

Additional information about the Contract Notice

Supply of Vaccines, Antiserums and Injectors

Location – Ankara/Turkey

1. Nature of contract

Unit price

2. Programme title

Supporting Migrant Health Services in Turkey (SIHHAT II)

3. Financing

IPA 2020/417-911 referenced Grant Contract - External Actions of the European Union

4. Legal basis, eligibility and rules of origin

The legal basis of this procedure is 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 and IPA II. See Annex A2 of the practical guide.

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 Article 8 of 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. Participation is also open to international organisations.

All supplies under this contract must originate in one or more of these countries.

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 in, 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 participate or tender.

A consortium may be a permanent, legally established grouping or a grouping, which has been constituted informally for a specific procurement 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 or tender 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 requests to participate or tenders

No more than one request to participate 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 a request to participate or tender). In the event that a natural or legal person submits more than one request to participate or tender, all requests to participate or tenders in which that person has participated will be excluded. In case of lots, the candidates or tenderers may submit only one request to participate or tender per lot. Contracts will be awarded lot by lot and each lot will form a separate contract.

8. Sub-contracting

Sub-contracting is allowed.

13. Period of implementation of tasks

The implementation period for all Lots will start from the date of signature of the contract by both parties and ending on the day of issuance of the certificate of Provisional Acceptance for the last delivered supplies in line with Appendix I of Annex II: Technical Specifications.

The implementation period will include delivery, inspection and testing and Provisional Acceptance. The delivery of supplies for all Lots during the implementation period will be in various delivery periods which are stated in Appendix-1.

14. Language of the procedure

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

15. Additional information

- a. Financial data to be provided by the tenderer in the standard tender 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 of **NOVEMBER 2022**, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.
- b. The project should be performed directly by the tenderer itself and/or a joint venture/consortium. If the tender is being submitted by a consortium or joint venture; the names of the tenderer (in the case of joint venture), leader and member(s) of the consortium shall be stated in the tender guarantee (*c4n_tenderguarantee_en*).
- c. If the tenderer submit an offer for more than one lot, a separate tender guarantee (*c4n_tenderguarantee_en*) must be submitted for each lot.

SELECTION 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, which 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 candidates. In the case of requests to participate 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 tenderer shall not use previous experience, which caused breach of contract and termination by a contracting authority as a reference for selection criteria.

The selection criteria for each tenderer are as follows:

1) Economic and financial capacity (based on item 3 of the request to participate form, or on item 3 of supply tender form). In case of candidate being a public body, equivalent information should be provided. The reference period which will be taken into account will be the **last three years** for which accounts have been closed.

1.a. The average annual turnover of the tenderer for the last 3 (three) financial years available must be equal to or exceed the 50% of tenderer's financial offer; and

1.b. 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, each member must fulfill this criterion.

For tenderers submitting tenders for more than one lot, the average annual turnover of the tenderer in the last three financial years must exceed the cumulative amount of the financial offers of all the lots for which the tenderer submitted tenders. All supporting documents must be approved by Revenue Administration or certified accountants.

Companies that have been operational for less than three years will have to demonstrate an operational cash flow, which must exceed their financial offer for the years in which they have been operational.

2) Professional capacity (based 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.

2.a. The tenderer should have at least 2 (two) staff currently work for the tenderer in fields related to this contract.

3) Technical capacity (based on items 5 and 6 of the tender form for supply contracts). The reference period which will be taken into account will be the **last 5 (five) years** from submission deadline. ***References must be contracts implemented by the legal entity (or legal entities) submitting the tender form (c4l_tenderform_en) (with the exception of documented cases of company buyout or universal succession).***

*3.a. For Lot 8, the tenderer has delivered supplies (proportion carried out by the candidate) under at most 2 (two) contracts for **supply of injector or medical consumables** with a budget of at least one-half (½) of its financial offer.*

*3.b. For the other Lots (from Lot 1 to Lot 7) the tenderer has delivered supplies (proportion carried out by the candidate) under at most 2 (two) contracts for **supply of vaccine or antisera** with a budget of at least one-half (½) of its financial offer.*

This means that the contract the candidate 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 projects completed within the reference period (although started earlier) or to projects 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 tenderer from the entity which awarded the contract, proof of payment) also detailing its value. If a tenderer has implemented the project 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/supplies delivered if the selection criteria relating to the pertinence of the experience have been used.