

Additional information about the Contract Notice

Provision of Security Guarding Services at EUPOLCOPPS 2021-2022

Location - PS PALESTINIAN TERRITORY - Ramallah

Please note that the awarding of the contract is subject to the condition of:

The prior adoption of a financing decision and 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 budget 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. Nature of contract

Services contract fee-based

2. Programme title

Council Decision CFSP 2020/902 of 29th June 2020 on the European Union Police Mission for the Palestinian Territories (EUPOL COPPS)

3. Financing

Financing Agreement: CFSP/2020/28/EUPOL COPPS

4. Eligibility and rules of origin

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 a eligible country or territory as defined under the Regulation (EU) No 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 'Legal basis' below). Participation is also open to international organisations.

For UK candidates or tenderers: Please be aware that following the entry into force of the EU-UK Withdrawal Agreement* on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union and to goods originating from an eligible country, as defined under Regulation (EU) No 236/2014** and Annex IV of the ACP-EU Partnership Agreement***, are to be understood as including natural or legal persons residing or established in, and to goods originating from, the United Kingdom ****. Those persons and goods are therefore eligible under this call.

* Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

** Regulation (EU) No 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.

*** Annex IV to the ACP-EU Partnership Agreement, as revised by Decision 1/2014 of the ACP-EU Council of Ministers (OJ L196/40, 3.7.2014)

**** including the Overseas Countries and Territories having special relations with the United Kingdom, as laid down in Part Four and Annex II of the TFEU

5. Candidature

All eligible natural and legal persons (as per item 4 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 partners of a consortium (i.e., the leader and all other partners) are jointly and severally liable to the contracting authority.

The participation of an ineligible natural or legal person 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.

6. Number of applications or tenders

No more than one application or tender can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or partner of a consortium submitting an application/tender). In the event that a natural or legal person submits more than one application or tender, all applications or tenders in which that person has participated will be excluded.

In case of lots, the candidates or tenderers may submit only one application or tender per lot. Contracts will be awarded lot by lot and each lot will form a separate contract.

7. Tender guarantee

No tender guarantee is required.

8. Performance guarantee

No performance guarantee is required.

9. Information meeting and/or site visit

No information meeting / site visit is planned.

10. Tender validity

Tenders must remain valid from the deadline for submission of tenders until 30th September 2021. In exceptional circumstances, the contracting authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period.

11. Shortlist alliances prohibited

Any tenders received from tenderers having a different composition than the ones 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 practical guide 2.6.3. Short-listed candidates may not form alliances or subcontract to each other for the contract in question.

12. Grounds for exclusion

Candidates or tenderers must submit a signed declaration, included in the application form or tender form, to the effect that they are not in any of the situations listed in Section 2.6.10.1. of the **practical guide (PRAG)**. Where the candidate or tenderer intends to rely on capacity providing entities or subcontractor(s), he/she must provide the same declaration signed by this/these entity(ies).

Candidates or tenderers 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

Sub-contracting is allowed.

14. Number of candidates to be short-listed

On the basis of the applications received, between 4 and 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. If the number of eligible candidates meeting the selection criteria is more than the maximum allowed, the contracting authority will rank them using the re-examination criteria stated below.

15. Provisional date of invitation to tender

28th May 2021

16. Provisional commencement date of the contract

01st October 2021

17. Period of implementation of tasks

The Guarding Services are expected to commence at 0001hrs on 1st October 2021 for a 12 months period. The Contracting Authority may renew the contract three times (12 months each) depending on the renewal of EUPOL COPPS mandate and the availability of budgetary funds.

SELECTION AND AWARD CRITERIA

18. Selection criteria

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 if not specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

The selection criteria for each tenderer are as follows:

1) Economic and financial capacity (based on item 3 of the service application form, on item of supply tender form). In case of candidate being a public body, equivalent information should be provided. The reference period which will be considered will be the last three years for which accounts have been closed.

The average annual turnover of the candidate must exceed the annualized maximum budget of the contract for the last 3 years (2020, 2019 and 2018).

2) Professional capacity (based on items 4 and 5 of the application form for service contracts and on items 4 and 5 of the tender form for supply contracts). The reference period which will be taken into account will be the last three years preceding the submission deadline.

