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D-Frankfurt-on-Main: ECB - Provision of personnel placement and supply services relating to IT Operational and support activities

2010/S 139-212894

Contract notice

Section I: Contracting authority

I.1) Name, addresses and contact point(s):

European Central Bank, attention: Alessandro Sussex, Kaiserstraße 29, 60311Frankfurt-on-Main, GERMANY.
Tel. +49 691344-0. Fax +49 691344-7110. E-mail: procurement@ecb.europa.eu

Internet address(es):

General address of the contracting authority: <http://www.ecb.int>

Further information can be obtained at:

As in abovementioned contact point(s).

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained at:

As in abovementioned contact point(s).

Tenders or requests to participate must be sent to:

As in abovementioned contact point(s).

I.2) Type of the contracting authority and main activity or activities:

European institution/agency or international organisation.

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 personnel placement and supply services relating to IT operational and support activities.

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

Services.

Service category: No 7.

Main place of performance: ECB, Frankfurt-on-Main, GERMANY.

NUTS code: DE712.

II.1.3) The notice involves

II.1.4) Information on framework agreement:

Framework agreement with several operators.

Number: 3 per lot (where available).

It is foreseen that individual contracts will be assigned according to a cascade mechanism (see section II.1.5).

Duration of the framework agreement: duration in year(s): 4.

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

Estimated value excluding VAT: 40 000 000 EUR (lot 1: 25 000 000 EUR and lot 2: 15 000 000 EUR).

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

The European Central Bank (ECB) is seeking, through this tender, suppliers (hereinafter the 'tenderers') for the provision of personnel placement and supply services relating to IT operational and support activities within the Information Systems Directorate-General.

This tender is divided in 2 lots, organised as follows:

Lot 1: operations and support for IT systems and applications:

this lot covers mainly the provision of staff who will conduct systems and applications operations and support relating to IT services, systems and infrastructure components. The selected staff shall carry out tasks such as, but not limited to:

- day-to-day IT service desk and data centre operations tasks including call-handling, recording/tracking/attempt resolving/escalating incidents and problems,
- day-to-day IT systems engineering support, maintenance and integration,
- day-to-day IT data and storage engineering support, maintenance and integration tasks, day-to-day IT service management processes practices.

For further description of the services requested for lot 1, see 'Information about lots'.

Lot 2: operations and support for IT communications, security and architecture:

this lot covers mainly the provision of staff who will conduct the IT communications operations and support relating to IT services, systems and infrastructure components in the areas of data centre and data and storage as well as the in the operational security and architecture. The selected staff shall carry out tasks such as, but not limited to:

- day-to-day data centre operations tasks including resolving/escalating incidents and problems,
- day-to-day IT communications engineering support, maintenance and integration tasks,
- day-to-day tasks related to information security management and architecture operations, support, maintenance and integration tasks associated with IT services, systems and infrastructure components.

For further description of the services requested for lot 2, see 'Information about lots'.

It is important that candidates are aware that the ECB shall request the successful candidates to maintain a coverage assistance personnel (CAP) structure. The aim of the CAP is to mitigate the risks of disruption to the services delivered to the ECB following planned (or unplanned) absences of staff provided. Further details shall be described in the invitation to tender (ITT).

The ECB intends to award 3 framework agreements (the 'agreements') per lot to the first 3 best ranking tenderers offering the best value for money provided that there are 3 suitable suppliers. Individual contracts will be awarded following a cascade mechanism (e.g. the first ranked bidder per lot will be requested to fulfil the specific request of the ECB). Should the request not be fulfilled within a given time-line, the ECB shall request the second ranked bidder etc. Further information shall be provided in the ITT.

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

79610000, 72222300, 72253000, 72253100, 72253200, 72254000, 72254100, 72220000, 72510000, 72254000, 72254100, 72315000, 72317000, 72318000.

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

Yes.

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

Yes.

Tenders should be submitted for: 1 or more lots.

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

No.

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

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

Estimated value excluding VAT: 40 000 000 EUR.

II.2.2) **Options:**

Yes.

Description of those options:

In addition to the supply of staff, the successful tenderers must be capable and willing to provide service and deliverables related to support and operational activities on a fixed-price basis or time-material basis. The ECB may request such services and deliverables on a case-by-case basis.

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

Duration in months: 48.

Information about lots

Lot No 1

Title: Lot 1 — operations and support for IT systems and applications

1) **Short description:**

Lot 1 — operations and support for IT systems and applications [.....].

2) **Common procurement vocabulary (CPV):**

79610000, 72222300, 72253000, 72253100, 72253200, 72254000, 72254100, 72220000, 72510000, 72254000, 72254100, 72315000, 72317000, 72318000.

3) **Quantity or scope:**

Estimated cost excluding VAT: 25 000 000 EUR.

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots:**

Further information as well as description of profiles are annexed to the application form which is available upon signature and submission of the confidentiality declaration as indicated in Section IV.3.3

Lot No 2

Title: Lot 2 — operations and support for IT communications, security and architecture

1) **Short description:**

Lot 2 — operations and support for IT communications, security and architecture.

2) **Common procurement vocabulary (CPV):**

79610000, 72222300, 72253000, 72253100, 72253200, 72254000, 72254100, 72220000, 72510000, 72254000, 72254100, 72315000, 72317000, 72318000.

3) **Quantity or scope:**

Estimated cost excluding VAT: 15 000 000 EUR.

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots:**

Further information as well as description of profiles are annexed to the application form which is available upon signature and submission of the confidentiality declaration as indicated in Section IV.3.3

Section III: Legal, economic, financial and technical information

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

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

No deposit is required, but where applicable, the successful tenderer (or in the case of a successful consortium bid, each member of the consortium) may be required to provide a parent-company guarantee.

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

Method of payment will be in accordance with the terms and conditions of the contract.

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

The establishment of a temporary grouping of companies is allowed. In the application, all the members of the temporary grouping must declare in writing that:

- (i) in case of an order they will provide all services as a temporary grouping; and
- (ii) all the members will have joint and several liability for the performance of the contract;
- (iii) a single legal entity shall represent the whole grouping.

The parts of the supplies and/or services that will be performed by the individual companies shall be specified.

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

Yes.

Description of particular conditions:

tenderers need a permit to supply temporary labour to the ECB in accordance with the German Act on the supply of temporary labour (Arbeitnehmerüberlassungsgesetz) and must comply with the provisions laid down in this Act.

Further information on the AÜG can be obtained under http://www.arbeitsagentur.de/nn_27716/Navigation/zentral/Unternehmen/Recht/Arbeitnehmerueberlassung/Arbeitnehmerueberlassung-Nav.html

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:

Candidates wishing to participate must provide information (including that indicated below) by requesting in writing, and completing, the ECB's application form from the address in I.1 above. The completed application form must be returned in paper copy format by the date indicated in IV.3.4 below. All requested information must be returned in hard copy format by the date indicated in IV.3.4 below.

Candidates must provide the following documents:

- official certificate proving that they have paid their social security contributions,
- official certificate proving that they have paid their taxes,
- extract from the judicial record (or equivalent document issued by a competent judicial or administrative authority) proving that the candidate is not in one of the situations described in the application form.

Details of the selection criteria are included in the application form, which forms an integral part of the tender documentation.

III.2.2) Economic and financial capacity:

Information and formalities necessary for evaluating if requirements are met:

candidates must provide the information and documents specified in the application form, in particular:

- credit reform number (if available),
- balance sheets or extracts from balance sheets for at least the last 3 financial years for which accounts have been closed, or equivalent documentation if the company law of the country where your company is established does not require you to publish the balance sheet,
- statement of the annual overall turnover during the last 3 years,

— statement of the annual turnover concerning the services or supplies to be covered by the contract, during the last 3 financial years,

— evidence of the professional risk indemnity insurance and/or third party/civil liability insurance.

Minimum level(s) of standards possibly required:

Minimum annual turnover of 25 000 000 EUR (per lot 1) or 15 000 000 EUR (per lot 2). In the case of a temporary grouping, one of the members shall have achieved on its own 60 % of the above amount.

III.2.3) Technical capacity:

Information and formalities necessary for evaluating if requirements are met:

candidates must provide the information and documents specified in the application form and in particular:

- a. the human resources that the candidate intends to use to perform the contract;
- b. the candidate's professional experience during the last 5 years in providing services similar to those covered by this tender.

Minimum level(s) of standards possibly required:

— candidates must have a permit to supply temporary labour accordance with the German Act on the supply of temporary labour (Arbeitnehmerüberlassungsgesetz),

— the candidate shall provide 3 reference projects/contracts per lot for the provision of staff and 1 reference projects/contracts per lot relating to service-based contracts (see section II.2.2 Options) in the field of the help desk activities similar to those requested in this tender.

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 persons should indicate the names and professional qualifications of the staff responsible for the execution of the service:

No.

Section IV: Procedure

IV.1) Type of procedure

IV.1.1) Type of procedure:

Negotiated.

Candidates have already been selected: no.

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

Envisaged number of operators: maximum number: 6 per each lot.

Objective criteria for choosing the limited number of candidates:

(a) the candidate's general capacity to provide the requested services in terms of human resources (weighting of this criterion: 60 %) in particular:

- quality-assurance programs,
- the portfolio of staff profiles (in particular with regards to the needs of the ECB — see 'Information about lots', and more in detail the application form and relevant annexes to be provided upon request),
- qualifications of staff members in general, and
- the procedures to ensure that the candidate is able at all times to access a sufficient number of profiles required to the ECB,
- staff development programmes;

(b) the candidate's general experience and expertise (as listed in the contract notice in Section III.2.3), assessed on the basis of the candidate's past experience and its reference contracts which are comparable in terms of size and complexity to the services requested with this tender procedure (weighting of this criterion: 40 %).

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

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated: yes.

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.

1. Quality of the provision of services. Weighting: 40 %.
2. Approach towards initial implementation of framework (i.e. changeover procedures). Weighting: 10 %.
3. Acceptance of contractual terms. Weighting: 10 %.
4. Price. Weighting: 40 %.

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:**

11618/IS/OPS/2009 provision of personnel placement and supply services relating to IT operational and support activities

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

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

In order to get access to the application form, interested suppliers must first sign a confidentiality declaration with the ECB. Such declaration can be directly downloaded from the following URL address: http://www.ecb.europa.eu/ecb/jobsproc/archive/html/tenderdoc_it_personell.en.html

Once the ECB receives the signed confidentiality declaration from interested applicants, the full application form will be submitted to them by e-mail. Instructions about how to deal with such confidentiality declaration are included in the document itself to be found under the aforementioned URL. The time limit for interested companies to submit to the ECB the signed confidentiality declaration is set for 12.8.2010.

Time limit for receipt of requests for documents or for accessing documents: 12.8.2010 (12:00).

Payable documents: no.

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

18.8.2010 (12:00).

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

English.

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

Duration in months: 9 (from the date stated for receipt of tender).

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

Place: tenders shall be opened shortly after the deadline for receipt of tenders has expired, at the address in I.1.

Persons authorised to be present at the opening of tenders: no.

Members of staff of the ECB only.

Section VI: Complementary information

VI.1) **This is a recurrent procurement:**

No.

VI.2) **Contract related to a project and/or programme financed by EU funds:**

No.

VI.3) **Additional information:**

The contract is intended for 4 years.

The contract shall be governed by and interpreted under German civil law.

The deadline for questions or requests for clarification relating to the tender from candidates shall be 6.8.2010.

The tender procedure shall be governed by Decision ECB/2007/5 of 3.7.2007 laying down the Rules on Procurement (OJ L 184, 14.7.2007, p. 34 as amended by Decision ECB/2009/2 amending Decision ECB/2007/5 laying down the Rules on Procurement, OJ L 51, 24.2.2009, p. 10, both published on <http://www.ecb.europa.eu/ecb/proc/tenders/html/index.en.html>) and the rules laid down in the call for applications which the candidates will receive upon request.

VI.4) **Procedures for appeal**

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

Procurement Review Body of the European Central Bank, c/o Legal Advice Team, Kaiserstraße 29, 60311 Frankfurt-on-Main, GERMANY. Tel. +49 691344-0 (central switchboard). Fax +49 691344-6886 (central fax number). E-mail: LegalAdviceTeam@ecb.europa.eu Internet: <http://www.ecb.int>

Body responsible for mediation procedures:

The European Ombudsman, 1 avenue du Président Robert Schuman, CS 30403, 67001 Strasbourg Cedex, FRANCE.

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

Precise information on deadline(s) for lodging appeals:

15 days from the receipt of the information specified in Article 28(3) of the ECB procurement rules (see section VI.3) or, if no information is requested, 15 days from the receipt of the notification to unsuccessful tenderers.

Further requirements are outlined in Article 33 of the ECB procurement rules (see section VI.3).

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

9.7.2010.