

**E-Barcelona: recreational, cultural and sporting services**  
**2010/S 45-066613**

**CONTRACT NOTICE**

**Services**

**SECTION I: CONTRACTING AUTHORITY**

**I.1) NAME, ADDRESSES AND CONTACT POINT(S):**

The European Joint Undertaking for ITER and the Development of Fusion Energy (Fusion For Energy), C. Josep Pla, nº 2, Torres Diagonal Litoral, Building B3, Contact: Romina Bemelmans, 08019 Barcelona, SPAIN. Tel. +34 933201800. E-mail: [tenders-adm@f4e.europa.eu](mailto:tenders-adm@f4e.europa.eu). Fax +34 934897535.

**Internet address(es):**

General address of the contracting authority: <http://fusionforenergy.europa.eu>.

**Further information can be obtained at:** As in above-mentioned contact point(s).

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained at:** As in above-mentioned contact point(s).

**Tenders or requests to participate must be sent to:** As in above-mentioned contact point(s).

**I.2) TYPE OF THE CONTRACTING AUTHORITY AND MAIN ACTIVITY OR ACTIVITIES:**

Other: Joint Undertaking within the meaning of Articles 45-51 of the Euratom Treaty.

Other: Fusion For Energy.

The contracting authority is purchasing on behalf of other contracting authorities: no.

**SECTION II: OBJECT OF THE CONTRACT**

**II.1) DESCRIPTION**

**II.1.1) Title attributed to the contract by the contracting authority:**

Provision of media monitoring and media analysis services to Fusion For Energy.

**II.1.2) Type of contract and location of works, place of delivery or of performance:**

Services.

Service category: No 26.

Main place of performance: Barcelona, Spain.

NUTS code: ES.

**II.1.3) The notice involves:**

The establishment of a framework agreement.

**II.1.4) Information on framework agreement:**

Framework agreement with a single operator.

Duration of the framework agreement: Duration in months: 48.

Estimated total value of purchases for the entire duration of the framework agreement:

Estimated value excluding VAT:

Range: between 100 000 and 600 000 EUR.

**II.1.5) Short description of the contract or purchase(s):**

Fusion For Energy wishes to conclude a Framework Service Contract with a single operator for the provision of media monitoring and media analysis services. A Framework service contract will be concluded for a period

of 12 months, renewable up to three times for 12 months, for an overall maximum duration of 48 consecutive months. The maximum expenditure within this framework service contract over the 4 years' period is estimated to be 600 000 EUR with an estimation of minimum 100 000 EUR for one year, covering all costs including royalties & license fees, VAT excluded.

II.1.6) **Common procurement vocabulary (CPV):**

92000000, 92400000.

II.1.7) **Contract covered by the Government Procurement Agreement (GPA):**

No.

II.1.8) **Division into lots:**

No.

II.1.9) **Variants will be accepted:**

No.

II.2) **QUANTITY OR SCOPE OF THE CONTRACT**

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

II.2.2) **Options:**

No.

II.3) **DURATION OF THE CONTRACT OR TIME-LIMIT FOR COMPLETION:**

Duration in months: 48 (from the award of the contract).

**SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION**

III.1) **CONDITIONS RELATING TO THE CONTRACT**

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

III.1.2) **Main financing conditions and payment arrangements and/or reference to the relevant provisions regulating them:**

As stated in the tender specification and draft Framework Service Contract.

III.1.3) **Legal form to be taken by the group of economic operators to whom the contract is to be awarded:**

As stated in the draft Framework Service Contract.

III.1.4) **Other particular conditions to which the performance of the contract is subject:**

No.

III.2) **CONDITIONS FOR PARTICIPATION**

III.2.1) **Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers:**

Information and formalities necessary for evaluating if requirements are met: Tenderers shall provide a declaration on their honour, duly signed and dated, stating that they are not in any of the situations listed below, failing which they shall be excluded from participation:

— they are bankrupt or being wound up, are having their affairs administrated 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,

— they have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata,

— they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify,

— 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 or those of the country where the contract is to be performed, they have been subject to a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the contracting authority or the Communities' financial interests,

— they are currently subject to an administrative penalty imposed by the Community institutions as referred to in the Financial Regulation applicable to the budget of the European communities,

— they have been the subject to a conflict of interest,

— are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply this information.

The tenderer to whom the contract is awarded shall be requested to provide, within a time limit defined by Fusion For Energy and preceding the signature of the contract, the evidence confirming the declaration on honour referred to above.

Fusion for Energy will accept as satisfactory evidence that the tenderer to whom the contract is to be awarded is not in any of the situations described above, a recent extract from the judicial record or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied.

Fusion for Energy will accept, as satisfactory evidence that the tenderer has fulfilled his obligations relating to the payment of social security contributions and the payment of taxes, a recent certificate issued by the competent authority of the State concerned.

The tenderer must also:

— provide information on the ownership or on the management, control and power of representation of the legal entity, when the tenderer is a legal entity,

— certify that the subcontractor is not in one of the situations referred to above when subcontracting is envisaged.

In the case of subcontracting, a declaration on their honour, duly signed and dated, must also be submitted by each subcontractor stating that they are not in any of the situations listed above.

The tenderer must be established as a recognised legal entity and be enrolled in a relevant professional or trade register.

Evidence:

— a certificate of professional or commercial registration imposed by the country in which the tenderer is established; specifically for practicing activities relevant to the scope of this Tender.

In the case of a consortium of service providers or in the case of subcontracting, the evidence should be provided for all consortium partners or the contractor and all proposed subcontractors.

Please also consult the tender specifications.

### III.2.2) **Economic and financial capacity:**

Information and formalities necessary for evaluating if requirements are met: The Tenderer must prove its financial and economic capacity to implement the contract resulting from this tendering procedure by submitting one or more of the following documents:

— annual accounts, balance sheets or extracts (where publication of the balance sheet is required under company law in the country of establishment) for the previous 3 financial years,

— statement of the undertaking's overall turnover and its turnover in respect of the services to which this tender relates for the previous 3 financial years.

If, for any valid reason, the tenderer is unable to provide the references requested by the contracting authority, he may prove his economic and financial standing by any other document which the contracting authority considers appropriate.

In the event of a consortium submitting an offer or in the case of subcontracting, balance sheets (for the previous three financial years) of all proposed subcontractors or all individual consortium members should be included in the offer.

Minimum level(s) of standards possibly required: The tenderer is required to demonstrate using the above-mentioned documents that they have a minimum annual turnover corresponding to at least 3 times the annual contract value.

The tenderer, or the consortium of service providers, or the tenderer together with the proposed subcontractors will demonstrate a minimum annual turnover corresponding to at least three times the annual contract value.

### III.2.3) **Technical capacity:**

Information and formalities necessary for evaluating if requirements are met:

The Tenderer must provide evidence of enrolment (declaration or certificates) in the professional or commercial/trade registration imposed by the country in which the tenderer is established; specifically for practicing activities relevant to the scope of this Tender. The principal activity of the tenderer must be devoted to the services defined in Part 2 of the Tender Specifications.

Moreover, the Tenderer must have the following professional and technical capacity to perform the contract:

- Relevant expertise of the Tenderer, including subcontractors if any, in the last 3 years, in carrying out the different components of this tender: media monitoring services and media analysis services,
- Ability to monitor media in the EU Member States including Switzerland, demonstrating a well proportioned EU geographical spread,
- Technical infrastructure needed to undertake Europe-wide media monitoring and analysis,
- Report in paper format or web-based service to display, aggregate and analyse news clippings,
- Organisational capacity in order to guarantee full service, despite illness within the staff team. In the event staff proposed would no longer be available for the assignment at the time of contract implementation then the Tenderer should demonstrate replacement staff of equivalent qualifications and experience,
- Ability to perform the requested services in English.

Evidence of this capacity must be provided by:

- Company brochures/fact sheets detailing the range of services the Tenderer offers and the staff structure by sector over the last 3 years,
- Company brochures/fact sheets detailing the Tenderer's Europe-wide network over the last 3 years,
- A list of public authorities and private companies to which the tenderer has supplied media monitoring and media analysis services in various EU languages during the past three years, specifying the duration, type and amount of the concluded contracts and including a contact person relevant to those contracts,
- The educational and professional background of the supervisory and other staff proposed by the Tenderer (minimum 3 years of relevant experience) and the proposed team,
- An indication of the language abilities of the Tenderer's team (English is the working language of Fusion For Energy and Tenderers' entire team must have perfect command of English),
- A description on how the Tenderer will guarantee the continuity of the service especially in case of illness or other cases where proposed staff cannot fulfil the tasks described under Part 2 of the Tender Specifications.

### III.2.4) **Reserved contracts:**

No.

## III.3) **CONDITIONS SPECIFIC TO SERVICES CONTRACTS**

### III.3.1) **Execution of the service is reserved to a particular profession:**

No.

III.3.2) **Legal entities should indicate the names and professional qualifications of the staff responsible for the execution of the service:**

Yes.

#### **SECTION IV: PROCEDURE**

IV.1) **TYPE OF PROCEDURE**

IV.1.1) **Type of procedure:**

Open.

IV.1.2) **Limitations on the number of operators who will be invited to tender or to participate:**

IV.1.3) **Reduction of the number of operators during the negotiation or dialogue:**

IV.2) **AWARD CRITERIA**

IV.2.1) **Award criteria:**

The most economically advantageous tender in terms of the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document.

IV.2.2) **An electronic auction will be used:**

No.

IV.3) **ADMINISTRATIVE INFORMATION**

IV.3.1) **File reference number attributed by the contracting authority:**

F4E-2010-ADM/IC-02.

IV.3.2) **Previous publication(s) concerning the same contract:**

No.

IV.3.3) **Conditions for obtaining specifications and additional documents or descriptive document:**

Time limit for receipt of requests for documents or for accessing documents: 3.5.2010 - 17:00.

Payable documents: no.

IV.3.4) **Time-limit for receipt of tenders or requests to participate:**

3.5.2010 - 17:00.

IV.3.5) **Date of dispatch of invitations to tender or to participate to selected candidates:**

IV.3.6) **Language(s) in which tenders or requests to participate may be drawn up:**

Spanish. Czech. Danish. German. Estonian. Greek. English. French. Italian. Latvian. Lithuanian. Hungarian. Maltese. Dutch. Polish. Portuguese. Slovak. Slovenian. Finnish. Swedish.

Other: Fusion For Energy prefers to receive documents in English.

IV.3.7) **Minimum time frame during which the tenderer must maintain the tender:**

Duration in days: 130 (from the date stated for receipt of tender).

IV.3.8) **Conditions for opening tenders:**

Date: 11.5.2010 - 10:00.

Place: At the premises of Fusion For Energy.

Persons authorised to be present at the opening of tenders: yes.

Maximum one representative per tenderer may attend the opening session. For further information, please consult the invitation letter and Fusion for Energy webpage: [http://fusionforenergy.europa.eu/Procurement\\_administrative.htm#open](http://fusionforenergy.europa.eu/Procurement_administrative.htm#open).

#### **SECTION VI: COMPLEMENTARY INFORMATION**

VI.1) **THIS IS A RECURRENT PROCUREMENT:**

Yes.

Estimated timing for further notices to be published: Estimated timing for further notices to be published:  
Procurement renewal likely to follow 4-year cycle.

VI.2) **CONTRACT RELATED TO A PROJECT AND/OR PROGRAMME FINANCED BY EU FUNDS:**

No.

VI.3) **ADDITIONAL INFORMATION:**

For detailed information concerning this procedure, please refer to the web page.

[http://www.fusionforenergy.europa.eu/Procurement\\_administrative.htm](http://www.fusionforenergy.europa.eu/Procurement_administrative.htm).

In particular, your attention is drawn to the following -.

For information concerning contacts or questions: requests for clarifications raised by any tenderer and any other relevant information will be provided in the specific web page mentioned above; available to any other tenderer.

For information concerning the opening and evaluation: please consult the tender specifications and tender invitation letter.

Fusion for Energy is not subject to Directive 2004/17/EC and Directive 2004/18/EC.

VI.4) **PROCEDURES FOR APPEAL**

VI.4.1) **Body responsible for appeal procedures:**

The Court of Justice of the European Union, Rue du Fort Niedergrunewald, 2925 Luxembourg, LUXEMBOURG. E-mail: [CFI.Registry@curia.europa.eu](mailto:CFI.Registry@curia.europa.eu). Tel. +352 4303-1. URL: <http://curia.europa.eu>. Fax +352 4303260.

VI.4.2) **Lodging of appeals:**

Precise information on deadline(s) for lodging appeals: Within 2 months of notification to the plaintiff or, in the absence thereof, of the day on which it became known.

VI.4.3) **Service from which information about the lodging of appeals may be obtained:**

VI.5) **DATE OF DISPATCH OF THIS NOTICE:**

1.3.2010.