



Tender Specifications

Supply of canteen equipment for the European Environment Agency

EEA/ADS/07/009

1. Purpose and scope of the contract

The European Environment Agency (EEA), Copenhagen, Denmark, intends to award a framework contract of 48 months duration under which it will purchase equipment needed for its canteen at Kongens Nytorv 6, DK-1050, Copenhagen K.

The EEA is under no obligation to make use of the framework contract which will be exclusively implemented on the basis of order forms specifying the goods and maintenance services to be provided as well as the respective timetable.

Reference is made to the draft framework contract and order form which form part of the tender documents.

All goods shall be delivered and installed and all services provided at the premises indicated above.

2. Goods and services required

Annex 3 to these specifications is a representative list of the EEA's likely needs to occur over the duration of the framework contract.

This scenario is the basis for the required price quotation (see 6.3.2). All prices quoted must be all-inclusive, hence include costs of delivery, installation, etc.

3. Mandatory requirements

Tenderers must be in a position to continuously supply (at least) the goods specified in Annex 3, to deliver the goods within 15 days and to provide maintenance services within 24 hours.

Electrical appliances which become dysfunctional must be taken back and recycled free of charge.

4. Volume of the contract

The volume of the contract over 48 months is estimated at 70 000 EUR.

5. Prices

Prices shall be fixed and not subject to revision for implementation during the first year of duration of the contract.

From the beginning of the second year of duration of the contract, 80% of each price 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 three months before the anniversary of the date on which it was signed. The Agency shall purchase on the basis of the prices in force on the date on which orders or specific contracts are signed. Such prices shall not be subject to revision.

This revision shall be determined by the trend in the harmonised consumer price index, MUICP, published for the first time by the Office for Official Publications of the European Communities in the Eurostat monthly bulletin at <http://www.ec.europa.eu/eurostat/>.

Revision shall be calculated in accordance with the following formula:

$$Pr = Po \left(0,2 + 0,8 \frac{Ir}{Io} \right)$$

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

The European Environment Agency is exempt from all charges, taxes and dues, including value added tax pursuant to Article 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; 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.

6. Criteria

6.1 Exclusion criteria

Tenderers shall be excluded from participation in a procurement procedure 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 those 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 proven by any means which the contracting authority can justify;
- (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 are established 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 the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- (f) following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

Tenderers must provide a declaration on their honour, duly signed and dated, stating that they are not in one of the situation listed above (see Annex 1).

The tender to whom the contract will be awarded must provide evidence confirming the declaration referred to in the previous point.

The contracting authority shall accept as satisfactory the following evidence:

- i) For points (a), (b) and (e) a recent extract from the judicial record, or failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied.
- ii) For point (d) a recent certificate issued by the competent authority of the State concerned.

Where the document of certificate referred above is not issued in the country concerned and for other cases of exclusion, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:

(a) are subject to a conflict of interest;

(b) are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this information.

6.2 Selection criteria

Selection criteria as specified in Section III.2 (Conditions for participation) of the Contract notice.

6.3 Award criteria

The contract will be awarded to the tender offering best value for money in terms of the following criteria (TM/P – 50:50; total maximum score: 100 points).

6.3.1 Technical merit (50 points maximum, 40 minimum)

Tenderers shall formulate their technical offers in thorough consideration of the following technical award criteria and include relevant information on product quality, product range and environmental characteristics.

Tenders will be evaluated and awarded points in function of the following aspects:

- Product quality (durability and functionality) and range – 20 points maximum, 15 minimum;
- Environmental characteristics of electrical appliances (see items 67-79 of Annex 3) in terms of low consumption (electricity/water); minimal use of substances with a global warming or ozone depleting effect; minimal waste impact/easy recyclability, etc. – 30 points maximum, 25 minimum

6.3.2 Price (50 points maximum)

Tenderers shall complete the list (Annex 3) indicating the offered brand and quoting prices per item and specified quantity. The total of these prices will form the basis for the price evaluation.

Points will be awarded on the basis of the following formula:

Lowest price/price of the tender being considered and having reached the required minima for technical merit x 50.

7. 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 technical specifications (no additional material) and avoiding plastic folders or binders.

8. Further information

Submitting an offer implies acceptance by the tenderer of all terms and conditions of the draft contract and its Annexes.

ANNEXES

Annex 1: Declaration on exclusion criteria

Annex 2: Identification sheet

Annex 3: List of goods