

## **SUPPLY PROCUREMENT NOTICE**

### **Support to E-Justice in Bosnia and Herzegovina**

#### **Location –Bosnia and Herzegovina**

**1. Publication reference**

EuropeAid/133148/C/SUP/BA

**2. Procedure**

Open

**3. Programme**

IPA

**4. Financing**

Financing agreement

**5. Contracting authority**

- European Union, represented by the European Commission on behalf of and for the account of the beneficiary country, Sarajevo, BOSNIA AND HERZEGOVINA

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## **CONTRACT SPECIFICATIONS**

**6. Description of the contract**

Procurement of ICT equipment and software for judicial institutions in Bosnia and Herzegovina.

**7. Number and titles of lots**

The contract is divided into 5 lots:

Lot 1: ICT equipment for the HJPC, Courts and Prosecutor offices

Lot 2: Scanners for Courts and Prosecutors' offices

Lot 3: Systems Software Licences for Judicial Information System

Lot 4: Application Software Licences for Judicial Information System

Lot 5: Software Solution for Distance Learning

## **TERMS OF PARTICIPATION**

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### **8. Eligibility and rules of origin**

Participation is open to all legal persons participating either individually or in a grouping (consortium) of tenderers] 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 item 22 below). All goods supplied under this contract must originate in one or more of these countries, with the exception of items 2.1 and 2.2 of Lot 2 for which derogation is granted. Participation is also open to international organisations. Participation of natural persons is directly governed by the specific instruments applicable to the programme under which the contract is financed.

### **9. Grounds for exclusion**

Tenderers must submit a signed declaration, included in the Tender Form for a Supply Contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the Practical Guide to contracts procedures for EU external actions.

### **10. Number of tenders**

Tenderers may submit only one tender per lot. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot. Tenderers may not submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

### **11. Tender guarantee**

Tenderers must provide a tender guarantee (s) of 11,000 EUR for lot 1, 1,000 EUR for lot 2, 3,000 EUR for lot 3, 1,800 EUR for lot 4 and 1,000 EUR for lot 5 when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderer(s) upon signature of the contract by all parties. This guarantee will be called upon if the tenderer does not fulfil all obligations stated in its tender.

### **12. Performance guarantee**

The successful tenderer will be asked to provide a performance guarantee of **10%** of the amount of the contract at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days after the tenderer receives the contract signed by the Contracting Authority. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next cheapest compliant tender.

### **13. Information meeting and/or site visit**

No information meeting is planned.

### **14. Tender validity**

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders.

## 15. Period of implementation of tasks

One hundred and eighty (180) days from commencement date until Provisional Acceptance Certificate issuance for Lot 2 and Lot 3.

Two hundred and ten (210) days from commencement date until Provisional Acceptance Certificate issuance for Lot 1 and Lot 4.

Two hundred and forty (240) days from commencement date until Provisional Acceptance Certificate issuance for Lot 5.

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## SELECTION AND AWARD CRITERIA

### 16. Selection criteria

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

- 1) Economic and financial capacity of tenderer (based on i.a. item 3 of the Tender Form for a Supply Contract). In case of tenderer being a public body, equivalent information should be provided.
  - (a) The average annual turnover of the tenderer for the last three years must exceed the total value of its financial proposal.
- 2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the Tender Form for a Supply Contract)
  - (a) The tenderer has a minimum of 5 staff employed on a permanent basis in field related to this contract
- 3) Technical capacity of tenderer (based on i.a. items 5 and 6 of the Tender Form for a Supply Contract)
  - (a) Over the past thirty-six (36) months before the submission deadline of this tender procedure, the tenderer has successfully completed at least one (1) contract in related fields with a budget per contract of at least the same as the financial proposal offered under this tender.

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. Some examples of when it may *not* be considered appropriate by the Contracting Authority are when the tenderer rely in majority on the capacities of other entities or when they rely on key criteria. If the tenderer rely on other entities it must 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, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the Contracting Authority.

## 17. Award criteria

Price

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# TENDERING

## 18. How to obtain the tender dossier

The tender dossier is available from the following Internet address: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and <http://www.delbih.ec.europa.eu/?akcija=tenderi&jezik=2>. The tender dossier is also available from the Contracting Authority. Tenders must be submitted using the standard Tender Form for a Supply Contract included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to:

Delegation of the European Union to Bosnia and Herzegovina  
Procurement team  
Skenderija 3 a  
71 000 Sarajevo  
Bosnia and Herzegovina  
Fax: +387 33 218 323  
e-mail: [delegation-bih-procurement@eeas.europa.eu](mailto:delegation-bih-procurement@eeas.europa.eu)

mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19. The Contracting Authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and <http://www.delbih.ec.europa.eu/?akcija=tenderi&jezik=2>.

## 19. Deadline for submission of tenders

08th January, 2013 at 12:00 hrs local time at the Delegation of the European Union to Bosnia and Herzegovina, Skenderija 3a, 71 000 Sarajevo

## 20. Tender opening session

08th January, 2013 at 15:00 hrs local time at the Delegation of the European Union to Bosnia and Herzegovina, Skenderija 3a, 71 000 Sarajevo

## 21. Language of the procedure

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

## 22. Legal basis

Instrument for Pre-Accession Assistance (Council Regulation (EC) No 1085/2006 – OJ L 210/82 of 31.7.2006).

"The present tender Support to E-Justice in Bosnia and Herzegovina - EuropeAid/133148/C/SUP/BA is launched with a suspensive clause (reference section 2.4.12 and 2.3.6 of the Practical guide to contract procedure for EU external actions). The procedure

shall invariably be cancelled if the Amendment to the Financing Agreement for IPA 2010 National Programme Component I, part II Bosnia and Herzegovina is not signed."