



*Schola Europaea*  
European School of Mol

## TENDER SPECIFICATIONS

OPEN PROCEDURE  
TENDER N° 2024\_05

### SUPPLY OF OUTDOOR FURNITURES AND SIGNAGE

Number of lots: 5

1. **Canopies and tents.**
2. **Children's play areas**
3. **Exterior furniture**
4. **Outdoor floor**
5. **Signage**
6. **Electronical displays**

Contracting authority: **European school of Mol.**

Award method: **Best value for money.**

Type of contract: **Open procedure in Multiple framework contract with reopening of competition for each lot.**

Estimated Value: **600.000,00€ (whole duration of 4 years)**

### Part 1.- Administrative Specifications

## TABLE OF CONTENTS

<b>1. SCOPE AND DESCRIPTION OF THE PROCUREMENT .....</b>	<b>3</b>
1.1. Legal basis: what are the rules? .....	3
1.2. Subject: what is this procurement about?.....	3
1.3. Lots: is this procurement divided into lots?.....	3
1.4. Description: what do we want to buy through this procurement (minimal technical specifications)?.....	3
1.4.1. Background and objectives.....	4
1.4.2. Technical description.....	4
1.4.3. Variants: Are variants allowed? .....	4
1.4.4. Options: Are additional optional services requested? .....	4
1.5. Place of performance: where will the contract be performed? .....	4
1.6. Nature of the contract: how will the contract be implemented? .....	4
1.7. Volume and value of the contract: how much do we plan to buy?.....	5
1.8. Duration of the contract: how long do we plan to use the contract? .....	5
<b>2. EVALUATION AND AWARD .....</b>	<b>6</b>
2.1. Exclusion criteria .....	6
2.2. Selection criteria.....	7
2.2.1. Legal and regulatory capacity.....	7
2.2.2. Economic and financial capacity .....	8
2.2.3. Technical and professional capacity .....	8
2.3. Compliance with the minimum requirements of the Tender specifications.....	9
2.4. Award criteria .....	9
2.5. Tie-breaking Criteria.....	10
2.6. Award (ranking of tenders) .....	10
<b>3. FORM AND CONTENT OF THE TENDER.....</b>	<b>12</b>
3.1. Form of the tender: how to submit the tender?.....	12
3.2. Content of the tender: what documents to submit with the tender? .....	12
<b>4. PROCESSING OF PERSONAL DATA.....</b>	<b>13</b>
LIST OF ANNEXES:.....	13

## 1. SCOPE AND DESCRIPTION OF THE PROCUREMENT

### 1.1. Legal basis: what are the rules?

This tender is governed by the provisions of:

- [the Financial regulation of the European Schools](#) and
- [Regulation \(EU, Euratom\) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union](#) (the Financial Regulation)<sup>1</sup>.

### 1.2. Subject: what is this procurement about?

The subject of this procurement is **SUPPLY OF OUTDOOR FURNITURE AND SIGNAGE**.

### 1.3. Lots: is this procurement divided into lots?

This procurement is divided into 5 lots:

Lot number	Lot title
1	CANOPIES AND TENTS
2	CHILDREN'S PLAY AREAS
3	EXTERIOR FURNITURE
4	OUTDOOR FLOOR
5	SIGNAGE
6	ELECTRONICAL DISPLAYS

Tenders may be submitted **for 1 or more lots**. Each lot will be assessed independently of any other lot. Tenders which cover only part of one lot or are declared as being conditional on the award of any other lots are not permitted and will be dismissed of its own motion because of irregularity.

### 1.4. Description: what do we want to buy through this procurement (minimal technical specifications)?

The supplies that are the subject of this call for tender, including any minimum requirements, are described in part 2 “Technical Specifications”.

---

<sup>1</sup> Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193 of 30.07.2018, p.1).

### 1.4.1. Background and objectives

In compliance with the safety and ergonomic standards set by the European Union, our school plans to do the acquire and install of outdoor and playground equipment, signage, and other materials, that meet safety requirements, ensuring a safe and secure environment for the users of the school community.

### 1.4.2. Technical description

See Technical Specifications.

### 1.4.3. Variants: Are variants allowed?

Variants (alternatives to the model solution described in the Tender Specifications) are not allowed. The *Contracting authority* will disregard any variants described in a tender.

### 1.4.4. Options: Are additional optional services requested?

No option is requested. The *Contracting authority* will disregard any option proposed in a tender.

## 1.5. Place of performance: where will the contract be performed?

The services and supplies will be delivered at the European School of Mol (Europawijk, 100.- 2400 Mol (België))

**Incoterm: All materials will be delivered and placed at the location specified by contracting authority. Free of any charge for all transport, customs duties, transshipment insurance, delivery ready-to use, unpacking and installation, etc.**

## 1.6. Nature of the contract: how will the contract be implemented?

The procedure will result in the conclusion of **a multiple framework contract with reopening of competition for each lot.**

In purchase orders all the terms governing the provision of the services, supplies or works are defined at the outset. Once signed by both parties, they can be implemented directly without any further contract procedures.

A framework contract establishes a mechanism for future repetitive purchases by the Contracting authority to be awarded in the form of specific contracts. The signature of a framework contract does not impose an obligation on the Contracting authority to conclude specific contracts with a framework contractor.

The framework contract will be concluded with a **maximum of three contractors per lot.** Specific contracts shall be awarded on the basis of the terms laid down in the framework contract, refined

or, in duly justified circumstances, supplemented to reflect the particular circumstances of the specific contract. The details are set out in Article I.4.3 of the Draft contract.

G Tenderers need to take full account of the provisions of the Draft contract as the latter will define and govern the contractual relationship(s) to be established between the Contracting authority and the successful tenderer(s). Special attention is to be paid to the provisions specifying the rights and obligations of the contractor, in particular those on payments, performance of the contract, confidentiality, and checks and audits.

By submitting a tender, the tenderer also accepts all the terms and conditions set out in the draft contract annexed to these specifications. The successful tenderer of the contract may no longer request an adaptation of any clause whatsoever.

### 1.7. Volume and value of the contract: how much do we plan to buy?

The ceiling of the framework contract, i.e. the maximum amount that can be spent under the framework contract is **SIX HUNDRED THOUSAND EUROS (600.000,00€)**, disaggregated in the 6 lots as below:

LOT NUMBER	SUBJECT	ESTIMATED VALUE
1	Canopies and tents	165.000€
2	Children's play areas	165.000€
3	Exterior furniture	120.000€
4	Outdoor floor	90.000€
5	Signage	30.000€
6	Electronical displays	30.000€

The actual amounts depend on the quantities that the contracting authority will order under specific contracts or order forms for each lot. In any event, the ceiling of the framework contract, i.e. the maximum amount that can be spent under the framework contract, cannot be exceeded.

**The contract shall automatically terminate if this maximum amount is reached, without notice or compensation, unless an addendum has been previously signed by both parties.**

**If the total amount is reached for a lot, no more orders may be placed under the said lot, without notice or compensation, unless an addendum has been previously signed by both parties.**

### 1.8. Duration of the contract: how long do we plan to use the contract?

The contract or purchase order resulting from the award of this procurement will be concluded for **48 months**, unless one of the parties receives formal notification to the contrary at least three months before the end of the current duration.

## 2. EVALUATION AND AWARD

The evaluation of the tenders that comply with the submission conditions will consist of the following elements:

- Check if the tenderer has access to procurement;
- Verification of non-exclusion of tenderers on the basis of the exclusion criteria;
- Selection of tenderers on the basis of selection criteria;
- Verification of compliance with the minimum requirements defined in the Tender specifications;
- Evaluation of tenders on the basis of the award criteria.

The *Contracting authority* will evaluate the abovementioned elements in the order that it considers to be the most appropriate. If the evaluation of one or more elements demonstrates that there are grounds for rejection, the tender will be rejected and will not be subjected to further full evaluation.

The unsuccessful tenderers will be informed of the ground for rejection without being given feedback on the non-assessed content of their tenders. Only tenderer(s) for whom the verification of all elements did not reveal grounds for rejection can be awarded the contract.

The evaluation will be based on the information and evidence contained in the tenders and, if applicable, on additional information and evidence provided at the request of the Contracting authority during the procedure.

