

**TENDER SPECIFICATIONS**

**No EEAS-543-DELPNGP-SER-FWC**

**Security services for the EU Delegation to Papua New Guinea**

**RESTRICTED PROCEDURE**

**IMPORTANT INFORMATION!!**

DO NOT SUBMIT the technical and financial offers at this first stage. Only the candidates fulfilling the access, exclusion and selection criteria will be invited to submit, at the second stage, their technical and financial offers. They will receive an invitation to tender with the technical specifications. For the details, please see point 3 of this document.

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## 1. INTRODUCTION

The contracting authority is the European Union (hereinafter referred to as "contracting authority"), represented by the Head of the Delegation of the European Union in Papua New Guinea or its duly authorized representative.

The contracting authority plans to conclude a framework service contract for the provision of security and alarm supply, installation and monitoring services, in accordance with the specifications set out in the procurement documents.

## 2. SUBJECT OF THE CONTRACT

The Contractor must provide the human and material resources necessary to ensure the security of persons and assets under the contracting authority responsibility. The main services to be provided are:

- control visitor access to buildings occupied by the Delegation and some of its staff, including offices and annexes, the Residence of the Head of Delegation and the accommodation of expatriate staff;
- clearance of all bags, inspection of mail, deliveries and packages before they are taken into the premises;
- keep these buildings under general surveillance so as to prevent any intrusion or attack on persons or property;
- establish regular links between the sites under surveillance through regular patrols and periodic radio checks between the central office and the various sites;
- immediate intervention on the spot in the event of an accident or incident;
- assist persons in danger;
- provide, by means of two Mobile Security Patrols, security escort services to EU Delegation official cars, as well as the private vehicles of expatriate staff;
- provide, by means of ad-hoc security escorts for EU staff on mission in country – upon Travel Clearance Authorisation (TCA) requirement – , in any location outside Port Moresby;
- provide a dedicated radio network covering the city limits of Port Moresby, for the exclusive use of the Contracting Authority;
- supply and installation of fixed and hand-held radios, personal and vehicle GPS trackers with 24/7 monitoring;
- supply and maintain alarms and/or security equipment in the accommodation of expatriate staff ('panic buttons').

The place of performance is Port Moresby, but – in the case of security escorts upon TCA requirements - also any other place in Papua New Guinea.

### 3. DESCRIPTION OF PUBLIC PROCUREMENT PROCEDURE

This tender will be taking place in two stages, as follows:

#### A. First stage (selection stage):

In order to participate, candidates shall submit a letter presenting the name of the candidate, including all entities in case of a group and the name of the single contact person in relation to this request. An e-mail address and/or a fax number of the candidate shall be provided. It is the responsibility of the candidate to regularly consult the e-mails received.

In an annex to this letter, candidates shall submit **ALL** the information requested in point "5. Eligibility of economic operators" of the tender specifications, namely evidence on the access to public procurement, declaration on honour on exclusion criteria and evidence on selection criteria.

An evaluation committee will evaluate the documents submitted in order to verify if the economic operators meet the access, exclusion and selection criteria.

#### B. Second stage:

Candidates shortlisted at the end of the selection stage (every economic operator complying with the access, exclusion and selection criteria evaluated during the selection stage) shall be invited to submit a tender. The following procurement documents will be sent to them directly:

- The letter of invitation to tender.
- The technical specifications.

**Only at this second stage the tenderer submits its technical and financial offers.**

### 4. GROUPS OF ECONOMIC OPERATORS AND SUBCONTRACTING

Tenders or requests to participate can be submitted by a single economic operator or jointly by two or more economic operators.

#### 4.1. Joint tender

A joint tender is a situation where a tender is submitted by a group of economic operators; in other words, by several legal entities (natural or legal persons) regardless of the link they may have between them.

Each legal entity of the group shall assume joint and several liabilities with all its resources towards the contracting authority for the fulfilment of the terms and conditions of the contract.

The group shall nominate one legal entity ('the leader') who will have full authority to bind the group and each of its members, and will be responsible for the administrative management of the contract (invoicing, receiving payments, etc.) on behalf of all other entities.

The cover letter to the request to participate and tender must be signed by the legal representative of each legal entity of the group and will identify the leader with its name, e-mail address and/or fax number.

