

**Title:** Provision of office supplies and stationery products to the European Environment Agency

**Reference:** Open call for tenders EEA/ADS/16/001

**Closing date:** 15.03.2016

## 1. Introduction to EEA

The European Environment Agency (EEA) is a European Union public body governed by Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009<sup>1</sup>. The EEA role is to support the European Union in the development and implementation of environmental policy by providing relevant, reliable, targeted and timely information on the state of the environment and future prospects. The EEA also provides the necessary independent scientific knowledge and technical support to enable the Union and the member countries to take appropriate measures to protect and improve the environment as laid down in the Treaty and by successive Community action programmes on the environment and sustainable development. Currently, the EEA has 33 member countries<sup>2</sup> and 6 cooperating countries<sup>3</sup>, jointly referred to as the EEA-39.

The EEA is the hub of the European Environment Information and Observation Network (Eionet), a network of around 350 organisations across Europe, including European Topic Centres (ETCs), through which it collects and disseminates environment-related data and information. The EEA and Eionet contribute to the European Shared Environmental Information System (SEIS), a distributed, integrated, web-enabled information system based on a network of public information providers sharing environmental data and information. It builds on existing e-infrastructure, systems and services in the Member States and EU institutions.

Further information about the work of EEA can be obtained on its website: <http://www.eea.europa.eu>.

## 2. Presentation of the tender

Tenders shall be submitted in accordance with the **double envelopes system**:

The outer envelope or parcel should be sealed with adhesive tape and signed across the seal and carry the following information:

- The call for tenders reference No **EEA/ADS/16/001**
- The contract title ***“Provision of office supplies and stationery products”***
- The name of the tenderer
- The indication ***“Tender – Not to be opened by the internal mail services”***

<sup>1</sup> OJEU L 126 of 21.5.2009, p. 13

<sup>2</sup> The Member States of the European Union, Iceland, Liechtenstein, Norway, Switzerland and Turkey

<sup>3</sup> Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Montenegro, Serbia and Kosovo under the UN Security Council Resolution 1244/99.

- The address for submission of tender (as specified in the letter of invitation to tender)
- The date of submission shall be legible on the outer envelope or parcel

The outer envelope or parcel must contain three inner envelopes, i.e. Envelopes No 1, 2 and 3, corresponding to the following three sections: administrative section, technical offer and financial offer.

**(a) Envelope No 1 – Administrative section** shall include the following:

- The tender submission form drawn up in accordance with the template in annex 1
- The declaration(s) on exclusion criteria as required under section 10.1.2 drawn up in accordance with the template in annex 2
- The legal entity form as required under section 10.2.1 drawn up in accordance with the template in annex 3
- The financial identification form drawn up in accordance with the template in annex 4
- The evidence and documentation demonstrating the fulfilment of the selection criteria as required under sections 10.2.2 (economic and financial capacity) and 10.2.3 (technical and professional capacity)

**(b) Envelope No 2 – Technical offer** shall include the following:

The technical offer addressing the elements described in section 6 and providing all information requested under section 10.3.1 including, where appropriate, information relevant to subcontracting as requested under section 4.3.

**(c) Envelope No 3 – Financial offer** shall include the following:

The financial offer drawn up in accordance with the requirements in sections 9 and 10.3.2, and with the template in annex 5.

Tenders shall be drafted in one of the official languages of the European Union, **preferably in Danish or English** (supporting evidence does not need to be translated) and submitted **in triplicate** (one signed original unbound and two copies).

It is important that tenders are presented in the correct format and include all documents necessary to enable the evaluation committee to assess them. Failure to respect these requirements will constitute a formal error and may result in the rejection of the tender.

