



EUROPEAN UNION

Delegation of the European Union to Bosnia and Herzegovina

Sarajevo, 7 June 2017

CLARIFICATION No: 1

to the

SERVICE CONTRACT NOTICE

Publication Ref: EuropeAid/138327/DH/SER/BA; EC/BIH/TEN/16/013

Subject: "Improving Public Internal Financial Control"

Location: Bosnia and Herzegovina

QUESTION no. 1

In response to your Service Contract Notice from 29 April 2017 and corrigendum from 16 May 2017 for the above-mentioned contract, we would like to ask for clarification regarding section 21 of Selection criteria, point 3: "Technical capacity of candidate section a) The candidate has provided services under at least one contract with a budget of at least one million EURO in Public Internal Financial Control (PIFC) which was implemented at any moment during the period of five years prior to the deadline for submission".

Could you please clarify the following:

If the member of the consortium is the public body with the jurisdiction for Public Internal Financial Control (PIFC), could their services in the implementation of the PIFC with the budget for the referent period above 1.000.000 Euro be considered as the eligible reference?

ANSWER no. 1

To ensure equal treatment of applicants, the Contracting Authority cannot give a prior opinion on the eligibility of the candidate or any specific reference.

QUESTION no. 2

In connection to the above mentioned tender procedure, we would like to draw your attention to some important facts and ask for a modification of the technical selection criteria.

Our analysis of PIFC projects implemented over the last 5 years shows that there have been very few EU projects in this area, which (excluding twinning projects) makes very few institutions eligible for the above mentioned tender.

In our opinion, it is in the Commission's interest that the tender procedures are not unnecessarily limiting for prospective offerors (PRAG, Annex B2a 'Service contract notice':



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"The selection criteria should be clear and non-discriminatory and may not go beyond the scope of the contract"). It is crucial that the Commission is able to choose contractors from a

possibly widest circle of entities with relevant experience, and not be forced to work with companies which can present references in narrow areas with small proportions carried out by them.

Therefore, we would like to ask you to modify the technical selection criteria by including other possible areas such as PFM, financial control, etc. apart from PIFC, in order to allow other reliable and reputable companies to participate in the tender.

ANSWER no. 2

The Contracting Authority is of the opinion that the modification of technical selection criteria in the direction suggested by this question would go beyond the scope of the contract and not guarantee the selection of bidders most qualified in the area of this contract.

Dimitrios Kalogeras

Head of Contracts, Finance and Audit