For the purposes of the evaluation related to exclusion and selection criteria the Contracting authority may also refer to publicly available information, in particular evidence that it can access on a national database free of charge.

### 2.1. Exclusion criteria

The objective of the exclusion criteria is to assess whether the tenderer is in any of the exclusion situations listed in Article 136(1) of the Financial Regulation.

As evidence of non-exclusion each tenderer needs to submit with its tender a Declaration on Honour in the model annexed. The declaration must be signed by an authorised representative of the entity providing the declaration.

The initial verification of non-exclusion of tenderers will be done on the basis of the submitted declarations. The documents mentioned as supporting evidence in the Declaration on Honour need to be provided whenever requested and where this is necessary to ensure the proper conduct of the procedure within a deadline given by the Contracting authority<sup>2</sup>.

---

<sup>2</sup> The obligation to provide the supporting evidence will be waived in the following situations:

**GP** Please note that a request for evidence in no way implies that the tenderer has been successful.

## **2.2. Selection criteria**

The objective of the selection criteria is to assess whether the tenderer has the legal, regulatory, economic, financial, technical, and professional capacity to perform the contract.

The selection criteria for this procurement, including the minimum levels of capacity, the basis for assessment and the evidence required, are specified in the following subsections.

Tenders submitted by tenderers not meeting the minimum levels of capacity will be rejected.

When submitting its tender each tenderer shall declare on honour that it fulfils the selection criteria for the call for tender. The model Declaration on Honour annexed shall be used. The declaration must be signed by an authorised representative of the entity providing the declaration.

The initial assessment of whether a tenderer fulfils the selection criteria will be done on the basis of the submitted declaration(s).

The subsections below specify which selection criteria evidence must be provided with the tender, or may be requested later at any time during the procurement procedure<sup>3</sup>.

**GP** Please note that a request for evidence in no way implies that the tenderer has been successful.

### **2.2.1. Legal and regulatory capacity**

Tenderers must prove that they have legal capacity to perform the contract and the regulatory capacity to pursue the professional activity necessary to carry out the works subject to this procurement.

The legal and regulatory capacity shall be proven by the evidence listed below: Proof of authorisation that the tenderer is authorised to perform the contract in its country of establishment

- 
- if such evidence can be accessed by the Contracting Authority on a national database free of charge, in which case the economic operator shall provide the Contracting authority with the internet address of the database and, if needed, the necessary identification data to retrieve the document;
  - if there is a material impossibility to provide such evidence.

<sup>3</sup> The obligation to provide the supporting evidence will be waived in the following situations if such evidence can be accessed by the *Contracting Authority* on a national database free of charge, in which case the economic operator shall provide the *Contracting authority* with the internet address of the database and, if needed, the necessary identification data to retrieve the document.

### 2.2.2. Economic and financial capacity

Tenderers must comply with the following selection criteria in order to prove that they have the necessary economic and financial capacity to perform the contract.

Criterion F1	
<b>Minimum level of capacity</b>	Average yearly turnover of the last three financial years above <b>30.000,00€</b> .
<b>Evidence</b>	Copy of the profit and loss accounts and balance sheet for the last three years for which accounts have been closed from each concerned involved entity, or, failing that, appropriate statements from banks. The most recent year must have been closed within the last 18 months.

G All of the above specified evidence of economic and financial capacity must be provided with the tender.

### 2.2.3. Technical and professional capacity

Tenderers must comply with the following selection criteria in order to prove that they have the necessary technical and professional capacity to perform the contract.

Criterion T1	
The tenderer must prove experience in the field of expertise necessary for performance of the lot of the contract (outdoor furniture, signage, playgrounds, canopies, etc.).	
<b>Minimum level of capacity</b>	<u>At least one similar</u> (in scope and complexity) projects completed in the last three years preceding the tender submission deadline, with a minimum value for each of them <b>20.000,00€</b>
<b>Evidence</b>	A list of projects meeting the minimum level of capacity. The list shall include details of their start and end date, total project amount and scope, role and amount invoiced. In case of projects still on-going only the portion completed during the reference period will be taken into consideration.  As supporting documents for each project reference the Contracting authority may request statements issued by the clients and take contact with them.

