

## SERVICE PROCUREMENT NOTICE

### Preparation of environmental projects in waste sector to be implemented under the IPA programme in Croatia

**1. Publication reference**

EuropeAid/123850/D/SER/HR

**2. Procedure**

Restricted

**3. Programme**

ISPA

**4. Financing**

ISPA 2005/HR/16/P/PA/003– IPA Project Pipeline Preparation (Environment)

**5. Contracting Authority**

Central Finance and Contracting Agency

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## CONTRACT SPECIFICATION

**6. Nature of contract**

Fee-based

**7. Contract description**

The purpose of this contract is to provide technical assistance in completion of tender documentation and tendering procedure for IPA proposed environment projects in the waste management (three projects), under the programming period 2007 – 2009 in order to ensure successful implementation of those projects, and therefore increase the capacity of the Fund for Environmental Protection and Energy Efficiency as the IPA implementing agency.

**8. Numbers and titles of lots**

N.A.

**9. Maximum budget**

498,033 €

**10. Scope for additional services**

N.A.

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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 candidates 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 also item 30 below). Participation is also open to international organisations. The participation of natural persons is 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 (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. 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 Practical Guide to contract procedures for EC external actions

### **16. Sub-contracting**

Sub-contracting will be allowed up to 30% of the contract value and the sub-contractor must not sub-contract further.

### **17. Number of candidates to be short-listed**

On the basis of the applications received, between 4-8 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**

August 2008

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

January 2009

**20. Initial period of execution and possible extension of the contract**

Period of execution is 9 months.

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## SELECTION AND AWARD CRITERIA

**21. Selection criteria**

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)

(a) the annual turnover of the candidate for the year before last and last year <sup>[1]</sup> must be equal to or exceed 600.000 EUR

(b) the cash and cash equivalents of the candidate at the end of year before last and last year <sup>[2]</sup> are positive

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

(a) at least 4 staff currently work for the candidate in fields related to this contract (preparation of tender documentation, evaluation of the offers and implementation of projects in the field of waste sector management) and are permanent

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

The candidate has worked successfully on at least one technical assistance project covering all of the following requirements:

(i) as sole contractor or a leader of a consortium

(ii) preparation of tender documentation, evaluation of the offers and implementation of projects in the field of waste sector management

(iii) the referenced projects have to be completed in 2005, 2006 or 2007

(iv) implemented in a country eligible under PHARE and ISPA Programme

(v) with a contracted budget (own contribution of the candidate) equal to or exceeding EUR 400.000,00

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 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 applications for the tender procedure. The only factors which will be taken into consideration during this re-examination are:

- 1) The total number of projects managed by the candidate according to criterion 3, in case of competition between two or more candidates having the same number of eligible projects, the candidates will be ranked in descending order according to the total amount of their own contribution to the eligible projects

## 22. Award criteria

Best value for money.

## APPLICATION

### 23. Deadline for receipt of applications

11 July 2008 at 15:00 hrs Zagreb local time.

Any application received after this deadline will not be considered.

### 24. Application format and details to be provided

Applications must be submitted using the standard application form (available from the following Internet address: [http://ec.europa.eu/europeaid/work/procedures/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/index_en.htm)), whose format and instructions must be strictly observed.

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:

- EITHER by **recorded delivery** (official postal service) to :
  - Zdravka Poslek – CFCA Task Manager  
Central Finance and Contracting Agency  
( Središnja agencija za financiranje i ugovaranje programa i projekata Europske unije),  
Ulica grada Vukovara 284, 10000 Zagreb, Croatia
- OR **hand delivered** (including courier services) directly to the Contracting Authority in return for a signed and dated receipt to:
  - Zdravka Poslek – CFCA Task Manager  
Central Finance and Contracting Agency  
( Središnja agencija za financiranje i ugovaranje programa i projekata Europske unije),  
Ulica grada Vukovara 284, 10000 Zagreb, Croatia

The **Contract title** and **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 tenders. No application may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with Clause 25. The outer envelope (and the relevant inner envelope) 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. Additional information**

N.A.

**29. Date of publication of contract forecast**

26 July 2006

**30. Legal basis**

Council Regulation (EC) No 1267/1999 of 21 June 1999, as last amended by the Council Regulation (EC) No 2112/2005 of 21 November 2005

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[1]

2006 is considered to be year before last and 2007 is considered to be last year.

[2]

2006 is considered to be year before last and 2007 is considered to be last year.