

This notice in TED website: <http://ted.europa.eu/udl?uri=TED:NOTICE:46151-2016:TEXT:EN:HTML>

**Germany-Frankfurt-on-Main: ECB - Web-based reporting platform — breach reporting mechanism (BRM)  
2016/S 029-046151**

**Contract notice**

**Services**

Directive 2004/18/EC

**Section I: Contracting authority**

**I.1) Name, addresses and contact point(s)**

European Central Bank  
Sonnemannstraße 22  
For the attention of: Zoltán Deme  
60314 Frankfurt-on-Main  
GERMANY  
Telephone: +49 69/13440  
E-mail: [procurement@ecb.europa.eu](mailto:procurement@ecb.europa.eu)  
Fax: +49 69/13447110

**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)

**I.2) Type of the contracting authority**

European institution/agency or international organisation

**I.3) Main activity**

Economic and financial affairs

**I.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:**

Web-based reporting platform — breach reporting mechanism (BRM).

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

Services

Service category No 7: Computer and related services

Main site or location of works, place of delivery or of performance: European Central Bank, 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 a public contract

**II.1.4) Information on framework agreement**

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

The ECB has decided to procure the service of the reporting channel which shall be set up and operated as a Web-based reporting platform ('Reporting platform') enabling potential informants to submit reports to the ECB at any time through an encrypted connection. Submission of reports must also be possible without recording the informant's personal data. Only authorised ECB staff shall have access to the reporting platform in order to access reports.

**II.1.6) Common procurement vocabulary (CPV)**

72000000, 79900000

**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 provision of a Web-based reporting platform, accessible from the Internet, according to the tender specifications.

**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, are provided in the call for applications and its annexes.

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

Details, where applicable, are provided in the call for applications, invitation to tender 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 applications, invitation to tender 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 of the European Central Bank of 3.7.2007 laying down

the Rules on Procurement (ECB/2007/5) (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 shall have the economic, financial, technical and professional capacity to perform the contract. As evidence tenderers shall submit:

- (a) registration number(s) in the Creditreform and/or Dun & Bradstreet credit rating/scoring databases or the annual report for the last closed 3 consecutive business years enclosed;
- (b) application form (Annex 1 to call for applications) completed.

Minimum level(s) of standards possibly required: Candidates must meet the following minimum requirements:

- (a) the annual total net turnover reached or exceeded at least 200 000 EUR for each of the last closed 3 financial years. If the candidate is a temporary grouping: it may add the respective turnover of its members.

However, 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 shall have the economic, financial, technical and professional capacity to perform the contract. As evidence tenderers shall submit the application form (Annex 1 of the call for applications).

Minimum level(s) of standards possibly required:

Candidates must meet the following minimum requirement:

- (a) at least 3 similar contracts performed during the last 3 years, which are comparable in terms of:
  - (1) scope of the contract;
  - (2) the description of activities.

### III.2.4) **Information about reserved contracts**

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

**III.3.1) Information about a particular profession**

Execution of the service is reserved to a particular profession: no

**III.3.2) Staff responsible for the execution of the service**

Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service: no

**Section IV: Procedure**

**IV.1) Type of procedure**

**IV.1.1) Type of procedure**

Negotiated

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

Envisaged number of operators: 8

Objective criteria for choosing the limited number of candidates: III.2.3) Technical capacity:

Chapter 4, 'Selection criteria and minimum capacity levels' of the call for application contains the detailed process of choosing the candidates who best meet the selection criterion.

**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 no

**IV.2) Award criteria**

**IV.2.1) Award criteria**

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

1. Price (total cost of ownership). Weighting 45

2. Quality of the tender. Weighting 55

**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:**

PRO-000307.

**IV.3.2) Previous publication(s) concerning the same contract**

no

**IV.3.3) Conditions for obtaining specifications and additional documents or descriptive document**

**IV.3.4) Time limit for receipt of tenders or requests to participate**

7.3.2016 - 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.

Other: Applications shall be submitted in English. External supporting documents, for example company registrations and certificates, may be submitted in their original language. The ECB may request the candidate to provide a certified translation.

