

TENDER SPECIFICATIONS

PART I

No EEAS-652-DELRUSM-SER-FWC

**Provision of travel agency services for the Delegation of the European
Union to Russia**

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 Delegation of the European Union to Russia or its duly authorized representative.

The contracting authority intends to conclude a framework service contract for the provision of travel agency services, in accordance with the specifications set out in the procurement documents.

2. SUBJECT OF THE CONTRACT

The contractor shall provide the human and material resources necessary to provide the service in the non-exhaustive list below:

- the provision of all the information needed to organise the trip (timetables, prices and availability of transport);
- reserving, issuing tickets for, making changes to or cancelling the following: air, rail or road transport, transfers.

The place of performance is Moscow, Russia. The missions will be mainly in Russia, in Europe, but also other destinations.

3. DESCRIPTION OF PUBLIC PROCUREMENT PROCEDURE

Tenderers must submit the tender electronically via the e-Submission application available from the eTendering website ('submit a tender' in Data tab).

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.

The Contracting Authority will assess the access to public procurement, exclusion, selection and award criteria in no particular order. The successful tenderer must pass all criteria to be awarded the 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 a:

- i. increase of travel needs of the staff or
- ii. increase of the staff number of the contracting authority.

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 candidate or 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 10%.

The subcontractors whose share of the contract is above 10% must comply with the same exclusion criteria applicable to candidates.

If the subcontractors' capacity is necessary to fulfil the selection criteria applicable to candidates, 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**;
- exceptionally, in Russia.

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) attached to the "Request to participate form" 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, and by the entities on whose capacity it intends to rely and by all identified subcontractors whose share of the contract is above 10%.

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 another procurement procedure and provided the documents were issued not more than one year earlier and are still valid at the date of their 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 listed at points 5.3.1, 5.3.2 and 5.3.3 hereafter.

All tenderers shall submit with their tenders all the supporting evidence on selection criteria as mentioned in the declaration on their honour and as requested in point 5.3 of the tender specifications and its subpoints 1, 2 and 3.

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 tender 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

The economic operators are required to have the following:

Criterion 5.3.1.a) Authorisation to provide the services at the place of performance of the contract.

Minimum capacity level:

The tenderer shall be authorised to provide the services being subject to this contract at the place of performance of this contract. The relevant certificate must be valid on the date of the deadline for the submission of tenders. Before the signature of the contract, the validity of the certificate will be verified again.

Supporting document(s)/evidence requested:

The certificate (Certificate of registration with the Unified Federal Register of Travel Operators), officially issued by the relevant authority of the country proving that the candidate is authorised to provide travel agency services in Russia, in respect of Federal Law No. 132-FZ of 24.11.96 and the Ministry of Culture Order No. 215 of 01.03.2018 applicable in the country in which the contract will be implemented.

The criterion is applied and the evidence pertains to:

The economic operators who will perform the services, for which the certificate is requested.

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 criteria:

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 EUR 80 000 (eighty thousand euro).

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 subject of the contract: travel agency services, during the past three calendar years.
2. At least one contract listed under 1. having a duration of at least one year.
3. The cumulative value during the past three calendar years of the above mentioned listed contracts must be at least EUR 15 000 (fifteen thousand euro).

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 travel agency 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 travel agency services.

Criterion 5.3.3.b): Manpower.

Minimum capacity level:

The tenderer must currently employ at least 9 staff in the fields related to travel agency services.

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 travel agency services.

Criterion 5.3.3.c): Passenger Sales Agency Agreement

Minimum capacity level:

The tenderer must have a signed and valid Passenger Sales Agency Agreement with International Air Transport Association (IATA) at the time of submission of the tender.

Supporting document(s)/evidence requested:

The economic operator must provide a copy of the valid Agreement.

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 travel agency 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 lowest price. In other words, the contract is awarded to the lowest tender that satisfies the minimum requirements set in the technical specifications.

The tenderers shall provide the "Statement of compliance with the procurement documents and checklist on minimum technical requirements" in Annex 1 of technical specifications duly dated and signed in order to be considered technically compliant. The technically compliant tenders are evaluated in order to award the contract to the tender offering the lowest price.

6.2. Financial tender

Only the financial tenders submitted by those tenderers who have submitted technically compliant tenders meeting the minimum technical requirements will be considered for the award.

The prices for the tender must be tendered:

- in EUR
- free of all duties, taxes and other charges, including VAT, as the European Union is exempt from such charges under the Headquarters agreement and, the Vienna Convention;
- 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.
- the amount of "reimbursable expenses" (item E of Annexe B) is fixed and cannot be changed by the tenderer (this is the amount to cover the costs for tickets, and other services linked to work-related travel, up to a maximum ceiling over the entire duration of the contract);

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 art. 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.

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.