

ECB - negotiated tender for the provision of IT operation and support services (D-Frankfurt-on-Main)

2004/S 210-179752

Contract notice**Services****Is this contract covered by the Government Procurement Agreement (GPA)? Yes.****Section I: Contracting authority**

- I.1) **Official name and address of the contracting authority:**
European Central Bank, Att: Mr Humphrey Rudgard, Kaiserstraße 29, D-60311 Frankfurt am Main.
Tel.: +49 69 1344 7531 . Fax: +49 69 1344 7503. E-mail: procurement@ecb.int. URL:
<http://www.ecb.int>.
- I.2) **Address from which further information can be obtained:**
As in I.1).
- I.3) **Address from which documentation may be obtained:**
As in I.1).
- I.4) **Address to which tenders/requests to participate must be sent:**
As in I.1).
5. **Type of contracting authority:**
EU institution.

Section II: Object of the contract

- II.1) **Description**
- II.1.1) **Type of works contract**
- II.1.2) **Type of supplies contract**
- II.1.3) **Type of service contract:**
Service category 7.
- II.1.4) **Is it a framework agreement?**
Yes.
- II.1.5) **Title attributed to the contract by the contracting authority:**
Negotiated tender for the provision of IT Operation and Support Services
- II.1.6) **Description/object of the contract:**
The European Central Bank wishes to establish a framework contract for the provision of IT operation and support services.
The market is divided in two lots:
lot 1 - IT support and delivery services in the areas of service desk, system support, application support, including tasks such as but not limited to:
- day-to-day operation of call-handling, recording/tracking/attempt resolving /escalating incidents and problems;
- technical support, maintenance and integration of desktop and server hardware, operating systems and associated software tools, data storage/backup management, printing services;
- technical support, maintenance and integration of software applications (including financial applications) and tools;
lot 2 - IT infrastructure and communication technology, including tasks such as, but not limited to:
- technical support, maintenance and integration of data and voice networks.
- II.1.7) **Site or location of works, place of delivery or performance:**

Place of delivery is Frankfurt am Main, Germany.

Nuts code: DE712.

II.1.8) **Nomenclature**

II.1.8.1) **Common Procurement Vocabulary (CPV):**

72200000, 72320000, 72520000, 64200000.

II.1.8.2) **Other relevant nomenclature (CPA/NACE/CPC)**

II.1.9) **Division into lots:**

Yes.

Tenders may be submitted for: one lot, all lots.

II.1.10) **Will variants be accepted:**

No.

II.2) **Quantity or scope of the contract**

II.2.1) **Total quantity or scope:**

The resulting framework contract(s) will replace within maximum of 3 months the existing external staff contracts that have previously been established by the ECB.

The current volume of external staff contracts is:

For lot 1: -

in the area of service support: 16 persons per year;

in the area of system support: 5 persons per year;

in the area of applications support: 6 persons per year;

in total: 27 persons per year.

Depending on evolving needs this number may change and is estimated to represent up to 45 persons per year. This information is given without any engagement for the ECB.

For lot 2 in the area of infrastructure communication technology: 19 persons per year.

Depending on evolving needs this number may change and is estimated to represent up to 25 persons per year. This information is given without any engagement for the ECB.

II.2.2) **Options. Description and time when they may be exercised**

II.3) **Duration of the contract or time-limit for completion:**

Starting 1.4.2005 and/or ending 31.3.2008.

Section III: Legal, economic, financial and technical information

III.1) **Conditions relating to the contract**

III.1.1) **Deposits and guarantees required:**

As stated in the tendering documents which will be sent to the short-listed candidates.

III.1.2) **Main terms of financing and payment and/or reference to the relevant provisions:**

As stated in the tendering documents which will be sent to the short-listed candidates.

III.1.3) **Legal form to be taken by the grouping of suppliers, contractors or service providers to whom the contract is awarded:**

Consortia: admitted.

Grouping of contractors: admitted. In case of award to a group of contractors, the awarding authority may require the formal constitution of a consortium.

Subcontracting: admitted. However the major part of the service provided shall be performed by the applicant. Subcontractors must comply with the same exclusion/selection criteria as the contractor. The contractors must clearly indicate in their applications which parts of the requested supplies/services will be subcontracted.

III.2) **Conditions for participation:**

Applicants shall draw up their application by filling in an ad-hoc questionnaire, which is provided upon request for participation to the contact address mentioned in paragraph I.3 above and whose format and instructions must be strictly observed. Any application which does not observe these provisions will be automatically eliminated.

III.2.1) Information concerning the personal situation of the contractor, supplier or service provider and information and formalities necessary for the evaluation of the minimum economic, financial and technical capacity required:

Applicants should note that failure to send sufficient information about the points mentioned below (and requested in the standard questionnaire) may result in their application being rejected.

