

TENDER SPECIFICATIONS

PART I

No EEAS/DELCHeg/2019/OP/0016

**Provision of Information technologies (IT) support services in
Switzerland**

Framework contract

OPEN PROCEDURE

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1. INTRODUCTION

The contracting authority is the European Union (hereinafter referred to as "contracting authority"), represented by the Head of the Permanent Mission of the European Union to the World Trade Organization (WTO) in Geneva or its duly authorized representative.

The contracting authority intends to conclude a framework services contract for the provision of IT support services for the Permanent Mission of the EU to the WTO and the Delegation of the EU to the UN and other international organisations in Geneva, and the Delegation of the EU to Switzerland and the Principality of Liechtenstein in Bern, in accordance with the specifications set out in the procurement documents.

2. SUBJECT OF THE CONTRACT

The contractor must provide the human and material resources necessary to provide the IT support services in the non-exhaustive list below:

- end-user support (1st Level), according to ITIL (IT Infrastructure Library) principles;
- technical assistance with ICT (information and communication technologies) software, hardware and equipment, including IMAC (Install, Move, Add, Change) actions;
- administrative assistance related to ICT equipment (inventory, technical requirements for purchase of ICT equipment, training and coaching);
- on call assistance related to ICT hardware, software and equipment.

The place of performance is mainly Geneva, except two (2) days per month dedicated to the Delegation in Bern. IT support services will be provided in close collaboration with the Regional IT Officers (RITO) team currently based in Brussels (who provides the 2nd level of support) and with the EEAS IT Helpdesk in Brussels (who provides the 3rd level of support).

3. DESCRIPTION OF PUBLIC PROCUREMENT PROCEDURE

Tenderers must submit the tender electronically via the eSubmission application available for the eTendering website ('submit a tender' in Data tab).

First, tenderers (each member of the group in the case of a joint tender) will need to register in the European Commission's Participant Register - an online register of organisations participating in EU calls for tenders or proposals. On registering, each organisation obtains a Participant Identification Code (PIC, 9-digit number) which acts as its unique identifier in the above register. Instructions on how to create a PIC can be found in the [PIC-management Quick Guide for Economic Operators](#). Tenderers already registered in the Participant Register shall reuse their existing PICs when preparing tenders in e-Submission.

Instructions on how to submit a tender by means of e-Submission can be found in [the e-Submission Quick Guide](#). The tender shall contain the "Request to participate form" duly completed and accompanied by all the information and documents listed in the form. The tender shall be submitted by the deadline indicated in the letter of the invitation to tender.

In addition, **the hand-signed originals of the below documents must be sent by letter** to the contracting authority's postal address indicated under Heading I.1 of the contract notice at the latest on the first working day following the electronic submission of tender:

- Declaration(s) on honour;
- The tender report (a document generated by e-Submission and listing all the documents included in the tender, to be signed by the tenderer or the group leader in case of a joint tender).

The eTendering site on which all procurement documents are published will be updated regularly and it is the tenderer's responsibility to check for updates and modifications during the tendering period.

Use of a negotiated procedure without prior publication of a contract notice to increase the ceiling of the framework contract

In compliance with the FR, the contract value may be increased by up to 50% of the initial contract amount via a negotiated procedure without prior publication of a contract notice in the event of:

- i. increase of the IT needs of the staff; or
- ii. move of the EU Delegations to new premises.

4. GROUPS OF ECONOMIC OPERATORS AND SUBCONTRACTING

Tenders can be submitted by a single economic operator or jointly by two or more economic operators.

4.1. Joint tender

A joint tender is a situation where a tender is submitted by a group of economic operators; in other words, by several legal entities (natural or legal persons) regardless of the link they may have between them.

Each individual legal entity of the group shall assume joint and several liabilities with all its resources towards the contracting authority for the fulfilment of the terms and conditions of the contract.

The group shall nominate one legal entity ('the leader') who shall be granted by the other members of the group the full authority to bind the group and each of its members, and who shall be responsible for the administrative management of the contract (including invoicing, receiving payments, etc.) on behalf of all other entities.

The "Request to participate form" will identify the leader.

The tender will clearly identify the division of tasks amongst the different members of the group.

Any change in the composition of the group during the procurement procedure or after the signature of the contract may lead to the rejection of the tender or to the termination of the contract by the contracting authority, respectively.