Tenderers shall carefully follow the instructions in points 2, 3, 4 and 6 of the letter of invitation to tender to ensure their tender is admissible. Late delivery will lead to non-admissibility of the tender and its rejection from the procedure for awarding a contract following this call for tenders. Offers sent by e-mail or by fax will also be non-admissible and discarded. Envelopes found opened at the opening session will also lead to non-admissibility of the tender. Consequently, tenderers must ensure that their tender is wrapped in such a way as to prevent any accidental opening during its mailing.

### **3. Confidentiality and protection of personal data**

For the processing of this tendering procedure, the EEA observes the rules set in Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by Community institutions and bodies and on the free movement of such data (OJEU L 8 of 12.1.2001, p. 1).

For further detailed information please refer to the privacy statement available on the EEA website at the following address: <http://www.eea.europa.eu/about-us/tenders/privacy-statement>.

## **4. Participation in the tendering procedure**

### **4.1. Eligibility**

This call for tenders is open on equal terms to all natural and legal persons from one of the 33 EEA member countries and to all natural and legal persons established in a third country which has a special agreement with the European Union in the field of procurement on the conditions laid down in that agreement<sup>4</sup>.

As proof of eligibility tenderers must indicate in the tender submission form (see annex 1) in which country they have their headquarters, registered office or residence, and provide the necessary supporting documents in accordance with their national law. If the tenderer is a natural person, he/she must provide a copy of identity card/passport or driving license and proof that he/she is covered by a social security scheme as a self-employed person.

### **4.2. Application**

All eligible natural and legal persons (as per above) or groupings of such persons (consortia) may apply.

A consortium may be a permanent, legally established grouping or a grouping, which has been constituted informally for a specific tender procedure. If awarded the contract, the members of the consortium (i.e. the coordinator and all other partners) will have an equal standing towards the EEA in executing the framework supply contract and they will be jointly and severally liable to the EEA.

The participation of ineligible natural or legal persons will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

The EEA will not request consortia to have a given legal form in order to be allowed to submit a tender, but reserves the right to require a consortium to adopt a given legal form before the contract is signed if this change is necessary for proper performance of the contract. This can take the form of an entity with or without legal personality but offering sufficient protection to the EEA contractual interests (depending on the member countries concerned, this may be for instance, incorporation or partnership or a temporary association). Consortia must identify one of their members as coordinator who will interface with the EEA.

Each member of a consortium must fulfil the conditions for participation mentioned in this section and in section 4.1 above and provide the required documents listed in these tender specifications under sections 10.1 and 10.2 below. Therefore, each member of a consortium shall specify his role, qualifications and experience.

### **4.3. Subcontracting**

A contractor may subcontract part of the services.

Tenderers must state what part of the work, if any, they intend to subcontract, and to what extent (for instance % of the total contract value), specifying the names, addresses and legal status of the subcontractors. If subcontracting is **not** envisaged, tenderers shall clearly state so in the tender submission form (see annex 1).

Tenderers shall provide a document containing a list of the professional qualifications of the

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<sup>4</sup> At this point in time, tenderers established in one of the following countries are eligible: EEA member countries, i.e. EU-28, Iceland, Liechtenstein, Norway, Switzerland and Turkey; and under the stabilisation and association agreements: FYROM, Albania, Montenegro and Serbia.

subcontractors and statement of the means of ensuring quality and confidentiality when subcontractors are used. If awarded the contract, the contractor may not choose subcontractors other than those mentioned in the bid unless he obtains the prior written authorisation of the EEA. The overall responsibility of the work remains with the contractor.

Tenderers shall acknowledge that the EEA reserves the right to request them at a later stage to provide documentation in relation to exclusion and selection criteria for any proposed subcontractors (see sections 10.1 and 10.2 below).

If awarded the contract, the contractor must ensure that Article II.13 of the draft framework contract (see annex 6) can be applied to subcontractors. Once the contract has been signed, Article II.5 of the above-mentioned draft framework contract shall govern subcontracting.

