

DK-Copenhagen: framework contract for redundant Internet access

2009/S 75-107909

Contract notice

Services

Section I: Contracting authority

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

European Environment Agency, attention: Örjan Lindberg, Kongens Nytorv 6, 1050 Copenhagen, DENMARK.
Tel. +45 33367145. Fax +45 33367197. E-mail: orjan.lindberg@eea.europa.eu

Internet address(es):

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

Address of the buyer profile: <http://www.eea.europa.eu/about-us/tenders>

Further information can be obtained at:

European Environment Agency, Kongens Nytorv 6, 1050 Copenhagen K, DENMARK. Tel. +45 33367100. Fax +45 33367274. E-mail: procurement@eea.europa.eu Internet: <http://www.eea.europa.eu/tenders>

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained at:

As in abovementioned contact point(s).

Tenders or requests to participate must be sent to:

As in abovementioned contact point(s).

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

European institution/agency or international organisation.
Environment.

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:

Framework contract for redundant Internet access.

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

Services.

Service category: No 27.

Main place of performance: EEA premises.

NUTS code: DK011.

II.1.3) 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 year(s): 6.

Justification for a framework agreement, the duration of which exceeds 4 years: Business continuity (Article 117 (1) (3) of the general implementing rules to the Financial Regulation).

Estimated total value of purchases for the entire duration of the framework agreement:

Estimated value excluding VAT: 200 000 EUR.

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

To provide EEA with a redundant Internet access solution with high availability and performance.

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

72400000.

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

No.

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

No.

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

No.

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

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

Estimated value excluding VAT: 200 000 EUR.

II.2.2) **Options:**

No.

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

Duration in months: 72 (from the award of the contract).

Section III: Legal, economic, financial and technical information

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

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

As stated in the contract.

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

As stated in the contract.

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 groups of service providers that, if awarded the contract, shall assume a legal form by incorporation or partnership which will enable them to contract as a single entity. Moreover, a group of service providers must identify the main contractor, who shall have sole responsibility towards the Agency, and will interface between the Agency and the service providers. Each member of the group must fulfil the conditions for participation mentioned in point III.2.

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:**

Information and formalities necessary for evaluating if 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 93 and 94 of Council Regulation (EC, Euratom) No 1605/2002

of 25.6.2002, OJ L 248 of 16.9.2002, as last modified by (EC, Euratom) No 1995/2006 of 13.12.2006, OJ L 390/1 of 30.12.2006. To that effect tenderers are required to submit a declaration of honour (see Annex 1 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, as last modified by (EC, Euratom) No 478/2007 of 23.04.2007, OJ L 111/13. Under the same provision, the tenderer to whom the contract is to be awarded will be required to produce evidence confirming the prior declaration unless this obligation is waived by the contracting authority.

Legal capacity — tenderers are requested to prove that they are 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. Tenderers shall provide an identification sheet (Annex 2 to the tender specifications) duly filled out and signed, a copy of inscription in a trade register, where applicable, and a copy of inscription in VAT registers.

III.2.2) Economic and financial capacity:

Information and formalities necessary for evaluating if requirements are met:

Proof of economic and financial capacity may be furnished by (1 or more of) the following documents:

- (a) appropriate statements from banks or evidence of professional risk indemnity insurance;
- (b) the presentation of balance sheets or extracts from balance sheets for at least the last 2 years for which accounts 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;
- (c) a statement of overall turnover and turnover concerning the works, supplies or services covered by the contract during a period which may be no more than the last 3 financial years.

If, for some exceptional reason which the contracting authority considers justified, the tenderer or candidate is unable to provide the references requested by the contracting authority, he may prove his economic and financial capacity by any other means that the contracting authority 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 that it has with them. It must in that case prove to the contracting authority 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 requirements are met:

Evidence of the technical and professional capacity shall be furnished on the basis of the following documents:

- (a) a list of the principal recipients of Internet services over the past 3 years;
- (b) a description of the technical equipment, tools and plant to be employed by the firm for performing a service or works contract such as a description of the network management facilities, customer support centre, contact point and customer report tools in place at the tenderer;
- (c) a description of the measures employed to ensure the quality of supplies and services, and a description of the firm's study and research facilities;
- (d) a statement of the average annual manpower and the number of managerial staff of the service provider or contractor in the last 3 years;
- (e) a description of the European network infrastructure used for its Internet service;
- (f) a description of the tenderer's environmental policy.

III.2.4) Reserved contracts:

No.

III.3) Conditions specific to services contracts

III.3.1) Execution of the service is reserved to a particular profession:

No.

III.3.2) **Legal entities 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.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) **An electronic auction will be used:**

No.

IV.3) **Administrative information**

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

EEA/OSE/09/006.

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:**

25.5.2009 (16:00).

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

Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish.

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

Duration in month(s): 6 (from the date stated for receipt of tender).

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

Date: 2.6.2009 (11:00).

Place: EEA premises.

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

Representatives of tenderers (1 per tenderer) are allowed to participate in the opening session. They are requested to inform in advance Örjan Lindberg by e-mail: orjan.lindberg@eea.europa.eu or by fax +45 33367197.

Section VI: Complementary information

VI.1) **This is a recurrent procurement:**

No.

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

No.

VI.3) **Additional information:**

All tender documents and any additional documents and information can be downloaded 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:**

Court of First Instance of the European Communities, boulevard Konrad Adenauer, 2925 Luxembourg, LUXEMBOURG. Tel. +352 4303-1. Fax +352 433766. E-mail: CFI.Registry@curia.europa.eu Internet: <http://curia.europa.eu>

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 can be lodged with the Court of First Instance of the European Communities; 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:**

Court of First Instance of the European Communities, boulevard Konrad Adenauer, 2925 Luxembourg, LUXEMBOURG. Tel. +352 4303-1. Fax +352 433766. E-mail: CFI.Registry@curia.europa.eu Internet: <http://curia.europa.eu>

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

7.4.2009.