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**Portugal-Lisbon: RuleCheck enhancement and maintenance
2015/S 028-046237**

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1) Name, addresses and contact point(s)

European Maritime Safety Agency
Praça Europa 4
Contact point(s): Mr Sascha Fichter
1249-206 Lisbon
PORTUGAL
E-mail: open012015@emsa.europa.eu
Fax: +351 211209261

Internet address(es):

General address of the contracting authority: <http://www.emsa.europa.eu/>

Further information can be obtained from: The above mentioned contact point(s)

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from: The above mentioned contact point(s)

Tenders or requests to participate must be sent to: The above mentioned contact point(s)

I.2) Type of the contracting authority

European institution/agency or international organisation

I.3) Main activity

General public services
Environment
Other: Maritime safety.

I.4) Contract award on behalf of other contracting authorities

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:

RuleCheck enhancement and maintenance.

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

Services
Service category No 8: Research and development services
NUTS code PT,PT171

II.1.3) Information about a public contract, a framework agreement or a dynamic purchasing system (DPS)

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 years: 4

Estimated total value of purchases for the entire duration of the framework agreement

Estimated value excluding VAT: 600 000 EUR

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

The objective of RuleCheck is to serve as an information source of PSC-related documents and procedures from IMO, ILO, Paris MoU, Mediterranean MoU, Black Sea MoU and EU legislation, to support PSC activities.

The development of RuleCheck was assigned to the first contractor in 2007. The system was ready and went live, fully operational in 2008. Since the go-live date, the first contractor has been providing ongoing maintenance and enhancement of the system. During the execution of the project and until now, the development and testing has been performed at the first contractor's site, while acceptance testing and final production are performed at EMSA premises by EMSA personnel, in conjunction with representatives from the Member States and 'intra muros' consultants.

The objective of this procurement is to establish a framework contract to enhance and maintain the system RuleCheck as an on- and offline version.

Enhancement covers the services for additions, modifications or deletions of the content, technical or functional features of the system, including the development of stand-alone subsystems.

Maintenance includes the content update of the system, and covers the services for modifications of the system to correct or prevent problems.

These services will also apply to enhancements once delivered under this framework contract.

II.1.6) Common procurement vocabulary (CPV)

72319000, 72600000, 72315000, 72320000

II.1.7) Information about Government Procurement Agreement (GPA)

The contract is covered by the Government Procurement Agreement (GPA): no

II.1.8) Lots

This contract is divided into lots: no

II.1.9) Information about variants

Variants will be accepted: no

II.2) Quantity or scope of the contract

II.2.1) Total quantity or scope:

The framework contract will be implemented by specific contracts:

— specific contract(s) for maintenance: each for a period of 1 year,

— specific contract(s) for enhancements for a period to be specified in each specific contract.

Specific contracts for enhancements, in principle, will be conducted in sequence. However there might be the case of specific contracts for enhancements to run in parallel.

The maximum budget available for this framework contract is of 600 000 EUR excluding VAT.

The maximum estimated budget available for a 1-year specific contract of maintenance is 90 000 EUR excluding VAT.

Estimated value excluding VAT: 600 000 EUR

II.2.2) Information about options

Options: no

II.2.3) Information about renewals

This contract is subject to renewal: yes

Number of possible renewals: 2

In the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts:
in months: 12 (from the award of the contract)

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:

A model of the required performance guarantee is included in Annex VI of the draft framework service contract.

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

Payments shall be made in accordance with the provisions of the draft framework service contract available on the 'Procurement' section under the call to tender EMSA/OP/01/2015 on the EMSA website at the following address: <http://www.emsa.europa.eu>

III.1.3) Legal form to be taken by the group of economic operators to whom the contract is to be awarded:

The tenderer must include the legal entity form completed, signed and stamped, and the requested accompanying documentation, available on the 'Procurement' section (legal entity form) on the EMSA website at the following address: <http://www.emsa.europa.eu>

Please refer to the tender specifications and invitation to tender for EMSA/OP/01/2015, available on the 'Procurement' section on the EMSA website <http://www.emsa.europa.eu> (tabs: 'Working with us' — 'Procurement' — 'Calls for tenders').

Groupings, irrespective of their legal form, may submit bids. Tenderers may, after forming a grouping, submit a joint bid on the 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 and the selection criteria for 'economic and financial capacity' will be assessed in relation to each economic operator individually. Concerning the selection criteria for 'technical and professional capacity', 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 consortia of firms or groups of service providers, contractors or suppliers must specify the role, qualifications and experience of each member or group.

