receipt of the letter requesting a revision of prices.

Under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities and the Headquarters Agreement between the Agency and the Government of Denmark of 17 August 1995, the Agency is exempt from all charges, taxes and dues, including value added tax; such charges may not therefore be included in the calculation of the price quoted; the VAT amount must be indicated separately.

The costs incurred in preparing and submitting tenders are borne by the tenderers and cannot be reimbursed.

## **11. Criteria**

### **11.1. Exclusion criteria**

#### **11.1.1 Exclusion from participation and award in the procurement procedure**

To be eligible to participate in this contract award procedure, tenderers must not be in any of the exclusion situations referred to in Articles 106 and 107 of the Financial Rules applicable to the general budget of the European Union<sup>3</sup>.

#### **11.1.2. Evidence to be provided by the tenderers**

When submitting their bids, each tenderer (including any subcontractor or any member of a consortium) must provide a declaration on their honour in accordance with the form attached as annex 2, duly signed and dated, stating that they are not in any of the situations mentioned under section 11.1.1 above.

The tenderer to whom the contract is to be awarded will be required, prior to the signature of the contract, to provide the evidence specified in the penultimate paragraph of the declaration of honour mentioned above (see annex 2).

---

<sup>3</sup> Regulation (EU, Euratom) No 966/20012 of the European Parliament and of the Council of 25.10.2012, OJEU L 298/1 of 26.10.2012.

## **11.2. Selection criteria**

### **11.2.1. Legal capacity**

Any tenderer is required to prove that he is authorised to perform the contract under national law, as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organisation, express authorisation, or entry in the VAT register.

To that effect, each service provider (including subcontractor(s) or any member of a consortium) is required to submit a legal entity form (see annex 3) duly filled out and signed, accompanied by a copy of inscription in trade register and/or a copy of inscription in VAT register, where applicable. However the subcontractor(s) shall not be required to fill out or provide those documents when the services they provide represent less than 20 % of the contract.

### **11.2.2. Economic and financial capacity**

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; *OR*
- the presentation of balance sheets or extracts from balance sheets for at least the last two 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; *OR*
- a statement of overall turnover and turnover concerning the services covered by the contract during the last two financial years.

If, for some exceptional reason, which the EEA considers justified, a tenderer is unable to provide the reference(s) 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.

### **11.2.3. Technical and professional capacity**

Tenderers should show their degree of technical and professional capacity to carry out the requested tasks as mentioned in section 7 above 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.

Tenderers shall provide the following documentation:

- (i) confirmation that the business activity of the company is relevant from the standpoint of the tasks in question, by describing similar services provided in the last three years (including the value, brief description of the services undertaken and recipients of the services (public or private));
- (ii) a description of the service providers average annual manpower and the number of managerial staff for the last three years;
- (iii) a description of the company's ability to respond quickly to requests for work within the six areas of work;

- (iv) a confirmation that the company is aware of the legal regulations and safety issues related to the various tasks, as evidenced by a sworn declaration or a certificate or an equivalent document;
- (v) a description of the tenderer's 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.

### **11.3 Award criteria**

The assessment method that will be used to determine the choice of the tender will be based on the criteria given below, on the basis of the economically most advantageous tender in terms of:

- o The quality of the tender (Technical merit – TM)
- o The financial value of the tender (Price – P)

#### **11.3.1. Technical merit (TM) (max. 20, min. 15 points)**

Tenders will be evaluated for technical merits based on their description of the customer service, including ability to respond quickly to urgent service need, producing a total potential score of 20 points.

Tenderers shall elaborate the customer service criteria on 1-2 pages in order to score as many points as possible. The mere repetition of requirements set out in these tender specifications, without going into details or without giving added value, will only result in a low score. If essential elements of the technical merits are not expressly addressed in the tender, EEA may decide to give a zero mark

#### **11.3.2. Price (P) (max. 80 points)**

Tenderers are requested to submit a financial offer giving the **all-inclusive** (i.e. include all relevant costs and all expenditure (e.g. management and administrative costs) price in **euro** for the following services:

- Hourly rate for services;
- Hourly rate for car/van usage;
- Travelling cost for visit to the EEA premises, if applicable.

for each of the profiles specified under section 7 above, i.e.

- electrical work (30%)
- plumbing (10%)
- carpentry/joinery (30%)
- painting and decorating (10%)
- flooring (10%)
- plastering (10%)

The percentage for each price offer shows the relative weight when awarding points for price.

For each category above, tenders meeting all mandatory requirements including the minima for technical merit will score points in function of the following formula  $P_s = (P_{s_{min}}/P_{s_0}) \times 80 \times \text{weighting factor}$  (0.3, 0.1, 0.3, 0.1, 0.1 respective 0.1) where

$P_s$  = Score for price of service,

$P_{min}$  = the lowest price offered among the tenders received, calculated as the total price of one working day of two persons (2 x 7.5 hours, car and travelling time, if applicable)

$P_0$  = the price of the tender being considered, calculated as above

80 = the maximum number of points that can be awarded under this award criterion

Price (P) is the sum of the six Ps

For that purpose, tenderers shall complete the price quotation attached as annex 5 to these tender specifications. Tenderers shall bear in mind that all fields are compulsory and non-compliance will lead to exclusion of the tender from the award process.

### **11.3.3. Final Assessment**

A framework contract will be awarded to the tenderer whose tender achieves the highest total score for technical merit and price (TM + P). Should tenders obtain the same final score and tie for first place, the winning tender will be decided on the basis of the highest score achieved for price.

## **12. Performance**

Competence in both selection and award criteria must be maintained throughout the framework contract. Should the contractor fail to meet these criteria during the validity of the framework contract, EEA maintains the right to refuse any worker if performance is not satisfactory and/or to choose another vendor from the tenders

Once a framework contract has been signed the contractor must be able to offer workers with the required skills and experience to carry out the work in question within 10 (ten) days after offering the contractor a specific contract.

## **13. Environmental Considerations**

The EEA runs a certified environmental management system (EMAS) and aims to minimise the environmental impact of all its activities, including those carried out under contract. The future contractor will, therefore, be requested to consider the EEA environmental management guidelines in the implementation of the contract, in particular, those relating to business travel, electronic means of communication, paper and energy consumption. Further information on the EMAS system can be found on the EEA homepage: <http://www.eea.europa.eu/documents/emas>.

Moreover, it is strongly recommended that tenders are submitted in an environmentally friendly way, e.g., by choosing a simple and clear structure (list of contents and consecutive page numbering), double-sided printing, limiting attachments to what is required in the tender specifications (no additional material) and avoiding plastic folders or binders.

## **14. Annexes**

Annex 1: Tender submission form

Annex 2: Declaration on exclusion criteria

Annex 3: Legal entity form

Annex 4: Financial identification form

Annex 5: Price quotation

Annex 6: Draft framework contract and draft specific contract