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**RS-Belgrade: IPA — assistance to the digital broadcasting switchover in Serbia — 10SER01/16/11
2010/S 113-170760**

Serbia (RS)

Service procurement notice

Common procurement vocabulary (CPV):

Main object:

71356200 Technical assistance services

1. **Publication reference:**

EuropeAid/129776/C/SER/RS (OJ S 48).

2. **Procedure:**

Restricted.

3. **Programme:**

IPA.

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.

6. **Nature of contract:**

Fee-based.

7. **Contract description:**

The objective of the contract is to support the digital broadcasting switchover in Serbia through establishment of the institutional set-up and revision of the legal framework. To achieve a smooth transition from analogue to digital terrestrial television broadcasting, there is a need to set up the adequate organisational structure and planning to assist the Ministry of Telecommunications and Information Society and the other stakeholders in executing this planning. An important part in this process will be the assisting of viewers in switching from analogue terrestrial television viewing to digital. To secure transparent licensing an adequate and comprehensive licensing framework will have to be implemented and the laws/by-laws modified.

8. **Numbers and titles of lots:**

The contract is divided into lots: No, 1 lot only.

9. **Budget:**

Maximum budget: 2 500 000 EUR.

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 (i.e., 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 1 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 1 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 shortlisted application forms will be excluded from this restricted tender procedure. Shortlisted 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 EU external actions'.

16. **Subcontracting:**

Subcontracting is allowed.

Maximum percentage of the contract value which may be subcontracted: 15 %.

17. **Number of candidates to be shortlisted:**

On the basis of the applications received, at least 4 and at most 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:**

10.9.2010.

19. **Provisional commencement date of the contract:**

1.12.2010.

20. **Initial period of implementation of tasks:**

Duration in months: 24.

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:

In the case of the applicant being a public body equivalent information should be provided:

1. the average annual turnover of the candidate must exceed 1 250 000 EUR;
2. the averages of cash and cash equivalents at the beginning and end of year are positive.

2) Professional capacity of candidate:

1. at least 15 staff currently work for the applicant in fields related to this contract;
2. at least 20 % of all staff working for the candidate this year in fields related to this contract are permanent.

3) Technical capacity of candidate:

1. the candidate has implemented either as a leader or consortium partner at least 1 project involving digitalisation of the broadcasting system with a budget of at least 1 000 000 EUR in the past 3 years up to the date of submission of the application.

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 re-examined to identify the 8 best applications for the tender procedure. The only factors which will be taken into consideration during this re-examination are:

- 1) highest number of European Union (EU) funded projects;
- 2) highest total numerical value of the proportion in all (EU) funded projects.

22. **Award criteria:**

Best value for money.

Application

23. **Deadline for receipt of applications:**

27.8.2010 (15:00), Central European Time.

Any application received after this deadline will not be considered.

24. **Applications 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 at the following Internet address: http://ec.europa.eu/europeaid/work/procedures/implementation/services/index_en.htm

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 exclusively to the contracting authority in the following language — English:
— either by recorded delivery (official postal service) to:

Delegation of the European Union to the Republic of Serbia, Finance and Contracts Section, GTC 19 Avenue Building, Vladimira Popovica 40, 11070Belgrade, SERBIA,

— or hand-delivered (including courier services) directly to the contracting authority in return for a signed and dated receipt to:

For the attention of: Mr Darko Popovic. Tel. +381 113810976.

As in abovementioned address.

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 applications 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 contract forecast notice:**

10.3.2010.

29. **Legal basis:**

Council Regulation (EC) No 1085/2006 of 17.7.2006 (IPA Regulation).

30. **Additional information:**

Candidates with questions regarding this procurement notice should send them in writing to the e-mail address indicated in item 25 above (mentioning the publication reference shown in item 1) at least by 15 days before the deadline for submission of tenders given in item 23. The contracting authority must reply to all tenderers' questions at least 10 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier will be published at the latest 10 days before the submission deadline on the following websites: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and <http://www.europa.rs>

31. **Date of dispatch of this notice:**

2.6.2010.