



Date: 22/03/2021

ANNEX 1: SPECIFICATIONS

Procedure n°: 2021/0319

Object: Renovation sports fields and outdoor areas

Type of procedure: negotiated procedure for middle value contract

Award method: best value for money

Type of contract: 4-year contract

Contracting authority: European School of Mol

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1. SCOPE AND DESCRIPTION OF THE PROCUREMENT

1.1. Subject: what is this call for tenders about?

The subject of this call for tender is the complete renovation of the sport fields of the school and some outdoor areas.

1.2. Lots: is this call for tenders divided into lots?

This call for tender is divided into 2 lots.

Lot 1: Complete renovation of the sport fields and outdoor areas

Lot 2: Installation of an automated sprinkler systems

Tenders may be submitted for 1 or 2 lots. Each lot will be assessed independently of any other lot. Tenders which cover only part of one lot or are declared as being conditional on the award of any other lots are not permitted.

1.3. Description: what do we want to buy through this call for tenders (technical specifications)?

The supplies and services that are the subject of this call for tender, including any minimum requirements, are described in detail below.

Variants to the minimum requirements in the tender specifications are not allowed. The *Contracting authority* will disregard any variants not meeting the minimum requirements described in a tender.

1.3.1. Background and objectives

This tender is launched to renovate the sport fields in preparation of Eurosport 2022 in Mol and outdoor areas in general.

1.3.2. Detailed characteristics of the purchase

REQUIRED DOCUMENTATION

The supplier will be required to furnish the following documentation:

- At least 2 reference projects in the past 10 years. Contact details and project information to be presented.

REQUIRED WORKS

Lot 1: Renovation of the sport field and outdoor areas

Lot 2: Installation of an automated sprinkler system for the sports field

Lot 1	Minimum requirements
Renovation of the grass sport field 10.000 sqm (in May-June 2021)	<ul style="list-style-type: none"> - Spraying complete terrain - Finely mill the grass - Crumble with a rotary harrow - Level the terrain - Level the top layer - Sow grass

Renovation of extra dirt parking area (not asphalted 1.500 sqm)	<ul style="list-style-type: none"> - Fertilize - Well the top layer - Investigation of the ground - Optional: maintenance plan (annual fertilization, weed removal) - Optional: Protection against moles (nets or electronic) - Stone rubble (steenpuin) base - Stabilizer - Dolomite top layer
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Lot 2	Minimum requirements
Installation of an automated sprinkler system	<ul style="list-style-type: none"> - Drilling of a well up to 100m dept - Installation of the under-water pumps necessary for the irrigation of the sport field (11 m³/hour) - Sprinkler system: <ul style="list-style-type: none"> o Main line towards the sport field o Irrigation system with sprinklers installed to cover the whole terrain o Pipes connecting sprinklers o Operating system (Flow control, communication) that can be used wireless or via 3G - Optional: annual maintenance sprinklers + pumps

1.4. Place of performance: where will the contract be performed?

The supplies and work will be delivered at the following locations:
European School Mol, Europawijk 100, 2400 Mol, Belgium

1.5. Nature of the contract: how will the contract be implemented?

The procedure will result in the conclusion of a framework contract.
A framework contract establishes a mechanism for future repetitive purchases by the *Contracting authority* to be awarded in the form of purchase orders. The signature of a framework contract does not impose an obligation on the *Contracting authority*.

1.6. Volume and value of the contract: how much do we plan to buy?

An indicative estimate of the volumes to be ordered over the whole duration of the framework contract is 135,000 EUR for the 2 lots together. These volumes are estimates only and there is no commitment as to the exact quantities to be ordered. The actual volumes will depend on the quantities which the *Contracting authority* will order through specific contracts. In any case the *framework contract ceiling*, i.e. the maximum amount to be spent under the framework contract, shall not be exceeded.

1.7. Duration of the contract: how long do we plan to use the contract?

The contract(s) resulting from the award of this call for tenders will be concluded for at most 48 months. The details of the initial contract duration and possible renewals are set out in the Draft contract.

2. GENERAL INFORMATION ON TENDERING

2.1. Legal basis: what are the rules?

This call for tenders is governed by the provisions of:

- [the Financial regulation of the European Schools](#) and
- [Regulation \(EU, Euratom\) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union](#) (the Financial Regulation)².

The *Contracting authority* has chosen to award the contract resulting from this call for tenders through a negotiated procedure of middle value art. 164 (1) (d).

2.2. Rules on access to procurement: who may submit a tender?

Participation in this tender is limited to those companies that have been invited.

To enable *the Contracting authority* to verify the access, each tenderer must fill in the form Entity legal provided for in Annex 4 of the invitation.

For tenderers established in the United Kingdom:

Please be aware that following the entry into force of the EU-UK Withdrawal Agreement* on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union are to be understood as including natural or legal persons residing or established in the United Kingdom. UK residents and entities are therefore eligible to participate under this call.

*Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community

3. EVALUATION AND AWARD

The evaluation of the tenders that comply with the submission conditions will consist of the following elements:

- Check if the tenderer has access to the tender;
- Verification of non-exclusion of tenderers on the basis of the exclusion criteria;
- Selection of tenderers on the basis of selection criteria;
- Verification of compliance with the minimum requirements defined in the Tender specifications;
- Evaluation of tenders on the basis of the award criteria.

The *Contracting authority* will evaluate the abovementioned elements in the order that it considers to be the most appropriate. If the evaluation of one or more elements demonstrates that there are grounds for rejection, the tender will be rejected and will not be subjected to further full evaluation.

The unsuccessful tenderers will be informed of the ground for rejection without being given feedback on the non-assessed content of their tenders. Only tenderer(s) for whom the verification of all elements did not reveal grounds for rejection can be awarded the contract.

The evaluation will be based on the information and evidence contained in the tenders and, if applicable, on additional information and evidence provided at the request of the *Contracting authority* during the procedure.

For the purposes of the evaluation related to exclusion and selection criteria *the Contracting authority* may also refer to publicly available information, in particular evidence that it can

access on a national database free of charge.

The contracting authority may award the contract on the basis of the initial offer without negotiation.

3.1. Exclusion criteria

The objective of the exclusion criteria is to assess whether the tenderer is in any of the exclusion situations listed in Article 136(1) of the Financial Regulation.

As evidence of non-exclusion each tenderer needs to submit with its tender a “Declaration on Honour” in the model available in **Annex 2**. The declaration must be signed by an authorised representative of the entity providing the declaration.

The initial verification of non-exclusion of tenderers will be done on the basis of the submitted declarations. The documents mentioned as supporting evidence in the Declaration on Honour need to be provided whenever requested and where this is necessary to ensure the proper conduct of the procedure within a deadline given by the Contracting authority³.

Please note that a request for evidence in no way implies that the tenderer has been successful.

3.2. Selection criteria

The objective of the selection criteria is to assess whether the tenderer has the legal, regulatory, economic, financial, technical and professional capacity to perform the contract.

The selection criteria for this call for tenders, including the minimum levels of capacity, the basis for assessment and the evidence required, are specified in the following subsections.

Tenders submitted by tenderers not meeting the minimum levels of capacity will be rejected.

When submitting its tender each tenderer shall declare on honour that it fulfils the selection criteria for the call for tender. The model Declaration on Honour available in **Annex 2** shall be used.

The initial assessment of whether a tenderer fulfils the selection criteria will be done on the basis of the submitted declaration(s).

The subsections below specify which selection criteria evidence must be provided with the tender or may be requested later, at any time during the procurement procedure⁴. In any case, to the extent that there is no ground for a waiver, the evidence must be provided, upon request and within a deadline given by the Contracting authority. The evidence must be provided in accordance with the applicable basis for assessment of each criterion: in case of a consolidated assessment – only by the *involved entities* who contribute to the fulfilment of the criterion, and in case of individual assessment – by each *involved entity* to whom the criterion applies individually.

² Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJL 193 of 30.07.2018, p.1).

3.2.1. Legal and regulatory capacity

Tenderers do not need to prove specific legal and regulatory capacity to perform the contract.

3.2.2. Economic and financial capacity

The evidence of economic and financial capacity does need not be provided with the tender but may be requested by the Contracting authority at any time during the procedure. Please note that a request for evidence in no way implies that the tenderer has been successful.

3.2.3. Technical and professional capacity

Tenderers must comply with the following selection criteria in order to prove that they have the necessary technical and professional capacity to perform the contract.

Criterion	
The tenderer must prove experience in the field of supplying school and office furniture.	
Minimum level of capacity	At least 2 similar (in scope and complexity) projects completed in the last 10 years preceding the tender submission deadline.
Evidence	<p>A list of projects including details of their start and end date, total project amount and scope.</p> <p>Only the list must be provided with the tender. The other evidence of technical and professional capacity may be requested by the Contracting authority at any time during the procedure. Please note that a request for evidence in no way implies that the tenderer has been successful.</p> <p>As supporting documents for each project reference the Contracting authority may request statements issued by the clients and take contact with them.</p>

3.3. Compliance with the minimum requirements of the Tender specifications

By submitting a tender a tenderer commits to perform the contract in full compliance with the terms and conditions of the procurement documents for this call for tender. Particular attention is drawn to the minimum requirements specified in Section 1.3 of these specifications and to the fact that tenders must comply with applicable data protection, environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU.

The minimum requirements shall be observed throughout the entire duration of the contract. Compliance with these requirements is mandatory and cannot be subject to any assumptions, limitations, conditions, or reservations on the part of a tenderer.

Tenders that are not compliant with the applicable minimum requirements shall be rejected.

