

SERVICE CONTRACT NOTICE

Road safety assessment of Montenegro Location - Europe (non EU), Montenegro (MNE)

1. Publication reference

EuropeAid/138996/IH/SER/ME

2. Procedure

Restricted

3. Programme title

Instrument for Pre-Accession Assistance (IPA II)

4. Financing

Annual Action Programme for Montenegro 2014

5. Contracting Authority

The Ministry of Finance, the Directorate for Finance and Contracting of the EU Assistance Funds

CONTRACT SPECIFICATION

6. Nature of contract

Global price

7. Contract description

The purpose of the contract is to perform road safety assessment on the road network of Montenegro in the length of 1855 km. The focus is placed on:

- Risk mapping of road sections based on accidents and traffic data that will show a road's safety performance by measuring and mapping the rate at which people are killed or seriously injured;
- Road surveys with a specially equipped survey vehicle for data collection needed to develop colour coded risk bands and star rating (1 to 5) in order to show the varying level of risks across Montenegrin road network and in line with road safety related factors. The results shall provide ratings for whole road lengths as well as individual one-hundred meter sections;
- Tracking road safety performance that will identify whether fewer people are being killed or seriously injured on individual routes or road networks over time, and importantly, through consultation with road authorities, the countermeasures that are most effective shall be defined;
- Safer Roads Investment Plan to provide road improvement options to generate affordable and economically sound infrastructure options for saving lives. Throughout the above-mentioned activities, on-the-job training will be carried for the staff to perform road safety control in Montenegro, in order to acquire expertise on handling the equipment, producing risk mapping as well as applying all relevant EU procedures in road safety assessments.

8. Number and titles of lots

One lot only

9. Maximum budget

EUR 470.000

10. Scope for additional services

The Contracting Authority may, at its own discretion, extend the project in duration and/or scope subject to the availability of funding up to a maximum not exceeding the value of the initial contract. Any extension of the contract would be subject to satisfactory performance by the Contractor.

CONDITIONS OF PARTICIPATION

11. Eligibility

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) N°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 29 below) . Participation is also open to international organisations.

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 (i.e., 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 unless prior approval from the Contracting Authority has been obtained (see Practical Guide – PRAG - 2.4.3.). 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 PRAG.

16. Sub-contracting

Subcontracting is allowed.

17. Number of candidates to be short-listed

On the basis of the applications received, between 4 and 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

June 2018

19. Provisional commencement date of the contract

November 2018

20. Initial period of implementation of tasks

12 months

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 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 candidate** (based on item 3 of the application form). In case of candidate being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three years for which accounts have been closed.
 - a) The average annual turnover of the candidate must exceed EUR 470,000;
 - b) Current ratio (current assets/current liabilities) in the last year for which accounts have been closed must be at least 1. In case of a consortium this criterion must be fulfilled by each member.
- 2) **Professional capacity of candidate** (based on items 4 and 5 of the application form). The reference period which will be taken into account will be the last three years from submission deadline.

Criteria for legal and natural persons

- a) The candidate has at least 5 (five) permanent staff who work for the tenderer in the fields related to this contract;
- b) The candidate holds a professional certificate or accreditation, issued by the competent authority, to undertake road safety assessments.

- 3) **Technical capacity of candidate** (based on items 5 and 6 of the application form). The reference period which will be taken into account will be the last five years from submission deadline.
- a) The candidate has provided services under at least 1 (one) contract with a budget of at least EUR 470,000 in the field of Road Safety Assessment, which was implemented at any moment during the reference period: last five (5) years starting from the submission deadline of this application.

This means that the project the candidate 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. Candidates/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, proof of final payment). In case of projects 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 projects completed) also detailing its value. If a candidate/tenderer has implemented the project in a consortium, the percentage that the candidate/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 caused breach of contract and termination by a Contracting Authority shall not be used as reference.

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 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 - notably that of nationality – and must fulfil the same relevant selection criteria as the economic operator. 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 works or 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.

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 candidates. The only factors which will be taken into consideration during this re-examination are:

- 1) The highest number of contracts compliant with the requirements of criterion 21.3 a), and
- 2) The highest cumulative value of services carried out by the Candidate under contracts compliant with the requirements of criterion 21.3 a);

Note: (i) is applied firstly and then (ii) is applied in the case where two or more candidates have the same number for (i).

22. Award criteria

Best price-quality ratio.

APPLICATION

23. Deadline for receipt of applications

14: 30h – Podgorica local time, on **19th April 2018**

Any application received by the Contracting Authority after this deadline will not be considered.

24. Application format and details to be provided

Applications must be submitted using the standard application form, the format and instructions of which must be strictly observed. The application form is available from the following Internet address:

<http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=B>

The application must be accompanied by a declaration of 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 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 in a sealed envelope:

- EITHER by recorded delivery (official postal service) to:

Mr Bojan Paunović
The Directorate for Finance and Contracting of the EU Assistance Funds
The Ministry of Finance
Stanka Dragojevića 2
81000 Podgorica, Montenegro

In this case, the delivery record makes proof of compliance with the time-limit for receipt.

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

Mr Bojan Paunović
The Directorate for Finance and Contracting of the EU Assistance Funds
The Ministry of Finance
Stanka Dragojevića 2
81000 Podgorica, Montenegro

Opening hours of the Contracting Authority: 07:00 – 15:00 (local time).

In this case, the acknowledgment of receipt makes proof of compliance with the time-limit for receipt.

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.

By submitting an application 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 application.

26. Alteration or withdrawal of applications

Candidates may alter or withdraw their applications by written notification prior to the deadline for submission of applications. No application may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with Item 25. The outer envelope (and the relevant inner envelope if used) 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. Date of publication of prior information notice

17th June 2017

29. Legal basis¹

- 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)
- 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 2 May 2014 on the specific rules for implementing Regulation (EU) No 231/2014 establishing an Instrument for Pre-accession Assistance (IPA II);

30. Additional information

Any request for clarification should be sent to the following e-mail address: cfcu@mif.gov.me.

Disclaimer: Please note, that if sent by international mail or express courier, your applications may be detained for inspection by the Montenegrin Customs Authorities for as many as four or five days. We hereby recommend that you check with your post office or international express courier if they will be able to overcome such delays in order to avoid late delivery of your Tender and can guarantee the delivery on time. The Contracting Authority will assume no responsibility for any belated deliveries stemming from extended examination of your packages by the local authorities nor shall we assume any responsibility for delays in the customs clearance of your envelopes.

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¹ Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).