

ECB - consultancy services for building physics for the new ECB premises (D-Frankfurt-on-Main)**2005/S 96-094766****Contract notice****Services****Is this contract covered by the Government Procurement Agreement (GPA)? Yes.****Section I: Contracting authority****I.1) Official name and address of the contracting authority:**

European Central Bank, Att: Mr Alberto Molon, Kaiserstraße 29, D-60311 Frankfurt-on-Main. Fax: (49-69) 13 44 75 03. E-mail: new_ecb_premises-procurement@ecb.int. URL: www.ecb.int.

I.2) Address from which further information can be obtained:

European Central Bank, Att: Mr Alberto Molon, Kaiserstraße 29, D-60311 Frankfurt. URL: www.new-ecb-premises.com.

Further information (question and answer) is provided in a forum at the above-mentioned Internet address.

I.3) Address from which documentation may be obtained:

European Central Bank, Att: Mr Alberto Molon, Kaiserstraße 29, D-60311 Frankfurt. URL: www.new-ecb-premises.com.

The application form can be downloaded from a forum at the above-mentioned Internet address.

I.4) Address to which tenders/requests to participate must be sent:

As in I.1.

I.5) Type of contracting authority:

EU institution.

Section II: Object of the contract**II.1) Description****II.1.1) Type of works contract****II.1.2) Type of supplies contract****II.1.3) Type of service contract:**

Service category: 12.

II.1.4) Is it a framework agreement?

No.

II.1.5) Title attributed to the contract by the contracting authority:

Consultancy services for building physics for the new ECB premises.
(Bauphysik)

II.1.6) Description/object of the contract:

The European Central Bank (ECB) is planning to construct its new premises on a site of approximately 120 000 m² in Frankfurt am Main, Germany by 2010. This will be a highly complex, demanding and challenging project. The site includes the Frankfurt Großmarkthalle, a listed building built in 1928. It is intended to implement the design concept of COOP HIMMELB(L)AU for the new ECB premises. In addition to the architect's services (architectural planning, structural engineering and an energy design concept), the ECB needs to establish a

planning team and intends to award a contract on consultancy services for building physics, sound insulation and humidity protection based on the scope of services defined in the 'German fee structure for architects and engineers' (HOAI), § 77 et seq. (part X) and § 80 et seq. (part XI) in a negotiated tender procedure.

II.1.7) **Site or location of works, place of delivery or performance:**

On the Großmarkthalle site in the eastern part of Frankfurt.

NUTS code: DE 712.

II.1.8) **Nomenclature**

II.1.8.1) **Common procurement vocabulary (CPV):**

74230000; 74231431.

II.1.9) **Division into lots:**

No.

II.1.10) **Will variants be accepted?**

Yes.

Alternative offers will only be accepted in addition to the offer meeting all the requirements requested in the tender and only be considered in the evaluation if the alternative solution is equal to or of higher merit than the main offer. The burden of proof regarding the equality of the alternative offer shall be on the tenderer.

II.2) **Quantity or scope of the contract**

II.2.1) **Total quantity or scope:**

The successful applicants will have to compete for a contract to provide consultancy services for building physics, sound insulation and humidity protection according to HOAI, § 77 et seq. (part X) and § 80 et seq. (part XI) for the planning and, possibly, construction phase until the completion of the project.

II.2.2) **Options. Description and time when they may be exercised:**

The initial contract will comprise services for the planning phase. It may be extended by the ECB for the construction phase until the completion of the project.

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

The planning phase is scheduled to start at the earliest in February 2006 with an estimated term of duration of 30 months until a building permit for the project is issued. The completion of the project is estimated to be in 2010.

Section III: Legal, economic, financial and technical information

III.1) **Conditions relating to the contract**

III.1.1) **Deposits and guarantees required:**

Details will be provided in the invitation to tender (ITT), where applicable, which will be sent to the short-listed candidates.

III.1.2) **Main terms of financing and payment and/or reference to the relevant provision:**

Details will be provided in the invitation to tender (ITT), where applicable, which will be sent to the short-listed candidates.

III.1.3) **Legal form to be taken by the grouping of suppliers, contractors or service providers to whom the contract is awarded:**

Temporary groupings of companies with a view to obtaining a contract to perform services may be established under the conditions set out in the application form.

III.2) **Conditions for participation**

III.2.1) **Information concerning the personal situation of the contractor, supplier or service provider and information and formalities necessary for the evaluation of the minimum economic, financial and technical capacity required:**

All applications must be submitted using the application form prepared by the ECB in accordance with the instructions. The application form can be obtained from the address indicated above (I.3). This application and its tender clauses shall be considered as part of the tender documentation.