## **5. Contractual terms and guarantees**

In drawing up their bid tenderers should bear in mind the provisions of the standard framework supply contract and order form attached as annex 6 to these tender specifications, particularly those on payments, performance of the contract, confidentiality, and checks and audits. Any limitation, amendment or denial of the terms of the contract will lead to the automatic exclusion from the procurement procedure.

Payments shall be made upon delivery and approval of the supplies requested, within 30 (thirty) calendar days upon receipt by the EEA of an invoice and any supporting document relating to the supplies delivered.

The EEA may consider electronic ordering and invoicing in the future, which may result in changes in the contractual terms, and in particular those on invoicing and payments.

No financial guarantee is requested.

## **6. Purpose and context of the contract**

The European Environment Agency (EEA), intends to award a framework supply contract, under which it will purchase a wide range of general office supplies and stationery products including paper, toner and printer consumables for its offices located at Kongens Nytorv 6 and 8, 1050 Copenhagen K, Denmark.

Annex 5 to these tender specifications includes a representative list of the EEA's estimated annual demand to occur over the duration of the framework supply contract.

### **6.1 Mandatory requirements**

Order forms, as found in Annex 6 will be used for ordering supplies via email and the tenderer must therefore have a central email address for receipt of order forms. The EEA would like to consider, however, online (web) ordering as a method of ordering the supplies and therefore the contractor shall have such a system at its disposal (for more details see below section 6.2. "Specific requirements concerning the online ordering system").

EEA requires an automatic return policy to be applied to all goods which are damaged in transit or not supplied to the quality or exact type ordered by EEA.

EEA requires that there is no minimum order value.

Packaging should be adapted to the size of the delivered article and be as much environmentally friendly as possible.

EEA will designate a contact point to administer office supplies and expects the tenderer to designate at least one account manager to act as a (single) point of contact for all EEA needs in respect of the

Framework Contract.

Quality of products and reliability of service must remain consistent throughout the duration of the contract.

Tenderers must be in a position to continuously supply and deliver items within 7 days of an order being placed. Tenderers are invited to propose a shorter standard delivery time in their offer (see award criterion No 2 in section 10.3.1 below).

Paper must be exclusively made from recycled fibres/virgin fibres from sustainably managed forests and labelled accordingly, i.e. Ecolabel.

Toner and printer consumable must be non-carcinogenic and non-harmful to the reproductive system and to the environment. All cartridges must be recycled. Containers for empty cartridges and toners must be provided and picked up when needed, free of charge.

## **6.2. Specific requirements concerning online ordering system**

As the EEA may consider using an online ordering system in the future, tenderers should be able to provide a system, which can respond to the following functional requirements:

- The online ordering system should allow access to one or more designated EEA users by means of a personal login and password;
- When the designated EEA user will login into the system he/she will be able to see and order the products offered by the contractor in the Price quotation;
- The prices of such products shall be as indicated in the Price quotation;
- The system should also allow the user to see and order all the other products available in the general catalogue of the contractor;
- The system should allow the designated EEA user to create an online order by choosing the needed products and selecting the quantities;
- The created order shall allow the designated EEA user to insert the EEA internal reference number of the order and shall contain the reference to the terms and conditions of the Framework Contract
- The system should allow the designated EEA user to save and print the created order before submitting it to the contractor
- The system should allow the designated EEA user to submit the created order to the contractor by clicking a "Submit order" button;
- The contractor shall confirm the acceptance of the order by sending EEA an e-mail that confirms that the products have been successfully ordered (the Order Confirmation).
- Only after this course of actions will the order be binding to both the EEA and the contractor.
- Online ordering of business cards and other printed matters in accordance to EEA design.
- Online ordering of stamps in accordance to EEA requirements.

Tenderers are invited to provide a description of the available on-line ordering system in their offer (see section 10.3.1 below, award criterion no 1).

## **7. Place of performance**

All goods shall be delivered at the premises of the European Environment Agency, at Kongens Nytorv 6, Copenhagen K, 1050, Denmark.

