

EBA/2015/08/OPS/SER/OP

15 February 2016

Call for tenders

Tender specifications

Catering services and supplies

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Introduction to the EBA

The European Banking Authority (EBA) is a specialised agency of the European Union set up to achieve a more integrated approach to banking supervision across the EU. Among its core tasks is the establishment of a single set of rules applicable to all banking institutions in the EU in the same manner, which is the basis for the creation of an EU single market in the banking sector. The EBA also seeks to ensure that these common rules are all understood and applied by banking supervisors across the EU in a consistent and harmonised way. Its work aims at upgrading the quality and consistency of supervision across the EU, as well as at strengthening oversight of cross-border groups, i.e. those banking groups, which operate in more than one EU Member State.

The EBA acts as the cornerstone of a consistent and transparent single market for EU banking that is beneficial to all: businesses, consumers and the broader EU economy. By providing the regulatory framework for the integrity and efficiency of banking in the EU, the EBA also contributes to financial stability across the Union.

Further information on the Authority can be found on the EBA website www.eba.europa.eu.

1. Terms of reference

These terms of reference will become an integral part of the contract that may be awarded as a result of this tender procedure.

1.1 Background to the invitation to tender

Each year, the work of the EBA requires it to host a considerable number of meetings with external stakeholders at its premises in London. These meetings may broadly be grouped as follows:

- **EBA governing bodies:**
 - **Board of Supervisors** – the main decision-making body of the EBA – is composed of the EBA Chairperson and the heads of the national supervisory authorities of the 28 EU member states and the three observer states. Currently the UK member is Mr Andrew Bailey, CEO of the Financial Conduct Authority;
 - **Management Board** is composed of the EBA Chairperson and of six representatives of national supervisory authorities plus the European Commission;
- **Working groups and standing committees:** All of the EBA’s deliverables are typically defined and discussed in technical working groups and standing committees, composed of technical experts from the EBA’s staff and EU supervisory and resolution authorities who provide their input into the EBA’s work.
- **Seminars and workshops:** to supports its role in promoting supervisory convergence, the EBA hosts upwards of 40 seminars and workshops each year
- **Banking stakeholders group:** the permanent body that facilitates consultations with banking stakeholders and is composed of representatives from credit and investment institutions, their employees’ representatives, consumers, users of banking services and top-ranking academics;
- **Public hearings:** Open public consultations and public hearings are conducted on regulatory products (technical standards, guidelines, etc.) to ensure stakeholders and all interested parties can provide their input on future banking standards and guidelines.

More information on the all of the above may be found on the EBA website.

Meetings typically last from half a day up to two days. They may be attended by as few as ten people (in the case of a working group) or as many as 150 for a public hearing. The EBA provides

lunches and tea/coffee to most meetings. Occasionally the EBA will provide a small reception or welcome drink, which may take place in the evening. Exceptionally the EBA will host a meeting or similar event elsewhere in London.

EBA has neither the staff nor the facilities to be able to provide catering services so uses the services of outside caterers to provide food and refreshments to meeting participants.

1.1.1 Facilities at the EBA

The EBA's current meeting room facilities and capacity are as follows:

- Picasso room (68 persons with a possibility of increase up to 150 persons)
- Van Gogh room (48 persons)
- Cezanne room (44 persons)
- Klimt (28 persons)
- Munter (28 persons)
- Modigliani (20 persons)
- Gallen-Kallela (10 persons)

The EBA also has a number of smaller meeting rooms that are used for internal meetings.

There are two breakout areas named "North" and "South". The "North" breakout area comprises a single buffet station, 14 high tables and 3 counters. The "South" breakout area has 2 buffet stations, 18 high tables and 3 counters.

EBA will provide the following:

- kitchen space, comprising large double door Polar Fridge (Model GD897), three commercial short cycle dishwashers (3 minute cycles), 2 sinks and ample table top space with cabinets above
- access to electricity and running water
- bean coffee machines
- cutlery and crockery
- water and latte glasses

1.2 Description and scope of the services

The contractor shall provide food and beverages, catering supplies and catering staff services to the EBA in accordance with the requirements set out in this documentation.

1.2.1 Food and beverages

Food

Each tenderer must offer a choice of four prepared, **buffet lunch** options in its tender:

- A cold buffet lunch menu (Option 1)
- A sandwich menu (Option 2)
- A canapés and light bites menu (Option 3)
- A warm bowl food menu (Option 4)

All **buffet lunch options** must:

- be delivered prepared and ready for consumption;
- be freshly made, appealing to the eye, nutritious and consist of dishes from diverse cuisines;
- be sufficient in quantity to feed the estimated number of people to be fed;
- include a vegetarian option, a small variety of desserts and some fruit; and
- on specific request: a gluten-free option;

The **cold buffet** option must include meat, fish or vegetarian options (with a possibility of adding soup as a starter), a salad, small variety of desserts and some fruit.

The **sandwich lunch** should consist of selection of different breads such as whole grain, baguette, focaccia, sour dough and not be restricted to classic English toast as EBA is looking for a more creative and exciting selection.

The **warm bowl food** option should consist of meat or fish, accompanied by a side such as rice, potatoes or pasta (unless bowl is a pasta filled option e.g. tortellini)

Examples of menus can be found in Annex XI. These are to be used as an indication of the variety and creativity expected from contractor.

