

Tender Specifications

Attached to the Invitation to tender

Invitation to tender No. EMSA/NEG/6/2023 for bicycles related maintenance services and supply

1. Introduction

The European Maritime Safety Agency (EMSA) was established under Regulation (EC) No 1406/2002 of the European Parliament and of the Council¹ for the purpose of ensuring a high, uniform and effective level of maritime safety. Among its tasks, the Agency is implementing measures to reduce its environmental impact. Since 2014, 8 city bicycles (6 normal and 2 electric) are available to EMSA staff members, to be used as alternative transportation, encouraging healthy practices, and reducing EMSA ecological footprint.

EMSA is applying the environmental management systems ISO 14001:2015 and EMAS (Environmental Management and Audit Scheme of the EU), aiming to continuously improve its environmental performance. EMSA complies with all applicable legal requirements relating to the environment and endeavours to ensure that suppliers comply with its environmental policy within the remit of the activities carried out for the contract. EMSA invites tenderers to consult the document and consider it when preparing tenders.

2. Objective, scope and description of the contract

The objective of this procurement procedure is to establish a Framework Service Contract (FWC) for the provision of maintenance services and supply of city bicycles (normal and electric models), including all associated services (e.g., delivery services, staff transportation, warranty), for EMSA premises located at Praça Europa 4, 1249-206, Lisbon, Portugal.

2.1 Maintenance

2.1.1 Preventive maintenance

The preventive maintenance shall cover both existing bicycles as well as new bicycles to be purchased under the FWC and shall include transportation of contractor's staff to the place of performance of the maintenance.

The contractor shall perform a preventive maintenance check per bicycle at least once per year.

An on-site visit is planned for 20/06/2023 at the following address: European Maritime Safety Agency, Praça Europa 4, 1249-206, Lisbon, Portugal. To schedule an on-site visit, an e-mail should be sent to the dedicated e-mail address: neg62023@emsa.europa.eu no later than 19/06/2023.

¹ 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.).

2.1.2 Corrective maintenance

The Contractor shall perform corrective maintenance of both existing bicycles as well as new bicycles to be purchased under the FWC depending on EMSA immediate needs.

Corrective maintenance shall include-transportation of contractor's staff to EMSA premises and delivery service to and from the Contractor facilities, if required.

2.2 Supplies

The Contractor shall supply city model bicycles, including electric models, spare parts and any related accessories / equipment required by EMSA.

The proposed models and accessories must be in conformity with the specifications described in Annex A "Compliance Matrix". These are the minimum requirements to be offered. The tenderers shall also include in their bids the technical data sheet(s) of each model proposed in the tender.

Note: The table in Annex A "Compliance Matrix" must be completed.

Tenderers are encouraged to add their full catalogue to their bid. Order forms for the purchase of supplies shall be established on the basis of the unit prices indicated in the tender (Annex B "Price List / Financial proposal"). However, EMSA may request the contractor to propose supplementary supplies to be ordered on the basis of a quote provided by the contractor as per Article I.4.3 of the FWC.

2.2.1 Associated services

All the services mentioned above shall include the delivery of the supply (e.g., bicycles, related accessories / equipment, spare parts), assembly services, transportation services as well as disposal of packaging.

2.2.2 Guarantee

The tenderer shall provide a guarantee for the functioning of the supplies (e.g., bicycles, spare parts, accessories / equipment) for at least two years.

3. Contract management responsible body

EMSA Unit 4.2 in charge of Legal, Finance & Facilities - will be responsible for managing the contract.

4. Project Planning

For the total duration of the Framework Contract, a minimum of four preventive maintenance inspections are foreseen (once per year), at dates to be agreed upon between the contractor and EMSA.

The purchase of city model bicycles, including electric models, and the performance of the corrective maintenance will depend on actual needs.

Bicycles shall be delivered within eight weeks of the signature of an Order Form by EMSA, unless otherwise specified therein.

Preventive and corrective maintenance will be purchased through Order Forms and interventions shall take place immediately after their request by EMSA, within 1-5 working days, depending on the urgency.

5. Timetable

The estimated date for signature of the contract is Q3 2023.

6. Estimated Value of the Contract

The maximum budget available for this contract is EUR 10,000.00 excluding VAT.

