
SUPPLY CONTRACT NOTICE

Purchase of vehicles, ENV1/JN01

Valjevo, Serbia

1. Publication reference

06-00-72/2013-03/ENV1/JN01

2. Procedure

Open

3. Programme title

SUPPORT TO THE SERBIAN ECONOMY THROUGH THE SUPPLY OF GOODS TO FIVE LINE MINISTRIES IN SERBIA

4. Financing

Financial agreement between the Government of the Italian Republic and the Government of the Republic of Serbia

5. Contracting Authority

Government of the Republic of Serbia – Ministry of European Integration (MEI)

CONTRACT SPECIFICATIONS

6. Description of the contract

The subject of the contract is the provision of the vehicles in order to improve capacity of the Public Utility Company “Vidrak” Valjevo, which is a part of the regional waste management system “Kalenic”. The specific objective is the supply, delivery of the vehicles including technical information for operation and maintenance as specified in the Technical Specifications

7. Number and titles of lots

The tender procedure is not divided into lots.

8. Maximum budget

The maximum budget for this contract is EUR 660.000,00

TERMS OF PARTICIPATION

9. Eligibility and rules of origin

Participation is open to all natural persons who are nationals of and legal persons (participating either individually or in grouping-consortium-of tenders) which are effectively **established in a Member State of the European Union or in an eligible country belonging to the EFTA (European Trade Free Association)**.

All supplies under this contract must be of **European Union or EFTA origin**.

Please be aware that after the United Kingdom's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries and of goods originating from third countries will apply to candidates or tenderers from the United Kingdom, and to all candidates or tenderers proposing goods originating from the United Kingdom depending on the outcome of negotiations. In case such access is not provided by legal provisions in force at the time of the contract award, candidates or tenderers from the United Kingdom, and candidates or tenderers proposing goods originating from the United Kingdom could be rejected from the procurement procedure

10. 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 Section 2.6.10.1 of the Practical Guide. In addition, they have to fulfil the requirements of the “Ethical Clauses and General principles for procurement and execution of contracts” of the Italian Ministry of Foreign Affairs (MAECI-DGCS) and in particular, they are not in one of the following conditions:

- they have been the subject of a conviction by final judgment for one of the following reasons, as defined by art. 57 of the EU/2014/24 directive: participation in a criminal organization, corruption, fraud, terrorist offences or offences linked to terrorist activities, money laundering or terrorist financing, child labor and other forms of trafficking in human beings;
- they have been the subject of a conviction by final judgment for any other crime having as a consequence the incapability of contracting with public Authorities, either in the country where they are established or in one of the country Parties of the Agreement;
- they are in serious breach of their obligations relating to the payment of taxes or social security contributions because they have been the subject of a conviction by final judgment or a binding final administrative decision in the State of the Donor or of the Contracting Authority of in the country where they are established;
- they are in serious breach, demonstrated by any appropriate means of their legal obligations on health and social security, environment, welfare and labor, in in the State of the Donor or of the Contracting Authority of in the country where they are established;

- either they are subject of a proceeding to declare, or they are in one of the following conditions: bankrupt, or being wound up, insolvent, or are having their affairs administered by the liquidator or by the courts, or have entered in an arrangement with creditors, with or without suspending their business activities, or are in an analogous situation;
- the Contracting Authority can demonstrate by appropriate means that the economic operator is guilty of grave professional misconduct, which renders its integrity questionable;
- they, or the members of the group to which they belong, their partners in joint ventures or groups are in conflict of interest linked to their prior involvement in the procurement procedure, having provided consultancy to the Contracting Authority or having been involved in the preliminary phases of the procurement procedure;
- they have been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria, they have withheld such information to one of the Parties of the Agreement or they are recorded in the register kept by the Observatory of the Italian Anticorruption Authority for submission of false documents or false information in order to obtain qualification for their professional activity;
- They have been convicted by a judgement for terrorism, or participation to a criminal organization, having as a consequence loss, suspension or ban from participating in public procurement procedures;
- They have been banned from being awarded a public procurement contract by a binding final administrative decision (as a consequence of a final judgment on a crime), in the State of the Donor or of the Contracting Authority or in the country where they are established;
- They are in breach of their obligations related to prohibition of fictitious transfer of ownership to trustees on a fiduciary basis , regarding control of fictitious transfer of ownership to third parties in the State of the Donor or of the Contracting Authority or in the country where they are established;
- They are not compliant with their obligations concerning working rights of people with disabilities in the State of the Contracting Authority;
- They are in control of any other tenderer participating to the same procurement procedure, or they exert a decisive influence on the other tenderer implying that their tenders are attributable to one and only decision making management structure;
- They have hired, as employees or consultants, former employees of the Contracting Authority whose contract is expired form less than three years, in case those former employees, within the last three years, had decision-making powers on behalf of the Contracting Authority in awarding contracts to themselves.