Related requirements

In order to ensure **variety** over the duration of the contract, every 3 - 4 months the contractor must replace at least one of the options with a new menu. This must be agreed in advance with the EBA. The new menu must be offered at the same price as the menu it replaces.

The contractor must be able to provide food that meets the requirements of people with specific **food intolerances or allergies** including lactose-intolerance, celiac disease and nut allergies. When ordered, such foods must be provided on the separate plates labelled accordingly. All other foods should be labelled with signs indicating that they contain dairy or nuts if that should be the case.

Since some meetings may not stick to the exact lunch time foreseen in the schedule, the contractor must ensure that satisfactory arrangements are in place to keep hot dishes warm until the lunch interval.

Beverages

The contractor must be able to provide two separate drinks packages, each with the appropriate glasses:

- a welcome drinks package of sparkling wine, Bucks Fizz, Bellini or similar, accompanied by at least two varieties of canapés;
- a wine package of red and white wine of reputable quality;

The contractor must ensure that drinks can be served at the appropriate temperature.

1.2.2 Supplies

The contractor must be able to provide catering supplies, including:

- coffee beans: of high quality meaning espresso beans equivalent to Lavazza Super Crema and other that are suitable for lattes and cappuccinos
- tea: a variety (fruit, herbal, black, white) in individual packaging, and bulk packages of English breakfast tea;
- milk: fresh, semi-skimmed in cartons (delivered before 0800 daily, or on request), and long-life in single-serve portions;
- non-alcoholic drinks including:
 - bottled water (sparkling and still, in 750ml bottles only);
 - a variety of soft drinks; and
 - a variety of fruit juices;

- sugar: white and brown, in sachets;
- biscuits: individually wrapped;
- condiments in sachets, such as pepper, salt, ketchup and mayonnaise;
- napkins, and white paper doilies for glasses

Occasionally EBA may order catering supplies which are not specified in the “Technical Specifications”. The tenderer therefore is expected to have the capacity to source any related product requested even if it is not listed in the “Technical Specifications”. Examples of such additional items are the replacement of a product by a new one on the market or, exceptionally, an additional item provided it remains within the strict scope of the framework contract.

Section 1.2.13 includes a list of catering supplies used by the EBA in 2015, with estimated annual volume for 2016.

1.2.3 Staff

The contractor will provide trained catering service staff to set up food-service areas with the food and beverages provided, replenish supplies and clear up the food-service areas.

It is essential that all staff involved in the delivery of the catering services perform at all times in an appropriate manner and provide the highest level of customer service. All on-site personnel should have a good command of spoken English. In the event that EBA is not satisfied with the performance of a member of the catering service staff or on-site personnel the selected firm will be obliged to provide a suitable replacement.

All service staff should wear uniforms during the delivery of the catering services. The uniforms should be clean and similar to each other. The provision and cleaning of the uniforms and any other clothes used for the catering service remains the responsibility of the contractor.

Servicing an event

Due to number of meeting rooms and the two, separate breakout areas we often need two catering assistants. On the busy days – two or more meetings, or larger events – the catering staff will work as a team to ensure the smooth provision of food and beverage for the ongoing meetings. They will assist the guests in the breakout areas during the coffee and lunch breaks, ensuring the cleanliness and order of the breakout area, the operation for the coffee machines and the availability of the cutlery and crockery at all times. During the aforementioned breaks one of the catering staff will replace the empty or half empty bottles of water and collect the dirty cups in the meeting rooms, whilst other service the breakout areas.

Figure 1: A typical meeting schedule, with catering staff responsibilities

Time	Activity
08:00	<p>Prepare meeting rooms: set out bottled water for meeting participants (one 750 ml bottle of still water and one of sparkling per two participants);</p> <p>Prepare breakout areas: set up coffee machines, set out crockery, teas, biscuits, etc.</p>
08:30	<i>Arrival of guests followed by coffee</i>
	<i>Start of the meeting</i>
09:00	<p>Remove dirty dishes to the dishwasher</p> <p>Operate dishwasher</p>
11:00	<p>Prepare the breakout area for the coffee break</p> <p>Replenish the bottled water in the meeting rooms</p>
12:30	Set up the buffet lunch including all the necessary place settings
	<i>Start of lunch (lunch may start as early as 12:00)</i>
13:00	Be present during lunch to answer possible questions regarding the food, keep the breakout area tidy
	Remove the buffet lunch and dirty dishes
14:00	<p>Clean all surfaces</p> <p>Other work related to the meetings as advised by EBA</p>
15:30	Set up the breakout area for the afternoon coffee break
16:00	Closing time for service

Note that some meetings may be half-day only, in which case there will be a requirement for catering staff despite the fact that no lunch has been ordered, to set up the meeting rooms, prepare the coffee breaks, clean up, etc. Full-day meetings may finish between 16:00-19:00.

1.2.4 Supply and delivery

The contractor shall cover all transport costs including delivery to and collection from the place of performance of the contract.

Coffee break items: Delivery shall be performed in the morning. Staff shall be in attendance at the latest 30 minutes before the meeting starts.

Lunch: Delivery shall be performed in the morning at the latest 30 minutes before the lunch. Please note that the installation duration may vary depending on the number of participants and type of event.

Delivery will be mainly performed in EBA premises. Exceptional deliveries may be requested outside EBA premises, in the metropolitan area of London.

Removal of equipment and materials from all events shall be performed in the same day at the end of the event. As an indication please note that events take place from 8am until 7pm. The surface used to place food and drinks should be left clean and tidy.

1.2.5 On-site protocol

Whilst on-site at the EBA premises the contractor's staff shall register at the EBA reception at which time the selected firm's staff shall receive an entry pass that they shall return on completion of duties.

Upon contract award the selected firm shall receive basic information with regard to emergency exits and procedures in the EBA building.

All the deliveries must be accompanied by a delivery note, which will be signed by a member of EBA staff as proof of delivery. This is to be attached to the eventual invoice otherwise EBA shall not be able to pay.

The loading bay at One Canada Square, Floor 46, One Canada Square, London, E14 5AA, UK is operates 24 hours a day, 7 days a week (although please bear in mind that it is very busy and extra time should be allowed to gain access). It is the responsibility of the contractor to ensure on-time delivery.

The latest time for lunch delivery is 11:30 am. The contractor must remove all waste items on the same day for hygiene reasons.

1.2.6 Health and hygiene, safety

The contractor shall ensure throughout the duration of the Framework Contract that all necessary health and hygiene certificates and/or licences are held and all applicable statutory regulations and standards are enforced and upheld. In particular the contractor must ensure its compliance

with all current and changing legislation concerning all aspects of Health, Safety and Hygiene at work with particular reference to the relevant Food Safety Acts.

The selected firm shall comply with all relevant internal house rules including fire safety and protection regulations at the EBA premises and in particular with the following regarding keeping food warm: 'in order to keep food warm gas burners and burning paste may be used'. However the flame should at no time be left unsupervised and in the event of an emergency should be easily extinguishable. The contractor shall ensure that on-site personnel are equipped with a CO2 fire extinguisher (5kg) and are able to deploy it in the event of an emergency. The use of fan ovens, roasting or baking equipment and/or any other equipment which gives out large amounts of smoke or steam is not permitted, in order to avoid the activation of any fire alarms or sprinkler systems in the building.

1.2.7 Recycling

The contractor should follow these guidelines:

- minimal packaging
- minimal environmental hazards
- maximum energy efficiency
- maximum usage of recycling material

Where beverages are supplied (i.e. water, soft drinks, juices etc.) the bottles provided should be reusable / recyclable.

1.2.8 Quality Assurance

The selected firm shall ensure that the quality and presentation of its catering is consistent with that presented at the tasting session. Feedback from event participants on the quality of the catering services is frequently sought by the meeting organisers and will be communicated to the contractor.

1.2.9 Purchase order workflow

By close of business each Wednesday, the EBA will issue a signed purchase order setting out the requirements for the following week. The purchase order will indicate the following:

- the week of the events;
- the title and week day of each event;
- the number of participants at each event;
- specific catering requirements per event;

- prices; and
- the name and contact details of the EBA staff member responsible for the event.

Within 2 working days of a purchase order being sent by EBA, the contractor shall return it duly signed and dated. No legal commitment exists on behalf of either party until the purchase order is signed by both parties.

In normal circumstances the purchase order will be issued at least four calendar days before the date the catering services are required. In special cases, however, the contractor must be able to provide the catering service at shorter notice.

1.2.10 Invoicing

The contractor shall provide detailed invoices including the following information:

- the number of menus served by type (e.g. finger food, hot lunch, etc.), the number and hours of the catering staff by day,
- the purchase order numbers linked to the events.

Invoices should be sent monthly (before the 5th of each month). The contractor shall define a single point of contact in their Finance department to liaise with EBA staff. Invoicing shall be performed accordingly to draft contract Article II.15.

1.2.11 Reporting

The contractor must issue a monthly account statement to the EBA with the monthly invoice.

1.2.12 Performance management:

The contractor will appoint a contract manager to be responsible for the management of the Framework Contract on its behalf and to act as a contact point for all contractual issues, orders, and invoicing. The Contract Manager should have experience working in a similar role and should possess a very good level of spoken English.

1.2.13 Indicative volumes

The following figures are given for information only and are not binding for the coming years.

Figure 2: Event and participant numbers 2014/2015

Month	Events		Participants	
	2014	2015	2014	2015
January	29	28	613	649
February	30	27	605	823
March	28	32	607	922
April	21	15	468	348
May	27	34	697	1,063
June	31	26	834	922
July	17	23	334	632
August	9	6	64	67
September	50	30	978	840
October	31	37	635	1,150
November	28	20	786	707
December	17	18	612	504
Total	318	296	7,233	8,627

Figure 3: Event duration detail 2015

Duration	Events		Participants	
	#	%	#	%
0.25 day(s)	42	14%	1,496	17%
0.5 day(s)	6	2%	227	3%
1 day(s)	174	59%	4,698	55%
1.5 day(s)	25	8%	896	10%
2 day(s)	49	17%	1,310	15%
Total	296	100%	8,627	100%