The tender will clearly identify the division of tasks amongst the different operators.

Any change in the composition of the group during the procurement procedure may lead to the rejection of the tender. Any change in the composition of the group after the signature of the contract may lead to the termination of the contract.

The group will not be required to adopt a specific legal form in order to submit a request to participate or a tender.

The contract shall be signed by all legal entities or by the leader duly authorised to bind the group and each of its members (a power of attorney in favour of the leader is to be attached to the contract).

#### **4.2. Subcontracting**

Subcontracting is allowed but the contractor will retain full liability towards the contracting authority for implementation of the contract.

Tenderers must give an indication of the proportion of the contract that they intend to subcontract and are required to identify all subcontractors whose share of the contract is above 10%.

The subcontractors whose share of the contract is above 10% must comply with the same non-exclusion criteria and selection criteria on legal and regulatory capacity applicable to tenderers and shall present the documentary evidence.

Any change in subcontracting during the procurement procedure may lead to the rejection of the tender. Any change in subcontracting after the signature of the contract may lead to the termination of the contract. During contract execution, the change of any subcontractor identified in the tender will be subject to prior written approval of the contracting authority (see art.II.10 of the framework contract).

### **5. ELIGIBILITY OF ECONOMIC OPERATORS**

#### **5.1. Access to public procurement**

Participation in this tender procedure is open on equal terms to all natural and legal persons:

- in one of the European Union Member States;
- in a third country which has a special agreement with the European Union in the field of public procurement<sup>1</sup> on the conditions laid down in the agreement;
- exceptionally, in Papua New Guinea and Australia.

Participation is also open to international organisations.

Economic operators, including each member of a joint tender, must confirm that they have their headquarters or domicile in one of the abovementioned States and present the supporting evidence normally acceptable under their own law.

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<sup>1</sup> **FYROM, Albania, Montenegro, Serbia and Bosnia and Herzegovina** (under the Stabilisation and Association Agreement), **Iceland, Norway and Liechtenstein** (under the EEA Agreement); **Mexico, Chile, Colombia, Peru, Ecuador, Iraq** and Central American countries of **Honduras, Nicaragua, Panama, Costa Rica, El Salvador and Guatemala**.

## **5.2. Non-exclusion of economic operators**

Economic operators who have access to public procurement are evaluated on the basis of the information provided in their tenders for exclusion criteria.

Candidates shall provide a declaration on honour on exclusion criteria and selection criteria (declaration on honour) attached to the tender specifications duly filled in, signed and dated by the legally authorised representative.

The declaration on honour shall be provided by each member of the group in case of joint tenders, by an entity on whose capacity it intends to rely, and by all identified subcontractors whose share of the contract is above 10%.

Whenever requested by the contracting authority, the candidate or tenderer, as well as all entities which provided the above mentioned declaration on honour, shall provide the supporting documents confirming the declaration on honour.

The successful tenderer, including each member of the group in case of joint tender, to whom the contract is to be awarded shall provide, within a time limit defined by the contracting authority and preceding the signature of the contract, the evidence referred to in paragraph "Evidence upon request", confirming the declaration on honour.

The contracting authority may waive the obligation for a candidate or tenderer to submit the documentary evidence if it has already been submitted for another procurement procedure and provided the documents were issued not more than one year earlier and are still valid at the date of their request by the contracting authority. In such cases, the candidate or tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that there has been no change in the situation.

The contracting authority may also waive the obligation for a candidate or tenderer to submit the documentary evidence if it can access it on a national database free of charge.

## **5.3. Selection of economic operators**

Candidates must prove their legal, regulatory, economic, financial, technical and professional capacity to perform the services subject to this call for tender by meeting the selection criteria and minimum requirements listed in points 5.3.1, 5.3.2 and 5.3.3 hereafter.

Each candidate shall submit the evidence on selection criteria in their request to participate (first stage, see below), respecting the requirements of the summary table here below.

If a candidate is relying on the capacities of other entities (e.g. parent company, other company in the same group, or third party) in order to achieve the required level of economic, financial, technical and professional capacity, its request to participate must contain a signed and dated statement by the concerned entity declaring firmly that the relevant resources shall be made at the disposal of the tenderer for the performance of this contract. The contracting authority will verify whether the entities on whose the candidate intends to rely fulfil the relevant selection criteria. The candidate may only rely on the technical and professional capacities of other entities where the latter will perform the services or works for which these capacities is required.

