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Contract notice

Delivery order

Legal base:

Directive 2014/24/EU

### Section I: Contracting authorities

I.1) Name and addresses

Hanseatic and University Town Rostock

Neuer Markt 3

Rostock

18055

Germany (German)

Contact point(s): Office for Urban Development, Town Planning and Economy, Dr. Andreas Schubert

Phone: +49 3813816153

E-mail: [andreas.schubert@rostock.de](mailto:andreas.schubert@rostock.de)

Fax: +49 3813819808

NUTS code: DE80

Internet address(es):

Main address: <http://www.rostock.de>

I.2) Information on joint procurement

I.3) Communication

The order documents are available free of charge for unrestricted and full direct access at: [www.rostock.de/ausschreibungen](http://www.rostock.de/ausschreibungen)

Further information can be obtained from the contact person mentioned above.

Tenders or requests to participate must be submitted to the contact points listed above.

I.4) Type of contracting authority

regional or local authority

I.5) Main activity(s)

General public administration

### Section II: Subject matter

II.1) Scope of procurement

II.1.1) Name of the contract:

Delivery of a mobile ISPS fence for the city harbour of Rostock

II.1.2) CPV code Main body

35113300

II.1.3) Type of contract

delivery order

II.1.4) Brief description:

Delivery of a mobile ISPS fence for Rostock city harbour incl. initial assembly and instruction. According to the requirements of the client, a total of 200 linear metres of mobile fencing panels are to be provided. Furthermore, gate systems (mobile installation) are to be supplied.

- 2 x gates (2-leaf), total width 5.0 m, gate height 2.0 m (truck access),

- 1 x gate (1-leaf), overall width 3.0 m, gate height 2.0 m (access passenger control).

The delivery also includes transport racks for storage of the fence and gate system. The customer is subject to the grant conditions / schedules of the EU program Interreg South Baltic.

II.1.5) Estimated total value

II.1.6) Information concerning the lots

Division of the order into lots: no

II.2) Description

II.2.1) Name of the contract:

II.2.2) Other CPV code(s)

45342000

II.2.3) Place of performance

NUTS code: DE803

Main place of execution:

Hanseatic and University Town Rostock

II.2.4) Description of the procurement:

As part of the implementation of the EU Interreg projects Johann and Johanna ([www.smallships.eu](http://www.smallships.eu)), the task is to create the conditions for the embarkation of smaller cruise ships, mega yachts or even large sailers both from the EU area and non-EU regions for the area near the crane bridge in the Rostock city harbour (Haedge peninsula). This includes the installation of a mobile fence as part of a security concept for the conditions of the "International Ship and Port Facility Security Code" (ISPS) to be drawn up by third parties. The Hanseatic City of Rostock is to create exclusivity for the discerning clientele of small cruise ships, mega yachts and tall ships in the city harbour area reserved for ship calls. In addition, the very high design and recreation quality requirements for the public space in the city harbour/BUGA2025 area must be met in future. For this reason, the required fence should differ significantly from conventional ISPS or construction fences.

In the ideal case it is assumed that on 2-3 days ISPS - need exists per year. For this reason, the fence must be designed as a mobile fence and manufactured in such a way that it could also be used for other events in Rostock. The fence must meet the requirements of the ISPS Code. Ideally, the fence panels would be usable both on edge (as ISPS fence) and horizontally as fence for events or for fencing purposes. In order to be able to create security areas extending beyond 200 m, the fencing system in demand here must be connectable and extendable with conventional fencing systems.

The Hanseatic City of Rostock is subject to the grant conditions and schedules of the EU Interreg South Baltic programme. As a result, 3 margins are to be delivered, with financing already secured for 2 of the 3 margins. Until approx. 15.10.2019 a budget of 50 000 EUR (gross) is available, until approx. 15.12.2019 a further budget of 25 000 EUR (gross). Should the secured 75 TUE budget not be sufficient to meet the targets set, the Hanseatic City of Rostock will endeavour to secure a further margin in the 2020 financial year.

#### II.2.5) Award criteria

The following criteria

price

#### II.2.6) Estimated value

#### II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Start: 01/10/2019

End: 31/12/2020

This order can be extended: no

#### II.2.10) Information on variants/alternative offers

Variants/alternative offers are permitted: no

#### II.2.11) Information on options

Options: yes

Description of the options:

The payments in excess of the EUR 75 000 gross guaranteed financial framework will be agreed as an option. The client has the unilateral option of commissioning the remaining services until the fence length of 200 m has been reached, provided the necessary financing has been secured.

The respective contract extension (option) will be commissioned by 30.9.2020 at the latest.

#### II.2.12) Information on electronic catalogues

#### II.2.13) Information on European Union funds

The contract is linked to a project and/or programme financed from EU funds: yes

Project number or reference:

Within the framework of the implementation of the EU Interreg projects JOHANN and JOHANNA ([www.smallships.eu](http://www.smallships.eu))

#### II.2.14) Additional information

The language of the case is German. We are happy to provide interested companies with a summary of the service description in Polish and/or English upon request. In case of doubt, only the German version shall apply.

### Section III: Legal, Economic, Financial and Technical Information

#### III.1) Conditions of participation

III.1.1) qualification to practise a profession, including requirements for registration in a professional or trade register

List and brief description of the conditions:

- Proof of entry in the professional and commercial register or other proof of the permitted exercise of the profession (not older than 3 months). Foreign-language documents must be accompanied by a certified translation,
- Own declaration on the reasons for exclusion pursuant to Section 31 of the Sub-Threshold Allocation Regulation (UVgO) in conjunction with Sections 123 and 124 of the Act against Restraints of Competition (GWB), on the minimum wage and on SME characteristics

#### III.1.2) Economic and financial capacity

Listing and brief description of eligibility criteria:

Reference list as self-declaration:

The client requires at least 2 references to services which have been provided within the last 4 calendar years in a comparable environment and which are comparable to the advertised contract in terms of type, scope and degree of difficulty.

Possibly required minimum standards:

Contracts for the required manufacture and delivery of security fences with a net order volume of at least EUR 75,000 are comparable. In the list the project is to be named, a sufficiently detailed description of the tasks of the bidder, the duration of the contract, the order volume as well as a contact person (incl. telephone number) for possible inquiries.

III.1.3) Technical and professional capacity

Suitability criteria according to order documents

III.1.5) Information on reserved contracts

III.2) Conditions for the contract

III.2.2) Conditions for the performance of the contract:

business liability insurance with a coverage of at least EUR 1.0 million for personal injury, property damage and pecuniary losses

III.2.3) Staff responsible for carrying out the contract

the obligation to indicate the names and professional qualifications of the persons responsible for carrying out the contract

#### Section IV: Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

IV.1.3) Information on the framework agreement or dynamic purchasing system

IV.1.4) Information on the reduction in the number of economic operators or solutions in the course of the negotiation or dialogue

IV.1.6) Information on the electronic auction

IV.1.8) Information on the Government Procurement Agreement (GPA)

The contract is covered by the GPA: yes

IV.2) Administrative information

IV.2.1) Earlier notice on this procedure

IV.2.2) Deadline for receipt of tenders or requests to participate

Day: 12/09/2019

local time: 12:00

IV.2.3) Estimated date of dispatch of invitations to tender or participation in selected candidates

IV.2.4) Language or languages in which tenders or requests to participate may be submitted:

German

IV.2.6) Binding period of the offer

Offer must remain valid until: 31/10/2019

IV.2.7) Conditions for the opening of tenders

Day: 12/09/2019

local time: 13:00

## Section VI: Other information

### VI.1) Information on the return of the contract

This is a recurring order: no

### VI.2) Information on electronic workflows

### VI.3) Additional information:

On the basis of the contract value estimate, the customer assumes that the relevant EU threshold of EUR 221,000 net will not be reached in the present case. In order to initiate the broadest possible competition, the EU Commission's announcement form is used voluntarily. Only the relevant national procurement regulations, in particular the MV Procurement Act, the MV Procurement Decree and the Sub-Threshold Procurement Regulations, are decisive for the implementation of the procedure. The type of procedure shall be a public invitation to tender in accordance with § 8 paras. 1 and 2 in conjunction with § 9 UVg

### VI.4) Remedies/review procedures

#### VI.4.1) Competent body for appeal/review procedures

Public Procurement Tribunals of the State of Mecklenburg-Western Pomerania

Johannes-Stelling-Strasse 14

Schwerin

19053

Germany (German)

Phone: +49 3855885165

E-mail: [vergabekammer@wm.mv-regierung.de](mailto:vergabekammer@wm.mv-regierung.de)

Fax: +49 3855884855817

#### VI.4.2) Competent body for conciliation procedures

#### VI.4.3) Appeals for review

Details of the time limits for lodging appeals:

Pursuant to Section 160 (3) sentence 1 ARC, an application for review is inadmissible to the extent that:

- 1) the applicant has recognised the alleged infringement of award regulations before submitting the application for review and has not lodged a complaint with the contracting authority within a period of 10 calendar days; the expiry of the period pursuant to Section 134 (2) ARC remains unaffected,
- (2) infringements of procurement rules which are apparent from the contract notice are not referred to the contracting authority at the latest by the expiry of the time limit for submission of applications or tenders specified in the contract notice,
- 3) Breaches of procurement regulations which are only recognisable in the tender documents are not reported to the contracting authority by the end of the deadline for submission of applications or tenders at the latest,
- 4) more than 15 calendar days have elapsed since receipt of the notice from the contracting authority not to remedy a complaint.

A validly awarded contract cannot be cancelled (Section 168 (2) sentence 1 ARC). If the contract has already been awarded, the invalidity of a contract pursuant to Section 135 (2) ARC can only be established if it has been asserted in the review procedure within 30 calendar days after the contracting authority has informed the tenderers and candidates concerned of the conclusion of the contract, but not later than 6 months after conclusion of the contract. If the contracting authority has published the award of the contract in the

Official Journal of the EU, the period for asserting invalidity shall end 30 calendar days after publication of the award of the contract in the Official Journal of the EU.

VI.4.4) Entity providing information on the lodging of appeals

VI.5)

Date of dispatch of this notice:

06/08/2019