

SERVICE PROCUREMENT NOTICE

Developing the readiness to implement Schengen Information System (SIS II)

Republic of Croatia

1. Publication reference

EuropeAid/127068/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

CONTRACT SPECIFICATION

6. Nature of contract

Fee-based

7. Contract description

The contract will provide technical assistance to the relevant Croatian authorities, including the Ministry of Interior in order to enable Croatia to achieve the required administrative capacity to effectively apply and implement the *acquis Communautaire*, including the Schengen acquis. The main purpose of the contract is to ensure that the relevant Croatian authorities, including the Ministry of Interior, are ready to exchange data with the SIS II system when Croatia enters the European Union.

8. Number and titles of lots

N/A

9. Maximum budget

EUR 520.000,00

10. Scope for additional services

The Contracting Authority may, at its own discretion, extend the project in duration up to maximum 30 November 2010. 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

Subcontracting is allowed up to 20 % 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 2008

19. Provisional commencement date of the contract

December 2008

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

12 months with possibility to extend the project in duration up to maximum 30 November 2010. 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)
 - (a) the annual turnover of the candidate for the years 2006 and 2007¹ must be equal to or exceed 520.000,00 EUR
 - (b) the cash and cash equivalents of the candidate at the end of the years 2006 and 2007 are positive

- 2) Professional capacity of candidate (based on items 4 and 5 of the application form)
 - (a) at least 4 staff currently work for the candidate in field related to this contract (Providing expertise in the implementation of the EU regulations for establishment, operation and use of the second generation Schengen information system (SIS II))

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

The candidate has worked successfully on at least one technical assistance project covering all of the following requirements:

 - a) in the field of Providing expertise in the implementation of the EU regulations for establishment, operation and use of the second generation Schengen information system (SIS II)
 - b) completed in 2005, 2006, 2007 or 2008
 - c) implemented in a country eligible under Phare programme²

¹ 2006 is considered to be year before last and 2007 is considered to be last year.

² EU Member States, Albania, Bosnia and Hercegovina, Croatia, FYROM, Montenegro, Serbia and Turkey.

d) with a budget (own contribution) equal to or exceeding 300.000,00 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 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.

APPLICATION

23. Deadline for receipt of applications

16:00 Zagreb local time on 22nd July 2008.

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), 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 :

Domagoj Šimunović – CFCA project manager
Central Finance and Contracting Agency
(Središnja agencija za financiranje i ugovaranje programa i projekata EU)
Ulica grada Vukovara 284
10 000 Zagreb
Croatia

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

Domagoj Šimunović – CFCA project manager
Central Finance and Contracting Agency
(Središnja agencija za financiranje i ugovaranje programa i projekata EU)
Ulica grada Vukovara 284
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 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

15 May 2008

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.