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# Germany-Frankfurt-on-Main: ECB - Provision of fitness equipment for the ECB fitness centre(s) 2014/S 028-043923

### **Contract notice**

### **Supplies**

### Directive 2004/18/EC

### **Section I: Contracting authority**

### 1.1) Name, addresses and contact point(s)

European Central Bank

Kaiserstraße 29

Contact point(s): Central Procurement Office

For the attention of: Kim Riisgaard

60311 Frankfurt-on-Main

**GERMANY** 

E-mail: procurement@ecb.europa.eu

Fax: +49 6913447110 Internet address(es):

General address of the contracting authority: http://www.ecb.europa.eu

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)

# 1.2) Type of the contracting authority

European institution/agency or international organisation

1.3) Main activity

Economic and financial affairs

## 1.4) 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:

Provision of fitness equipment for the ECB fitness centre(s).

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

**Supplies** 

Main site or location of works, place of delivery or of performance: Frankfurt-on-Main.

**NUTS code DE712** 

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

The notice involves the establishment of a framework agreement

# II.1.4) Information on framework agreement

Framework agreement with a single operator

### **Duration of the framework agreement**

Duration in months: 48

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

The ECB intends to procure fitness equipment and small appliances/tools for the operation of its fitness facilities at its premises and intends to award a framework agreement for a period of 4 years to a single contractor for all fitness equipment. At present, the ECB needs the major part of the required fitness equipment for the new ECB premises (NEP) fitness facility that will be operational as of 3.11.2014. However, the ECBs existing fitness facility will continue to operate until the end of 2015. An additional fitness facility may need to be equipped with fitness equipment at a later stage.

The main goals of this procurement are to obtain a high quality standard of fitness equipment, and the framework agreement will be awarded to the most economical advantageous offer.

The envisaged start date of the framework agreement is 1.8.2014 with a first order to be launched thereafter for the purpose of equipping the NEP fitness facility by 3.11.2014. Further equipment for the NEP fitness facility, the existing facility or a new facility may be ordered during the term of the framework contract.

# II.1.6) Common procurement vocabulary (CPV)

37440000

### 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 ECB requires fitness equipment in the following categories:

- cardio machines,
- strength machines,
- functional machines,
- plate-loaded machines,
- benches,
- racks.
- accessories,
- flooring,
- free weights,
- stereo equipment and loudspeakers,
- testing equipment and appliances,
- maintenance and support (when required).

# 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: 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:

Details, where applicable, will be provided in call for applications and the invitation to tender (ITT) and its Annexes.

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

Details, where applicable, will be provided in call for applications and the invitation to tender (ITT) and its Annexes.

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

The establishment of a temporary grouping is allowed under the conditions laid down in the call for application and its Annexes.

#### 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: Pursuant to Article 24 of the ECB rules on procurement as laid down in Decision ECB/2007/5 of 3.7.2007 (see Section VI.3) the following shall apply:

The ECB shall exclude tenderers 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, and involvement in a criminal organisation or any other illegal activity detrimental to the financial interests of the Union, of the ECB or of the NCBs.

The ECB may exclude tenderers 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 these 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 reside 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 misrepresentation in supplying the information required by the ECB;
- (h) they contact other tenderers with the purpose of restraining competition.

Tenderers must certify that they are not in any of the situations listed above by signing the relevant documentation relating to this procedure and provide the evidence requested therein. In the case of groupings, all members must fulfil these conditions. If such circumstances arise in the course of the procedure, the tenderer concerned shall inform the ECB thereof without undue delay.

# III.2.2) Economic and financial ability

Information and formalities necessary for evaluating if the requirements are met: Tenderers participating in this procedure are required to be financially sound to fulfil the contract. The tenderers' economic and financial capacity will be assessed on the basis of their financial situation (turnover and profit and loss) during the last 3 financial years.

Tenderers shall submit the application form (Annex 1 to the call for applications to participate) as proof of the above.

Minimum level(s) of standards possibly required: Candidates must meet the following minimum requirements: (a) an annual net turnover in the last 3 financial years (2011–2013) of at least 1 800 000 EUR. In the case of a temporary grouping, one of the members shall have achieved on its own 60 % of the above amount.

### III.2.3) Technical capacity

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

Tenderers participating in this procedure are required to have the following technical capacities to fulfil the contract.