If an entity provides the whole or a very large part of the financial capacity to the candidate, the contracting authority may demand that the said entity be jointly liable for the performance of the contract in case of award. It may require that it signs the contract or that it provides a joint and several first-demand guarantee, should that tenderer be awarded the contract. If this entity is required to sign the contract, it has to have access to public procurement and shall not be in an exclusion situation as indicated in point 5.1 and 5.2 of the tender specifications.

### 5.3.1. *Legal and regulatory capacity criteria and evidence*

The economic operators are required to have the following:

#### **Evidence on selection criteria: Legal and regulatory capacity**

5.3.1. Legal and regulatory capacity	<p><b>The criterion must be met by the following <i>economic operator(s)</i></b></p> <p><i>"Economic operator"</i> is an entity which submits a tender or a request to participate, including members of a joint tender or subcontractor(s) (if required under point 4.2 Subcontracting).</p>
5.3.1 a) Evidence on enrolment in a relevant professional or trade register, except for international organisations.	Each economic operator involved in the request to participate or in the tender separately

According to the Security Protection Act 2004, the awardee of the contract will have to register with the Security Industry Association in Papua New Guinea at the latest before the contract is signed.

### 5.3.2. *Economic and financial capacity criteria and evidence*

Candidates must prove the financial and economic capacity to perform this contract by meeting the following criteria:

#### **Evidence on selection criteria: Economic and financial capacity**

5.3.2. Economic and financial capacity	<p><b>The criterion must be met by the following <i>economic operator(s)</i></b></p> <p><i>"Economic operator"</i> is an entity which submits a tender or a request to participate, including members of a joint tender or subcontractor(s) (if required under point 4.2 Subcontracting).</p>
5.3.2 a) Financial statements or their extracts for the last three financial years for which accounts have been closed	Each economic operator involved in the request to participate or in the tender separately
<p><b>Minimum capacity level required:</b></p> <p>The financial statements shall contain a balance sheet and a</p>	Each economic operator involved in the request to participate or in the

statement of income. If the extracts are provided, the information in them shall correspond to the information usually provided in a balance sheet and a statement of income.	tender separately
5.3.2 b) A declaration of the annual overall turnover of each of the last three financial years for which accounts have been closed	Each economic operator involved in the request to participate or in the tender separately
<b>Minimum capacity level required:</b>  The amounts declared for the overall turnover, at least, must be verifiable with the amounts in the financial statements submitted under point 5.3.2 a) above	Each economic operator involved in the request to participate or in the tender separately
5.3.2 c) A declaration of the annual turnover concerning the security services subject to this tender (see the list under point 2) of each of the last three financial years for which accounts have been closed concerning the same legal entity as under points a) and b) above.	Each economic operator involved in the request to participate or in the tender separately
<b>Minimum capacity level required:</b>  The average annual turnover concerning the security services subject to this tender (see the list under point 2) for the last three financial years for which accounts have been closed must be at least EUR 500,000. The exchange rate used to convert the turnover into euros will be the rate of December of the year of the financial statement as published at <a href="http://ec.europa.eu/budget/contracts_grants/info_contracts/infoeuro/inforeuro_en.cfm">http://ec.europa.eu/budget/contracts_grants/info_contracts/infoeuro/inforeuro_en.cfm</a> .	Cumulative for all economic operators involved in the request to participate or in the tender

The declarations b) and c) may have a form of the following table:

	Year 201X	Year 201X	Year 201X	Average for these three years
Annual overall turnover				
Annual turnover concerning the services subject to this tender				

### 5.3.3. *Technical and professional capacity criteria and evidence*

Candidates must prove the technical and professional capacity to perform this contract by meeting the following criteria:

