

Tender Specifications
attached to the Invitation to tender

Invitation to tender N° EMSA/NEG/46/2014 for the provision of catering and ancillary services for an EMSA reception on the 4th October 2014

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.

Having regard to the Staff Regulations of officials and the conditions of employment of other servants of the European Communities and in particular article 9, 10, 10a and 110 of the Staff Regulations and article 1 of annex II concerning the Staff Committee, the Staff Committee of the European Maritime Safety Agency represents interests of the staff vis-à-vis their Agency (EMSA). The Staff Committee shall participate in the management of social activities set up by the Agency in the Interest of its staff. In this context, EMSA staff Committee is organizing a reception for the Agency staff and spouses.

2. Objective, scope and description of the contract

2.1 Objective of the contract

The objective of this tender is to conclude a Purchase Order for the provision of catering and ancillary services for an expected maximum number of 160 participants. The reception, addressed to the Agency's staff and spouses, shall be held on the 4th October 2014 between 18:30 and 23:00 at the Forte de S. Julião da Barra.

2.2 Description of the service:

EMSA intends, through this call, to purchase the following services for a stand up reception with a good selection of finger food:

a) Catering services:

The contractor shall provide:

- All the necessary dishware and equipment necessary for hosting such an event;

A variety of 5 different starters, 2 main courses comprised of 3 or 4 different varieties per course as well as 3 or 4 different desserts. The tenderers are requested to indicate in their offer the precise description of all the drinks and food that will be served during the event by completing **Appendix 1**

- Unlimited beer and sangria as well as water and soft drinks;

- Coffee;
- An open bar with alcoholic drinks (i.e. Mojito Caipirinha, Morangoska, Gin Tonic etc). **The maximum price for any alcoholic drink served during the event cannot exceed 3,50 EUR.** These costs shall be covered directly by the EMSA staff on the day of the event.

b) Ancillary services:

The contractor shall provide:

- Audio services carried out by a technician who shall be present on site from 18:00 to 23:00 to ensure the good functioning of the sound equipment;
- Live music from 18:30 to approximately 23:00;
- A minimum of 5 service staff, dressed in traditional waiter's uniform, who shall serve, during at least 2,5 hours, food and drinks to the guests on metal trays covered with doilies. Waiters should be able to understand both Portuguese and English in a manner that allows solving basic requests;
- The successful tenderer will make sure that the venue is left clean and will dispose of any rubbish in an environmentally friendly manner. Information should be provided on the arrangements to be put in place accordingly upon the signature of the Purchase Order.

2.3 Time schedule and description of the Reception:

2.3.1 Time schedule:

Type of Service	Time schedule
I) Catering Service	19:00 to 21:30
a) Starters	To be served from 19:00 to 19:30
b) Main courses	To be served from 19:30 to 21:00
c) Desserts	To be served from 21:00 to 21:30
II) Ancillary Services	
a) Service Staff	Shall serve food from 19:00 to 21:30
b) Live music	18:30 to approximately 23:00
c) Audio technician	Shall be present on site from 18:00 to 23:00
d) Open Bar	Shall be available from 18:30 to 23:00

2.3.2 Description of Reception:

Invitees will be arriving at the venue as of 18:30 and the event is expected to kick-off at 19:00. The contractor shall have access to a kitchen at the venue and must bring all necessary equipment for warming, serving, cooling etc. In addition, all plates, glasses and cutlery must be provided as well. Water and electricity (including tri-phasic) outlets will be made available to the contractor.

From 19:00, the service staff will serve drinks to the guests including sangria, beer, water (still and sparkling) as well as soft drinks. As from 19:30, "finger food" of the first main dish will be offered and should be at least 8 pieces per person. As from 20:00, "finger food" of the second

main dish will be complemented with a variety of hot and cold dishes of mainly International cuisine for each main course and should be at least 8 pieces per person.

From 21:00 to 21:30, service will continue with a selection of miniature desserts and should be at least 4 pieces per person. Drinks shall be offered as indicated above. It should be highlighted that the contractor should provide a variety of alcoholic drinks throughout the event to the invitees.

The waiters shall stop serving drinks at 21:30. However, the open bar will remain available until 23:00 where participants will be able to order alcoholic drinks upon payment. It should be noted that from 21:30 to 23:00, the open bar will continue to offer soft drinks, water, beer and sangria at no cost for the participants until the end of the event. After 23:00, the music shall also be discontinued.

Should there be any leftover food, the successful tenderer will have to arrange a donation to a charity of his choice (to be indicated at the kick-off meeting).

3. Contract management responsible body.

The European Maritime Safety Agency – Unit A.0.2, in charge Finance, Procurements and Contracts will be responsible for managing the Contract.

4. Project Planning

The kick off meeting is planned following signature of the contract.

5. Timetable

The estimated date for signature of the Purchase Order is late September 2014. The services should be provided on the 4th October 2014.

On the 1st of October 2014, the contractor will receive the final number of people attending the event.

6. Estimated Value of the Contract

The maximum budget available for this contract is of 4,000 Euro excluding VAT. The final payment shall be based on the actual number of participants. The above amount excludes the alcoholic drinks consumed and paid by the staff at the Open Bar.

7. Terms of payment

Payment will be made in accordance with the provisions of the draft Purchase Order available in the Procurement Section under the call to tender EMSA/NEG/46/2014 on the EMSA website at the following address: www.emsa.europa.eu

8. Terms of Purchase Order

In drawing up a bid, the tenderer should bear in mind the terms of the draft Purchase Order

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).

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 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 **Award Criteria** set out under point **14** of these specifications;

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

11. Price

- Price must be quoted for the provision of the catering and ancillary services and shall include all costs i.e. cost for the service staff, music, technician, dishware, cleaning, delivery, transportation etc.

- The price shall be quoted as a fixed price per person. The tenderers are 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 criteria. The exclusion criteria will be assessed in relation to each economic operator individually.

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

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:

- 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;
- they have been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;
- they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- 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.

14. Award criteria

As pointed out in section 2.2.a, the tenderers are requested to complete and submit the Matrix in **Appendix 1**. It should be noted that failure to complete Appendix 1 may lead to the rejection of the bid.

Only the tenders meeting the requirements of the exclusion 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:

a) Quality criterions will be evaluated as follows:

Quality criterion 1 ($W_1 = 30\%$)	Quality of the food and drinks outlined in section 2.2.a.
Quality criterion 2 ($W_2 = 30\%$)	Quality of the services outlined in section 2.2.b of the tender specifications for the reception and the organisation of the team. Tenderers are requested to describe the services in detail.

and the price criterion and associated weighting:

1. Price per person as indicated in Appendix 1 ($W_{Price} = 40\%$).

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 , etc. 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.