

INVITATION TO TENDER Ref. SJU/LC/0134-CFT

***Lot 1 - Security related services: guarding
and
Lot 2 - Security related services: monitoring of alarm, intervention
on premises and maintenance of security systems***

Open procedure

Dear Sir/Madam,

1. The SESAR Joint Undertaking (the "SJU") is planning to award the public contract (or two contracts – one per Lot) for the services referred to above.
2. If you are interested in this contract, you should submit a tender **either by registered mail, private courier or in-hand delivery.**

The tender including all its supporting documents must be **received at the SJU premises, not later than 22-31 May 2017 at 11.30 a.m. (Brussels time).** The tenders have to be submitted to the following address:

**SESAR Joint Undertaking
Avenue de Cortenbergh, 100
B-1000 Brussels
BELGIUM**

Tenderers are strongly advised to use the delivery service offering tracking option of the sent items. **Any tender received after the deadline will not be examined.**

3. The tender specifications, listing all the documents – together with the present invitation – that must be produced in order to tender, including supporting evidence of legal, economic/financial, and technical/professional capacity and the draft contract are attached.
4. Tenders must be presented in the requested format and include all the requested information and documents. Failure to respect the requirements will constitute a formal incompliance and may result in the rejection of the offer.

Tenders must be clear and concise, perfectly legible so that there can be no doubt as to words and figures, include continuous page numbering, and assembled in a coherent fashion (e.g. bound or stapled) and drawn up using the model reply forms in the tender specification.

It is recommended that the Tenders are submitted in environmentally friendly way, e.g. by choosing a simple and clear structure (list of contents and consecutive page numbering), double side printing, limiting attachments to what is required in this call for tenders (i.e. no additional material) and avoiding plastic folders and binders.

5. Tenders must be:
- written in English,
 - be perfectly legible so that there can be no doubt as to words and figures,
 - drawn up using the model reply form/template and
 - be submitted:
 - a) in **paper format**:
 - one (1) original of the cover letter,
 - one (1) original of the Administrative offer,
 - one (1) original and three (3) copies of the Technical offer,
 - one (1) original of the Financial offer;
 - b) in **electronic format**: one copy of the offer, in PDF format (**USB**).

The original paper copies of each tender must be marked "**ORIGINAL**", initialled (each page) and signed by the tenderer.

6. Each tender must be placed inside two sealed envelopes:
- a) The outer envelope or parcel should be sealed with adhesive tape and signed across the seal and carry the following information:
 - **the reference number of the call for tender (SJU/LC/0134-CFT)**,
 - the name of the tenderer,
 - the indication "*Tender - NOT to be opened by the internal mail service*".
 - b) The inner envelope must contain the paper copies and the electronic copy.
 - c) The inner envelope must also contain two sealed envelopes, one containing the Administrative and Technical offer and the other the Financial offer. Each of these envelopes must clearly indicate the content (i.e. "Administrative and Technical offer" and "Financial offer").
7. The tenders must include a cover letter and three volumes, including the following information:
- a) **Cover letter** shall be signed by a duly authorised representative of the Tenderer and dated and contain the following elements:
 - The reference number of the SJU's call for tender
 - Brief description of the Tenderer
 - The names, function and contact details (telephone, e-mail and addresses) of the following contact persons or responsible for:
 - i) Communications relating to this call for tender
 - ii) Technical matters during contract implementation
 - iii) Contract management (if different from the one in point i).
 - iv) Person empowered to sign the contract (if awarded).

b) Volume 1 – Administrative offer shall contain the following elements:

- A valid power of attorney (or a clear reference to the official document), legally empowering the person/s who have signed any/all documents in response to this call for tenders;
- Legal entities' form (, dully filled-in and accompanied by all the supporting documents requested therein, (please, use the form available on the following web page: http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm);
- Financial identification form dully filled-in (please, use the form available on the following web page: http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm);
- Declaration on honour with respect to the Exclusion Criteria and selection criteria and absence of conflict of interest (please refer to section 4.2 and 4.3 of the Tender specifications and to the template provided in Annexe I)

- The visit certificate (see section 11bis of this Invitation to tender and Annex VI of the Tender specifications).

c) **Volume 2 - Technical offer** must provide the following elements:

Part I (applicable to both lots):

Documentary evidence with respect to the selection criteria for the establishment of the technical and professional capacity of the Tenderer. Please refer to Section 4.3.3 of the Tender specifications.

Part II Technical offer itself:

Description of how the Tender plans to address all matters laid down in Section 2 of the Tender specifications. This section should include models, examples, technical solutions to problems raised in the specifications.

For Lot 1:

The Tenderer must clearly state whether he fully, partially or not at all meets the technical specifications as described in Section 2 of the Tender specifications.