## **8. Type and volume of contract**

The successful tenderer will be awarded a framework supply contract for an initial period of 12 (twelve) months starting from the date of signature, with the possibility of maximum three renewals for a period of 12 (twelve) months each. The contract will be implemented through order forms (or alternative means if an online ordering system is used) detailing the supplies to be ordered depending on the EEA's demands. Based on the EEA's current level of supplies and anticipated future demand the estimated maximum budget available, is EUR 240,000.00 (two hundred forty thousand euro) over a maximum period of 48 (forty eight) months covering all needs specified above.

## 9. Prices

- Tenderers are required to quote prices for the goods to be provided according to the requirements specified in section 10.3.2 below and the following:
- Prices quoted must be **all-inclusive** (i.e. including all relevant costs and all expenditure (e.g. management, transport, administrative costs, delivery, disposal of empty toner cartridges etc)), and expressed in euro, including for tenderers established in countries that are not part of the Eurozone. No additional costs may be introduced/charged (e.g. administrative, environmental etc.) at a later stage. For tenderers in countries that do not belong to the Eurozone, the price quoted may not be revised in line with exchange rate movements. It is for the tenderers to select an exchange rate and assume the risks or the benefits deriving from any variation.
- No additional expenses incurred in the performance of the services will be reimbursed separately by EEA.
- The price quoted must be fixed and not subject to revision during the first year of performance of the contract.

From the beginning of the second year of performance of the contract, each price may be revised upwards or downwards each year, where such revision is requested by one of the contracting parties by registered letter no later than 31 July so that the new prices may take effect on 1 January the following year.

The EEA shall purchase on the basis of the price in force on the date on which order forms are signed. Such prices shall not be subject to revision.

The revision shall be determined by the trend in the harmonised indices of consumer price (HICP) published by the European Commission on Eurostat web page at <http://ec.europa.eu/eurostat/data/database> (Theme – Economy and Finance; Prices (prc); Harmonised indices of consumer prices (HICP) (prc\_hicp); HICP (2005=100) – monthly data (index) (prc\_hicp\_midx); GEO – Euro area (EA11-2000, EA12-2006, EA13-2007, EA15-2008, EA16-2010, EA17-2013, EA18-2014, EA19).

Revision shall be calculated in accordance with the following formula:

$$Pr = Po \times (Ir/Io)$$

Where:

Pr = revised price;

Po = price in the original tender;

Io = index for the month in which the Contract enters into force;

Ir = index for the month corresponding to the date of receipt of the letter requesting a revision of prices.

- Prices must be quoted free of all duties, taxes and other charges, including VAT, as the EEA is exempt from such charges under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union and the Headquarters Agreement between EEA and the

Government of Denmark of 17 August 1995; such charges may not therefore be included in the calculation of the price quoted; the VAT amount may be shown separately.

The costs incurred in preparing and submitting tenders are borne by the tenderers and cannot be reimbursed.

## **10. Criteria**

The award procedure will consist of three successive stages; only tenders meeting the requirements of one stage will be examined in the next stage. The procedure foresees

1. to check, in the first stage, whether tenderers can take part in the tendering procedure (exclusion criteria and legal capacity);
2. to check, in the second stage, the economic and financial capacity and the technical and professional capacity of each tenderer who has passed the eligibility stage (selection criteria);
3. to assess, in the third stage, each tender which has passed the eligibility and selection stages (award criteria).

### **10.1. Exclusion criteria**

#### **10.1.1. Exclusion from participation and award in the procurement procedure**

To be eligible to participate in this contract award procedure, tenderers must not be in any of the exclusion situations referred to in Articles 106 and 107 of the financial rules applicable to the general budget of the European Union<sup>5</sup>.

#### **10.1.2. Evidence to be provided by the tenderers**

When submitting their bids, each tenderer (including any subcontractor or any member of a consortium) must provide a declaration on their honour in accordance with the form attached as annex 2, duly signed and dated, stating that they are not in any of the situations mentioned under section 10.1.1 above.

