

ECB - multimedia educational assets (Flash applications: games, quizzes, simulations, etc.); lot 1: design and implementation; lot 2: conceptual creation (D-Frankfurt-on-Main)

2009/S 113-161984

Contract notice

Section I: Contracting authority

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

European Central Bank, attention: Alberto Molon, Kaiserstraße 29, 60311 Frankfurt-on-Main, GERMANY. Fax +49 691344-7110. 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 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:

Multimedia educational assets (Flash applications: games, quizzes, simulations, etc.).

Lot 1: design and implementation.

Lot 2: conceptual creation.

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

Services.

Service category: No 85.

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

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.

Number: 3 (for each lot).

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

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

Estimated value excluding VAT: lot 1: 400 000 EUR, lot 2: 200 000 EUR.

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

The European Central Bank is seeking for a framework agreement for the provision of services related to educational multimedia tools.

In order to enable specialised candidates/bidders to take part in the tender process, regarding parts of the subject of the procurement, the tender is divided in 2 lots:

Lot 1: design and implementation of multimedia educational assets (games, quizzes, simulations etc. with final output in Flash) on the basis of already-existing ideas. Target group: 18–25 year old Europeans.

Lot 2: conceptual creation for multimedia assets enabling users to learn about central banking and euro banknotes and coins in the 22+ official EU languages and possibly further languages. Target group: children and adolescents (13–17 years), elderly as well as disabled people.

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

37524100, 73000000, 72413000, 79822500, 48500000, 72212520.

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

Yes.

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

Yes.

1 or more lots.

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

No.

Variants will be accepted under the conditions set out in the invitation to tender, which will be sent to the shortlisted candidates.

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

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

The European Central Bank (the 'ECB') wants to produce educational assets that enable users to learn about central banking in a playful, voluntary, individual, interactive and self-directed manner. The target group are 18–25 year olds across Europe. The portfolio will comprise assets which teach the basics of monetary policy and the other tasks and functions of the ECB, and which raise awareness of the national central banks (NCBs) of the Eurosystem and the euro banknotes and coins. In addition, the ECB wants to develop assets for other target groups as well, for example children and adolescents, elderly as well as disabled people. The latter 2 groups in particular on the topic of euro banknotes and coins. Professional target groups, such as cashiers, may also be considered.

In order to procure the abovementioned services the ECB will use a negotiated tender procedure divided into 2 lots — lot 1 for the design and implementation of multimedia educational assets (games, quizzes, simulations etc. with final output in Flash) and lot 2 for the conceptual creation of multimedia assets, including for hand-held devices, enabling users to learn about central banking and the euro cash in the 22+ official EU languages — in order to establish a framework agreement with 1 or several operators (maximum 3 for each lot). These operators will be appointed after the successful participation in a mini-competition (details will be provided in the invitation to tender) to provide the services described in the invitation to tender document. Candidates/tenderers are required to submit a proposal for lot 1 or lot 2, or for both.

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:**

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:**

Candidates/tenderers may establish temporary groupings with a view to jointly obtaining a contract. They will be jointly and severally liable (in German: 'Gesamtschuldner') for all obligations under the contract. Temporary groupings must name a representative who is authorised to report to the ECB on behalf of the temporary grouping, to make legal statements and to accept unrestricted payments on behalf of the temporary grouping and of each member of it. Tenders from temporary groupings will only be considered if the groupings submit 1 joint tender containing the information requested in the invitation to tender document.

Parts of the services that will be performed exclusively by 1 of the members of the temporary grouping shall be specified in detail.

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:

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.

In line with Article 24 of the ECB procurement rules (see point VI.3 below) the following shall apply:

The ECB shall exclude candidates from participation in a tender procedure if they have been the subject of a judgment which has the force of 'res judicata' for fraud, corruption, money laundering, involvement in a criminal organisation or any other illegal activity detrimental to the financial interests of the Communities, of the ECB or of the NCBs.

The ECB may exclude candidates from participation at any time if:

(a) 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;

(b) they have been convicted of an offence concerning their professional conduct by a judgment which has the force of 'res judicata';

(c) they have been guilty of grave professional misconduct;

(d) 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;

(e) they have been declared by a court or an arbitration tribunal to be in serious breach of contract for failure to comply with their contractual obligations following another tender procedure;

(f) their management, staff or agents are subject to a conflict of interests;

- (g) they are guilty of serious misrepresentation in supplying the information required by the ECB;
- (h) they contact other candidates or tenderers with the purpose of restraining competition.

Candidates must declare and if proposed for the award of the contract certify that they are not in any of the situations listed above by signing the application form and provide the evidence specified therein. Each member of a grouping must comply with these conditions. If such circumstances arise in the course of the procedure, the candidate concerned shall inform the ECB thereof without undue delay.

