

## **Tender Specifications**

### **Attached to the Invitation to tender**

## **Invitation to tender No. EMSA/NEG/3/2020 for Provision of Hotel, Catering, Conference and related services for the Annual European Coast Guard Event 2020**

### **1. Introduction**

The European Maritime Safety Agency (EMSA) was established under Regulation (EC) No 1406/2002 of the European Parliament and of the Council<sup>1</sup> for the purpose of ensuring a high, uniform and effective level of maritime safety.

With the adoption of the European Border and Coastguard Package in September 2016, the European Parliament and the Council introduced a common article in the founding regulations of the European Border and Coast Guard Agency (Frontex), the European Fisheries Control Agency (EFCA) and the European Maritime Safety Agency (EMSA) tasking them to strengthen their cooperation, each within their mandate, both with each other and with the national authorities carrying out coast guard functions, in order to increase maritime situational awareness and to support coherent and cost-efficient action.

In fulfilment of this new mandate, the 3 Agencies developed a new framework for their enhanced cooperation which resulted in:

- the development of a Tripartite Working Arrangement (TWA), determining the modalities of the cooperation, which was approved by their governing boards and entered into force on 17 March 2017;
- the setting up of a Steering Committee composed of the Executive Directors of the 3 Agencies and three Technical Subcommittees to manage the cooperation at strategic and technical level respectively;
- the adoption of the Annual Strategic Plan.

In addition, the Steering Committee decided to put in place a consultation mechanism to ensure that the inter-agency cooperation delivers the intended support to the beneficiaries and reflects their needs. It further suggested that this consultation mechanism could take the form of an Annual European Coast Guard Event.

The main objective of the Annual European Coast Guard Event (AECGE) is to serve as a forum where national authorities performing coast guard functions and other EU and international partners can provide consultation and feedback on the Agencies' cross-sectoral and cross-border cooperation activities.

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<sup>1</sup> Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ L 208, 5.8.2002, p. 1.).

Based on the above modalities, two Annual European Coast Guard Events have been already held: one in 2018 in the vicinity of Vigo, Spain (hosted by EFCA) and another in 2019 in Świnoujście, Poland (hosted by FRONTEX). The third Annual European Coast Guard Event is scheduled to be hosted by EMSA and is to be held in the vicinity of Lisbon, in the Cascais area, Portugal.

## 2. Objective, scope and description of the contract

The scope of this procurement procedure is the provision of Hotel (lodging<sup>2</sup>), catering, conference and related services for the purposes of hosting the AECGE 2020. The event will take place in the period 27-29 April 2020, therefore the below services shall be available for the duration of the event, unless specified otherwise.

The services shall be provided at the contractors' premises, which shall be in Cascais area, Portugal, within walking distance from the Cascais train station<sup>3</sup> (3 kilometres maximum). Some services may be provided in the close vicinity of the contractors' premises.

It is expected that the event will involve around 200 participants, which shall be accommodated in different hotels and formats of activities during the event. The final numbers of participants shall be communicated to the contractor/s closer to the dates of the event.

The event involves the attendance of several VIPs and shall be organised as a VIP event in terms of conference and related services. However, the participating delegations will be comprised of different levels of personnel coming from the administrations of EU MSs (i.e. Heads of delegations, Executive Directors, Heads of services, Team leaders, Technical experts). Those delegations' members shall be accommodated at 5-star (for the senior delegates: Heads of delegations, Heads of services, Executive Directors) and 4-star (for the Team leaders and Technical experts) hotels.

Within the scope of this procedure, EMSA wishes to procure the following services:

- (1) Hotel accommodation at 4-star and 5-star level in Cascais area, Portugal within walking distance from the Cascais train station (3 kilometres maximum);
- (2) Conference facilities;
- (3) Catering services;
- (4) Support and related (ancillary) services upon request.

