



FRAMEWORK CONTRACT FOR SUPPLY OF CONSUMABLES AND REAGENTS TO BE USED ON THE INSTRUMENT BIORAD QX200™ DROPLET DIGITAL™ PCR SYSTEM

Administrative Annex

Procedure no. JRC/IPR/2015/I.3/0019/OC

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1. EVALUATION PROCEDURE

Offers received in conformity with the submission modalities of the call (as per the letter of invitation to tender) are evaluated according to the procedure detailed below, which is divided into two phases: *exclusion/selection of tenderers* and *award of the contract*.

1.1. PHASE 1: EXCLUSION/ SELECTION

The purpose of this phase is:

to assess the eligibility of the tenderer to take part in the procedure, checks having been carried out on the possible grounds for exclusion;

to assess the capacity of the tenderers to take part in the procedure, from an economic/ financial and a technical/professional perspective.

The eligibility and capacity will be assessed on the basis of the criteria detailed below.

1.1.1. The eligibility of the tenderer to take part in the procedure

It should be noted that, in accordance with point III.2.1 of contract notice, tenderers will be excluded from participation in the procurement procedure if they are in any of the situations covered by the Regulation referenced at this point of the contract notice. These situations are explicitly described in the Declaration on Honour on Exclusion Criteria enclosed with the tendering documents.

1.1.2. Economic and financial capacity and the technical and professional capacity

This capacity is assessed on the basis of:

The Economic and financial criteria, listed under point III.2.2 of the contract notice

The Technical and professional criteria, listed under point III.2.3 of the contract notice

1.1.3. Modalities of proof

For the purpose of the present procurement procedure, tenderers shall:

- a) Join to their offer the Declaration on Honour on Exclusion Criteria enclosed with the tendering documents, duly completed, dated and signed by their legal representative;
- b) Join to their offer the evidence satisfying all the criteria of section 1.1.2 above.

The contracting authority accepts no copies, only recent original documents or certified copies.

Only tenderers that have fully satisfied these two modalities a) and b) will be considered in the award phase.

Should the contract be awarded, then the winning tenderer shall produce the supporting documents as required in Article 143(3) of the Financial Regulation and as described in the Declaration on Honour on Exclusion Criteria attached to the present administrative annex, upon receipt of a written request by the JRC before contract signature and at short notice. Should the winning tenderer fail to provide the supporting documents then his offer will be discarded and the second best offer will be retained under the same conditions.

1.2. PHASE 2: AWARD

Lowest price

The contract will be awarded to the offer that:

- fully conforms to the technical specifications
- shows the lowest price (Po).

Offers shall be ranked according to price in descending order i.e. the second lowest price shall be ranked second etc.

The total price taken into consideration for evaluation purposes will be (Po) sum of the TOTAL NET prices from the Financial offer file, Annex A.

The correspondent reference list (Annex A) will serve to compare prices contained in offers received and will be attached as an effective price list to the framework contract.

Prices shall be quoted in Euro, VAT exempt.

Prices shall include the costs for packing, transport, delivery and any other related cost.

2. OCCUPATIONAL HEALTH AND SAFETY (OHS)

The execution of a contract on the Ispra site under the Italian law¹ foresees the following as regards to Occupational Health and Safety (OHS) risks:

The tasks to be contracted fall into the category of simple supply; in absence of a carcinogenic, chemical, biological, nuclear, explosive or elevation context OHS and interferential risks² are not further considered.

3. EQUIVALENCE

For specifications, standards, brand names, processes or formats named in these specifications unless otherwise specified equivalent objects shall be accepted. It shall be for the tenderer to justify this equivalence.

¹ In particular (DECRETO LEGISLATIVO 9 aprile 2008 n.81 (in Suppl. ordinario n. 108 alla Gazz. Uff., 30 aprile, n. 101).- Attuazione dell'articolo 1 della legge 3 agosto 2007, n. 123, in materia di tutela della salute e della sicurezza nei luoghi di lavoro),

² Additional OHS risks arising from other activities at the same place and time. The JRC will take all the necessary measures in order to eliminate or, in any case, reduce to an acceptable level, any interferential risk during the entire execution of the contract.

4. STRUCTURE OF THE OFFER

Bids shall be structured as follows:

4.1. Cover letter

- With bid reference
- Signed by the legal representative of the tendering organisation
- Confirming validity of the offer

4.2. Administrative compliance

- Tenderer Certificate (Declaration on Honour) required to pass the Exclusion criteria
- Other information and documents required to pass the selection criteria
- Legal Entity and Financial Identification forms
- Evidence that the representative is authorised to sign on behalf of the tenderer

4.3. Financial offer

The bid must contain the following price quotation:

4.3.1. Tenderers shall present their best offer for:

- The price scenario (Po) for 1 year of supply completed, as per Financial offer file, Annex A filling the price and percentage of discount.
- Official Bio-Rad Catalogue, or equivalent, and associated price list with the percentage of discount which shall be applied to the products which are not in the scenario.

Tenders not covering all the items listed in the Annex A will not be taken into consideration.

If tenderers cannot propose Bio-Rad products listed in Financial offer file, Annex A, they can propose products from other producers that are equivalent to those indicated in the list. Tenderers shall clearly indicate the equivalent producer and products and must prove the equivalence of the proposed products by any appropriate means that shall be included in the offer. Appropriate means may take the form of technical dossiers of the manufacturers or tests reports from recognised bodies.

4.3.2. Draft Contract duly completed, dated and signed by a Legal Representative.

Important notice about the scenarios in Financial offer file, Annex A and the estimated expenditures:

The above mentioned scenario is only an indication based on the estimated quantity per products that may be ordered per year and it has to be intended only as information for the purpose of the award of the contract.

It does not constitute in any case a commitment for the JRC for the type of the supplies and ancillary services to be ordered.

The list (Annex A) shall not limit the possibility of JRC-IHCP to order other types reagents or consumables which may be provided by the contractor and described in the Contractor's general catalogue (Official Bio-Rad Catalogue or equivalent).

These additional supplies shall not exceed 10% from the total amount of the scenario.

Important notice about prices and orders:

Tenderers are informed that the orders will be based only on:

- the discounts that are indicated in the official price lists from Financial Offer Annex A.
- the discount percentage on official catalogue for the products which are outside the scenario prices that is indicated in Table A.

Important notice concerning Financial offer file, Annex A

- Preferred package size:

This column represents JRC-IHCP's preferred package size; if this package size is not available, alternative similar sizes are accepted. However, the alternative package size proposed must be the available size the closest to JRC-IHCP's preferred package size.

- NET prices :

This column does not need to be filled in by the tenderer as it is automatically calculated. All prices must be all-inclusive and quoted in €(EURO) without VAT.

- TOTAL NET price:

This column does not need to be filled in by the tenderer. It will be used by the contractor to calculate the sum of the TOTAL NET prices.

No additional costs will be accepted and paid by the Commission such as travel costs, costs for packaging, transports, delivery, etc.

Please note that the file "Financial Offer" cannot be modified or manipulated, otherwise the offer will be automatically rejected.

5. REJECTION OF OFFERS

The Contracting Authority reserves the right to reject offers that:

- are not submitted in conformity with the modalities indicated in the letter of invitation;
- do not satisfy the exclusion and selection criteria;
- do not comply with the technical specifications, this administrative annex or with the draft contract;
- contain an incomplete or inconsistent financial offer.