Criteria for legal and natural persons:

- has a professional certificate appropriate to this contract, such as certificate of official registration and operating license as private Security Company
- at least **20** staff currently work for the candidate in fields related to this contract

- 3) **Technical capacity** (based on items 5 and 6 of the application form for service contracts and on items 5 and 6 of the tender form for supply contracts). The reference period which will be considered will be the last three years from submission deadline.

Criteria for legal and natural persons:

1. Has worked successfully on at least 3 projects with a budget of at least **550,000 Euros** in fields related to this contract in the past 3 years.
2. 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. Some examples of when it may not be considered appropriate by the contracting authority are when the tenderers rely in majority on the capacities of other entities or when they rely on key criteria. If the candidate 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 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. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the contracting authority.

Previous experience which caused breach of contract and termination by a contracting authority shall not be used as reference.

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. Some examples of when it may not be considered appropriate by the contracting authority are when the tender rely in majority on the capacities of other entities or when they rely on key criteria. If the tender relies on other entities it must 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 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 the tender in a separate document. Proof of the capacity will also have to be furnished 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 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.

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 additional comparative criteria which will be taken into consideration during this re-examination, in the order that they appear below, are:

Examples:

- the highest number of projects that meet criteria 3.1
- the highest cumulated value of all the project that meet criteria 3.1

N.B.: additional comparative criterion 2) will be applied only if the number of eligible candidates remain higher than 8 after applying additional comparative criterion 1).

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 in order to rank their applications and identify the 8 best applications for the tender procedure. The only additional comparative criteria that will be taken into consideration during this re-examination, in the order in which they appear below, are:

- the highest number of projects that meet criterion 3.1
- the highest cumulated value of the projects that meet criterion 3.1

N.B.: additional comparative criterion No 1 shall be applied to all the eligible candidates that meet the selection criteria. If, after applying additional comparative criterion No 1, it is not possible to identify the 8 best candidates because two or more candidates are tied for the 8th position, additional comparative criterion No 2 shall be applied only to these tied candidates.

19. Award criteria

Best price-quality ratio.

APPLICATION

20. 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 from the following Internet address:

<https://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=B>

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

<https://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=B>

Any documentation (brochure, letter, etc.) sent with an application in addition to what has been requested will not be taken into consideration.

21. How applications may be submitted

Applications must be submitted in English exclusively to the Contracting Authority via email:

tenders@eupolcopps.eu

Confirmation of receipt will be sent by the contracting authority to the applicant.

Applications submitted by any other means will not be considered.

By submitting an application candidates accept to receive notification of the outcome of the procedure by electronic means. Such notification shall be deemed to have been received on the date upon which the contracting authority sends it to the electronic address referred to in the application.

22. Deadline for submission of applications

The deadline for submission of applications is Monday 17th May 2021 @ 17:00hrs (Local Time-Ramallah oPT) via email: Tenders@eupolcopps.eu

Any application sent to the contracting authority after this deadline will not be considered.

The contracting authority may, for reasons of administrative efficiency, reject any application submitted on time but received, for any reason beyond the contracting authority's control, after the

effective date of approval of the short-list report, if accepting applications that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.

23. Clarifications on the contract notice

Clarifications may be sought from the contracting authority at the following email address:

tenders@eupolcopps.eu at the latest 21 days before the deadline for submission of applications.

Clarifications will be published on TED eTendering accessible from the F&T portal at <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home> at the latest 5 days before the deadline for the submission of applications.

24. Alteration or withdrawal of applications

Applicants 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 sent to the contracting authority via email; tenders@eupolcopps.eu with the word 'Alteration' or 'Withdrawal' clearly stated in the subject/body of the email.

25. Language of the procedure

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

28. Legal basis

Council Decision CFSP 2020/902 of 29th June 2020 on the European Union Police Mission for the Palestinian Territories EUPOL COPPS.

29. Additional information

Financial data to be provided by the candidate in the standard application form or the tenderer in the tender form must be expressed in EUR.

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.

The Contracting Authority may, at its own discretion, make changes and/or request additional services to this contract in accordance to the security situation and the assessed needs requirements.