IT-4464/EN Bidders conference
CERN, 19 February 2019

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COMMERCIAL ASPECTS OF INVITATION TO TENDER

IT–4464/EN

Dismantling and Supply of Electrical Overhead Travelling (EOT) Cranes with a capacity up to 10 Tonnes
Agenda

- Key dates
- Specific features
- Invitation to Tender documents
- Clarification process
- Basis of award – Country of origin
- Industrial return coefficient
- Alignment rule
- Price basis, bank guarantee, VAT
- E-tendering instructions
Key dates

- Invitation to Tender issued: 7 February 2019
- Compulsory bidders’ conference: 19 - 20 February 2019
- Bids to be returned to CERN: by 4 April 2019 – 4:00 pm
- Opening of bids: Between 5 and 10 April
- Contractual negotiations: before end of April
- Proposal to CERN Finance Committee: by end of April
- Meeting of CERN Finance Committee: 18 – 19 June
- Notification of contract: before end of June
Specific features

- Adjudication based on reference prices provided for the dismantling and installation of nine representative cranes as well as additional features, manpower and equipment
- Document IT-4464_EN UPL to be filled-in thoroughly, in addition to the tender form. Please upload both documents into the E-Bidding system
- Only these two documents are receivable
Invitation to Tender documents

- Tender form + UPL
- Technical specification + annexes
- General Conditions for Invitations to Tender CERN/FC/6211-I
- General Conditions of CERN Contracts CERN/FC/6211-II
- Selection and adjudication criteria for supply contracts
Clarification Process

- CERN’s response will be sent to all bidders, including the request for clarification but without identifying its source.
- Bidders shall acknowledge receipt of the email.
- Cover letter with bid shall acknowledge each individual CERN clarification correspondence received.
Clarification Process

All questions shall be addressed in writing to:
Floris.Bonthond@cern.ch

Requests for clarification shall be sent latest by 28 March 2019
The contract shall be awarded on a «Lowest compliant bid » basis
Selection & Adjudication Criteria

With a view to improving the distribution of its purchases among its Member States, CERN has applied, for the selection of bidders to be invited to tender, and will apply for the award of the contract to a technically and financially compliant bidder, the criteria set out in the document entitled:

“Selection and Adjudication Criteria for Supply Contracts”
Country of origin

**Supply contract:** 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.
The return coefficient of a Member State for Supply contracts for a given twelve-month period starting on 1\textsuperscript{st} March is defined as:

\textit{The ratio between that Member State's percentage share of all purchases of supplies (excluding purchases funded by non-Member States) during the preceding four calendar years and that State's percentage contribution to the Budget over the same period}

A Member State is defined as \textbf{very poorly balanced} if its return coefficient for Supply contracts falls below 0.40, \textbf{poorly balanced} if its return coefficient for Supply contracts falls below 1.00 and \textbf{well balanced} if it is equal or greater than that value.

The following countries are considered to be well-balanced in the period 01.03.2018 until 28.02.2019 for Supply contracts:

\textbf{Bulgaria, Czech Republic, France, Hungary, Italy, Poland, Spain, Switzerland}
Verification of bids

A. Verify calculations of all bids
B. Check conformity of lowest bid

1. All requested documents submitted?
2. Bid fully compliant?

Go to next lowest bid
3. Origin of bid?
4. Alignment?

C. Contractual negotiations
The alignment rule

• For supply contracts to be awarded on the lowest compliant bid basis and exceeding 100’000 CHF in value

• Aimed at achieving well balanced industrial return coefficients for the Member States

• A bidder offering goods originating from poorly balanced Member States is offered to align his price, under certain conditions, to that of the lowest bidder and thereby be awarded the contract
The alignment rule, how it works*

**Case 1:** > 60% of value of lowest bid originates from Poorly Balanced Member States

![Image of hands shaking]

Contract

**Case 2:** Lowest bid originates from Well Balanced Member States

a. CERN asks first bidder proposing bid with ≥ 60% of value originating from Poorly Balanced Member States to align price (if price difference < 20%)

Ok ![Green check mark]

Contract

b. CERN asks second bidder proposing bid with ≥ 60% of value originating from Poorly Balanced Member States to align price (if price difference < 20%)

Not ok ![Red cross]

Contract

c. CERN awards contract to lowest bidder

Not ok ![Red cross]

Contract

* Applies only to fully compliant bids
Price Basis

All prices shall be quoted either in CHF or in your preferred currency: your national currency or the currency in which you will have your major expenses (if you wish to be paid in this currency), free of taxes, not subject to revision.
Bank Guarantee

No payment by CERN before provision of a bank guarantee

Bank guarantee:

• In favour of CERN
• Issued by a bank approved by CERN
• Rating of BBB+ at least or equivalent, with a proof of rating
• 10 % of total amount of contract
• Valid until expiry of warranty of last batch of supply delivered
VAT

- Prices shall take into account CERN’s exoneration from VAT and import duties
- VAT shall be subject to the rules and invoicing instructions as defined under the following links:

e-tendering instructions

- Bids shall in no event be sent by post, e-mail or fax
- All documents comprising the bid have to be uploaded on the CERN e-tendering application by using the button [Submit Bid] in the CERN e-tendering application
- The uploading may take time so we advise you to start at least one hour before the time limit
- In case you do not intend to submit a bid, please inform us, by using the button [Decline] in the CERN e-tendering application
- If you have any problems or enquiries regarding the registration of your firm or the upload of your bid, please consult the [FAQ] in the CERN e-tendering application or contact: procurement.service@cern.ch
Return Date

Bids shall be RECEIVED by CERN on 4 April 2019 – 4:00 pm (Geneva time) at the latest
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Thank you