

SUPPLY PROCUREMENT NOTICE

Strengthening the Enforcement of Intellectual Property Rights

Republic of Croatia

1. Publication reference

EuropeAid/125650/D/SUP/HR – re-launch

2. Procedure

Open

3. Programme

Phare 2006

4. Financing

Croatia 2006 Phare National Programme

5. Contracting authority

Central Finance and Contracting Agency

CONTRACT SPECIFICATIONS

6. Description of the contract

The purpose of this contract is procurement and the after sales-services of the equipment for the Croatian Customs Administration and the State Inspectorate.

7. Number and titles of lots

Lot 1: Digital cameras

Lot 2: Notebooks and Printers

TERMS OF PARTICIPATION

8. Eligibility and rules of origin

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.

9. Grounds for exclusion

Tenderers must submit a signed declaration, included in the Tender Form for a Supply Contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the *Practical Guide to contracts procedures for EC external actions*.

10. Number of tenders

Tenderers may submit only one tender per lot. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot. Tenderers may not submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

11. Tender guarantee

Tenderers must provide a tender guarantee of 630 EUR for Lot 1 and 4 000 EUR for lot 2 when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderer(s) upon signature of the contract by all parties. This guarantee will be called upon if the tenderer does not fulfil all obligations stated in its tender.

12. Performance guarantee

The successful tenderer will be asked to provide a performance guarantee of 10% of the amount of the contract at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days after the tenderer receives the contract signed by the Contracting Authority. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next best compliant tender.

13. Information meeting and/or site visit

No information meeting is planned

14. Tender validity

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders.

15. Period of implementation

The implementation period will last 75 days, starting from day of issuance of Commencement Order and ending on the day of issuance of the certificate of Provisional Acceptance. The implementation period will include delivery period of 30 days.

SELECTION AND AWARD CRITERIA

16. Selection criteria

The following selection criteria will be applied to tenderers. In the case of tenders submitted by a

consortium, these selection criteria will be applied to the consortium as a whole:

1) Economic and financial capacity of tenderer (based on i.a. item 3 of the Tender Form for a Supply Contract):

a) the annual turnover of the tenderer for the year 2007¹ must be at least two times of the submitted financial proposal

b) the cash and cash equivalents of tenderer at the end of year 2006 and 2007 are positive

2) Technical capacity of tenderer (based on i.a. items 5 and 6 of the Tender Form for a Supply Contract)

(a) the tenderer has successfully completed at least one contract in the field related to this contract (supply of photo and/or IT equipment) with a budget of at least 60% of his financial proposal for this tender in the years 2005, 2006, 2007 or 2008

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.

17. Award criteria

Price.

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from the following Internet address: http://ec.europa.eu/europeaid/work/procedures/index_en.htm. The tender dossier is also available from the Contracting Authority from the following address: <http://cfcu.mfin.hr>. Tenders must be submitted using the standard Tender Form for a Supply Contract included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to Central Finance and Contracting Agency, Ulica grada Vukovara 284, 10000 Zagreb, Croatia (Središnja agencija za financiranje i ugovaranje programa i projekata Europske Unije, Ulica grada Vukovara 284, 10000 Zagreb, Hrvatska), mail cfcu@mfin.hr or by fax: +385 (0)1 4591 075 (mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19. The Contracting Authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications to the tender dossier shall be published on the EuropeAid website at http://ec.europa.eu/europeaid/work/procedures/index_en.htm and on the CFCA website: <http://cfcu.mfin.hr>.

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

19. Deadline for submission of tenders

17 November 2008 at 10:00 Zagreb Local Time at the premises of the Central Finance and Contracting Agency, Ulica grada Vukovara 284, 10 000 Zagreb, Croatia.

Any tender received after this deadline will not be considered.

20. Tender opening session

17 November 2008 at 12:00 Zagreb Local Time at the premises of the Central Finance and Contracting Agency, Ulica grada Vukovara 284, 10 000 Zagreb, Croatia.

21. Language of the procedure

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

22. 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.