The procurement procedure is split into **two lots**. Each lot shall result into a conclusion of a separate contracts:

- **Framework Service Contract for Lot 1** covering: (1) Hotel accommodation at 5-star level in Cascais area; (2) Conference facilities; (3) Catering services; (4) Support and related services upon request and

- **Service Contract for Lot 2** covering: Hotel accommodation at 4-star level in Cascais area.

Tenderers may submit bids for one lot only.

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<sup>2</sup> Lodging and related services provided by hotels, motels, inns and similar lodging places. Related services comprise services normally provided with, and included in, the lodging price, such as breakfast, room service, desk service, mail service and bellboy service. Hotels also generally make available other services such as parking, food, beverages, entertainment, swimming pools and banquet, convention, meeting and conference facilities. Resort hotels may provide extensive recreational facilities. If they are priced separately, they are classified according to the service provided.

<sup>3</sup> <https://rail.cc/en/cascais/cascais-railway-station/1785>

## 2.1 Lot 1 – Conference event venue and hotel accommodation at 5-star level

The general requirements for the services to be provided under Lot 1 are as follows:

### A) Facilities:

- single (or double for single use) room for hotel accommodation (a maximum of seventy (70) rooms<sup>4</sup>) at 5-star level in Cascais area;
- meeting room for 200 seats in theatre layout;
- renting of meeting room equipment for main meeting room for 200 seats (i.e. projector, screen and sound system, speakers table, flipcharts, portable and lapel microphone); possibility to connect personal laptops; technician support. EMSA may reserve the right to use EMSA IT/audio-visual contractor and equipment to support the meeting;
- 3 meeting rooms for working groups of (approximately 50 seats each);
- renting of meeting room equipment for the meeting rooms for working groups (i.e. projector, screen and flipchart); possibility to connect personal laptops; technician support. EMSA may reserve the right to use EMSA IT/audio-visual contractor and equipment to support the meeting;
- small meeting room for secretariat support: no need for IT or sound equipment, tables and chairs: printer to be available at the secretariat room;
- wi-fi in all the rooms and surrounding area;
- reception/welcome desk next to the small room for secretariat support;
- flowers on the speakers table (to last the 1.5 meeting days).

### B) Catering:

- ice-breaker cocktail on the 27<sup>th</sup> April 2020 (afternoon);
- welcome coffee on 28<sup>th</sup> & 29<sup>th</sup> April 2020 (morning);
- coffee-breaks: morning and afternoon on the 28<sup>th</sup> April 2020, morning of the 29<sup>th</sup> April 2020
- water on the tables: speakers table and breakout rooms (morning and afternoon on the 28<sup>th</sup> April 2020, morning of the 29<sup>th</sup> April 2020);
- lunch buffet: 2 services (28<sup>th</sup> April 2020 & 29<sup>th</sup> April 2020);
- lunch service (VIP) for a small group in a private area (approximately 20 persons);
- dinner (VIP dinner) on the 28<sup>th</sup> April 2020.

C) Support and related (ancillary) services upon request may include, but are not limited to:

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<sup>4</sup> It is estimated that a maximum of 70 rooms with breakfast and wi-fi included may have to be available from the 27<sup>th</sup> to the 29<sup>th</sup> April 2020 (2 nights) out of which 30 may have to be available with breakfast and wi-fi included from the 29<sup>th</sup> to the 30<sup>th</sup> April 2020 (3 nights).

- additional audio-visual equipment;
- transportation services;
- parking space (for EMSA team members);
- to be able to leave the conference bags on the bed rooms booked for the event guests etc.

For that purposes, tenderers are requested to add their full-service catalogue to the bid with associated prices.

EMSA reserves the right to order additional services not included in the catalogue that might be needed during the implementation of the Contract based on a request for quotation to the contractor.

## 2.2 Lot 2 – Hotel accommodation at 4-star level

The general requirements for services to be provided under Lot 2 are as follows:

### A) Facilities:

- Single (or double for single use) room for hotel accommodation (a maximum of eighty (80) rooms<sup>5</sup>) at 4 -star level in Cascais area.

