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Doing business with CERN





Legal framework

CERN, an Intergovernmental Organization, was established in July 1953, by the “Convention for the establishment of a European Organization for Nuclear Research”.

- As an Intergovernmental Organization, CERN is not a legal entity under national law but governed by public international law.
- CERN benefits from immunity from national jurisdiction and execution. Thus, legal disputes between CERN and its suppliers and contractors are not submitted to national courts but solved via international arbitration.

CERN is thus entitled to establish its own internal rules necessary for its proper functioning, such as the rules under which it purchases equipment and services.

Procurement Principles

- CERN awards orders and contracts in compliance with the principles of transparency and impartiality.
- CERN's tendering procedures are selective and do not take the form of open invitations to tender or price enquiries. They shall, in principle, be limited to firms established in the Member States.
- CERN's documents are drafted in an objective way so as to guarantee fair competition.
- Subject to the provisions aimed at achieving balanced industrial return for all the Member States, contracts and orders shall be awarded to the firm whose bid meets the technical, financial and delivery requirements and:
 - Is either the lowest; or
 - Represents the best value for money.



Procedures for obtaining offers

- **Requirements not exceeding 10'000 CHF;**
Users may issue enquiries directly provided CERN procurement rules are followed;
- **Purchases between 10'000 CHF and 200'000 CHF**
Price Enquiries issued by Procurement Service;
- **Purchases exceeding 200'000 CHF**
Market Surveys & Calls for Tenders issued by Procurement Service.



Requirements between 10'000 and 200'000 CHF

Price enquiries:

- Deadline for bidders to submit bid is at least 4 weeks from mailing date;
- Invite 3 -5 firms;
- All enquiries exceeding 50'000 CHF are also sent to Industrial Liaison Officers (ILOs) for information;
- Adjudication based on lowest offer (FCA price) which complies with the technical, financial and delivery requirements, subject to the rules aimed at achieving well balanced industrial return coefficients for the Member States (from 100'000 CHF).



Country of origin

for a **supply contract**: is the country(ies) in which the goods are manufactured or where the last major modification took place.

for a **service contract** is the country(ies) in which the bidder is established.



The alignment rule

For contracts to be awarded on the lowest compliant bid basis and exceeding 100'000 CHF in value.

Under certain well-defined conditions a bidder offering goods originating in poorly balanced Member States is allowed to align his price to that of the lowest bidder and thereby be awarded the contract.



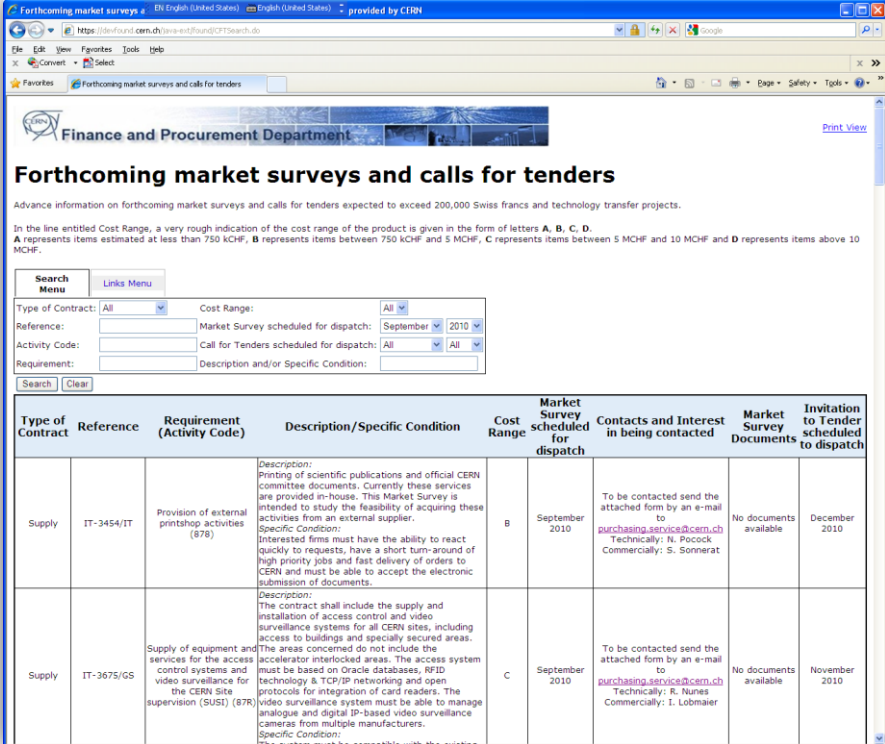
Requirements exceeding 200'000 CHF

Market Survey followed by a Call for Tenders:

- Announcement in the document “Advance information on Forthcoming Market Surveys and Calls for Tenders expected to exceed 200'000 Swiss francs”
- Market survey;
 - brief technical description (1-2 pages);
 - qualification criteria (financial and technical);
 - questionnaire.

