

**ECB - negotiated tender for the provision of independent assessment services for the new ECB premises (NEP)
(D-Frankfurt-on-Main)**

2006/S 76-079380

Contract notice

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, attn: Mr Alberto Molon, Kaiserstraße 29, D-60311 Frankfurt-on-Main. Tel. (49-69) 13 44 87 80. Fax (49-69) 13 44 75 03. 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.
- I.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**
- 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 independent assessment services for the new ECB premises (NEP).
- II.1.6) **Description/object of the contract:**
The ECB is planning to construct the NEP on its site of the Frankfurt Großmarkthalle, Germany. The site is located directly at the river Main in the eastern part of Frankfurt. The Großmarkthalle building is under preservation order. Its 14 000 sqm ground floor was used as a wholesale market hall; the basement of same size was used as storage. The ECB plans to build a new office building on this site and to renovate the Großmarkthalle to accommodate further functions. A worldwide urban planning and architectural design competition has been conducted for this purpose, which resulted in the architects COOP HIMMELB(L)AU, Vienna/Austria, winning the first price for their design. The project is currently in the planning phase.
The European Central Bank (ECB) wishes to establish a framework contract for the provision of independent

assessment services in relation to the planning and construction of the NEP (to be provided in the years 2006 to 2011).

II.1.7) Site or location of works, place of delivery or performance:

Place of delivery is Frankfurt am Main, Germany.
NUTS code: DE 712.

II.1.8) Nomenclature

II.1.8.1) Common Procurement Vocabulary (CPV):

74121200.

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

II.1.9) Division into lots:

No.

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 provide in separate assignments for an independent opinion on the reports/deliverables prepared by the ECB's NEP project office (NEP-PO) for the decision-making bodies of the ECB for the following aspects:

- accuracy and completeness of information (plans, costs, specifications),
- soundness of approach, methodology and procedures,
- appropriateness of proposed solutions to meet the ECB's goals (using benchmarking as appropriate),
- compliance with relevant regulations,
- risks and opportunities for efficiencies.

The 4 separate assignments are listed below with tentative dates of completion:

No; date; object(s);

- 1; November 2006; outcome of the preliminary planning report including the project costs;
- 2; September 2007; outcome of the detailed planning report including the project costs;
- 3; December 2007; finalisation of general contractor invitation to tender notice/procurement strategy;
- 4; 2011; acceptance and handover of NEP (staggered).

The resulting framework contract will provide for possible further 'ad hoc' assessments.

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

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

Starting 14.8.2006 and ending 31.12.2011 with possibility of renewal.

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 shortlisted 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 shortlisted candidates.

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

As stated in the tendering documents which will be sent to the shortlisted candidates.

III.2) Conditions for participation

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 comply with the instructions given and failure to send sufficient information about any of the points mentioned below (and requested in the standard questionnaire) will result in their application being rejected.

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 commit misrepresentation in supplying the information required by the contracting authority.

Specifically, bidders will be required to declare whether they are in 1 or more of the situations listed above by providing a statement signed by the person(s) empowered to represent the applicant party and sign the contract if their offer is successful.

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. copies of the bidding company's audited accounts and balance sheets for the past 3 financial years or equivalent certified documentation demonstrating the financial position of the bidding company;
3. statement of the bidding company's overall turnover and a statement of turnover for the last 3 financial years for the type of service involved in this contract;
4. when intending to rely on the capacities of a parent company, a written undertaking on the part of the parent company confirming that they will place the resources necessary for performance of the contract at his disposal.

III.2.1.3) Absence of conflicts of interest:

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

1. they or their staff, their associates, subsidiaries and/or affiliated companies have any relationship with any other person/body involved in the ECB's NEP project;
2. they or their staff, their associates, subsidiaries and/or affiliated companies are currently contracted by the ECB for any other service related to the NEP project.

Specifically bidders will be required to declare whether they are in 1 or more of the situations listed above by providing a statement signed by the person(s) empowered to represent the applicant party and sign the contract if their offer is successful.

In addition, the services requested via this notice and the statutory audit of the ECB (Art.27.1 of the Statute of the ESCB) cannot be performed by the same legal entity.

III.2.1.4) Company profile and ability to deliver services:

Applicants will be assessed on their delivery and professional capacity as well as their experience to perform services of similar nature and will be asked to present the following documentation:

1. address, telephone number and fax number, as well as the name of the person responsible for the application of the applicant company. Copies of original documents proving the legal status, place of registration and/or registered office and, if different, the main place of business of the applicant company;
2. declaration of necessary qualifications to enable the bidder to carry out the services including a knowledge of the applicable German building law and local regulations (e.g. BauGB, HBO, fire protection, etc.) as well as of European regulations and technical norms for construction projects;
3. declaration of in-house advanced German and English, oral and writing skills;
4. company profile including the range of expertise, major clients, and type of services and number of years over which the services have been provided;
5. the total number of consultants employed, specifying whether they are directly employed staff, freelance or subcontracted, and details of their organisation by function or team, and the number of consultants specialising in the areas of expertise necessary to deliver the required services;
6. description of the company's industry data benchmarking database;
7. full description of at least 2 similar and representative projects (maximum 3) within the last 5 years with:
 - a. project information: description of the scope of services provided and the deliverables of each engagement, inter alia, size (net area in square meters), and percentage of net area as office space, building height, the key milestones and overall programme dates. For each described project, 1 contact person should be nominated at the customer's company. It is expected that the examples should include a tower building and a refurbishment of a listed building.

The contained functions should be predominantly offices;

- b. technical information: indication of the new built and existing building components;
- c. at least 3 anonymous examples of findings from similar reports should be provided.

The applicants will be selected to participate in the current procedure on the basis of the following selection criteria (these criteria are not in any particular order):

- demonstrated ability to work with large corporate clients and institutions,
- extent to which the bidder demonstrates ability to delivering services according to German laws and regulations,
- quality of the company's industry data benchmarking database,

- comparability of the submitted project information with reference to the NEP project,
- previous experience of the company.

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:

Accelerated negotiated.

IV.1.1) Have candidates already been selected?

No.

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

Urgency: commencement of delivery of services is required on 14.8.2006.

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:

2.5.2006.

Time: 12:00 CET.

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

Estimated date: 24.5.2006.

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 from the ECB only.

IV.3.7.2) Date, time and place for opening of tenders:

Date: 19.6.2006.

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:**

7.4.2006.