

This notice in TED website: <http://ted.europa.eu/udl?uri=TED:NOTICE:133992-2011:TEXT:EN:HTML>

I-Rome: engineering studies

2011/S 81-133992

CONTRACT NOTICE - UTILITIES

Services

SECTION I: CONTRACTING ENTITY

I.1) NAME, ADDRESSES AND CONTACT POINT(S)

Total E&P Italia S.p.A.

Via Cornelia 498

Attn: Contracts Department frame agreement engineering studies and other services for Tempa Rossa Project
00166 Roma

ITALY

Fax +39 066245228

Internet address(es)

General address of the contracting entity <http://www.it.total.com>

Address of the buyer profile <http://www.it.total.com>

Further information can be obtained at: As in above-mentioned contact point(s)

Specifications and additional documents (including documents for a dynamic purchasing system) can be obtained at: As in above-mentioned contact point(s)

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

I.2) MAIN ACTIVITY OR ACTIVITIES OF THE CONTRACTING ENTITY

Exploration and extraction of gas and oil

SECTION II: OBJECT OF THE CONTRACT

II.1) DESCRIPTION

II.1.1) Title attributed to the contract by the contracting entity

Frame agreement engineering studies and other services for Tempa Rossa Project.

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

Services

Service category: No 12

NUTS code ITF51

II.1.3) 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 3

Duration of the framework agreement: Duration in month(s): 48

Estimated total value of purchases for the entire duration of the framework agreement:

estimated cost excluding VAT

Range between 2 500 000,00 and 4 900 000,00 EUR

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

The Contracting Entity launches the present European Union tender process with the purpose to award frame agreements for engineering studies and other services for the needs of Tempa Rossa Project. The publication of the pre-qualification questionnaire is made together with the present bidding notice. The Contracting Entity intends to select the candidates with such pre-qualification questionnaire (see web site: www.it.total.com). Selection criteria and scores are explained in such pre-qualification questionnaire. If a large number of candidates pass the pre-qualification phase, the Contracting Entity would invite the eight candidates with the highest scores to tender.

Contracting Entity will select, through a negotiating procedure based on the lowest price criteria, three signatories of frame agreements ("contract"); such signatories will be ranked according to the lowest price offered. The contract will regulate and define in advance the general terms and conditions among the signatories, including in particular the relevant unit prices. For the supply of work, the specific terms and conditions (including specific scope of work and quantity) will be part of the work orders awarded case by case containing:

1. a detailed scope of work for the specific requested services; and
2. a defined time schedule, the overall consideration due being the result of the multiplication of the required amount of time by the price rate as originally defined in the frame agreement.

The further negotiation between the Contracting Entity and the three frame holders will be handled as follows:

- A request for quotation is sent by the Contracting Entity to the frame holder "1st position",
- Company will negotiate with this frame holder only the schedule/timing and the volume of work,
- If the 1st frame holder proposal meets the Contracting Entity requirements (based on the Contracting Entity internal evaluation of the volume of work), a work order will be awarded to him. If not, the Contracting Entity will request a proposal to the frame holder "2nd position",
- If such second frame holder proposal does not meet the Contracting Entity requirement, the Contracting Entity will ask to the third Frame Holder.

After each work order completion, the Contracting Entity will assess the supplier of the requested services (deliverables quality, schedule, etc). If the assessments are not satisfactory, the Contracting Entity will have the right to change the ranking order between the three frame holders, and the subsequent work order will follow the new ranking.

II.1.6) **Common procurement vocabulary (CPV)**
71335000, 71340000, 71336000, 71350000

II.1.7) **Contract covered by the Government Procurement Agreement (GPA)**
No

II.1.8) **Division into lots**
No

II.1.9) **Variants will be accepted**
No

II.2) **QUANTITY OR SCOPE OF THE CONTRACT**

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

The Scope of work can involve multiple engineering disciplines for the following type of Services:

- Preliminary study,
- Conceptual study,
- Pre-project,
- Basic Engineering (Progetto Definitivo),
- Detailed Engineering (Progetto Esecutivo).

Contract Price will result out of the aggregate of all the Work Orders for a total value ranging from 2 500 000 EUR up to 4 900 000 EUR. Total minimum safety cost not subject to discount will be equal to zero as the services relates to intellectual services mainly without any safety impact, unless otherwise specified in the work orders case by case, when needed, according to the applicable Italian laws.

estimated cost excluding VAT

Rangebetween 2 500 000,00 and 4 900 000,00 EUR

II.2.2) **Options**

No

II.3) **DURATION OF THE CONTRACT OR TIME LIMIT FOR COMPLETION**

SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

III.1) **CONDITIONS RELATING TO THE CONTRACT**

III.1.1) **Deposits and guarantees required**

Performance bonds, if applicable, to be provided when requested within the specific work orders in relation to the value of the services.

III.1.2) **Main financing conditions and payment arrangements and/or reference to the relevant provisions regulating them**

The Financing conditions will be provided within the call for tender documentation. The unit prices negotiated among the parties to each Frame Agreement will be revised annually according to a price formula defined in the Call for tender documentation.

III.1.3) **Legal form to be taken by the grouping of economic operators to whom the contract is to be awarded**

The tenderer can be constituted in one of the legal forms available pursuant to Article 34 of the Legislative Decree 12.4.2006 n. 163.

If the tenderer is composed of more than one company, it shall be compliant with the applicable provisions of art.37 of Legislative Decree 12.4.2006 n.163, then the role, activity and share of each company must be specified for each member of such a group.

