

## **SERVICE CONTRACT NOTICE**

### **Capacity building of Bosnia and Herzegovina Railway Regulatory Board**

#### **Western Balkans, Bosnia and Herzegovina**

**EC/BIH/TEN/15/002**

**1. Publication reference**

EuropeAid/136768/DH/SER/BA

**2. Procedure**

Restricted

**3. Programme title**

IPA 2012

**4. Financing**

BGUE-B2015-22.025100-C8-NEAR DELBIH

**5. Contracting Authority**

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

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## **CONTRACT SPECIFICATION**

**6. Nature of contract**

Global price.

**7. Contract description**

This assistance shall provide for capacity building of the BiH Railways Regulatory Board through implementation of the following 3 Components foreseen within this assignment:

- (i) Licensing of railway drivers,
- (ii) Energy Efficiency measures to be applied in railway sector,
- (iii) Training of BiH RRB staff and other stakeholders in railway sector on application of the new railway regulations and in application of Technical Specifications of Interoperability (TSIs).

The key beneficiary of this assistance shall be primarily BiH RRB, but also other stakeholders in this sector, such as railway authorities, infrastructure managers and railway undertakings.

The core aim of wide participation in this project is to help BiH RRB in facilitated transposition and implementation of the railway acquis in railway sector, in particular concerning the railway safety and interoperability

**8. Number and titles of lots**

No, one lot only.

**9. Maximum budget**

EUR 1,365,098.00

**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 29 below). 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 (i.e., 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 2.3.2 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**

November 2015.

#### **19. Provisional commencement date of the contract**

April 2016

#### **20. Initial period of implementation of tasks**

Twelve (12) months from the commencement date.

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### **SELECTION AND AWARD CRITERIA**

#### **21. Selection criteria**

Same criteria will be applied 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.

- a) The average annual turnover of the candidate from consulting services for the last 3 years for which accounts of the candidate have been closed have exceeded 1.5 MEURO.
- b) Current Assets have exceeded Current Liabilities for each of the last 3 years for which accounts of the candidate have been closed.

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

- a) Candidate has at least 15 experts in the field of consultancy services in transport sector currently working for the candidate.

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

- a) The candidate shall present at least one (1) completed project or completed component of project, concerning technical assistance in administrative capacity building in railway sector. Contribution of the candidate in each referenced project, or each referenced component of project, shall exceed a value of 0.5 MEURO.

The compliant projects, or relevant components of projects, have to be completed at any moment during the period of 3 years prior to the submission deadline.

References not meeting those requirements shall not be taken in consideration.

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:

- 1) The highest total value of candidates' contribution in projects, and/or relevant project components, respectively, compliant with criterion 3.a).

## **22. Award criteria**

Best value for money.

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# **APPLICATION**

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

November 16, 2015, 16:30 Central European 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?chapterTitleCode=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 Team  
Delegation of the European Union to Bosnia and Herzegovina  
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:

Procurement Team  
Delegation of the European Union to Bosnia and Herzegovina  
Skenderija 3a, 71000 Sarajevo, Bosnia and Herzegovina,  
Phone: +387 33 254 700  
Fax : +387 33 666 037  
E-mail: [delegation-bih@ec.europa.eu](mailto:delegation-bih@ec.europa.eu)

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**

EuropeAid/136768/DH/SER/BA of 03/03/2015

## **29. Legal basis<sup>1</sup>**

IPA, Council Regulation (EC) No 1085/2006 of 17.7.2006 establishing an Instrument for Pre-Accession Assistance (IPA).

## **30. Additional information**

EuropeAid/136768/DH/SER/BA

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