

# SUPPLY PROCUREMENT NOTICE

**Purchase of legal books for Courts, Prosecutor's office and State Ministry of Justice,  
Bosnia and Herzegovina**

**Tender No: EC/BiH/08/005**

## **1. Publication reference**

EuropeAid/126578/C/SUP/BA

## **2. Procedure**

Open

## **3. Programme**

CARDS 2006

## **4. Financing**

BGUE-B2008-22-020502-C8-ELARGDELBiH

## **5. Contracting authority**

The European Commission, acting for and on behalf of the Government of Bosnia and Herzegovina

## **CONTRACT SPECIFICATIONS**

### **6. Description of the contract**

Specific objective of this project is to provide judges and prosecutors with necessary legal publications and literature, so that it can carry out its duties under the law in an effective and efficient manner.

### **7. Number and titles of lots**

Lot 1: Legal books

## **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 CARDS programme under which the contract is financed (see item 22 below) and Iceland, Liechtenstein, Norway and Turkey. 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.

### **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 to contracts procedures for EC external actions*.

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

Tenderers may submit only one tender per item. Tenders for parts of items and for part of the quantities will be considered. 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 **in amount of 2% of the total tender price**, when submitting their tender. The 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 best 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.

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

120 days from signature of the contract by both parties.

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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:

1. Economic and financial capacity of tenderer (based on i.a. item 3 of the Tender Form for a Supply Contract):

a) The average annual turnover of the tenderer for the last 2 years (2006, 2007) must exceed the total value of its financial proposal for the items offered under this tender.

2. Professional capacity of tenderer (based on i.a. items 4 and 5 of the Tender Form for a Supply Contract):

a) The tenderer has a minimum 2 staff employed on permanent basis.

3. Technical capacity of tenderer (based on i.a. items 5 and 6 of the Tender Form for a Supply Contract):

a) The tenderer has successfully completed at least 1 contract of a total price amounting to the total value of its financial proposal for the items offered, within the past 3 years (2005, 2006, 2007).

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.

## **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: [http://ec.europa.eu/europeaid/work/procedures/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/index_en.htm) and <http://www.delbih.ec.europa.eu>. 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 Commission to Bosnia and Herzegovina  
Attn: Contracts and Finance Section, Procurement Team  
Skenderija 3a  
71000 Sarajevo  
Bosnia and Herzegovina  
Fax no: (00 387 33) 666 037  
E-mail: DELEGATION-BIH-PROCUREMENT@ec.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 to the tender dossier shall be published on the EuropeAid website at [http://ec.europa.eu/europeaid/work/procedures/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/index_en.htm) and on the European Commission Delegation to BiH website at <http://www.delbih.ec.europa.eu>.

## **19. Deadline for submission of tenders**

Monday, 4<sup>th</sup> August 2008, 12:00 Central European Time

at the following address:

Delegation of the European Commission to Bosnia and Herzegovina  
Skenderija 3a  
71 000 Sarajevo  
Bosnia and Herzegovina

Any tender received after this deadline will not be considered.

## **20. Tender opening session**

Monday, 4<sup>th</sup> August 2008, 15:00 Central European Time, at the above mentioned address.

## **21. Language of the procedure**

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

## **22. Legal basis**

Council Regulation (EC) No. 2666/2000 of 5 December 2000, as last amended by Council Regulation on access to Community external assistance, No. 2112/2005 of 21 November 2005.