7. Terms of payment

Payments will be made in accordance with the provisions of the draft **Framework Service Contract** available in the Procurement Section under the call to tender **EMSA/NEG/6/2023** on EMSA's website (www.emsa.europa.eu).

The successful tenderer(s) shall take the appropriate measures to be compliant with the e-invoicing conditions as set out in the draft contract.

8. Terms of contract (purchase order)

When drawing up a tender, the tenderer shall bear in mind the terms of the draft Framework Service Contract.

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

9. Financial guarantees

Not applicable.

10. 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 criteria². 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. However, the selection criteria may apply individually where it is relevant in view of their nature.

11. Requirements as to the tender

Tenders can be submitted in any of the official languages of the EU. However, as the main working language of the Agency is English, tenders should preferably be submitted in English and shall in particular include an English version of the documents requested under points 14.5 and 16 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,

² To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

social and labour law provisions listed in Annex X to Directive 2014/24/EU of the European Parliament and of the Council.³

The tenderer shall complete the Tenderer's checklist.

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).

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, including up-to-date proof of that authorisation, the bank account on which payments are to be made and the email address to be used for contacts during the procurement procedure. The cover letter shall be accompanied by Appendix I – *Authorised Signatory Form* duly completed and signed.
- 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).
- c) **The Legal Entity Form** completed, signed by the person authorised to sign the contract and stamped along with the requested accompanying documentation, including up to date proof of that authorisation. This document is available on the Procurement Section (Legal Entity Form) of EMSA's website (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 to EMSA. 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 tenderers on the basis of the points 10, 13 and 14.2 of these specifications (exclusion criteria).

Part B: All the information and documents required by the contracting authority for the appraisal of tenderers on the basis of the Technical and Professional capacity (part of the selection Criteria) set out under point 14.5 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 16.16 of these specifications;

Part D: Setting out prices in accordance with point 12 of these specifications.

12. Price

- a) Price must be quoted for bicycles related maintenance services and supply as follows:
 - **Price for Preventive maintenance** per bicycle as described in point 2.1.1. The tenderers shall take into account that such maintenance shall occur at least once a year;
 - **Price for Corrective maintenance** as described in point 2.1.2. The tenderers shall present the price per man hour of corrective maintenance;

³ 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).

- **Prices for the supply of city model bicycles**, including electric models, spare parts and any related accessories / equipment required by EMSA as described in point 2.2. The tenderers shall refer to the specifications listed in Annex A “Compliance Matrix”.

The proposed prices shall include all associated costs, namely delivery costs of supply, assembly costs, costs related to disposal of packaging, staff transportation cost as mentioned in Section 2.2.1 above.

- b) Prices must be fixed amounts and non-revisable unless otherwise specified in the contract.
- 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 1406/2002/EC. Therefore, price and the amount of VAT must be shown separately.

13. Joint Offer

Groupings, irrespective of their legal form, may submit tenders. Tenderers may, after forming a grouping, submit a joint tender on condition that it complies with the rules of competition. Such groupings 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 tender.

Each member of the group 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 group will be checked to ensure that the group as a whole fulfils the criteria. However, the selection criteria may apply individually where it is relevant in view of their nature.

If awarded, the contract will be signed by the person authorised by all members of the group. Tenders from groups of service providers, contractors or suppliers must specify the role, qualifications and experience of each member or group.

14. 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.

14.1 Legal position – means of proof required

When submitting their tender, tenderers are requested to complete and enclose the **Legal Entity Form** available on the Procurement Section of EMSA’s website (www.emsa.europa.eu).

14.2 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) shall be completed and signed.

14.3 Legal and regulatory capacity – Selection criteria

Not applicable.

14.4 Economic and financial capacity – Selection criteria

14.4.1 Standards / Prerequisites

Not applicable.

14.5 Technical and professional capacity – Selection criteria

14.5.1 Standards / Prerequisites

The tenderer must have relevant technical and professional capacity to provide preventive and corrective maintenance services on bicycles as mentioned in point 2 above.

14.5.2 Evidence

The tenderer must present a list of clients (minimum 5) which are comparable to EMSA in terms of number of existing bicycles, covering at least the last two years.

15. 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.