The Technical offer must as a minimum include:

- A proposal of a planning of the services to be performed on a daily basis (control rounds, watching surveillance videos, exit rounds, etc.) and standard reporting (written report); and
- Measures taken to minimize delays in relocating the on-premises agent (including requests for overtime work), transfer of procedures and means of access, and training of replacements.

And any additional information demonstrating how the Tenderer will address the requirements of Section 2 of the Tender specifications.

For Lot 2 (optional phase I and mandatory phase II):

The Tenderer must clearly state whether he fully, partially or not at all meets the technical specifications as described in Section 2 of the Tender specifications.

The Technical offer must as a minimum include:

For optional phase I:

- A filled in ANNEX IV, part 2, of the Tender specifications for the compliance of the SJU security systems for the optional phase I, if applicable (as per section 2.3.2 of the Tender specifications).

For mandatory phase II:

- The description of the means used for monitoring the alarm signals/messages;
- The description of the means used to comply with the scenarios and procedures communicated by the SJU following the alarm messages; the maximum delay for intervention on premises after alarm, in minutes;
- A standard intervention report that is used and transmitted after on-premises intervention;
- A standard maintenance package of the security systems in place;
- A scenario of replacement of the equipment not covered in the standard package including categories of malfunction and related response times.

And any additional information demonstrating how the Tenderer will address the requirements of Section 2 of the Tender specifications.

The technical offer is of great importance in the assessment of the tenders, the award and future execution of any resulting contract. The attention of Tenderers is specially drawn to the **award criteria** (section 4.4.1 of the tender specifications), which define those parts of the technical offer to which the tenderers should pay **particular attention**.

Nota bene: Tenders presenting a mere repetition of the tender specifications or source documentation as part of a technical offer will receive a score below the minimum required.

d) Volume 3 - Financial offer

Prices must be quoted:

- in EURO, including the countries which are not in the EURO area. Where applicable, the tenderer chooses the exchange rate and assumes all risks relating to the rate fluctuation,
- free of all duties and taxes (in particular VAT), as the SJU is exempt from such charges under Article 3 and 4 of the Protocol on the Privileges and Immunities of the EC.
- Inclusive of all costs and expenses directly and indirectly connected with the services to be provided.
- The price offer must comply with the format requested in Annex IV, part 1 of the Tender specifications and the accompanying Excel file.

For Lot 1:

- The monthly fee must be provided from the hourly rates mentioned in Annex IV, part 1, to Tender specifications using the monthly valuation file (Excel file).
- The monthly flat rate will be based on the volume of hours of service requested by the SJU in accordance to Section 2.3.1 of the Tender specifications. The hourly rates are established in accordance with Section 2.3.4 of the Tender specifications.
- The cost of any additional hour of guarding.

For Lot 2:

- The monthly flat rate will be based on the volume of hours of service provided to the SJU, in accordance to Section 2.3.2 of the Tender specifications.
- The on-site intervention after intrusion signal and / or alarm signal related to room temperature flat unit price.
- The additional on-site intervention flat unit price.
- A fixed price for the compliance of the SJU security systems, if applicable, for the optional phase I (as per section 2.3.2 of the Tender specifications), and in any case within the maximum as set forth in section 2.8 of the Tender specifications.

As mentioned in Annex II to the Tender specifications, the amended public holidays of the SJU do not always correspond with the Belgian public holidays and vice versa. Tenderers are invited to take this into account in their financial offer.

The financial offer should be completely unambiguous. The offer will be disqualified if it contains any statements preventing an accurate and complete comparison of the offers (such as “to be discussed”, “depending on”, etc.).

Any doubt in the wording of the financial offer may result in the rejection of the offer in its entirety.

Tenderers shall be aware of Article 151 of the Rules of Application to the Financial Regulation (Commission Delegated Regulation 1268/2012 of 29/10/12) on abnormally low offers.

Please note that the financial offer must be submitted in a separate binder or folder and a separate envelope as indicated in section 6 here above which must be clearly labelled “Financial offer”. Please ensure that the information related to the financial quotation is given nowhere else in the offer.

8. Please note that all costs incurred in preparing and submitting tenders are to be borne by the tenderer and shall not be reimbursed.
9. Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the tender specifications and in the draft contract and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. The content of the tender submitted is binding on the tenderer to whom the contract is to be awarded for the whole duration unless otherwise agreed between the tenderer or selected contractor and SJU.

The SJU reserves the right to reject tenders stating that the provisions of the tender documents mentioned above are accepted subject to a number of conditions.

10. The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect is 6 months from the final date for reception.
11. **Contacts** between the SJU and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the deadline for reception of the tenders:

At the request of the tenderer, the SJU may provide additional information solely for the purpose of clarifying the content of this call for tender and/or the nature of the contract.

Any requests for additional information must be made in writing only and sent to the following e-mail address: procurement@sesarju.eu. Requests for additional information should indicate the reference number of the call for tender and its title.