III.1.4) **Other particular conditions to which the performance of the contract is subject**

Yes

Particular conditions such as detailed scope of work that will be described case by case in each work order, will be in any event consistent with the general scope of work and general terms and conditions of the frame agreement signed with the frame holders. These particular conditions may concern also for example but are not limited to specific HSE requirements (for example D.U.V.R.I if mandatory for a specific service) and therefore will be described case by case in such work orders. Those specific conditions can be the request of a performance bond within a work order. Another specific condition can be the fact that although unit prices are the basis of the present Frame Agreement, such Unit price rates system could result in a lump sum system for important services such as "direzione lavori or coordinamento per la sicurezza" subject to Legislative Decree 624/96 and 81/08.

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 requirements are met: As described in details in the Prequalification Questionnaire (see <http://www.it.total.com>).

Information and formalities necessary for evaluating the requirements are subject to the following confirmation from each candidate:

— he is not in bankruptcy or any similar situation under national legislation or regulation,

- he has not been sanctioned by tribunal or court final decision for any offence regarding its professional morality,
- he has not committed a material professional fault proved by any contracting entity,
- he is not in breach with its social or fiscal obligations such as non payment of taxes or social security contributions,
- he has not made any false declaration proved by the contracting entity in the framework of the tendering procedure,
- he will prove the compliance with all the requirements set forth by Article 38 of Legislative Decree n. 163 of April 12, 2006 and will commit to update such compliance during the Contract Duration in case of Contract award.

At the request of the Contracting Entity, he will be responsible to demonstrate that it fulfils these conditions by means of proof of police record extracts, or social contribution and tax payment certificates delivered by competent authority.

The candidate shall also confirm:

- its ability to provide a bona fide offer for the complete scope of the contract for the Tempa Rossa Project within the specified time from issue of the invitation to tender,
- its ability to provide guarantees when requested case by case (such as performance guarantee requested in work orders for schedule, work quality and candidate accepts liquidated damages for failure to meet the guaranteed requirements).

III.2.2) **Economic and financial capacity**

As described in the pre-qualification questionnaire (see <http://www.it.total.com>).

Financial statements for the last three years to be provided. Additional legal, technical and financial requirements are stated in the pre-qualification questionnaire.

All information provided shall be in compliance with art.41 of the Legislative Decree. 12.4.2006 n. 163.

III.2.3) **Technical capacity**

Information and formalities necessary for evaluating if requirements are met As described in the pre-qualification questionnaire (see <http://www.it.total.com>).

All information provided shall be in compliance with art.42 of the Legislative Decree 12.4.2006 n. 163.

It is important to note that the technical evaluation of the bidders will occur only at this pre-qualification phase, through the response of the pre-qualification questionnaire. Thus, once the pre-qualification of the tenderers is made, the offers received by the Contracting Entity will not contain any technical envelope, but only an administrative and an economic envelope to complete the bid process.

Through the response to the pre-qualification questionnaire, the candidates shall demonstrate to have the necessary experience for providing the scope of work related to the present tender. That is why it is recommended to devote considerable attention on the response to the pre-qualification questionnaire.

III.2.4) **Reserved contracts**

III.3) **CONDITIONS SPECIFIC TO SERVICES CONTRACTS**

III.3.1) **Execution of the service is reserved to a particular profession**

Yes

All applicable provisions of Art 90 of the Legislative Decree 12.4.2006 n.163.

III.3.2) **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**

Negotiated
Candidates have already been selected No

IV.2) **AWARD CRITERIA**

IV.2.1) **Award criteria**

Lowest price

IV.2.2) **An electronic auction will be used**

No

IV.3) **ADMINISTRATIVE INFORMATION**

IV.3.1) **File reference number attributed by the contracting entity**

IT-TPR-GE-PST-000483

IV.3.2) **Previous publication concerning the same contract**

No

IV.3.3) **Conditions for obtaining specifications and additional documents**

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

6.6.2011 - 15:00

IV.3.5) **Language(s) in which tenders or requests to participate may be drawn up**

English.

Other: In case existing technical or administrative documentation to be provided by the candidates are available in Italian (from any Italian administration, banks or the like), and not in English, such Italian documents will be accepted. The engineer deliverables shall be issued in English, in Italian or bilingual as specified case by case in each work order.

IV.3.6) **Minimum time frame during which the tenderer must maintain the tender**

IV.3.7) **Conditions for opening tenders**

SECTION VI: COMPLEMENTARY INFORMATION

VI.1) **THIS IS A RECURRENT PROCUREMENT**

No

VI.2) **CONTRACT(S) RELATED TO A PROJECT AND/OR PROGRAMME FINANCED BY COMMUNITY FUNDS**

No

VI.3) **ADDITIONAL INFORMATION**

The present procedure shall not implicate obligations for the Contracting Entity to award the frame agreement to tenderers that have been pre-qualified. The offers shall be provided together with evidence of the CIG payment, in compliance with the AVCP regulations.

The CIG number related to the present notice is 2102944C46.

VI.4) **PROCEDURES FOR APPEAL**

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

TAR della Basilicata
Via Rosica 89/91
85100 Potenza
ITALY
Tel. +39 0971414111

Internet: <http://www.giustizia-amministrativa.it/WEBY2K/intermediate.asp?reg=basilicata&Tar=Potenza>

VI.4.2) **Lodging of appeals**

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

VI.5) **DATE OF DISPATCH OF THIS NOTICE:**

22.4.2011