Candidates may rely on their registration in an official list of approved economic operators or certification by approved bodies to provide evidence they have met the above conditions. Details are explained in the application form. The ECB reserves the right to request further information.

III.2.2) Economic and financial capacity:

Information and formalities necessary for evaluating if requirements are met:

The signed application form, which specifies the total net turnover in the past 3 financial years.

Minimum standards required:

Financial capacity: accumulated total net turnover in the past 3 financial years of at least 800 000 EUR (lot 1) and 400 000 EUR (lot 2).

Temporary groupings may add together the turnover of their members.

III.2.3) Technical capacity:

Information and formalities necessary for evaluating if requirements are met:

Candidates must provide information that demonstrate that they have:

- appropriate technical and human resources,
- appropriate ability and experience.

In particular candidates that apply for lot 1 shall have at least 3 years of experience in the following fields:

- educational development experience,
- Flash games experience,
- experience in conducting usability tests,
- experience for similar projects,
- experience with accessibility issues.

The experts working for lot 2 shall have at least 3 years of experience in the following fields:

- experience in conceptual developments for games and educational content,
- experience for qualified personnel (business analysts, information architects, didactics, marketing experts),
- experience in conducting studies of information architecture and marketing strategy.

The candidate shall enclose in the application information proving:

a) the experience in the abovementioned fields that includes similar services undertaken over the last 3 years, providing details about the scope, size, duration, value of contracts, addresses and contact details of the customers; and

b) the location and number of its own staff together with their qualifications, language skills and experience.

All the requested information must be returned in a hard copy format within the deadline set in Section IV.3.4.

III.3) Conditions specific to service 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:

Yes.

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 candidates: 6 for each lot.

Objective criteria for choosing the limited number of candidates:

The selection criteria are as follows:

(a) the candidate's general capacity to carry out the requested services in terms of technical and human resources (composition of staff and qualifications of staff members in general) (weighting of this criterion: 25 %); and

(b) the candidate's general experience and expertise (as listed in III.2.3), assessed on the basis of the candidate's past experience and its reference projects which are comparable in terms of size, complexity, type of use and building costs in which the candidate has provided services comparable to those requested by the ECB (weighting of this criterion: 75 %).

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-related criteria. Weighting: 60 %.

2. Price-related criteria. Weighting: 35 %.

3. Contract compliance. Weighting: 5 %.

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

No.

IV.3) **Administrative information**

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: 7.7.2009 (12:00), CET.

Payable documents: no.

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

13.7.2009 (12:00), CET.

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): 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:

Members of staff of the ECB only.

Section VI: Complementary information

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

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.3) **Additional information:**

Applicable rules:

The tender procedure is conducted in accordance with the ECB procurement rules (European Central Bank Decision of 3.7.2007 laying down the Rules on Procurement (ECB/2007/5), amended by the European Central Bank Decision of 27.1.2009 (ECB/2009/2)). Both Decisions were published in the 'Official Journal of the European Union' (respectively OJ L 184 of 14.7.2007, p. 34 and OJ L 51 of 24.2.2009, p. 10) and are available on the ECB website at: <http://www.ecb.europa.eu/ecb/jobsproc/proc/tenders/html/index.en.html>

The ECB will award at least 1 framework agreement per lot (maximum 3) under German law and shall enter into force upon signature by both parties of the contract.

In the case of lots where more than 1 provider is awarded a framework agreement, the ECB will by means of mini-competition, address all providers awarded a framework agreement and evaluate the responses received according to the criteria set in the specific request.

Mini-competitions will be conducted amongst these providers for the actual award of asset implementation (lot 1) or conceptual creation (lot 2) on the basis of a specific request detailing the specific needs. The ECB may choose to award the implementation of 1 or several assets within a single mini-competition.

The duration of the contract is for 4 years.

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 candidate 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.

Applications shall be delivered, sealed in an envelope addressed as in I.1 above, so as to arrive no later than the date and time specified in IV.3.4 above. The ECB may consider any application received after that time.

Applications received in electronic format, or by facsimile will not be considered.

VI.4) **Procedures for appeal**

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

European Central Bank — Review Body of the European Central Bank, Kaiserstraße 29, c/o Central Procurement Office, 60311 Frankfurt-on-Main, GERMANY. Tel. +49 691344-0. Fax +49 691344-7110. E-mail: procurement@ecb.europa.eu Internet: www.ecb.europa.eu

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 above) or, if no information is requested, 15 days from the receipt of the notification to unsuccessful bidders. Further requirements are outlined in Article 33 of the ECB procurement rules (see Section VI.3 above).

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

4.6.2009.