# CONTRACT SPECIFICATIONS

1. **Object of the contract**

# Object of the contract

The purpose of this contract is to provide professional services for the creation and projection of audiovisual and multimedia content for the Delegation of the Government of Catalonia to the United States of America and Canada.

The contractor must provide the services listed as follows:

* + - Design and creation of audiovisual productions, immersive installations, video projections, XR, VR, or others, with images that identify Catalonia, its traditions and arts of all kinds in a creative way to promote and enrich the delegation's events in any part of the United States and Canada. The creations must take the culture of the target audience into account, so that they understand the activity message.
		- Screening throughout the geographical area of the delegation where the events take place in order to adapt each projection to each space.

Two types of projections are planned:

* + - Thematic artistic productions projected on a screen, or thematic videos adapted to the theme of the reception in question, of indeterminate duration but which can be programmed for repeated projection or videos broadcast on a loop. Short promotional videos of the projects agreed within the framework of this contract are also included in order to disseminate them.
		- More complex artistic productions such as mapping or immersive artistic projections with a duration adapted to the event.

The delegation may request short promotional videos of the agreed projects in order to disseminate them.

# Lots

There is no division into lots.

# CPV code

92100000-2 “Motion picture and video services”

# Justification of the impossibility of dividing the contract into lots

The purpose of the contract cannot be divided into lots, since the independent performance of the various services included in the object of the contract would make it difficult to perform the contract correctly from a technical point of view. Many of the tasks are related to each other and the fact of dividing the object into lots could imply different criteria and malfunction that would prevent the generation of sound and useful work.

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Washington, DC 20005

Tel.: 00 1 202 783 8050

# Justification of the need for contracting

The Delegation of the Government of Catalonia to the United States of America and Canada carries out its activities to promote the interests of Catalonia as a whole throughout the Delegation's area of influence from an economic, cultural, political, and social point of view.

The purpose of this contract is justified by the Delegation's need to achieve the maximum dissemination of traditions, culture, art and other shows of culture, business or education that can have a knock-on effect and be a magnet for any area in the countries where the Delegation conducts its activities.

In this sense, it is important to have attractive audiovisual products that help to promote Catalonia. This type of product will help to recognize Catalan identifying traits at events to which North American or Canadian counterparts are invited, and will also be shown to potentially interested parties in any audiovisual format.

As the technical level that these services require is very high, they must be carried out by a qualified company with experience in new audiovisual formats and new communication technologies. It is also necessary to have knowledge of both cultures, Catalan of course, but also North American, in order to create products that fit and are understood by the target culture. The staff force at the Delegation is too small for the immense activity scope and it does not have qualified personnel for this type of service.

# Financial data

* 1. **Determination of the price**

The contract price is determined by unit prices:

|  |  |
| --- | --- |
| **Unit prices** | **Amount per event****(VAT not applicable)** |
| Simple creation and projection in NY or WDC | $ 8,100.00 |
| Simple creation and projection in other US cities | $ 9,000.00 |
| Simple creation and projection in cities in Canada | $ 10,300.00 |
| Complex creation and projection in NY or WDC | $ 9,950.00 |
| Complex creation and projection in other US cities | $ 10,850.00 |
| Complex creation and projection in cities in Canada | $ 12,150.00 |
| Only simple projection in NY or WDC | $ 2,600.00 |
| Only simple projection in other US cities | $ 3,500.00 |
| Only simple projection in cities in Canada | $ 4,800.00 |
| Only complex projection in NY or WDC | $ 3,200.00 |
| Only complex projection in other US cities | $ 4,100.00 |
| Only complex projection in cities in Canada | $ 5,400.00 |

This contract has a limited maximum budget, and the contractor is obliged to provide the service henceforth and for a unit price, without the total number of units being defined exactly because they are dependent upon the needs of the contracting authority.

The price of the contract will include the direct costs for the performance of the service (travel, salaries/hourly wages, supplies, taxes and fees of any kind, as well as all expenses incurred by the

contractor as a consequence of the fulfillment of the obligations contemplated in the present contract, and indirect costs (general expenditure and industrial benefit).

Fees will be invoiced upon completion of each projection. In the event that equipment needs to be rented or the projection needs to be screened in a city other than NY or WDC, 50% of the cost may be invoiced once the project has been approved and 50% upon completion, subject to prior approval by the Delegation.

Payment will be processed provided that the written approval of the person responsible for supervising and monitoring the object of this contract is obtained.

