

SERVICE PROCUREMENT NOTICE

Reinforcement of Institutional and Administrative Capacity for Croatian Post and Electronic Communications Agency (Technical Assistance Component)

Republic of Croatia

1. Publication reference

EuropeAid/127298/D/SER/HR

2. Procedure

Restricted

3. Programme

IPA

4. Financing

National Programme for Croatia under the IPA – Transition Assistance and Institution Building Component for 2007

5. Contracting Authority

Central Finance and Contracting Agency

CONTRACT SPECIFICATION

6. Nature of contract

Fee-based

7. Contract description

Project within IPA 2007 programme is designed to further develop outputs and achievements of CARDS intervention, with focus on supporting the operational capacity of the Croatian Agency for Post and Electronic Communications (HAKOM) and ensuring its ability to monitor enforcement of the Acquis. This project will continue support of the Agency in the process of human resources development and with specific know-how in critical areas on an ad hoc basis, with focus on development and implementation of the regulatory accounting project and market analysis. The project consists of two components: Support of the Agency in analyses of relevant markets, regulatory accounting and other problem areas, and Human resource development strategy.

8. Number and titles of lots

N/A

9. Maximum budget

EUR 700.000

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 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

Sub contracting is allowed up to 1.5% 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.

PROVISIONAL TIMETABLE

18. Provisional date of invitation to tender

August 2009

19. Provisional commencement date of the contract

February 2010

20. Initial period of implementation of tasks and possible extension of the contract

18 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.

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). In case of applicant being a public body, equivalent information should be provided.

Legal persons:

- (a) the annual turnover of the candidate for the years 2007 and 2008¹ must be equal to or exceed 470.000 EUR.

- (b) the cash and cash equivalents of the candidate at the end of the years 2007 and 2008 are positive.

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

Legal persons:

- (a) at least five staff currently work for the candidate in the fields related to this contract (electronic communications and human resource management) permanently.

- 3) Technical capacity of candidate (based on items 5 and 6 of the application form)

Legal persons:

The candidate has worked successfully on at least one technical assistance project covering the fields of electronic communications and human resource management. These two fields can be covered by one single project or each field can be covered by separate projects.

In any case, each of the project(s) must have been:

¹ 2007 is considered to be year before last and 2008 is considered to be last year.

- (a) completed in 2006, 2007, 2008 or 2009²
- (b) implemented in a country eligible under Phare programme³
- (c) with a budget (own contribution) equal to or exceeding 700.000 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 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.
- 2) 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.

APPLICATION

23. Deadline for receipt of applications

At 16:00 Zagreb local time on 30th June 2009 at the premises of the Central Finance and Contracting Agency, Ulica grada Vukovara 284, 10000 Zagreb, Croatia.

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/implementation/services/index_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/services/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 :

² All projects referenced for year 2009 must have been completed by the deadline for submission of the applications

³ EU Member States, Albania, Bosnia and Hercegovina, Croatia, FYROM, Montenegro, Serbia and Turkey and Kosovo under UNSC Resolution 1244/99.

Damir Novaković
Central Finance and Contracting Agency
(Središnja agencija za financiranje i ugovaranje programa i projekata EU)
Ulica grada Vukovara 284/C
10 000 Zagreb
Croatia

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

Damir Novaković
Central Finance and Contracting Agency
(Središnja agencija za financiranje i ugovaranje programa i projekata EU)
Ulica grada Vukovara 284/C
10 000 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 applications. No application 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. Additional information

N/A

29. Date of publication of contract forecast

5 July 2008, OJ S 129

30. Legal basis

EC Council Regulation No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA).