

Invitation to tender

Procurement procedure No. EMSA/NEG/21/2024 for Provision of Publications and Subscriptions

Subject & requirements	<p>1. Subject of the contract</p> <p>Provision of:</p> <ul style="list-style-type: none">- Publications (books, reports, manuals, standards, among others) and;- Subscriptions (newsletters, journals, among others). <p>These will be in either printed or in electronic format (EMSA reserves the right to choose which format, based on its needs).</p> <p>The publishers can be international organisations, official national organisations, publishing houses, consultants, among others. As an example, a brief non-exhaustive list of some of these is provided below:</p> <ul style="list-style-type: none">• International Maritime Organization (IMO)• International Electrotechnical Commission (IEC)• International Telecommunication Union (ITU)• International Organization for Standardization (ISO)• NHST Media Group• O'Reilly Media• Springer-Verlag GmbH• The Nautical Institute• Lloyd's list <p>The majority of the publications and subscriptions that EMSA acquires or subscribes to are written in English and, to a lesser extent, in other EU languages such as Portuguese, Spanish, French, and German. Therefore, the majority of the materials are acquired or subscribed from publishers based outside Portugal, mainly publishers from the rest of Europe and the USA.</p> <p>The types of material to be supplied are:</p> <ul style="list-style-type: none">- Printed scientific and technical publications (books, reports, standards, etc.) and subscriptions (newsletters, journals among others)- Digital scientific and/or technical publications and digital or online subscriptions (newsletters, journals among others). EMSA purchases individual titles in perpetuity, offering its staff the possibility to read e-books on their computers or download them onto their mobile devices so that they can be read off-line for research purposes. <p>2. Contract Implementation</p> <p>The aim of this procedure is to conclude a Framework Contract with a</p>
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single contractor, which will be implemented via Order Forms. The contractor must act as an intermediary between EMSA and the publishers. Therefore, they must contact the latter regarding, *inter alia*:

- the purchase of requested publications/subscriptions,
- guaranteeing the punctual delivery of publications/subscriptions,
- the filing of complaints when necessary.

2.1 Purchasing arrangements

EMSA, depending on its needs, will send a list of publication/subscription titles to the contractor, asking for a quote in Euros. This quote shall include the cost of supplier prices of publications or subscriptions, currency conversion calculations, brokership fee and, where applicable, anticipated additional costs (e.g. customs fees, delivery charges).

Charges related to the delivery of the publications from the supplier to the contractor's place of business may be invoiced to EMSA. In particular, for any items being delivered from outside the EU, EMSA may foresee in the respective Order Form a fixed amount to cover such costs. EMSA reserves the right to request that the contractor provides evidence of such costs (e.g. customs fees, delivery charges) and only actual costs incurred will be paid for. The brokership fee shall not be applied to these additional costs but only to the costs of the publications or subscriptions.

Delivery charges to EMSA (*i.e.* charges for the delivery of publications from the contractor's place of business to EMSA) are assumed by the contractor. The contractor must also take into account that other charges may be incurred by them (e.g. administrative, bank, telephone, among others) and must be accounted for in the submitted brokership fee.

Costs invoiced cannot exceed those quoted and accepted by EMSA in the Order Form.

The brokership fee shall be specified for printed materials and for digital materials.

2.2 Delivery time frame

The contractor must carry out delivery of publications/subscriptions within a maximum period after the date the Order Form is signed of:

- Printed materials: 20 working days for (25 days for non-EU publishers). If delivery is not carried out within this time frame, EMSA will be entitled to cancel the order;
- Electronic materials (e-books, electronic subscriptions and journals): 5 working days after the order is confirmed. If delivery is not carried out within this time frame, EMSA will be entitled to cancel the order.

	<p>Repeated failures to complete deliveries within the set time frames may lead to the cancellation of the contract.</p> <p>2.3. Dispatching materials</p> <p>Dispatching printed material to EMSA shall be carried out via a secure delivery system (e.g. hand-delivery, registered post or courier service), which shall be detailed by the tenderers in their offer. Items should be suitably packaged, so as to avoid possible damage to the printed material, by using appropriate packaging materials to each case.</p> <p>Packages should be clearly labelled with the following information:</p> <p style="padding-left: 40px;">European Maritime Safety Agency (EMSA) Library (Carmen Ruiz Leon) Praça Europa 4 1249-206 Lisbon (Portugal)</p> <p>Electronic publications shall be sent to the following email address: TO: carmen.ruiz-leon@emsa.europa.eu CC: library@emsa.europa.eu</p> <p>or to any other EMSA email address provided by the EMSA library team. Electronic access will also be possible through EMSA's list of IP addresses.</p> <p>2.4. Communication</p> <p>The contractor must establish communication lines that will allow EMSA to be kept informed on the state of, in particular but not limited to, its orders, purchases and invoices.</p> <p>If the contractor is unable to carry out delivery within the set time frame, they shall inform EMSA, before the expiry of the delivery deadline, of the publications affected and the reason why the delivery cannot be completed in time. EMSA reserves the right to cancel the aforementioned order without incurring any changes.</p>
Time limit for receipt of tender	On 12/11/2024 at 16:00 hrs (Lisbon time)
Manner of submission of tender	By email as attachment to: NEG212024@emsa.europa.eu
Max value contract	EUR 80,000.00 excluding VAT
Type of contract	Framework Service Contract (Attached to this Invitation to Tender)
Duration contract	48 months from contract signature
Contract management responsible body	EMSA Unit - 4.1, in charge of Human Resources & Internal Support