G All of the above specified evidence of technical and professional capacity must be provided with the tender.

\*\*\*

G Involved entities must not be subject to conflicting interests which may negatively affect the contract performance. Where the Contracting authority has established such conflicting interests, it may conclude that the tenderer or an involved entity does not possess the required professional capacity to perform the contract to an appropriate quality standard.

The presence of conflicting interests shall be examined during the evaluation phase based on the statements made through the Declarations on Honour.



### 2.3. Compliance with the minimum requirements of the Tender specifications

By submitting a tender, a tenderer commits to perform the contract in full compliance with the terms and conditions of the documents for this call for tender. Particular attention is drawn to the minimum requirements specified in the technical specifications document (Tender specifications – part 2) and to the fact that tenders must comply with applicable data protection, environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU.

The minimum requirements shall be observed throughout the entire duration of the contract. Compliance with these requirements is mandatory and cannot be subject to any, limitations, conditions, or reservations on the part of a tenderer and not be the subject of any negotiation initiated by the contracting authority.

**G Tenders that are not compliant with the applicable minimum requirements shall be rejected** due to irregularity.

### 2.4. Award criteria

The objective of the award criteria is to evaluate the tenders with a view to choosing the most economically advantageous tender.

Tenders will be evaluated on the basis of the following award criteria and their weighting:

CRITERIA	WEIGHT	EVALUATION SYSTEM
<b>C1: Quality: Technical offer</b>	<b>40,00%</b>	Valuation through the application of value judgments.
<b>C2: Prices discounts</b>	<b>30,00%</b>	Through the automatic application of mathematical formulas
<b>C2: Warranty period</b>	<b>30,00 %</b>	Through the automatic application of mathematical formulas

Cr. 1	METHODOLOGY	Weight
<b><u>QUALITY: TECHNICAL OFFER.</u></b>		<b>40,00%</b>
<p>The evaluation committee may then assign scores through value judgments up to a maximum of 40 points.</p> <p>The evaluation committee may then assign scores through value judgments up to a maximum of 40 points, for the technical description in every lot:</p> <ul style="list-style-type: none"> <li>- Type of materials, recycled, certifications or quality labels, eco-friendly, adaptation to the environment: <b>Max. 10 points</b></li> <li>- Resistance for exterior or not maintenance required: <b>Max. 10 points.</b></li> <li>- Variety of designs in accordance with safety criteria, etc. : <b>Max. 10 points.</b></li> <li>- Pedagogical adaptation of materials for schoolchildren; ergonomics, colours, easy to use: <b>Max. 7,5 points.</b></li> <li>- Others: <b>Max. 2,5 points.</b></li> </ul> <p><b><u>All these descriptions must be in a maximum of 40 pages, for each lot.</u></b></p>		

On the basis of which, the evaluation committee will allocate up to a maximum of 10,00 points in those proposals that best suit the needs of the European School, improve safety conditions	
---	--

Cr. 2	PRICES	Weight
<b>PRICE DISCOUNTS</b>		
Bidders offering a % discount on the prices set in their catalogue, for each lot, will receive scores by applying the following arithmetic formula.		30,00%
$\text{Score} = 30,00 \text{ points} \times \left( \frac{\text{Offer considered}}{\text{Best Offer}} \right)$		
<p>The Best Offer will be the cheapest.</p> <p>The maximum points will be the maximum score awarded in this section for the economic offer.</p> <p>The offer with the best prices receives the maximum score.</p> <p>Those offers that exceed the maximum of the budget for the framework contract will be excluded.</p>		

Cr. 3	GUARANTEES	Weight
<b>WARRANTY PERIOD</b>		
Bidders may offer an extension of the minimum guarantee period, with higher scores being awarded to those offering a longer period, by applying the following arithmetic formula.		30,00%
$\text{Score} = 30,00 \text{ points} \times \left( \frac{\text{Offer considered}}{\text{Best Offer}} \right)$		
<p>The Best Offer will be the longest period of warranty.</p> <p><b>In the event of structural installations (Lot 1, Lot 2 and lot 4 the minimum will be 10 years, in the rest 2 years)</b></p> <p>If bidders do not offer any increase over the minimum period of each lot, they will receive 0 points, and the committee of evaluation will consider the minimum established.</p>		

## 2.5. Tie-breaking Criteria

The tie between several tenderer after applying the contract award criteria will be resolved by applying the following criteria in order:

- 1<sup>st</sup>. Highest period of warranty,
- 2<sup>nd</sup>: Highest in quality points,
- 3<sup>rd</sup>. Highest in discount offered.

