

SERVICE CONTRACT NOTICE

< **Procurement of external expertise for the preparation of the procurement documentation according to PRAG rules** >
< **Location** – Chisinau, Republic of Moldova >

1. Reference

1HARD/3.1/95/2

2. Procedure

Single tender

3. Programme title

Joint Operational Programme Romania-Republic of Moldova 2014-2020

4. Financing

Grant Contract no. 1HARD/3.1/95 as of October 27th, 2021

5. Contracting Authority

General Inspectorate for Emergency Situations

69 Gh. Asachi Street

MD-2028, mun. Chişinău

Republic of Moldova

CONTRACT SPECIFICATION

6. Nature of contract

Global price

7. Contract description

The purpose of the contract is to provide necessary expertise to the Contracting Authority for the preparation of all tender documentations for implementing the project according to the Grant Contract signed between the Lead Beneficiary and the Management Authority.

All tender documentations must be in line with art. 9 Procurement rules from the Grant Contract.

The contractor will draft the tender documentation, evaluation reports, contracts, etc. according to the templates and details related to each type of procurement procedure of PRAG 2016.

8. Number and titles of lots

One lot only

CONDITIONS OF PARTICIPATION

10. Eligibility

Participation is open to all natural persons who are nationals of and legal persons [participating either individually or in a grouping (consortium) of tenderers] which are effectively established in a Member State of the European Union or in a eligible country or territory as defined under the Regulation (EU) N°236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable Instrument under which the contract is financed (see also heading 22 below) . Participation is also open to international organisations. All supplies under this contract must originate in one or more of these countries. However, they may originate from any country when the amount of the supplies to be purchased is below 100,000 euros per purchase.

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.

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 2.3.3. of the Practical Guide.

13. Sub-contracting

Subcontracting is allowed.

PROVISIONAL TIMETABLE

14. Provisional commencement date of the contract

October 17th, 2022

15. Implementation period of the tasks

Up to 15 months from contract signature.

SELECTION AND AWARD CRITERIA

16. Selection criteria

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.

Selection criteria for legal persons:

- the average annual turnover of the tenderer must exceed the annualised maximum budget of the contract i.e., the maximum budget stated in the contract notice divided by the initial contract

duration in years, where this exceeds 1 year (minimum annual turnover requested may not exceed 2 times the estimated annual contract value, except in duly justified cases motivated in the tender dossier); and

- 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.
- has sufficient ongoing staff resources and expertise to be able to handle the proposed contract;
- at least 1 staff currently work for the tenderer in fields related to this contract.
- the tenderer has provided services under at least 2 contracts each with a budget of at least that of this contract in emergency situations, which were implemented at any moment during the following period: 3 years before the deadline.

Selection criteria for natural persons:

- Master's degree or equivalent university degree in a relevant field.
- Excellent working knowledge of PRAG rules (versions 2016, 2020, 2021).
- Excellent working knowledge of procurement procedures and documentation according to PRAG rules.
- Good understanding of national procedures rules regarding public procurement.
- Experience in the NGO field with a focus on civil society development or emergency programs is an advantage.
- is currently working/has worked during the past 3 years <as manager/coordinator/ procurement specialist, etc.> within 3 projects. At least two projects should have applied PRAG rules.
- Fluency in written and spoken English and Romanian.
- Experience working in environments experiencing political transition.
- Working experience with Romanian beneficiaries.
- Strong written and oral communication skills, interpersonal skills, and team management skills.

This means that the project 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. Candidates/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, proof of final payment for services). In case of projects 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 projects completed) also detailing its value. If a tenderer has implemented the project 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 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.

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 a commitment 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 - notably that of nationality - and must fulfil the same relevant selection criteria as the economic operator. 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 works or services for which these capacities are required. With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

17. Award criteria

Best price-quality ratio.

TENDERING

18. Deadline for receipt of tenders

The deadline for receipt of tenders is specified in point 8 of the Instruction to Tenderers.

19. Tender format and details to be provided

Tenders must be submitted using the standard tender form, the format and instructions of which must be strictly observed.

The tender must be accompanied by a declaration of honour on exclusion and selection criteria.

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 8 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 8 of the Instructions to Tenderers. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

22. Operational language

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

23. Legal basis

Regulation (EU) N°236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action.

EU Regulation no. 232/2014 establishing a European Neighbourhood Instrument including all subsequent modifications and additions.

Commission Implementing Regulation (EU) No 897/2014 of 18 August 2014 laying down specific provisions for the implementation of cross-border cooperation programmes financed under Regulation (EU) No 232/2014 of the European Parliament and the Council establishing a European Neighbourhood Instrument including all subsequent modifications and additions.

Commission Implementing Decision of 17.12.2015 approving the Joint Operational Programme including all subsequent modifications and additions.

24. Additional information

Opening hours of the contracting authority are 08.00 – 17.00 from Monday to Friday, except public holidays.