

**VOLUNTARY CONTRACT NOTICE FOR UPCOMING PROCUREMENT PROCEDURE**

**PROVISION OF MEDICAL SERVICES WITH REGARD TO OCCUPATIONAL SAFETY AND HEALTH**

**DEADLINE EXTENDED TO 26 OCTOBER**

**(REFERENCE NUMBER: PRO-001265)**

**Title:** Provision of medical services with regard to Occupational Safety and Health

**I. Contracting authority**

**1. Name, addresses and contact point of the contracting authority:** European Central Bank, Central Procurement Office, attention: Alessandro Sussex, Sonnemannstr. 22, 60314 Frankfurt am Main.

**2. Procuring business area:** Directorate Human Resources, Budget and Organisation

**3. Division:** Recruitment and Compensation Division

**4. Section:** Recruitment and Health Services Sections

**5. Background:** Although the ECB is neither subject to German legislation on labour and social welfare law nor regulations on safety and health at work, the ECB aims to comply with the most important and relevant EU Directives and/or German rules and regulations on Occupational Safety and Health (OSH) requirements applicable to companies residing in Germany. Thus, the OSH Medical Advisers shall adapt their

services to the specific requirements of the ECB, which may differ to some extent from the equivalent German regulations, in particular no mandatory regular medical tests or screenings are required at the ECB.

**II. Specifications:** The OSH Medical Services shall be provided to the ECB for initially 60 hours per week in the ECB's medical centres which are located in the New Premises of the ECB (NEP) at Sonnemannstr. 20 in Frankfurt am Main and in the Eurotower (ET) at Kaiserstr. 29<sup>1</sup> in Frankfurt am Main.

The number of service hours may be increased up to 80 hours (and beyond if needed) during the duration of the contract subject to the ability and approval of the successful tenderer(s).

The OSH Medical Services shall be provided by two or more doctors. Each doctor needs to be present at the ECB's premises in Frankfurt at least on four days per week and with a minimum of 20 hours per week. The number of service hours per doctor shall not exceed 40 hours per week.

Should the first ranked tenderer not be in a position to deploy an adequate number of doctors to provide 60 service hours per week, he would be asked to provide the number of service hours offered<sup>2</sup>. The remaining service hours would then be proposed to the second ranked tenderer etc<sup>3</sup>.

In order to ensure a smooth cooperation between the doctors providing OSH services, a main (coordinating) doctor will be appointed. The main doctor will be the doctor of the first ranked tenderer unless a doctor of a lower ranked tenderer is providing a higher number of service hours.

In case of contracts being awarded to multiple tenderers, the ECB will appoint a coordinator on the basis of the criteria to be further specified in the Request for Proposal (RfP).

The supplier(s) for OSH Medical Services shall provide the following tasks and report on these tasks to the ECB's management and its Human Resources Department (DG-H):

### **1. Occupational health services**

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<sup>1</sup> Or – should the medical centre be moved to another location - any other building in the city centre.

<sup>2</sup> As outlined above, the minimum number of service hours which may be offered is 20 hours per week. Furthermore, all proposed doctors need to be present at the ECB's premises on four days per week.

<sup>3</sup> Both individual doctors and companies deploying doctors can participate in the procurement procedure.

- a. Regular and ad-hoc workplace inspections and assessments together with the ECB's Occupational Safety and Health Adviser (Fachkraft für Arbeitssicherheit der EZB),
- b. Handling and evaluation of ergonomic equipment requests;
- c. Assessment of information about accidents at work and occupational diseases and elaboration and advice of adequate counter measures;
- d. Assessment of work place related injuries, sicknesses and risks and advice on appropriate measures mitigating these impacts and risks.
- e. In cooperation with the ECB's nurses: performance of regular medical examinations of members of staff (e.g. vision tests, hearing tests, lung function tests, medical check-ups);
- f. Provision of trainings on OSH and health topics to the ECB's OSH experts;
- g. Provision of regular and refresher courses for first responders in medical emergencies regarding the provision of first aid.