III.1.4) Other particular conditions

The performance of the contract is subject to particular conditions: 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 the requirements are met: Please refer to the tender specifications and invitation to tender for EMSA/OP/01/2015, available on the 'Procurement' section on the EMSA website <http://www.emsa.europa.eu> (tabs: 'Working with us' — 'Procurement' — 'Calls for tenders').

Participation in this call for tender is also open to all natural and legal persons that are established in third countries where there are no economic operators established in countries having access to the EU market.

III.2.2) Economic and financial ability

Information and formalities necessary for evaluating if the requirements are met: Please refer to the tender specifications and invitation to tender for EMSA/OP/01/2015, available on the 'Procurement' section on the EMSA website <http://www.emsa.europa.eu> (tabs: 'Working with us' — 'Procurement' — 'Calls for tenders').
Minimum level(s) of standards possibly required: Please refer to the tender specifications and invitation to tender for EMSA/OP/01/2015, available on the 'Procurement' section on the EMSA website <http://www.emsa.europa.eu> (tabs: 'Working with us' — 'Procurement' — 'Calls for tenders').

III.2.3) Technical capacity

Information and formalities necessary for evaluating if the requirements are met:
Please refer to the tender specifications and invitation to tender for EMSA/OP/01/2015, available on the 'Procurement' section on the EMSA website <http://www.emsa.europa.eu> (tabs: 'Working with us' — 'Procurement' — 'Calls for tenders').
Minimum level(s) of standards possibly required:
Please refer to the tender specifications and invitation to tender for EMSA/OP/01/2015, available on the 'Procurement' section on the EMSA website <http://www.emsa.europa.eu> (tabs: 'Working with us' — 'Procurement' — 'Calls for tenders').

III.2.4) Information about reserved contracts

III.3) Conditions specific to services contracts

III.3.1) Information about a particular profession

Execution of the service is reserved to a particular profession: no

III.3.2) Staff responsible for the execution of the service

Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service: yes

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) Information about electronic auction

An electronic auction will be used: no

IV.3) Administrative information

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

EMSA/OP/01/2015.

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

no

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

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

23.3.2015 - 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**

Any EU official language

IV.3.7) **Minimum time frame during which the tenderer must maintain the tender**

until: 31.12.2015

IV.3.8) **Conditions for opening of tenders**

Date: 30.3.2015 - 14:00

Place:

In the offices of the European Maritime Safety Agency, Praça Europa 4, 1249-206 Lisbon, PORTUGAL.

Persons authorised to be present at the opening of tenders: yes

Additional information about authorised persons and opening procedure: This opening session will be public.

A representative of each tenderer may attend the opening of the bids. At the end of the opening session, the chairman of the opening committee will indicate the name of the tenderers and the decision concerning the admissibility of each offer received. The prices indicated in each received bid will not be communicated. Should you wish to attend, please send a request (at least 5 calendar days before the date of the opening) to the following e-mail address: open012015@emsa.europa.eu indicating the name of the attending person and the tenderer he/she represents.

Section VI: Complementary information

VI.1) **Information about recurrence**

This is a recurrent procurement: no

VI.2) **Information about European Union funds**

The contract is related to a project and/or programme financed by European Union funds: no

VI.3) **Additional information**

Contact between the contracting authority and tenderers is prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

— Before the final date for submission of tenders:

* At the request of the tenderer, EMSA may provide additional information solely for the purpose of clarifying the nature of the contract.

Any requests for additional information must be made in writing and sent to the following e-mail address

open012015@emsa.europa.eu

Requests for additional information received less than 5 working days before the closing date for submission of tenders will not be processed.

* EMSA may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the call for tenders.

* Any additional information including that referred to above will be published on the EMSA website in the 'Procurement' section. The website will be updated regularly and it is the tenderers' responsibility to check for updates and modifications during the tendering period.

— After the opening of tenders:

* If clarification is required or if obvious clerical errors in the tender need to be corrected, EMSA may contact the tenderer provided the terms of the tender are not modified as a result.

VI.4) **Procedures for appeal**

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

General Court of the European Union
rue du Fort Niedergrünwald
2925 Luxembourg
LUXEMBOURG
E-mail: ecj.registry@curia.europa.eu
Internet address: <http://curia.europa.eu>
Fax: +352 433766

VI.4.2) **Lodging of appeals**

Precise information on deadline(s) for lodging appeals: Within 2 months of the notification to the plaintiff, or, in absence thereof, of the day on which it came to the knowledge of the plaintiff. A complaint to the European Ombudsman does not have as an effect either to suspend this period or to open a new period for lodging appeals.

VI.4.3) **Service from which information about the lodging of appeals may be obtained**

VI.5) **Date of dispatch of this notice:**

29.1.2015