
SUPPLY CONTRACT NOTICE

Upgrade of the existing Migration Information System - supply

Bosnia and Herzegovina (BiH)

Tender no. EC/BiH/TEN/19/021

1. Publication reference

EuropeAid/140731/DH/SUP/BA

2. Procedure

Open

3. Programme title

Annual Action Programme for Bosnia and Herzegovina 2017 – Objective 1

4. Financing

2020-22.020101

5. Contracting authority

The European Union, represented by the European Commission on behalf of and for the account of Bosnia and Herzegovina.

CONTRACT SPECIFICATIONS

6. Description of the contract

This Contract includes the supply (with auxiliary services, like trainings etc. where applicable), and integration of the Biometric Identification System for the Ministry of Security as integrated part of Information System of Migration – ISM with the accompanying IT equipment necessary for support to current and planned management of migration, asylum and border in Bosnia and Herzegovina. Contract will enhance the technical capacity of the Ministry of Security, Border Police, Service for Foreigners affairs and Ministry of foreign affairs.

7. Number and titles of lots

One lot only.

TERMS OF PARTICIPATION

8. Eligibility and rules of origin

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) 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 22 below). Participation is also open to international organisations.

All supplies under this contract must originate in one or more of these countries.

For UK candidates or tenderers: Please be aware that following the entry into force of the EU-UK Withdrawal Agreement* on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union and to goods originating from an eligible country, as defined under Regulation (EU) No 236/2014**, are to be understood as including natural or legal persons residing or established in, and goods originating from the United Kingdom. Those persons and goods are therefore eligible under this call.

* Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

** 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.

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 Section 2.6.10.1. of the practical guide.

Tenderers 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.

10. Number of tenders

The candidates may submit an application for one lot only, several lots or all of the lots, but only one application may be submitted per lot. Tenders for parts of a lot will not be considered. Tenderers may not submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

Contracts will be awarded lot by lot and each lot will form a separate contract. 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.

11. Tender guarantee

Tenderers must provide a tender guarantee of EUR 25 000 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 5% 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

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.

In exceptional circumstances, the contracting authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period (see para 8.2 of the instructions to tenderers).

15. Period of implementation of tasks

365 days from contract signature until the provisional acceptance.

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 unless 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 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. The reference period which will be taken into account will be the last three financial years for which accounts have been closed.
 - the average annual turnover of the tenderer for the last 3 years for which accounts have been closed must exceed the total value of its financial offer.
- 2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the tender form for a supply contract). The reference period which will be taken into account will be the last three years preceding the submission deadline.
 - at least 3 staff in fields related to this contract, has been working and currently work for the tenderer.
- 3) Technical capacity of tenderer (based on i.a. items 5 and 6 of the tender form for a supply contract). The reference period which will be taken into account will be the last three years preceding the submission deadline.
 - the tenderer has delivered supplies under at least 2 (two) contracts with a budget of at least the value of its financial offer (each of the reference contract) and in the field related to this contract which were implemented during the following period: 7 September 2017 – 7 September 2020.

This means that the 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 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, final acceptance). In case of projects still on-going only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value.

Capacity-providing entities

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. If the tenderer relies on other entities it must prove to the contracting authority that it will have at its disposal the resources necessary for performance of the contract 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 and notably that of nationality, as the economic operator relying on them 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, a tenderer may only rely on the capacities of other entities where the latter will perform the tasks 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

Price.

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_and http://europa.ba/?page_id=320](https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome_and_http://europa.ba/?page_id=320). The tender dossier is also available from the contracting authority. 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:

Delegation of the European Union to Bosnia and Herzegovina
Finance, Contracts and Audit Section – Procurement team
Skenderija 3a, 71000 Sarajevo, Bosnia and Herzegovina

E-mail: DELEGATION-BOSNIA-AND-HERZEGOVINA-PROCUREMENT@eeas.europa.eu

(mentioning the publication reference shown in item 1) at the latest 21 days before the deadline for submission of tenders given in item 19. The contracting authority must reply to all tenderers' questions at the latest 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 website of DG International Cooperation and Development at [https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome and http://europa.ba/?page_id=320](https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome_and_http://europa.ba/?page_id=320).

19. Deadline for submission of tenders

The tenderer's attention is drawn to the fact that there are two different systems for sending tenders: one is by post or private mail service, the other is by hand delivery.

In the first case, the tender must be sent before the date and time limit for submission, as evidenced by the postmark or deposit slip¹, but in the second case it is the acknowledgment of

¹ It is recommended to use registered mail in case the postmark would not be readable.

receipt given at the time of the delivery of the tender which will serve as proof.

16:30 Central European Time on 8th September 2020.

Any tender submitted to the contracting authority after this deadline will not be considered.

The contracting authority may, for reasons of administrative efficiency, reject any tender submitted on time to the postal service but received, for any reason beyond the contracting authority's control, after the effective date of approval of the evaluation report, if accepting tenders that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.

How tenders may be submitted

Tenders must be submitted in English exclusively to the contracting authority in a sealed envelope:

- EITHER by post or by courier service, in which case the evidence shall be constituted by the postmark or the date of the deposit slip, to:

Delegation of the European Union to Bosnia and Herzegovina
Finance, Contracts and Audit Section - Procurement Team
Skenderija 3a, 71000 Sarajevo, Bosnia and Herzegovina

- OR hand delivered by the participant in person or by an agent directly to the premises of the contracting authority in return for a signed and dated receipt, in which case the evidence shall be constituted by this acknowledgement of receipt, to:

Finance, Contracts and Audit Section - Procurement Team
Delegation of the European Union to Bosnia and Herzegovina
Finance, Contracts and Audit Section - Procurement Team
Skenderija 3a, 71000 Sarajevo, Bosnia and Herzegovina
Opening hours: Monday to Thursday 09:30-16:30; Friday 09:30-14:00

The contract title and the Publication reference (see item 1 above) must be clearly marked on the envelope containing the tender and must always be mentioned in all subsequent correspondence with the contracting authority.

Tenders submitted by any other means will not be considered.

By submitting a tender candidates accept to receive notification of the outcome of the procedure by electronic means. Such notification shall be deemed to have been received on the date upon which the contracting authority sends it to the electronic address referred to in the tender.

20. Tender opening session

11:00 Central European Time on 14 September 2020.

In the case that at the date of the opening session some tenders have not been delivered to the contracting authority but their representatives can show evidence that they have been sent on time, the contracting authority will allow them to participate in the first opening session and inform all representatives of the tenderers that a second opening session will be organised.

21. Language of the procedure

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

22. Legal basis²

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 Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II).

23. Additional information

Financial data to be provided by the tenderer in the standard tender form must be expressed in EUR. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to EUR shall be made in accordance with the InforEuro exchange rate of July 2020, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.

² Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).