## **2. Advice to the ECB on OSH issues**

- a. Performance of research in OSH matters and provision of regular updates on actual OSH developments to the ECB's OSH experts and the ECB's OSH Committee;
- b. Monitoring the development of OSH legislation at national and European level and advice on its interpretation and implementation;
- c. Assessment and advice in respect of existing health and workplace safety policies and support in the development of new OSH policies;
- d. Assessment of actual/acute health risks and advice on their impact to the functioning of the ECB;

- e. Advice and support in OSH and health promotion activities;
- f. Preparation of communication material on OSH and other health topics for dissemination at the ECB;
- g. Presentations to the ECB's Executive Board, Management Community and members of staff on OSH and other health topics;
- h. Member of the ECB's OSH Committee (Main Medical Adviser (OSH) only)
- i. Close co-operation with (i) ECB's OSH experts in DG-H, DG-A and DG-IS, (ii) DG-H management, (iii) the Examining Medical Advisers, and (iv) the Social Counsellor;

**3. Medical assistance in the sick leave and disability procedure, in particular:**

- a. Monitoring the development of frequent short-term and significant long-term sick leave cases;
- b. Performance of medical clearance examinations for resumption of work;
- c. Establishment of (partial) reintegration procedure in consultation with (i) DG-H (ii) line management of the relevant staff member and (iii) the Examining Medical Adviser, in particular:
  - i. Recommendations for reduced working hours / different work patterns;
  - ii. Recommendations for the adaptation of workplaces and/or ergonomic equipment.

**4. Medical assistance in the occupational diseases procedure, in particular:**

- a. Occupational health assessments of the working environment of the affected staff member;
- b. Occupational health assessment of individual working habits;

- c. Medical examinations of affected staff members;
- d. Establishment or rejection of causal links between reported medical conditions or injuries of members of staff and their working conditions at the ECB.

## **5. Medical assistance with regard to contractual requirements**

- a. Medical examination upon appointment, in particular:
  - i. Personal examinations of newly recruited staff members;
  - ii. Recognition of pre-existing medical conditions;
  - iii. Assessment of medical examinations upon appointment of staff performed by third doctors;
  - iv. Co-operation with Medical Advisers of other EU institutions, in particular
    - 1. joint examinations of newly recruited staff members and/or;
    - 2. joint recognition of pre-existing medical conditions and/or;
    - 3. joint issue of a medical opinion in case of disputes/appeals about medical examinations upon appointment.
- b. Evaluation of children's entitlements to special serious illness/disability support allowances and imperative educational needs due to medical reasons.

## **6. Assistance in dispute settlement procedures for disputes of a medical nature**

- a. Participation in medical committee procedures composed of various doctors;
- b. Performance of joint medical examinations of members of staff in

case of medical disputes;

- c. Contribution to the drafting of a joint medical report of the medical committee closing medical appeals.

## **7. Assistance in the ECB's medical benefits and dental plan**

- a. Advise on the adequacy of the medical and dental coverage in the ECB's medical benefits and dental plan;
- b. Review of decisions of the administrator of the ECB's medical benefits and dental plan regarding
  - i. the rejection of prior approvals for medical treatments;
  - ii. the rejection of medical treatments considered by the administrator being medically non-functional, unnecessary or excessive;
- c. Provision of advice regarding the reimbursement of medical items not mentioned in the benefits schedule of the ECB's medical benefits and dental plan.

## **8. Other tasks:**

The OSH Medical Adviser shall also provide the following services to ECB staff members:

1. Guidance to staff members on prevention processes and medical requirements while on business travel;
2. First aid assistance and emergency medical services, if required.

With the exception of first aid assistance or emergency medical treatments in order to maintain neutrality and objectivity in performing the above mentioned tasks, the OSH Medical Adviser shall not examine ECB staff members and/or their families on a private patient basis.

## **9. Administrative requirements**

Finally, in the context of the OSH Medical Services the following administrative

services shall be provided:

- a. In conjunction with the ECB nurses, all relevant administrative tasks, in particular:
  - i. Maintenance of medical files in ECB's Medical Centre;
  - ii. Documentation;
  - iii. Arrangements of appointment;
  - iv. Communication with affected members of staff.
- b. Assistance in the logistical handling and monitoring of the storage and keeping of medicines and medical equipment;
- c. Interpretation of health care issues at large.

#### **Language requirements for the provision of services**

The OSH Medical Adviser must be able to provide the above-listed tasks in English and German (C2 level according to self-assessment grid available at the following website: [http://www.coe.int/t/dg4/education/elp/elp-reg/Source/assessment\\_grid/assessment\\_grid\\_english.pdf](http://www.coe.int/t/dg4/education/elp/elp-reg/Source/assessment_grid/assessment_grid_english.pdf)). Other language capacities at C2 level which are relevant from an ECB perspective will be evaluated in accordance with the Request-for-Proposal.

#### **Information regarding ECB's Medical Centres/cooperation with ECB nurses/medical equipment**

The OSH Medical Services shall be provided on-site at the Medical Centres on the ECB's premises in Frankfurt am Main, which are designed for medical examinations and first-aid assistance to ECB staff and for the performance of the above mentioned tasks. The OSH Medical Advisers shall provide the above mentioned tasks in close collaboration with the four qualified nurses who are available for at least 40 hours per week in the ECB's Medical Centres and speak various languages (including English, German, French and Dutch).

The OSH Medical Advisers may delegate some occupational health duties and administrative requirements/data protection tasks, e.g. performance of vision tests, taking blood samples, preparing medical certificates, maintaining medical files, etc. to

the nurses upon agreement with the ECB, as appropriate.

The ECB shall provide the Medical Centres with appropriate medical equipment and office equipment and supplies. Medical supplies shall also be provided by the ECB with the exception of medicines and vaccines, which have to be charged either to the treated member of staff (e.g. vaccinations for private travel outside Europe) or the ECB (e.g. for vaccinations for business travel and vaccinations recommended within Europe). Detailed instructions regarding invoicing requirements will be provided upon contract award. The premises and the equipment of the Medical Centres as well as of the nursing services will be provided free of charge. All office and medical equipment in the Medical Centres are the property of the ECB that will take care of proper maintenance. The Medical Centres shall be shared with other Medical Advisors advising the ECB or general practitioners offering private consultancy hours to ECB staff members.

#### **Requirements regarding laboratory/network of doctors/training expectations**

Since the ECB does not have an own laboratory, the OSH doctors shall make available to the ECB their own laboratory. In case several tenderers will be awarded the contract, all doctors shall use the laboratory of the tenderer offering the economically most advantageous solution to the ECB. Laboratory results shall be available electronically, at the latest 48 hours following the dispatch of the samples to the laboratory.

The OSH Medical Advisors shall maintain a network of doctors and/or medical experts in the Rhine-Main area to whom members of staff may be referred for a second medical opinion in case an expert medical opinion is required in an ECB medical procedure in an area of medical competencies falling outside the qualifications and experiences of the OSH Medical Adviser.

The OSH Medical Advisors are expected to comply with statutory requirements on continuous medical training and are expected to regularly attend relevant training courses at their own expenses. The OSH Medical Advisors may be requested on an annual basis to provide an overview of training courses attended.

In case the ECB considers the attendance of the OSH Medical Adviser on a particular training important or requests the OSH Medical Adviser to undergo business travel on its behalf, the ECB shall treat the attendance at such occasions as presence time at the ECB and reimburse the OSH Medical Adviser the corresponding costs for



attendance<sup>4</sup>, travel and accommodation in accordance with the relevant provisions of the ECB's rules.

### **Absences of OSH medical advisers**

In case of absences of OSH medical advisers the following approach is foreseen: Should one Contractor deploy more than one OSH medical adviser to the ECB, absences of medical advisers are to be compensated by other medical adviser(s) of the Contractor. Should one Contractor deploy one OSH medical adviser only, the ECB may ask other Contractors to provide increased service hours<sup>5</sup> to cater for absences of other Contractor(s).

## **III. Procedure**

### **1. General information**

This document constitutes a voluntary contract notice in the run-up to a procurement procedure for the provision of medical services with regard to Occupational Safety and Health which shall be governed by Decision ECB/2007/5 of 3 July 2007 laying down the Rules on Procurement<sup>6</sup> and the supplementary rules attached as Annex 1. The procurement procedure will be carried out without publication of a notice in accordance with Article 29 of Decision ECB/2007/5.

### **2. Pre-selection procedure:**

All candidates meeting the minimum criteria laid down in Section IV.1.

### **3. Division into lots:**

No.

### **4. Type of contracts:**

Service contract(s) for the duration of 4 years with the possibility to extend the Contract thereafter for up to four additional years.