#### **Evidence on selection criteria: Technical and professional capacity**

5.3.3. Technical and professional capacity	<b>The criterion must be met by the following <i>economic operator(s)</i></b>  <i>"Economic operator"</i> is an entity
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	which submits a tender or a request to participate, including members of a joint tender or subcontractor(s) (if required under point 4.2 Subcontracting).
5.3.3 a) A list of the Security service contracts of the economic operator relevant to the services indicated under point 2, concerning at least one of the past three financial years for which financial statements have been submitted (see point 5.3.2 a)). Each contract from the list must specify the annual contract value, the duration (start and end date) and the client	At least one economic operator involved in the request to participate or in the tender (it shall be the one who will be performing a specific task or part of the contract)]
<b>Minimum capacity level required:</b>  The economic operator must provide at least two clients' reference letters in the fields related to the security services contracts as described in point 2 during the last three financial years specifying whether the services have been carried out in a professional manner in compliance with the contractual terms. These proofs letters must relate to any of the services included in the list under point a).	Cumulative for all economic operators involved in the request to participate or in the tender
5.3.3 b) A declaration on the average annual manpower employed by the economic operator in each of the last three financial years for which financial statements have been submitted (see point 5.3.2 a)):  - in total,  - in the fields related to services as described under point 2.	Each economic operator involved in the request to participate or in the tender separately
<b>Minimum capacity level required:</b>  The average annual number of staff in the fields related to complete services as described under point 2 over the last three financial years for which financial statements have been submitted (see point 5.3.2 a)) must be at least 60.	Cumulative for all economic operators involved in the request to participate or in the tender

The declaration b) may have a form of the following table:

	Year 201X	Year 201X	Year 201X	Average for these three years
Average annual manpower in total				
Average annual manpower in the fields related to services as described under point 2				

## 6. TECHNICAL SPECIFICATIONS

In order to protect the confidential nature of information contained in the tender specifications, the contracting authority will disclose the content of the technical specifications only to the candidates shortlisted at the end of the selection stage (every economic operator complying with the access, exclusion and selection criteria evaluated during the selection stage). **Only the economic operators receiving the invitation to tender and the technical specifications at the second stage will submit their technical and financial offers.**

## 7. EVALUATION OF TENDERS ON THE BASIS OF THE AWARD CRITERIA

The tenderers shall provide a "Statement of compliance with the procurement documents" duly dated and signed in order to be considered technically compliant. The statement will be sent together with the letter of invitation to tender and the technical specifications to the tenderers successful at the selection stage.

The technically compliant tenders are evaluated in order to award the contract to the tender offering the best price quality ratio. For this purpose, the tender will be evaluated technically and financially.

### 7.1. Technical tender

The technical quality of the tenders will be evaluated on the basis of documents provided by the tenderers in the technical tender with regard to the award criteria in the table below.

No	Description	Max. number points	Criteria
1	<p><b><u>Organisation of the services</u></b></p> <p>This criterion will enable the assessment of the organisation of the services by the tenderer, including the different members of a consortium and the resort to subcontractors. Tenderers will develop in detail the organisation they propose and in particular provide detailed information for each of the questions.</p>	20 points – minimum threshold 50%	<ul style="list-style-type: none"> <li>• How does the tenderer commit to organise the posts and the other services including the allocation of tasks amongst different members of a joint tender or subcontractors? (5 points – minimum threshold 50%)</li> <li>• How does the proposed rotation/shift system fit with the service requirements? (5 points – minimum threshold 50%)</li> <li>• What are the measures to ensure service continuity in the event of unplanned absence by one or more security guards? (10 points – minimum threshold 50%)</li> </ul>
2	<p><b><u>Organisation of services in</u></b></p>	10 points –	<ul style="list-style-type: none"> <li>• What measures will be deployed to</li> </ul>