The tenderer to whom the contract is to be awarded will be required, prior to the signature of the contract, to provide the evidence specified in the penultimate paragraph of the declaration of honour mentioned above (see annex 2).

### **10.2. Selection criteria**

#### **10.2.1. Legal capacity**

Any tenderer is required to prove that he is authorised to perform the contract under national law, as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organisation, express authorisation, or entry in the VAT register.

To that effect, each tenderer (including any sub-contractor or any member of a consortium) is required to submit a legal entity form (see annex 3) duly filled out and signed, accompanied by a copy of inscription in a trade register and/or a copy of inscription in a VAT register, where applicable. However, the sub-contractor(s) shall not be required to fill out or provide those documents when the services they provide represent less than 20% of the framework contract estimated value.

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<sup>5</sup> Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25.10.2012, OJEU L 298/1 of 26.10.2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002, OJEU L 298/1 of 26.10.2012, as amended by Regulation (EU, Euratom) 2015/1929 of 28.10.2015 (OJEU L 286/1 of 30.10.2015).

### 10.2.2. Economic and financial capacity

Evidence of economic and financial capacity shall be furnished by **one** (or more) of the following documents:

- appropriate statements from banks or evidence of professional risk indemnity insurance; OR
- the presentation of balance sheets or extracts from balance sheets for at least the last two years for which account have been closed, where publication of the balance sheet is required under the company law of the country in which the economic operator is established; OR
- a statement of overall turnover and turnover concerning the services covered by the contract during the last 2 (two) financial years.

If, for some exceptional reason, which the EEA considers justified, a tenderer is unable to provide the references requested above, he may prove his economic and financial capacity by any other means which the EEA considers appropriate.

A tenderer 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. He must in that case prove to the EEA that he will have at his 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 his disposal.

### 10.2.3. Technical and professional capacity

Tenderers should show their degree of technical and professional capacity to deliver the requested supplies by providing information on the criteria described below. If several suppliers or subcontractors are involved in the tender, the selection criteria for the technical and professional capacity will be assessed in relation to the combined capacities of the suppliers and subcontractors, as a whole, to the extent that suppliers or subcontractors put their resources at the disposal of the tenderer for performance of the contract.

Tenderers shall provide the following documentation:

- **Past contracts**

Evidence that the tenderer's core business is relevant to the subject of the contract: tenderers shall detail similar supplies provided in the last three years (including the value, dates, brief description of the supplies provided and recipients of the supplies (whether public or private).

- **Environmental policy:**

Tenderers shall provide a description of their environmental policy specifying the status of implementation. In the event of a joint offer submitted by a consortium, **each** member of the consortium shall provide the requested description.

### 10.3. Award criteria

The assessment method that will be used to determine the choice of the tender will be based on the criteria given below, on the basis of the most economically advantageous tender in terms of:

- The quality of the tender (Technical merit – TM)
- The financial value of the tender (Price – P)

#### 10.3.1. Technical merit (TM) (max. 50, min. 35 points)

Tenders will be evaluated following the award criteria and weightings outlined below, producing a total potential score of 50 points.



Tenderers shall elaborate on all criteria referred to below in order to score as many points as possible. The mere repetition of mandatory requirements set out in these tender specifications, without going into details or without giving any added value will only result in a low score. If essential elements of these tender specifications are not expressly addressed in the tender, EEA may decide to give a zero mark for the relevant quality criterion.

