

SUPPLY CONTRACT NOTICE

“Improving capacities for training, education and employment of convicted persons and investment in sustainability of humane living conditions in prisons”

Location – Republic of Serbia

1. Publication reference

EuropeAid/135636/IH/SUP/RS

2. Procedure

Open

3. Programme title

National programme for Serbia under the IPA – Transition Assistance and Institution Building Component for the year 2013

4. Financing

Financing agreement

5. Contracting authority

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

CONTRACT SPECIFICATIONS

6. Description of the contract

The purpose of this contract is supply (all lots), delivery (all lots), unloading (all lots), installation (all lots), commissioning (Lot 1 and Lot 2), testing (Lot 1 and Lot 2), training (Lot 1 and Lot 2) and commercial warranty (Lot 1 and Lot 2).

This contract should seek to increase employment possibilities for inmates. In this way persons who are serving a sentence will be in a position to acquire not only a formal qualification through education and training but also a valuable working experience that will additionally increase their competitiveness on the labour market after release.

Employment possibilities of prisoners will be improved through purchase of agricultural machinery and equipment for the purpose to increase productivity and open additional jobs within penal institutions, but also through improvement of working and living conditions since production facilities do not have adequate heating and therefore they have limited use.

7. Number and titles of lots

Yes, the number of lots: 3

Lot 1	Agricultural machinery
Lot 2	Solar panels
Lot 3	Equipment for vocational and education training activities

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:

Lot	Tender guarantee
Lot 1	EUR 9.317
Lot 2	EUR 16.300
Lot 3	No tender guarantee is required.

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 fulfill all obligations stated in its tender.

12. Performance guarantee

Lot 1 and Lot 2

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.

Lot 3

No performance guarantee is required.

13. Information meeting and/or site visit

A mandatory information meeting and site visit for Lot 2 will be held on 28 October 2016 at 10:00 hrs in the District Prison in Belgrade, 14 Bacvanska Str, Belgrade, Serbia.

During the site visit representatives of the tenderers will be allowed to take an insight into the project documentation for all 15 penal correctional institutions where solar panels will be installed.

In order to attend information meeting and site visit, each representative needs to have a written authorisation by the company he/she represents. Attendance needs to be confirmed in advance, at least 2 days before the information meeting and site visit date through a written request sent to: verica.jakovljevic@mpravde.gov.rs and radovan.kurbalija@uiks.gov.rs.

For Lot 1 and Lot 3 no information meeting and/or site visit is planned.

Please note that no further information meetings and site visits will be held.

14. Tender validity

Tenders must remain valid for a period of 90 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 tasks shall be for Lot 1 - 90 days, for Lot 2 - 150 days and for Lot 3 - 60 days, from the commencement date until the provisional acceptance for each lot.

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 for the last three years must be at least equal to the amount of the submitted proposal for each lot tendered.¹
 - 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 a 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 5 years from submission deadline.

For Lot 1 and Lot 2

- a) At least 5 persons of the permanent staff currently work for the tenderer in 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 5 years from submission deadline.

For each lot:

- a) The tenderer has delivered supplies under at least one contract with the budget of at least that of its financial offer for the tendered lot in the fields related to this contract (for Lot 1: supply of agricultural equipment, for Lot 2: supply of solar panels equipment and for Lot 3: supply of hairdressing and cosmetic equipment) which was implemented at any moment during the reference period.

The tenderer shall supply copies of the certificates of provisional or final acceptance issued by the client/employer/contracting authority for the projects concerned and/or a written letter of satisfaction from the client /employer/contracting authority evidencing the essential elements required in the relevant technical capacity criteria.

The contract that tenderer refers to under criteria 16.3) a) 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

¹ If the tenderer applies for more than one lot, the total offered price (meaning, the total sum of offered prices stated in the tenderer's declaration for all tendered lots) will be evaluated against the set annual turnover

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 tenderer rely in majority on the capacities of other entities or when they rely on key criteria. If the tenderer 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 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. 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's Internet address: www.cfcu.gov.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

Ministry of Finance
Department for Contracting and Financing of EU funded projects (CFCU)
Division for Tender Preparation and Contract Management
Sremska 3-5 St, VII floor, office 701
11 000 Belgrade, Republic of Serbia

e-mail: cfcu.questions@mfin.gov.rs

(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 Contracting Authority website at www.cfcu.gov.rs.

19. Deadline for submission of tenders

19 December 2016 at 12:00 hours Central European Time (CET)

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

20. Tender opening session

19 December 2016 at 14:00 hours CET at the premises of the Ministry of Finance, Department for Contracting and Financing of EU funded projects (CFCU), Sremska 3-5 St, 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

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

23. Additional information

N\A

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