The Delegation shall pay the invoice within a maximum of thirty (30) days from the date of receipt. Once the invoice has been accepted as correct, the Delegation will proceed to its payment by bank transfer.

# Estimated contract value

The estimated value of the contract is $136.312,20 (one hundred and thirty-six thousand thre hundred and twelve dollars and twenty cents), equivalent to approximately € 123.359,46 (one hundred and twenty-three thousand three hundred and fifty-nine euros and forty-six cents), which includes the base bidding budget for a period of ten months, four extensions for a period of one year each, a price revision estimated at 10% per year and a possible modification of the contract up to a maximum of 20% of the initial contract price

:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Base bidding budget, maximum amount 2023** | **Maximum amount extension 2024** | **Maximum amount extension 2025** | **Maximum amount extension 2026** | **Maximum amount extension 2027** | **Modification of the contract (20% of the initial price)** | **ESTIMATED CONTRACT VALUE** |
| $20.000,00 | $24.200,00 | $26.620,00 | $29.282,00 | $32.210,20 | $4.000,00 | $136.312,20 |
|  18.099,55 €  |  21.900,45 €  |  24.090,50 €  |  26.499,55 €  |  29.149,50 €  |  3.619,91 €  |  123.359,46 €  |

*Official exchange rate on December 29, 2023: 1 EUR = 1.1050 USD*

# Calculation method applied by the contracting authority

The calculation method for the bid amount is based on approximate calculations of similar audiovisual production services that have determined an approximate price for these types of services and it takes the usual market prices into account, which include the labor costs of the sector.

# Base bidding budget (maximum amount to be offered)

The base bidding budget is $20,000.00 (twenty thousand dollars), which is equivalent to around €18,099.55 (Eighteen thousand ninety-nine euros and fifty-five cents). VAT need not be added to this amount as neither this tax nor an equivalent exists in the United States.

The bidding budget determined represents the maximum spending limit that the contracting authority may commit to by virtue of this contract. Given that the price of the contract is determined by unit prices, the unit price set out in section B.1 of these specifications constitutes the maximum unit price that companies bidding for the tender of this contract may offer. Any offer exceeding the maximum unit prices shall be excluded automatically.

The base bidding budget is calculated based on a ten-month execution term.

The estimated costs into which the base bidding budget is broken down are detailed in Annex 4 of these specifications.

# Appropriation, price revision and guarantee

**C1. Existence of appropriation, budget line and contracting authority**

There is adequate and sufficient credit to meet the expenses arising therefrom at budget position *D/227008900/2310 Other work performed by other companies* in the Delegation's budget for 2024.

**Budget line:** *D/227008900/2310 Other work performed by other companies*

**Contracting authority**: the person in charge of the Delegation of the Government of Catalonia to the United States of America (DGUS).

**Contract manager**: the person in charge of the Delegation of the Government of Catalonia to the United States of America (DGUS).

# C2. Price revision

The unit award prices and the maximum annual amount will be revised annually in case of extension, applying the Consumer Price Index (CPI in the United States). An annual increment of 10% is estimated.

# C3. Guarantee

In view of the nature of the contract, its place of execution and the availability established by the First Additional Provision of the Public Sector Contract Law, this contract does not require the constitution of a provisional or definitive guarantee. In this sense, the Delegation operates in the United States as a small corporation subject to private law, which, moreover, has no visibility on the market and is not an attractive client for the North American market, neither for the volume of business nor for the complicated management that does not fit in a market where contracts are simple accepted proposals. If a guarantee is required, it implies a higher cost for companies in the event that they are awarded the contract and a lower interest in submitting a bid for the contract.

# Contract duration

* 1. **Term of execution:**

The term of the contract is from March 1st, 2024, or from the date of its formalization if later, until December 31, 2024.

# Possibility of extension:

Possibility of four extensions with a duration of one year each.

# Place and deadline for submitting proposals

**Place for submitting proposals**: Bidding companies may choose one of the following methods of submission:

* Proposals may be submitted in paper format to the Registry of the Delegation of the Government of Catalonia to the United States of America. Address: 1441 L St NW, Suite 540 Washington DC, 20005.
* Proposals may be submitted in paper format, within the maximum deadline for submission of proposals by mail addressed to the Registry of the Delegation of the Government of Catalonia to the United States of America. Address: 1441 L St NW, Suite 540 Washington DC, 20005. In this case, please notify the email address us@gencat.cat of the shipment made.
* Proposals may be submitted electronically within the maximum deadline for submission by email to the address us@gencat.cat. In this case, the documents must be in .pdf format and electronically signed.

