

## **SUPPLY CONTRACT NOTICE**

### **Judicial Efficiency - supplies of the IT equipment**

**Location – Republic of Serbia**

**1. Publication reference**

EuropeAid/137226/DH/SUP/RS

**2. Procedure**

Open

**3. Programme title**

IPA 2012

**4. Financing**

Financing agreement

**5. Contracting authority**

European Union, represented by the Delegation of the European Union to the Republic of Serbia on behalf of and for the account of the partner country, the Republic of Serbia

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## **CONTRACT SPECIFICATIONS**

**6. Description of the contract**

ICT infrastructure (e.g. desktops, printers, scanners, physical servers and storage space, backup...) in Serbian judiciary is facing different strategic, operational and functional problems that are significantly reducing justice efficiency. Due to the lack of funds within the Serbian budget, financial planning is made hard compared to the intensive ICT development. Efforts to enhance ICT on a number of fronts mainly remains fragmented since the judiciary does not systematically approach ICT as an opportunity and a tool to transform the judiciary to align with EU standards.

According to the comprehensive Functional Analysis of the judiciary, various areas of the judiciary need to be significantly and profoundly improved. Among these is the improvement of the ICT system in all courts and prosecution offices across the country.

Most of the ICT is reaching end of projected lifetime, end-of-warranty and storage limits.

Moreover, existing data center ICT infrastructure is reaching its physical computing and storage limits, mostly due to very modest amount of RAM memory installed in servers. Simultaneously, most of the equipment is reaching end of projected lifetime and end-of-warranty.

Urgent strengthening and renewal of critical points of the data centre hardware and equipment is necessary in ensuring better efficiency in the daily work operations of the courts and prosecutor offices in the Republic of Serbia.

Provision of ICT equipment will ensure efficiency improvement.

## **7. Number and titles of lots**

Tender has two (2) lots.

LOT1 – IT equipment supply

LOT2 – Upgrade of the existing system

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## **TERMS OF PARTICIPATION**

### **8. Eligibility and rules of origin**

Participation is open to all legal persons (participating either individually or in a grouping – consortium - of tenderers) 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 item 22 below). All goods supplied under this contract must originate in one or more of these countries. Participation is also open to international organisations. Participation of natural persons is directly governed by the specific instruments applicable to the programme under which the contract is financed.

### **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:

- For LOT1 for the amount: 13.000 EUR
- For LOT2: No tender guarantee is required.

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**

For Lot 1 , 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.

## **15. Period of implementation of tasks**

The period of the implementation of the tasks shall be 90 days from the commencement date.

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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:

### **For LOT1:**

- 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 accounts have been closed) prior to the submission of this tender must be at least equal to the amount of the submitted proposal(s).
- 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 three years from submission deadline
  - (a) The Tenderer (the firm or the leading partner of a consortium) should provide evidence of the current quality management system that carries a valid certification by an accredited organization such as ISO 9001 or the national equivalent.
- 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 three years from submission deadline.

- (a) The tenderer shall demonstrate that it has completed (where provisional/final acceptance certificate or equivalent has been issued) at least two contracts (where the Tenderer's proportion was greater than EUR 500,000 in each contract), in the field of delivery and installation of IT equipment such as PC Workstations, printers, scanners, servers and data storage.

The Tenderer shall supply copies of the certificates of provisional or final acceptance issued by the Client/Contracting Authority of the projects concerned and/or a written letter of satisfaction from the Client/Contracting Authority evidencing the essential elements required by the technical capacity criterion (3)(a) above.

**For LOT2:**

- 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 accounts have been closed) prior to the submission of this tender must be at least equal to the amount of the submitted proposal(s).
- 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 three years from submission deadline
  - (a) The Tenderer (the firm or the leading partner of a consortium) should provide evidence of his own, current quality management system that carries a valid certification by an accredited organization such as ISO 9001 or the national equivalent.
- 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 three years from submission deadline.
  - (a) The tenderer shall demonstrate that within the past three years (from August 2012 up to the deadline for submission of tenders) it has completed (where provisional/final acceptance certificate or equivalent has been issued) at least two contract (where the Tenderer's proportion was greater than EUR 5,000 in each contract) in the field of delivery and installation of IT equipment.

The Tenderer shall supply copies of the certificates of provisional or final acceptance issued by the Client/Contracting Authority of the projects concerned and/or a written letter of satisfaction from the Client/Contracting Authority evidencing the essential elements required by the technical capacity criterion (3)(a) above.

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. Some examples of when it may not be considered appropriate by the Contracting Authority are when the tender rely in majority on the capacities of other entities or when they rely on key criteria. If the tender rely 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 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. 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.

#### **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. 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:

Delegation of the European Union to the Republic of Serbia  
Finance and Contracts Section  
Vladimira Popovica 40/V (GTC Avenue 19)  
11070 Belgrade, Serbia  
Fax: +381 11 3083 201  
[DELEGATION-SERBIA-FCS@eeas.europa.eu](mailto:DELEGATION-SERBIA-FCS@eeas.europa.eu)

(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 October 2015 at 12:00 hours CET.

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

#### **20. Tender opening session**

21 October 2015 at 15:00 CET at the premises of the Delegation of the European Union to the

Republic of Serbia, GTC 19 Avenue Building, Vladimira Popovica 40/V, 11070 Belgrade, Serbia.

**21. Language of the procedure**

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

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

Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA).