

SUPPLY CONTRACT NOTICE

Mobile Flood Defense Equipment

Location – Serbia

1. Publication reference

EuropeAid/137461/DH/SUP/RS

2. Procedure

Open

3. Programme title

IPA 2014 National Programme for Serbia, Special measure on flood recovery and flood risk management

4. Financing

Financing agreement

5. Contracting authority

The European Union, represented by the Delegation of the European Union to the Republic of Serbia on behalf of and for the account of the Republic of Serbia

CONTRACT SPECIFICATIONS

6. Description of the contract

This supply contract will contribute directly to the implementation of Government priorities in the post-flood period and concerns the upgrading of the emergency response and prevention systems with the procurement of Mobile Flood Defense Equipment for the protection of New Belgrade from Danube and Sava high water.

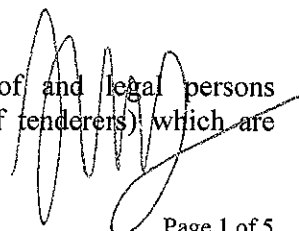
7. Number and titles of lots

One lot only

TERMS OF PARTICIPATION

8. Eligibility and rules of origin

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 a 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 under which the contract is financed (see also heading 22 below). Participation is also open to international organisations.

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 42,000 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 period of the implementation of the tasks is 365 days from the commencement date of the contract until the provisional acceptance.

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.

The selection criteria for each tenderer is as follows:

- the average annual turnover of the tenderer must be at least equal to the amount of the financial offer for each lot tendered.
- 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 5 years from submission deadline.
 - at least 10 staff currently work for the tenderer in fields 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 5 years from submission deadline.
 - The tenderer has delivered at least two contracts, where the Tenderer's portion was at least EUR 1,000,000 in each contract, covering supplies similar to those tendered in the field of mobile flood protection walls.

The Tenderer shall supply copies of the certificates of provisional or final acceptance issued by the Client/Employer/Contracting Authority of the projects concerned and/or a written letter of satisfaction from the Client/Employer/Contracting Authority evidencing the essential elements required by the technical capacity criterion (3) above.

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 rely in majority on the capacities of other entities or when they rely on key criteria. If the tenderer rely 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

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>. The tender dossier is also available from the Contracting Authority and from its Internet address: www.europa.rs. 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 the Republic of Serbia
DELEGATION-SERBIA-TENDERS@ec.europa.eu

Fax: +381 11 3083 201

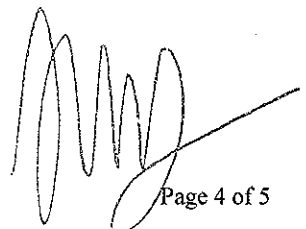
Finance and Contracts, 9th floor

GTC 19 Avenue Building

Vladimira Popovica 40

11070 Belgrade, Serbia

(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 on the Contracting Authority's Internet address: www.europa.rs.



19. Deadline for submission of tenders

12:00 hours Central European Time on 17/10/2016.

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

20. Tender opening session

15:00 hours Central European Time on 17/10/2016 at the premises of the Delegation of the European Union to the Republic of Serbia, GTC 19 Avenue Building, Vladimira Popovica 40/V, 11070 Belgrade, Serbia.

21. Language of the procedure

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

22. 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) No 231/2014 of the European parliament and of the Council of 11 March 2014 establishing an Instrument for pre-accession Assistance (IPA II).

23. Additional information

N/A

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

