

## **SERVICE CONTRACT NOTICE**

### **Technical Assistance to the EU-RGoC Programme entitled "Promotion of inclusive and sustainable growth in the Agricultural Sector: Fisheries and Livestock"**

#### **Cambodia**

Please note that the awarding of the contract is subject to the condition of the prior conclusion of a financing agreement, which does not modify the elements of the procurement procedure (this will be the case, for instance, if the budgetary envelope initially foreseen is different or if the timeframe, the nature or the condition of the implementation are altered). If the precedent condition is not met, the contracting authority will either abandon the procurement or cancel the award procedure without the candidates or tenderers being entitled to claim any compensation.

#### **1. Publication reference**

EuropeAid/134004/C/SER/KH

#### **2. Procedure**

Restricted

#### **3. Programme**

DCI

#### **4. Financing**

Financing agreement, Decision n° DCI-ASIE/2012/023-197

#### **5. Contracting Authority**

European Union, represented by the European Commission on behalf of and for the account of the Kingdom of Cambodia

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## **CONTRACT SPECIFICATION**

#### **6. Nature of contract**

Fee-based

#### **7. Contract description**

The service contract object of this tender concerns the provision of a specialised technical assistance (TA) to the EU-financed programme entitled "Promotion of inclusive and sustainable growth in the Agricultural Sector: Fisheries and Livestock", which will be implemented under the partial decentralised management responsibility of the Royal Government of Cambodia (the present TA contract will however be centrally managed by the EU Delegation in country).

The TA will provide capacity development and policy/expert advice to the Government institutions concerned, particularly in terms of respect of EU procedures for the management of the programme-estimates and in terms of policy/strategy/systems development. The TA will also provide the Government and the EU Delegation a regular update on the Programme's progress from their expert point of view.

The TA will not have any management or implementation responsibilities and the terms of reference of the tender will be drafted in such a way that the principles established in the "Reforming Technical Cooperation and Project Implementation Units for External Aid provided by the European Commission" Backbone Strategy are respected.

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

1 lot

## **9. Maximum budget**

EUR 2,320,000

## **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.

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# **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 up to 25 %.

#### **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.

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### **PROVISIONAL TIMETABLE**

#### **18. Provisional date of invitation to tender**

June 2013

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

January 2014

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

54 months

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### **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.

- 1- The average annual turnover of the candidate must exceed 600,000 Euro (annualised maximum budget of the contract);
- 2- Each year the current assets must exceed the current liabilities.

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

- 1- At least 10 staff currently work for the applicant in a field related to this contract;
- 2- At least 5 staff currently working for the applicant are permanent (>1 year);

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

Criteria for legal and natural persons:

- 1- The candidate has provided long-term services (>12 months) under at least two contracts, each with a budget of at least 2,000,000 Euro, in fields related to this contract, which were implemented at any moment during the last three years (from this contract notice's submission deadline).
- 2- The candidate has provided specific long-term services (>12 months) in terms of institutional capacity building in the agricultural sector (i.e. agriculture, livestock, forestry, fisheries) to partner governments under at least one contract implemented at any moment during the last three years (from this contract notice's submission deadline)
- 3- The candidate has completed successfully at least one project (for which the proportion carried out by the candidate is of minimum 50 %) financed and managed under EU BUDGET rules and regulations, with a budget similar to the one of this contract, at any moment during the last 3 years (from this contract notice's submission deadline).
- 4- The candidate must demonstrate an in-house expertise of the programme-estimate tool used under EU Partial Decentralised Management mode (as detailed in the DEVCO Companion for financial and contractual procedures at <http://ec.europa.eu/europeaid/companion/> and in the Practical Guide for Programme Estimates at [http://ec.europa.eu/europeaid/work/procedures/financing/work\\_programmes/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/financing/work_programmes/index_en.htm) ) preferably under BUDGET rules.

Previous experience which would have lead to breach of contract and termination by a Contracting Authority shall not be used as reference. This is also applicable to 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 linked to the technical capacity of the candidate, i.e. (by order of importance):

- The highest number of EU financed technical assistance contracts to projects implemented under partial decentralized management through the use of programme-estimates;
- Preference will be given to experience in institutional capacity building in the agricultural sector;
- Preference will be given to experience in Asia.

## 22. Award criteria

Best value for money.

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## APPLICATION

### 23. Deadline for receipt of applications

03 June 2013 at 17:00 Cambodia time (GMT+7).

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/work/procedures/implementation/services/index\\_en.htm](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 in English exclusively to the Contracting Authority in a sealed envelope:

- EITHER by recorded delivery (official postal service) to :

Delegation of the European Union in the Kingdom of Cambodia,  
Contract & Finance Section  
No. 100A, Norodom Blvd.  
Sangkat Chaktomuk, Khan Daun Penh  
12207 Phnom Penh.  
Kingdom of Cambodia

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

Ms. Phalline MAO, Secretariat of Finance, Contracts & Audit Section  
Tel.: +855 23 216-996 or +855 23 220611/2; Extension 1064  
Delegation of the European Union in the Kingdom of Cambodia  
No. 100A, Norodom Blvd.  
Sangkat Chaktomuk, Khan Daun Penh  
12207 Phnom Penh.  
Kingdom of Cambodia

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**

05 February 2013

Notice number in OJ: 2013/S 025-037687

**29. Legal basis**

Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18.12.2006.

**30. Additional information**

Opening hours (local time) of the European Union Delegation in Cambodia:

- Monday - Thursday 08:00 to 12:00, 13:30 to 17:30
- Friday 08.00 to 13.30