

# SERVICE PROCUREMENT NOTICE

## Support to Court Administration and Case Management Improvement

### Republic of Croatia

#### 1. Publication reference

EuropeAid/125616/D/SER/HR

#### 2. Procedure

Restricted

#### 3. Programme

Phare 2006

#### 4. Financing

Croatia 2006 Phare National Programme

#### 5. Contracting Authority

Central Finance and Contracting Agency

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## CONTRACT SPECIFICATION

#### 6. Nature of contract

Fee-based

#### 7. Contract description

The purpose of the project is to establish a more efficient court administration and case management system in all Croatian courts building on the results of previous and ongoing EC and WB funded Integrated Case Management System (ICMS) projects. The results to be achieved by the project are as follows: establishment of a reliable, efficient and sustainable system for management of cases in the courts and for general administration of the court system; implementing and redrafting the relevant by-laws (Book of Rules); increasing administrative capacitive of court staff regarding the newly adopted court management system (new business processes, procedures and IT system).

#### 8. Number and titles of lots

N/A

#### 9. Maximum budget

EUR 3.000.000

#### 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.

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## **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 30 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 (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 up to 30% of the contract value.

### **17. Number of candidates to be short-listed**

On the basis of the applications received, between 4-8 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.

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## PROVISIONAL TIMETABLE

### 18. Provisional date of invitation to tender

July 2008

### 19. Provisional commencement date of the contract

November 2008

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

24 months with possibility to 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.

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## 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 years 2006 and 2007<sup>1</sup> must be equal to or exceed EUR 1.500.000;
  - (b) the cash and cash equivalents of the candidate at the end of the year 2006 and 2007 are positive.
- 2) Professional capacity of candidate (based on items 4 and 5 of the application form)
  - (a) at least 10 staff currently work for the candidate in the field related to this contract (computerised court management system).
  - (b) at least 30% of all staff currently working for the candidate in the field related to this contract (computerised court management system) are permanent .
- 3) Technical capacity of candidate (based on items 5 and 6 of the application form)

The candidate has worked successfully on at least 2 technical assistance (TA) projects covering all of the following requirements. Eligible projects should have lasted at least 10 months each:

- (a) as sole contractor or leader of the consortium in at least one of those projects
- (b) in the field of computerised court management system
- (c) completed in 2005, 2006, 2007 or 2008
- (d) with a budget (own contribution) equal to or exceeding 400.000 EUR

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<sup>1</sup> 2006 is considered to be year before last and 2007 is considered to be last year.

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.

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 projects managed by the candidate according to criterion 3, in case of competition between two 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.

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# **APPLICATION**

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

21<sup>st</sup> July 2008, 16:00 Zagreb 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 (available from the following Internet address: [http://ec.europa.eu/europeaid/work/procedures/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/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 :

**Ms. Emina Bačevina – Project Manager  
Central Finance and Contracting Agency (CFCA)  
(Središnja agencija za financiranje i ugovaranje  
programa i projekata Europske Unije)  
Ulica grada Vukovara 284/2  
10000 Zagreb, Croatia**

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

**Ms. Emina Bačevina – Project Manager**  
**Central Finance and Contracting Agency (CFCA)**  
**(Središnja agencija za financiranje i ugovaranje**  
**programa i projekata Europske Unije)**  
**Ulica grada Vukovara 284/2**  
**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**

1 June 2007

**30. Legal basis**

Council Regulation (EEC) no 3906/89 of 18 December 1989, as last amended by Council Regulation (EC) 2257/2004 of 20 December 2004