Public document to be completed by the Project partner

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| Note: Tender Dossier is completed by the Contracting Authority (Project Partner) with the purpose of providing potential tenderers with all information necessary to submit their offers. Tender Dossier should be adjusted to the actual technical specifications and needs of the Contracting Authority (Project Partner).  **THIS INSTRUCTION IS VALID FOR THE ENTIRE TENDER DOSSIER** |

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| This Contract Notice is completed by the Contracting Authority. Contacting Authority provides potential tenderers with all information necessary to submit their offers.  This document contains highlighted text, as follows:   1. Instructions for the Project Partners (Contracting Authorities) are highlighted yellow. They can be obligatory or optional. Instructions are to be deleted before Tender Dossier publication or replaced with the required information (such as Contract Title, Procedure ref. number, etc.).   Options/text choice is highlighted gray. If text is highlighted gray, you need to choose the text that is appropriate for you. |

**WORKS CONTRACT NOTICE**

**< Contract title >**

<**Ref. number>**

**< Location** Area/region and country/countries >

1. **Publication reference**

<Repeat reference number >

1. **Procedure**

Open/Simplified

1. **Programme title**

Interreg VI-A IPA programme Croatia – Bosnia and Herzegovina – Montenegro

1. **Financing**

< Budget line >

1. **Contracting Authority (Project partner)**

<Please state Contracting Authority name, address, and registration number> ]

**CONTRACT SPECIFICATIONS**

1. **Description of the contract**

< Recommended maximum: 10 lines >

1. **Number and titles of lots**

[One lot only]

[If more than one lot: < number> lots

Lots Titles:

01 <title>

02 <title>

<no. and title>]

**TERMS OF PARTICIPATION**

1. **Eligibility and rules of origin**

Participation in the award of procurement contracts and other award procedures for actions financed under the Programme is open to all legal persons which are effectively established in the participating countries, other Member States, other IPA III beneficiaries, contracting parties to the Agreement on the European Economic Area and partner countries covered by the European Neighbourhood Instrument (hereafter referred to as ‘eligible countries’), and to International Organisations.

All supplies purchased under a procurement contract, or in accordance with a grant agreement, financed under IPA III shall originate from an eligible country or from any country which is eligible under the rules of the partner or other donor or member state or determined in the constitutive act of the trust fund.

As the Croatian national rules do not contain any restrictions as regards the rules of origin, all goods can originate from any country, irrespective of any thresholds.

1. **Grounds for exclusion**

Tenderers must submit a signed declaration, included in the Tender Form for a Works Contract, to the effect that they are not in any of the situations listed in point 2.6.10.1. of the **Practical Guide.**

1. **Number of tenders**

Tenderers may submit only one tender per lot. Tenders for parts of a lot will not be considered. 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. Tenderers [may] [may not] submit a tender for a variant solution in addition to their tender for the works required in the tender dossier.

1. **Tender guarantee**

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| Tender Guarantee is used to reduce the risk for the Contracting Authorities in the tendering phase (e.g. in cases where Tenderers reject to sign the contract). However, please bear in mind that requiring Tender Guarantee is not obligatory and if required, it may discourage potential tenderers from sending their offers.  Please also bear in mind that if required, it should be stated in absolute amount, and same for all tenderers (i.e. it should not be based on the percentage of each individual offer). |

[Tenderers must provide a tender guarantee of < amount to be specified within the range 1% - 2% of the budget available for the contract, indicating lots separately if necessary > euros when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderer[s] upon signature of the contract by all parties.]

*OR* [No tender guarantee is required.]

1. **Performance guarantee**

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| Performance Guarantee is used to reduce the risk for the Contracting Authorities in contract implementation.  Please bear in mind that requiring Performance Guarantee is not obligatory. If required, it should be respected and activated as per breach of contract.  If required, it should be stated in percentage, based on the winning offer. |

The successful tenderer will be asked to provide a performance guarantee of <insert percentage between 5 and 10%>of the amount of the contract at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days after the tenderer receives the contract signed by the Contracting Authority. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next cheapest compliant tender.

OR [On the basis of objective criteria such as the type and value of the contract, the Project partner may decide not to require such a guarantee: No performance guarantee is required. ]

1. **Information meeting and/or site visit**

No information meeting is planned.

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| For works tenders, site visit or information meeting may be held.  Site visits are recommended. In case site visits are allowed, it is recommended complete data is provided (venue / address, if needed time at which site can be inspected). If site visits are to be organized by the Project partner, Project partner should provide contact details at which site visit can be agreed and held. Project partner should make clear site visit / inspection is held at the responsibility of the tenderer who retains all responsibility for his tender. No tenderer may gain competitive advantage after such meeting is held.  In case meeting is held, exact date and venue must be announced. No tenderer may gain competitive advantage after such meeting is held.  Ideally, visits / meetings are to be held more than 21 days before the deadline for submission of tenders in order to allow tenderers to submit further questions on the tender dossier, if necessary. |

1. **Tender validity**

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders. In exceptional circumstances, the Contracting Authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period.

1. **Period of implementation of tasks**

<Specify the period from contract signature, or alternative date, until the provisional acceptance>.