Current Market Surveys available on Procurement Service home page

<https://found.cern.ch/java-ext/found/CFTSearch.do>



The screenshot shows a web browser window displaying the CERN Procurement Service website. The page title is "Forthcoming market surveys and calls for tenders" and it is provided by CERN. The page includes a search interface with filters for Type of Contract, Reference, Activity Code, Requirement, and Cost Range. Below the search interface is a table with the following columns: Type of Contract, Reference, Requirement (Activity Code), Description/Specific Condition, Cost Range, Market Survey scheduled for dispatch, Contacts and Interest in being contacted, Market Survey Documents, and Invitation to Tender scheduled to dispatch.

Type of Contract	Reference	Requirement (Activity Code)	Description/Specific Condition	Cost Range	Market Survey scheduled for dispatch	Contacts and Interest in being contacted	Market Survey Documents	Invitation to Tender scheduled to dispatch
Supply	IT-3454/IT	Provision of external printshop activities (878)	Description: Printing of scientific publications and official CERN committee documents. Currently these services are provided in-house. This Market Survey is intended to study the feasibility of acquiring these activities from an external supplier. Specific Condition: Interested firms must have the ability to react quickly to requests, have a short turn-around of high priority jobs and fast delivery of orders to CERN and must be able to accept the electronic submission of documents.	B	September 2010	To be contacted send the attached form by an e-mail to purchasing_services@cern.ch Technically: N. Pocock Commercially: S. Sonnerat	No documents available	December 2010
Supply	IT-3675/GS	Supply of equipment and services for the access control systems and video surveillance for the CERN Site supervision (SUSI) (878)	Description: The contract shall include the supply and installation of access control and video surveillance systems for all CERN sites, including access to buildings and specially secured areas. The areas concerned do not include the accelerator interlocked areas. The access system must be based on Oracle databases, RFID technology & TCP/IP networking and open protocols for integration of card readers. The video surveillance system must be able to manage analogue and digital IP-based video surveillance cameras from multiple manufacturers. Specific Condition: The system must be compatible with the existing	C	September 2010	To be contacted send the attached form by an e-mail to purchasing_services@cern.ch Technically: R. Nanes Commercially: I. Lobmaer	No documents available	November 2010

Requirements exceeding 200'000 CHF

Call for tenders:

- Deadline for bidders to submit bid is at least 4 weeks from mailing date;
- Invite
 - 10 firms for contracts between 200'000 and 750'000 CHF;
 - 15 firms for contracts exceeding 750'000 CHF;
- All call for tenders are also sent to Industrial Liaison Officers (ILOs) for information;
- Adjudication based on
 - lowest offer (FCA price) subject to the rules aimed at achieving well balanced industrial return coefficients for the Member States, or
 - Best-value-for-money basis (for service contracts), but not subject to the rules aimed at achieving well balanced industrial return coefficients for the Member States. The adjudication is based on both price and quality criteria.



21 Member States' contributions 2014 (CHF)

	Germany	20.27%	222'938'350		Norway	2.55%	28'005'550
	France	15.39%	169'206'150		Austria	2.22%	24'409'450
	United Kingdom	13.88%	152'609'250		Denmark	1.76%	19'333'100
	Italy	11.48%	126'256'550		Greece	1.64%	17'993'450
	Spain	8.28%	91'093'950		Finland	1.39%	15'312'300
	Netherlands	4.60%	50'586'000		Portugal	1.20%	13'205'900
	Switzerland	3.64%	40'081'700		Israel	1.19%	13'114'850
	Belgium	2.78%	30'524'000		Czech Republic	1.03%	11'324'100
	Poland	2.66%	29'270'600		Hungary	0.65%	7'115'600
	Sweden	2.61%	28'712'950		Slovakia	0.50%	5'460'950
					Bulgaria	0.28%	3'081'950

Total 100% 1'099'636'700

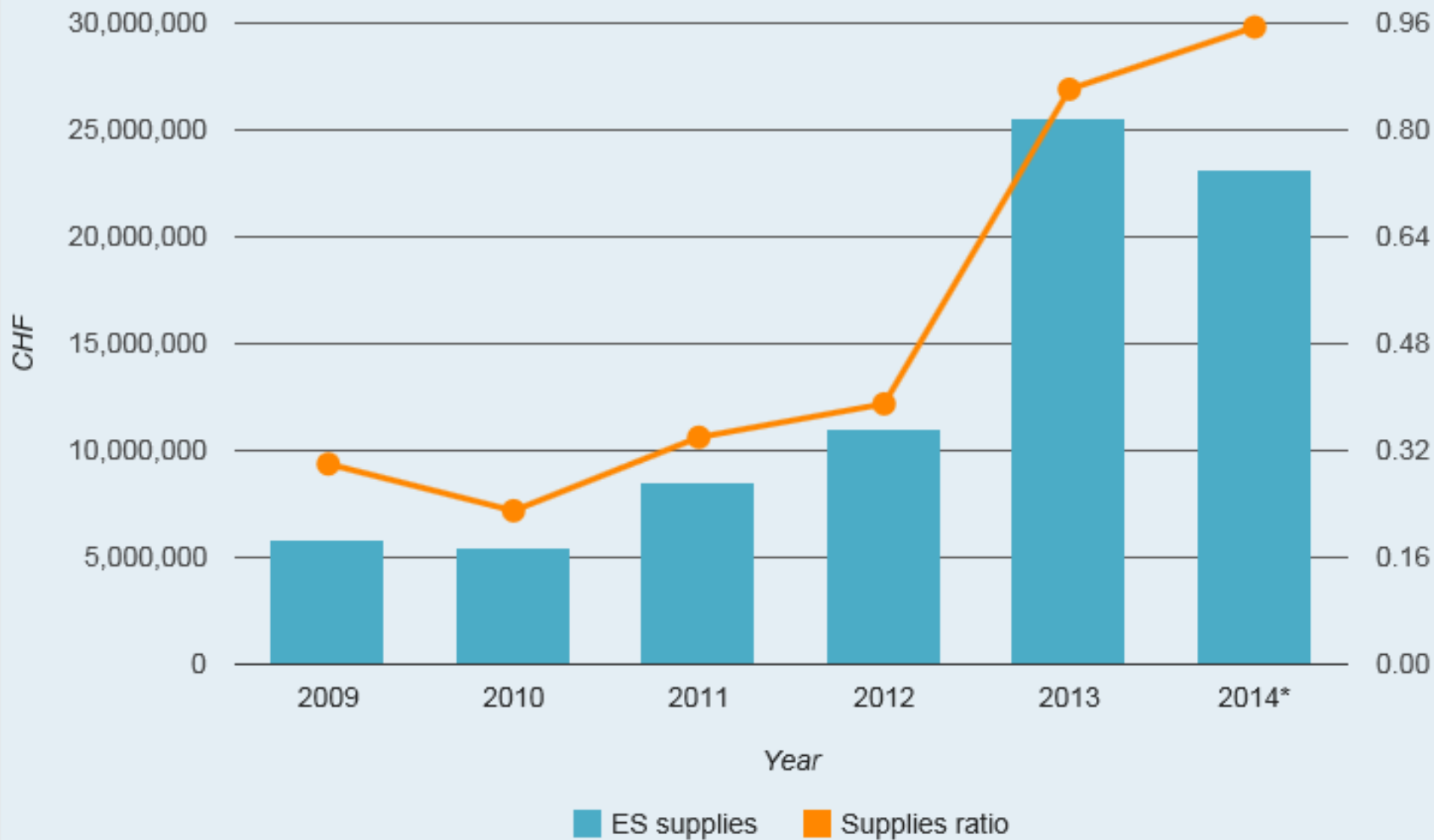
Additional contribution from Romania as Candidate for Accession 7'890'550