The group will not be required to adopt a specific legal form in order to submit a tender.

The contract shall be signed by all legal entities or, through a power of attorney to be attached to the contract, by the leader duly authorised to bind the group and each of its members.

4.2. Subcontracting

"Subcontractor" means an economic operator that is proposed by a tenderer or contractor to perform part of the contract.

Subcontracting is allowed but the contractor will retain full liability towards the contracting authority for the implementation of the contract.

Tenderers must give an indication of the tasks that they intend to subcontract and are required to identify all subcontractors whose share of the contract is above 20%.

The subcontractors whose share of the contract is above 20% must comply with the same exclusion criteria applicable to tenderers.

If the subcontractors' capacity is necessary to fulfil the selection criteria applicable to tenderers, they shall submit the relevant documentary evidence.

Any change in subcontracting during the procurement procedure or after the signature of the contract may lead to the rejection of the tender or to the termination of the contract, respectively. During contract execution, the change of any subcontractor identified in the tender will be subject to prior written approval of the contracting authority (see art.II.10 of the framework contract).

5. ELIGIBILITY OF ECONOMIC OPERATORS

5.1. Access to public procurement

Participation in this tender procedure is open on equal terms to all natural and legal persons whose domicile (natural person) or whose registration of their headquarters (legal persons) is:

- in one of the European Union Member States;
- in a third country which has a special agreement with the European Union in the field of public procurement **on the conditions laid down in the agreement**;
- in a country registered as a signatory of the Government Procurement Agreement (GPA) concluded within the WTO;
- exceptionally, in Switzerland.

Participation is also open to international organisations.

Economic operators, including each member of a joint tender, must confirm that the legal entity's headquarters (for legal persons) or domicile (for natural person) is in one of the abovementioned States and present the supporting evidence normally acceptable under their own law (for example, an extract from a trade register or companies' register). The evidence must contain the official registration number of the economic operator.

Please be aware that after the UK's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries will apply to candidates or tenderers from the UK depending on the outcome of the negotiations. In case such access is not provided by legal provisions in force candidates or tenderers from the UK could be rejected from the procurement procedure.

5.2. Non-exclusion of economic operators

Tenderers who have access to public procurement are evaluated on the basis of the information provided in their tenders for exclusion criteria.

Tenderers shall provide a "Declaration on Honour" on exclusion criteria and selection criteria (declaration on honour) duly filled in, signed and dated by their legally authorised representative.

The declaration on honour shall be provided by each member of the group in case of joint tenders, by the entities on whose capacity it intends to rely and by all identified subcontractors whose share of the contract is above 20%.

Upon request by the contracting authority, the tenderer, as well as other entities which provided the above mentioned declaration on honour, shall provide within a time limit defined by the contracting authority the evidence referred to in paragraph "Evidence upon request", to support the declaration on honour. In any case, this evidence shall be requested from the successful tenderer, including each member of the group in the case of a joint tender, to whom the contract is to be awarded, prior to the signature of the contract.

The contracting authority may waive the obligation for a tenderer to submit the documentary evidence if it has already been submitted for a previous procurement procedure and provided the documents were issued not more than one year earlier and are still valid at the date of the request by the contracting authority. In such cases, the tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that there has been no change in the situation.

The contracting authority may also waive the obligation for a candidate or tenderer to submit the documentary evidence if it can access it on a national database free of charge.

5.3. Selection of economic operators

Tenderers must prove their legal, regulatory, economic, financial, technical and professional capacity to perform the services subject to this call for tender by meeting the minimum capacity levels as listed at points 5.3.1, 5.3.2 and 5.3.3 hereafter.

Tenderers must provide only a declaration on selection criteria available in annex duly filled in, signed and dated by the legally authorised representative. The selection criteria are to be met respecting the requirements defined here below.

The successful tenderer will be requested to provide the documents mentioned as supporting documents on selection criteria in the declaration on their honour and in this tender specifications before the signature of the contract and within a deadline given by the contracting authority.

If a tenderer is relying on the capacities of other entities (e.g. parent company, other company in the same group, or third party) in order to achieve the required minimum level of the capacity, its request to participate must contain a signed and dated statement by the concerned entity which clearly confirms which relevant resources shall be placed at the disposal of the tenderer for the performance of this contract. The contracting authority will verify whether the entities on whose capacity the tenderer intends to rely fulfil the relevant selection criteria. The tenderer may only rely on the technical and professional capacities of other entities where the latter will perform the services or works for which these capacities are required.

