

SERVICE CONTRACT NOTICE
Capacity Building in the Water Sector
Bosnia and Herzegovina

1. Publication reference

EuropeAid/134138/C/SER/BA.

2. Procedure

Restricted

3. Programme

IPA 2011

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

This contract will provide support to BiH in the following areas: transposition and implementation of water-related EU Directives and preparation of the Sava River Basin Management Plan. In addition, the project will review the water tariff policy framework and the water information systems and assist in providing recommendations for improvement in the respective areas.

8. Number and titles of lots

No, 1 lot only.

9. Maximum budget

2,500,000 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 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 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

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

August 2013

19. Provisional commencement date of the contract

January 2014

20. Initial period of implementation of tasks

24 months

SELECTION AND AWARD CRITERIA

21. Selection criteria

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.

a) The annual turnover of the candidate(s) for each of the two last years 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 contract (implementation of EU water policy in EU member states and/or EU candidate/potential candidate countries).

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

(a) Over the last 36 months prior to the submission deadline, candidate(s) have worked successfully on at least one project in the fields related to this contract, i.e. implementation of EU water policy in EU member states and/or EU candidate/potential candidate countries. Project value of minimum €1,000,000 and the proportion carried out by the candidate(s) must be at least 70%.

This means that the project the candidate refers to could have been started/completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. The candidate may refer to a part of a contract it is implementing where the contract is not yet completed, but then only the part which is successfully completed may be used as reference. In such cases, the candidate must include in the presentation of the experience reference (section 6 of the tender submission form) a description of services actually completed in the requested period (list of outputs etc...) and their financial value. The candidate needs to be able to submit documentary evidence of this part's successful completion, e.g. a statement from the entity which ordered or purchased the service).

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:

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

22. Award criteria

Best value for money.

APPLICATION

23. Deadline for receipt of applications

16:00 CET on 8th July 2013 Central European 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, 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:

- EITHER by recorded delivery (official postal service) 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

FAX: + 387 33 218 323

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

6th March 2013

29. Legal basis

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

30. Additional information