

**Tender Specifications
attached to the Invitation to tender**

Invitation to tender N° EMSA/NEG/26/2014 for the provision of vocational training services in the field of evacuation, first intervention, drills and consultancy services.

1. Introduction

The European Maritime Safety Agency (EMSA) was established under Regulation 1406/2002/EC of the European Parliament and of the Council to contribute to the enhancement of European maritime safety.

2. Objective, scope and description of the contract

The objective of this tender is the provision of vocational training, in English, in the fields described below as well as consultancy services in compliance with the national law.

2.1. Different types of vocational training services to be provided only by specialized training instructors with certified qualifications:

2.1.a) General informative training addressed to all the employees of the Agency:

Audience, location and logistics:

EMSA has around 250 staff members all of whom will attend the general informative training. This 1.5 hour training shall be carried out on a working day, two sessions every two years during the EMSA lunch break (i.e. between 12:00 and 14:00) on days that will be predefined by the Agency. The contractor shall deliver the trainings at the EMSA Conference Centre and shall supply the material, slides etc. necessary for carrying out the seminar and the Agency shall provide any audio-visual equipment necessary for delivering the training (i.e. projector, screens, PC).

Objective of this training:

The goal of the general basic training is to:

- Inform the staff of the emergency escape procedures and routes;
- Teach staff of the preferred means of reporting incidents;
- Make staff aware of the emergency telephone numbers;
- Familiarization with EMSA's internal Emergency Plan;
- Awareness of responsibilities of staff members and individual roles;

NB: The contractor is also expected to prepare a template in English and in Portuguese demonstrating what to do in case of emergencies. These templates shall be used by EMSA to prepare leaflets to inform the Agency's contractors, visitors etc.

2.1.b) Evacuation training:

Number of trainees of the Evacuation Team, location and logistics:

The training will be limited to the EMSA evacuation team (maximum number could reach 35 staff members). This 2.5 hour training shall be carried out on a working day, once every two years during the EMSA working hours (i.e. between 09:00 and 17:00). The contractor shall deliver the training at the EMSA premises and shall supply the material, slides etc necessary for carrying out the training. Finally, the Agency EMSA shall provide any audio-visual equipment necessary for delivering the training (i.e. projector, screens, PC) and make the necessary arrangements for the venue.

Objective of this training:

The goal of this training is to:

- Teach the EMSA evacuation team how to help their colleagues evacuate the building safely;
- Teach them ways to ensure a fast and organized evacuation of the staff under their areas of responsibility;
- Importance of their role for the implementation of the IEP.

2.1.c) First intervention training:

Moreover, EMSA would also like to train its First Intervention Team on firefighting situations while focusing on the specificities of the first intervention equipment available in the EMSA building.

Audience, location and logistics:

The contractor will need to train a maximum number of 14 staff. This full day of training shall be carried out on a working day upon EMSA request. The contractor shall make the necessary arrangements for the venue and the training shall be held outside the EMSA building. In addition, the contractor shall provide to all the members of the first intervention team the necessary equipment in adequate quantities (i.e. each staff member should receive clean, hygienic and in good condition protective clothing, fire extinguishers etc). The contractor shall also ensure that a variety of practical exercises shall be covered.

NB: Should any transportation be needed on the day of the training, the Agency shall organize any eventual transportation for the Fire Intervention Team to the venue.

Objective of this training:

The goal of this training is to:

- Teach the theory for firefighting;
- Train the team to react quickly and efficiently to fight fire;
- Familiarize the respective staff with the use of fire extinguishers and hoses and provide a variety of exercises (including the usage of masks);
- Offer individual and team exercises on different types of fire
- Provide any additional supporting documentation in English.

2.1.d Drills:

Drills for Evacuation, first intervention and first aid shall be organized for all EMSA staff.

Location & logistics of Mandatory by law drills and simulations:

The drills shall be organized in the EMSA building on a predefined working day and shall be carried out upon EMSA request but at least once every two years. EMSA shall supply all the equipment necessary for delivering the training (i.e. jackets for the various teams, fire extinguishers to be used on the day, masks etc). The contractor shall be responsible for delivering on the day of the training smoke generating machines and other equipment it deems necessary for carrying out the training. Furthermore, on the day of the training, the contractor's specialized training team shall be present and accompany the drills. Upon completion of the drill, the contractor shall provide a report outlining the findings and proposing any improvements/alterations of the existing procedures.

Objective of this training:

The goal of the drill is to:

- Ensure that the training undergone is kept up to date. The content shall be adapted to the specific needs and risks of the building.