Requests for additional information received less than fifteen (15) calendar days before the final date for receipt of tenders will not be processed.

Clarifications will be issued by the SJU no later than six (6) calendar days before the closing date for receipt of tenders.

The SJU may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the call for tenders.

Any additional information, including that referred to above, or/and corrigendum will be posted on the following website <http://www.sesarju.eu/procurement> as well as in the Official Journal of the European Union (OJEU). Accordingly, the tenderers are invited to make regular visits to the SJU website to check for updates or potential questions and answers rose in the context of the present procedure.

The above rules are without prejudice to the specific provisions set out in section 11bis of this Invitation to tender.

After the opening of tenders:

If clarification is required or if obvious clerical errors in the tender need to be corrected, SJU may contact the tenderer provided the terms of the tender are not modified as a result.

11bis. **Mandatory on-site visit** is set for the following dates and times:

- 1) 26/04/2017 at 09:30 – 11:00am
- 2) 03/05/2017 at 09:30 – 11:00am
- 3) 10/05/2017 at 09:30 – 11:00am

The address for the visit:

4th floor
SESAR Joint Undertaking
100, Avenue de Cortenbergh
1000 Brussels, Belgium

Should the Tenderer not participate in the visit, his offer will be rejected as inadmissible at the opening stage.

The Tenderer shall register for the visit at the latest 3 working days before its due date by sending to facility@sesarju.eu the following information:

- The preferred date of the visit as per the schedule above,
- The name of the legal entity,
- The name and function of the legal representative who will attend.

The scanned dully filled-in Declaration of Confidentiality as per Annex V of the Tender specifications. The **original** thereof shall be delivered to the SJU on the day of and before the start of the visit.

Should the Tenderer not be available during the three proposed dates and times, the Tenderer is requested to send a request for reschedule of the visit no later than **8 May 2017 4:00pm**.

12. The SJU will sign one or two service contracts with the successful tenderer/s. The contract will have an initial duration of one (1) year as from the date indicated in the contract, and may be renewed up to three (3) times, each for an additional period of 1 year. A draft contract is annexed to this Invitation to tender.
13. This invitation to tender is in no way binding on the SJU. The SJU's contractual obligation commences only upon signature of the contract with the successful tenderer.
14. Up to the point of signature, the SJU may either abandon the procurement or cancel the award procedure, without the candidates or tenderers being entitled to claim any compensation. This decision must be substantiated and the candidates or tenderers notified.
15. Once the SJU has opened the tender, the document shall become the property of the SJU and it shall be treated confidentially.
16. You will be informed of the outcome of this procurement procedure by e-mail. It is your responsibility to provide a valid e-mail address together with your contact details in your tender and to check it regularly.
17. If processing tenderer's reply to the invitation to tender involves the recording and processing of personal data (such as name, address and CV), such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, your replies to the questions and any personal data requested are required to evaluate your tender in accordance with the specifications of the invitation to tender and will be processed

solely for that purpose by the SJU. Details concerning the processing of personal data are available on the [Privacy Statement](http://www.sesarju.eu/procurement) at: <http://www.sesarju.eu/procurement>

18. If your tender includes **subcontracting**, it must be clearly indicated which parts of the services are intended to be subcontracted.

Subcontractor(s) must, as a general rule, satisfy the exclusion criteria as listed in section 4.2. of the Tender specifications. In case subcontractors are identified for the performance of critical tasks, the SJU reserves the right to request evidence on selection criteria as listed in section 4.3 of the Tender specifications.

If the identity of the intended subcontractor(s) is already known at the time of submitting the tender, the Tenderer must identify the subcontractor(s) according to the provisions defined above.

Tenderers are required to identify subcontractors, if any, whose share of the contract is above 10%.

If the identity of the sub-contractor(s) is not known at the time of submitting the tender, the tender who is awarded the contract will have to seek and receive SJU's prior written authorisation before entering into a subcontract.

Please, note that solely the main contractor retains full liability towards the SJU for the performance of the contract as a whole. Accordingly:

- the SJU will treat all contractual matters (e.g. payments) exclusively with the main contractor, whether or not the tasks are performed by a subcontractor;
- under no circumstances can the main contractor avoid liability towards the SJU on the grounds that the subcontractor is at fault.

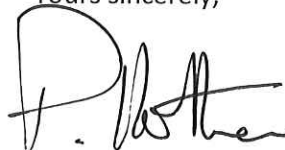
Where no subcontractor is given, the services will be assumed to be carried out directly by the contractor.

19. Your personal data may be registered in the Early Detection and Exclusion System (EDES) if you are in one of the situations mentioned in Article 106 of the Financial Regulation.

For more information, see the Privacy Statement on:

http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm

Yours sincerely,



Mr Peter Hotham
Deputy Executive Director
Corporate Affairs

Annexes: Tender specifications
Draft service contract

