



Schola Europaea
European School of Mol

TENDER SPECIFICATIONS

NEGOTIATE PROCEDURE OF MIDDLE VALUE

TENDER N° 2024_013

GREEN AREAS: MAINTENANCE SERVICES AND PRODUCTS

Lot 1: DELIVERY AND APPLICATION OF PRODUCTS

Lot 2: TREE WORKS

Lot 3: WEED REMOVAL

Award method: **Lowest price**

Type of contract: **Framework contract.**

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

Estimated Value: **142.999,99€**

Administrative and Technic Specifications

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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)¹.

1.2. Subject: what is this procurement about?

The subject of this procurement is GREEN AREAS: MAINTENANCE SERVICES AND PRODUCTS.

1.3. Lots: is this procurement divided into lots?

This procurement is divided into 3 lots:

LOT NUMBER	LOT TITLE
1	DELIVERY (AND APPLICATION) OF PRODUCTS
2	TREE WORKS
3	WEED REMOVAL

Tenders may be submitted for one 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 services/supplies that are the subject of this call for tender, including any minimum requirements, are described in detail below.

1.4.1. Background and objectives

The European School of Mol has a campus surrounded by nature and green spaces that require proper maintenance. Therefore, it is necessary to rely on companies specialized in the provision of materials and maintenance services for these green areas.

¹ 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).

1.4.2. Technical description

The work will be carried out at the request of the contracting authority, after a quote has been issued.

Annual activity calendar plans may be designed, or specific dates may be agreed upon, depending on urgent needs.

Tenderers may bid on one or more of the following lots:

1.4.3. Lot 1: Delivery (and application) of products

- Supply of Wood chips ‘hakselhout’ (order per m3) for planters: delivery only
- Supply of Wood chips ‘tree bark’ e.g., type *pinus Sylvester* 9/15 or *pinus Sylvester Douglas* 10/20 (order per m3) for picnic areas and playgrounds: delivery only
- Grass seeds or special mix to renovate sports / grass fields (per kg): only delivery or delivery and spreading.
- Fertilizer for sports / grass fields (organic – mineral): delivery and spreading (per kg) for spring & autumn applications.
- Weed control mix for sports / grass fields: delivery and application (per kg)
- Supply of ornamental flower seeds or aromatic plant seedlings
- Removing existing soils
- Level the ground
- Add extra soil / sand.
- Vertical drainage with drilling
- Filling holes with drainage sand
- Make pavements (gravel, stone)

1.4.4. Lot 2: Tree works

- Check the status of the trees annually (identify dangerous situations for safety).
- Keep a technical record of all high trees on the campus.
- Cut branches (incl. removal) and Pruning trees on site (per tree)
- Cut trees (incl. removal)
- Felling small trees (14-20 cm in size, 4-6 m in height)
- Average tree felling (20-35 cm in size, 5-8 m in height)
- Felling large trees (35 cm in size, 7-15 m in height)
- Mill tree trunks of removed trees and removing tree stumps.

A public license must be obtained for the cutting and removal of trees.

All services will include machinery, tools, works hours, products, safety y measures, etc.

1.4.5. Lot 3: Weed removal.

Regular maintenance of the campus to keep the walking paths, buildings, fences and parking areas free of weeds (this can be done through the application of weed killing products (allowed in schools). Usually in spring and after summer (or at least half august)

In the case of phytosanitary applications, a license must be obtained for use in spray or pulverization.

The work must be guaranteed for a minimum of **2 weeks** from the date of application. This means that if the weeds are removed within a period of less than two weeks and it is found that the work has been ineffective, the company would be obliged to carry out a new removal work free of charge, as a guarantee. However, the tenderer may offer a longer guarantee period, which may result in a higher score when being awarded the contract.

All these described works is not exhaustive, so similar works could also be requested under the same contract, on depending on real needs, the technology, or resources to use, etc. In every purchase order, details will be provided.

1.4.6. 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.

1.4.7. Options: Are additional optional services requested?

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

The contracting authority will not take into account the proposed optional services when ranking the tenders. If the successful tenderer proposes additional services in its tender, the contracting authority will then consider, before signing the contract, whether these services are directly related to the subject matter of the contract and the specifications and decide whether to accept them.]

1.4.8. Deliverables

Once the materials are delivered or services are performed, a delivery note must be provided for prior acceptance of the invoice, provided that the execution is correct with these specifications or with regard to the description of the individual purchase order.

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 framework contract for each lot.

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 one contractor **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.

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?