An economic operator shall also be excluded when a member of the administrative, management or supervisory body of that economic operator or has powers of representation, decision or control therein falls under of the above mentioned conditions.

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.

11. Number of tenders

Tenderers may submit only one tender.

12. Tender guarantee

Tenderers must provide a tender guarantee in the amount of **EUR 13.000,00** 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.

13. 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.

14. Information meeting and/or site visit

No information meeting is planned

15. 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 part 8.2 of the instructions to tenderers).

16. Period of implementation of tasks

The period of the implementation of the tasks is 90 days from the day of issuance the Commencement Order until the day of the issuance of the certificate of Provisional Acceptance

SELECTION AND AWARD CRITERIA

17. 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 (not allowed for this tender):

- 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 3 years for which accounts have been closed.
 - the average annual turnover of the tenderer must exceed the maximum budget of the offered Tender value
- 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 years from the submission deadline.

The tenderer (legal/natural persons) or the equipment manufacturer (if the tenderer is not the manufacturer) for all equipment should provide and/or possess:

- Authorization of the relevant manufacturers to supply of the equipment offered in this tender.
 - Declaration of the relevant manufacturers that they will undertake all responsibilities related with the equipment warranty and will provide full support as regards the supply of spare parts and equipment troubleshooting for a period of at least 5 (five) years.
 - at least 5 permanent staff in field related to this contract
- 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 3 years from submission deadline.

the tenderer has successfully completed and delivered supplies under at least one 1 contract with a budget of at least 300.000 EUR in the field of waste collection vehicles which was implemented during the following period: 3 years from the submission deadline.

- 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.

- 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 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 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 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 the tender 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, 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.
- The Tenderer shall supply copies of the certificates of provisional or final acceptance issued by the client/employer/contracting Authority for the projects 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.

The table under point 6 of the tender submission form, if duly filled, will be accepted as a satisfactory proof for the purposes of eligibility. The Contracting Authority reserves the right to ask for clarifications and/or integrations on such a table. A Tenderer, where appropriate and for a particular contract, can 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 must respect the same rules of eligibility and notably that of nationality, as the Tenderer.

18. Award criteria

Price

TENDERING

19. How to obtain the tender dossier

The tender dossier is available from the following Internet address:

http://www.ambbelgrado.esteri.it/ambasciata_belgrado/it and <http://aics.gov.it/>.

The tender dossier is also available from the Contracting Authority and from its Internet address: <http://www.mei.gov.rs/eng/information/calls/>. 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:

**MINISTRY OF EUROPEAN INTEGRATION,
34 Nemanjina St, V floor
11000 Beograd, Republic of Serbia,
E-mail: antonione@mei.gov.rs
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(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:

<http://www.aics.gov.it>,

<http://www.mei.gov.rs/eng/information/calls/>

http://www.ambbelgrado.esteri.it/ambasciata_belgrado/it

and

20. Deadline for submission of tenders

The deadline for the submission of tenders will be within 60 days from the date of publication of the call in the AICS website and the appropriate channels in the Republic of Serbia.

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

The Contracting authority may, for reasons of administrative efficiency, reject any tender submitted on time to the postal service but received, for any reason beyond the Contracting Authority's control, after the effective date of approval of the evaluation report, if accepting tenders that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.

How tenders may be submitted

Tenders 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 EUROPEAN INTEGRATION,
34 Nemanjina St, V floor 11000 Beograd, Republic of Serbia,
E-mail: antonione@mei.gov.rs
PROTOCOLLO ANTONIONE PROGRAMME**

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 EUROPEAN INTEGRATION,
34 Nemanjina St, V floor
11000 Beograd, Republic of Serbia,
E-mail: antonione@mei.gov.rs
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The contract title and the Publication reference (see item 1 above) must be clearly marked on the envelope containing the tender and must always be mentioned in all subsequent correspondence with the Contracting Authority.

Tenders submitted by any other means will not be considered.

By submitting a tender 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 tender.

21. Tender opening session

The tender opening session and awarding procedure will be organized in Belgrade, at MEI premises and completed within 90 days from the deadline for the tender submission.

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. Language of the procedure

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

23. Legal basis¹

Financial agreement, signed on January 17th 2002 and modified on November 5th 2007, March 4th 2013 and September 18th 2019, between the Government of the Italian Republic and the Government of the Republic of Serbia for the programme “SUPPORT TO THE SERBIAN ECONOMY THROUGH THE SUPPLY OF GOODS TO FIVE LINE MINISTRIES IN SERBIA”.

24. Additional information

Financial data to be provided by the tenderer in the standard 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 **January 2024** 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>.

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