**SERVICE CONTRACT NOTICE**

**Development of a technical project for reconstruction of the fortress**

**Niš, Republic of Serbia**

**1. Reference**

CB007.2.11.204/T05

**2. Procedure**

Simplified

**3. Programme title**

Interreg – IPA CBC Bulgaria – Serbia Programme

**4. Financing**

Interreg – IPA CBC Bulgaria – Serbia Programme 2014-2020

**5. Contracting authority**

Citizens' Association "Institute for Progress and Collaboration of the Western Balkans Regions"

**CONTRACT SPECIFICATION**

**6. Nature of contract**

Global price

**7. Contract description**

Preparation of technical project for reconstruction of Niš fortress

**8. Number and titles of lots**

Not applicable.

**9. Maximum budget**

98.000,00 EUR (VAT excluded)

**CONDITIONS OF PARTICIPATION**

**10. Eligibility**

Participation is open to all 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) No 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 23 below). Participation is also open to international organisations.

**11. Number of tenders**

No more than one tender can be submitted by a 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.

**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 2.6.10.1.of the practical guide.

Tenderer included in the lists of EU restrictive measures (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract.

**13. Sub-contracting**

Subcontracting is allowed.

**PROVISIONAL TIMETABLE**

**14. Provisional commencement date of the contract**

16.01.2021.

**15. Implementation period of the tasks**

6 months

**SELECTION AND AWARD CRITERIA**

**16. Selection criteria**

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.

**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 financial years for which accounts have been closed.

**Financial criteria:**

* the average annual turnover of the tenderer for the previous three years must exceed the maximum budget of the contract

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

* The tenderer has, in the moment of offer submission, under full or part time employment contracts with at least 3 staff members relevant to the field of this tender.

**3) Technical capacity of tenderer** (based on items 5 and 6 of the tender form). The reference period which will be taken into account will be the last 5 years preceding the submission deadline.

* The tenderer has provided services under at least 2 (two) contracts with a budget of at least that of this contract in fields of development of technical project/documentation for construction or reconstruction of buildings which were implemented at any moment during the last five years preceding the submission deadline.

This means that the service contract 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. Tenderers are allowed to refer either to service contracts completed within the reference period (although started earlier) or to service contracts not yet completed. In the first case the service contract 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 service contract 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 service contracts completed) also detailing its value. If a tenderer has implemented the service contract 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.

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 the performance of the contract by producing a commitment by 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 comply with the selection criteria for which the economic operator relies on them. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be provided when requested by the contracting authority. 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 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.

**17. Award criteria**

Best price-quality ratio.

**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 simplified 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 on 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.

**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 9 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**

Regulation(EU) No 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

* Commission Implementing Regulation (EU) No 447/2014 of May 2014 on the specific rules for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council establishing an Instrument for Pre-accession assistance (IPA II);
* Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal;
* Commission Delegated Regulation (EU) No 481/2014 of 4 March 2014 supplementing Regulation (EU) No 1299/2013 of the European Parliament and of the Council with regard to specific rules on eligibility of expenditure for cooperation programmes;
* Regulation (EU) No 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;
* Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006;
* Council Regulation (EU, EURATOM) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002;
* Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union;
* Regulation (EU, EURATOM) 2015/1929 of the Еuropean Parliament and of the Council of 28 October 2015 amending Regulation (EU, Euratom) No 966/2012 on the financial rules applicable to the general budget of the Union; Commission Delegated Regulation (EU) 2015/2462 of 30 October 2015 amending Delegated Regulation (EU) No 1268/2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union.
* The Interreg – IPA CBC Bulgaria – Serbia Programme, with programme reference number 2014TC16I5CB007, approved by the European Commission with Decision C(2015) 5444 of 30.07.2015, amended with Decisions No. C(2016) 2853 of 04.05.2016 and No. C(2016) 8643 of 13.12.2016;
* Financing Agreement between the Republic of Serbia and European Commission for the Programme;
* Memorandum on Implementation of Interreg – IPA Cross-Border Cooperation Programme CCI Number: 2014TC16I5CB007 between the Government of the Republic of Bulgaria and the Government of the Republic of Serbia;
* Decision No 156 of 21 March 2014 of the Council of Ministers of the Republic of Bulgaria for designation of the Managing Authority, the Audit Authority and the Certifying Authority and Decision No 679 of 11 August 2016 of the Council of Ministers of the Republic of Bulgaria for designation of the Managing Authority and the Certifying Authority;

and in compliance with:

* Second Call for Proposals and the respective Guidelines for Applicants’ Package.

**24. Additional information**

None