Contact	NEG212024@emsa.europa.eu
Exclusion criteria	<p>To be eligible to participate in this contract award procedure, a tenderer must not be in any of the exclusion situations listed in the Declaration of Honour.</p> <p>For this purpose, the Declaration of Honour available on the Procurement Section of EMSA's website (https://emsa.europa.eu/procurement.html) shall be completed and signed.</p>
Selection criteria Legal and Regulatory capacity	<p>Requirements:</p> <ol style="list-style-type: none"> 1. The tenderer must have the legal and regulatory capacity to pursue the professional activity needed for performing the contract. 2. The tenderer, each member of the group in case of joint tender, any subcontractor(s), including those which do not need to be identified in the tender, and any other entities (that are not subcontractors) on whose capacity the tenderer relies on must ensure that are not subject to EU restrictive measures adopted under Article 29 of the Treaty on the European Union (TEU) or Article 215 of the Treaty on the Functioning of the EU (TFEU)¹ consisting of a prohibition to make available or transfer funds or economic resources or to provide financing or financial assistance to them directly or indirectly, or of an asset freeze. The prohibition applies throughout the whole performance of the contract. <p>Evidence:</p> <p>- Duly completed and signed Declaration of Honour available on the Procurement Section of EMSA's website (https://emsa.europa.eu/procurement.html).</p>
Award criteria	<p>The contract will be awarded to the tenderer who submits the most economically advantageous tender (the one with highest score) based on the following quality criteria and their associated weightings:</p> <ol style="list-style-type: none"> 1. Quality criterion 1 ($W_1 = 15\%$), Management of the contract Description of the management system for orders, invoicing, complaints, and services in general. <p>In particular, tenderers must indicate the number of human resources they will allocate to the management of the contract. Tenderers must state contact points assigned full-time to the EMSA account, especially for the different elements such as ordering and financial management.</p> <p>Tenderer must describe how via telephone and email contact would be made with EMSA.</p>

¹ Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails over that of the EU Sanctions Map.

	<p>2. Quality criterion 2 ($W_2 = 15\%$), Management of the packaging and delivery of materials</p> <p>Description of the proposed system for sending,</p> <p>a. printed material: hand-delivery (preferred), registered post, courier service, and/or other suitable means;</p> <p>b. electronic material.</p> <p>and the price criterion and associated weighting:</p> <p>3. Price of the tender ($W_{price} = 70\%$), the tenderer must submit a brokership fee (percentage). The price of the bid will be calculated by applying:</p> <ul style="list-style-type: none"> - the brokership percentage to a value of EUR 3,000 for printed material and - the brokership percentage to a value of EUR 3,000 for electronic material. <p>Only tenders that have reached minimum 60% per quality criterion will be taken into consideration when calculating the score for quality SQ, score for price SP and score S. Only tenders that have reached a minimum of 60% for the score S will be taken into consideration for awarding the contract. Please refer to the formula published in the "Very Low and Low-Value procurement procedure Tendering Conditions".</p>
Validity of the tender	6 months
Authorising Officer	Dominika Łempicka-Fichter, Head of Corporate Services - Department 4
<p>While preparing your tender, please consult the draft Framework Service Contract and the following documents attached to this Invitation and/or available on the Procurement Section of EMSA's website https://emsa.europa.eu/procurement.html:</p> <ul style="list-style-type: none"> • Very Low value and Low Value Procurement Procedure – Tendering Conditions; • Tenderer's checklist; • Declaration on Honour; • Legal Entity Form; • Authorised Signatory Form; • Financial Identification Form; • List of identified subcontractors; • Agreement/Power of attorney (joint tenders); • Letter of commitment by identified subcontractors; • Letter of commitment letter by an entity on whose capacities is being relied. 	