**Deadline for the submission of proposals**: as detailed in the invitation to tender, which, in any case, will be less than 15 calendar days from the date of the invitation to tender.

# Prior aptitude requirements

* 1. **Legal and operational capacity**

Natural and legal persons, Spanish or foreign, who have full capacity to act, who are not under any prohibition to contract, who have the corresponding authorization to carry out the activity that is the object of the contract and who have the economic and technical solvency required in this contract, may contract in this bidding.

Legal entities may only be awarded contracts for services that are included in the purposes, objective and scope of activity that are specific to them in accordance with their foundational rules.

The accreditation of the capacity to operate of Spanish companies must be made with the incorporation and modification document, the articles of association or the foundational act duly registered in the corresponding official registers.

The accreditation of the capacity to operate of non-Spanish companies that are nationals of European Union Member States or signatory States of the Agreement on the European Economic Area must be made by their registration in the appropriate registry in accordance with the legislation of the State in which they are established or by presenting a sworn statement in accordance with the model in Annex 2 of these specifications.

The accreditation of the capacity to operate of foreign companies from non-EU Member States or non-signatories of the Agreement on the European Economic Area is made in accordance with the legislation of the state in which the contract is entered into or by presenting a sworn statement in accordance with the model in Annex 2 of these specifications.

At the time of submitting the bids, it is only necessary to provide a responsible statement from the legal representative of the company, in accordance with the provisions of clause 3.3 of the special clauses section. The company proposed as the successful bidder must accredit their legal and operational capacity in accordance with the provisions of the previous paragraphs and, in all that is not provided for, by Law 9/2017, of November 8, on public sector contracts, by which the directives of the European Parliament and of the Council 2014/23/EU and 2014/24/EU, of February 26, 2014, are transposed to the Spanish legal system.

# Solvency

Bidding companies are exempted from proving their economic, financial, technical or professional solvency, since only companies with recognized prestige and significant business volume will be invited.

# Place of service performance

The tasks for the elaboration of the contents will be carried out at the contractor's office.

The screenings are held at the locations determined for each event.

The reports, documents and files to be delivered to the person responsible for the contract shall be delivered through the email address indicated by the latter.

# Minimum score to be obtained in the negotiation phases:

There is no established scoring threshold.

# Award criteria

The best value for money will be taken into account for the evaluation of the proposals and the determination of the best offer, in accordance with the criteria detailed below. Proposals will be evaluated up to a maximum of 100 points, which will be broken down as follows:

* Award criteria to be evaluated by means of a value judgment: up to 45 points.
* Award criteria to be evaluated automatically: up to 55 points.

# Award criteria to be evaluated by means of a value judgment

For the evaluation of the award criteria to be assessed by means of a value judgment, the candidate companies must submit a short video proposal of a maximum of 2 minutes in which Catalonia is presented to the North American public. The video must be presented either on a USB stick included in the envelope with the proposal or a link to access it may be included in the proposal.

This proposal will be evaluated up to a maximum according to the following criteria:

* + 1. The audiovisual innovation in the way of presenting the concept of Catalonia will be evaluated: up to a maximum of 15 points.
		2. Creativity in the way that Catalonia is explained will be evaluated: up to a maximum of 15 points.
		3. The adaptation of the presentation to the North American public will be evaluated: up to a maximum of 15 points.

For the evaluation of each of these criteria, the highest score will be awarded to the proposal that best meets the criterion and the remaining proposals will be evaluated using a criterion of proportionality with respect to the best. A value (VT) will be given in order to apply this proportionality to each proposal, with 0 representing that the criterion has not been fulfilled and 10 representing the best fulfillment of the criterion. These values will be applied to the following formula to obtain the score for each proposal:



On:

Pop is the score of the offer being scored

P is the maximum score for the award criterion

VT op is the value (from 0 to 10) of the offer being scored VT mv is the value of the best offer (10)

# Award criteria to be evaluated automatically

* + 1. **Financial offer: up to 50 points.**

Bidding companies must submit a bid that follows the model in Annex 3 of these specifications. Bidding companies shall offer all unit prices set forth in section B.1 of these specifications. Failure to offer all the unit prices or to offer higher prices than those established in section B.1 is cause for exclusion from the contracting procedure.