16. Award criteria

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 criterion and associated weighting:

1. Quality criterion 1 ($W_1 = 50\%$) – Quality of proposed plan for **preventive** and **corrective maintenance** in terms of timeline proposed for each type of maintenance, delivery period for spare parts and accessories / equipment supply and time needed for the staff to arrive on site to performance repair.

and the price criterion and associated weighting:

2. Price of the tender ($W_{price} = 50\%$) - The tenderer shall complete Annex B “Price List / Financial proposal”. Prices per unit quoted by the bidders shall be used for the implementation of the Framework Contract.

For evaluation purposes only, the total price of the bids is calculated based on the following scenario:
(1xa)+(1xb)+(1xc)+(1xd)+(1xe)+(1xf)+(1xg)+(1xh)+(1xi)+(1xj)+(1xk)+(1xl)+(1xm)+(1xn)+(1xo)

Note: Please refer to and fill in the table in Annex B “Price List / Financial proposal”.

For all tenders, 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

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

Only tenders 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 tenders that have reached a minimum of 60% for the score S will be taken into consideration for awarding the contract.

17. Evaluation and award

The evaluation of the tenders that comply with the conditions as per Invitation to tender will consist of the following elements:

- Check if the tenderer is not subject to restrictive measures and has access to procurement;
- Verification of non-exclusion of tenderers on the basis of the exclusion criteria;
- Selection of tenderers on the basis of selection criteria;
- Verification of compliance with the minimum requirements specified in the procurement documents;
- Evaluation of tenders on the basis of the award criteria.
- EMSA will evaluate the above-mentioned elements in the order that it considers to be the most appropriate. The successful tenderer(s) must pass all the above-listed elements to be awarded the contract.

18. 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.

19. 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.

Annex A “Compliance Matrix”			
Specifications		Yes/ No	Dimensions or additional description
Bicycles			
Frame (Men and Women's options)	Steel frame		
Fork	Straight steel fork		
Colour	White		
Brakes	Aluminium V-Brakes		
Pedals	Platform pedals		
Deraillleur gears	Shimano TY21 or equivalent		
Tires	700x35c		
Wheel covers	Metal		
Accessories for bicycles			
Chain cover	Material to be defined by tenderer		
EMSA sticker	Supplied with EMSA sticker		
LED lights	Front and rear lights & wheels light reflectors		
Permanent ring lock	Optional plug in chain of 140 cm		

Annex A “Compliance Matrix”			
Specifications		Yes/No	Dimensions or additional description
Electric bicycles			
Frame (Men and Women's options)	Aluminium		
Fork	Rigid		
Engine type	Brushless 250W, rear wheel		
Range	45 km		
Batterie	36V Li-ion 7 ah 252 wh, minimum 500 charge cycles		
Brakes	Disk brakes		
Pedals	Aluminium		
Number of speeds	7		
Wheels	28"		
Wheel covers	Metal		
Accessories for bicycles			
Chain cover	Material to be defined by tenderer		
EMSA sticker	Supplied with EMSA sticker		
Led lights	Front and rear lights & wheels light reflectors		
Phone holder	Waterproof case		
Permanent ring lock	Optional plug in chain of 140 cm		

Annex B “Price List / Financial proposal”	
Item	Price per unit
a) Price for the supply of bicycle as described in Annex A, Men frame.	
b) Price for the supply of bicycle as described in Annex A, Women frame.	
c) Price for the supply of electric bicycle as described in Annex A, Men`s frame.	
d) Price for the supply of electric bicycle as described in Annex A, Women`s frame.	
e) Price for Preventive maintenance per bicycle	
f) Price for Preventive maintenance per electric bicycle	
g) Price for Preventive maintenance for 8 existing EMSA bicycles (6 normal and 2 electric) once per year	
h) Frame respray service per bicycle	
i) Price for replacement battery	
j) Price for Led lamps replacement kit	
k) Price for Led lamps batteries replacement kit	
l) Price for Permanent ring lock supply and installation	
m) Price for plug in chain of 140 cm replacement	
n) Price for supply of EMSA sticker (as visible in Annex C on the bicycle frame)	
o) Price for one-man hour of corrective maintenance	
Total price of the bid for evaluation purposes (scenario) = $(1xa)+(1xb)+(1xc)+(1xd)+(1xe)+(1xf)+(1xg)+(1xh)+(1xi)+(1xj)+(1xk)+(1xl)+(1xm)+(1xn)+(1xo)$	

Annex C “EMSA sticker”



