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## SUPPLY CONTRACT NOTICE

### Police Data Management and Protection

### Western Balkan – Bosnia and Herzegovina

#### 1. Publication reference

EuropeAid/137646/DH/SUP/BA

EC/BiH/TEN/15/016

#### 2. Procedure

Open

#### 3. Programme title

IPA 2012 Support to the Area of Law Enforcement

#### 4. Financing

BGUE-B2016-22.020200-C8-ELARG 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 SPECIFICATIONS

#### 6. Description of the contract

The objective of the supplies is to ensure continued functioning and security of the electronic data exchange system for police and prosecutorial registries, including improving data storage and development of a parallel redundant system for keeping the functionality of the data.

#### 7. Number and titles of lots

LOT 1: Software solution for improvement of Electronic Data Exchange System

LOT 2: Server, storage systems and network equipment

LOT 3: Computer(s) and other equipment

LOT 4: Equipment of the server room

LOT 5: Software and licenses

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## **TERMS OF PARTICIPATION**

### **8. Eligibility and rules of origin**

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.

All supplies under this contract must originate in one or more of these countries.

### **9. Grounds for exclusion**

Tenderers must submit a signed declaration, included in the Tender Form for a Supply Contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the Practical Guide.

### **10. Number of tenders**

Tenderers may submit only one tender per lot. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot. Tenderers may not submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

### **11. Tender guarantee**

Tenderers must provide a tender guarantee of EUR 1,000.00 for Lot 1; EUR 9,000.00 for Lot 2; EUR 3,300.00 for Lot 3; EUR 800.00 for Lot 4 and EUR 850.00 for Lot 5 when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderer[s] upon signature of the contract by all parties. This guarantee will be called upon if the tenderer does not fulfil all obligations stated in its tender.

### **12. Performance guarantee**

The successful tenderer will be asked to provide a performance guarantee of 10% of the amount of the contract at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days after the tenderer receives the contract signed by the Contracting Authority. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next cheapest compliant tender.

### **13. Information meeting and/or site visit**

No information meeting is planned.

### **14. Tender validity**

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders. In exceptional circumstances, the Contracting Authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period (see para 8.2

of the instructions to tenderers).

## **15. Period of implementation of tasks**

The implementation period for all Lots is 180 days from the date of the contract signature.

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## **SELECTION AND AWARD CRITERIA**

### **16. Selection criteria**

The following selection criteria will be applied to tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole unless specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors:

- 1) Economic and financial capacity of tenderer (based on i.a. item 3 of the Tender Form for a Supply Contract). In case of tenderer being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three years for which accounts have been closed.
  - (a) The average annual turnover of the tenderer for the last three years must exceed the total value of its financial proposal (all lots tendered for).
- 2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the Tender Form for a Supply Contract). The reference period which will be taken into account will be the last three years from submission deadline.
  - (a) The tenderer has minimum of 3 staff employed on a permanent basis on the field related to this contract.
- 3) Technical capacity of tenderer (based on i.a. items 5 and 6 of the Tender Form for a Supply Contract). The reference period which will be taken into account will be the last three years from submission deadline.
  - (a) Over the past thirty-six months before the deadline of submission of this tender, the tenderer has successfully completed at least one contract in related fields with a budget of at least that of the financial proposal of each lot for which the tenderer is applying under this tender.

This means that the contract the tenderer 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. 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, final acceptance). 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.

Capacity-providing entities

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. Some examples of when it may not be considered appropriate by the Contracting Authority are when the tenderer relies in majority on the capacities of other entities or when they rely on key criteria. If the tenderer relies on other entities it must prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing a commitment 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. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the Contracting Authority.

With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

## 17. Award criteria

Price

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# TENDERING

## 18. How to obtain the tender dossier

The tender dossier is available from the following Internet address: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and [http://europa.ba/?page\\_id=1084](http://europa.ba/?page_id=1084). The tender dossier is also available from the Contracting Authority. Tenders must be submitted using the standard Tender Form for a Supply Contract included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to

Delegation of the European Union to Bosnia and Herzegovina

Procurement team

Skenderija 3A

71 000 Sarajevo

Bosnia and Herzegovina

Fax: +387 33 218 323

E-mail: [delegation-bih-procurement@eeas.europa.eu](mailto:delegation-bih-procurement@eeas.europa.eu)

(mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19. The Contracting Authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and [http://europa.ba/?page\\_id=1084](http://europa.ba/?page_id=1084).

**19. Deadline for submission of tenders**

28<sup>th</sup> April 2016 at 12:00 CET at the address given above.

Any tender received by the Contracting Authority after this deadline will not be considered.

**20. Tender opening session**

28<sup>th</sup> April 2016 at 14:00 CET at the address given above.

**21. Language of the procedure**

All written communications for this tender procedure and contract must be in English.

**22. Legal basis<sup>1</sup>**

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

**23. Additional information**

n/a

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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).