

## **Tender Specifications**

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

## **Invitation to tender No. EMSA/NEG/14/2023 for Maintenance services, extension and alteration of existing CCTV installation**

### **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.

Article 15.2c of Regulation 1406/2002 establishes that the Executive Director “shall take all necessary steps (...) to ensure the functioning of the Agency in accordance with provisions of this Regulation.” In order to fulfil its tasks, the Agency must assure the proper functioning of its building, including equipment.

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**

#### **2.1 Contract objective**

The purpose of this tender is to maintain the continuous functionality of the CCTV system in the EMSA building, and to increase the level of security in the premises and around the building's perimeter.

The tender procedure and the contract will cover the periodical preventive maintenance, corrective/emergency maintenance (including replacement of selected hardware elements, software, and hardware upgrades), and the extension and alteration of the existing CCTV system (including installation of new cameras).

Additionally, on an ad-hoc basis, for new projects related to the CCTV system, provision of technical consultancy may be required.

#### **2.2 General description of existing CCTV system**

The existing closed-circuit television (CCTV) system installed in EMSA building is based on 'Bosch' BVMS 7.5 platform. The CCTV architecture is composed by a management and storage server (DIVAR IP 6000), located in the local data centre, and two CCTV image preview workstations - one next to the reception desk for permanent security surveillance, the second placed in the 'Facilities and Logistics' office.

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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.).

The system is composed in total by 91 internal and external cameras; image capture is carried out through fixed 'bullet' cameras and mobile auto-dome cameras with Bosch format protocols connected to local IP network.

## 2.3 Scope of contract and technical requirements

### 2.3.1 Maintenance services

- a) **Preventive maintenance:** the contractor will be requested to carry out two (2) preventive maintenance services per year, to verify the correct operation of the entire CCTV system, including check-up of hardware in the data centre, verification of the software, correction and fixing of any system 'bugs', fine-tuning of the cameras, cleaning the lenses, optimization of image preview workstations and making any adjustment requested by 'F&L' staff.

After each visit, a report shall be provided, including a description of the equipment's conditions and all works undertaken during the maintenance visit.

- b) **Corrective maintenance:** the contractor will be requested to address any defects or breakdown detected in equipment to render its full functionality; to fix the technical problems, repair and/or replace any malfunctioning elements of the system that were detected during system's operation or were reported after periodical preventive maintenance services.
- c) **Emergency maintenance:** in case of emergency (upon EMSA's request), a technical intervention shall be executed within six (6) hours from the issue reporting/request.

### 2.3.2 Extension and alteration of the existing CCTV installation

To improve the level of security of EMSA premises, some minor extension and/or alteration of existing CCTV installation might be required. These extension/alteration works will be executed upon EMSA's request.

### 2.3.3 Provision of technical consultancy in relation to the relevant system

Consultancy services on an ad-hoc basis for new projects (extension and alteration of existing CCTV system).

### 2.3.4 General requirements:

The Agency possesses all necessary licences for the existing system. In case of installation of additional cameras, the licence extension shall be taken into consideration.

Any repair, upgrade, replacement or implementation of new equipment shall be obligatorily compatible with both existing software and hardware.

Due to security restrictions, the Agency cannot share drawings or photos indicating the location or detailed characteristics of the CCTV equipment, thus complete technical information will be available and disclosed during the on-site visit/information meeting – for details, please see Invitation for Tender.

## 2.4 Warranty for the equipment and installation

As a minimum requirement, tenderers must provide a period of quality warranty of at least two years for all new elements of CCTV system and executed works.

EMSA expects from the tenderers a proposal for the extension of the standard two years quality warranty. If the tenderer provides a warranty for a longer period, this shall be specified in the technical offer and will be considered for evaluation purposes (Appendix III). Every additional year of warranty offered by the tenderer above the required minimum (of at least two years) will be positively scored in the evaluation of the award criteria (please see section 16 point 1 ["Quality criterion 1"] further below).

### 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

N/A

### 5. Timetable

The estimated date for signature of the contract is 4th quarter 2023.

### 6. Estimated Value of the Contract

The maximum budget available for this contract is EUR 40,000.00 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/14/2023** on EMSA's website ([www.emsa.europa.eu](http://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

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 criteria<sup>2</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. 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, social and labour law provisions listed in Annex X to Directive 2014/24/EU of the European Parliament and of the Council.<sup>3</sup>

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](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, 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 the **Authorised Signatory Form** duly completed and signed. This document is available on the Procurement Section of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu))
- b) **The Financial Identification Form completed**, signed and stamped. This document is available on the Procurement Section of EMSA's website ([www.emsa.europa.eu](http://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 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 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.

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<sup>2</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>3</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).

**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 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 Economic and Financial Capacity (part of the selection criteria) set out under point 14.4 of these specifications.

**Part C:** 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 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 1616 of these specifications;

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

## 12. Price

- a) Price must be quoted for Maintenance services, extension and alteration of existing CCTV installation and shall include also the costs of travel and transport (personnel and materials), all tools, materials and installations, the protection and cleaning of the areas of intervention, all workmanships and all applicable insurances (particularly in terms of safety measures).
- b) Prices must be fixed amounts.
- 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](http://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](http://www.emsa.europa.eu)) shall be completed and signed.

### **14.3 Legal and regulatory capacity – Selection criteria**

#### **14.3.1 Standards / Prerequisites**

The tenderer must have the legal and regulatory capacity to pursue the professional activity needed for performing the contract.

#### **14.3.2 Evidence**

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)) must be completed and signed as per section 14.2 above.

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

#### **14.4.1 Standards / Prerequisites**

- a) The tenderer must be in stable financial position and must have the economic and financial capacity to perform the contract.
- b) The tenderer must not be 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) substantially affecting the performance of the contract (e.g., asset freezes and/or a prohibition on making funds or economic resources available). The prohibition applies throughout the whole performance of the contract.

#### **14.4.2 Evidence**

- a) Self-declaration that the tenderer is not subject to restrictive measures (e.g., asset freezes and/or a prohibition on making funds or economic resources available) substantially affecting the performance of the contract. Please note that, for this purpose, point B.I.7.b) of the Declaration of Honour is also deemed as sufficient evidence.

Tenderers are exempt from submitting the documentary evidence if such evidence has already been completed and sent to EMSA for the purpose of another procurement procedure and the provided documents are up to date. In this case the tenderer shall simply indicate on the cover letter the procurement procedure where the evidence has been provided.

If, for some exceptional reason which EMSA considers justified, a tenderer is unable to provide one or other of the above documents, it may prove its economic and financial capacity by any other document which EMSA considers appropriate. In any case, EMSA must at least be notified of the exceptional reason and its justification in the tender. EMSA reserves the right to request at any moment during the procedure any other document enabling it to verify the tenderer's economic and financial capacity.

## 14.5 Technical and professional capacity – Selection criteria

### 14.5.1 Standards / Prerequisites

The tenderer must have relevant technical capacity, namely a minimum of five (5) years of previous experience in the provision of maintenance services related to the BOSCH CCTV system.

### 14.5.2 Evidence

- a) Statement or equivalent document confirming at least five (5) years of business activity on the market in an area relevant to the subject of the contract;
- b) List of at least three clients (date, name of the client, type of security installation, scope of services) for which similar maintenance services have been delivered during the last five years;
- c) Statement or equivalent document from 'BOSCH' (producer of the security system) confirming the professional competence of the tenderer to maintain and install its systems and products.

## 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 criteria and their associated weightings:

1. Quality criterion 1 ( $W_1 = 25\%$ ): Quality of the proposal in terms of warranty for all new elements of CCTV system and executed works (Appendix III).

For all bids that offer additional years of warranty on top of the minimum requirement of two years (as per section 2.4 above), the evaluators will give marks between 1 - 10 for this quality criterion as per the table below.

2 years (as mandatory)	0 points
3 years	1 points
4 years	4 points
5 years and more	10 points

2. Quality criterion 2 ( $W_2 = 15\%$ ): Quality of the methodology for the contract implementation (way of communication in a case of emergency, capacity of urgent reaction, back-up system for replacement of the staff involved in the contract, etc.).

and the price criterion and associated weighting:

1. Price of the tender ( $W_{price} = 60\%$ ): for evaluation purposes, the tenderer shall fill in the Appendix I – Price list - table no. 1 (services):

$$\text{Price} = (2 \times A.1) + (8 \times B.1) + (3 \times B.2) + (3 \times B.3) + (6 \times C.1)$$

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 tenders that have reached a minimum of 60% for  $Q_2$  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.

### **Appendix I - Price list – table no. 1 - Services**

Item	Item description	Measure unit	Quantity	Unit price without VAT
A	PREVENTIVE MAINTENANCE			
A.1	Preventive maintenance service, including: intervention, technical report and recommendations for CCTV system upgrades.	one full semi-annual service	1	
B	CORRECTIVE / EMERGENCY MAINTENANCE			
B.1	Technician - planned corrective maintenance (including travel costs)	per man-hour	1	
B.2	Technician - intervention on call in case of emergency (including travel costs) <u>during working hours (from 08:00 to 18:00).</u>	per man-hour	1	
B.3	Technician - intervention on call in case of emergency (including travel costs) <u>out of working hours (from 18:00 to 08:00 and holidays).</u>	per man-hour	1	
C	CONSULTANCY SERVICE			
C.1	Technical consultancy service	per man-hour	1	
<b>TOTAL PRICE OF THE BID</b> for evaluation purpose = (2 x A.1) + (8 x B.1) + (3 x B.2) + (3 x B.3) + (6 x C.1)				

The total final prices of the bid must be all inclusive – including the costs of travel and transport (personnel and materials), all tools, materials and installations, the protection and cleaning of the areas of intervention, all workmanships and all applicable insurances (particularly in terms of safety measures).

### **Appendix II - Price list – table no. 2 - Products**

<b>Reference / Type</b>	<b>Item description</b>	<b>Measure Unit</b>	<b>Quantity</b>	<b>Unit price without VAT</b>
<b>NTI-51022-A3S</b>	Bullet compact camera 2MP 2.8-12mm auto IP66 SMB	unit	1	
<b>NIN-51022-V3</b>	IP Dome indoor camera 1080p	unit	1	
<b>NDP-5512-Z30L</b>	PTZ dome IR 2MP 30x IP66 pendant Surveillance cabinet 230VAC Pendant wall mount	unit	1	
<b>NDP-4502-Z12</b>	PTZ dome 2MP 12x clear indoor surface Surface MNT box for Auto-dome IP 4000	unit	1	
<b>MBV-XCHAN-75</b>	BVMS Professional 7.5 Camera/decoder extension licence	unit	1	
<b>Cabling</b>	Halogen-free CAT 6 UTP cable Rail or tube with clamps including all accessory materials. Plugs & accessories	m	100	price per 100 m

### **Appendix III – WARRANTY PROPOSAL**

<b>Item description</b>	<b>Proposed warranty period (minimum requirement: 2 years, please see section 2.4 of the tender specifications)</b>
Warranty for all new elements of CCTV system and executed works	