Figure 4: Estimated catering staff requirement for 2016

	Per Month	Per Year
Estimated hours for service staff per month (8hrs per day)	160	1,920
Second service person for busy months (February, April, June, September, October, November)	40	240

Figure 5: Estimate of annual meal quantities for 2016

Option #	Menu/package	Meals
Option 1	Cold buffet lunch menu	1,302
Option 2	Sandwich menu	5,386
Option 3	Canapés and light bites	72
Option 4	Warm bowl food menus	780
Drinks package	Welcome drink package	72
Drinks package	Wine package	72

Figure 6: Estimated annual volume of supplies for 2016

Item number	Specification required		Annual quantity
1	Pint of fresh semi skimmed milk, delivered daily	10 per day	2,500
2	Litre of fresh semi skimmed milk, delivered daily	2 per day	500
3	Fox's Favourites, Elite or equivalent biscuits, at least 8 different varieties, individually sealed and packaged trays	5 per month	55
4	Fox's Speciality Style Biscuits or equivalent, luxury biscuits	4 per month	44
5	Minimum 33cm square 2 ply white tissue lunch napkins, pack size of 200	4 per month	48
6	Still mineral water (Harrogate or equivalent), 1 litre glass bottle	525 per month	5,775
7	Sparkling mineral water (Harrogate or equivalent), 1 litre glass bottle	525 per month	5,775
8	100% pure smooth orange juice (from concentrate), 1 litre	12 per month	132
9	Pure apple juice (from concentrate), 1 litre	12 per month	132
10	Pure cranberry juice (from concentrate), 1 litre	12 per month	132

Item number	Specification required				Annual quantity
11	English Breakfast black whole leave tea ('we are tea' or equivalent) individually wrapped, silky tagged tea bags	1	per	month	11
12	Coffee Lavazza Espresso or equivalent 1kg (blend espresso bean with big cream) for a Jura Impressa X9 machine or similar	50	per	month	590
13	Fairtrade white granulated sugar sachets, box size of 1,000	2	per	month	18
14	Fairtrade brown sugar sachets, box size of 1,000	2	per	month	11
15	12ml semi skimmed milk cups 120-in a box	30	per	month	390
16	Organic (Clipper or Equivalent) Specialty chamomile tea, individually wrapped, tagged tea bags, box size of 20	2	per	month	22
17	Organic (Clipper or Equivalent) Specialty tea bags, spearmint, individually wrapped, tagged tea bags, box size of 20	2	per	month	22
18	Organic (Clipper or Equivalent) specialty tea bags, red fruit, individually wrapped, tagged tea bags	2	per	month	22
19	Organic (Clipper or Equivalent) Specialty tea bags, lemon, individually wrapped, tagged tea bags, box size of 20	2	per	month	22
20	Sachets of salt, box size of 1,000	6	per	year	6
21	Sachets of black pepper, box size of 1,000	6	per	year	6
22	330ml Glass bottles Coke, Pack size of 12	2	per	month	22
23	330ml Glass bottles Diet Coke, Pack size of 12	2	per	month	22
24	330ml glass bottles of Sprite, Pack of 12	1	per	month	11
25	PG Tips or equivalent tea bags, 1 cup pyramid bags without tags, bag or box size of 1,000 tea bags	2	per	year	2
26	White paper doilies, minimum 25cm diameter, pack size of 250	10	per	year	10
27	White paper doilies, minimum 11cm diameter, pack size 250	1	per	year	1

1.3 Minimum requirements to be met by the tenderer

The following minimum requirements must be met by the tender for it to be considered compliant with the technical specifications. Tenderers must provide a completed declaration, which can be found in **Annex VII**. Failure to confirm compliance with all the following requirements shall result in elimination from the tender:

- Compliance with applicable 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.

2. Overview of this call for tender

2.1 Tendering for this procedure

In drawing up a tender, tenderers should bear in mind the provisions of the draft contract in Annex VI. In particular, the draft contract indicates the method and the conditions for payments to the contractor. An offer once submitted means that the tenderer has agreed to the conditions of these tender specifications as well as to all terms and conditions set out in the draft contract.

Tenderers are expected to examine carefully and respect all instructions and standard formats contained in these specifications and the invitation to tender. An offer, which does not contain all the required information and documentation, may be rejected.

2.2 Timetable

Activity	Date	Comments
Launching of the tender	03/02/2016	Dispatch of the contract notice to the EU Official Journal (OJ)
Last date on which clarifications will be issued by EBA	08/03/2016	Six working days before deadline for submission of tenders.
Deadline for receipt of tenders by EBA	16/03/2016	17:00 local time in London - see invitation letter for more detail
Tender opening	22/03/2016	10:00 UK time
Tasting session (as part of the technical evaluation process)	April 2016	Only applicable to the tenderers fulfilling the selection criteria, invitation will be sent three days prior to the testing session
Completion date for evaluation of the tenders	May 2016	This date is indicative only and not binding on EBA
Contract signature	May 2016	This date is indicative only and not binding on EBA

2.3 Participation in the tender procedure

Participation in procurement procedures is open on equal terms to all natural and legal persons falling within the scope of the Treaties. This includes all legal entities registered in the EU and all natural persons having their domicile in the EU. Participation is also open to all natural and legal persons registered or having their domicile in a non-EU country which has an agreement with the European Union in the field of public procurement on the conditions laid down in that agreement. The rules of access to the market do not apply to subcontractors.

