

SERVICE PROCUREMENT NOTICE

Improving information to the Croatian business community

Republic of Croatia

1. Publication reference

EuropeAid/121473/C/SV/HR

2. Procedure

Restricted

3. Programme

CARDS

4. Financing

CARDS 2004 Annual Action Programme for Croatia

5. Contracting Authority

Ministry of Finance of the Republic of Croatia, Central Finance and Contracting Unit

CONTRACT SPECIFICATION

6. Nature of contract

Fee-based

7. Contract description

The project will aim to strengthen the capacity for policy makers and business organisations to identify, analyse and communicate future impact of key regulatory areas for business in Croatia. The project also aims to generally improve the awareness of the business community in key legislative fields such as: public procurement, environment, standards for agriculture and industrial products, consumer protection, competition policy, state aid and intellectual property rights.

8. Numbers and titles of lots

N/A

9. Maximum budget

EUR 1.300.000

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 of the EU Member States and the countries and territories of the regions covered and/or authorised by the Regulations on access to Community external assistance and other specific instruments applicable to the programme under which the contract is financed (see also item 30 below). 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. 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

16. Sub-contracting

Subcontracting is allowed to carry out baseline and follow up study on the project by the independent opinion research agency. The maximum percentage of the contract value which may be sub-contracted is 10%.

17. Number of candidates to be short-listed

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.

PROVISIONAL TIMETABLE

18. Provisional date of invitation to tender

December 2006/January 2007

19. Provisional commencement date of the contract

May/June 2007

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

24 months with possibility of prolongation, depending on the availability of the funding and contractor's performance.

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):
 - a. The annual turnover of the candidate for the year before last and last year must equal or exceed 2.000.000 EUR.
 - b. The cash and cash equivalents of candidate at the beginning of the year for the year before last, last year and this year shall be positive.
 - c. The cash and cash equivalents of candidate at the end of the year for the year before last and last year shall be positive.
- 2) Professional capacity of candidate (based on items 4 and 5 of the application form)
 - a. At least 6 permanent members of staff working for the candidate in the last three years are working in the fields related to this contract.
- 3) Technical capacity of candidate (based on items 5 and 6 of the application form)
 - a) The candidate has to have managed at least two technical assistance projects over the last three years in either any of the EU member states and/or CARDS/Phare countries. Such projects were of a similar size (in any case not below EUR 1.000.000) and the contribution of the candidate in such a project budget must have been of at least 70%.
 - b) The candidate must have been involved over the aforementioned three years in projects belonging to the **fields related to this contract**:
 1. EU legislation approximation (at least 1 project)
 2. Awareness raising campaigns (at least 1 project)
 3. Support to business organizations

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. Under the same conditions, a consortium of economic operators may rely on the capacities of members of the consortium or of other entities.

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

- 1) the total number of similar contracts awarded, following the condition 3B.

22. Award criteria

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

APPLICATION

23. Deadline for receipt of applications

14 December 2006, 14.00 CET.

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 (available from the following Internet address: http://europa.eu.int/comm/europeaid/index_en.htm), 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

Applications must be submitted in English exclusively to the Contracting Authority:

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

**Ministry of Finance of the Republic of Croatia
Department for Financing EU Assistance
Programmes and Projects
Central Finance and Contracting Unit
(Ministarstvo financija Republike Hrvatske,
Uprava za financiranje programa i projekata
pomoći EU - SJFU)
Katančićeva 5
10000 Zagreb
Croatia**

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

**Ministry of Finance of the Republic of Croatia
Department for Financing EU Assistance
Programmes and Projects
Central Finance and Contracting Unit
(Ministarstvo financija Republike Hrvatske,
Uprava za financiranje programa i projekata
pomoći EU - SJFU)
Katančićeva 5
10000 Zagreb
Croatia**

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 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

N/A

29. Date of publication of contract forecast

6 May 2005

30. Legal basis

Council Regulation (EC) No 2666/2000 of 05 December 2000, as last amended by the Council Regulation (EC) No 2112/2005 of 21 November 2005