**SUPPLY CONTRACT NOTICE**

**Off-road vehicle  
Republic of Serbia, Region Borski, Bor**

**1. Reference**

RORS00063/IRM/03

**2. Procedure**

Simplified procedure

**3. Programme title**

Interreg IPA Romania Serbia Programme

**4. Financing**

Financing agreement

**5. Contracting authority**

Mining and Metallurgy Institute Bor, Alberta Ajnštajna 1, 19210 Bor, Republic of Serbia

**CONTRACT SPECIFICATION**

**6. Nature of contract**

unit-price

**7. Contract description**

The subject of the procurement is an off-road vehicle. The vehicle will be used by the Contracting Authority for the implementation of the activities and fulfilling the goals set out in the project RORS00063 co-financed by the Interreg IPA Romania-Serbia Programme.

**8. Number and titles of lots**

One lot only

**9. N/A**

**CONDITIONS OF PARTICIPATION**

**10. Legal basis, eligibility and rules of origin**

The legal basis of this procedure is Regulation (EU) No [1529] establishing the Instrument for Pre-accession Assistance (IPA III) See Annex A2 of the practical guide.

For this contract award procedure, participation is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping – consortium – of candidates/tenderers) which are effectively established in a  Member State of the European Union or in an eligible country or territory as defined under Article 11 of Regulation (EU) No 1529 establishing the Instrument for Pre-accession Assistance (IPA III).

Participation in the award of procurement contracts, grants and other award procedures for actions financed under the IPA III shall be open to international and regional organisations and to all other legal entities who are nationals of and, in the case of legal persons, who are also effectively established in, the following countries or territories:

1. EU Member States
2. Beneficiaries listed in the Annex I of the IPA III
3. European Economic Area
4. Neighbourhood partner countries and territories covered by NDICI (annex I of NDICI)
5. Countries for which Commission has adopted a decision approving the request for reciprocal access to external assistance. Currently there are no such countries.
6. Where an agreement on widening the market for procurement of goods or services to which the Union is party applies, the procurement procedures for contracts financed by the budget shall also be open to natural and legal persons established in a third country other than those specified in the basic instruments governing the cooperation sector concerned, under the conditions laid down in that agreement.

**Rule of Origin:** Goods and materials supplied under a procurement or a grant contract, financed under the INTERREG IPA Romania-Serbia Programme are fully untied and can originate in any country. All supplies and materials are fully untied and no verification of origin is required.

**11. Number of tenders**

No more than one tender 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 a tender). In the event that a natural or legal person submits more than one tender, all tenders in which that person has participated will be excluded.

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.

**12. Grounds for exclusion**

As part of the tender, tenderers must submit a signed declaration, included in the tender form, to the effect that they are not in any of the exclusion situations listed in Section 2.6.10.1. of the practical guide.

Tenderer 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.

**13. Sub-contracting**

Subcontracting is allowed.

**PROVISIONAL TIMETABLE**

**14. Provisional commencement date of the contract**

The commencement will start on the date of contract signature by both parties.

**15. Implementation period of the tasks**

Period of implementation is 15 days from contract signature

**SELECTION AND AWARD CRITERIA**

**16. Selection criteria**

Capacity-providing entities

An economic operator (i.e. candidate or tenderer) may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links it has with them. If the economic operator relies on other entities, it must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment by 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 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, an economic operator 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 economic operator relies, become jointly and severally liable for the performance of the contract.

The following selection criteria will be applied to the tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole if not specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

1. **Economic and financial capacity of the tenderer (**based on item 3 of the tender form). 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 financial years for which accounts have been closed.

The selection criteria for each tenderer are as follows:

“the average annual turnover for 2021, 2022 and 2023 of the tenderer must exceed the tenderer financial offer”

**2)** **Professional capacity of the tenderer (**based on items 4 of the tender form).

The reference period which will be taken into account will be the last three years preceding the submission deadline.

Tenderer is required to have at least 2 permanent employees;

**3) Technical capacity of tenderer** (based on items 5 and 6 of the tender form). The reference period which will be taken into account will be the last three years preceding the submission deadline.

* The tenderer has delivered off-road vehicles under at least 2 contracts each with a budget of tenderer financial offer within the last 3 years.

This means that the contract the tenderer refers to could have been started at any time during the indicated period but it does not necessarily have to be completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to supply contracts completed within the reference period (although started earlier) or to supply contracts not yet completed. Only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (statement or certificate from the entity which awarded the contract, proof of payment) also detailing its value. If a tenderer has implemented the supply contract in a consortium, the percentage that the tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the supplies 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.

**17. Award criteria**

Price.

**TENDERING**

**18. Deadline for submission of tenders**

The deadline for submission of tenders is 28.03.2024 at 12.00 Local time.

**19. Tender format and details to be provided**

**Tenders must be submitted using the standard tender form.**

The tender must be accompanied by a declaration on honour on exclusion and selection criteria using the template available from the following Internet address:

<https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#Annexes-AnnexesA(Ch.2):General>

Any additional documentation (brochure, letter, etc.) sent with a tender will not be taken into consideration.

**20. How tenders may be submitted**

Tenders must be submitted in English exclusively to the contracting authority, using the means specified in point 10 of the instructions to tenderers.

**Tenders submitted by any other means will not be considered.**

By submitting a tender tenderers accept to receive notification of the outcome of the procedure by electronic means.

**21. Alteration or withdrawal of tenders**

Tenderers may alter or withdraw their tenders by written notification prior to the deadline for submission of tenders. No tender may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with point 15 of the instructions to tenderers.

**22. Operational language**

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

**23. Additional information**

Financial data to be provided by the candidate in the standard application 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 for the month when this Contract Notice is published, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.

After signing the contract and in case of domestic Contractor when payments should be made in RSD, applicable exchange rate will be InforEuro exchange rate for the month of issuing Invoice.