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| Please bear in mind that Period of implementation of tasks must be clear and comprehensive:   * It must be clear when does this period commence, * It must be clear what does this period include (e.g. works, delivery, equipment installation and testing, maintenance, after-sales service) and what are the deadlines for each task, if possible,   This period should be defined in the Special Conditions and aligned. |

**SELECTION AND AWARD CRITERIA**

1. **Selection criteria**

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| Please bear in mind that it is obligation of the Project partner to ensure best value for money and transparency of the procedure. Therefore, Tender documentation may not create other unjustified obstacles to participation in the procedure or submission of offers (e.g. so as to limit the possibility to submit tenders for Tenderers from a particular region or country, or to restrict the submission of tenders by introducing criteria that are disproportionate or unrelated to the subject-matter of the procurement, or by indicating the conditions by which it would be required that individual experts are from specific regions, for example: "from the Republic of Croatia”, recognition of diplomas and certificates only from national universities, etc.).  The selection criteria must be:   * related to the subject-matter of the procurement * clear and non-discriminatory and * may not go beyond the scope of the contract.   The reference period for financial capacity may not go beyond the last 3 years for which accounts have been closed.  The reference period for professional and technical capacities may not go beyond the past 5/8 years from the submission date  Consideration has to be made that the criteria chosen below correspond to data requested from the tenderer in the tender form (Tender form should be aligned with this Contract Notice).  Please verify that the tenderer can submit documentary evidence to prove the relevant selection criteria (see point 2.6.11 of the Practical Guide), i.e. in case Contracting Authority uses any of the suggested criteria, it is necessary to define minimum levels that must be satisfied by the Tenderers. Hence, it is not appropriate to use general requirements, such as „technical and professional capacity will be proven through educational and professional qualifications of the contractor and/or those of the undertaking’s managerial staff, and especially person(s) responsible for managing the works“), but it is necessary to define which are those minimum levels of technical and professional capacity e.g. of the managerial staff (and which managerial staff) that need to be satisfied.  If appropriate for the project and subject to the principle of equal treatment separate criteria for natural persons may be requested. |

< To be specified according to the criteria used in section 12.2 of the Instructions to Tenderers >

1. **Award criteria**

The most economically advantageous tender is the technically compliant tender with the lowest price.

[Where very exceptionally a technical scoring is given to the offers: The most economically advantageous tender is the technically compliant tender with the best price-quality ratio. The tender that offers the best price-quality ratio will be chosen based on the following criteria.

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| **In this case** it is necessary to specify the relative weighting (importance) assigned to each of the criteria chosen to determine the offer with the best price-quality ratio, the scoring system and the methodology to be applied for the examination and evaluation of tenders, along with information, specifications, etc. that Tenderers must submit within the offer in order to enable the Contracting Authority to effectively assess the offers (i.e. criteria must not confer an unrestricted freedom of choice on the contracting authority.)  Criteria must not be discriminating and must be related to the subject-matter of the procurement.    In accordance with the criteria, Contracting Authority determines the offer with the best price-quality ratio. In the case of the same number of points, the Contracting Authority may in the Tender documentation specify additional criterion to determine the best offer - for example, it can be considered to be the tender with the lowest price, or the tender that was received earlier. |

**BEST PRICE-QUALITY RATION CRITERIA AND THEIR RELATIVE WEIGHTING:**

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| **Criterion (including criteria description, sub-criteria description, and relative weighting for all sub-criteria)** | **Relative weighting** |
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**TENDERING**

1. **How to obtain the tender dossier**

The tender dossier is available the following Internet address: <insert publication addresses>. Tenders must be submitted using the standard tender form included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to < insert specific e-mail and postal addresses > (mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19. The Contracting Authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the <insert publication addresses>.

1. **Deadline for submission of tenders**

< Time and date to be specified must be a working day at least

(-) in case of international open tender 90 calendar days/

(-) in case of local open procedure 60 calendar days, after the date of publication of this procurement notice (e.g., 10:00 Central European Time on <date>).

The deadline for submission of tenders should, if possible, be combined with the public opening session. The Contracting authority’s opening hours must also be specified.>

<Time and date to be specified- must be a working day at least:

Any tender received by the Contracting Authority after this deadline will not be considered.

1. **Tender opening session**

< Date and venue of tender opening session (Best practice: same as the deadline for the submission of offers: >

1. **Language of the procedure**

All written communications for this tender procedure and contract must be in English / in Programme participating countries languages and Latin letter only.

1. **Repetition of similar works**

Subsequent to the initial contract resulting from the current tender procedure, new works consisting in the repetition of similar works, up to the estimated amount of <amount (Best practice: not more than 30% of the contract value)>, may be entrusted to the initial contractor by negotiated procedure without prior publication of a contract notice, provided the new works are in conformity with the same basic project.

1. **Legal basis[[1]](#footnote-1)**

Regulation (EU) 2021/1059 of the European Parliament and of the Council of 24 June 2021 on specific provisions for the European territorial cooperation goal (Interreg) supported by the European Regional Development Fund and external financing instruments (Interreg Regulation),

Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012,

Interreg VI-A IPA programme Croatia – Bosnia and Herzegovina – Montenegro.

1. Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term). [↑](#footnote-ref-1)