

SERVICE CONTRACT NOTICE

Technical assistance to support the development of green economy in Belarus

Location – Europe (non-EU) – Belarus

1. Publication reference

EuropeAid/135512/DH/SER/BY

<https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome&nbPubliList=15&orderby=upd&orderbyad=Desc&searchtype=RS&aofr=135512>

2. Procedure

Restricted

3. Programme

ENPI

4. Financing

Financing agreement

5. Contracting Authority

European Union, represented by the European Commission on behalf of and for the account of the beneficiary country, Minsk, BELARUS

CONTRACT SPECIFICATION

6. Nature of contract

Fee-based

7. Contract description

The overall objective of the project is promotion of green economy mechanisms in Belarus. The purposes of the contract are as follows: 1) to define and elaborate the main mechanisms of the green economy development, institutional and legal support of the Ministry of Natural Resources and Environmental Protection in this regard; 2) to improve the level of competence of the specialists of the central state bodies and other authorities of the Republic of Belarus in the area of mechanisms and principles of the green economy; 3) to elaborate the Program of Actions for the reduction of pollutant emissions, covered by the Gothenburg Protocol; 4) to expand international cooperation between Belarus and the EU.

The main activities of the project include: 1) Development of knowledge and competences of

Belarusian authorities in the context of the green economy, including drafting of legal acts in this field; 2) Elaboration of the Program of Actions to Reduce Pollutant Emissions until 2030, covered by the Gothenburg Protocol, with the application of an integral emissions inventory.

8. Number and titles of lots

No, one lot only

9. Maximum budget

EUR 1 600 000

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 length and 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 legal persons (participating either individually or in a grouping (consortium) of candidates) which are established in a Member State of the European Union or in a country or territory of the regions covered and/or authorised by the specific instruments applicable to the programme under which the contract is financed (see also item 29 below). Participation is also open to international organisations. The participation of natural persons is governed by the specific instruments applicable to the programme under which the contract is financed.

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 (ie, 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 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 Practical Guide to contract procedures for EC external actions.

16. Sub-contracting

Subcontracting is allowed

17. Number of candidates to be short-listed

On the basis of the applications received, between 4-8 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

30/04/2014

19. Provisional commencement date of the contract

01/09/2014

20. Initial period of implementation of tasks

30 months

SELECTION AND AWARD CRITERIA

21. Selection criteria

Same criteria for legal and natural person.

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:

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.

Criteria for legal and natural persons:

1. The average annual turnover of the candidate for the last 3 financial years must exceed EUR 1 000 000; and
2. The average current assets for the last 3 financial years must at least be equal to the average current liabilities for the last 3 financial years.

NOTE: "financial years" means here "financial years for which accounts have been closed and are available".

2) Professional capacity of candidate (based on items 4 and 5 of the application form)

Criteria for legal and natural persons:

1. At least 10 staff members were working during the last 2 years and are currently working for the candidate in field of environmental governance. Out of these 10 staff members, at least 5 must be permanent.

3) Technical capacity of candidate (based on items 5 and 6 of the application form)

Criteria for legal and natural persons:

1. The candidate must have provided services under at least three technical assistance service contracts in the following fields of environment: drafting legislation, institutional building, policy development or law enforcement. To be eligible, each of the service contracts mentioned above must:

- have a value of at least EUR 1 000 000, of which at least EUR 500,000 is implemented by the candidate, and
- have been implemented at any moment during the following period: April 2011 and April 2014 (this means that the contract the candidate refers to could have been started /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), and
- have been implemented in ex-Tacis, ENPI or IPA beneficiary countries.

NOTE 1: it is possible for the candidate to refer to a part of a contract it is implementing where the contract is not yet completed. However, only the part which has been completed may be used as a reference. The candidate must be able to submit documentary evidence of that part's completion (e.g. a statement from the entity which ordered the service, a copy of a contract, approval of progress reports, projects deliverables, proof of payment of interim/final invoices, etc.). **The above listed requirements for the services' values, implementation period and eligible countries will be fully applied to the partially implemented contracts.**

NOTE 2: where a candidate has implemented the contract in a consortium, the proportion that the candidate has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided.

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 performance of the contract, for example by producing an undertaking 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.

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 number of contracts compliant with the requirements in criterion 21.3)1.
- 2) the cumulative value of the services implemented by the candidate in the contracts compliant with the requirements in criterion 21.3)1.

The 2 above factors will be applied in the order of precedence; i.e. all eligible candidates will first be assessed against factor (1) and ranked accordingly. Factor (2) will only be applied if some candidates are ranked equally for factor (1) and will only concern these candidates.

22. Award criteria

Best value for money.

APPLICATION

23. Deadline for receipt of applications

17:30 local (Minsk) time on 21/04/2014.

Any application received 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?group=B>

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:

Delegation of the European Union to Belarus
Finance, Contracts and Audit Section
34A/2, Engels Street
Minsk, 220030, Belarus

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

Delegation of the European Union to Belarus
Finance, Contracts and Audit Section
34A/2, Engels Street
Minsk, 220030, Belarus

Tel. +375 17 3286613

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.

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

18/02/2014

Notice number in OJ: 2014/S 034-054558

29. Legal basis

Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument

30. Additional information

Opening hours of the Contracting Authority: every Belarusian working day 9:00–13:00 and 14:00-17:30.

Contact e-mail for this Call for Tenders: BELARUS-C&F@eeas.europa.eu