2.1.e Consultancy services

The Agency would like to have the possibility of updating when it deems necessary its IEP as well as receiving advice on technical developments foreseen by the Portuguese law in the fields of evacuation, first intervention, drills and first aid. Any consultancy services shall only be requested on an ad hoc basis.

Objective of the consultancy services:

1. To reflect any IEP structural changes of the building;
2. Update if necessary the plans with respect to emergency exits;
3. Provide information and technical advice with respect to Portuguese legal requirements related to evacuation, first intervention and first aid.

3. Contract management responsible body.

The European Maritime Safety Agency – Unit A.2.3, in charge of Facility & Logistics– will be responsible for managing the contract.

4. Project Planning

Following the signature of the Framework Contract, a meeting shall be scheduled in order for EMSA to provide information that will facilitate the scheduling of the trainings.

5. Description of the Contract and Timetable

The framework contract will have a full duration of 4 years and will be implemented by Order Forms.

The estimated date for signature of the contract is late June 2014.

6. Estimated Value of the Contract

The maximum budget available for this contract is of 24,000 Euro excluding VAT.

7. Terms of payment

Payment will be made in accordance with the provisions of the draft framework contract available in the Procurement Section under the call to tender EMSA/NEG/26/2014 on the EMSA website at the following address: www.emsa.europa.eu

8. Terms of contract

In drawing up a bid, the tenderer should bear in mind the terms of the draft framework contract.

EMSA may, before the contract is signed, either abandon the procurement or cancel the award procedure without the tenderers being entitled to claim any compensation.

9. Subcontracting

If the tenderer intends to either sub contract part of the work or realise the work in co-operation with other partners he shall indicate in his offer which part will be subcontracted, as well as the name and qualifications of the subcontractor or partner. (NB: overall responsibility for the work remains with the tenderer).

If the tenderer relies on the capacities of subcontractors to fulfil selection criteria as specified in section 13.4 (technical and professional capacity) then each subcontractor must provide the required evidence for the exclusion and selection criteria. To rely on the capacities of a subcontractor does not mean that the contractor has to use deliveries or services of another company but that this company and its special capacity is central to the capacity of the contractor to fulfil the contract and that it cannot be easily changed or replaced. The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria, the evidence provided will be checked to ensure that the tenderer and its subcontractors as a whole fulfils the criteria.

10. Requirements as to the tender

Bids can be submitted in any of the official languages of the EU. The working language of the Agency is English. Bids must include an English version of the documents requested under point 13.4 & 14 of the present tender specifications.

The tenderer shall complete Tenderer's checklist.

If the tenderer intends to either sub contract part of the work or realise the work in co-operation with other partners (Join Offers) he shall indicate in his offer by completion of the form – Information regarding joint offers and subcontracting.

The tender must be presented as follows and must include:

Signed cover letter indicating the name and position of the person authorised to sign the contract/Purchase Order and the bank account on which payments are to be made.

Financial Form completed, signed and stamped; available on the Procurement Section (Financial Form) on the EMSA Website at the following address: www.emsa.europa.eu

Legal Entity Form completed, signed and stamped and requested accompanying documentation, available on the Procurement Section (Legal Entity Form) on the EMSA Website at the following address: www.emsa.europa.eu

Tenderers are exempt from submitting the Legal Entity Form and Financial Form requested if such a form has already been completed and sent either to EMSA or any EU Institution previously. In this case the tenderer should simply indicate on the cover letter the bank account number to be used for any payment in case of award.

Part A: all the information and documents required by the contracting authority for the appraisal of tenders on the basis of the points **9, 12, 13.2, 13.3** of these specifications (**Exclusion criteria**)

Part B: all the information and documents required by the contracting authority for the appraisal of tenders on the basis of the **Technical and professional capacity** (part of the Selection Criteria) set out under point **13.4** of these specifications.

Part C: all the information and documents required by the contracting authority for the appraisal of tenders on the basis of the **Award Criteria** set out under point **14** of these specifications;

Part D: setting out **prices** in accordance with **point 11** of these specifications.

11. Price

- Price must be quoted for **provision of vocational training services in the field of evacuation, first intervention, drills and consultancy services** and shall be all inclusive. The tenderers are therefore requested to complete Appendix 1.
- Prices must be fixed amounts and non revisable.
- Prices must be quoted in euro.
- Under Article 3 and 4 of the Protocol on the privileges and immunities of the European Communities, the latter is exempt from all duties, taxes and other charges, including VAT. This applies to EMSA pursuant to the Regulation 1406/2002/EC. Therefore price and the amount of VAT must be shown separately.

