

## Doing business with CERN

**Anders Unnervik** 





## **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.

## Mission of Procurement and Industrial Services

The mission of the Procurement and Industrial Services group is to:

- procure all supplies and services for CERN;
- meeting all requirements;
- at the lowest possible overall cost, while;
- achieving balanced industrial return for the CERN Member States, and;
- respecting the CERN Procurement Rules.

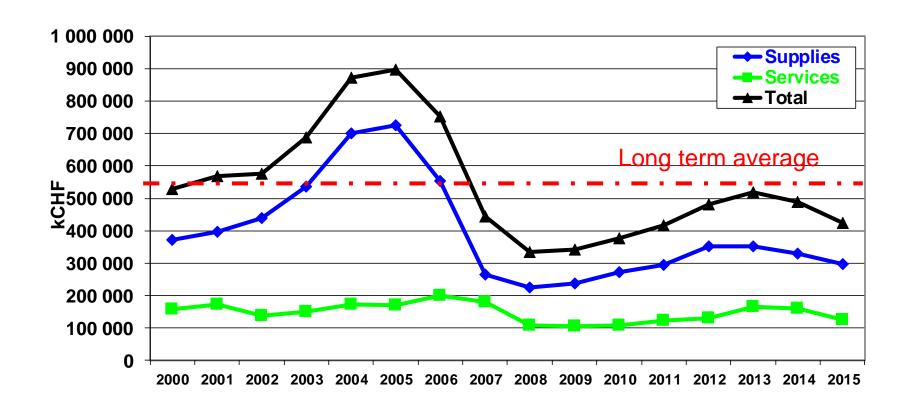
## **Procurement Principles**

- CERN purchases supplies and services and awards contracts in compliance with the principles of *transparency* and *impartiality*
- Limited to firms established in the Member States.
- Invitation to tender documents are drafted in an objective way so as to guarantee fair competition



- As a rule, CERN's tendering procedure is selective and does not take the form of open invitations to tender or price enquiries
- The opening, negotiation and evaluation processes of the bids are strictly confidential
- Is either the lowest; or
- Represents the best value for money.

# Procurement Expenditures 2000-2015





## What do we buy?

**Recurrent supplies and services** 

- **Civil engineering** Buildings, roadworks
- **Utilities**

Cooling & ventilation

Power distribution, cables, overhead cranes

Infrastructure & services

Metal structures Mechanical engineering Radiation shielding **Transport & handling** Safety & access control







- Data acquisition, computing & networking
- Various supplies

Furniture, tooling, gases, etc.











## What do we buy?

## Accelerator technologies required for consolidation projects and new developments

- Industrial controls & field buses
- Timing & "fast" real-time controls
- Beam collimation
- Beam injection, ejection & dump
- Radio-frequency equipment
- Power converters
- Beam instrumentation & diagnostics
- Permanent and electro-magnets
- Cryogenic equipment
- Vacuum equipment