If an entity provides the whole or a very large part of the economic and financial capacity to the tenderer, the contracting authority may demand that the said entity be jointly liable for the performance of the contract in case of award. In order to do so, the contracting authority may require that this entity signs the contract or that it provides a joint and several first-demand guarantee, should that tenderer be awarded the contract. If this entity is required to sign the contract, it has to have access to public procurement and shall not be in an exclusion situation as indicated in point 5.1 and 5.2 of these tender specifications.

5.3.1. Legal and regulatory capacity criteria and evidence

No specific legal and regulatory capacity and evidence is required from the economic operators for this call for tenders.

5.3.2. Economic and financial capacity criteria and evidence

Tenderers must prove the financial and economic capacity to perform this contract by meeting the following criterion:

Criterion 5.3.2.a) Turnover.

Minimum capacity level:

The average annual turnover for the last three financial years for which accounts have been closed must be at least CHF 190.000 (one hundred ninety thousand).

The exchange rate used to convert the turnover into EUR will be the rate of December of the year of the financial statement as published at http://ec.europa.eu/budget/contracts_grants/info_contracts/infoeuro/infoeuro_en.cfm.

Supporting document(s)/evidence requested:

1. Duly completed table of the "Request to participate form".
2. Profit and loss accounts (Income statement) for the last three financial years for which accounts have been closed.

The criterion is applied to:

The tenderer; In case of joint tender this selection criterion will be applied to the group as a whole.

The evidence shall pertain to:

At least one economic operator provided that the minimum capacity level is met.

5.3.3. Technical and professional capacity criteria and evidence

Tenderers must prove the technical and professional capacity to perform this contract by meeting the following criteria:

Criterion 5.3.3.a): Previous contracts.

Minimum capacity level:

1. At least two service contracts managed by the economic operator relevant to the 1st level proximity IT support services, during the past three calendar years.
2. At least one contract listed under 1 having a duration of at least one year and including provision of IT services on call.
3. The cumulative value during the past three calendar years of the above mentioned listed contracts must be at least CHF 30.000 (thirty thousand).

Supporting document(s)/evidence requested:

1. Duly completed table (list) of the "Request to participate form". The tenderer may include in the list any contract implemented at any moment during the past three calendar years. The tenderer may include any contract started or completed during that period and any contract ongoing through the whole period.
2. For each contract in the table (list), the tenderer must present a client's reference letter relevant to the 1st level proximity IT support service contracts performed during the past three calendar years specifying whether the services have been carried out in a professional manner in compliance with the contractual terms .

Contracts without reference letters shall not be included in the list of the contracts as they will not be accepted. The reference letters provided for the contracts which are not in the list will not be accepted either.

The criterion is applied to:

The tenderer. In case of joint tender this selection criterion will be applied to the group as a whole.

The evidence pertains to:

At least one of the economic operators who will perform IT support services.

Criterion 5.3.3.b): Manpower.

Minimum capacity level:

The tenderer must currently employ at least 4 staff in the fields related to IT support services, of whom 50 % must be permanent staff.

The declared manpower in the above-mentioned fields cannot be higher than the total manpower.

Supporting document(s)/evidence requested:

Duly completed table of the "Request to participate form".

The criterion is applied to:

The tenderer. In case of joint tender this selection criterion will be applied to the group as a whole.

The evidence pertains to:

At least one of the economic operators who will perform IT support services.

6. EVALUATION OF TENDERS

6.1. Evaluation of tenders on the basis of the award criteria

The tenders are evaluated in order to award the contract to the tender offering the best price quality ratio. For this purpose, the tender will be evaluated technically and financially.

The tenderers shall upload on e-Submission a "Statement of compliance with the procurement documents" in Annex 1 of technical specifications duly dated and signed in order to be considered technically compliant.

The technically compliant tenders are then evaluated in order to award the contract to the tender offering the best price/quality ratio.

6.2. Technical tender

The technical quality of the tenders will be evaluated on the basis of the documents provided by the tenderers in the technical tender with regard to the award criteria described in the table below.

