

Document to be completed by the Contracting Authority and submitted to the invited tenderers

(not published for the Competitive Negotiated Procedure)

SERVICE CONTRACT NOTICE

<Contract title>
<Location - Area/region and country/countries >

1. Reference

<Reference >

2. Procedure

[Competitive negotiated][Single tender]

3. Programme title

< Please specify the title of the programme mentioned in the applicable financing agreement/
financing decision >

4. Financing

<Budget line/Financing agreement/Other>

5. Contracting Authority

[For direct management: European Union, represented by the European Commission on behalf of
and for the account of <the partner country/countries>]

Deleted:

[For indirect management: <The partner country >]

CONTRACT SPECIFICATION

6. Nature of contract

[Global price] [Fee-based]

7. Contract description

< Recommended 10 lines, maximum 20 lines >

8. Number and titles of lots

[One lot only]

[If more than one lot: <number of lots : (min =2 max=20) >

<Lots Titles:

01

02

(...)>

9. Maximum budget

Give figures only:

[EUR] [<ISO code of national currency>] only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate>] <amount>

Deleted: [In direct management: EUR.

<amount>]

[In indirect management:

Deleted:]

Deleted:]

CONDITIONS OF PARTICIPATION

10. Eligibility

[BUDGET for calls where the CIR applies: Participation is open to all natural persons who are nationals of and legal persons [participating either individually or in a grouping (consortium) of tenderers] which are effectively established in a Member State of the European Union or in a eligible country or territory as defined under the Regulation (EU) N°236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable Instrument under which the contract is financed (see also heading 22 below) . Participation is also open to international organisations. All supplies under this contract must originate in one or more of these countries. However, they may originate from any country when the amount of the supplies to be purchased is below 100, 000 euros per purchase.]

[BUDGET for calls where the CIR does not apply (e.g. for IPA I): Participation is open to all legal persons [participating either individually or in a grouping (consortium) of tenderers] 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 item 22 below). All goods supplied under this contract must originate in one or more of these countries. Participation is also open to international organisations. Participation of natural persons is directly governed by the specific instruments applicable to the programme under which the contract is financed].

[10th EDF/11th EDF

Participation in tendering is open on equal terms to natural and legal persons (participating either individually or in a grouping (consortium) of tenderers which are established in a Member State of the European Union, ACP States or in a country or territory authorised by the ACP_EC Partnership Agreement under which the contract is financed (see also item 23 below). Participation is also open to international organisations.]

[Other (including 9th EDF, which may apply different eligibility rules) : <.....>]

11. Number of tenders

No more than one tender 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 a tender). In the event that a natural or legal person submits more than one tender, all tenders in which that person has participated will be excluded.

[if the number of lots is more than one lot: No restrictions may be made in the number of lots a tenderer can be awarded.]

The tenderer may submit a tender for one lot only, several lots or all of the lots, but only one tender per lot. Contracts will be awarded lot by lot and each lot will form a separate contract.]

12. Grounds for exclusion

As part of the tender, tenderers must submit a signed declaration, included in the tender form, to the effect that they are not in any of the exclusion situations listed in Section 2.3.3. of the Practical Guide.

13. Sub-contracting

Subcontracting is allowed.

PROVISIONAL TIMETABLE

14. Provisional commencement date of the contract

< Date >

15. Implementation period of the tasks

< To be specified >

SELECTION AND AWARD CRITERIA

16. Selection criteria

The selection criteria should be clear and non-discriminatory and may not go beyond the scope of the contract. The reference period for financial capacity may not go beyond the last 3 years for which accounts have been closed. The reference period for professional and technical capacities may not go beyond the past 5 years from the submission deadline (3 years for economic sectors subject to rapid evolution). Consideration has to be made regarding which proof documents should be requested for the relevant selection criteria. Please remember that the selection criteria are applied to the entity/entities signing the contract and cannot be applied to the experts whose CVs are evaluated in the technical evaluation. Therefore particular attention should be paid when setting specific selection criteria for assessing the technical and professional capacity of natural persons. As a general rule, selection criteria cannot be re-used as award criteria. See section 2.4.11. of the Practical Guide.

If appropriate for the project and subject to the principle of equal treatment separate criteria for natural persons may be published and applied.

The following selection criteria will be applied to the tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole, if not specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

Deleted: 3

Deleted: :

1) Economic and financial capacity of the tenderer (based on item 3 of the tender form). In case of tenderer being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three years for which accounts have been closed.

The objective of this criterion is to examine whether or not the tenderer (i.e., the consortium as a whole, in the case of a tender from a consortium):

- will not be economically dependent on the Contracting Authority in the event that the contract is awarded to it; and
- has sufficient financial stability to handle the proposed contract.

[If same criteria for legal and natural person]

Examples of financial criteria for legal and natural persons:

- the average annual turnover of the tenderer must exceed the annualised maximum budget of the contract i.e., the maximum budget stated in the contract notice divided by the initial contract duration in years, where this exceeds 1 year. (minimum annual turnover requested may not exceed 2 times the estimated annual contract value, except in duly justified cases motivated in the tender dossier); and
- [Current ratio (current assets/current liabilities) in the last year for which accounts have been closed must be at least 1. In case of a consortium this criterion must be fulfilled by each member.]

Criteria for legal and natural persons:

1-<reference criterion>

2-<reference criterion>

<etc>]

[If separate criteria for legal and natural person]

Examples of financial reference criteria for legal persons: see examples of financial criteria for legal and natural persons above

Criteria for legal persons:

1-<reference criterion>

2-<reference criterion>

<etc>

Examples of financial criteria for natural persons:

- the available financial resources of the tenderer must exceed the annualised maximum budget of the contract i.e., the maximum budget stated in the contract notice divided by the initial contract duration in years, where this exceeds 1 year. (minimum annual turnover requested may not exceed 2 times the estimated annual contract value, except in duly justified cases motivated in the tender dossier); and
- the financial situation of the tenderer should not be in deficit, taken into account debts, at the beginning and end of year.

Deleted: (

Deleted:)

Deleted: current assets; and
current liabilities

Deleted: <#>the average annual turnover of the tenderer must exceed the annualised maximum budget of the contract (ie, the maximum budget stated in the contract notice divided by the initial contract duration in years, where this exceeds 1 year); and ¶
<#>Current ratio (current assets/current liabilities) in the last year for which accounts have been closed must be at least 1. In case of a consortium this criterion must be fulfilled by each member. ¶

Deleted: (

Deleted:)

Criteria for legal and natural persons:

1-<reference criterion>

2-<reference criterion>

<etc>]

2) Professional capacity of the tenderer (based on items 4 of the tender form).

The reference period which will be taken into account will be the last [five] [three] years from submission deadline.

The objective of this criterion is to examine whether or not the tenderer (i.e., the consortium as a whole, in the case of a tenderer from a consortium):

- has sufficient ongoing staff resources and expertise to be able to handle the proposed contract
- is not a so-called 'body shop', i.e., a tenderer with no real expertise in fields related to the contract but which simply identifies and proposes experts to fit the project description

Note that criterion should not discourage participation to this call for tenders.

[If same criteria for legal and natural persons]

Examples of professional criteria for legal and natural persons:

- has a professional certificate appropriate to this contract, such as <specify>;
- at least <number related to the quantity of expertise required for this contract> staff currently work for the tenderer in fields related to this contract; and

Criteria for legal and natural persons:

1-<reference criterion>

2-<reference criterion>

<etc>]

[If separate criteria for legal and natural persons]

Examples of professional criteria for legal persons: see examples of professional criteria for legal and natural persons above.

Criteria for legal persons:

1-<reference criterion>

2-<reference criterion>

<etc>

Examples of professional criteria for natural persons:

- has a professional certificate appropriate to this contract, such as <specify>;
- is currently working/has worked during the past 5/3 years < as manager/team-leader etc. > with <number related to the quantity of expertise required for this contract> collaborators in fields related to this contract.

Deleted: .

Deleted: • has a professional certificate appropriate to this contract, such as <specify>;
• . at least <number related to the quantity of expertise required for this contract> staff currently work for the tenderer in fields related to this contract; and¶

Criteria for natural persons:

1-<reference criterion>

2-<reference criterion>

<etc.>]

3) Technical capacity of candidate (based on items 5 and 6 of the tender form). The reference period which will be taken into account will be the last [five][three] years from submission deadline.

The objective of this criterion is to examine whether or not the tenderer (i.e. the consortium as a whole, in the case of a tender from a consortium) has sufficient expertise and experience to be able to handle the proposed contract.

Deleted: ¶

Deleted: :

Deleted: ¶

[If same criteria for legal and natural persons]

Example of technical criterion for legal and natural persons:

- the tenderer has provided services under at least < insert number > contract[s] [each] with a budget of at least that of this contract in <specify fields> which [was] [were] implemented at any moment during the following period: < dates>.

Deleted: 3 years from the submission deadline, please specify the

This means that the project the tenderer refers to could have been started or completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. Candidates/tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, proof of final payment for services). In case of projects still on-going only the portion satisfactorily completed during the reference period although started earlier will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value. If a tenderer has implemented the project in a consortium, the percentage that the tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services, provided if the selection criteria relating to the pertinence of the experience have been used.

Deleted:

Criteria for legal and natural persons:

1-<reference criterion>

2-<reference criterion>

<etc>]

[If separate criteria for legal and natural persons]

Example of technical criterion for legal persons: see example of technical criterion applicable to both legal and natural persons above.

Criteria for legal persons:

1-<reference criterion>

2-<reference criterion>

<etc>

Deleted: • the tenderer has provided services under at least < insert number > contract[s] [each] with a budget of at least that of this contract in <specify fields> which was [were] implemented at any moment during the following period: <3 years from the submission deadline, please specify the dates>.

Example of technical criterion for natural persons:

- the tenderer has worked successfully on at least < insert number > project[s] with a budget of at least that of this contract in fields related to this contract in the past five/three years

Criteria for natural persons:

1-<reference criterion>

2-<reference criterion>

<etc>]

Previous experience which would have led to breach of contract and termination by a Contracting Authority shall not be used as reference. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

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 a commitment 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 notably that of nationality, and must fulfil the same relevant selection criteria as the economic operator. With regard to technical and professional criteria, an economic operator may only rely on the capacities of other entities where the latter will perform the works or services for which these capacities are required. With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

Deleted: n

Deleted: undertaking

Deleted: and

Deleted: .

17. Award criteria

Best price-quality ratio,

Deleted: value for money

TENDERING

18. Deadline for receipt of tenders

The deadline for receipt of tenders is specified in point 8 of the Instruction to Tenderers.

19. Tender format and details to be provided

Tenders must be submitted using the standard tender form for Competitive Negotiated Procedures, the format and instructions of which must be strictly observed. The tender form is available from the following Internet address: <http://ec.europa.eu/europeaid/prag/annexes.do?group=B>, under the zip file called Simplified Tender dossier.

The tender must be accompanied by a declaration of honour on exclusion and selection criteria using the template available from the following Internet address:

<http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A>

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

Deleted: n

Deleted: application

20. How tenders may be submitted

Tenders must be submitted in English exclusively to the Contracting Authority, using the means specified in point 8 of the Instructions to Tenderers.

Tenders submitted by any other means will not be considered.

By submitting a tender tenderers accept to receive notification of the outcome of the procedure by electronic means.

21. Alteration or withdrawal of tenders

Tenderers may alter or withdraw their tenders by written notification prior to the deadline for submission of tenders. No tender may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with point 8 of the Instructions to Tenderers. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

22. Operational language

All written communications for this tender procedure and contract must be in English.

23. Legal basis

[BUDGET: for calls where the CIR applies: Regulation (EU) N°236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action and <please introduce here the reference of the Regulation or other instrument under which this contract is to be financed (e.g. DCI, ENPI, ENI, Ifs)> See Annex A2 of the Practical Guide.]

[BUDGET: for calls where the CIR does not apply (e.g. for IPA I): Regulation or other instrument under which this contract is to be financed See Annex A2 of the Practical Guide.]

[EDF: Annex IV to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 as amended in Luxembourg on 25 June 2005 and in Ouagadougou on 22 June 2010. Reference is made to Annex IV as revised by Decision 1/2014 of the ACP-EU Council of Ministers of 20 June 2014.]

24. Additional information

<As appropriate: e.g. opening hours of the contracting authority, the amount of incidental expenditure if this is higher than normal tec.>

Deleted: ¶

Deleted: