
SUPPLY PROCUREMENT NOTICE

National Border Management Information System – Phase III

Republic of Croatia

1. Publication reference

EuropeAid/127469/D/SUP/HR

2. Procedure

Open

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 SPECIFICATIONS

6. Description of the contract

The purpose of this contract is procurement of a turnkey solution for the National Border Management Information System (NBMIS) through provision of hardware (including services to be provided for hardware), software, services and corresponding after-sales services. The system will be fully functional with the equipment delivered in Phase 1 and Phase 2 of this project. The realization includes refactoring, remodularization, design recovery, and further reengineering techniques to modernize the current implementation of NBMIS. Upgrade and extension of functionality of existing NBMIS application and development of mobile NBMIS application according to the Functional Users' Needs Description is included in the realization.

7. Number and titles of lots

The tender procedure is not divided into lots.

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.

Tenderers and, if they are legal entities, persons who have powers of representation, decision-making or control over them, are informed that, should they be in one of the situations mentioned in:

- Commission decision (2008/969/EC, Euratom) of 16 December 2008 on the Early Warning System (EWS) for the use of authorising officers of the Commission and the executive agencies (OJ, L 344, 20.12.2008, p. 125),
- Commission Regulation (2008/1302/EC, Euratom) of 17 December 2008 on the central Exclusion Database – CED (OJ, L 344, 20.12.2008, p.12),

their personal details (name, given name if natural person, address, legal form and name and given name of the person with powers of representation, decision-making or control, if legal person) may be registered in the EWS and CED, and communicated to the persons and entities listed in the above-mentioned decision and regulation, in relation to the award or the execution of a procurement contract or a grant agreement or decision.

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 80.000,00 € 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 cheapest compliant tender.

13. Information meeting and/or site visit

A mandatory information meeting will be held on 12 October 2009 at 10:00 Zagreb Local Time at the premises of the Ministry of Interior, Ilica 335, 10 000 Zagreb, Croatia.

14. Tender validity

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

15. Period of implementation of tasks

The implementation period will last 570 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 360 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). In case of tenderer being a public body, equivalent information should be provided.
 - (a) The annual turnover of the tenderer for the year 2008¹ must be equal to or exceed the submitted financial proposal
 - (b) The cash and cash equivalents of tenderer at the end of year 2007 and year 2008 are positive
- 2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the Tender Form for a Supply Contract)
 - (a) At least 10 staff currently work for the candidate in the field related to this contract (provision of integral IT system)
- 3) 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

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

contract (provision of integral IT system) with the budget of at least 35% of his financial proposal for this tender in the years 2006, 2007, 2008 or 2009²

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.

However, this does not apply to the criteria 3) (a). To meet this selection criterion, a tenderer (leader and partners in case of consortium) can only rely on its own experience of successfully implemented projects. References from sub-contractors foreseen under this project can not be used either.

17. Award criteria

Best value for money

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from the following Internet address: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>. The tender dossier is also available from the Contracting Authority from the following address: <http://www.safu.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, 10 000 Zagreb, Croatia (Središnja agencija za financiranje i ugovaranje programa i projekata EU, Ulica grada Vukovara 284, 10 000 Zagreb, Hrvatska), mail procurement@safu.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 or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and on the CFCA website at: <http://www.safu.hr>.

19. Deadline for submission of tenders

10:00 Zagreb Local Time on 09 November 2009 at the premises of Central Finance and Contracting Agency, Ulica grada Vukovara 284, 10 000 Zagreb, Croatia

² All contracts referenced for year 2009 must have been completed by the deadline for submission of tenders

Any tender received after this deadline will not be considered.

20. Tender opening session

12:00 Zagreb Local Time on 09 November 2009 at the premises of 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

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