

SERVICE CONTRACT NOTICE

Supervision of construction of the Border Crossing Point in Bijaca, Bosnia and Herzegovina

1. Publication reference

EuropeAid/133291/C/SER/BA; EC/BiH/TEN/12/036

2. Procedure

Restricted

3. Programme

IPA National Programme 2011 – Bosnia and Herzegovina

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.

CONTRACT SPECIFICATION

6. Nature of contract

Fee based

7. Contract description

The new BCP in Bijaca will be located at the southern section of the Vc corridor.

Construction of the BCP in Bijaca will be carried out as follows:

- Lot I: Construction of the highway section crossing the BCP Bijaca – to be implemented by the Public Company Federation BiH Highways (JP Autoceste FBiH);
- Lot II: Construction of a minor part of the facilities to enable temporary border control - to be implemented by the BiH Indirect Taxation Authority (ITA);
- Lot III: Construction of the functional part of the BCP - to be funded under EU Instrument for Pre-accession (IPA) national programme for 2011 for Bosnia and Herzegovina.

The works subject to EU financing and as such subject to supervision under this particular contract are related to Lot III. The works subject to EU financing (Lot III) will be complementing to the works subject to Lots I and II.

It is planned for the activities subject to Lots I and II to be finalised by end June 2013 (by the date of Croatia's accession). Finalisation of activities under Lots I and II would enable establishment and operation of the temporary border crossing until permanent BCP is constructed.

Finalisation of activities under Lot III (subject to EU PA 2011 funding) would enable full operation of the BCP Bijaca. The EU Delegation will be responsible for tendering and contracting construction works subject to Lot III and the related supervision over the respective works.

8. Number and titles of lots

No, one lot only.

9. Maximum budget

300,000 EUR

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 fundin up to a maximum not exceeding the leght 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 29 below). 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 unless prior approval from the Contracting Authority has been obtained (see Prag 2.4.3.). 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

Subcontracting is allowed [up to maximum 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

[June 2013](#)

19. Provisional commencement date of the contract

[November 2013](#)

20. Initial period of implementation of tasks

[27 months](#)

SELECTION AND AWARD CRITERIA

21. Selection criteria

Same criteria for legal and natural person.

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 candidate being a public body, equivalent information should be provided.

Criteria for legal and natural persons:

- [The aggregated annual turnover of the candidate for the last two years \(2011 and 2012\) must exceed 500,000 Eur.](#)

2) Professional capacity of candidate (based on items 4 and 5 of the application form)

Criteria for natural and legal persons:

- [The candidate must have at least five \(5\) permanent staff currently working in the fields related to this contract.](#)

3) Technical capacity of candidate (based on items 5 and 6 of the application form)

Criteria for legal and natural persons:

- The candidate shall have completed at least two (2) service contract in field related to this contract (i.e. supervision over buildings construction/reconstruction of similar complexity comparable to this particular project), over 36 months prior to launch of this tender, having a minimum of 70% proportion carried out by the candidate.

Previous experience which would have lead to breach of contract and termination by a Contracting Authority shall not be used as reference. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

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, 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.

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 candidates. The only factors which will be taken into consideration during this re-examination are:

- 1) Total number of projects compliant to criterion 3 above.
- 2) Total value of the proportion carried out by the candidate, in the projects compliant to criterion 3 above.

22. Award criteria

Best value for money.

APPLICATION

23. Deadline for receipt of applications

16:00 Central European Time on April 22nd 2013

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 , the format and instructions of which must be strictly observed. The application form is available from the following Internet address: http://ec.europa.eu/europeaid/work/procedures/implementation/services/index_en.htm

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 in a sealed envelope:

- EITHER by recorded delivery (official postal service) to :

Delegation of the European Union to Bosnia and Herzegovina
Skenderija 3a
71 000 Sarajevo, Bosnia and Herzegovina

- OR hand delivered (including courier services) directly to the Contracting Authority in return for a signed and dated receipt to:

Procurement Team
Delegation of the European Union to Bosnia and Herzegovina
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 applications. No application may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with Item 25. The outer envelope (and the relevant inner envelope if used) 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. Date of publication of prior information notice

< Date - must have been at least 30 calendar days before the publication of this contract notice >

notice number in OJ: [OJ 2012/S S140-232881 on 24 July 2012](#)

The notice number in OJ S may be found under the title of the project in the published notice on the EuropeAid webpage.

29. Legal basis

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

30. Additional information

Opening hours of the Contracting Authority:

Monday – Thursday 08:30 – 17:30

Friday 08:30 – 14:00.