Each of the unit prices offered will be evaluated up to the maximum score as follows:

|  |  |
| --- | --- |
| **Unit prices** | **Maximum****score** |
| Simple creation and projection in NY or WDC | 5 |
| Simple creation and projection in other US cities | 4 |
| Simple creation and projection in cities in Canada | 4 |
| Complex creation and projection in NY or WDC | 6 |
| Complex creation and projection in other US cities | 6 |
| Complex creation and projection in cities in Canada | 6 |
| Only simple projection in NY or WDC | 4 |
| Only simple projection in other US cities | 4 |
| Only simple projection in cities in Canada | 4 |
| Only complex projection in NY or WDC | 4 |
| Only complex projection in other US cities | 4 |
| Only complex projection in cities in Canada | 4 |

Each of the unit prices offered will be evaluated using the following linear formula, by means of which the scoring difference between each of the offers will be proportional to the difference over the maximum price/hour amount. In this way, the best offer will obtain the maximum score and the rest will obtain a score according to the following formula:



On:

Pv: Score of the offer to be evaluated. Ov: Unit price offer to be evaluated. Om: Best unit price offer.

IL: Maximum unit price

*VP* = Weighting

P: Evaluation criterion score

In accordance with Directive 1/2020, of June 23, of the Directorate-General for Public Procurement, the weighting value will be 1.

# Aspects to negotiate and negotiation methods

Only the proposals related to the award criteria to be automatically evaluated (**section** **I.2 of these specifications**) will be subject to negotiation.

Negotiations may be conducted in writing, by email, by video conference or in person.

It will be ensured that all companies receive the same treatment during the negotiation process and, in particular, information that could give advantages to certain stakeholders over others will not be provided in a discriminatory manner.

The proposals received will be negotiated and, once the companies present a definitive offer, it will be evaluated according to the established award criteria.

# Other general clauses

* 1. **Obligations of the parties**

The winning company is subject to the following obligations:

1. Initiating the performance of the service within the term established in the contract and performing it continuously and without interruptions.
2. Performing the service, in accordance with the manner set forth in these specifications, the technical specifications and the instructions issued by the person designated by the Delegation as the person responsible for the contract.
3. Providing all the services foreseen within the terms foreseen.
4. Fully complying with their offer.

a) Keeping secret any data or information that is not public or known and is related to the purpose of the contract.

1. Complying with all the obligations that are applicable to companies in terms of health and safety at work.
2. During the performance of the contract, the contractor is obliged to comply with the applicable obligations in environmental, social or labor matters established by U.S. regulations, collective bargaining agreements or the provisions of international environmental, social and labor law.
3. The contractor is obliged to comply with the salary conditions of employees in accordance with the applicable regulations.
4. In the event of illness, vacations or similar circumstances, the contractor will cover the absences that occur with substitutions of competent personnel, guaranteeing the permanent availability of the service offered at all times.
5. Being liable for damages, direct or indirect, that may be caused to any person, property or service, public or private, as a consequence of the actions, omissions or negligence of the personnel in their charge, unless the damages have their immediate and direct cause in a specific order of the delegation communicated in writing, in accordance with the legislation in force in the United States.
6. The contractor will dedicate the human and material resources necessary at all times for the correct development of all the matters covered by the contract, having to comply with the obligations in force in labor and tax matters of the personnel in its charge.
7. For obligations of the successful bidder different from those mentioned in the previous points, it will be necessary to abide by the provisions of the North American regulations.

# Termination of the contract and subcontracting

The contractor may not assign the rights and obligations related to this contract to a third party.

The contractor may arrange with third parties for the partial performance of the service that is the object of the contract with regard to additional aspects of the contract in the projection of the contents.

# Data protection

This contract does not involve access to or the processing of personal data. However, the winning company and its personnel are bound by the duty of confidentiality, in accordance with Regulation (EU) 2016/679 of the Parliament and of the Council of April 27, 2016 on the protection of natural persons with regard to the processing of personal data and the free movement of such data, and the American regulations, in the event of incidental access to personal data.

# Non-compliance of the service

The payment of the price is conditioned by the performance of the required service by the contractor, with the prior approval of the person responsible for the contract.

# Jurisdiction

As regards the preparation and awarding of this contract, the bidding companies submit themselves to the Spanish courts to resolve any discrepancies that may arise.

As regards the purposes, fulfillment and termination of the contract, any possible disputes are subject to the jurisdiction of the Spanish courts in the event that the winning company is Spanish. Otherwise, it will be subject to the provisions of North American regulations.

# Planned modifications to the contract

Assumptions of planned modification to the contract:

- If the real needs of the service are greater than those initially estimated and the maximum approved budget is insufficient, the contract may be modified, as provided for in the thirty-third additional provision of the Public Sector Contract Law.

The maximum limit on the modification shall be 20% of the initial price of the contract.