**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**

0. This is a 2-phase procurement procedure; it foresees a separate pre-qualification phase and tendering phase meaning that the pre-qualification phase and the tendering phase take place at 2 different times. In the current pre-qualification phase any interested economic operator (company, consortium) may request to take part by submitting an application, according to the requirements laid down in this contract notice published in the Official Journal of the European Union and the call for applications published in the dedicated extranet site of the ECB (see VI.3)2 below). Application is possible with the usage of the call for applications form (Annex 1 to call for applications) and supporting documents (if any). After expiry of the deadline, the applications received will be assessed against the eligibility and selection criteria set out in this contract notice. The eligible and selected applicants will be invited to the tendering phase. The tendering phase will be conducted according to the requirements, deadlines and process steps described in the Invitation to tender. The time limit for receipt of the tenders of pre-selected applicants is indicated in the invitation to tender.

1. The envisaged procurement procedure shall be governed by the Decision of the European Central Bank of 3.7.2007 laying down the Rules on Procurement (ECB/2007/5).

2. 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: 000307/ADA/2015

Password: EB53E8

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 at the following e-mail address: [procurement@ecb.europa.eu](mailto:procurement@ecb.europa.eu) quoting the procurement number 'PRO-000307' and describing the problem experienced.

3. 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.

4. The ECB shall exclude tenderers that are in one of the situations described in Article 24(4) of the Decision of the European Central Bank of 3.7.2007 laying down the Rules on Procurement (ECB/2007/5) (e.g. conviction for fraud or corruption) or put on a blacklist in accordance with Article 24(7) of the Decision of the European Central Bank of 3.7.2007 laying down the Rules on Procurement (ECB/2007/5). The ECB may exclude tenderers that are in one of the situations described in Article 24(5) of the Decision of the European Central Bank of 3.7.2007 laying down the Rules on Procurement (ECB/2007/5) (e.g. insolvency; grave professional misconduct; misrepresentation).

5. Further information about ECB procurement rules and procedures may be obtained at: <http://www.ecb.europa.eu/ecb/jobsproc/tenders/html/index.en.html>

6. The call for applications and the invitation to tender (ITT) describes how tenderers have to prepare and submit their offers (see Chapter II of call for applications and Chapters II–III of ITT), describes the evaluation and award process (see Chapter III of call for applications and Chapter IV of ITT), explains how the ECB will

inform the tenderers about the outcome of the procedure (see Chapter IV of call for applications and Chapter V of ITT) and lays down general rules to be observed by all tenderers (Chapter V of call for applications). The tender specifications (Annex 1 to the ITT) on the one hand describes the ECB's functional and technical requirements and on the other hand it is the basis of the technical offer that will help the tenderers to compile their technical offers and will help the ECB to assess the offers received. The tender specifications will form an integral part of the contract, together with the tender submitted by the successful tenderer. The draft contract (Annex 2 to the ITT) specifies the ECB's legal terms and conditions for the performance of the contract. It will form the basis for the contractual relationship with the successful tenderer. The application form (Annex 1 to the call for applications) is a questionnaire to be completed and signed by applicants in order to assess their eligibility to participate in this procedure and their capacity to perform the contract. The price table (Annex 3 to the ITT) is a table that tenderers shall use to submit their financial offer. Annex 4 to the ITT is the ECB's service level agreement, which specifies the service levels for the certain contractual services and it will form an integral part of the contractual relationship with the successful tenderer. Annex 5 is the guidance on quality evaluation criteria, which provides the tenderers with detailed information regarding the scoring system applied in the course of the evaluation of the quality of the tender.

VI.4) **Procedures for appeal**

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

Procurement Review Body of the European Central Bank  
Sonnemannstraße 22  
60314 Frankfurt-on-Main  
GERMANY

E-mail: [LegalAdviceTeam@ecb.europa.eu](mailto:LegalAdviceTeam@ecb.europa.eu)

Telephone: +49 691344-0

Fax: +49 691344-6886

**Body responsible for mediation procedures**

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.

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

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

1.2.2016