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**Germany-Frankfurt-on-Main: ECB - Provision of legal editing in English and related services
2014/S 108-189245**

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1) Name, addresses and contact point(s)

European Central Bank
Kaiserstraße 29
For the attention of: Ellinoora Peltonen
60311 Frankfurt-on-Main
GERMANY
Telephone: +49 6913440
E-mail: procurement@ecb.europa.eu
Fax: +49 6913447110

Internet address(es):

General address of the contracting authority: <http://www.ecb.europa.eu>

Further information can be obtained from: The above mentioned contact point(s)

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from: The above mentioned contact point(s)

Tenders or requests to participate must be sent to: The above mentioned contact point(s)

I.2) Type of the contracting authority

European institution/agency or international organisation

I.3) Main activity

Economic and financial affairs

I.4) Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: no

Section II: Object of the contract

II.1) Description

II.1.1) Title attributed to the contract by the contracting authority:

Provision of legal editing in English and related services.

II.1.2) Type of contract and location of works, place of delivery or of performance

Services

Service category No 27: Other services

Main site or location of works, place of delivery or of performance: Frankfurt-on-Main.

NUTS code DE712

II.1.3) Information about a public contract, a framework agreement or a dynamic purchasing system (DPS)

The notice involves the establishment of a framework agreement

II.1.4) Information on framework agreement

Framework agreement with several operators

maximum number of participants to the framework agreement envisaged: 10

Duration of the framework agreement

Duration in months: 48

II.1.5) **Short description of the contract or purchase(s)**

The European Central Bank (ECB) is seeking suppliers to edit legal documents drafted in English and provide related services. It intends to award several framework agreements (the 'contracts') to the suppliers offering the best value for money. Where available, the ECB may award up to 10 contracts.

The ECB's Legislation Division prepares ECB legal instruments in the official EU languages, ensuring that such texts are legally and linguistically consistent. It also publishes the ECB's legal framework on its website and other legal publications (e.g. the legal working paper series) in the relevant official languages of the EU. Moreover, lawyer-linguists provide expertise to the ECB on EU Member States' national laws, among other things for the ECB's convergence reports, verification reports and other official legal documents.

The Legislation Division currently has a team of 4 full-time lawyer-linguists with English as their main language, whose principal tasks are editing legal documents drafted in English (e.g. draft legislation, contracts, reports on legal topics) and translation into English from other EU languages. To help the Legislation Division cope with an additional workload and to cover for routine absences, the ECB is now seeking offers from experienced freelance external legal editors or agencies who can provide external legal editors who can edit legal documents drafted in English to a professional standard and provide the other lawyer-linguist services described below. Successful suppliers will be awarded a framework service agreement and form a pool of contractors to whom assignments (orders) will be awarded based on the ranking system determined as a result of this procurement procedure. The first ranked contractor has the first option to accept a specific order. If the first ranked contractor is not available for or declines the order, the ECB will immediately contact the next ranked contractor until the order is awarded.

Contractors will be invited from time to time to work both remotely, receiving and submitting their work by e-mail, and in-house at the ECB's offices in Frankfurt-on-Main (e.g. covering for a staff member's absence).

II.1.6) **Common procurement vocabulary (CPV)**

79821100

II.1.7) **Information about Government Procurement Agreement (GPA)**

The contract is covered by the Government Procurement Agreement (GPA): no

II.1.8) **Lots**

This contract is divided into lots: no

II.1.9) **Information about variants**

Variants will be accepted: no

II.2) **Quantity or scope of the contract**

II.2.1) **Total quantity or scope:**

II.2.2) **Information about options**

Options: no

II.2.3) **Information about renewals**

This contract is subject to renewal: no

II.3) **Duration of the contract or time limit for completion**

Duration in months: 48 (from the award of the contract)

Section III: Legal, economic, financial and technical information

- III.1) **Conditions relating to the contract**
- III.1.1) **Deposits and guarantees required:**
No deposit required.
- III.1.2) **Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them:**
Method of payment will be in accordance with the terms and conditions of the contract.
- III.1.3) **Legal form to be taken by the group of economic operators to whom the contract is to be awarded:**
The establishment of a temporary grouping of companies is allowed under the conditions laid down in the invitation to tender.
- III.1.4) **Other particular conditions**
The performance of the contract is subject to particular conditions: no
- III.2) **Conditions for participation**
- III.2.1) **Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers**
Information and formalities necessary for evaluating if the requirements are met: Please see the details in the tender documentation to be requested from the contact point indicated in Sections I.1 and VI.3.
- III.2.2) **Economic and financial ability**
Information and formalities necessary for evaluating if the requirements are met: Please see the details in the application documentation to be requested from the contact point indicated in Sections I.1 and VI.3.
Minimum level(s) of standards possibly required: Please see the details in the application documentation to be requested from the contact point indicated in Sections I.1 and VI.3.
- III.2.3) **Technical capacity**
Information and formalities necessary for evaluating if the requirements are met:
Please see the details in the application documentation to be requested from the contact point indicated in Sections I.1 and VI.3.
Minimum level(s) of standards possibly required:
Please see the details in the application documentation to be requested from the contact point indicated in Sections I.1 and VI.3.
- III.2.4) **Information about reserved contracts**
- III.3) **Conditions specific to services contracts**
- III.3.1) **Information about a particular profession**
Execution of the service is reserved to a particular profession: no
- III.3.2) **Staff responsible for the execution of the service**
Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service: yes

Section IV: Procedure

- IV.1) **Type of procedure**
- IV.1.1) **Type of procedure**
Open
- IV.1.2) **Limitations on the number of operators who will be invited to tender or to participate**
- IV.1.3) **Reduction of the number of operators during the negotiation or dialogue**
- IV.2) **Award criteria**

IV.2.1) Award criteria

The most economically advantageous tender in terms of the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document

IV.2.2) Information about electronic auction

An electronic auction will be used: no

IV.3) Administrative information

IV.3.1) File reference number attributed by the contracting authority:

28752/L/LEG/2014.

IV.3.2) Previous publication(s) concerning the same contract

no

IV.3.3) Conditions for obtaining specifications and additional documents or descriptive document

Time limit for receipt of requests for documents or for accessing documents: 7.7.2014

Payable documents: no

IV.3.4) Time limit for receipt of tenders or requests to participate

7.7.2014 - 18:00

IV.3.5) Date of dispatch of invitations to tender or to participate to selected candidates

IV.3.6) Language(s) in which tenders or requests to participate may be drawn up

English.

IV.3.7) Minimum time frame during which the tenderer must maintain the tender

Duration in months: 9 (from the date stated for receipt of tender)

IV.3.8) Conditions for opening of tenders

Date: 7.7.2014

Persons authorised to be present at the opening of tenders: no

Section VI: Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: no

VI.2) Information about European Union funds

The contract is related to a project and/or programme financed by European Union funds: no

VI.3) Additional information

The documentation for this procurement can be downloaded from an Internet platform. If you are interested to participate in the procurement procedure please register via the Internet platform using the following Internet address, user name and password:

Internet address: <https://www.ecb.europa.eu/secure/procurement/>

User name: 28752/L/LEG/2014

Password: 5C5A35

After having registered an e-mail will be sent to you with a new user name and password. The Internet address will remain the same. Please use the new user name and password to download the tender documentation.

Should you experience any problems in accessing the Internet platform for registration and/or downloading the application documentation please do not hesitate to contact us under the following e-mail address:

procurement@ecb.europa.eu quoting the procurement number and problem experienced.

The tender procedure shall be open on equal terms to all natural or legal persons resident or located in the European Union and to all natural and legal persons resident or located in a country which has ratified the World

Trade Organisation Agreement on Government Procurement or has concluded with the European Union a bilateral agreement on procurement under the conditions laid down in the said agreements.

The ECB shall exclude tenderers that are in one of the situations described in Article 24(4) of Decision ECB/2007/5 (e.g. conviction for fraud or corruption) or put on a blacklist in accordance with Article 24(7) of Decision ECB/2007/5.

It should be noted that due to the confidential nature of the legal texts to be edited, tenderers that are agencies or temporary groupings may propose a maximum of 2 legal editors to perform the legal editing services for the ECB.

In addition, it should be noted that in the award stage, the following specific minimum quality requirements apply to all tenders, the non-fulfilment of which shall lead to automatic exclusion from further evaluation:

1) Each proposed external legal editor must have: a) English to mother tongue standard (perfect command in English); and b) experience of editing legal documents amounting to 2 000 standard pages (1 500 characters including spaces) and/or 3 years professional experience in editing legal documents. If a) and b) are not fulfilled for the proposed legal editors, the tender shall be considered of insufficient quality and excluded from further evaluation.

2) Each proposed external legal editor must have: a law degree obtained in the United Kingdom or Ireland (Bachelor of Laws or equivalent obtained in the law of England and Wales, Scotland, Northern Ireland or Ireland) or an equivalent degree recognised in the United Kingdom. If the above requirement is not fulfilled for the proposed legal editors, the tender shall be considered of insufficient quality and excluded from further evaluation.

3) At least 1 external legal editor must be available for at least 2–3 visits per year, subject to agreement nearer the date. The tenderer must be able to indicate the dates of availability (at least 20 ECB working days) in its offer.

If the above requirement is not fulfilled for the proposed legal editors, the tender shall be considered of insufficient quality and excluded from further evaluation.

Further information about ECB procurement rules and procedures may be obtained at <http://www.ecb.europa.eu/ecb/jobsproc/tenders/html/index.en.html>

VI.4) **Procedures for appeal**

VI.4.1) **Body responsible for appeal procedures**

Procurement Review Body of the European Central Bank, c/o Legal Advice Team

Kaiserstraße 29

60311 Frankfurt-on-Main

GERMANY

Internet address: <http://www.ecb.europa.eu>

Fax: +49 691344-6558

Body responsible for mediation procedures

The European Ombudsman

1 avenue du Président Robert Schuman

67001 Strasbourg

FRANCE

VI.4.2) **Lodging of appeals**

Precise information on deadline(s) for lodging appeals: 15 days from the receipt of the information specified in Article 28(3) of the ECB procurement rules (see Section VI.3) or, if no information is requested, 15 days from the receipt of the notification to unsuccessful tenderers.

Further requirements are outlined in Article 33 of the ECB procurement rules (see Section VI.3).

A complaint to the European Ombudsman does not affect the submission deadline nor does it create a new deadline by which complaints can be submitted.

VI.4.3) **Service from which information about the lodging of appeals may be obtained**

VI.5) **Date of dispatch of this notice:**

27.5.2014