In case of grouping, the information must be provided for each member of the group.

III.2.1.1) Legal position - means of proof required:

Applicants will be excluded from taking part in this contract if:

1. they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
2. they have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;
3. they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
4. they have not fulfilled obligations relating to the payment of social-security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority;
5. they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the ECB's financial interests;
6. following another procurement procedure or grant award procedure financed by the ECB budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations;
7. they are subject to a conflict of interests. There is a conflict of interests where the applicant and a person who is a player in the implementation of the ECB's budget or an internal auditor share interests (including, for example, family, emotional life, political or national affinity and economic interests) which compromise the impartial and objective exercise of that person's functions;
8. they commit misrepresentation in supplying the information required by the contracting authority. You will be required to show that you are not in one or more of the situations listed above by providing a self statement signed by the person(s) empowered to represent the applicant party and sign the contract if your offer is successful or provide the following evidence:
 - a) In relation to items 1, 2 and 5 above, relevant extract(s) from the judicial record or, failing that, equivalent documentation issued by a judicial or administrative authority in the country where you are established or an affidavit stating the legal position of your company for the requested elements in each point. The extract(s) or equivalent documentation must be dated less than four months before the final date for submission of offers. Depending on the national legislation of the country in which you are established, these documents must relate to entities with legal personality and/or natural persons; in the latter case, they must relate to the person(s) empowered to represent the applicant party and sign the contract if your offer is successful.
 - b) In relation to items 3, 6, 7 and 8 above, an affidavit stating that you have not been guilty of grave professional misconduct, and you have not been declared to be in serious breach of a contract for failure to comply with your contractual obligations, and you are not subject to a conflict of interest and that you are supplying all the information required for the call for tenders in good faith and without misrepresentation. This document should be signed by the person(s) empowered to represent the applicant party and sign the contract if your offer is successful.
 - c) In relation to item 4 above, recent certificates issued by the competent social-security and tax authorities of the country where you are established. Where no such certificate is issued in that country, this can be replaced by a sworn or solemn statement made before a judicial or administrative authority, a notary or a qualified professional body in that country. The certificates or the statement provided must be dated less than four months before the final date for submission of offers.

Please note that the applicants that have provided the self statement, in case they will be invited to tender will have to provide the above listed documents (a-c) to prove the full compliance to the requirements listed in this section at points 1 to 8.

III.2.1.2) **Economic and financial capacity - means of proof required:**

Applicants will be assessed on their economic and financial capacity to perform the contract and will be asked to present the following documentation:

1. evidence of professional risk indemnity insurance;
2. bank certificate stating the company's financial situation;
3. balance sheets or extracts from balance sheets for at least the last two years for which accounts have been closed, or equivalent documentation (e.g. where company law in the country in which you are established does not require you to publish your balance sheet);
4. a statement of overall turnover and turnover concerning the services to be covered by the contract during the last three financial years;
5. when intending to rely on the capacities of a parent company, a written undertaking on the part of the parent company confirming that it will place the resources necessary for performance of the contract at its disposal.

III.2.1.3) **Technical capacity - means of proof required:**

Applicants will be assessed on their technical and professional capacity and experience to perform the contract and will be asked to present the following documentation:

1. references of similar consultancy services provided for public or private organisations over the past three years. This list should include contract reference, the period of execution, customer name and contact person within the customer organisations (name, position, role in the contract, telephone and e-mail address), value of the contract and one page description of the main items of the contract;
 - 1.1. for lot 1 - details of experience with but not limited to: financial software packages such as Finance Kit, Swift Alliance, Finsoft, SAP; operating systems Solaris, AIX, Microsoft Windows; and application packages Oracle, Business Objects, Web Logic;
 - 1.2. for lot 2 - details of experience with but not limited to: Marconi Enterprise ATM equipment, Marconi and CISCO routers as well as layer 2/3 switches; Checkpoint, Nokia and CISCO firewalls; management systems for Network (HP Openview) and for monitoring purposes (Concord eHealth), Siemens HiCom/HiPath voice communications equipment and related peripheral services; passive IT infrastructure management (ZIS) system.
2. Include a document (maximum two-pages) briefly explaining the specific relevance of the aforementioned references to this contract (service provided, service organisations, service level management, quality control).
3. Documents certifying the professional standing and technical capability. The applicant shall provide information about quality-assurance procedures and standards which prove his capacity and professionalism in performing his duties.
4. Description of the organisational structure of the company detailing departments and allocated number of staff in managerial and non-managerial position over the past three years.
5. Detailed description of the main department(s) responsible for the delivery of the services requested, including allocated number of staff in managerial and non-managerial position, specifying permanent and non-permanent staff, over the past three years. Indicate how the different departments contribute to a successful service provision.
6. Applicants must clearly indicate which parts of the requested consultancy services will be subcontracted.
7. If the applicant's employment contract provides for sanctions on its personnel in case of unauthorised disclosure of information by its personnel, or in case of malicious damage by its personnel, please provide full contractual clause.
9. For lot 1 and for lot 2, the applicant:
 - 9.1. must prove that it has access to sufficient number of staff with relevant profiles to start the provision of the services on the scale indicated in paragraph II.2.1;
 - 9.2. provide three (3) CVs for each profile containing complete information about their qualifications and