## 3. Contract management responsible body

EMSA Department 1 - Sustainability & Technical Assistance - will be responsible for managing the contract.

## 4. Timetable of the Annual European Coast Guard Event

### 4.1 Duration

The total duration of the event will be 1,5 days preceded by an Icebreaker cocktail (day 0).

### 4.2 Structure of the event

Below is the tentative Agenda for the event:

#### 27 April 2020 - Day 0

Start	End	Duration	Agenda item
18:30	20:00	01:30	Icebreaker cocktail at the event venue

#### 28 April 2020 - Day 1

Start	End	Duration	Agenda item (set up of the facilities)
09:30	09:35	00:05	Welcome address (theatre set up)

<sup>5</sup> It is estimated that a maximum of 80 rooms with breakfast and wi-fi included may have to be available from the 27<sup>th</sup> to the 29<sup>th</sup> April 2020 (2 nights) out of which 30 of them may have to be available with breakfast and wi-fi included from the 29<sup>th</sup> to the 30<sup>th</sup> April 2020 (3 nights).

09:35	09:45	00:10	VIP session 1 (theatre set up)
09:45	09:55	00:10	VIP session 2 (theatre set up)
09:55	10:05	00:10	VIP session 3 (theatre set up)
10:05	10:15	00:10	VIP session 4 (theatre set up)
10:15	10:25	00:10	VIP session 5 (theatre set up)
10:25	10:35	00:10	VIP session 6 (theatre set up)
10:35	11:00	00:25	Coffee break at the event venue
11:00	11:10	00:10	VIP session 7 (theatre set up)
11:10	11:20	00:10	VIP session 8 (theatre set up)
11:20	11:30	00:10	VIP session 9 (theatre set up)
11:30	13:00	01:30	Technical Session 1 (small room)
13:00	14:30	01:30	Lunch at the event venue
14:30	16:00	01:30	Technical Session 2 (small room)
16:00	17:30	01:30	Technical Session 3 (small room)
20:00	22:30	02:30	Social event – Dinner at or outside of the event venue

## 29 April 2020 - Day 2

09:30	10:00	00:30	Horizontal session 1 (theatre set up)
10:00	10:30	00:30	Horizontal session 2 (theatre set up)
10:30	10:50	00:20	Coffee break at the event venue
10:50	11:10	00:20	Guest speaker 1 (theatre set up)
11:10	11:30	00:20	Guest speaker 2 (theatre set up)
11:30	12:30	01:00	Feedback from Technical Sessions (theatre set up)
12:30	12:40	00:10	Closing
12:40	14:10	01:30	Lunch at the event venue

The event will be steered by a moderator. Input from participants shall be promoted using various IT tools.

## 5. Timetable

The estimated date for signature of the Contracts is end of February 2020.

## 6. Estimated Value of the Contract

The maximum budget available for this procurement is EUR 135000 excluding VAT. The budget of the procurement is divided into the two lots as follows: **EUR 105000 for Lot 1** and **EUR 30000 for Lot 2**.

## 7. Terms of payment

Payments will be made in accordance with the provisions of the draft **Framework Service Contract** for Lot 1 and the draft **Service Contract** for Lot 2, attached to this Invitation to Tender and available in the Procurement Section under the call to tender **EMSA/NEG/3/2020** on EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu)).

## 8. Terms of contract

When drawing up a bid, the tenderer shall bear in mind the terms of the draft **Framework Service Contract** for Lot 1 and the draft **Service Contract** for Lot 2.

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

## 9. Subcontracting

If the tenderer intends to either subcontract part of the work or realise the work in co-operation with other partners it shall indicate in its offer which part will be subcontracted, as well as the name and qualifications of the subcontractor or partner. It should be noted that the 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 criteria<sup>6</sup>. 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.<sup>7</sup> However, the selection criteria may apply individually where it is relevant in view of their nature.