In any case, the modification of the contract may involve the establishment of new unit prices not foreseen in the contract, in accordance with the provisions of the Public Sector Contract Law.

Procedure: The modification of the contract for foreseen causes will be adopted by the contracting authority, after hearing the contractor, in accordance with the procedure regulated in Art. 191 of the Public Sector Contract Law.

# Procedure to be followed when awarding a service contract to be formalized and executed abroad.

**I. SPECIAL PROVISIONS FOR THE TENDERING, AWARD AND FORMALIZATION OF THE CONTRACT One: Invitations to participate in the proceedings**

* 1. The contracting authority shall invite at least three companies qualified to carry out the object of the contract, if possible, to participate in the procedure. Together, they shall negotiate the aspects indicated in **section I.3 of these specifications.**
	2. The invitation to the candidate companies must include a copy of these specifications and the particular technical specifications.
	3. The file must include a record of the invitations extended to the candidate companies.

**Two: Submission of proposals**

* 1. Proposals must be submitted in the place and within the deadline specified in the invitation to submit.
	2. Bidding companies may only submit a single proposal.
	3. The proposals are secret and their submission implies the unconditional acceptance by the bidding company of the contents of these specifications and the contents of the list of technical specifications, as well as the authorization to the services dependent on the contracting authority and of the contracting authority to consult the data contained in the official registers or official lists of economic operators of a European Union Member State.

**Three: Content of proposals**

* 1. If the proposals are presented in paper format, they must be enclosed in a sealed envelope signed by the bidding company or the person representing it, clearly stating on the outside the contracting authority to which it is addressed, the title of the contract and file number, and the name of the bidding company. If the proposal is sent by email, this information must be included in the body of the email and the proposal documentation must be attached in pdf format, preferably signed electronically.

In any case, the bidding company must attach the request for the submission of the documents, in accordance with the model in **Annex 5** of these specifications, outside the envelope.

* 1. All of the documentation included in the proposals must be presented in Spanish, Catalan or in the language of the country where the Delegation has its area of activity. In the latter case, it will be necessary to guarantee the availability of a translation into Catalan of the documents drafted in a foreign language, for the purposes of the audit of the contract.
	2. The administrative documentation to be included in the envelope is as follows:

European Single Procurement Document (ESPD), signed by the representative of the candidate company, whose access link is specified in **Annex 1**, or responsible declaration in accordance with the requirements for contracting, signed by the representative of the company, in accordance with the model in **Annex 2**.

* 1. The proposal related to the award criteria to be evaluated by means of a value judgment must be presented in accordance with the provisions of **section I.1 of these specifications**.
	2. The proposal related to the automatic evaluation award criteria that the envelope must contain must be presented according to the model established in **Annex 3**.

The economic offers must indicate, as an independent item, the amount of the Value Added Tax or any other equivalent tax to be charged.

**Four: Qualification documentation and negotiation**

* 1. Negotiation of the terms of the contract

Once the general documentation has been qualified and any defects or omissions noted have been corrected, the contracting authority must negotiate the terms and conditions of the contract with all the accepted candidates.

There will be no negotiation on the minimum requirements for the services to be contracted nor on the award criteria.

The aspects to be negotiated, as well as the manner in which they are to be negotiated with the candidate companies, are indicated in **section I.3 of these specifications.**

A documentary record of the negotiation phase must be included in the file.

* 1. Presentation of final proposals

At the end of the negotiation phase, the candidate companies must be asked to present their final proposal in writing, which must respond to the result of the negotiations. The deadline for the submission of this final proposal must be established in the invitation.

* 1. Evaluation of the proposals and classification
		1. The award criteria are detailed in **section I.1 of these specifications.**
		2. Once the proposals have been evaluated, the contracting authority will verify that there are no abnormally low proposals. In the event that there is an offer of this type, the contracting authority will give a reasonable period of time to the bidding company to justify the viability of the proposal. If the bidding company does not provide any justification, it must be considered that the proposal cannot be fulfilled and, therefore, the bidding company must be excluded from the bidding procedure. If the justifications are received within the deadline, the information and documentation provided will be evaluated for the corresponding acceptance, so that its viability is accredited, or, on the contrary, the aforementioned proposal may be excluded because the information and documentation provided do not satisfactorily explain the low level of the prices or costs proposed and, therefore, the proposal cannot be accepted as a consequence of the inclusion of abnormally low values.

