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## SUPPLY CONTRACT NOTICE

### Supply of hardware for functioning of New Computerized Transit System (NCTS)

**Location** –Europe (non EU), Montenegro (ME)

**1. Publication reference**

EuropeAid/139357/IH/SUP/ME

**2. Procedure**

Open

**3. Programme title**

Instrument for Pre-Accession Assistance (IPA II)

**4. Financing**

Financing Agreement concerning National Programme Montenegro 2014 (objective 1- part 1 and objective 2 – part 1)

**5. Contracting authority**

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

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## CONTRACT SPECIFICATIONS

**6. Description of the contract**

The subject of this contract is the supply, delivery, unloading, installation, testing, putting into operation of the IT equipment to the Montenegrin Customs Administration, that will support the expansion of the existing system's capacity to support the functionality of the New Computerized Transit System (NCTS) and other related applications (i.e. Storage system, Blade Chassis; Servers for blade chassis; Backup server and Tape library; Firewall device, L2 Switching system, Remote Access System, as detailed in the attached technical specifications) as well as providing training (for the relevant items).

The objective of the contract is to support efficient performance of administrative and operational capacity of the Montenegrin Customs Administration, with the aim to meet the EU requirements related to accession to Convention on Facilitation of Trade in Goods (SAD) /Common Transit Convention (CTC) and Union Customs Code, and other e-Customs initiatives in the future.

**7. Number and titles of lots**

One lot only

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

All supplies under this contract must originate in one or more of the above countries, except the following items being subject of the derogation to the rule of origin:

Item number	<u>Description</u>
1.	STORAGE SYSTEM
4.	BACKUP SERVER
5.	TAPE LIBRARY
6.	SERVER FIREWALL DEVICE
7.	PERIMETER FIREWALL DEVICE
8.	L2 SWITCHING SYSTEM
9.	REMOTE ACCESS SYSTEM
10.	TRAINING

## **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.

## **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 EUR 5,000.00 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**

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**

The period of implementation of tasks is 150 days, starting from the date stipulated in the Commencement Order and ending on the date of issuance of the Provisional Acceptance certificate.

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## 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 years for which accounts have been closed.
  - a) The average annual turnover of the tenderer for the last three years for which the accounts have been closed must be at least equal to tenderer's financial offer under this tender procedure.
- 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 3 (three) years from submission deadline.
  - a) At least 4 permanent staff work for the tenderer in the fields related to this contract;
  - b) Certification: tenderer (at least one member in case of consortium) has following standards or their equivalents: ISO 9001 or equivalent and ISO 27001 or equivalent;
  - c) The tenderer (if it is not the manufacturer of the equipment) must be authorised by the manufacturer for delivery, installation and maintenance of the offered equipment at least during the warranty period.
- 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 5 (five) years from submission deadline.

The tenderer has delivered supplies under **at least one (1) contract** with a budget of at least equalling tenderer's financial offer under this tender procedure in the fields related to this contract, i.e. delivery of IT equipment and provision of training, as described in Point 6 of this Contract Notice.

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. Some examples of when it may not be considered appropriate by the Contracting Authority are when the tenderer relies in majority on the capacities of other entities or when they rely on key criteria. 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, 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 and notably that of nationality, as the economic operator. 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 furnished 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

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# **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 Internet address: [http://www.cfcu.gov.me/tenderi/svi\\_poziivi](http://www.cfcu.gov.me/tenderi/svi_poziivi). 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:

The Ministry of Finance

Directorate for Finance and Contracting of the EU Assistance Funds,

Stanka Dragojevića 2, 81000 Podgorica, Montenegro,

or via e-mail address: [cfcu@mif.gov.me](mailto:cfcu@mif.gov.me) (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>

## **19. Deadline for submission of tenders**

21 September 2018, Podgorica, 10:00h local time

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

## **20. Tender opening session**

Opening session will be held in the premises of Directorate for Finance and Contracting of the EU Assistance Funds, Arsenija Boljevića 2A, II floor, one hour after the deadline for

submission of tenders.

## **21. Language of the procedure**

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

## **22. Legal basis<sup>1</sup>**

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;

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 11 March 2014 establishing an Instrument for Pre-Accession Assistance (IPA II).

## **23. Additional information**

Not applicable.

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