³ The obligation to provide the supporting evidence will be waived in the following situations:

- if such evidence can be accessed by the *Contracting Authority* on a national database free of charge, in which case the economic operator shall provide *the Contracting authority* with the internet address of the database and, if needed, the necessary identification data to retrieve the document;
- if there is a material impossibility to provide such evidence.

- ⁴ The obligation to provide the supporting evidence will be waived in the following situations if such evidence can be accessed by the *Contracting Authority* on a national database free of charge, in which case the economic operator shall provide the *Contracting authority* with the internet address of the database and, if needed, the necessary identification data to retrieve the document.

3.4. Award criteria

The objective of the award criteria is to evaluate the tenders with a view to choosing the most economically advantageous tender.

Tenders will be evaluated on the basis of the following award criteria and their weighting:

Cr.	Description	Points	Weight
1	<p>Price</p> <p>The price considered for evaluation will be the total price of the tender, covering all the requirements set out in the Tender Specifications. Prices should be inclusive of all costs incurred by the Tenderer such as packaging, transportation, administration.</p> <p>The offer with the best prices receives the maximum score. The following offers each time, 2 points less.</p>	10	50
2	<p>Quality</p> <p>The quality considered for evaluation will be based on the used products by the tenderer and the reference projects.</p> <p>The offer with the best value for money will receive the maximum score. The following offers each time, 2 points less.</p>	10	50
3	<p>Service, warranty and after care by the supplier (tenderer)</p> <p>The tenderer provides a description of the warranty and after-care provided. Following aspects should be included: delivery, assembly, continuity of offered products, repair service, spare parts, warranty cover and period.</p> <p>The offer with the best after care receives the maximum score. The following offers each time, 2 points less.</p>	10	20
	TOTAL AWARD CRITERIA	30	120

3.5. Award (ranking of tenders)

Tenders shall be ranked according to the best price-quality ratio in accordance with the formula below:

$$\text{Cr. 1} * (\text{weight 50}) + \text{Cr. 2} * (\text{weight 50}) + \text{Cr. 3} * (\text{weight 20}) = \text{Total score}$$

The contract shall be awarded to the tender ranked first, which complies with the Tender Specifications and is submitted by a tenderer having access to procurement, not in an exclusion situation and fulfilling with the selection criteria.

4. FORM AND CONTENT OF THE TENDER

4.1. Form of the tender: how to submit the tender?

Tenders are to be submitted according to the instructions laid down in the Invitation to tender letter.

Make sure you prepare and submit your tender early enough to ensure it is received within the deadline specified to submit an offer in the invitation. A tender received after this deadline will be rejected.

4.2. Content of the tender: what documents to submit with the tender?

The documents to be submitted with the tender are:

- The declaration on the honour related to the exclusion and selection criteria duly filled in and signed by an authorized representative, see **Annex 2** of the Invitation
- The form “Legal Entity” duly filled in and signed by an authorized representative, see **Annex 4** of the Invitation
- Your technical offer duly filled in and signed by an authorized representative.
- Your financial offer (list of prices) duly filled in and signed by an authorized representative (see **Annex 5**).

Each document must be signed by an authorized representative of the tenderer. The following requirements apply to the technical and financial offer:

Technical offer

The technical offer must provide all the information needed to assess the compliance with Section 1.4 of these specifications and the award criteria. Tenders deviating from the minimum requirements or not covering all the requirements may be rejected on the basis of non-compliance and not evaluated further.

Financial offer

A complete financial offer. For this purpose, the Financial Model in Annex 4 shall be completed and duly signed. In case of discrepancies between different documents, only the amount indicated in the financial offer will be taken into account.

The financial offer shall be:

- expressed in euros. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to bear the risks or the benefits deriving from any variation.
- quoted free of all duties, taxes and other charges, i.e. also free of VAT. The tenderer may indicate the amount of VAT but it must be shown separately. In Belgium, European schools are exempted from VAT through exemption No 450, Article 42, §3 paragraph 1st, 4° of the VAT code.

5. PROCESSING OF PERSONAL DATA

Any personal data included in or relating to the TENDER, including its implementation, shall be processed in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC. Such data shall be processed solely for the purposes of the monitoring of the tender by the data controller.

Tenderers or any other person whose personal data is processed by the data controller in relation to this contract has specific rights as a data subject under Regulation (EU) 2016/679, in particular the right to access, rectify or erase their personal data and the right to restrict or, where applicable, the right to object to processing or the right to data portability.

Should tenderers or any other person whose personal data is processed in relation to this contract have any queries concerning the processing of its personal data, it shall address itself to the data controller: Ms. Perez Blanco (mol-director@eursc.eu).

They may also address themselves to the Data Protection Officer of the data controller. They have the right to lodge a complaint at any time to the European Data Protection Supervisor.

Details concerning the processing of personal data can be requested to the data controller.