

## **SERVICE CONTRACT NOTICE**

### **Support to the NIPAC in the programming of IPA II Bosnia and Herzegovina**

**1. Publication reference**

EuropeAid/136450/DH/SER/BA

**2. Procedure**

Restricted

**3. Programme title**

IPA Annual Programme 2012 for 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 partner country

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## **CONTRACT SPECIFICATION**

**6. Nature of contract**

Fee-based

**7. Contract description**

To support the National IPA Coordinator's (NIPAC) Office and, through NIPAC, SPOs and all other relevant institutions and stakeholders in Bosnia and Herzegovina at different levels of governance in fulfilling the requirements necessary for efficient and effective introduction, national programming and utilization/absorption of IPA II funds, with focus on IPA II national programming processes.

**8. Number and titles of lots**

One lot only

**9. Maximum budget**

EUR 1.1 million

**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.

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## **CONDITIONS OF PARTICIPATION**

### **11. Eligibility**

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. 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].

### **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 Practical Guide – 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 PRAG

### **16. Sub-contracting**

Subcontracting is allowed

### **17. Number of candidates to be short-listed**

On the basis of the applications received, between 4 and 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.

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## PROVISIONAL TIMETABLE

### 18. Provisional date of invitation to tender

March 2015

### 19. Provisional commencement date of the contract

June 2015

### 20. Initial period of implementation of tasks

24 months

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## 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.
  - the average annual turnover of the candidate must exceed the maximum budget of the contract
- 2) **Professional capacity of candidate** (based on items 4 and 5 of the application form)
  - at least 3 staff currently work for the candidate in fields related to this contract
- 3) **Technical capacity of candidate** (based on items 5 and 6 of the application form)

The candidate has provided services under at least two contracts each with a budget of at least that of this contract, in the area of EU funds management, and which were implemented at any moment during the following period: 3 years from the submission deadline.

This means that the project the candidate refers to could have been started or 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. Candidates/tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, proof of final payment). In case of projects still on-going only the

portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value. If a candidate/tenderer has implemented the project in a consortium, the percentage that the candidate/tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided if the selection criteria relating to the pertinence of the experience have been used

Previous experience which caused breach of contract and termination by a Contracting Authority shall not be used as reference.

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:

- the highest number of projects in criterion 3.1
- the highest combined total of projects eligible under criterion 3.1

## **22. Award criteria**

Best value for money.

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# **APPLICATION**

## **23. Deadline for receipt of applications**

27/02/2015 at 14:00 CET

Any application received by the Contracting Authority 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/prag/annexes.do?group=B>

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 :

Procurement Section  
Delegation of the EU to BiH  
Skenderija 3a  
BiH-71000 Sarajevo

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

Procurement Section  
Delegation of the EU to BiH  
Skenderija 3a  
BiH-71000 Sarajevo

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**

25 November 2014; Notice number in OJ: JOS 227

## **29. Legal basis**

BUDGET

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

## **30. Additional information**

n/a