

## **SERVICE CONTRACT NOTICE**

### **Strengthening Media Freedom**

#### **Republic of Serbia**

**1. Publication reference**

EuropeAid/133839/C/SER/RS

**2. Procedure**

Restricted

**3. Programme**

IPA

**4. Financing**

Financing agreement

**5. Contracting Authority**

European Union, represented by the European Commission on behalf of and for the account of the beneficiary country- Republic of Serbia

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## **CONTRACT SPECIFICATION**

**6. Nature of contract**

Fee-based

**7. Contract description**

The purpose of the contract is to support the implementation of the Media Strategy (Strategy for Public Information System Development in the Republic of Serbia by 2016) and related Action plan and to increase professionalism of journalists and media professionals.

The Media Strategy sets out guidelines for the development of public information system in the Republic of Serbia by 2016, with the basic goal to further strengthen the freedom of expression, democratisation of media and application of EU standards in the media field.

The technical assistance will support the Ministry of Culture and Information in drafting the legal framework in the media sector aligned with EU standards, the process of public consultations concerning drafted legislation, as well as in the implementation of the new legal framework through trainings of key stakeholders and monitoring of the Media Strategy Action Plan.

In addition, the technical assistance will support the Delegation of the European Union to the Republic of Serbia in the management of the Media Fund grant scheme of EUR 1,8 million aimed at the development of investigative reporting in the area of rule of law.

Required fields of expertise:

- i) Media policy development
- ii) Grant scheme management

**8. Number and titles of lots**

One lot only

**9. Maximum budget**

1,200,000 EUR

**10. Scope for additional services**

The Contracting Authority may, at its own discretion, extend the project in duration and/or scope subject to the availability of funding up to a maximum not exceeding the length and value of the initial contract. Any extension of the contract would be subject to satisfactory performance by the Contractor.

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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 29 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.

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#### **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 unless prior approval from the Contracting Authority has been obtained (see Prag 2.4.3.). 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 EU external actions

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

Subcontracting is allowed

#### **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**

May 2013

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

August 2013

#### **20. Initial period of implementation of tasks**

24 months

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### **SELECTION AND AWARD CRITERIA**

#### **21. Selection criteria**

Same criteria for legal and natural person

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). In case of candidate being a public body, equivalent information should be provided.

The average annual turnover of the candidate over the last 3 years (2010, 2011, 2012) must have exceeded 1,200,000 EUR.

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

At least 5 staff currently work for the candidate in fields related to this contract

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

The candidate has provided in the course of the past 3 years (starting from 01.01.2010 up to the deadline for receipt of applications) at least 2 projects ( the candidate's portion equal to or greater than 600,000 EUR for his services in each project) in the fields of expertise described in Article 7. Altogether the eligible projects shall cover both areas of expertise.

Previous experience which would have lead to breach of contract and termination by a Contracting Authority shall not be used as reference. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

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, 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.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates must be re-examined to identify the eight best candidates. The only factors which will be taken into consideration during this re-examination are:

- the total number of the reference projects in media policy development found eligible under criterion 21.3 and, in case of equality of this criterion, then
- the value of the eligible part (the proportion carried out by the candidate) of the reference projects in media policy development found eligible under criterion 21.3 .

### **22. Award criteria**

Best value for money.

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## **APPLICATION**

### **23. Deadline for receipt of applications**

19.04.2013 (16:00) Central European 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 , the format and instructions of which must be strictly observed. The application form is available from the following Internet address: [http://ec.europa.eu/europeaid/work/procedures/implementation/services/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/services/index_en.htm)

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 in a sealed envelope:

- EITHER by recorded delivery (official postal service) to :

Delegation of the European Union to the Republic of Serbia,  
Vladimira Popovica 40/V, 11070 New Belgrade, SERBIA,  
For the attention of: Finance and Contracts Section  
[delegation-serbia-fcs@eeas.europa.eu](mailto:delegation-serbia-fcs@eeas.europa.eu)  
Tel. +381113083200

- OR hand delivered (including courier services) directly to the Contracting Authority in return for a signed and dated receipt to:

Delegation of the European Union to the Republic of Serbia,  
Vladimira Popovica 40/V, 11070 New Belgrade, SERBIA,  
For the attention of: Finance and Contracts Section  
[delegation-serbia-fcs@eeas.europa.eu](mailto:delegation-serbia-fcs@eeas.europa.eu)  
Tel. +381113083200

The Contract title and the 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 applications. No application may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with Item 25. The outer envelope (and the relevant inner envelope if used) 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. Date of publication of prior information notice**

21/12/2012

Notice number in OJ: 2012/S 246-403242

#### **29. Legal basis**

Council Regulation 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA).

#### **30. Additional information**

Opening hours of the Contracting Authority: 9:30-16:00 CET