12. Joint Offer

Groupings, irrespective of their legal form, may submit bids. Tenderers may, after forming a grouping, submit a joint bid on condition that it complies with the rules of competition. Such groupings (or consortia) must specify the company or person heading the project and must also submit a copy of the document authorising this company or person to submit a bid.

Each member of the consortium must provide the required evidence for the exclusion and selection criteria. The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria, the evidence provided by each member of the consortium will be checked to ensure that the consortium as a whole fulfils the criteria.

If awarded, the contract will be signed by the person authorised by all members of the consortium. Tenders from consortiums of firms or groups of service providers, contractors or suppliers must specify the role, qualifications and experience of each member or group.

13. Information concerning the personal situation of the service provider and information and formalities necessary for the evaluation of the minimum technical and professional capacity required

13.1. Legal position – means of proof required

When submitting their bid, tenderers are requested to complete and enclose the **Legal Entity Form** available on the Procurement Section on the EMSA Website at the following address: www.emsa.europa.eu.

13.2. Grounds for exclusion – Exclusion criteria

To be eligible to participate in this contract award procedure, tenderers must not be in any of the following exclusion grounds:

- (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 judgement 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 judgement 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.

13.3.Evidence to be provided by the tenderers

For this purpose the Declaration on Honour available on the Procurement Section on the EMSA Website (www.emsa.europa.eu) shall be completed and signed.

13.4. Technical and professional capacity – Selection criteria

Requirements:

- The tenderer technical and professional capacity shall be assessed with regard to the tenderers' experience, knowledge of English of the staff designated to work on this project and appropriate certification of the company in the respective field.

Evidence:

- List of similar training projects (for public bodies/institutions/organizations) in the last 3 years;
- List of certifications the tenderer in the respective field;
- Detailed Curriculum Vitae of each member of the team responsible to carrying out the training, including his or her educational background, degrees and diplomas, professional experience, level of training and linguistic skills;
- Training/supervisors must have fire safety, first aid or recognized security diplomas. Senior trainers must have no less than four years of professional experience in the areas covered.

14. Award criteria

Only the tenders meeting the requirements of the exclusion and selection criteria will be evaluated in terms of quality and price.

The contract will be awarded to the tenderer who submits the most economically advantageous bid (the one with highest score) based on the following quality criteria and their associated weightings:

1. Proposed methodology for organizing and carrying out trainings and drills ($W_1 = 20\%$);
2. Completeness of list of proposed equipment for the training on the first intervention ($W_2 = 30\%$)

and the price criterion and associated weighting:

3. Price of the bid ($W_{Price} = 50\%$). The tenderer is requested to complete Appendix 1 with the respective prices.

For all bids evaluators will give marks between 0-10 (half points are possible) for each quality criterion.

The score is calculated as

$$S = SQ + SP$$

where:

The average quality for quality criterion i is

$$Q_i = \frac{1}{\text{number of evaluators}} * \sum_{\text{evaluator}} \text{mark of the evaluator for quality criterion } i$$

The overall weighted quality is

$$Q = \sum_i Q_i * W_i$$

The score for quality is

$$SQ = \frac{Q}{Q \text{ of the bid with highest } Q} * 100 * \sum_i W_i$$

The score for price is

$$PP = \sum_i \frac{\text{lowest Price}_i \text{ of all bids}}{\text{Price}_i} * 100 * W_{\text{Price}_i}$$

Only bids that have reached a minimum of 60% for Q_1 , a minimum of 60% for Q_2 will be taken into consideration when calculating the score for quality SQ , score for price SP and score S .

Only bids that have reached a minimum of 60% for the score S will be taken into consideration for awarding the contract.

15. Contracts will not be awarded to 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.

16. False declarations

Without prejudice to the application of penalties laid down in the contract, tenderers and contractors who have been guilty of making false declarations concerning situations referred to in points 12 and 13 above or have been found to have seriously failed to meet their contractual obligations in an earlier procurement procedure or grant shall be subject to administrative and financial penalties set out in Article 145 of Commission Delegated Regulation of 29.10.2012 on

the rules of application of Regulation (EU) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union.

17. Intellectual Property Right (IPR)

Please consult the contract for IPR related clauses.

If the results are not fully created for the purpose of the contract this should be clearly pointed out by the tenderer in the tender. Information should be provided about the scope of pre-existing rights, their source and when and how the rights have been or will be acquired.

In the tender all quotations or information originating from other sources and to which third parties may claim rights have to be clearly marked (source publication including date and place, creator, number, full title etc.) in a way allowing easy identification.