	<p><b><u>case of a serious incident</u></b></p> <p>This criterion will enable the assessment of the organisation of the services by the tenderer in case of a serious incident, including the different members of a consortium and the resort to subcontractors. Tenderers will develop in detail the organisation they propose and in particular provide detailed information for each of the questions.</p>	<p>minimum threshold 50%</p>	<p>deal with a serious incident or major crisis? (5 points – minimum threshold 50%)</p> <ul style="list-style-type: none"> <li>• What human and material resources would be deployed to intervene in the shortest time limit and how would they be deployed? (5 points – minimum threshold 50%)</li> </ul>
3	<p><b><u>Quality monitoring and evaluation of services</u></b></p> <p>This criterion will enable the assessment of the control measures applied to guarantee the quality of the services to be performed under this contract.</p>	<p>10 points – minimum threshold 50%</p>	<ul style="list-style-type: none"> <li>• How are the services monitored and evaluated in order to guarantee the quality of the services provided? Example criteria are indicated in point 6.8.</li> </ul>
4	<p><b><u>Tenderer's staff loyalty programme</u></b></p> <p>This criterion will enable the assessment of the tenderer's staff loyalty programme in order to ensure staff loyalty and motivation. Tenderers will describe any incentives granted to the security guards who would be deployed under this contract such as financial bonuses, allowances, promotion, training, medical coverage and any other initiatives designed to motivate the guards and encourage their loyalty to the tenderer.</p>	<p>60 points – minimum threshold 50%</p>	<ul style="list-style-type: none"> <li>• What financial incentives are foreseen for the guards to be deployed with a diplomatic mission compared to alternative deployments? (25 points – minimum threshold 50%)</li> <li>• Other incentives to motivate the guards to be deployed? (10 points – minimum threshold 50%)</li> <li>• What food and beverages are foreseen for guards during their day and night shifts, and in what intervals? (25 points – minimum threshold 50%)</li> </ul>
	<b>TOTAL</b>	<b>100</b>	

Any tender not scoring the minimum quality threshold of 50% of the points for each criterion where indicated and 60 points for all the criteria combined will be eliminated.

## 7.2. Financial tender

The prices for the tender must be tendered:

- in local currency PGK. As the award of the contract is published in EUR, the official exchange rate that will be used for the value of the contract is the Inforeuro rate from the deadline of submission of the tender.
- all inclusive. This means that, unless otherwise mentioned in these tender specifications, prices tendered for shall include all the costs to be incurred by the tenderers in order to provide the services;
- using the unit price schedule (Annex A) and the price scenario tables in annex (Annex B) included in the technical specifications during the second phase. Any change in the table(s) as annexed to the technical specifications will lead to the rejection of the tender.

During the validity of the tender and the implementation of the contract, prices cannot be revised. During the implementation of the contract, they can however be indexed in conformity with art. I.5.2 of the framework contract.

The unit price schedule (Annex A) is binding during implementation of the contract.

The price "scenario" is an estimate by the contracting authority of the quantities of the services over the duration of the contract in order to compare the financial tenders.

When completing the scenario, tenderers will specify the same unit prices tendered for in the unit price schedule, will multiply them by the quantities indicated by the contracting authority for each item and will calculate the total price.

Only the financial tenders submitted by those tenderers who have obtained an overall technical score of 60 points or more and at least 50% of the maximum score allocated for each individual criterion will be opened.

Financial tenders will then be checked for arithmetical accuracy. Where arithmetical errors are found, tenderers will be requested to correct them.

### 7.3. Calculation of the overall score

The tender chosen will be that which offers the best price quality ratio among the technically compliant tenders, namely the tender obtaining the best overall score  $P_i$  calculated as follows where the weighting is 70% for the quality and 30% for the price:

$$P_i = T_i * 0.70 + F_i * 0.30$$

$T_i$  = (technical quality score of the tender under consideration / score of the best technical quality tender) \* 100

$F_i$  = (cheapest total price for the scenario / price of the scenario of the tender under consideration) \* 100

## 8. CONTENT OF THE REQUEST TO PARTICIPATE

**Candidates shall submit all the requested documents listed here for the first stage (selection stage).**

The request to participate will contain:

1. a cover letter presenting the name of the candidate, including all entities in case of joint tender, and identified subcontractors whose share of the contract is above 10%, and the name of the single contact person in relation to this tender. The cover letter must indicate the proportion of the contract to be subcontracted. In case of joint tender, the cover letter to the request to participate and tender must be signed by the legal representative of each legal entity of the group and will identify the leader with its name, e-mail address and/or fax number. It is the responsibility of the tenderers to consult regularly the e-mails received;
2. a letter of intent for each subcontractor whose share of the contract is above 10% stating their willingness to provide the services foreseen in the tender and in line with the present tender specifications;
3. all the documents requested for the access to public procurement (point 5.1);
4. declaration on honour on the exclusion criteria (point 5.2) and on the selection criteria (point 5.3) attached to these tender specifications;
5. all the documents requested for the selection criteria (point 5.3).

