

SERVICE PROCUREMENT NOTICE

Contract title: Multiple Framework contract to recruit short-term services in the exclusive interest of third countries benefiting from European Commission External aid.

Location - Any country

1. Publication reference

EuropeAid/127054/C/SER/Multi

2. Procedure

International restricted tender

3. Programme

All external aid programmes

4. Financing

Operational budget lines of External aid programmes and EDF

5. Contracting Authority

European Community, represented by the European Commission on behalf of and for the account of the Beneficiary countries of the EC External aid.

CONTRACT SPECIFICATION

6. Nature of contract

Multiple Framework contract with reopened competition at the level of each assignment. The specific contract for an assignment can be either global price or fee-based.

7. Contract description

The objective of the multiple Framework contract is to provide short-term operational services, mainly on the spot for the exclusive benefit of third countries receiving external aid (Central and Eastern Europe, Balkans, New Independent States, Latin America, Asia, Mediterranean countries, Africa, Caribbean, Pacific etc.). The technical domains covered are given under point 8.

The Framework contract will be concluded with several successful tenderers per lot. For each individual assignment, several Framework contractors within the relevant lot (minimum 4 up to all the Framework contractors of the lot) will be invited to submit an offer. The Contracting authority will choose the offer with best value for money for the assignment on the basis of the technical quality of the offer and the price of the services.

8. Number and titles of lots

- Lot 1: Rural development (16 MEUR)
- Lot 2: Transport and Infrastructures (21 MEUR)
- Lot 3: Telecommunications and Information technologies (3 MEUR)
- Lot 4: Energy and Nuclear safety (5 MEUR)
- Lot 5: Conferences (3 MEUR)
- Lot 6: Environment (7 MEUR)
- Lot 7: Governance and Home Affairs (19 MEUR)
- Lot 8: Health (6 MEUR)
- Lot 9: Culture, Education, Employment and Social (12 MEUR)
- Lot 10: Trade, Standards and Private sector (24 MEUR)
- Lot 11: Macro economy, Statistics and Public finance management (19 MEUR)
- Lot 12: Humanitarian Aid, Crisis Management and Post-Crisis assistance (3 MEUR)

The detailed description of each lot is published with the present procurement notice on the EuropeAid website at the following address: <http://europa.eu.int/comm/europeaid/cgi/frame12.pl>.

9. Maximum budget

The Framework contract will be concluded at 0 (zero) Euro. An estimated yearly budget is given for each lot in item 8 above (figures in brackets).

10. Scope for additional services

The multiple Framework contract will be concluded for 2 years with possibility of extension up to 2 years.

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 one of any external aid programmes, except for the lead firm of a grouping which must be eligible for all the external aid programmes.

For each specific contract, the eligibility in terms of nationality will be governed by the specific instrument applicable to the programme under which the specific contract is financed. In case a member of a consortium is not eligible for the programme financing a Framework contract assignment, this member will not be eligible to participate to the assignment.

Participation is also open to international organisations. The participation of natural persons is governed by the specific instruments applicable to the programmes under item 3.

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 (i.e., 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

For all the lots :

The candidates may submit applications for 4 (four) lots maximum either as an individual legal entity presenting the application alone or as leader of a consortium submitting an application. There is no limit of applications as member of a consortium.

Within one lot

No more than one application per lot can be submitted by a legal entity whatever the form of participation. A legal group cannot be represented within one lot in more than one application.

In the event that a natural or legal person does not respect the above mentioned rules concerning the number of applications for all lots or within one lot, all applications in which that person has participated may be excluded.

Contracts will be awarded lot by lot and each lot will form a separate contract.

No restrictions may be made in the number of lots a tenderer can be awarded.

14. Shortlist alliances prohibited

Any tender received from tenderers comprising firms other than those mentioned in the short-listed application forms will be excluded from this restricted tender procedure. 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 EC external actions (http://ec.europa.eu/europeaid/work/procedures/implementation/practical_guide/index_en.htm)

16. Sub-contracting

Sub-contracting is not allowed, including any management aspects of the Framework contract. Entities within the same legal group are considered as third parties to the Framework contract if they are not members of the contracted consortium.

17. Number of candidates to be short-listed

- **8 to 14** candidates for the lots 3, 4, 5, 6, 8 and 12 and
- **12 to 18** candidates for the lots 1, 2, 7, 9, 10 and 11

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 8 or 12 respectively, the Contracting Authority may invite the candidates who satisfy the criteria to submit a tender.

PROVISIONAL TIMETABLE

18. Provisional date of invitation to tender

December 2008

19. Provisional commencement date of the contract

16/09/2009

20. Initial period of execution and possible extension of the contract

16th September 2009 to 15th September 2011 with possible extension up to 15th September 2013.

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)

The average annual turnover of the candidate for the last three years (2005 to 2007) must exceed the annual estimated budget of the lot shown in item 8.

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

The candidate must demonstrate that he has a capacity in terms of in house experts to cover at least 90% of the sectors of section B of the lot rounded to the next entire number. To this end, the candidate has to submit:

- A list of permanent in-house experts. The number of experts must be the same as the number of these sectors of section B with a minimum of 20 experts except for lot 5 for which the list will

contain 5 in-house organisers of event. The list will clearly indicate for each expert the sector that she/he covers (using the reference number given in the section B).

- A short description (including the period of execution) for the key projects or activities of the expert. No CV is to be given.

The evidence that they are permanent in-house experts such as an individual salary slip or a statement from an official external body (e.g. social security, tax authorities) will be required from the selected candidates before the finalisation of the short-list (experts with the statute of associates can be considered as permanent experts). They should not be given with the application. The selected candidate will have 2 weeks to provide them. Failing to do so, the selected candidate will not be short-listed.

3) Technical capacity of candidate

3.1. List of references (based on items 5 and 6 of the application form and using the matrix)

The candidate must fill in item 6 of the application form with references whose number must be the double of sectors indicated under section B of the lot except for lot 4 and 5 where 20 references must be given. For each reference, the list must indicate the link or links with a sector of section A or/and a sector of section B. The following indications must be respected:

- 12 references (except for lots 1, 6, 7, 8, 9 and 10: 13 references) must be linked to a sector of the section A (common sectors from "a" to "m") and also to a sector of Section B of the lot.
- the other references must be given for a sector of Section B of the lot and maybe linked to one sector of Section A. When sectors under B specify details in brackets, the reference must be linked to at least one of the items in the bracket. When the bracket contains an "e.g.", even another field falling under the sector may be referenced.

The references must fulfil the following conditions:

- a) Contracts must have been carried out in the course of the reference period of three years before the deadline for submission referred to in article 23 below. Contracts must be terminated during the reference period and must have been carried out at least for 6 months during this reference period. For contracts whose execution is shorter than 6 months, at least half of the period of implementation has to be carried out during the reference period.
- b) At least 50 % of the references must be for projects carried out in the beneficiary countries of external aid or in their benefit. Projects carried out in the 12 new member states are taken into consideration except if carried out by their national firms.
- c) Only references where the concerned candidate has provided more than 30% of the inputs in terms of man-days can be submitted.
- d) In the case of Framework contracts, only specific contracts corresponding to assignments implemented under such framework contracts shall be considered.
- e) A reference cannot be used for more than one sector of section A or B. It may be used for one sector of section A and one sector of section B.

In addition, the candidate must provide the filled matrix which is available on the web site indicated under item 8 above.

The selected candidates will be required before the finalisation of the short-list to provide evidence of performance, for the technical references that he has given if the services were provided to Contracting Authorities (not required when client was private entity). Evidence of performance must take the form of certificates issued or countersigned by the competent authority. The selected candidate will have 2 weeks to provide them. Failing to do so, the selected candidate will not be short-listed.

3.2. Capacity required

The candidate must demonstrate that it has worked in a minimum of

1. **80%** (rounded up to the next entire number):

(i) of section A, the areas of expertise common to all lots (see detailed description items 'a' to 'm') and

(ii) of section B, the specific technical sectors identified in the detailed description of the lot.

2. **50%** (rounded up to the next entire number) of the sectors under each heading in case the lot shows headings.

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 must respect the same rules of eligibility and notably that of nationality, as the economic operator.

4) Additional selection criteria

If more than the maximum number of eligible candidates as fixed in item 17 meets the above selection criteria, the relative strengths and weaknesses of the applications of these candidates must be reexamined to identify the foreseen maximum number of best applications for the tender procedure. The additional criteria which will be taken into consideration during this re-examination are in order of precedence:

- 1) Percentage of references carried out in the beneficiary countries of external aid.
- 2) The total amount of projects carried out in the beneficiary countries of external aid

22. Award criteria

As specified in the tender dossier which will be sent to short-listed candidates.

APPLICATION

23. Deadline for receipt of applications

17:00 Central European Time on 25th August 2008.

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 including the matrix (available on the web site indicated under item 8 above) whose format and instructions must be strictly observed.

Any additional documentation (brochure, letter, etc) sent with an application will not be taken into consideration.

25. How applications may be submitted

For economical and ecological reasons, we strongly recommend that you submit your files on paper-based materials (no plastic folder or divider). We also suggest you use double-sided print-outs as much as possible. Applications must be submitted in English exclusively to the Contracting Authority:

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

European Commission
EuropeAid – Cooperation Office
Unit F4
Angélique Vanhoutte

L-41 2/141
Avenue du Bourget 1
B- 1049 Bruxelles

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

European Commission
EuropeAid – Cooperation Office
Unit F4
Angélique Vanhoutte
L-41 2/141
Avenue du Bourget 1
B-1049 Bruxelles

The Contract title, the lot number 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. The indication "NOT TO BE OPENED BEFORE THE OPENING SESSION" must also be indicated on the envelope.

Each submission will be provided in **one original and three copies** marked as such.

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 tenders. No application may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with Clause 25. The outer envelope (and the relevant inner envelope) 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. Additional information

The company or groupings of companies awarded a given assignment, together with the experts responsible for the assignment, will be excluded from invitation to tender or contracts resulting directly from the assignment concerned (specific conflict of interest).

Candidates may submit questions in writing up to 16th July 2008 at 13:00 Central European Time, specifying the Contract title, the lot number and the Publication reference to the following e-mail: europaaid-fwc-benef@ec.europa.eu. No further clarifications will be given to questions received after this date.

Clarification will be communicated on the EuropeAid web site <http://europa.eu.int/comm/europaaid/cgi/frame12.pl>, by 22nd July 2008. No further clarifications will be given after this date.

29. Date of publication of contract forecast

9 May 2008

30. Legal basis

A Specific contract for an individual assignment will use the legal basis of the programme financing the related assignment.