

Additional information about the Contract Notice

Strengthened capacities of administrative and law enforcement institutions responsible for financial investigations, fight against terrorism financing and fight against organised crime

Location - Republic of Serbia

1. Nature of contract

Unit price

2. Programme title

Annual Action Programme for Serbia for the year 2017

3. Financing

Financing agreement

4. 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

5. 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.

6. 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.

7. Tender guarantee

Tenderers must provide a tender guarantee of:

Lot 1: 14,000.00 EUR

Lot 2: 5,000.00 EUR

Lot 3: 6,300.00 EUR

Lot 4: 4,300.00 EUR

Lot 5: 10,500.00 EUR

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.

8. 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.

9. Information meeting and/or site visit

No information meeting is planned

10. Tender validity

Tenders must remain valid for a period of 3 months 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.

11. Shortlist alliances prohibited

N/A

12. 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)**. Where the candidate or tenderer intends to rely on capacity providing entities or subcontractor(s), he/she must provide the same declaration signed by this/these entity(ies).

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.

13. Sub-contracting

Sub-contracting is allowed.

14. Number of candidates to be short-listed

N/A

15. Provisional date of invitation to tender

June 2021

16. Provisional commencement date of the contract

December 2021

17. Period of implementation of tasks

Lot 1: 180 days

Lot 2: 180 days

Lot 3: 180 days

Lot 4: 180 days

Lot 5: 270 days

from the day of issuance of Commencement Order until the provisional acceptance.

SELECTION AND AWARD CRITERIA

18. 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 (based 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.

- The average annual turnover of the tenderer must exceed the amount of the financial offer

for each lot tendered.

- 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 (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.

The selection criteria applicable to all Lots is as follows:

- At least five (5) permanent staff currently works for the tenderer in fields related to this contract.

Additional selection criteria related to specific lots are as follows:

Lot 1:

- Bidder (supplier) must be authorized by the manufacturers of offered equipment for items 5.23, 5.24, 5.25, 5.26, 5.27, 5.28, 5.29, 5.30, 5.31, 5.32 or its authorized dealers in Serbia to provide installation and configuration and after sales service for such offered equipment.
- Bidder must have employees or engaged personnel with the following certificates:
 - Certificate issued by the manufacturer proving possession of necessary knowledge to install, configure and manage offered switches (items 5.23, 5.24, 5.25)
 - Certificate issued by the manufacturer proving possession of necessary knowledge to install, configure and manage routing, security and wireless functionalities of the WAN router/firewall with 4G (LTE) & Wi-Fi support (item 5.26)
 - Certificate issued by the manufacturer proving possession of necessary knowledge to install, configure and manage rack mountable server (item 5.28)
 - Certificate issued by the manufacturer proving possession of necessary knowledge to install, configure and manage disk storage system type I and II (item 5.30 & 5.31)

Lot 2:

- Bidder must be authorized by the manufacturers of offered software/equipment or its authorized dealers in Serbia to provide installation and configuration and after sales service for such offered equipment.

Lot 4:

- Bidder must be authorized by the manufacturers of offered software/equipment or its authorized dealers in Serbia to provide installation and configuration and after sales service for such offered equipment.

Lot 5:

- Bidder must be authorized by the manufacturers of offered equipment or its authorized dealers in Serbia to provide installation and configuration and after sales service for such

offered equipment.

- 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 five years from submission deadline.

The selection criteria for tenderers to all Lots is as follows:

- the tenderer has provided supplies under at least one (1) contract, which was implemented during the reference period, each with a budget of at least that of his financial offer for this tender in the field related to:
 - IT equipment – computers, servers, storage systems and network equipment (Lot 1)
 - Printers, MFD & scanners (Lot 2)
 - Digital forensic software tools (Lot 3)
 - Telecommunication and telepresence equipment (Lot 4)
 - Surveillance equipment (Lot 5)

The tenderer shall supply copies of the certificates or provisional or final acceptance issued by the client/employer/contracting authority for the contracts concerned and/or a written letter of satisfaction from the client/employer/contracting authority evidencing the essential elements required in the relevant technical capacity criteria.

This means that the contract the candidate refers to could have been started at any time during the indicated period but it does not necessarily have to be completed during that period, nor implemented during the entire period. Candidates are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. Only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (statement or certificate from the entity which awarded the contract, proof of payment) also detailing its value. If a candidate has implemented the project in a consortium, the percentage that the candidate 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.

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.]

19. Award criteria

Price

APPLICATION AND TENDERING

20. How to obtain the tender dossier

The tender dossier is available from the TED E-Tendering platform at the Internet address provided in the Contract Notice under section I.3) Communication

The tender dossier is also available from the Contracting Authority.

Tenders must be submitted using the standard tender form included in the tender dossier, whose format and instructions must be strictly observed.

Any request for additional information must be made in writing through the TED eTendering website accessible from the F&T portal at <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home>. Registration on TED eTendering is required to be able to create and submit a question. Additional information can be requested by clicking "Create a question" in the Questions&Answers tab at least 21 days before the deadline for submission of tenders given in item 'Deadline for submission of applications or tenders'. The questions and answers will be published on TED eTendering at the latest 11 days before the submission deadline. The website will be updated regularly and it is the tenderer's responsibility to check for updates and modifications during the submission period.

21. Tender opening session

10 August 2021 at 14:00 CET, at Ministry of Finance, Department for Contracting and Financing of EU Funded Programmes (CFCU), Sremska 3-5 St, 11000 Belgrade, Republic of Serbia, I floor, Conferential room.

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.

22. Applications format and details to be provided

N/A

23. How applications may be submitted

Applications 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:

Ministry of Finance, Government of the Republic of Serbia
Department for Contracting and Financing of EU Funded Programmes (CFCU)
Division for Tender Evaluation and Contracting
Sremska 3-5 St, VII floor, office 701,
11000 Belgrade, Republic of Serbia

- 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:

Ministry of Finance, Government of the Republic of Serbia
Department for Contracting and Financing of EU Funded Programmes (CFCU)
Division for Tender Evaluation and Contracting
Sremska 3-5 St, VII floor, office 701,
11000 Belgrade, Republic of Serbia

The contract title and publication reference (see contract notice) 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 form.

24. Deadline for submission of applications

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

In the first case, the application 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 receipt given at the time of the delivery of the application that will serve as proof.

The deadline for submission of applications can be found in the Contract Notice under IV.2.2.

Any application sent to the contracting authority after this deadline will not be considered.

In case the tender is submitted by post or private mail service, the tenderers should inform Contracting Authority that the tender was sent and enclose a copy of the deposit slip by sending an email to address ec@mfin.gov.rs.

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

25. Clarifications on the contract notice

Any request for additional information must be made in writing through the TED eTendering website accessible from the F&T portal at <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home>. Registration on TED eTendering is required to be able to create and submit a question. Additional information can be requested by clicking "Create a question" in the Questions&Answers tab at the latest 21 days before the deadline for submission of

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

applications stated at section **IV.2.2) of the contract notice.**

Clarifications will be published on TED eTendering website at the latest 11 days before the deadline for the submission of applications. The website will be updated regularly and it is the applicants responsibility to check for updates and modifications during the submission period.

26. Alteration or withdrawal of applications

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

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with precedent item. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

27. Language of the procedure

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

28. 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).

29. Additional information

Financial data to be provided by the candidate in the standard application 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 June 2021 of the applicable InforEuro exchange rate, which can either correspond to the month and year of the publication of the present contract notice or the month and year corresponding to the deadline for submitting applications, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html> .

Opening hours of the Contracting Authority for the submission of applicants: 08:00 – 15:00 Central European Time.

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