### **5. Closing date:**

All applications must be received by the ECB by the closing date set out in Section VIII below.

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<sup>4</sup> The maximum attendance in training will be remunerated with 8 hours per day. This only applies for trainings to which the ECB requested the medical adviser to attend. The same applies in case the ECB requests the medical adviser to undergo business travel on behalf of the ECB.

<sup>5</sup> Increased service hours are subject to the availability of Contractors.

<sup>6</sup> OJ L 184, 14.7.2007, p. 34 as amended by Decision ECB/2009/2 (OJ L 51, 24.2.2009, p. 10) and Decision ECB/2010/8 (OJ L 238, 9.9.2010, p. 14), all published on <http://www.ecb.europa.eu/ecb/jobsproc/tenders/html/index.en.html>.

**IV. Qualifications  
and experience  
(selection criteria)**

**1. Minimum  
criteria:**

Candidates must meet the following selection criteria:

- ability to perform the requested services and the minimum requirements on the ECB premises during the times of presence suggested in section II above;
- all doctors who would be proposed for the ECB need to have a licence (Approbation) or qualification (Berufserlaubnis) to practise medicine in Germany; **Note:** Only the doctors for which the above documentation was submitted can be proposed to the ECB, no new doctors can be proposed at a later point in the upcoming procurement procedure.
- all doctors who would be proposed for the ECB need to have professional liability insurance coverage including OSH coverage with a minimum coverage of 5,000,000 EUR. **Note:** Only the doctors for which the above documentation was submitted can be proposed to the ECB, no new doctors can be proposed at a later point in the upcoming procurement procedure.

**V. How to apply:**

**1. Form and  
content of the  
application:**

Applications must include the following documents:

- Confirmation of ability to perform the requested services and the minimum requirements on the ECB premises during the times of presence suggested in section II above and a short description of your envisaged service approach, in particular your availability for the provision of the services.
- Copy of licence (Approbation) or qualification (Berufserlaubnis to practice medicine in Germany) of all doctors who would be proposed to the ECB for the provision of services;
- Copy of liability insurance coverage including OSH coverage of all doctors who would be proposed to the ECB for the provision of services or confirmation of willingness to take out such insurance in case tender was to be successful.

Incomplete applications, i.e. those with no supporting documentation, will not be

considered.

Applications must be sent by post, quoting the above reference number, to the **address stipulated under Section I. 1. above**. Applications will not be returned and will remain the property of the ECB.

**2. Submission of the application**

All applications must be received by the ECB by the closing date (see Section VIII below). If candidates submit their proposals by registered post or private courier services, the post office stamp or the date on the slip issued by the courier service shall constitute proof of compliance with the above time-limit for submission. However, the ECB will not consider proposals which reach the ECB seven calendar days after expiry of the above time-limit.

**3. Closing date:**

Interested candidates may not apply to participate in the procurement procedure and/or to be added to the list of candidates at a later date by sending the information requested in this voluntary contract notice after the closing date.

The ECB may, at its discretion, exclude applications that do not meet the qualifying criteria, do not contain the information requested or are otherwise incomplete.

**4. Exclusion of applications**

Furthermore, the ECB has a contract in place for the provision of medical services as Examining Medical Adviser, whose role is – amongst others – to verify sick leave absences and the entitlement of staff members to long-term incapacity benefits and General Practitioner. For policy reasons and to avoid potential conflicts of interest, the contract holder of the Examining Medical Adviser contract and the contract holder of the General Practitioner contract must not participate in the current procurement procedure for the provision of medical services with regard to Occupational Safety and Health.

**VI. Additional information:**

1. Contract(s) are intended for a duration of 4 years with the possibility of extension for an additional period of four years.
2. All Contracts shall be governed by and interpreted under German civil law.
3. The ECB reserves the right to reuse the candidate's data for the identification of potential bidders for future procurement procedures.
4. The ECB reserves the right not to make any award to any of the suitable candidates.
5. The ECB will not be liable for any costs, nor shall it reimburse any expenses or

losses that suitable candidates may incur in connection with the submission of their application.

**VII. Date of 18 September 2015**  
**dispatch of this**  
**call for the**  
**identification of**  
**potential bidders:**

**VIII. Closing date: 26 October 2015**