The procurement procedures of the Agency are not however open to tenderers from countries which have ratified the Multilateral Agreement on Government Procurement (“GPA”).

Tenderers must not be in any situation of exclusion under the exclusion criteria indicated in section 3.2 of these tender specifications and must have the legal capacity to allow them to participate in this tender procedure (see section 3.3.1).

2.4 Participation of consortia

A consortium may submit a tender on condition that it complies with the rules of competition.

A consortium may be a permanent, legally established grouping or a grouping, which has been constituted informally for a specific tender procedure. Such grouping (or consortium) must specify the company or person heading the project (the leader) and must also submit a copy of the document authorising this company or person to submit a tender. All members of a consortium (i.e., the leader and all other members) are jointly and severally liable to the Contracting Authority.

In addition, each member of the consortium must provide the required evidence for the exclusion and selection criteria (see sections 3.2 and 3.3 of these tender specifications). Concerning the selection criteria ‘technical and professional capacity’, the evidence provided by each member of the consortium will be checked to ensure that the consortium as a whole fulfils the criteria.

The participation of an ineligible person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

2.5 Subcontracting

A service provider may subcontract part of the services.

Tenderers must state in Annex VIII what part of the work, if any, they intend to subcontract, and to what extent e.g. percentage of the total contract value specifying the names, addresses and legal status of the subcontractors. If subcontracting is **not** envisaged, tenderers shall clearly state so in the Tender Submission Form (Annex I).

Legal persons must provide a document containing a list of the professional qualifications of the subcontractors and statement of the means of confidentiality when subcontractors are used. If awarded the contract the successful tenderer may not choose subcontractors other than those mentioned in its tender unless it obtains the prior written authorization of the EBA. The overall responsibility for the work remains with the successful tenderer/service provider.

Tenderers shall acknowledge (see Annex I) that the EBA reserves the right to request at a later stage documentation in relation to the Exclusion and Selection criteria for any proposed subcontractors (see section 3.2 and section 3.3 below).

Where no subcontractor is given, the work will be assumed to be carried out directly by the tenderer.

2.6 Presentation of the tender

Tenders must comply with the following conditions:

2.6.1 Tender submission

Tenders must be submitted in accordance with the double envelope system.

The **outer envelope** or parcel should be sealed with adhesive tape and signed across the seal and carry the following information:

Outer envelope information

Reference number of the invitation to tender	EBA/2015/08/OPS/SER/OP
Contract title	“Catering services and supplies”
Name of the Tenderer	(tenderer/consortium name)
The statement	“Tender – not to be opened by the internal mail service”
Address for submission of offers	(as indicated in the <u>Invitation to tender</u> letter)
The date of posting (if applicable)	(this should be legible on the outer envelope)

The outer envelope must contain **three inner envelopes**, namely, **Envelopes 1, 2 and 3**.

The content of each of these three envelopes must be as follows:

1. **Envelope 1 – Administrative documents**

- The signed, dated and duly completed **Tender Submission Form** using the template in Annex I;
- The duly filled in, signed and dated **Declaration of honour on exclusion criteria and selection criteria** as requested in section 3.2.2 and using the standard template in Annex II;
- The duly filled in, signed and dated **Legal Entity Form(s)** as requested in section 3.3.1 and using the standard template in Annex III as well as the requested accompanying documents;
- The duly filled in, signed and dated **Financial Identification Form¹** using the template in Annex IV;
- **Financial and economic capacity** documents as requested in section 3.3.2;
- The **professional and technical capacity** documents as requested in section 3.3.3; and
- In case of **consortia**, a consortium agreement duly signed and dated by each of the consortium members specifying the company or person heading the project and authorised to submit a tender on behalf of the consortium (please see section 2.5 of these tender specifications).

Other: checklist, min tech requirements form subcontractors form

2. **Envelope 2 – Technical proposal**

- One (1) original (signed and clearly marked as “Original”), 3 (three) copies (each marked as “Copy”) and 1 (one) electronic file in pdf format of the Technical Proposal, providing all information requested in section 3.3.5.

3. **Envelope 3 – Financial proposal**

- One (1) original (signed and clearly marked as “Original”), 3 (three) copies (each marked as “Copy”) and 1 (one) electronic file in xls format of the Financial Proposal, based on the format in found in Annex V.

¹ In the case of consortia, only **one** Financial Identification Form; for the whole consortium shall be submitted, nominating the bank account into which payments are to be made under the contract in the event that the respective tender is successful.

2.6.2 Language

Offers must be submitted in one of the official languages of the European Union. The EBA prefers to receive documentation in English however the choice of language will not play any role in the consideration of the tender.

2.7 Contacts between EBA and the tenderers

Contacts between the EBA and tenderers are prohibited throughout the procedure, except in the following circumstances:

2.7.1 Written clarification before the deadline for submission of offers

Requests for clarification regarding this procurement procedure or the nature of the contract should be done **in writing only** and should be sent by email to: tenders@eba.europa.eu with a copy to Karolina.Grala@eba.europa.eu.

Each request for clarification should indicate the publication reference and the title of the tender.

The deadline for clarification requests is indicated in the timetable under section 2.2. Requests for clarification received after the deadline will not be processed.

EBA may, on its own initiative, inform interested parties of any error, inaccuracy, omission or other clerical error in the text of the contract notice or in the tender specifications by publishing a corrigendum on its website.

Any additional information including that referred to above will be published on the EBA's website: www.eba.europa.eu/about-us/procurement. Tenderers should regularly check the EBA website for updates.

2.7.2 After the opening of tenders

If, after the tenders have been opened, any clarification is required in connection with a tender, or if obvious clerical errors in the submitted tender must be corrected, the EBA may contact the tenderer, although such contact may not lead to any alternation of the terms of the submitted tender.

2.8 Site Visit

Not applicable.

2.9 Variants

Not applicable.

2.10 Confidentiality and public access to documents

All documents presented by the tenderer become the property of the EBA and are deemed confidential.

In the general implementation of its activities and for the processing of tendering procedures in particular, EBA observes the following EU regulations:

- Council Regulation (EC) No. 1049/2001 of 30 May 2001 regarding public access to European Parliament, Council and Commission documents; and
- Council Regulation (EC) No. 45/2001 of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

The tender process will involve the recording and processing of personal data (such as a tenderer's name, address and CV). Such data will be processed pursuant to Regulation (EC) No. 45/2001.

Unless indicated otherwise, a tenderer's replies to questions and any personal data requested by EBA are required to evaluate the tender in accordance with the tender specifications and will be processed solely for that purpose by EBA. A tenderer is entitled to obtain access to their personal data on request and to rectify any such data that is inaccurate or incomplete.

2.11 Contractual details

A draft contract is attached to these technical specifications as Annex VI.

The EBA wishes to conclude a single framework contract for the provision of catering services and supplies.

2.11.1 What is a framework contract?

A framework contract is a legal agreement between two parties - in this case the EBA and the contractor. It acts as the basis for possible future purchase of services by the EBA. The framework contract contains, inter alia, a description of the scope of services that can be requested by EBA.

The framework contract will be signed for an initial one-year period, and will be automatically renewed every year up to 3 (three) times of the same duration for a total maximum duration of 4 (four) years under the same conditions unless one of the parties receives formal notification to the contrary at least three months before the end of the ongoing duration. Renewal does not change or postpone any existing obligations.

The contract will be concluded in English and all follow-up communication related to the contract and its implementation will also be done in English.

The framework contract has no fixed value. It does however have an estimated maximum total value, which is indicated in the contract notice. Signature of the framework contract imposes no obligation on EBA to order services. Only the implementation of the framework contract through purchase orders or specific contracts is binding for the EBA.

Execution of the framework contract will be performed through purchase order forms (draft template provided in the annexes of the draft framework contract), which will contain details of deliverables and timelines for particular services and supplies to be provided. The procedure for concluding orders is described in section 1.2.9.

3. Exclusion and selection criteria

3.1 Evaluation steps

The evaluation is based on the information provided in the submitted tender and will be carried out in accordance with the following three sequential steps:

- Verification of non-exclusion of tenderers on the basis of the Exclusion Criteria;
- Selection of tenderers on the basis of the Selection Criteria;
- Evaluation of tenders against the Award Criteria (i.e. the technical and financial evaluation).

Only tenders meeting the requirements of one step will pass to the next step.

3.2 Exclusion criteria

3.2.1 Exclusion from participation and award in the procurement procedure

To be eligible to participate in this contract award procedure tenderers must not be in any of the exclusion situations referred to in Annex II.

In addition to the above, contracts may not be awarded to tenderers who, during the procurement procedure for this contract:

- are subject to a conflict of interest;
- are guilty of misrepresentation in supplying the information required by the EBA as a condition of participation in the procurement procedure or fail to supply this information.

3.2.2 Evidence to be provided

Each tenderer including any sub-contractor or any member of a consortium must provide a Declaration of Honour in accordance with the form attached as Annex II duly signed and dated and stating that they are not in any of the situations referred to in Annex II.

Prior to the signature of the contract the tenderer to whom the contract is to be awarded will be required to provide the evidence specified in Annex II (Evidence upon request).

3.3 Selection criteria

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities regardless of the legal nature of the links which it has with them. It must in that case prove to the EBA it will have at its disposal the resources necessary for performance of the

contract for example by producing an undertaking on the part of those entities to place those resources at its disposal.

If several service providers or sub-contractors are involved in the tender the Selection Criteria will be assessed in relation to the combined capacities of the service providers and sub-contractors as a whole to the extent that service providers or sub-contractors put their resources at the disposal of the tenderer for the performance of the contract.

3.3.1 Legal capacity

Tenderers are required to prove that they are authorized to perform the contract under national law as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organization, express authorization, or entry in the VAT register.

Each tenderer (including any sub-contractor or any member of a consortium) is required to submit a Legal Entity Form (see Annex III) duly filled out and signed and accompanied by a copy of inscription in a trade register and/or a copy of inscription in a VAT register, where applicable (refer to the instructions given on the form). However the sub-contractor(s) shall not be required to fill out or provide those documents only when the services provided represent less than 20% of the contract value.

3.3.2 Economic and financial capacity

Tenderers must provide sufficient information to satisfy the EBA of their financial standing and that they and any subcontractors have the necessary resources and financial means to carry out the work which is the subject of the contract.

The minimum financial and economic capacity requirement is as follows:

- The tenderer's annual turnover for each of the last three financial years must be **no less than GBP 350,000 (three hundred and fifty thousand pounds)**.

The evidence of economic and financial capacity shall be furnished by the following:

- Copy of the profit and loss account and balance sheet for the last three years for which accounts have been closed;
- Failing that, appropriate statements from banks.

If, for some exceptional reason which the EBA considers justified, a tenderer is unable to provide one or other of the above documents, it may prove its economic and financial capacity by any other document which the EBA considers appropriate. In any case the EBA must at least be notified of the exceptional reason and its justification in the tender. The EBA reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

3.3.3 Professional and technical capacity

Tenderers must demonstrate their professional and technical capacity to carry out the tasks described in Section 1.2. Tenderers must have sufficient and suitable staff to perform the activities mentioned above.

The **minimum professional capacity requirement** is as follows:

Tenderers must have at least 2 years of experience during the last 3 years (2013, 2014 and 2015) providing similar services to the ones described in Technical Specifications.

The evidence of professional capacity shall be furnished by the following:

- A list of the principal services performed during the last 3 years (2013, 2014, and 2015) giving the dates, name and address of the client, and description of the services undertaken including name and role of any sub-contractors and/or consortium members. The EBA may elect to contact any of the aforementioned companies for a reference. Your permission to do so will be assumed unless you state any objections.
- Proof of authorisation to perform the contract under national law, as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organisation, express authorisation, or entry in the VAT register.

The **minimum technical capacity requirement** is as follows:

Tenderers must possess all the necessary resources i.e. sufficient staff, equipment and transportation in order to be able to carry out the services described in Technical Specifications.

The evidence of technical capacity shall be furnished by the following:

- A description of the company profile and structure including human resources, equipment, premises and transportation

The **minimum technical capacity requirement** is as follows:

Tenderers must hold all the necessary certificates/licenses relating to the relevant UK health, safety and hygiene regulations and standards in force as specified Technical Specifications.

The evidence of technical capacity shall be furnished by the following:

- Details of any quality assurance accreditation that the tenderer holds or if no accreditation is held an outline of any quality assurance policy
- Valid health, safety and hygiene certificates/licenses as described in the Technical Specifications
- A statement of the tenderer's policy on the use of sub-contractors, if relevant, and of the means of ensuring quality when sub-contractors are used

3.3.4 Award method and criteria

The award of the contract is based on the most economically advantageous tender. It consists of the following award method: **best price-quality ratio**. The contract will be awarded taking into account price and the quality criteria described in the table below. The following weighting will be applied: **60% for quality (technical merit)** and **40% for price**.

#	Award criteria	Max. points	Weighting
1	Technical Merit: Quality of the provision of the services based on the technical questionnaire.	100	60%
2	Price: according to hourly rates and scenarios described in the Financial Proposal Form (Annex V)	100	40%

3.3.5 Technical merit including minimum technical requirement

Tenders will be evaluated against the quality criteria and in accordance with the weightings described in the table below which can produce a potential maximum score of 100 points. Tenderers must provide a response to all of the quality criteria referred to below in order to score as many points as possible. The mere repetition of the EBA’s requirements as set out in these Tender Specifications without going into detail or without giving any added value will result in a low score.

The tenderer must confirm that it meets mandatory minimum technical requirements set out below (see also section 1.3). If no answer is given to this requirement or if an affirmative answer is qualified in any way e.g. a “yes, but ...” answer, it will be deemed as a negative answer and the offer will be disqualified and eliminated.

Ref.	Mandatory (minimum) technical requirements
1.	Compliance with applicable 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. Tenderers must provide a completed declaration which can be found in Annex VII .

No	Quality Award Criteria	Maximum Points (100)	Minimum Points (70 in total)
	<p>internally as “blind tasting”, meaning that food will be presented to the members of the evaluation committee without any mention of the tenderers name, logo, etc. Therefore, tenderers will be requested to present the food without any mark or identification of the tenderer, only the outer package should include the identification of the tenderer.</p> <p>During the “blind tasting” session, EBA will allocate numbers to each tenderer and the food will be presented to the members of the committee in the blind tasting only with numbering on it, meaning that during the tasting session, members of the committee will not be able to identify the name of tenderer.</p> <p>All related costs for the preparation and delivery of the menus shall be borne by the tenderers.</p> <p>Because the presentation and quality of the food to be supplied will be assessed at the tasting session, tenderers are to bear in mind that such presentation and quality of the food supplied for the tasting session will be considered as the expected quality throughout the framework contract.</p>		
3	<p>Business Continuity (Total 10 points maximum)</p> <p>Describe the role of the Contract Manager to ensure business continuity of the catering services throughout any EBA event e.g. in the case that:</p> <ul style="list-style-type: none"> - food delivered is not as ordered or did not arrive on time specified in the Purchase Order; - catering staff is late or unavailable <p>Having premises in close proximity to Canary Wharf, dedicated driver, and in-house staff (not outsourced) will be treated as added value.</p>	10	

