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**L-Luxembourg: review of current off-site nuclear emergency preparedness
and response arrangements in EU Member States and neighbouring countries
2012/S 131-216862**

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

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

European Commission, Directorate-General for Energy
Jean Monnet Building — main entrance, rue Albert Wehrer, Plateau de Kirchberg
For the attention of: Christine Nidercorn, EUFO 4256
2920 Luxembourg
LUXEMBOURG
Telephone: +352 4301-31772
E-mail: christine.nidercorn@ec.europa.eu

Internet address(es):

General address of the contracting authority: http://ec.europa.eu/dgs/energy/tenders/index_en.htm

Further information can be obtained from: The above mentioned contact point(s)

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from: The above mentioned contact point(s)

Tenders or requests to participate must be sent to: The above mentioned contact point(s)

I.2) Type of the contracting authority

European institution/agency or international organisation

I.3) Main activity

I.4) Contract award on behalf of other contracting authorities

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:

Review of current off-site nuclear emergency preparedness and response arrangements in EU Member States and neighbouring countries.

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

Services

Service category No 27: Other services

Main site or location of works, place of delivery or of performance: Contractor's premises.

NUTS code

II.1.3) Information about a public contract, a framework agreement or a dynamic purchasing system (DPS)

The notice involves a public contract

II.1.4) Information on framework agreement

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

A study is required to analyse current arrangements between EU Member States and EU neighbouring countries with regard to off-site nuclear EP&R arrangements and capabilities.

The analysis shall centre on the coherence of current arrangements and how the preparation and response to a nuclear accident-related emergency in the EU or its neighbourhood could be made more effective. The study shall identify how these arrangements could be optimised to make better use of resources and avoid duplication, both nationally and across borders, with the aim that those at risk from an accident in a nuclear installation are sufficiently protected.

In the first phase of the work, the rules, guidance and standards and current arrangements applied within the EU Member States and neighbouring countries shall be compared; then gaps, inconsistencies and/or best practices, including cross-border arrangements, shall be identified. In the second phase, recommendations for improvements shall be made. During both phases of the work, the contractor shall closely cooperate with: (i) a Commission task force and (ii) a group of stakeholders.

II.1.6) Common procurement vocabulary (CPV)

65400000

II.1.7) Information about Government Procurement Agreement (GPA)

The contract is covered by the Government Procurement Agreement (GPA): yes

II.1.8) Lots

This contract is divided into lots: no

II.1.9) Information about variants

Variants will be accepted: no

II.2) Quantity or scope of the contract

II.2.1) Total quantity or scope:

The amount of work involved to carry out this contract is assessed at 400 person-days.

II.2.2) Information about options

Options: no

II.2.3) Information about renewals

This contract is subject to renewal: no

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

Duration in months: 12 (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:

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

Payments shall be made in accordance with the provisions specified in Annex 6 of the tender specifications, the draft service contract.

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

In case of a joint tender submitted by a group of tenderers, these latter will be regarded as partners. If awarded the contract, they will have an equal standing towards the contracting authority in the execution of the contract.

The tenderers should indicate in their offer whether the partnership takes the form of:

a) a new or existing legal entity which will sign the contract with the Commission in case of award; or

b) a group of partners not constituting a new legal entity, who via a power of attorney, signed by an authorised representative of each partner (except the lead partner), designate one of the partners as lead partner, and mandate him as lead contractor to sign the contract with the Commission in case of award.

If the contractor is a grouping or consortium of 2 or more persons, all such persons shall be jointly and severally liable to the Commission for the fulfilment of the terms and conditions of the contract. Such persons shall designate one of them to act as leader with full authority to bind the grouping or the consortium and each of its members. It shall be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration and for coordination. The composition and constitution of the grouping or consortium, and the allocation of the scope of tasks amongst the members, shall not be altered without the prior written consent of the Commission which can be withheld at discretion.

III.1.4) Other particular conditions

The performance of the contract is subject to particular conditions: 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 the requirements are met: — Tenderers' identification (Annex 1 of the tender specifications):

All tenderers must provide proof of registration, as prescribed in their country of establishment, on one of the professional or trade registers or provide a declaration or certificate.

If the tenderer is a natural person, he/she must provide a copy of the identity card/passport or driving licence and proof that he/she is covered by a social security scheme as a self-employed person.

Each tenderer (including subcontractor(s) or any member of a consortium or grouping) must complete and sign the identification forms in Annex 1 and also provide abovementioned documents. However, the subcontractor(s) shall not be required to fill in or provide those documents when the services represent less than 20 % of the contract.

— Financial identification (Annex 2 of the tender specifications):

The bank identification form must be filled in and signed by an authorised representative of the tenderer and his/her banker. A standard form is attached in Annex 2 and a specific form for each Member State is available at the following Internet address:

http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm

In the case of a grouping, this form must only be provided by the person heading the project.

If the corresponding bank account of economic operators is already registered in the Commission's files they are not obliged to provide a new form on the condition that they confirm that no change in the information already provided has occurred. In case of doubt, we recommend submitting a new form.

— Legal entities (Annex 3 of the tender specifications):

The legal entity form in Annex 3 must be filled in and should be accompanied by a number of supporting documents, available on the website:

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

In the case of a grouping, this form must be provided by all partners.

Economic operators already registered as a legal entity in the Commission's files (i.e. they are or have been contractors of the Commission) are not obliged to provide a new form on the condition that they confirm that no change in the information already provided has occurred. In case of doubt, we recommend submitting a new form.

— Declaration of honour with respect to the exclusion criteria and absence of conflict of interest (Annex 4 of the tender specifications):

An original should be filled in and signed by (an) authorised representative(s) of all partners. Only subcontractors with a part of the contract above 20 % should sign the form.

— Power of attorney (Annex 5 of the tender specifications) — in case of grouping only:

An original should be filled in and signed by (an) authorised representative(s) of each partner.

— All the supporting documentation for the purpose of checking the selection criteria (IV.2) should also be submitted under this section.

The Commission reserves the right, however, to request clarification or additional evidence in relation to the bid submitted for evaluation or verification purposes within a time limit stipulated in its request.

III.2.2) **Economic and financial ability**

Information and formalities necessary for evaluating if the requirements are met: The tenderers must have had an average annual turnover for the last 3 years for which the accounts have been closed exceeding 800 000 EUR.

Evidence of this capacity shall be furnished on the basis of the following documents:

presentation of profit and loss accounts, balance sheets or extract from balance sheets for the last 3 financial years for which accounts have been closed, where publication of this document is required under the company law of the country in which the economic operator is established.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the contracting authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal.

Under the same conditions, a consortium of economic operators may rely on the capacities of members of the consortium or of other entities.

III.2.3) **Technical capacity**

Information and formalities necessary for evaluating if the requirements are met:

The tenderers must have the following minimum experience, expertise, qualification and skills to be able to handle the proposed contract:

IV.2.2.1. Specific qualifications:

The work shall be performed by an internationally recognised and well-established institution or persons with both solid experience in nuclear policy, in EP&R and civil protection issues in order to ensure a 'high likelihood' of broad acceptance by the different stakeholders and information owners. The project leader and the experts proposed to carry out the tasks shall have suitable qualifications and experience. The proposed project leader and each team member must have the following minimum specific qualifications:

- 1) university degree, preferably in a nuclear engineering, nuclear policy or international law discipline, including experience in issues of civil protection;
- 2) demonstrable expertise in at least one of these sectors of at least 3 years;
- 3) good knowledge of the European Union legislation, especially in areas of nuclear energy and civil protection.

IV.2.2.2. Generic qualifications:

The proposed project leader and each team member must have the following minimum generic qualifications:

- 1) excellent communication skills; experience in dealing with clients of a widespread geographical and cultural origin;
- 2) readiness to travel around all EU Member States and candidate countries;
- 3) very good command of English;
- 4) very good computer skills.

If several service providers/subcontractors are involved in the bid, each of them must have and show that they have the professional and technical capacity to perform the tasks assigned to them.

Tenderers shall provide with their offer a detailed curriculum vitae of each staff member proposed for carrying out the work, including his or her educational background, degrees and diplomas, professional experience, research work, publications and linguistic skills.

The CVs shall be presented, preferably, in accordance to the Commission Recommendation on a common European format for curricula vitae, published in OJ L 79 of 22.3.2002, p. 66.

Tenderers shall provide a list of the main services and tasks delivered during the last 5 years as well as related amounts, dates and beneficiaries with mention of the sector they belong to (private/public).

Tenderers shall indicate the part(s) of the contract (if any) which the service provider intends to subcontract.

III.2.4) **Information about reserved contracts**

III.3) **Conditions specific to services contracts**

III.3.1) **Information about a particular profession**

Execution of the service is reserved to a particular profession: no

III.3.2) **Staff responsible for the execution of the service**

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**

Open

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

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

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) **Information about electronic auction**

An electronic auction will be used: no

IV.3) **Administrative information**

IV.3.1) **File reference number attributed by the contracting authority:**

ENER/D1/474-2012.

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: 13.8.2012 - 16:00

Payable documents: no

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

20.8.2012 - 17:30

IV.3.5) **Date of dispatch of invitations to tender or to participate to selected candidates**

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

Any EU official language

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

Duration in months: 6 (from the date stated for receipt of tender)

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

Date: 3.9.2012 - 15:00

Place:

DG ENER, Euroforum Building, Office 4286, 1, rue Henry Schnadt, 2530 Luxembourg.

Persons authorised to be present at the opening of tenders: yes

Additional information about authorised persons and opening procedure: 1 representative per tenderer.

Section VI: Complementary information

VI.1) **Information about recurrence**

This is a recurrent procurement: no

VI.2) **Information about European Union funds**

The contract is related to a project and/or programme financed by European Union funds: no

VI.3) **Additional information**

The tender specifications related to this call for tender can be downloaded on the website of the Directorate-General for Energy at the following address:

http://ec.europa.eu/dgs/energy/tenders/index_en.htm

VI.4) **Procedures for appeal**

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

General Court of the European Union

rue du Fort Niedergrünwald

2925 Luxembourg

LUXEMBOURG

E-mail: generalcourt.registry@curia.europa.eu

Telephone: +352 4303-1

Internet address: <http://curia.europa.eu>

Fax: +352 4303-2100

VI.4.2) **Lodging of appeals**

Precise information on deadline(s) for lodging appeals: Within 2 months of the notification to the plaintiff, or, in absence thereof, of the day on which it came to the knowledge. A complaint to the European Ombudsman does not have as an effect either to suspend this period or to open a new period for lodging appeals.

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

General Court of the European Union

rue du Fort Niedergrünwald

2925 Luxembourg

LUXEMBOURG

E-mail: generalcourt.registry@curia.europa.eu

Telephone: +352 4303-1

Internet address: <http://curia.europa.eu>

Fax: +352 4303-2100

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

29.6.2012