

SERVICE PROCUREMENT NOTICE

Support to trade policy and capacity building in Bosnia and Herzegovina

1. Publication reference

EuropeAid/128305/C/SER/BA

Tender no: EC/BiH/09/010

2. Procedure

Restricted

3. Programme

IPA 2008

4. Financing

BGUE-B2009-22.020200-C8-ELARG DELBIH

This procurement notice is launched with suspension clause (Reference section 2.4.12. of the Practical Guide to Contract procedure for EC actions).

5. Contracting Authority

European Community, represented by the European Commission on behalf of and for the account of the beneficiary country

CONTRACT SPECIFICATION

6. Nature of contract

Fee-based

7. Contract description

To promote Bosnia and Herzegovina's integration into the global economy in general, and the EU economy in particular, through the expansion of trade. More specifically, to support MoFTER in developing its institutional capacity related to the implementation of WTO, CEFTA and SAA, EU accession and further multilateral negotiations.

8. Numbers and titles of lots

n/a

9. Maximum budget

EUR 2,000,000

10. Scope for additional services

The Contracting Authority may, at its own discretion, extend the project in duration and/or scope subject to the availability of funding, up to a maximum not exceeding the length and value of the initial contract. Any extension of the contract would be subject to satisfactory performance by the Contractor.

CONDITIONS OF PARTICIPATION

11. Eligibility

Participation is open to all legal persons [participating either individually or in a grouping (consortium) of candidates] which are established in a Member State of the European Union or in a country or territory of the regions covered and/or authorised by the specific instruments applicable to the programme under which the contract is financed (see also item 30 below and http://ec.europa.eu/europeaid/work/procedures/implementation/eligibility/index_en.htm; next enter **GENERAL ANNEX A2 Eligibility programmes2007-2013** and go to **Instrument for Pre-Accession Assistance (Council Regulation (EC) N° 1085/2006 - OJ L 210/82 of 31.7.2006)**).

Participation is also open to international organisations. The participation of natural persons is governed by the specific instruments applicable to the programme under which the contract is financed.

12. Candidature

All eligible natural and legal persons (as per item 11 above) or groupings of such persons (consortia) may apply.

A consortium may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure. All members of a consortium (ie, the leader and all other members) are jointly and severally liable to the Contracting Authority.

The participation of an ineligible natural or legal person (as per item 11) will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

13. Number of applications

No more than one application can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting an application). In the event that a natural or legal person submits more than one application, all applications in which that person has participated will be excluded.

14. Shortlist alliances prohibited

Any tenders received from tenderers comprising firms other than those mentioned in the short-listed application forms will be excluded from this restricted tender procedure. Short-listed candidates may not form alliances or subcontract to each other for the contract in question.

15. Grounds for exclusion

As part of the application form, candidates must submit a signed declaration, included in the standard application form, to the effect that they are not in any of the exclusion situations listed in Section 2.3.3 of the Practical Guide to contract procedures for EC external actions.

16. Sub-contracting

Sub-contracting is allowed. Maximum percentage allowed is 10%.

17. Number of candidates to be short-listed

On the basis of the applications received, between 4-8 candidates will be invited to submit detailed tenders for this contract. If the number of eligible candidates meeting the selection criteria is less than the minimum of 4, the Contracting Authority may invite the candidates who satisfy the criteria to submit a tender.

PROVISIONAL TIMETABLE

18. Provisional date of invitation to tender

September 2009

19. Provisional commencement date of the contract

December 2009

20. Initial period of execution and possible extension of the contract

Initial period of execution is 27 months.

SELECTION AND AWARD CRITERIA

21. Selection criteria

The following selection criteria will be applied to candidates. In the case of applications submitted by a consortium, these selection criteria will be applied to the consortium as a whole:

- 1) Economic and financial capacity of candidate (based on item 3 of the application form). In case of applicant being a public body, equivalent information should be provided.
 - a) The annual turn over of the candidate(s) for each of the two last years (2007 and 2008) must be at least €1.5 Million.
- 2) Professional capacity of candidate (based on items 4 and 5 of the application form)
 - a) At least ten permanent staff employed by the candidate(s) work currently in the fields related to this contract¹.
- 3) Technical capacity of candidate (based on items 5 and 6 of the application form)
 - a) Over the last 36 months prior to the launch of this tender candidate(s) have successfully completed at least one project (project value minimum of €1,000,000 in the fields related to this contract¹). The proportion carried out by the candidate(s) must be at least 70%.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal. Such entities must respect the same rules of eligibility and notably that of nationality, as the economic operator.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates must be reexamined to identify the eight best applications for the tender procedure. The only factor, which will be taken into consideration during this re-examination are:

- a) The number of completed projects in the fields related to this contract as per criterion 3(a).

¹ Trade policy development and implementation **and** support to develop the legal framework for trade policy both domestically and internationally (WTO and SAA or EA and CEFTA) **and** capacity building of institutions responsible for trade.

b) The total financial value of the completed projects in the field related to this contract as per criterion 3(a).

22. Award criteria

Best value for money.

APPLICATION

23. Deadline for receipt of applications

August 10th, 2009 at 16:00 hrs local time.

Any application received after this deadline will not be considered.

24. Application format and details to be provided

Applications must be submitted using the standard application form (available from the following Internet address: http://ec.europa.eu/europeaid/work/procedures/index_en.htm), next enter IMPLEMENTATION, choose service contract and go to relevant annexes. The format and instructions must be strictly observed.

Any additional documentation (brochure, letter, etc) sent with an application will not be taken into consideration.

25. How applications may be submitted

Applications must be submitted in English exclusively to the Contracting Authority:

- EITHER by recorded delivery (official postal service) to OR hand delivered (including courier services) directly to the Contracting Authority in return for a signed and dated receipt to :

Delegation of the European Commission to Bosnia and Herzegovina
Attn: Procurement Team
Skenderija 3A
71 000 Sarajevo
Bosnia and Herzegovina

The Contract title and the Publication reference (see item 1 above) must be clearly marked on the envelope containing the application and must always be mentioned in all subsequent correspondence with the Contracting Authority.

Applications submitted by any other means will not be considered.

26. Alteration or withdrawal of applications

Candidates may alter or withdraw their applications by written notification prior to the deadline for submission of tenders. No application may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with Clause 25. The outer envelope (and the relevant inner envelope) must be marked 'Alteration' or 'Withdrawal' as appropriate.

27. Operational language

All written communications for this tender procedure and contract must be in English.

28. Additional information

N/A

29. Date of publication of contract forecast

26th March 2009.

30. Legal basis

Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA)