



EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

8 October 2019

European Medicines Agency
Office of the Executive Director

Ex ante publicity of a negotiated procedure

EMA/2019/35/ED – Executive driver services

The European Medicines Agency (hereinafter referred to as “the Agency” or “EMA”) intends to procure Executive driver services – EMA/2019/35/ED.

- The contractor shall coordinate, plan and execute the driver services of the Agency’s Executive Director.
- The driver services shall be provided in the Netherlands only, whereby the majority of the services shall be provided in the wider region of Amsterdam. Occasionally, the Agency requires drives from Amsterdam to other cities in the Netherlands and back, such as but not limited to Leiden and The Hague.
- The driver services shall be provided during weekdays (Monday to Friday) between 6:00 a.m. and 20:00 p.m. and will consist of scheduled services with a fixed or pre-defined pick-up point and destination, as well as ad-hoc (non-scheduled) services. Occasionally, the driver services may have to be provided during weekdays between 20:00 p.m. and 6:00 a.m., and during weekends or EMA holidays.

For scheduled services, the Office of the Executive Director will submit a request with one month prior notice.

Ad-hoc (non-scheduled) services will be requested by the Office of the Executive Director as early as possible. The response time for ad-hoc (non-scheduled) services shall be maximum one hour.

- The main working language of the Agency is English. Therefore all the services to be performed under the execution of the contract shall be performed in English. For a smooth communication, all staff of the contractor (including the driver(s)), which interact with staff of the Agency, shall have English language skills at level B2 (Independent user) of the Common European Framework of Reference (CEFR) for Languages.
- The services shall be provided with a safe and representative saloon car which is not older than 5 years (date of first registration). The car(s) shall comply with all legal requirements on safety and security, and have the required technical certificates. The exterior as well as the interior of the car shall be kept clean at any time, and the car shall be non-smoking. The car(s) shall be

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free from damage (no bumps, no broken fixtures, etc.) and shall not contain any signs, logos or advertisements. Furthermore, the car shall be equipped with a functioning heating and air-conditioning, and the rear seats shall have leg room allowing tall persons to sit comfortably.

- The driver services shall be provided in a professional, customer centric, service oriented, courteous and discrete way. Furthermore, the driver services shall be provided in a timely, punctual and reliable manner. Moreover, the services shall be provided safely and comfortably.
- The driver(s) shall have a valid driver license and a valid 'Certificaat Directiechauffeur CCV – D1'. The driver(s) shall be representatively dressed, have a well-kept appearance and be non-smoking. Ear rings, piercings and tattoos shall not be visible.
- The contractor shall provide the Agency with a monthly invoice of all services provided in the previous month. The Agency will reimburse the contractor for all services provided by the payment of the invoice.
- The EMA strives to minimize its ecological footprint and has labelled the procurement on Executive driver services as '*Green procurement*'. Therefore the contractor shall ensure, where possible, that the services are provided in a manner that minimises adverse environmental impact.

A negotiated tender with a maximum indicative budget of €90,000 (exclusive of VAT) is planned to be launched in October 2019.

Interested economic operators meeting the minimum technical requirements and the criteria below may express their interest by sending an e-mail indicating the reference number and subject of the procurement to EMA.2019.35.ED@ema.europa.eu together with the name, address and business details before **22 October 2019 12:00 (noon) CET**.

The Agency intends to enter into a Framework Contract (FWC) for the provision of services with a single provider. The contract is foreseen to start in November 2019 and will have an initial duration of 2 years, and is renewable twice with a period of 1 year. Hence the contract has a maximum duration of 4 years in total (2+1+1).

The following minimum technical requirements shall apply to this framework contract:

- Compliance with applicable environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU;
- The working language of the Agency is English and the contractor must confirm that it will be able to communicate with the Agency in English for seamless implementation and execution of all services covered within the scope of the contract, including responsibilities resulting from regulatory requirements such as Health and Safety and Data Protection, as well as for the efficient and timely response in respect to contract management; and
- Processing of personal data in connection with this service must comply with EU data protection legislation and in particular, Regulation (EU) 2016/679, the General Data Protection Regulation.
- A valid third party liability insurance coverage in place, providing for an adequate insurance sum covering also personal damages;
- With regards to vetting and screening:

- The contractor must verify identities of all its employees who are to be assigned to the contract. An official document containing their photograph, such as a national ID, passport or driving licence must support this verification. The objective of the identity verification process is to confirm that the personal information provided by employees allocated to the contract is genuine and credible.
- All employees proposed by the tenderer will have to be in possession of a certificate of good conduct (or similar document) issued by the competent authority of the country of origin or provenance and dated not earlier than three months prior the start date of commencing duties for the Agency with the exception of non-EU nationals who have been living in the Netherlands for the last five years prior to their assignment under this contract.
- For Dutch employees the VOG NP application form (<https://www.justis.nl/producten/vog/certificate-of-conduct/> and [https://www.justis.nl/binaries/Aanvraagformulier%20VOG%20NP%20\(English\)%20-%202.2_tcm34-84796.pdf](https://www.justis.nl/binaries/Aanvraagformulier%20VOG%20NP%20(English)%20-%202.2_tcm34-84796.pdf)) must be filled in. Employees who are non-EU nationals and who have been living in the Netherlands for the last five years prior to their assignment under this contract must also fill in VOG NP application form.
- All employees must have their employment checked, whereby the verification process should verify the dates of employment, position(s) held, duties and employment gaps if any. As a baseline, the employer must verify a period of minimum 5 years for all employees.
- The existence of the former employers must be verified and written confirmation provided that the information submitted by the employee is genuine and accurate. Written records should be kept and provided upon request from the Agency.

Interested economic operators should comply, at least, with the following criteria:

- All tenderers must have authorisation to perform the contract under national law (e.g. Beroepsbevoegdheid Vergunning Wet personenvervoer 2000, if applicable).
- Tenderers must be in a stable financial position and have the economic and financial capacity to perform the contract. Therefore the minimum annual turnover of the tenderer must be at least €45,000 for each of the last two financial years.
- Relevant previous experience in the provision of executive driver services, which meets all of the following requirements:
 - The tenderer must have handled three contracts of at least similar size and nature within the last three years (1 October 2016 to 1 October 2019) for a minimum uninterrupted period of 12 months;
 - The services must have been provided to at least three different clients, being EU agencies or institutions, governmental organisations (e.g. ministries, embassies, etc.) international organisations, multi-nationals and/or non-governmental organisations (NGOs);
 - The services shall pertain to driver services for executive directors, CEO's, board members, officials or other representatives of the reference organisations.

This publication does not constitute any obligation on the part of the Agency to invite any economic operator having expressed its interest to tender. Only the candidates invited to tender by the Agency will be admissible. Registering interest to receive an invitation to tender in a negotiated procedure of

this type does not create any legal right or legitimate expectation on the part of any economic operator.