

SUPPLY CONTRACT NOTICE

Refurbishment and improved safety conditions of Children playgrounds

Location – Republic of Serbia

1. Publication reference

EuropeAid/139442/IH/SUP/RS

2. Procedure

Open

3. Programme title

Annual Action Programme for Serbia 2014

4. Financing

Financing agreement

5. Contracting authority

The Government of the Republic of Serbia represented by the Ministry of Finance, Department for Contracting and Financing of EU Funded Programmes (CFCU), Belgrade, Serbia.

Clarifications may be sought from the contracting authority at the following email address cfcu.questions@mfin.gov.rs at the latest 21 days before the deadline for submission of tenders stated at the point 19 below.

Clarifications will be published on the website of DG International Cooperation and Development at the latest 11 days before the deadline.

CONTRACT SPECIFICATIONS

6. Description of the contract

The purpose of this contract is refurbishment and improved safety conditions of 27 children playgrounds in eleven cities which also includes procurement and installation of the equipment that complies with the safety standards for children playgrounds.

7. Number and titles of lots

One lot only.

TERMS OF PARTICIPATION

8. Eligibility and rules of origin

Participation is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping – consortium – of tenderers) which are effectively established in a Member State of the European Union or in a eligible country or territory as defined under the Regulation (EU) No 236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable instrument under which the contract is financed (see also heading 22 below). Participation is also open to international organisations.

All supplies under this contract must originate in one or more of these countries.

Please be aware that after the United Kingdom's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries and of goods originating from third countries will apply to tenderers from the United Kingdom, and to all tenderers proposing goods originating from the United Kingdom depending on the outcome of negotiations. In case such access is not provided by legal provisions in force at the time of the contract award, tenderers from the United Kingdom, and tenderers proposing goods originating from the United Kingdom could be rejected from the procurement procedure.

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 Section 2.6.10.1. of the practical guide.

Tenderers included in the lists of EU restrictive measures (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract.

10. Number of tenders

Tenderers may submit a tender for one lot only. Tenders for parts of a lot will not 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.

Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted.

11. Tender guarantee

Tenderers must provide a tender guarantee of **20,000.00 EUR** when submitting their tender. This 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 cheapest compliant tender.

13. Information meeting and/or site visit

A mandatory information meeting and site visit will be held on 16 November 2018 at Park on the corner of streets Moše Pijade and Knez Milošev venac in Požarevac at 11:00 am Central European Time.

The tenderer will need to register for the information meeting and site visit at the latest on 14 November 2018 until 13:00 Central European Time writing to:

zorica.andric@mos.gov.rs

marija.petronijevic@mos.gov.rs

The minutes of the clarification meeting and the site visit will be published on the website of DG International Cooperation and Development:

<https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and on the website of the Contracting Authority www.cfcu.gov.rs.

In order to attend the information meeting and site visit, each representative needs to have written authorization by the company he/she represents.

As proof of participation, tenderers will receive site visit certificate as proof of their attendance which will be necessary to be submitted with tender offer.

14. Tender validity

Tenders must remain valid for a period of 60 days after the deadline for submission of tenders. In exceptional circumstances, the contracting authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period (see para 8.2 of the instructions to tenderers).

15. Period of implementation of tasks

The period of implementation of the tasks shall be 9 months starting from day of issuance of Commencement Order and ending on the day of issuance of the Provisional Acceptance Certificate.

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 unless specified otherwise. The selection criteria will not be applied to natural

persons and single-member companies when they are sub-contractors:

- 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. The reference period which will be taken into account will be the last three years for which accounts have been closed.
 - a) The average annual turnover of the tenderer in the past 3 years (2015, 2016 and 2017) must be at least 2.000.000 EUR.
 - b) Current ratio (current assets/current liabilities) in the last year for which accounts have been closed must be at least 1. In case of consortium, this criterion must be fulfilled by each member.
- 2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the tender form for a supply contract). The reference period which will be taken into account will be the last 3 years from submission deadline.
 - a) At least 5 persons of the permanent staff has been working and currently works for the tenderer in the field related to this contract.
- 3) Technical capacity of tenderer (based on i.a. items 5 and 6 of the tender form for a supply contract). The reference period which will be taken into account will be the last three years from submission deadline.
 - a) It must have completed construction of at least 25 children playgrounds with regulated children's safety against the EN 1176 Safety Standards for Children's Playgrounds with minimum cumulative value of 500.000 EUR.
 - b) It must have completed infrastructure projects/contracts of minimum cumulative value of 2.000.000 EUR.

The Contracting Authority reserves the right to ask for copies of certificates of Taking Over/Acceptance signed by the Clients/Supervisors/Financing/Contracting Authority of the project/contract concerned.

This means that the contract the tenderer refers to could have been started or completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, final acceptance). In case of projects still on-going only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value.

Capacity-providing entities

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 relies 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 a commitment 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 relying on them and must comply with the selection criteria for which the economic operator relies on them. 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.

With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

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. 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:

Ministry of Finance
Department for Contracting and Financing of EU Funded Programmes (CFCU)
Division for Tender Preparation and Contract Management
Sremska 3-5 St, V floor, office 502,
11 000 Belgrade, Republic of Serbia
E-mail: cfcu.questions@mfin.gov.rs

(mentioning the publication reference shown in item 1) at the latest 21 days before the deadline for submission of tenders given in item 19. The contracting authority must reply to all tenderers' questions at the latest 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 website of DG International Cooperation and Development at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>

19. Deadline for submission of tenders

The tenderer's attention is drawn to the fact that there are two different systems for sending tenders, either by post or private mail service, or by hand delivery.

In the first case, the tender must be sent before the date and time limit for submission, as evidenced by the postmark or deposit slip¹, but in the second case it is the acknowledgment of receipt given at the time of the delivery of the tender which will serve as proof.

In case the tender is submitted by post or private mail service, the tenderers must inform Contracting Authority that the tender was sent and enclose a copy of the deposit slip by sending an email to address ec@mfin.gov.rs.

14 December 2018 at 12:00 CET at the premises of the Ministry of Finance, Department for Contracting and Financing of EU Funded Programmes (CFCU), 3-5 Sremska Street, V floor, office 502, 11 000 Belgrade, Republic of Serbia.

Any tender submitted to the contracting authority after this deadline will not be considered.

The contracting authority may, for reasons of administrative efficiency, reject any tender submitted on time to the postal service but received, for any reason beyond the contracting authority's control, after the effective date of approval of the evaluation report, if accepting tenders that were submitted on time but arrived late would considerably delay the evaluation procedure (for instance when tenders are received after the evaluation committee has finished its works and evaluating them would imply re-calling the evaluation committee) or jeopardise decisions already taken and notified.

How tenders may be submitted

Tenders must be submitted in English exclusively to the contracting authority in a sealed envelope:

- EITHER by post or by courier service, in which case the evidence shall be constituted by the postmark or the date of the deposit slip, to :

Ministry of Finance
Department for Contracting and Financing of EU Funded Programmes (CFCU)
Division for Tender Evaluation and Contracting
3-5 Sremska Street, V floor, office 502,
11 000 Belgrade, Republic of Serbia

- OR hand delivered by the participant in person or by an agent directly to the premises of the contracting authority in return for a signed and dated receipt, in which case the evidence shall be constituted by this acknowledgement of receipt, to:

Ministry of Finance
Department for Contracting and Financing of EU Funded Programmes (CFCU)
Division for Tender Evaluation and Contracting
3-5 Sremska Street, V floor, office 502,
11 000 Belgrade, Republic of Serbia

¹ It is recommended to use registered mail in case the postmark would not be readable.

opening hours 8:00 – 12:00

The contract title and the Publication reference (see item 1 above) must be clearly marked on the envelope containing the tender and must always be mentioned in all subsequent correspondence with the contracting authority.

Tenders submitted by any other means will not be considered.

By submitting a tender tenderers accept to receive notification of the outcome of the procedure by electronic means. Such notification shall be deemed to have been received on the date upon which the contracting authority sends it to the electronic address referred to in the tender.

20. Tender opening session

17 December 2018 at 10:00 hours CET at the premises of the Ministry of Finance, Department for Contracting and Financing of EU Funded Programmes (CFCU), 3-5 Sremska Street, I floor, Conference room, 11 000 Belgrade, Republic of Serbia.

21. Language of the procedure

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

22. Legal basis²

Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action and Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II). See Annex A2 of the practical guide.

23. Additional information

Not applicable.

² Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).

