

Tender Specifications attached to the Invitation to tender

**Invitation to tender N° EMSA/NEG/25/2015
for the supply of safety equipment and preventative and corrective maintenance of fireproof partitions,
fireproof doors, fire hoses and fire hoses pumping system.**

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 the contract is to establish Service Contract for supply of safety equipment: 55 portable fire extinguishers and 20 fire hoses and preventative and corrective maintenance of fireproof partitions, fireproof doors, fire hoses and fire hoses pumping system for the EMSA premises located at Praça Europa 4, 1249-206, Lisbon, Portugal.

2.1. Supply of safety equipment

2.1.1. Supply of 55 Foam & water ABF (ZAP6) class fire extinguishers with the following characteristics:

- Can be used on class A, B, F and electrical fires
- Service pressure, 15 bar
- Capacity 6L
- Weight not more than 10 kg
- Propellant: nitrogen
- Extinguisher Rating 27A 233B 75F
- Operating temperature: +5°C/+60°C
- Operating time: 42s
- Dimensions: 598x180mm (hxd)
- 100% environmentally friendly with no harmful chemical residue
- 35kV Di-electrical safety test pass
- Prove of approved manufacturing process
- CE approved and related Certifications
- Supplied complete; with pressure gauge, anti-corrosion treatment, delivery and local distribution
- 5 Year Manufacturer's Warranty

2.1.2. Supply of 20 fire hose reels with the following characteristics:

- DN 25 water hose

- Length: 30 meters
- Certifications and characteristics in line with the Portaria nº 1532/2008
- Built-in hose reels, without cabinet, are of the rotating type
- Including transport, removal of the old fire hoses and installation

Note: Please fill in table in Annex A – “Compliance Matrix Checklist”

2.2. Preventative maintenance

2.2.1.Preventative maintenance on existing fireproof partitions and fireproof doors

Hands on preventative maintenance should be done for 21 fireproof partitions, 35 single fireproof doors and 15 double fireproof doors.

Main elements to be checked:

- Proper functioning of fire door and sliding gate closing mechanisms
- Maintenance of fire door characteristics, including proper upkeep of intumescent strips
- Maintenance of fire seals in the intersections of parts with burning behaviour characteristics

2.2.2.Preventative maintenance on fire hose reels

Hands on preventative maintenance should be done for 5 units as described below:

- Check the pipe system, fixings and sealing;
- Cleaning of equipment and accessories;
- Check for any deficiencies or tears in semi-rigid hoses;
- Check nozzle lubrication.

2.2.3.Preventative maintenance on Grundfos pumping system

Hands on preventative maintenance should be done for: 1 “Jockey” pump, 1 electric pump and 1 diesel pump

Main elements to be checked:

- The serviceability of alarm devices for minimum and maximum tank levels
- The cleanliness of the tank suction filter parts
- The serviceability and sealing of the constant-level valve in the tank
- The serviceability and sealing of the constant-level valve in the tank
- The internal cleanliness of the tank to avoid damage to the pump impellers

The preventative maintenance described under point 2.2 should be in line with Portuguese National Legislation, namely: DL 220/2008, P 1532/2008 and NT ANPC.

The preventative maintenance described under point 2.2 should also include transportation of contractor’s staff to the place of performance of the maintenance.

The contractor should perform a preventative maintenance at minimum once per year.

2.3. Corrective maintenance:

The contractor should perform a corrective maintenance depending on immediate needs.

The corrective maintenance should include:

- Hands on corrective maintenance
- Transportation of contractor's staff to the place of performance of the maintenance.

2.4. Supply of replacement and spare parts

The contractor should supply any replacement and spare parts necessary to carry out the corrective maintenance.

3. Contract management responsible body.

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

4. Project Planning

The Service Contract shall run from the date of last signature of the contract until **16/01/2018**.

The supply of the safety equipment should be done within 30 days from the date of the last signature of the contract.

The preventative maintenance should be done at least once per year, starting from the year 2015.

For the total duration of the contract the minimum 3 preventative maintenance inspection are foreseen - in 2015, in 2016 and in 2017.

The exact dates of the preventative maintenance inspections will be agreed later on.

The performance of the corrective maintenance depends on needs.

5. Timetable

The estimated date for signature of the contract is middle of July 2015.

6. Estimated Value of the Contract

The maximum budget available for this contract for the entire period (from its signature until 16/01/2018) is of **EUR 15.000 excluding VAT**. This includes supply of safety equipment, preventative and corrective maintenance and spare parts.

The maximum price of the supply of safety equipment should not be more than **EUR 7.000** excluding VAT.

The maximum price of the services relating to the preventative maintenance during the entire duration of the contract should not be more than **EUR 5.700** excluding VAT.

The maximum price of the services relating to the corrective maintenance and spare parts during the entire duration of the contract shall be EUR **2.300** excluding VAT.

7. Terms of payment

Payment will be made in accordance with the provisions of the draft contract available in the Procurement Section under the call to tender EMSA/NEG/25/2015 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 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).

The tenderer must provide required evidence for the exclusion and selection criteria on its own behalf and when applicable on behalf of its subcontractors. The evidence for the selection criteria on behalf of subcontractors must be provided where the tenderer relies on the capacities of subcontractors to fulfil selection criteria¹. 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 fulfil 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.

¹ To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

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 the Supply of safety equipment and preventative and corrective maintenance of fireproof partitions, fireproof doors, fire hoses and fire hoses pumping system shall include:
 - Price for the **supply** of safety equipment mentioned in point 2.1:
 - 55 Foam & water ABF (ZAP6) class fire extinguisher (with characteristics as in point 2.1.1)
 - Supply of 20 fire hose reels (with characteristics as in point 2.1.2)
 - Price for **preventative maintenance per year** as described in point 2.2 including transportation of contractor's staff to the place of performance of the maintenance:
 - On existing fireproof partitions, fireproof door including all above mentioned elements in point 2.2.1
 - On fire hose reels including all above mentioned elements in point 2.2.2

- For Grundfos pumping system including all above mentioned elements in point 2.2.3
- Price for **corrective maintenance** as described in point 2.3 including transportation of contractor's staff to the place of performance of the maintenance: The tenderer should present price per one man hour of corrective maintenance.
- 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

Requirement:

The tenderer must have relevant technical and professional capacity to provide preventative and corrective maintenance services on the safety equipment as mentioned in point 2 above for at least the last two years and should comply with all Portuguese Legislation including but not limited the DL 220/2008, P 1532/2008 and being accredited from ANPC (Autoridade Nacional de Proteção Civil).

Evidence:

- The tender must present a list of clients
- Proof of registration at the Portuguese ANPC (Autoridade Nacional de Proteção Civil)

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. Quality criterion 1 ($W_1 = 25\%$), Proposed preventative and corrective maintenance plan including scheduling of preventative maintenance, means of communication and response time in case of need for corrective maintenance; ($W_1 = 25\%$)
2. Quality criterion 2 ($W_2 = 25\%$), Quality of the safety equipment as in accordance with the Annex A – Compliance Matrix; ($W_2 = 25\%$)

and the price criterion and associated weighting:

3. Price of the bid ($W_{Price} = 50\%$).

The price of the bid shall be determined as follows :

- a) Price for the supply of Foam & water ABF (ZAP6) class **fire extinguisher**
- b) Price of the supply of **fire hose reel**
- c) Price of one year preventative maintenance for **fireproof partitions and doors**
- d) Price of one year preventative maintenance for **fire hose reels**
- e) Price of one year preventative maintenance for **grundfos pumping system**
- f) Price for **one man hour** of corrective maintenance

Evaluation total price=(55x a)+(20x b)+(1x c) +(1x d) +(1x e) +(1x f)

The following should be taken into consideration:

- The maximum price for the supply of safety equipment: 55 fire extinguishers and 20 fire hose reels shall not be more than **7.000 Euro**
- The maximum price of the services relating to the preventative maintenance of fireproof partitions and doors, fire hose reels and grundfos pumping system during the entire duration of the contract shall not be more than **5.700 Euro**;
- The maximum price of the services relating to corrective maintenance including the supply of spare parts shall not be more than **2.300 Euro**.

Note: Please fill in table in Annex B “Financial proposals”

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 , 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 70 % 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.

Annex A “Compliance Matrix ”

Specifications		Yes/No	Dimensions or additional description
Supply of 55 Foam & water ABF (ZAP6) class fire extinguishers with the following characteristics:			
Can be used on class A, B, F and electrical fires			
Service pressure	15 bar		
Capacity	6L		
Weight	not more than 10 kg		
Propellant	nitrogen		
Extinguisher Rating	27A 233B 75F		
Operating temperature	+5°C/+60°C		
Operating time	42s		
Dimensions	598x180mm (hxd)		
100% environmentally friendly with no harmful chemical residue			
35kV Di-electrical safety test pass			
Prove of approved manufacturing process			
CE approved and related Certifications			
Supplied complete; with pressure gauge, anti-corrosion treatment, delivery and local distribution			
Warranty	5 Year Manufacturer's		
Supply of 20 fire hose reels with the following characteristics:			
DN 25 water hose			

Certifications and characteristics in line with the Portaria nº 1532/2008			
Built-in hose reels, without cabinet	rotating type		
Including transport, removal of the old fire hoses and installation			

Annex B “Financial proposal”

Item	Number of units	Price per unit	Price offer = Number of units x Price per unit
a) Price for the supply of Foam & water ABF (ZAP6) class fire extinguisher	55		
b) Price of the supply of fire hose reel	20		
c) Price of one year preventative maintenance for fireproof partitions and doors	1		
d) Price of one year preventative maintenance for fire hose reels	1		
e) Price of one year preventative maintenance for grundfos pumping system	1		
f) Price for one man hour of corrective maintenance	1		
Evaluation total price=(55x a)+(20x b)+(1x c) +(1x d) +(1x e) +(1x f)			

Please provide price under each price category. Should you fail to do so, this could lead to the rejection of the offer at the evaluation stage.