Additional contribution from Serbia as Associate Member State 1'000'000

Total including additional contributions 1'108'527'250

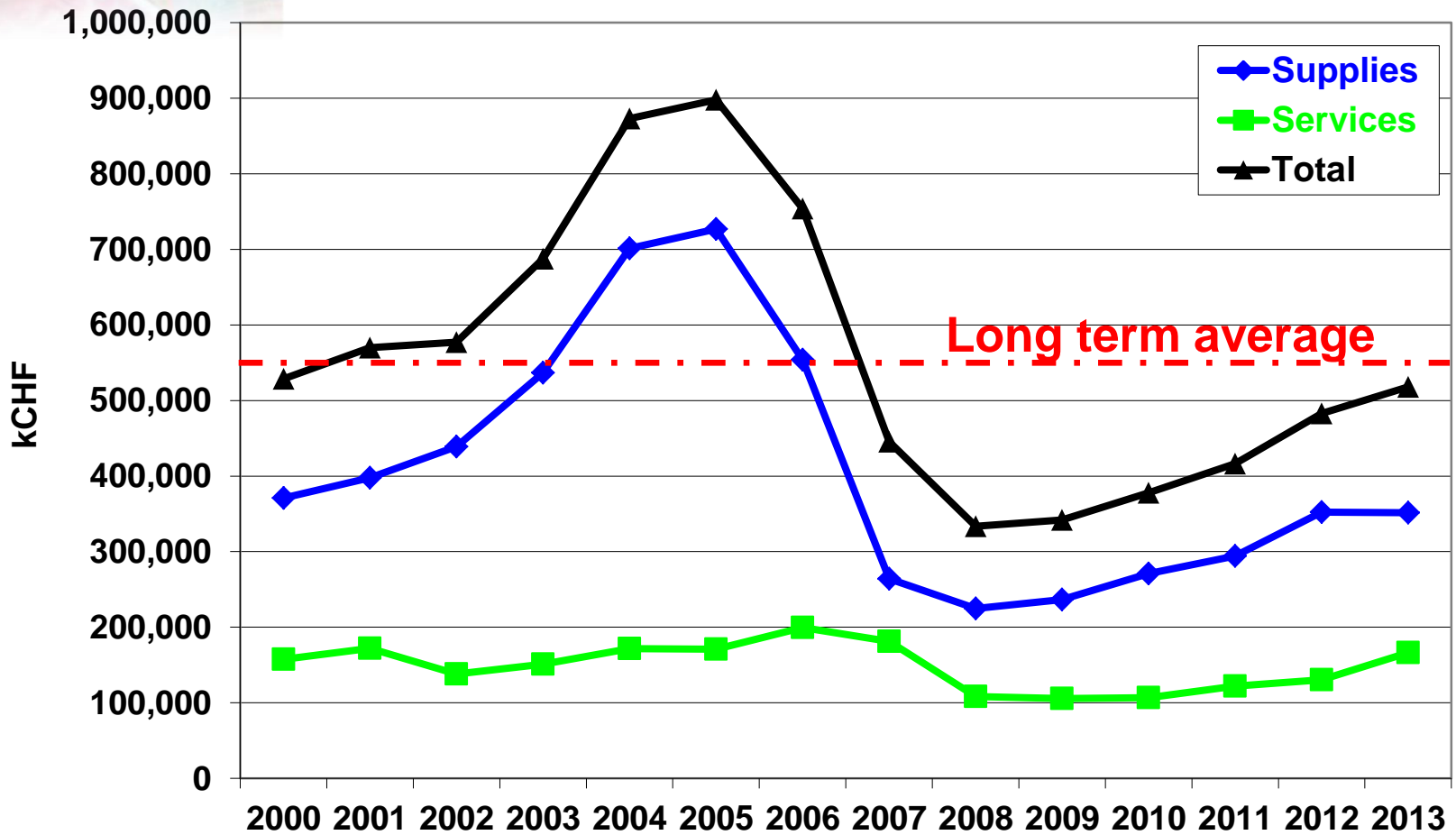


Supplies





Procurement Expenditures 2000-2013





What do we buy?

Recurrent supplies and services

Civil engineering

Buildings, roadworks,

Utilities

Cooling & ventilation

Power distribution, cables

Infrastructure & services

Metal structures

Mechanical engineering

Radiation shielding

Transport & handling

Safety & access control

Installation, operation & maintenance

Data acquisition, computing & networking

Various supplies

Furniture, tooling, gases, stationary, etc..





Successful suppliers

- Often small – medium sized and flexible firms
- Ensure full understanding of specifications – exceeded specifications may be too expensive
- Communicate with CERN
- Take into account test requirements and documentation
- Verification of performance by sub-contractors

Contacts with CERN

- Spanish ILO:

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CDTI (MINECO)

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Email: manuel.moreno@cdti.es

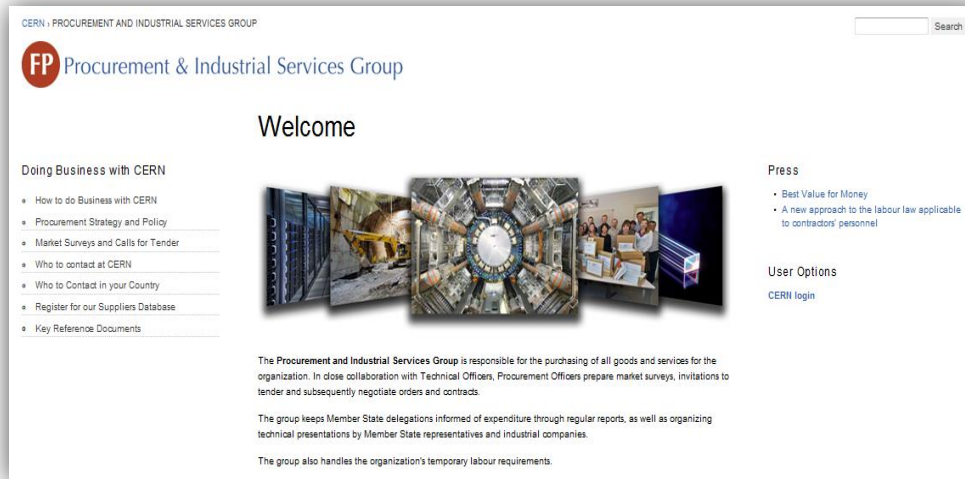
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- Procurement web page

<http://procurement.web.cern.ch/>