The bid will be considered to be abnormally low when the score obtained for the award criteria other than price is higher than the sum of variables 1 and 3, and at the same time the price is lower than the average of the economic proposals submitted by more than 20%:

1. The arithmetic mean of the score obtained by the bidding companies in the non-price award criteria.
2. The deviation of each of the scores obtained by the bidding companies with respect to the average of the scores in the non-price criteria.
3. The calculation of the arithmetic mean of the deviations obtained, in absolute value, i.e., without taking into account the positive or negative sign, for the non-price criteria.

In any case, it will be considered as dangerously low if the economic offer is below 30% of the economic offer average. In the event that there is only one accepted proposal, this 30% will operate with respect to the sum of the products resulting from the multiplication of each maximum unit price in section B1 of these specifications by 2 units.

For the purpose of determining abnormal values, the price to be taken into account is the sum of the products resulting from multiplying each unit price by 2 units.

**Five: Presentation of the documentation justifying the fulfillment of the requirements foreseen by the candidate company that has submitted the best proposal.**

5.1 The services dependent on the contracting authority shall request the candidate company that has submitted the best proposal to submit the following documentation within 10 working days of the day following the day on which the request is received for its evaluation and qualification by the contracting authority.

1. Documents that accredit the personality and capacity of the company and its scope of activity, in accordance with **section F.1 of these specifications.**
2. Documents accrediting the representation of the candidate company, if applicable.

Persons appearing or signing proposals on behalf of another must present sufficient power of attorney for this purpose, duly issued in accordance with the applicable regulations or documentation that is normatively applicable.

1. Documents accrediting economic, financial, technical or professional solvency.

Economic and financial solvency and technical or professional solvency must be accredited by the means and documents specified in **section F.2 of these specifications.**

1. If applicable, documents accrediting the business or professional authorization for the performance of the services covered by the contract.
2. If applicable, documentation accrediting the constitution of the definitive guarantee.

**5.2.** The contracting authority must verify that the company proposed as the successful bidder provides documentary evidence of compliance with the participation requirements. In the event that the documentation is not completed within the established term or in the event that the documentation indicated in the previous section is not adequately completed, it shall be understood that the company proposed as the successful bidder has withdrawn its proposal.

In this case, the same documentation indicated in the previous section must be requested from the next candidate company in the order in which the proposals have been classified.

**Six: Award**

* 1. The awarding of the contract must be motivated, must be notified to all candidate companies and must be published on the contracting party's profile.
	2. The notification must contain the necessary information to allow the interested candidates to lodge an appeal, if necessary.

**6.3** The contracting authority shall award the contract within five working days following receipt of the documentation indicated in clause 5.1.

**Seven: Formalization of the contract**

* 1. The contract will be perfected upon formalization.
	2. The contract must be formalized by means of a binding document. The contract data must be sent to the Department responsible for external activities for subsequent submission to the corresponding bodies.
	3. The formalization of the contract and the contract must be published on the contractor's profile.

**Link to the European Single Procurement Document**

In Catalan:

[https://contractacio.gencat.cat/web/.content/inici/tramits-serveis/document/document-europeu-unic-](https://contractacio.gencat.cat/web/.content/inici/tramits-serveis/document/document-europeu-unic-contractacio.pdf) [contractacio.pdf](https://contractacio.gencat.cat/web/.content/inici/tramits-serveis/document/document-europeu-unic-contractacio.pdf)

In English:

<https://espd.eop.bg/espd-web/filter?lang=en>

**Model of responsible declaration of compliance with the requirements for contracting**

* 1. **Model for legal entity**

Mr./Ms. ............................................................., with identification number. acting

in the name of and on behalf of the company ................................., with identification number. , acting in the capacity of

 (sole or joint administrator or sole or joint representative), in accordance with

the public deed executed before the Notary of (place), Mr. ..., dated .... and protocol number or

the foundational documents registered in the official registers ..............., DECLARES under their responsibility, as a candidate company for the contract of the "Professional services of creation and projection of audiovisual and multimedia contents for the Delegation of the Government of Catalonia to the United States of America and Canada" with file number , THAT:

1. The company is validly constituted and, in accordance with its corporate purpose, may submit a bid for this tender. It complies with the legally established conditions of contracting with the Delegation and, if awarded, will prove this before the contracting authority with the required documentation prior to the award.
2. The person appearing and signing the proposal has sufficient power of attorney to represent the company, that this power of attorney has been granted before a public notary, has been registered in the corresponding commercial registry or official registry, and that this power of attorney is in force and has not been revoked or, otherwise, complies with the provisions of the applicable regulations.
3. The candidate company complies with all the requirements and obligations required by the applicable regulations in force.
4. The candidate company has the corresponding business authorization to carry out the consulting and management activity that is the object of this contract.
5. The candidate company has sufficient economic and technical solvency to carry out the tasks that are the object of the contract.
6. It is authorized to contract with the Delegation, since, having the capacity to operate, it is not disqualified, is not included in any of the circumstances of prohibition to contract with public sector entities, and is not subject to any reason for exclusion.
7. It is up to date with its tax obligations in accordance with the applicable regulations.
8. It expressly submits to Regulation (EU) 2016/679 of the Parliament and of the Council of April 27, 2016 on the protection of natural persons with regard to the processing of personal data and the free movement of such data and provides sufficient guarantees to apply appropriate technical and organizational measures in the event of incidental access to personal data.
9. In the event of discrepancies, it will be submitted to the Spanish courts and tribunals (if the company is Spanish).

/ In the event of discrepancies, it will be subject to the North American regulations (if the company is not Spanish).

1. The bidding company undertakes to **formalize the contract for the processing of personal data and to provide a statement on the location of the company's servers and on where the services associated with these servers will be provided.**
2. The information and documents provided in the envelope are absolutely true.
3. It authorizes the contracting authority and the services dependent on the contracting authority to obtain directly from the competent administrative bodies the data or registry documents, as well as the necessary tax data existing in databases and other searchable sources, which are required to proceed with the award of the contract, if applicable.

**The inaccuracy, falsity or omission of any of the data or statements included in this declaration will automatically exclude the bidding company from the moment in which these facts become known, without prejudice to any criminal, civil or administrative liabilities that may correspond, as well as any prohibitions to contract with the public sector.**

**The responsible declaration must be signed by the corresponding person.**

* 1. **Model for natural person**

Mr./Ms. ............................................................., with identification number. acting

in their own name and representation, DECLARES under their own liability as a candidate for the contract for *“Professional services for the creation and projection of audiovisual and multimedia content for the Delegation of the Government of Catalonia to the United States of America and Canada”* with file number. , THAT:

1. He/she complies with the legally established conditions of contracting with the Delegation and, if awarded, will prove this before the contracting authority with the required documentation prior to the award.
2. He/she complies with all the requirements and obligations required by the applicable regulations in force.
3. He/she has the corresponding business authorization to carry out the consulting and management activity that is the object of this contract.
4. He/she has sufficient economic and technical solvency to carry out the tasks that are the object of the contract.
5. He/she is authorized to contract with the Delegation, since, having the capacity to operate, he/she is not disqualified, is not included in any of the circumstances of prohibition to contract with public sector entities and is not subject to any reason for exclusion.
6. He/she is up to date with his/her tax obligations in accordance with the applicable regulations.
7. He/she expressly submits to Regulation (EU) 2016/679 of the Parliament and of the Council of April 27, 2016 on the protection of natural persons with regard to the processing of personal data and the free movement of such data and provides sufficient guarantees to apply appropriate technical and organizational measures in the event of incidental access to personal data.
8. In the event of discrepancies, it will be submitted to the Spanish courts and tribunals (if the company is Spanish).

/ In the event of discrepancies, it will be subject to the North American regulations (if the company is not Spanish).

1. The bidding company undertakes to **formalize the contract for the processing of personal data and to provide a statement on the location of the company's servers and on where the services associated with these servers will be provided.**
2. The information and documents provided in the envelope are absolutely true.
3. He/she authorizes the contracting authority and the services dependent on the contracting authority to obtain directly from the competent administrative bodies the data or registry documents, as well as the necessary tax data existing in databases and other searchable sources, which are required to proceed with the award of the contract, if applicable.

**The inaccuracy, falsity or omission of any of the data or statements included in this declaration will automatically exclude the bidding company from the moment in which these facts become known, without prejudice to any criminal, civil or administrative liabilities that may correspond, as well as any prohibitions to contract with the public sector.**

**The responsible declaration must be signed by the corresponding person.**

**ANNEX 3**

**Proposal related to the award criteria to be evaluated automatically**

Mr./Ms. ............................................................., with identification number. acting

in his/her own name / in the name of and on behalf of the company ................................., with identification number........, acting in the capacity of (sole or joint administrator or

sole or joint representative), in accordance with the public deed executed before the Notary of (place), Mr.

..., dated .... and protocol number or
the foundational documents registered in the official registers ...............,

declares that they are aware of the conditions and requirements that are necessary to be awarded the contract for the *"Professional services of creation and projection of audiovisual and multimedia contents for the Delegation of the Government of Catalonia to the United States of America and Canada"* with file number , and, in their own name / in the name of and representing

company / entity , they undertake to perform the contract in strict compliance with the requirements and conditions stipulated, in accordance with the following proposal:

# Financial offer for unit prices (up to 100 points):

|  |  |
| --- | --- |
|  | **Amount per event****(amount to which VAT****is not applied)** |
| Simple creation and projection in NY or WDC |  |
| Simple creation and projection in other US cities |  |
| Simple creation and projection in cities in Canada |  |
| Complex creation and projection in NY or WDC |  |
| Complex creation and projection in other US cities |  |
| Complex creation and projection in cities in Canada |  |
| Only simple projection in NY or WDC |  |
| Only simple projection in other US cities |  |
| Only simple projection in cities in Canada |  |
| Only complex projection in NY or WDC |  |
| Only complex projection in other US cities |  |
| Only complex projection in cities in Canada |  |

(place, date and signature)

**ANNEX 4**

**Breakdown of the base bidding budget**

The base bidding budget is $20,000.00 (equivalent to €18,099.55). VAT or equivalent tax is not applied to this amount, since it does not exist in the United States. This budget has been calculated based on an annual amount of $22,000.00.

This contract has a limited maximum budget, and the contractor is obliged to provide the service henceforth and for a unit price, without the total number of units being defined exactly because they are dependent upon the needs of the contracting authority. The unit prices are broken down as follows:

|  |  |
| --- | --- |
| **Unit prices** | **Amount per event** |
| Simple creation and projection in NY or WDC | $8,100.00 |
| Simple creation and projection in other US cities | $9,000.00 |
| Simple creation and projection in cities in Canada | $10,300.00 |
| Complex creation and projection in NY or WDC | $9,950.00 |
| Complex creation and projection in other US cities | $10,850.00 |
| Complex creation and projection in cities in Canada | $12,150.00 |
| Only simple projection in NY or WDC | $2,600.00 |
| Only simple projection in other US cities | $3,500.00 |
| Only simple projection in cities in Canada | $4,800.00 |
| Only complex projection in NY or WDC | $3,200.00 |
| Only complex projection in other US cities | $4,100.00 |
| Only complex projection in cities in Canada | $5,400.00 |

These unit prices have been calculated in accordance with the following cost estimations:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Stage** | **hours** | **Price/hour** | **Cost** |  |
| 1 simple creation and projection | design | 15 | $250.00 | $3,750.00 | $7,300.00 |
| presentation and proposal approval | 4 | $250.00 | $1,000.00 |
| proposal modification | 3 | $250.00 | $750.00 |
| screening | 6 | $300.00 | $1,800.00 |
| Transport cities with DGUS premises | $800.00 |  |
| Transport to other US cities | $1,700.00 |
| Transport to cities in Canada | $3,000.00 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Stage** | **hours** | **Price/hour** | **Cost** |  |
| 1 complex creation and projection (e.g. immersive) | design | 20 | $250.00 | $5,000.00 | $9,150.00 |
| presentation and proposal approval | 4 | $250.00 | $1,000.00 |
| proposal modification | 3 | $250.00 | $750.00 |
| screening | 8 | $300.00 | $2,400.00 |
| Transport cities with DGUS premises | $800.00 |  |
| Transport to other US cities | $1,700.00 |
| Transport to cities in Canada | $3,000.00 |

The costs are estimates as labor costs may vary depending on each company and the hours of dedication will vary depending on the number of people assigned to the performance of the contract.

# Annex 5 Model application form for the presentation of the proposal APPLICATION FORM FOR THE PRESENTATION OF THE PROPOSAL

1. **CONTRACT DATA**

|  |  |
| --- | --- |
| File number: | **Negotiated procedure without advertising** |
| *Object of the contract:**“Professional services for the creation and projection of audiovisual and multimedia content for the Delegation of the Government of Catalonia to the United States of America and Canada”* |

# BIDDER DATA

|  |
| --- |
| Name and surnames or company name:Tax identification number: |
| **Contact details**Address:Contact person: Contact phone number: Email address: |

1. **DOCUMENTATION OF THE PROPOSALS:**
* Responsible declaration of compliance with the requirements (Annex 2 Specifications)
* Proposal related to the award criteria to be evaluated by means of a value judgment (video)
* Proposal related to the award criteria to be evaluated automatically (Annex 3 Specifications)

Washington DC, Signature

Isidre Sala Queralt

Digitally signed by Isidre Sala Queralt

Date: