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**DK-Copenhagen: framework contract for the provision of canteen
and catering services to the European Environment Agency (EEA)**

2010/S 227-346256

CONTRACT NOTICE

Services

SECTION I: CONTRACTING AUTHORITY

I.1) NAME, ADDRESSES AND CONTACT POINT(S)

European Environment Agency (EEA)
Kongens Nytorv 6
Contact: Procurement services (ADS4)
Attn: Mr Olivier Cornu
1050 Copenhagen K
DENMARK
Tel. +45 33367246
E-mail: procurement@eea.europa.eu
Fax +45 33367273

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: As in above-mentioned contact point(s)

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained at: As in above-mentioned contact point(s)

Tenders or requests to participate must be sent to: As in above-mentioned 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 the provision of canteen and catering services to the European Environment Agency (EEA).

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

Services

Service category: No 17

Main place of performance EEA premises in Copenhagen, Kongens Nytorv Nos 6 and 8, DENMARK.

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 month(s): 48

Estimated total value of purchases for the entire duration of the framework agreement
estimated cost excluding VAT 1 600 000 EUR

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

The European Environment Agency (EEA) wishes to establish a framework contract for the provision of canteen and catering services to its head offices in Copenhagen. There are approximately 200 staff members working at the EEA. The EEA organises many meetings with external participants and sometimes lets others use its conference facilities for their own meetings. The canteen caters such meetings with lunches/dinners, receptions and/or coffee and tea.

II.1.6) Common procurement vocabulary (CPV)

55300000

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

The total estimated value of the framework contract, over a maximum 48-month period, is 1 600 000 EUR.
Excluding VAT 1 600 000 EUR

II.2.2) Options

No

II.3) DURATION OF THE CONTRACT OR TIME-LIMIT FOR COMPLETION

Duration in months: 48 (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 draft framework contract attached as Annex 3 to the tender specifications.

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

As stated in the draft framework contract attached as Annex 3 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 legal form of incorporation enabling it to contract as a single entity if such change is necessary for the proper performance of the contract. Consortia must identify 1 of their members as coordinator who will interface with the EEA. Each consortium member must fulfil the conditions for participation mentioned in Section III.2. below.

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 Council Regulation (EC, Euratom) No 1575/2007 of 21.12.2007, OJ L 343/9 of 27.12.2007. To that effect, tenderers are requested to submit a declaration of honour (attached as 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 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 provisions, 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 EEA.

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 an identification sheet (attached as Annex 2 to the tender specifications) duly filled out and signed accompanied by a copy of inscription in a trade or professional register and/or in the VAT register, where applicable.

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 supplies or services covered by the contract during the last 3 financial years.

If, for some exceptional reason, which the EEA considers justified, the 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.

If several service providers are involved in the tender, each of them shall supply the above documentation. If the tender includes subcontractors, the EEA reserves the right to request evidence of their economic and financial capacity if the tasks subcontracted represent a substantial part of the contract.

III.2.3) Technical capacity

Information and formalities necessary for evaluating if 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 the performance of the contract.

1. Human resources:

Tenderers must provide the following documents:

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

* managerial staff: minimum 2 CVs (contract manager and daily leader) documenting a minimum of 5 years' relevant experience,

* person responsible for providing the services: minimum 4 CVs (2 chefs and 2 kitchen assistants) documenting a minimum of 5 years' relevant experience (chef) and 2 years' relevant experience (kitchen assistant) including language skills,

* technical assistants: minimum 2 CVs (dishwasher and cleaner) documenting a minimum of 1 year's relevant experience,

— a statement of the service provider's staff vetting policy,

— a description of the service provider's health and safety policy, and the systems and procedures in place for making sure employees are safe at work,

— a statement of the service provider's out-of-office hours cover policy and the call-out procedure by which such hours may occur.

2. Subcontracting:

— an indication of the proportion of the contract which the service provider may intend to subcontract,

— if subcontracting is envisaged as part of this contract, tenderers shall provide a statement of the service provider's policy on the use of subcontractors, and of the means of ensuring quality and confidentiality when subcontractors are used.

NB. Tenderers must acknowledge that the EEA reserves the right to request, at a later stage, tenderers to provide documentation in relation to exclusion and selection criteria for any proposed subcontractor.

3. Past contracts:

— list and description of the principal services provided in the past 3 years, indicating the values, dates and recipients of the services (public or private).

4. Quality assurance and environmental management:

— description of any quality assurance and environmental management certifications that the service provider currently holds,

— any accreditations applied for and their current status.

If no accreditations are held, tenderers shall provide an outline of their quality-assurance and environmental policies.

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.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) **An electronic auction will be used**

No

IV.3) **ADMINISTRATIVE INFORMATION**

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

EEA/OSE/10/009.

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

Prior information notice

Notice number in OJ: [2010/S 70-104295](#) of 10.4.2010

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

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

5.1.2011 - 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**

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

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: 12.1.2011 - 10:00

Place

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

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 at least 24 hours in advance EEA Procurement Services by e-mail at procurement@eea.europa.eu or by fax at number +45 33367273.

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 information are available for download on the EEA external website at the following address: <http://www.eea.europa.eu/about-us/tenders>

A presentation of the EEA premises will take place on 9.12.2010 (16:00). 1 set of drawings of the EEA kitchen and canteen facilities will be provided as handouts during the tour of the buildings.

Interested tenderers are requested to inform Mr Bo Hansgaard at least 24 hours in advance by e-mail to bo.hansgaard@eea.europa.eu

VI.4) **PROCEDURES FOR APPEAL**

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

General Court
rue du Fort Niedergrünwald
2925 Luxembourg
LUXEMBOURG
E-mail: cfi.registry@curia.europa.eu
Tel. +352 4303-1
Internet: <http://curia.europa.eu>
Fax +352 4303-2100

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: cfi.registry@curia.europa.eu
Tel. +352 4303-1
Internet: <http://curia.europa.eu>
Fax +352 4303-2100

VI.5) **DATE OF DISPATCH OF THIS NOTICE:**

11.11.2010