
SUPPLY CONTRACT NOTICE

Implementation of new criminal procedure code — support to the rule of law system in Serbia

Location – Republic of Serbia

1. Publication reference

EuropeAid/133782/DH/SUP/RS

2. Procedure

Open

3. Programme title

IPA 2012 National Programme for Serbia

4. Financing

Financing Agreement

5. Contracting authority

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

CONTRACT SPECIFICATIONS

6. Description of the contract

This contract is meant to support a certain number of preselected Public Prosecution Offices with the necessary additional equipment required for prosecutorial-led investigations (IT and audio-visual equipment).

7. Number and titles of lots

No, one lot only.

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 programme under which the contract is financed (see item 22 below). 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.

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 10,000 (ten thousand euro) when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderer 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.

15. Period of implementation of tasks

The period of the implementation of the tasks shall be 90 days from the commencement date.

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). In case of tenderer being a public body, equivalent information should be provided.
 - (a) the average annual turnover of the tenderer for the last three years (2011, 2012, 2013) must be at least equal to the amount of the financial offer.

- 2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the Tender Form for a Supply Contract):
 - (a) At least 10 persons of the permanent staff of the Tenderer currently work in fields related to this contract;
 - (b) The Tenderer (the firm or the leading partner of a consortium) or the Manufacturer (if the Tenderer is not the manufacturer of the A/V Interview recording systems, items 1 and 2) operates under a quality management system according to ISO 9001 standard or national equivalent. The relevant certificate(s) shall be enclosed with the tender.
- 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 delivered in the course of the past 3 years (starting from 1.1.2011 up to the deadline for submission of tenders), at least one contract (where the Tenderer's proportion was greater than 50% of the financial offer) covering supplies similar to those tendered.

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

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

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
Finance and Contracts Section

Vladimira Popovica 40/V (GTC Avenue 19)
11070 Belgrade, Serbia
Fax: +381 11 3083 201
DELEGATION-SERBIA-FCS@eeas.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 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 will also be available at the Internet address of the Contracting Authority: www.europa.rs.

19. Deadline for submission of tenders

22 July 2014 at 12:00 hours CET.

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

20. Tender opening session

22 July 2014 at 15:00 hours CET 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 basis

Council Regulation (EC) No 1085/2006 of 17 July 2006 (OJL 210/82 of 31/07/2006) establishing an Instrument for Pre-Accession Assistance (IPA).

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