No	Award criteria	Maximum points (50)	Minimum points (35)
1	<p><b>On-line tool for ordering</b></p> <p>Tenderers shall provide information on the tool that can be used for on-line ordering should the EEA decide to implement such a system in the future. Characteristics that will be evaluated include technical features, user friendliness, support from providers to resolve technical issues with the tool, possibility for the EEA users to consult pending order(s) and follow the shipment of those orders, whether EEA users will be able to obtain statistics of products and items purchased both for financial statistics as well as for EMAS purposes, and whether the system allows access to a regularly updated online catalogue of all office supplies and consumables supplied by the contractor, including their prices and special offers.</p>	20	14
2	<p><b>Customer service policy and quality assurance</b></p> <p>Tenderers shall provide a short presentation of the way in which the provision of supplies will be organised, including <i>inter alia</i> contract management, delivery time (as specified in section 6.1 maximum delivery time is 7 days, but more points will be given for a shorter delivery time), ensuring product quality (functionality) and range, customer service, way to ensure timely response to requests for supplies.</p>	20	14
3	<p><b>Environmental considerations</b></p> <p>Tenderers will be assessed in terms of their environmental characteristics and the level of ambition to reduce the environmental impact of all activities related to provision of the requested supplies, documented in a description (max. 3 A4 pages) of, for instance, how the tenderer will pick up the empty cartridges and how these will be recycled, how the tenderer will deliver the ordered supplies, how the tenderer will ensure that packaging minimizes environmental impact and excessive waste etc...</p>	10	7

Only tenders which obtain the indicated minimum number of points, both for each award criterion and in total, will be considered for the next stage, which involves determining the financial value of

the tender (price index) and for the final assessment.

### **10.3.2. Price (P) (max. 50 points)**

Tenderers are requested to submit a financial offer giving the **all-inclusive** (i.e. including all relevant costs and all expenditure (e.g. management, transport, administrative costs, delivery, disposal of empty toner cartridges etc)) price in **euro** for the products listed in annex 5.

The price (P) that will be used as a basis for the price comparison is the total price quoted calculated according to the following formula:

$$\text{Total} = (A+B+C+D+E) \times 4$$

Tenders meeting all mandatory requirements including the minimum for technical merit will score points in function of the following formula:

$$PS = (PS_{\min}/PS_0) \times 50$$

where

PS = Price Score for price of service;

PS<sub>min</sub> = the lowest price offered among the tenders received;

PS<sub>0</sub> = the price of the tender being considered;

50 = the maximum number of points that can be awarded under this award criterion.

For that purpose, tenderers shall fill in the price quotation template attached in annex 5 to these tender specifications. Tenderers shall bear in mind that all fields are compulsory and non-compliance will lead to exclusion of the tender from the award process.

### **10.3.3. Final assessment**

A framework supply contract will be awarded to the tenderer whose tender achieves the highest total score for technical merit and price (TM + P). Should tenders obtain the same final score and tie for first place, the winning tender will be decided on the basis of the highest score achieved for price.

## **11. Performance**

Competence in both selection and award criteria must be maintained throughout the framework contract. Should the contractor fail to do this during the validity of the framework contract, EEA reserves the right to refuse any further supply if performance is not satisfactory and/or to choose another vendor from the tenders.

## **12. Environmental Considerations**

The EEA runs a certified environmental management system (EMAS) and aims to minimise the environmental impact of all its activities, including those carried out under contract. The future contractor will, therefore, be requested to consider the EEA environmental management guidelines in the implementation of the contract, in particular, those relating to business travel, electronic means of communication, paper and energy consumption. Further information on the EMAS system can be found on the EEA homepage: <http://www.eea.europa.eu/documents/emas>.

Moreover, it is strongly recommended that tenders are submitted in an environmentally friendly way, e.g., by choosing a simple and clear structure (list of contents and consecutive page numbering), double-sided printing, limiting attachments to what is required in the technical specifications (no additional material) and avoiding plastic folders or binders.

### **13. Annexes**

Annex 1: Tender submission form

Annex 2: Declaration on exclusion criteria

Annex 3: Legal entity form

Annex 4: Financial identification form

Annex 5: Price quotation for most commonly ordered items

Annex 6: Draft framework supply contract and draft order form