An indicative estimate of the volumes to be ordered over the whole duration of the framework contract is **ONE HUNDRED AND FORTY-TWO THOUSAND NINE HUNDRED AND NINETY-NINE EUROS AND NINETY-NINE CENTS (142.999,99€)** disaggregated in the lots as below:

LOT NUMBER	SUBJECT	ESTIMATED VALUE
1	Delivery and application of products	73.120,00 €
3	Tree works	37.140,00 €
4	Weed removal	32.739,99 €

These volumes are estimates only and there is no commitment as to the exact quantities to be ordered. The actual volumes will depend on the quantities which the Contracting authority will order through specific contracts. In any case the framework contract ceiling, i.e., the maximum amount to be spent under the framework contract, for each lot shall not 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 **12 months tacitly renewable 3 times for successive periods of 12 months, i.e., 48 months maximum**, 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 authority².

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

² 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;
- if there is a material impossibility to provide such evidence.

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 procedure³.

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 services subject to this procurement.

The legal and regulatory capacity shall be proven by **a proof of authorisation that the tenderer is authorised to perform the contract in its country of establishment and specific licences for works in every lot, according with the Belgian public regulations.**

2.2.2. 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 green works.	
Minimum level of capacity	<u>At least two (2) similar</u> (in scope and complexity) projects completed in the last three years preceding the tender submission deadline.
Evidence	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

³ 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.

	<p>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.</p> <p>As supporting documents for each project reference the Contracting authority may request statements issued by the clients and take contact with them.</p>
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All of the above specified evidence of technical and professional capacity must be provided with the tender.

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 Section 1.4 of these specifications 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.

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
C1: Prices and warranties	100,00%	Through the automatic application of mathematical formulas

Lot 1	DELIBERY (AND APLICATION) OF PRODUCTS	Weight
Bidders will offer their prices in the proposed scenarios, and scores will be assigned by applying the following arithmetic formula, based on the following maximum scoring weights: <ul style="list-style-type: none"> - Price per work hour / per worker (Applications): 25,00 points - Fertilizer: 15,00 points 		100,00%

<ul style="list-style-type: none"> - Grass fields_ 12,00points - Wood chips 'tree bark' e.g., type <i>pinus Sylvester</i> 9/15: 10,00 points - Wood chips 'tree bark' e.g., type or <i>pinus Sylvester Douglas</i> 10/20: 10,00 points - Gravel: 8,00 points - Stone: 8,00 points - Grass seeds: 5,00 points - Weed control product: 5,00 points. - Wood chips 'hakselhout' for planters: 2,00 points $\text{Score} = xxx,xx \text{ points} \times \left(\frac{\text{Best Offer}}{\text{Offer Considered}} \right)$	
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Lot 2	TREE WORKS	Weight
Bidders will offer their prices in the proposed scenarios, and scores will be assigned by applying the following arithmetic formula, based on the following maximum scoring weights: <ul style="list-style-type: none"> - Pruning trees on site (per tree), with elimination of wood: 45,00 points - Removing tree stumps: 20,00 points Large tree felling (35 cm in size, 7-15 m in height): 16,00 points - Average tree felling (20-35 cm in size, 5-8 m in height): 11,00 points - Small tree felling (14-20 cm in size, 4-6 m in height): 8,00 points $\text{Score} = xxx,xx \text{ points} \times \left(\frac{\text{Best Offer}}{\text{Offer Considered}} \right)$		100,00%

Lot 3	WEED REMOVAL	Weight
Bidders will offer their prices in the proposed scenarios, and scores will be assigned by applying the following arithmetic formula, based on the following maximum scoring weights: <ul style="list-style-type: none"> - Price per work hour / per worker: 75,00 points $\text{Score} = xxx,xx \text{ points} \times \left(\frac{\text{Best Offer}}{\text{Offer Considered}} \right)$ <ul style="list-style-type: none"> - Period of guarantee of works (Minimum 2 weeks), offered in days: 25,00 points. $\text{Score} = xxx,xx \text{ points} \times \left(\frac{\text{Offer considered}}{\text{Best Offer}} \right)$		100,00%

The Best Offer will be the cheapest. The offer with the best prices receives the maximum score.

The maximum points will be the maximum score awarded in this section for the economic offer.

When a tenderer offers a warranty equal to the minimum, it will receive 0,00 points

2.5. Abnormally low tender

If the price proposed in the tender appears to be abnormally low (Greater than 25% of the arithmetic average of all the offers received and accepted), the Contracting authority may reject the tender under the conditions set out in point 23 of Annex 1.6 to the EU Financial Regulation.

2.6. Tie-breaking Criteria

In the event that several tenders present the same ratio, the tenderers concerned will be asked to submit a new tender until their tenders are decided upon.

2.7. Award (ranking of tenders)

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

$$\text{Cr. 1} * (\text{weight 100}) = \text{Total score}$$

The contract shall be awarded to the tender ranked first in every lot, which complies with the Tender Specifications and is submitted by a tenderer having access to procurement, not in an exclusion situation and fulfilling with the selection criteria.

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.

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?

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 financial offer (Annex 3)
- Form bank account (Annex 4)
- Any other useful documents (Annex 5)

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.

G 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 1st, 4^o 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 European School 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: Financial offer
- Annex 4: Form bank account
- Annex 5: Any other useful document