Technical award criteria:

No	Criteria	Max. number points	Subcriteria
1	<u>Organisation of the services</u> This criterion will enable to assess the organisation of the services offered by the tender, including the different members of a joint tender and the resort to subcontractors. Tenderers will develop in detail the organisation they offer, in particular provide	(55 points – minimum threshold 50%)	1. How will the tenderer organise the on-site support services during working days/hours? (15 points) 2. What are the measures to ensure service continuity in the event of unplanned absence by any of the contractor's staff? (15 points)

	detailed information for each questions.		<p>3. How will the tenderer organise the on-call support services? (15 points)</p> <p>4. How will the tenderer ensure effective collaboration with the Regional IT Officers (RITOs) and the EEAS IT Helpdesk? (10 points)</p>
2	<p><u>Service Quality</u></p> <p>This criterion will enable to assess the service quality applied to the service foreseen in these tender specifications.</p> <p>The quality system shall be detailed in the tender and specific to the services at hand. A generic quality system will result in a low score. On the contrary, quality system aligned with IT industry best practices (e.g. ISO 20000 ITSM) will receive a high score.</p>	(30 points – minimum threshold 50%)	<p>1. What measures, protocols and physical means will be implemented to control and guarantee the quality of the services provided, as well as their continuous improvement? (15 points)</p> <p>2. How will the tenderer ensure adequate contract management and timely handling of any requests or complaints formulated by the contracting authority? (15 points)</p>
3	<p><u>Staff motivation policies</u></p> <p>This criterion will enable the assessment of the tenderer's staff motivation programme. Tenderers will describe any incentives granted to IT experts who would be deployed under this contract such as financial bonuses, allowances, promotion, training, medical coverage and any other initiatives designed to motivate the IT experts and encourage their loyalty to the tenderer.</p>	(15 points – minimum threshold 50%)	<p>1. How will the tenderer ensure minimum turnover and maximum availability of the staff proposed in the tender? (10 points)</p> <p>2. What are the staff motivation policies/measures that the tenderer will put in place as contractor? (5 points)</p>
	TOTAL	100	

Any tender not scoring the minimum quality threshold of 50 % of the points for each criterion where indicated and 60 points for all the criteria combined will be eliminated.

6.3. Financial tender

Only the financial tenders submitted by those tenderers who have obtained an overall technical score of 60 points or more and at least 50% of the maximum score allocated for each individual criterion will be considered for the award.

The prices for the tender must be tendered:

- in CHF.
- free of all duties, taxes and other charges, including VAT, as the European Union is exempt from such charges under the Vienna Convention and according to the

application of the provisions of art. 143 al. 2 a) of the Ordinance of 27 November 2009 governing Value Added Tax (VATO) granted by the Federal Authorities;

- all inclusive. This means that, unless otherwise mentioned in these tender specifications, prices tendered for shall include all the costs to be incurred by the tenderers in order to fully implement the contract;
- using the unit price schedule (Annex A) and the price scenario tables in annex (Annex B). Any change in the table(s) as annexed to these tender specifications will lead to the rejection of the tender.

During the validity of the tender and the implementation of the contract, prices cannot be revised. During the implementation of the contract, they can however be indexed in conformity with article I.5.2 of the framework contract.

The unit price schedule (Annex A) is binding during implementation of the contract.

The price "scenario" is an estimate by the contracting authority of the quantities of the services over the duration of the contract in order to compare the financial tenders.

Financial tenders will then be checked for arithmetical accuracy. Where arithmetical errors are found, tenderers will be requested to correct them.

6.4. Calculation of the overall score

The tender chosen will be that which offers the best price quality ratio among the technically compliant tenders, namely the tender obtaining the best overall score P_i calculated as follows where the weighting is 60% for the quality and 40% for the price:

$$P_i = T_i * 0.60 + F_i * 0.40$$

T_i = (technical quality score of the tender under consideration / score of the best technical quality tender) * 100

F_i = (cheapest total price for the scenario / price of the scenario of the tender under consideration) * 100

The total amount of the successful tender will be taken into account for setting the maximum ceiling of the FWC. Moreover, the Contracting Authority may add a security margin of 10 % and an estimate of the future price indexation, if applicable. In any case, the maximum ceiling of the FWC will not be higher than the initial estimate published in point II.2.6 of the contract notice.

7. CONTENT OF THE TENDER

The tenderers shall submit via the electronic submission system E-Submission the "Request to participate form" duly completed accompanied by all the information and documents listed in the form.