

SERVICE CONTRACT NOTICE

Introduction and Development of Performance-Based Road Maintenance on Serbian National Road Network

Location – Europe (non EU), Serbia

1. Publication reference

EuropeAid/135827/DH/SER/RS

2. Procedure

Restricted

3. Programme title

IPA 2012 National Programme for Serbia

4. Financing

Financing Agreement

5. Contracting Authority

European Union, represented by the European Commission on behalf of and for the account of the partner country.

CONTRACT SPECIFICATION

6. Nature of contract

Global price

7. Contract description

The scope of this contract is the implementation of consulting services in supporting the beneficiary PERS - Public Enterprise Roads of Serbia in the establishment and use of modern road maintenance systems through performance-based maintenance contracts (PBMC). The consultancy services include but are not limited to:

- the preparation of a strategic plan, models of tender and contract documents,
- the training of the staff of the beneficiary PERS,
- the preparation of technical instructions for implementation
- the preparation of specific tender documents for works and supervision related to routine and winter maintenance
- the technical assistance to all stakeholders following the project implementation.

8. Number and titles of lots

No, one lot only

9. Maximum budget

1,000,000 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.

CONDITIONS OF PARTICIPATION

11. Eligibility

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 29 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.

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 unless prior approval from the Contracting Authority has been obtained (see Practical Guide – 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 PRAG.

16. Sub-contracting

Subcontracting is allowed.

17. Number of candidates to be short-listed

On the basis of the applications received, between 4 and 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.

PROVISIONAL TIMETABLE

18. Provisional date of invitation to tender

July 2014

19. Provisional commencement date of the contract

October 2014.

20. Initial period of implementation of tasks

22 months

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). In case of candidate being a public body, equivalent information should be provided.
 - a) The average annual turnover of the candidate in the last three years (2011, 2012 and 2013) must be at least 1,000,000 Euro.
- 2) **Professional capacity of candidate** (based on items 4 and 5 of the application form)
 - a) at least 5 permanent 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)
 - a) The candidate has provided services in the course of the past 3 years (starting from 01.01.2011 up to the deadline for receipt of applications) under at least one contract, with the candidate's proportion greater than 500,000 EUR for his services in the contract, in performance-based contracts for road maintenance.

Previous experience which caused breach of contract and termination by a Contracting Authority shall not be used as reference.

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 reexamined to identify the eight best candidates. The only factors which will be taken into consideration during this re-examination are:

- i. the total number of the reference projects found eligible under 21.3.(a) above and in case of equality on this criterion, then
- ii. the value of the eligible part (the proportion carried out by the candidate) of the projects found eligible under 21.3.(a)

22. Award criteria

Best value for money.

APPLICATION

23. Deadline for receipt of applications

16:00 Central European Time (local time) on 15/ July 2014

Any application received by the Contracting Authority 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/prag/annexes.do?group=B>

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
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
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.

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

25 April 2014.

29. Legal basis

Council Regulation (EC) No 1085/2006 of 17.7.2006 establishing an Instrument for Pre-Accession Assistance (IPA).

30. Additional information

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