To be admitted to participate in the tender procedure, companies or organisations have to fulfil the qualifying criteria listed below:

- 1.1 our business has adequate human and technical resources to manage a project of this type;
- 1.2 we have the qualifications enabling us to manage such a project including a knowledge of the applicable German building law and local regulations (e.g. BauGB, HBO, fire protection, etc.) as well as of European regulations and technical norms for construction projects. This includes 3 key staff members;
- 1.3 we are able to work on a bilingual project and have advanced German and English, oral and writing skills;
- 1.4 our company/member(s) of a temporary grouping was/were responsible during the last 7 years for 3 completed comparable construction projects where we were responsible for similar consultancy services for building physics. In this context, the comparability of the project is measured in terms of size, quality and complexity. This includes at least 1 high-rise building with over 30 000 sqm total gross floor area, 1 project with buildings standing under historical preservation order and 1 project with special areas (e.g. conference) that required a high standard of sound insulation and acoustic quality.
(In case the application is submitted with a subcontractor, references may be provided from the subcontractor for the services or parts of the services applying for);
- 1.5 over the past 3 years our minimum accumulated fee income was EUR 900 000 excluding VAT. For temporary groupings the same threshold applies and, in addition, at least 1 member of the grouping must have had a minimum accumulated fee income of EUR 600 000 excluding VAT over the past 3 years;
- 1.6 we are neither bankrupt nor are any insolvency proceedings ongoing or due to be commenced in relation to our business;
- 1.7 we comply with all necessary obligations in relation to the payment of:
 1. social security contributions; and
 2. taxes, pursuant to the laws of the country in which we are established;
- 1.8 if awarded the contract, we will comply with the requirement to maintain a continuous office presence on site during the planning and construction phase in the case the ECB considers this necessary;
- 1.9 we are aware of the fact that, if awarded the contract, companies belonging to our group of companies or companies held by our shareholders cannot apply in the subsequent tenders for construction works. We indicate hereby all such companies whose main business purpose is construction works;
- 1.10 we are qualified to practise and listed in a commercial register (e.g. the German Handelsregister);
- 1.11 we comply with applicable anti-corruption regulations;
- 1.12 we have not been convicted of an offence concerning professional conduct by a judgment which has the force of *res judicata*.

Applicants must provide all documents necessary to prove full compliance with the requirements stated in 1.1–1.12 by submitting them as attachments to the application form.

Any failure to comply with one of the qualifying criteria will entail the applicant's exclusion from the tender procedure.

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

III.3.1) **Is provision of the service reserved to a specific profession?**

Yes.

Natural persons who, on the date of dispatch of this notice, bear an occupational title as 'architect', 'engineer' or 'consulting engineer' according to the Directive 89/48/EWG and 85/384/EWG, pursuant to the legal provisions of the country in which they are established.

III.3.2) **Will legal entities be required to state the names and professional qualifications of the personnel**

responsible for execution of the contract?

Yes.

Section IV: Procedure**IV.1) Type of procedure:**

Negotiated.

IV.1.1) Have candidates already been selected?

No.

IV.1.2) Justification for the choice of accelerated procedure:

Not applicable.

IV.1.3) Previous publication concerning the same contract:

Not applicable.

IV.1.3.1) Prior information notice concerning the same contract:

Not applicable.

IV.1.3.2) Other previous publications**IV.1.4) Envisaged number of suppliers which will be invited to tender:**

Minimum 3.

The selection criteria are as follows:

(a) the applicant's capacity to carry out a project of this size in terms of technical and human resources;

(b) the applicant's experience and expertise, assessed on the basis of the quality and scope of the reference information about completed projects which the applicant has submitted in terms of size, quality and complexity of those projects and the applicant's capacity to develop and implement innovative technical solutions.

IV.2) Award criteria:

The most economically advantageous tender in terms of criteria as stated in contract documents.

IV.3) Administrative information**IV.3.1) Reference number attributed to the file by the contracting authority:**

Tender 035.

IV.3.2) Conditions for obtaining contract document and additional documents:

Obtainable until 13.6.2005.

IV.3.3) Time-limit for receipt of requests to participate (depending whether it is an open, restricted or negotiated procedure):

13.6.2005.

Time: 12.00 noon (CET).

IV.3.4) Dispatch of invitations to tender to selected candidates:

Estimated date: 8.8.2005.

IV.3.5) Language or languages in which tenders or requests to participate can be drawn up:

English.

IV.3.6) Minimum time-frame during which the tenderer must maintain its tender**IV.3.7) Conditions for opening tenders****IV.3.7.1) Persons authorised to be present at the opening of tenders:**

Not applicable.

IV.3.7.2) Date, time and place for opening of tenders:

Place: At ECB premises.

Section VI: Other information

VI.1) Is this notice a non-mandatory one?

No.

VI.2) If applicable, indicate whether this procurement is a recurrent one and the estimated timing for further notices to be published:

Not applicable.

VI.3) Does the contract relate to a project/programme financed by EU funds?

No.

VI.4) Additional information:

Short-listed applicants will be invited to submit a detailed offer.

After the dispatch of the offer they may be invited to present their proposals and designated team to the ECB.

All presentations and negotiations with the ECB will be conducted in English and German as the project will be managed in English and German.

This tender is part of a group of tenders for planning services required for the New ECB Premises Project and is procured in parallel with services related to wind expertise (Tender No 036).

Applicants may apply for 1 or more tenders. Each tender will be evaluated separately.

VI.5) Date of dispatch of this notice:

13.5.2005.