Minimum level(s) of standards possibly required:

Candidates must meet the following minimum requirements:

- (1) at least 5 similar contracts performed during the last 3 financial years, which are comparable in terms of scope, size and complexity with the contract tendered by the ECB;
- (2) a proven track record of delivery of fitness equipment over the last 4 years in all the categories: (i) cardio machines; (ii) strength machines; (iii) benches; (iv) racks; and (v) free weights;
- (3) at least 2 of the following certificates/test marks or equivalent in at least 1 of the categories: (i) cardio machines; (ii) strength machines; (iii) functional machines; (iv) plate-loaded machines; (v) benches; (vi) racks; and (vii) free weights:
- TÜV Süd,
- ISO 9001 certified,
- CE certified.
- GS certified,
- European Union General Product Safety Directive 2001/95/EC: EN 957-1 and EN 957-2 certified;
- (4) capacity to service and maintain the equipment on request within 48 hours in the following categories: (i) cardio machines; (ii) strength machines; (iii) functional machines; (iv) plate-loaded machines; (v) benches; (vi) racks; and (vii) free weights.

Tenderers shall submit the application form as proof of the above.

- III.2.4) Information about reserved contracts
- III.3) Conditions specific to services contracts
- III.3.1) Information about a particular profession
- III.3.2) Staff responsible for the execution of the service

### **Section IV: Procedure**

- IV.1) Type of procedure
- IV.1.1) Type of procedure

Negotiated

Some candidates have already been selected (if appropriate under certain types of negotiated procedures) no

IV.1.2) Limitations on the number of operators who will be invited to tender or to participate Envisaged minimum number 3

Objective criteria for choosing the limited number of candidates: The candidate's general capacity to carry out the requested services in terms of economic, financial, technical and professional capacity (as outlined in the Section III.4 of the call for applications to participate).

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

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated yes

### IV.2) Award criteria

# IV.2.1) Award criteria

The most economically advantageous tender in terms of the criteria stated below

- 1. Price. Weighting 50
- 2. Quality of the tender. Weighting 45
- 3. Compliance with the draft contract. Weighting 5

### 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: 28214/H/RCO/2013.
- IV.3.2) Previous publication(s) concerning the same contract

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- IV.3.3) Conditions for obtaining specifications and additional documents or descriptive document Payable documents: no
- IV.3.4) Time limit for receipt of tenders or requests to participate 24.3.2014 18:00
- 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 English.
- IV.3.7) Minimum time frame during which the tenderer must maintain the tender
- IV.3.8) Conditions for opening of tenders

### **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 documentation for this procurement procedure can be downloaded from an Internet platform. If you are interested in participating, please register via the Internet platform using the following Internet address: https://www.ecb.europa.eu/secure/procurement/

User ID: 28214/H/RCO/2013.

Password: A50789.

After having registered, an e-mail will be sent to you with a new user name and password. The Internet address will remain the same. Please use the new user name and password to download the procurement documentation.

Should you experience any problems in accessing the Internet platform for registration and/or downloading the procurement documentation please do not hesitate to contact us under the following e-mail address: procurement@ecb.europa.eu quoting the procurement number '28214/H/RCO/2013' and describing the problem experienced.

The tender procedure shall be open on equal terms to all natural or legal persons resident or located in the European Union and to all natural and legal persons resident or located in a country which has ratified the World Trade Organisation Agreement on Government Procurement or has concluded with the European Union a bilateral agreement on procurement under the conditions laid down in the said agreements.

#### VI.4) **Procedures for appeal**

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

Procurement Review Body of the European Central Bank

Kaiserstraße 29

60311 Frankfurt-on-Main

**GERMANY** 

E-mail: legaladviceteam@ecb.int Internet address: http://www.ecb.int

Fax: +49 691344-6886

### Body responsible for mediation procedures

The European Ombudsman

1 avenue du Président Robert Schuman, CS 30403

67001 Strasbourg Cedex

**FRANCE** 

#### 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) or, if no information is requested, 15 days from the receipt of the notification to unsuccessful tenderers.

Further requirements are outlined in Article 33 of the ECB procurement rules (see Section VI.3).

The complaint to the European Ombudsman does not affect the submission deadline nor does it create a new deadline by which complaints can be submitted.

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

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

29.1.2014