## 10. Requirements as to the tender

Bids can be submitted in any of the official languages of the EU. However, as the main working language of the Agency is English, bids should preferably be submitted in English and shall in particular include an English version of the documents requested under points 13.5 and 14 of the present Tender Specifications. The tenderer must comply with the minimum requirements provided for in these Tender Specifications. This includes compliance with applicable obligations under environmental, social and labour law established by Union law, national law and collective agreements or by the international environmental, social and labour law provisions listed in Annex X to Directive 2014/24/EU of the European Parliament and of the Council.<sup>8</sup>

The tenderer shall complete the Tenderer's checklist.

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<sup>6</sup> To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

<sup>7</sup> To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

<sup>8</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

If the tenderer intends to either subcontract part of the work or realise the work in co-operation with other partners (Join Offers) it shall indicate it in its offer by completing the form "Statement of Subcontracting / Joint Offer". This document is available on the Procurement Section / Calls for Tenders (Documents for tenderer) of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu)).

The tender must be presented as follows and must include:

- a) A signed **cover letter** indicating the name and position of the person authorised to sign the contract/purchase order, the bank account on which payments are to be made and the email address to be used for contacts during the procurement procedure.
- b) **The Financial Identification Form completed**, signed and stamped. This document is available on the Procurement Section (Financial Identification Form) of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu)).
- c) **The Legal Entity Form** completed, signed and stamped along with the requested accompanying documentation. This document is available on the Procurement Section (Legal Entity Form) of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu))

Tenderers are exempt from submitting the Legal Entity Form and Financial Identification Form requested if such a form has already previously been completed and sent either to EMSA or any EU Institution. In this case the tenderer shall 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 and 13.2 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 Economic and Financial 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 Technical and professional capacity (part of the selection Criteria) set out under point 13. 5 of these specifications.

**Part D:** 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 **15** of these specifications;

**Part E:** Setting out prices in accordance with point 11 of these specifications.

## **11. Price**

- a) **Price of the bid** must be quoted for the Provision of Hotel, Catering, Conference and related services for the Annual European Coast Guard Event 2020 and shall include the following elements:

### **Lot 1 – Conference event venue and hotel accommodation at 5-star level**

- Price for Facilities services covering the requirements listed in Section 2.1 A);
- Price for Catering services covering the requirements listed in Section 2.1 B).

For evaluation purposes, tenderers are requested to complete the price scenario under Appendix A – Lot 1 Price List/Financial Proposal (see Section 15 below). The individual prices will form integral part of the price list for any extra items to be purchased under the Contract.

## Lot 2 – Hotel accommodation at 4-star level

- Price for Facilities services covering the requirements listed in Section 2.2 A).

For evaluation purposes, tenderers are requested to provide the price per room per night (see Section 15 below).

- b) Prices must be fixed amounts and non-revisable.
- c) Prices must be quoted in euro.
- d) Under Article 3 and 4 of the Protocol on the privileges and immunities of the European Union, the latter is exempt from all duties, taxes and other charges, including VAT. This applies to EMSA pursuant to the Regulation (EC) 1406/2002. 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.

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 tenderer and information and formalities necessary for the evaluation of the minimum economic, financial, 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 of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu)).

### 13.2 Grounds for exclusion – Exclusion criteria

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.

For this purpose, the Declaration of Honour available on the Procurement Section of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu)) shall be completed and signed.

### 13.3 Legal and regulatory capacity – Selection criteria

#### 13.3.1 Standards / Prerequisites

N/A



### **13.3.2 Evidence**

N/A

## **13.4 Economic and financial capacity – Selection criteria**

### **13.4.1 Standards / Prerequisites**

The tenderer must be in stable financial position and must have the economic and financial capacity to perform the contract.

### **13.4.2 Evidence**

N/A

## **13.5 Technical and professional capacity – Selection criteria**

### **13.5.1 Standards / Prerequisites**

The tenderer must have the technical and professional capacity to perform the contract, with at least 5 years' experience within the relevant market.

### **13.5.2 Evidence**

Provide appropriate evidence proving the required experience in the relevant market.

## **14. Declaration of Honour (DoH)**

Please note that the tenderer shall provide information with regards its situation and on the natural or legal persons that are members of the administrative, management or supervisory body or that have powers of representation, decision or control and beneficial owners.

Upon request and within the time limit set by EMSA, the tenderer shall provide the following evidence concerning itself, the natural or legal persons as listed under the first paragraph, and concerning the natural or legal persons which assume unlimited liability for the debt of the tenderer:

For the exclusion situations described in (a), (c), (d), (f), (g) and (h) of the Declaration of Honour, production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the tenderer showing that those requirements are satisfied.

For the exclusion situations described in (a) and (b) of the Declaration of Honour, production of recent certificates issued by the competent authorities of the country of establishment is required. These documents must provide evidence covering all taxes and social security contributions for which the tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

The successful tenderer must provide the documents mentioned as supporting evidence before signature of the contract and within the deadline given by EMSA. This requirement applies to each member of the group in case of joint tender.

If the candidate already submitted such evidence for the purpose of another procedure, provided its issuing date does not exceed one year and it is still valid, the person shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation.

## 15. Award criteria

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:

### Lot 1 – Conference event venue and hotel accommodation at 5-star level:

1. Quality criterion 1 ( $W_1 = 20\%$ ):

Quality of the proposed model for use of the facilities and in terms of business continuity:

- approach, methodology and relevance to the nature and scope of AECGE 2020, in accordance with the services described under Section 2.1 A).
- planning and efficiency in cases of overbooking, need for additional accommodation at a “last minute call”, resources to provide assistance to the AECGE 2020 participants etc.

Description of the setup for conference services shall be included into the offer. Considerations like proximity to Cascais train station shall be described and will be taken into account.

2. Quality criterion 2 ( $W_2 = 20\%$ )

Quality of the proposed model for catering services: approach, methodology and relevance to the nature and scope of AECGE 2020, in accordance with the services described under paragraph 2.1 B). Description of the setup, menus and varieties for the catering services shall be included into the offer.

3. Quality criterion 3 ( $W_3 = 10\%$ )

Quality of the proposed model for the support and related (ancillary) services upon request. Full-service catalogue with description of the type and number of the services shall be included into the offer.

and the price criterion and associated weighting:

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

For evaluation purposes, the tenderers are requested to fill in the price scenario under Appendix A – Lot 1 (Price List/Financial Proposal).

### Lot 2 – Hotel accommodation at 4-star level:

1. Quality criterion 1 ( $W_1 = 30\%$ )

Quality of the proposed model for use of the facilities: approach, methodology and relevance to the nature and scope of AECGE 2020, in accordance with the services described under Section 2.2 A). Considerations like proximity to Cascais train station shall be described and will be taken into account with the view that the AECGE 2020 will take place in another location.

2. Quality criterion 2 ( $W_2 = 20\%$ )

Quality of the proposal in terms of business continuity: approach, planning and efficiency in cases of overbooking, need for additional accommodation at a “last minute call”, resources to provide assistance to the AECGE 2020 participants etc.

and the price criterion and associated weighting:

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

For evaluation purposes, tenderers are requested to provide the price for a single (or double for single use) room / price per room per night.

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

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

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.

## **16. Rejection from the procedure**

Contracts will not be awarded to tenderers who, during the procurement procedure, are in one of the following situations:

- a) are in an exclusion situation;
- b) have misrepresented the information required as a condition for participating in the procedure or have failed to supply that information;
- c) were previously involved in the preparation of procurement documents used in the award procedure where this entails a breach of the principle of equality of treatment, including distortion of competition that cannot be remedied otherwise.

## **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 shall be clearly pointed out by the tenderer in the tender. Information shall be provided about the scope of pre-existing rights, their source and when and how the rights to these 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.