## 2.6. Award (ranking of tenders)

Tenders shall be ranked according to the best price-quality ratio in accordance with the formula below:

$$\text{Cr. 1} * (\text{weight } 40\%) + \text{Cr. 2} * (\text{weight } 30\%) + \text{Cr. 3} * (\text{weight } 30\%) = \text{Total score}$$

<p>□ The contract shall be awarded to <b>the first two (2) ranked tenders for each lot</b>, which comply with the Tender Specifications and are submitted by tenderers with access to procurement, not in an exclusion situation and fulfilling the selection criteria. The ranking will determine who will be invited to compete for specific contracts during the implementation of the framework contract.</p>
---

**In each purchase order, the first three contractors selected for each lot will be consulted. Finally, the one of the three contractors that offers the best value for money, for each purchase order, will be the one that finally provides it.**

### 3. FORM AND CONTENT OF THE TENDER

#### 3.1. Form of the tender: how to submit the tender?

Tenders are to be submitted according to the instructions laid down in the Invitation to tender letter.

G Make sure you prepare and submit your tender early enough to ensure it is received within the deadline specified to submit an offer in the invitation. A tender received after this deadline will be automatically rejected due to irregularity.

#### 3.2. Content of the tender: what documents to submit with the tender?

G The documents to be submitted with the tender are:

- Tenderer's entity form (Annex 1)
- Declaration on the honour related to the exclusion and selection criteria (Annex 2)
- Your technical offer (Annex 3)
- Your financial offer (Annex 4)
- Form bank account (Annex 5)

**G Each document must be signed by a duly authorized representative of the tenderer.**

The following requirements apply to the technical and financial offer:

- *Technical offer.*

The technical offer must provide all the information needed to assess the compliance with Section 1.4 of these specifications and the award criteria. Tenders deviating from the minimum requirements or not covering all the requirements will be rejected on the basis of non-compliance and not evaluated further.

- *Financial offer.*

A complete financial offer.

In case of discrepancies between different documents, only the amount indicated in the financial offer will be taken into account.

The financial offer shall be:

- expressed in euros. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to bear the risks or the benefits deriving from any variation.
- quoted free of all duties, taxes and other charges, i.e. also free of VAT. The tenderer may indicate the amount of VAT but it must be shown separately.

The European schools are exempt from such charges. Exemption is granted to the European Schools by the governments of the Member States.

**In Belgium, European schools are exempted through exemption No 450, Article 42, §3 paragraph 1<sup>st</sup>, 4<sup>o</sup> of the VAT code.**

#### 4. PROCESSING OF PERSONAL DATA

Any personal data included in or relating to the tender, including its implementation, shall be processed in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC. Such data shall be processed solely for the purposes of the monitoring of the tender by the data controller.

Tenderers or any other person whose personal data is processed by the data controller in relation to this contract has specific rights as a data subject under Regulation (EU) 2016/679, in particular the right to access, rectify or erase their personal data and the right to restrict or, where applicable, the right to object to processing or the right to data portability.

Should tenderers or any other person whose personal data is processed in relation to this contract have any queries concerning the processing of its personal data, it shall address itself to the data controller: **The Director of the School of Mol.**

They may also address themselves to the Data Protection Officer of the data controller. They have the right to lodge a complaint at any time to the European Data Protection Supervisor.

Details concerning the processing of personal data can be requested to the data controller.

#### **LIST OF ANNEXES:**

The following documents are attached to this specification and form an integral part of this specification:

- Annex 1: Tenderer's entity form
- Annex 2: Declaration of the honour related to the exclusion and selection criteria
- Annex 3: Technical offer
- Annex 4: Financial offer
- Annex 5: Form bank account
- [Annexe- XX: Any other useful document]