No	Quality Award Criteria	Maximum Points (100)	Minimum Points (70 in total)
4	<p>Logistics (Total 10 points maximum)</p> <p>Describe logistic arrangements for ensuring the provision of goods (lunches) and catering staff on a timely basis. Having premises in close proximity to Canary Wharf will be treated as added value.</p>	10	
5	<p>Catering Staff (Total 15 points maximum)</p> <p>Provide detailed description about catering staff replacement, turnover and any other relevant information including language knowledge. Having in-house staff (not outsourced) would be advantageous and this will be treated as added value.</p>	15	
6	<p>Environmental consideration (Total 10 points maximum)</p> <p>Describe environmental consideration, notably waste avoidance and recycling arrangements. Please provide a list of certificates obtained by the tenderer in this area. Waste Management and leftover recycling, for example donations to the food charities, will be treated as added value.</p>	5	

SCORING METHODOLOGY to Q1, Q3,Q4, Q5 and Q6

For points Q1, Q3, Q4, Q5 and Q6 the following scoring will be applied. For each criterion an importance level defines the range of points attributable for it. The following rule will be applied to attribute points:

Points	Definition
0% of available points Failure:	The tender totally fails to address the criterion under examination.
20% of available points Very Poor:	The criterion under examination is addressed in an incomplete and unsatisfactory manner.
40% of available points Poor:	The criterion under examination is partly addressed but with some major gaps and/or issues.
60% of available points Satisfactory:	The criterion under examination is generally addressed with some minor issues.
80% of available points Good:	The criterion under examination is fully addressed.
100 % of available points Excellent:	The criterion under examination is fully addressed and the tender offers some added value.

SCORING METHODOLOGY to Q2

1. The following scale will be applied for Tasting:

Scale for Option Menu 1 and 2

1=not good / 2=average / 3=good / 4=very good / 5= excellent

Scale for Presentation of food

1 = not good / 5 =average / 7 =very good / 10 = excellent

Option, Item and Maximum Points.	Caterer _____
Option Menu 1	
Item a (maximum 5 points)	_____
Item b (maximum 5 points)	_____
Item c (maximum 5 points)	_____

Option, Item and Maximum Points.	Caterer _____
Option Menu 2	
Item a (maximum 5 points)	_____
Item b (maximum 5 points)	_____
Item c (maximum5 points)	_____
Presentation of food (maximum 10 points)	_____
Total out of 40 Points:	_____

2. Tasting – characteristics (example as to what Evaluation Committee may be looking at)

Breads: The size of the loaves or rolls should be uniform, the rise should be even. The aroma should have a fresh quality. The texture should be even and not coarse. Sourdough breads may have a coarse texture, but should be even in texture. Breads made with milk instead of water tend to have a courser texture as well.

Cakes: Cakes should be moist, not flat, even textured, and should not crumble to pieces.

Meat: Meat should be tender, easy to chew and moist. They should be free of gristle and full of flavour.

Fish should be flaky and moist, not mushy.

Vegetables: flavourful and colourful. Strong vegetable flavours such as onions or cauliflower should be muted in the preparation and cooking process.

Examples of menus can be found in Annex XI. These are to be used as an indication of the variety and creativity expected from contractor.

Evaluation of food presentation.

1. The following scale will be applied for **Presentation**:

1 = not good / 5 =average / 7 =very good / 10 = excellent

Points shall be discussed and based on Evaluation Committee opinion.

2. Evaluation Committee will be looking for colour, symmetry of form, evenness of cooking, appropriate use of garnishing, and eye appeal.

3.3.6 Price

Tenderers are required to submit a financial offer giving an **all-inclusive fixed price in GBP** (i.e. including all relevant costs and expenditures such as management, administration, travel and covering all the tasks listed under section 1.2) for the catering services and supplies.

The tenderer must confirm on the Financial Proposal form that the costs in Financial Proposal form include all costs such as delivery, collection, packaging, manufacturer guarantees, insurance etc.

3.3.7 Final assessment and award

A contract will be awarded to the tenderer whose tender achieves the highest total score for technical merit and price. The total score is calculated by adding the score for technical merit to the score for price.

If there are two or more tenders with the same total score the contract will be awarded to the tenderer who obtains the highest score for price.

Annexes

Annex I: Tender submission form

Annex II: Declaration of honour

Annex III: Legal entity form

Please download and complete the appropriate legal entity form:

For individuals:

ec.europa.eu/budget/library/contracts_grants/info_contracts/legal_entities/legEnt_indiv_en.pdf

For private companies:

ec.europa.eu/budget/library/contracts_grants/info_contracts/legal_entities/legEnt_privComp_en.pdf

For public entities:

ec.europa.eu/budget/library/contracts_grants/info_contracts/legal_entities/legEnt_public_en.pdf

Annex IV: Financial identification form

Please download and complete the financial identification form available at:

http://ec.europa.eu/budget/library/contracts_grants/info_contracts/financial_id/fich_sign_ba_gb_en.pdf

Annex V: Financial proposal form

Annex VI: Draft framework contract

Annex VII: Minimum technical requirements declaration

Annex VIII: Subcontractors form

Annex IX: Checklist

Annex X: EBA office floor plan

Annex XI: Sample menu