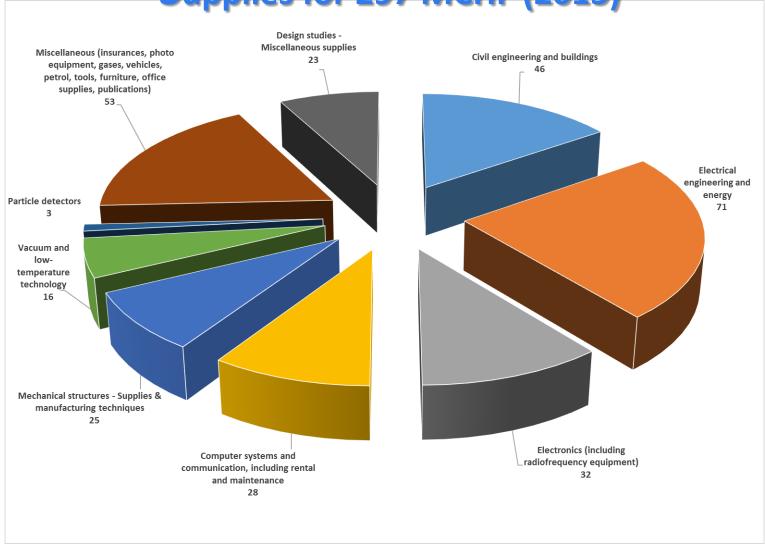








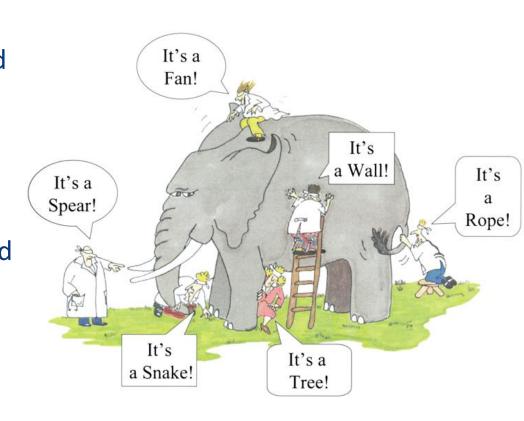
## What do we buy? Supplies for 297 MCHF (2015)





## What do we buy? Standard or Non-Standard?

- Off-the-shelf or non-standard products which can be produced with existing manufacturing techniques and/or technologies => functional specification
- Non-standard products where industry has neither the required know-how nor the immediate interest to develop and design the products for its existing markets => built to print
- Prototypes and/or pre-series needed?



## **HL-LHC** "Shopping list"



**HL-LHC Industry** Industry Relations and Procurement Website for the HL-LHC project





The HL-LHC Industry Website has been specially designed for all those firms that wish to participate in this ambitious project. We want to share all the relevant information related to the procurement that will be required to accomplish this major upgrade of the LHC.

The industry will have a crucial role and will be heavily involved within the HL-LHC Project #since it will be the main source to provide the technologies and equipment that are required to successfully achieve the goals of this

The HL-LHC will collaborate with many types of industries and businesses to pursue its goals. Knowledge and technology to be developed during the HL-LHC project will make a lasting impact on society.





II Os Portal d HIGHLIGHTS strong socio-economic impact of research infrastructures as well as their potential to generate innovation through collaboration with industrial More information on the ESFRI Roadmap 2016 & **OUACO Open Market Consultation** CERN, as member of the European precompetitive procurement (PCP) instrument QUACO, is pleased to invite

(OMC) that will take place on 30 th

Main Domains of Activitiy - HL-LHC Project	Work Packages
Cryogenics systems	WP9
Magnets components and assemblies	WP3, WP11
Electrical equipments, electronics & instrumentation for accelerators	WP4, WP5, WP6A, WP6B, WP7, WP13
Ultra High vacuum components and systems	WP12
Collimators and new material resistants to high temperatures	WP5, WP8, WP14
Cryostats and subcomponents for cryogenic equipment	WP3, WP4, WP6A, WP9, WP11
High precission assembling and manufacturing technologies	WP4, WP5, WP8, WP12, WP14
Others	WP6A, WP10, WP15, WP16
Raw materials	WP3, WP4, WP5, WP8, WP11, WP12, WP14
Civil engineering and technical infrastructures	WP17

http://project-hl-lhc-industry.web.cern.ch/content/main-procurement-needs-hl-lhc



## **CERN "Shopping list"**



Print View

#### Forthcoming market surveys and calls for tenders

Advance information on forthcoming market surveys and calls for tenders expected to exceed 200,000 Swiss francs.

In the line entitled Cost Range, a very rough indication of the cost range of the product is given in the form of letters A, B, C, D.

A represents items estimated at less than 750 kCHF, B represents items between 750 kCHF and 5 MCHF, C represents items between 5 MCHF and 10 MCHF and D represents items above 10 MCHF.

Firms may reply to the Market Survey published in the table below up to two weeks before the corresponding Invitation to Tender is sent out. Therefore, in case the deadline for replies indicated in the Market Survey cover letter is over, please send your reply to the Market Survey at the earliest possible date.

The countries of origin of supplies and services shall be CERN Member States, except if provided otherwise in the table below.

References marked with "New" have been posted during the last 8 weeks.

Search Menu	Links Menu		
Type of Contract:	All 💙	Market Survey dispatched:	All 🗸
Reference:		Call for Tenders scheduled for dispatch:	All 🗸 All 🗸
Activity Code:		Description and/or Specific Condition:	
Requirement:		Commercial contact:	All
Cost Range:	All 🗸	Publication Date:	From To dd-mm-yyyy
Search Reset			

Publication Date	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
07-07-2016	Supply	New MS- 4212/SMB	Framework Market Survey concerning the provision of building refurbishment works at CERN (111)	The contract will cover construction works including interior refurbishment (e.g., partition Read More The firms shall have a proven international competence and experience in	В	Second quarter 2016	To express an interest please send an e-mail to procurement.service@cern.ch Technically: <u>E. Perez-Duenas</u> Commercially: <u>C. Masoura</u>	First quarter 2018
04-07-2016	Supply	New <u>IT-4245/IT</u>	Supply of servers for physics data processing and infrastructure convices (413)	CERN intends to place a contract for the supply of Interested firms must be ISO 9001 certified and be Intel Technology	D	Refer to MS- 4165/IT	To express an interest please send an e-mail to procurement.service@cern.ch Technically: <u>E. Bonfillou</u> Commercially: <u>F. Najeh</u>	Third quarter 2016
			Supply of a numerically controlled milling	CERN intends to place a			To express an interest please send an e-mail to	

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



## **Procedures for obtaining offers**

#### Requirements < 10'000 CHF</li>

Users may issue enquiries directly provided CERN procurement rules are followed



#### Requirements > 10'000 CHF and < 200'000 CHF</li>

- Price Enquiries issued by Procurement Service
- Time for bidding 4 weeks; Invite 3 5 firms; if > 50'000 CHF sent to Industrial Liaison Officers (ILOs) for information
- Adjudication based on lowest offer (FCA price) which complies with all requirements, <u>subject to</u> the rules aimed at achieving well balanced industrial return coefficients for the Member States (from 100'000 CHF)

#### Requirements > 200'000 CHF

Market Surveys & Calls for Tenders issued by Procurement Service

# Requirements exceeding 200'000 CHF

- Announcement
- List of firms
- Market Survey
- Invitation to Tender
- Clarification Process
- Opening of bids Basis of award



- o Price calculation ok?
- Technical compliance?
- All requested documents submitted?
- country of origin of bid?
- o Alignment rule?
- Contractual negotiation
- Contract



## **Country of origin**

<u>Supply contract:</u> country(ies) in which the goods are manufactured or where the last major modification will take place. If at least 60% of the total amount of the bid comes from poorly balanced Member States, then the **whole bid** will be treated as that from a bidder in a poorly balanced Member State.

**Service contract:** country(ies) in which the bidder is established.



## **Basis of Award – Supply contracts**

Supply contracts shall be awarded on FCA price, «Lowest compliant bid » basis....



....and....

### Lowest cost .....?

#### Takes into account:

Initial investment

Operating costs:

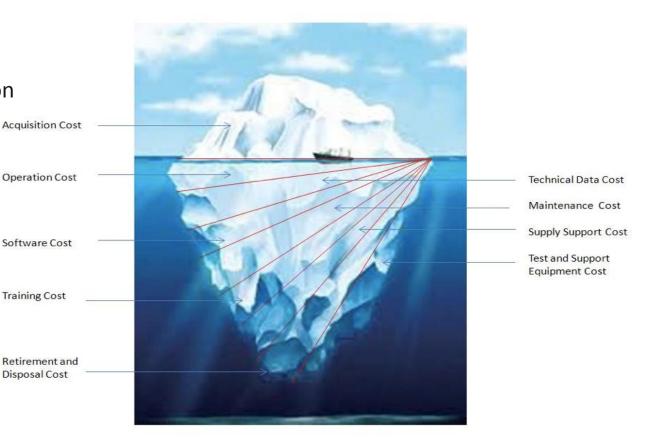
Energy consumption

Spares

Maintenance

Training, etc.

Disposal costs



### **Basis of Award – Service contracts**

Service contracts are awarded on a «Best Value for Money» basis to the bidder submitting the most economically advantageous bid





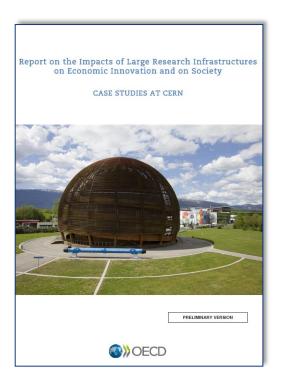
## **Best Value For Money**

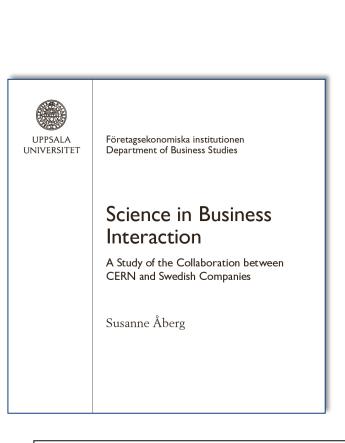
The following criteria and weights will be applied by CERN to evaluate the bids for Service contracts:

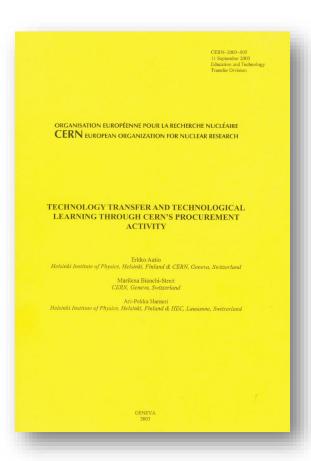
Criterion	Weight
Price (inc. all relevant costs)	XX
<ul> <li>Quality</li> <li>Experience of the key personnel</li> <li>Stability of the personnel</li> <li>External references</li> <li>Technical know-how</li> <li>Technical training</li> <li>Quality of the bid</li> <li>Tests</li> <li>Etc.</li> </ul>	XX
TOTAL	100



## Reports and studies







Study of the impact of CERN contracts on firms Internship report, P. Fessia, 2001

### Results of contracts with CERN

- 38% had developed new products
- 42% increased international exposure
- 44% improved technological learning
- 52% would have had poorer sales performance without CERN
- 17% opened a new market
- 60% acquired new customers
- all firms had derived great value from CERN as a marketing reference





# Successful bidders and contractors

- Often small medium sized and flexible firms
- Ensure full understanding of specifications exceeded specifications may be too expensive (adjudication to lowest compliant bid for supplies)
- Communicate with CERN (problems, issues, alternatives, etc.)
- Take into account test requirements and documentation
- Make best offer directly
- Ensure good working relationship with partners and subcontractors



### **Contacts with CERN**

Procurement web page

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

Industrial liaison Officers (ILO)



Procurement and Industrial Services Group



#### Welcome



The mission of the Procurement and Industrial Services (P)) group is to procure all supplies and services for CERN, meeting the specified and contractual technical, delivery and performance requirements at the lowest possible overall cost, while achieving balanced industrial return for the CERN Member States and respecting the CERN Procurement Rules.

The group monitors and reports procurement activities and statistics to the CERN management and member states.

The group also handles the organization's temporary labour requirements.



Doing business with CERN