professional experience - each CV should bear a number only instead of a name and a list should be included showing the correspondence between these numbers and actual names; the technical staff proposed for this contract must be permanent staff of the company and fluent in English.

The applicants will be selected to participate in the current procedure on the basis of the following selection criteria:

1. economic and financial capacity to perform the contract,
2. experience of providing consultancy services of similar nature,
3. organisational structure,
4. staff and profiles with relevant capability to provide the services.

III.3) **Conditions specific to services contracts**

III.3.1) **Is provision of the service reserved to a specific profession?**

No.

III.3.2) **Will legal entities be required to state the names and professional qualifications of the personnel responsible for execution of the contract?**

Yes.

Section IV: Procedure

IV.1) **Type of procedure:**

Negotiated.

IV.1.1) **Have candidates already been selected?**

No.

IV.1.2) **Justification for the choice of accelerated procedure**

IV.1.3) **Previous publication concerning the same contract**

IV.1.3.1) **Prior information notice concerning the same contract**

IV.1.3.2) **Other previous publications**

IV.1.4) **Envisaged number of suppliers which will be invited to tender:**

Minimum 3, maximum 6.

IV.2) **Award criteria:**

The most economically advantageous tender in terms of criteria as stated in contract documents.

IV.3) **Administrative information**

IV.3.1) **Reference number attributed to the file by the contracting authority**

IV.3.2) **Conditions for obtaining contract document and additional documents**

IV.3.3) **Time-limit for receipt of tenders or requests to participate:**

19.11.2004.

IV.3.4) **Dispatch of invitations to tender to selected candidates:**

Estimated date: 17.12.2004.

IV.3.5) **Language or languages in which tenders or requests to participate can be drawn up:**

English.

IV.3.6) **Minimum time frame during which the tenderer must maintain its tender:**

9 months from the deadline stated for receipt of tenders.

IV.3.7) **Conditions for opening tenders**

IV.3.7.1) **Persons authorised to be present at the opening of tenders:**

Authorised staff of the ECB only.

IV.3.7.2) **Date, time and place:**

Date: 26.1.2005. Time: 12.00 (noon).

Place: at ECB premises.

Section VI: Other information

VI.1) **Is this notice a non-mandatory one?**

No.

VI.2) **If applicable, indicate whether this procurement is a recurrent one and the estimated timing for further notices to be published**

VI.3) **Does the contract relate to a project/programme financed by EU funds?**

No.

VI.4) **Additional information**

VI.5) **Date of dispatch of this notice:**

15.10.2004.

Annex B: Information about lots

Lot No 1

1) **Nomenclature**

1.1) **Common Procurement Vocabulary (CPV):**

72200000, 72320000, 72520000.

1.2) **Other relevant nomenclature (CPA/NACE/CPC)**

2) **Short description:**

IT support and delivery services in the areas of service desk, system support, application support, including tasks such as but not limited to:

- day-to-day operation of call-handling, recording/tracking/attempt resolving /escalating incidents and problems;
- technical support, maintenance and integration of desktop and server hardware, operating systems and associated software tools, data storage/backup management, printing services;
- technical support, maintenance and integration of software applications (including financial applications) and tools.

3) **Scope or quantity:**

The indicative volume of the market for this lot is estimated at 27 persons/year within 3 months after the signature of the contract and up to 45 persons/year throughout the duration of the contract. This information is given without any engagement for the ECB.

4) **Indication about different starting/delivery date**

Lot No 2

1) **Nomenclature**

1.1) **Common Procurement Vocabulary (CPV):**

72500000, 72315000, 64214000, 64224000.

1.2) **Other relevant nomenclature (CPA/NACE/CPC)**

2) **Short description:**

IT infrastructure and communication technology, including tasks such as, but not limited to:

- technical support, maintenance and integration of data and voice networks.

3) **Scope or quantity:**

The indicative volume of the market for this lot is estimated at 19 persons/year within 3 months after the signature of the contract and up to 25 persons/year throughout the duration of the contract. This information is given without any engagement for the ECB.

4) **Indication about different starting/delivery date**