



Notice on ex-ante publication

Reference IPA/2020/PG/0169-2812

1. Contracting authority

European Commission (Delegation of the European Union in the Republic of North Macedonia)

2. Application procedure

The objective of this notice is to set up a list of candidates that could be invited to a negotiated procedure for a service contract below EUR 139,000.

Documents should be submitted in English by electronic means at the following address: delegation-north-macedonia-ipa-2020-pg-01692812@eeas.europa.eu.

Inclusion on the list entails no obligation on the part of the contracting authority concerning the conclusion of contracts.

3. Information and documents to be provided

Interested parties should provide their full contact details.

Candidates shall provide a declaration on honour model annexed to this notice, stating that they are not in one of the situations of exclusion listed at point 10 and that they fulfil the selection criteria listed at point 11. It is to be duly signed and dated by an authorised representative. In case of doubt, they may be requested to provide supporting evidence of non-exclusion.

4. General description of the procedure

Interested parties are invited to submit documentation in accordance with the rules set out in this notice.

The contracting authority will draw up a list of candidates who meet the criteria set out at point 11.

Where a specific contract relating to the field described at point 7 is to be concluded, the contracting authority will invite five candidates on the list, to submit a tender. The contracting authority will send these candidates the tender specifications relating to the contract in question.

5. Protection of personal data

If processing your documentation involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, your reply to this notice and any personal data requested are required for the purposes indicated above in point 4 and will be processed solely for those purposes by the contracting authority indicated in point 1, which is also acting as data controller. Details concerning the processing of your personal data are available on the privacy statement at:

http://ec.europa.eu/budget/library/explained/management/protecting/privacy_statement_edes_en.pdf

Your personal data may be registered in the Early Detection and Exclusion System (EDES) by the responsible Authorizing Officer of the Commission, should you be in one of the situations mentioned in Article 106 of the Financial Regulation (regulation EU/EURATOM 966/2012 of 25 October 2012 as amended).



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6. Use of the list resulting from this notice

The list resulting from this notice will be used for:

- Selection of candidates to be invited in a negotiated procedure for contracts below EUR 139,000.

7. Full description of the fields covered by this notice

The aim of the project is to assist the EU Delegation to the Republic of North Macedonia in the evaluation of the concept notes and/or full applications for a number of Calls for Proposals by providing technical assistance and expertise in the form of assessors. The assessors will assess the concept notes and/or the full applications in accordance with the rules for EU external actions and its guiding document - PRAG.

The profiles of expertise requested varies from the thematic area of the relevant Calls for Proposals. Indicative list of expertise needed:

- Local and regional development - preferably senior expert
- Rule of law and human rights - preferably senior expert
- Freedom of media - preferably senior expert

The experts participating as assessors must possess the technical and administrative capacities necessary to give an informed opinion on the concept notes and full applications and shall perform in a fair and impartial manner, maintaining strict adherence to the relevant EU rules, including those on impartiality, confidentiality and conflict of interests.

Indicative time norms for some activities:

- Familiarise with the Guidelines for candidates - 0.5 working days per expert for each Call for Proposals;
- It is estimated that each expert will assess 5 Concept Notes per day;
- It is estimated that each expert will assess 2 full Applications per day;
- Preparation of Independent Assessors' reports by the Team Leader/contractor – 1 day per report.

The experts are expected to be able to work during the weekend in case of urgent needs, upon request from the Contracting Authority.

8. Place of delivery

The place of provision of services is home based.

9. Expiry date of the list resulting from this call for expressions of interest

The list resulting from this notice is valid for four months from dispatch of this notice. Interested parties may submit documentation expressing their interest by 27 July 2020.

10. Exclusion criteria

Candidates shall be excluded from participation if:

(a) the economic operator is bankrupt, subject to insolvency or winding-up procedures, where its assets are being administered by a liquidator or by a court, where it is in an arrangement with creditors, where its business activities are suspended, or where it is in any analogous situation arising from a similar procedure provided for under national laws or regulations;



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(b) it has been established by a final judgment or a final administrative decision that the economic operator is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract;

(c) it has been established by a final judgment or a final administrative decision that the economic operator is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the economic operator belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:

(i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract;

(ii) entering into agreement with other economic operators with the aim of distorting competition;

(iii) violating intellectual property rights;

(iv) attempting to influence the decision-making process of the contracting authority during the procurement procedure;

(v) attempting to obtain confidential information that may confer upon it undue advantages in the procurement procedure;

(d) it has been established by a final judgment that the economic operator is guilty of any of the following:

(i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the [Council Act of 26 July 1995](#);

(ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the [Council Act of 26 May 1997](#), and in Article 2(1) of [Council Framework Decision 2003/568/JHA](#), as well as corruption as defined in the law of the country where the contracting authority is located, the country in which the economic operator is established or the country of the performance of the contract;

(iii) participation in a criminal organization, as defined in Article 2 of [Council Framework Decision 2008/841/JHA](#);

(iv) money laundering or terrorist financing, as defined in Article 1 of [Directive 2005/60/EC of the European Parliament and of the Council](#);

(v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of [Council Framework Decision 2002/475/JHA](#), respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;

(vi) child labour or other forms of trafficking in human beings as defined in Article 2 of [Directive 2011/36/EU of the European Parliament and of the Council](#);

(e) the economic operator has shown significant deficiencies in complying with main obligations in the performance of a contract financed by the budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an authorizing officer, OLAF or the Court of Auditors;

(f) it has been established by a final judgment or final administrative decision that the economic operator has committed an irregularity within the meaning of Article 1(2) of [Council Regulation \(EC, Euratom\) No 2988/95](#).



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Evidence

The Contracting Authority will accept a declaration of honour (the model attached to this notice) signed by the candidate as satisfactory evidence that the candidate is not in one of the above situations. However, the EU Delegation reserves the right to verify the information.

Applications submitted by consortia or groups of service

In the case of applications submitted by consortia or groups of service providers every economic operator must provide the evidence listed above to prove that none of the exclusion criteria applies to it.

11. Selection criteria

a) Criteria relating to financial and economic capacity

- The average annual turnover of the candidate in the last three financial years for which accounts have been closed must be at least EUR 139,000.
- 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.

b) Criteria relating to technical and professional capacity

- At least 3 staff currently work for the candidate in fields related to the field of this notice. The reference period which will be taken into account will be the last three years preceding the submission deadline.
- The candidate has provided services under at least 1 (one) contract with candidate's portion of a budget of at least EUR 139,000 in field of assessment/evaluation of call for proposals under EU external action instruments which was implemented at any moment during the following period: 28/07/2017 – 27/07/2020.

This means that the service contract the candidate 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. Candidates are allowed to refer either to service contracts completed within the reference period (although started earlier) or to service contracts not yet completed. In the first case the service contract will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, proof of final payment for services). In case of service contract still on-going only the portion satisfactorily completed during the reference period although started earlier will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to service contracts completed) also detailing its value. If a candidate has implemented the service contract 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 would have led to breach of contract and termination by a contracting authority shall not be used as reference. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

Evidence:



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The Contracting Authority will accept a declaration of honour (the model attached to this notice) signed by the candidate as satisfactory evidence that the candidate fulfils the selection criteria for points a) and b). However, the EU Delegation reserves the right to verify the information.

In addition,

for point a) the candidate must provide the following information:

- The amount of the average annual turnover of the candidate in the last three financial years for which accounts have been closed; and
- The value of current ratio (current assets/current liabilities) in the last year for which accounts have been closed.

for point b) the candidate must provide the following information:

- List with staff currently work for the candidate in fields related to this contract as requested by the first dash of point b); and
- List with provided services under contracts as requested under second dash of point b).

12. Ex-post transparency

Details on the contractors who have concluded a contract of more than €15 000 awarded following the procedure set out at point 4 shall be published on the website of the contracting authority no later than 30 June of the year following contract award.

These details include name, locality (address for legal persons and region of origin for natural persons), amount, and subject of the contract. For natural persons, the information shall be removed two years after the year of contract award.

13. Date of dispatch of notice

13 July 2020