

**ECB - Framework Agreement for the provision of consultancy
services for the project Target 2 Securities (D-Frankfurt-on-Main)**

2008/S 163-219472

Contract notice

Section I: Contracting authority

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

European Central Bank, attn: Ms Fadila Ben Meradi, Kaiserstraße 29, D-60311 Frankfurt-on-Main. Fax (49-69) 13 44 71 10. E-mail: procurement@ecb.europa.eu.

Internet address(es):

General address of the contracting authority (URL): www.ecb.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:

European institution/agency or international organisation.

Section II: Object of the contract

II.1) Description

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

Framework agreement for the provision of consultancy services for the project Target 2 Securities.

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

Services.

Service category: No 22.

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

NUTS code DE712.

II.1.3) The notice involves:

The establishment of a framework agreement.

II.1.4) Information on framework agreement:

Framework agreement with several operators.

Maximum number of participants to the framework agreement envisaged: 20.

Duration of the framework agreement: duration in month(s): 48.

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

This tender procedure is governed by the ECB decision of 3.7.2007 (the 'Decision') laying down the rules on procurement (<http://www.ecb.int/ecb/proc/tenders/html/index.en.html>).

In anticipation of future activities related to the Target2-Securities (T2S) project, the European Central Bank ('ECB') is looking for establishing a list of companies for the provision of external expertise to support this

project, which is expected to end in 2013. The selected companies and their representatives will contribute to the successful delivery of the Target2-Securities system to the market.

The open tender procedure covers the provision of services for 3 lots as described further in this contract notice. Currently, the user requirements phase has been completed and the launch of the project has been approved on 17.7.008 by the Governing Council. This project will comprise a specification phase, a development phase, a testing and migration phase before going to operation in 2013.

The proposed consultants will be involved in various project activities in relation to their respective areas of business, as well as in the project monitoring, controlling and in technical implementation. Their assignments shall support the successful delivery of the Target2-Securities system to the market. The range of expertise that is required encompasses securities market knowledge (in particular on post-trading aspects), technical expertise and economic analyses in order to fulfil assignments that will be described specifically ultimately. The assignments shall be carried out in English.

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

72221000, 72224000, 72220000.

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**

II.2.2) **Options:**

No.

Number of possible renewals: 1.

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

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

Information about lots

Lot No 1

Title: Business and functional consultancy services to be provided by central securities depositories (CSDs), central counterparties (CCPs), financial institutions active in the field of custody and securities settlement services and companies specialised in the provision of such consultancy services

1) **Short description:**

The expected service is to bring business insight to the ECB in order to contribute to project activities with a broad expertise on the functioning of securities settlement, possibly with diverse market participants and in various countries.

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

72221000.

Lot No 2

Title: Provision of technical consultancy services for the implementation of selected policies and requirements

1) **Short description:**

The expected service is to bring technical expertise on the functioning of securities settlement with market participants and in various countries.

- 2) **Common procurement vocabulary (CPV):**
72220000, 72221000, 72224000.

Lot No 3

Title: Provision of high-level advice, support and promotion of the project with key market players

- 1) **Short description:**
The successful bidders are expected to provide high-level advice, support and promotion of the project with key market players on a number of selected topics.

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**

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 a pre-qualification questionnaire from the address in I.1 above. The completed pre-qualification questionnaire must be returned in paper copy together with the response to the invitation to tender by the date indicated in IV.3.4 below.

(a) Full company name, business address and registered address (if different) and registration number.

(b) All requested information must be returned in paper copy by the date indicated in IV.3.4 below.

Candidates eligible for participation are:

- 1) either those corresponding to the definition of a central securities depository defined as: 'An entity which holds and administers securities and enables securities transactions to be processed by book entry. Securities can be held in a physical but immobilised or dematerialised form (i.e. such that they exist only as electronic records). In addition to safekeeping and administration of securities, a CSD may incorporate clearing and settlement functions'. Furthermore, eligible CSDs are those nominated by their national authorities under the Settlement Finality Directive;

2) or in the field of custody and securities settlement services performed as financial institutions (like custodian banks). In order to qualify in this category, the candidate must fulfil 1 or several criteria:

- be a bank with significant business volume in securities and in custody,
- be a recognised international global custodian,
- be a stock exchange or a multilateral trading platform routing pre-matched trades or settlement instruction to CSDs on behalf of trading participants,
- be a securities processing outsourcer that process securities transactions on behalf of other financial institutions,
- be central counterparts (CCPs);
- be an association of above T2S actors;

3) or in the field of provision of consultancy services (business, functional and/or technical consultancy) to CSDs, CCPs, fulfilling 1 of the following criteria:

- at least 60 % of business activities with consultancy services to CSDs, CCPs and other companies specialised in settlement,
- and/or contracts with CSDs and CCPs of a total value of EUR 5 000 000 in 2007.

III.2.2) Economic and financial capacity:

Information and formalities necessary for evaluating if requirements are met as indicated in the pre-qualification questionnaire for lot 2.

III.2.3) Technical capacity:

Information and formalities necessary for evaluating if requirements are met as indicated in the pre-qualification questionnaire.

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.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:

7613/P/MIS/2008.

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:

22.9.2008 (12:00).

Payable documents: no.

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

6.10.2008 (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 month(s): 8 (from the date stated for receipt of tenders).

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

6.10.2008 (15:00).

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.

It is expected that this will be a recurrent procurement, and if required, further notices shall be published prior to the termination of any new contract that results from this procurement exercise.

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

No.

VI.3) **Additional information:**

The contract is intended initially for 4 years, with the potential for a 4-year extension.

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

The deadline for questions or requests for clarification relating to the invitation to tender from tenderers shall be 8 days prior to the deadline for receipt of tenders. Questions may be submitted before 25.9.2008 (12:00), CET. The ECB will respond to questions in 2 rounds: on 12.9.2008 for all questions raised before this date and on 26.9.2008 for any questions raised before the deadline above. Questions received after the deadline will be answered on a 'best effort' basis.

Tenders and all supporting documents must be priced in euro and all contract payments will be made in euro. Tenderers will find details of the acceptability of submitting alternative offers in the invitation to tender document. All communications, discussions and meetings will be conducted in English and no interpretation facilities will be provided. Tenderers are also informed that presentations, interviews, and/or site visits may be required to confirm information contained in their offers.

The ECB reserves the right not to make any award and reserves the right to accept all or part of any tender unless the tenderer expressly stipulates otherwise in their tender. The ECB reserves the right to disqualify any applicant who provides information which proves to be incorrect.

The ECB will not be liable for any costs, nor shall it reimburse any expenses or losses that tenderers may incur in connection with the submission of their proposals. Proposals received will not be returned and will remain the property of the ECB.

Tenders shall be delivered, sealed in an envelope, not bearing any indication of the tenderer on the envelope, or in the franking, clearly marked with the contract name and addressed as in I.1 above, so as to arrive no later than the date and time specified in IV.3.3 above.

Tenders may be rejected if the required information is not provided in the stated format at the time of tendering. It is the responsibility of tenderers to ensure that their tender is delivered not later than the deadline indicated in IV.3.4 above. Tenders received in electronic format only, or by facsimile, will not be considered.

VI.4) **Procedures for appeal**

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

European Central Bank — Procurement Review Body, Kaiserstraße 29, D-60311 Frankfurt-on-Main. Fax (49-69) 13 44 71 10. E-mail: procurement@ecb.europa.eu. URL: www.ecb.europa.eu.

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

European Central Bank — Central Procurement Office.

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

12.8.2008.