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**HR-Zagreb: IPA — monitoring dependence and vulnerability  
of energy supply system with the scope on security of supply**

**2010/S 60-088107**

**Croatia**

**Service procurement notice**

Common procurement vocabulary (CPV):

Main object:

98110000 Services furnished by business, professional and specialist organisations

Additional object(s):

71314300 Energy-efficiency consultancy services

72262000 Software development services

72212610 Database software development services

1. **Publication reference:**

EuropeAid/128572/D/SER/HR.

Internet addresses:

General address of the contracting authority: <http://www.safu.hr>

2. **Procedure:**

Restricted.

3. **Programme:**

IPA.

4. **Financing:**

Financing agreement.

5. **Contracting authority:**

Central Finance and Contracting Agency, Republic of Croatia.

6. **Nature of contract:**

Fee-based.

7. **Contract description:**

The aim of the contract is development of the tailor-made monitoring software to be used by the Ministry of Economy, Labour and Entrepreneurship in Croatia in order to build an analytical and management system for securing energy resources, planning and availability in relation to energy security. Moreover, this tailor-made software should create a system for monitoring the distribution of energy supplies in Croatia in order to detect the vulnerabilities of energy supplies and in order to enhance energy security. In addition, a part of the contract will be related to capacity building activities needed for the use of the tailor-made software.

8. **Numbers and titles of lots:**

The contract is divided into lots: no, 1 lot only.

9. **Budget:**

Maximum budget: 1 100 000 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 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 the specific instruments applicable to the programme under which the contract is financed (see also item 29 below). Participation is also open to international organisations. The participation of natural persons is 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 (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:**

No more than 1 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 1 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 shortlisted application forms will be excluded from this restricted tender procedure. Shortlisted 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 EU external actions'.

16. **Subcontracting:**

Subcontracting is allowed.

Maximum percentage of the contract value which may be subcontracted — 5 %.

Activities which may be subcontracted:

— development of the website (design and programming).

17. **Number of candidates to be shortlisted:**

On the basis of the applications received, at least 4 and at most 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:**

25.8.2010.

19. **Provisional commencement date of the contract:**  
5.1.2011.

20. **Initial period of implementation of tasks:**  
Duration in months: 21.

**Selection and award criteria**

21. **Selection criteria:**

Same criteria for legal and natural person.

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:

In the case of the applicant being a public body equivalent information should be provided:

1. the annual turnover of the candidate for the years 2007, 2008 and 2009 must have equalled or exceeded 630 000 EUR (2007 is considered to be 2 years before last and, 2008 is considered to be year before last and 2009 is considered to be last year);

2. the cash and cash equivalents of the candidate at the end of the years 2007, 2008 and 2009 were positive.

2) Professional capacity of candidate:

1. at least 5 staff currently work for the candidate in fields related to this contract (energy security and software development);

2. at least 20 % of all staff working for the candidate this year in fields related to this contract (energy security and software development) are permanent.

3) Technical capacity of candidate:

1. the candidate worked successfully on at least 1 contract covering the fields of energy security and software development in the years 2007, 2008 or 2009. These fields can be covered by 1 single contract or each field can be covered by separate contracts;

2. the contracts must have been implemented in a country eligible under the IPA Programme according to Council Regulation (EC) No 1085/2006 — OJ L 210 82 of 31.7.2006. (PRAG Annex A2 — Eligibility of programmes 2007-2013 on [http://ec.europa.eu/europeaid/work/procedures/implementation/practical\\_guide/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/practical_guide/index_en.htm));

3. the contract must have been with a budget (own contribution) equal to or exceeding 450 000 EUR (in the case that the fields under 1 are covered by separate contracts, only 1 must have equalled or exceeded the established amount of 450 000 EUR).

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 re-examined to identify the 8 best applications for the tender procedure. The only factors which will be taken into consideration during this re-examination are:

1) the total number of projects managed by the candidate according to criterion 3;

2) in the case of competition between 2 or more candidates having the same number of eligible projects, the candidates will be ranked in descending order according to the total amount of their own contribution to the eligible projects.

22. **Award criteria:**

Best value for money.

### **Application**

23. **Deadline for receipt of applications:**

24.5.2010 (16:00), local time.

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, the format and instructions of which must be strictly observed. The application form is available at the following Internet address: [http://ec.europa.eu/europeaid/work/procedures/implementation/services/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/services/index_en.htm)

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 exclusively to the contracting authority in the following language — English:

— either by recorded delivery (official postal service) to:

Central Finance and Contracting Agency, Ulica grada Vukovara 284, 10000 Zagreb, CROATIA,

— or hand-delivered (including courier services) directly to the contracting authority in return for a signed and dated receipt to:

As in abovementioned address.

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. 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 applications. No applications 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 contract forecast notice:**

23.5.2009.

29. **Legal basis:**

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

30. **Additional information:**

Not applicable.

31. **Date of dispatch of this notice:**

16.3.2010.