

SERVICE CONTRACT NOTICE

Support to social partners in social dialogue

Location – Bosnia and Herzegovina

Please note that the awarding of the contract is subject to the condition of the IPA 2014-2020 Framework Agreement signature by the European Union and Bosnia and Herzegovina.

1. Publication reference

EuropeAid/136455/DH/SER/BA

2. Procedure

Restricted

3. Programme title

Civil Society Facility 2014-2015 under the Instrument for Pre-Accession (IPA II) Programme

4. Financing

BGUE-B2015-22.020401-C8-ELARG DELBIH

5. Contracting Authority

- European Union, represented by the European Commission on behalf of and for the account of Bosnia and Herzegovina.

CONTRACT SPECIFICATION

6. Nature of contract

Fee-based

7. Contract description

Purpose of this contract is to provide support to social partners (employees, employers, governments) in conducting a social dialogue including legislation, collective negotiations and drafting the law on collective negotiations at the level of entities in Bosnia and Herzegovina.

8. Number and titles of lots

One lot only

9. Maximum budget

EUR 600,000

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 natural persons who are nationals of and legal persons participating either individually or in a grouping (consortium) of tenderers which are effectively established in a Member State of the European Union or in an eligible country or territory as defined under the Regulation (EU) N°236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable Instrument (IPA II) under which the contract is financed (see also heading 29 below). Participation is also open to international organisations. All supplies under this contract must originate in one or more of these countries. However, they may originate from any country when the amount of the supplies to be purchased is below 100,000 euros per purchase.

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.

PROVISIONAL TIMETABLE

18. Provisional date of invitation to tender

30/06/2015

19. Provisional commencement date of the contract

01/01/2016

20. Initial period of implementation of tasks

24 months

SELECTION AND AWARD CRITERIA

21. Selection criteria

The following selection criteria will be applied to the 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 the tenderer (based on item 3 of the tender form). In case of tenderer being a public body, equivalent information should be provided.

The average annual turnover of the candidate must be at least of EUR 600,000 for the last 3 years.

2) Professional capacity of the tenderer (based on items 4 of the tender form)

At least 3 staff members working for the candidate this year in fields related to this contract are permanent.

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

The candidate has completed at least one project, or a part of the project, in one of the following fields: capacity building of governments or social partners in areas related to this contract (public administration reform, human resource development with a focus on cooperation among social partners including governments and employers), which was implemented at any moment during the last 36 months prior to the date of the procurement notice publication. Proportion carried out by the candidate must be at least €300,000 of the total project value.

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 criteria 3.1
- the highest value of the project in criteria 3.1
- Preference will be given to experience in the IPA II countries region

22. Award criteria

Best value for money.

APPLICATION

23. Deadline for receipt of applications

05/05/2015 at 16:00 hours local time.

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 :

Delegation of the European Union to Bosnia and Herzegovina
Contract and Finance Section – Procurement
Skenderija 3a, 71000 Sarajevo, Bosnia and Herzegovina

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

Delegation of the European Union to Bosnia and Herzegovina
Contract and Finance Section – Procurement
Skenderija 3a, 71000 Sarajevo, Bosnia and Herzegovina
Opening hours: Monday to Thursday 08:30 - 17:30; Friday 08:30-14:00

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

26/11/2014

29. Legal basis¹

Regulation (EU) N°236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action, and

Regulation (EU) N°231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession assistance (IPA II)

30. Additional information

Opening hours of the Delegation of the European Union to Bosnia and Herzegovina: Monday to Thursday 08:30 - 17:30; Friday 08:30-14:00

¹ Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).