**Additional information about the Contract Notice**

**Purchase of robotic system and Mobile transport center
Location -** Montenegro

1. **Nature of contract**

unit price

1. **Programme title**

INTERREG IPA CBC ITALY-ALBANIA-MONTENEGRO

1. **Financing**

Financing agreement concerning INTERREG IPA CBC ITALY - ALBANIA - MONTENEGRO

1. **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 candidates/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 ‘Legal basis’ 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\*\* and Annex IV of the ACP-EU Partnership Agreement\*\*\*, are to be understood as including natural or legal persons residing or established in, and to 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.

\*\*\* Annex IV to the ACP-EU Partnership Agreement, as revised by Decision 1/2014 of the ACP-EU Council of Ministers (OJ L196/40, 3.7.2014)

\*\*\*\* including the Overseas Countries and Territories having special relations with the United Kingdom, as laid down in Part Four and Annex II of the TFEU

1. **Candidature**

All eligible natural and legal persons (as per item 4 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 partners of a consortium (i.e., the leader and all other partners) are jointly and severally liable to the contracting authority.

The participation of an ineligible natural or legal person 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.

1. **Number of applications or tenders**

No more than one application or tender can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or partner of a consortium submitting an application/tender). In the event that a natural or legal person submits more than one application or tender, all applications or tenders in which that person has participated will be excluded.

In case of lots, the candidates or tenderers may submit only one application or tender per lot. Contracts will be awarded lot by lot and each lot will form a separate contract.

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 works or supplies required in the tender dossier.

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.

1. **Tender guarantee**

Tenderers must provide a tender guarantee of **EUR 10,000** 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.

1. **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.

1. **Information meeting and/or site visit**

No information meeting is planned.

1. **Tender validity**

Tenders must remain valid for a period of 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.

1. **Grounds for exclusion**

Candidates or tenderers must submit a signed declaration, included in the application form or tender form, to the effect that they are not in any of the situations listed in Section 2.6.10.1. of the **practical guide (PRAG).**

Candidates or 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.

1. **Sub-contracting**

Sub-contracting is allowed.

1. **Period of implementation of tasks**

240 calendar days starting from the date stipulated in the Commencement order



**SELECTION AND AWARD CRITERIA**

1. **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 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** **(**on item 3 of supply tender 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.

**Criteria for legal and natural persons:**

* the average annual turnover of the tenderer must exceed its financial offer at least two times.

**2)** **Professional capacity** (based on items 4 and 5 of the tender form for supply contracts). The reference period which will be taken into account will be the last three years preceding the submission deadline.

**Criteria for legal and natural persons:**

* the Tenderer has a minimum of 5 staff employed on a permanent basis in fields related to this contract;
* the Tenderer has a valid ISO 9001 and/or ISO 14001 professional certificate.

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

**Criteria for legal and natural persons:**

* the Tenderer has completed successfully at least **five contracts** in fields related to this tender with a budget value of at least as the financial proposal of the tenderer for this contract.

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 economic operator relies on other entities 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 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 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 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 tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the economic operator relies, become jointly and severally liable for the performance of the contract.

1. **Award criteria**

Price.



**APPLICATION AND TENDERING**

1. **How to obtain the tender dossier**

The tender dossier is available from the TED E-Tendering platform at the following Internet address: [**https://etendering.ted.europa.eu/cft/cft-display.html?cftId=6677**](https://etendering.ted.europa.eu/cft/cft-display.html?cftId=6677)

The tender dossier is also available from the Contracting Authority at the following internet address: <http://www.mup.gov.me/biblioteka/tenderi?fbclid=IwAR0TtmUqxDxlPmQ566-gFk57DKOAJyRCeH71br29EUav3ZoXPfEIcwBI0tc>

Tenders must be submitted using the standard tender form 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 e mail address radomir.scepanovic@mup.gov.me (mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item ‘**Deadline for submission of applications or tenders’**. The contracting authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Possible clarifications or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the F&T portal at <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home> and the Contracting Authority web site:

<http://www.mup.gov.me/biblioteka/tenderi?fbclid=IwAR0TtmUqxDxlPmQ566-gFk57DKOAJyRCeH71br29EUav3ZoXPfEIcwBI0tc>

1. **Tender opening session**

The tenders will be open in Public session on 11/12/2020 at 13:00h in the premises of the Ministry of Interior - Directorate for Emergency Management, Bul. Jovana Tomaševića bb Podgorica, Montenegro, first floor, Conference room.

1. **Language of the procedure**

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

**28. 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 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); Commission Implementing Regulation (EU) No 447/2014 of 2 May 2014 on the specific rules for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11th March 2014 establishing an Instrument for Pre-accession Assistance (IPA II) - See Annex A2 of the practical guide.

**29. Additional information**

Financial data to be provided by the candidate in the standard application form or the tenderer in the 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 the month and year of the publication of the present Contract notice, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.