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**SN-Dakar: EDF — technical assistance for the project to support the justice sector programme (PAPSJ)
2010/S 190-289366**

Place(s) of service provision: ACP country — Senegal

Service contract notice

Common procurement vocabulary (CPV)

Main object:

75230000 Justice services

1. **Publication reference:**

EuropeAid/129159/D/SER/SN.

General address of the contracting authority: Project to support the departments of the National Authorising Officer (PSO): 25 rue Amadou Assane Ndoye, AMSA Building, first floor, Dakar, SENEGAL. Tel. +221 338420233.

2. **Procedure:**

Restricted.

3. **Programme:**

9th or 10th EDF.

4. **Financing:**

Financing agreement.

5. **Contracting authority:**

Beneficiary: Ministry of Justice.

6. **Type of contract:**

Unit price contract.

7. **Contract description:**

Under the 10th EDF, the European Commission will continue its financial support for implementation of the justice sector programme (PSJ). Thus, the intention is to recruit technical assistance to advise and support the PSJ programme's executive body, especially the executive administrative and financial unit (CEDAF) as regards steering and monitoring the PSJ support project (PAPSJ). The aim of this technical assistance, based at the CEDAF, is to ensure the smooth running of the 10th EDF project, identify sticking points and point them out to the manager and, possibly, to the National Authorising Officer and/or the Delegation of the European Union, propose or anticipate solutions and assist with their implementation. More specifically, this involves ensuring that project activities related to justice sector reform are correctly implemented and that information between the parties involved circulates properly.

8. **Number and titles of lots:**

The contract is divided into lots: no, 1 lot only.

9. **Budget:**

Maximum budget: 500 000 EUR.

10. **Additional services:**

No additional services.

Conditions for participation

11. **Eligibility:**
Participation is open on equal terms to all natural persons and legal entities (irrespective of whether they are taking part as individuals or as part of a grouping (consortium) of tenderers) from the EU Member States and ACP countries, and also to international organisations, as authorised by the instrument applicable to the programme under which the contract is financed (see also point 29 below).
12. **Application:**
Any eligible natural person or legal entity (as defined in point 11 above) or grouping of said parties (consortium) may apply.
A consortium can be a permanent grouping with legal status or an informal grouping created with a specific invitation to tender in mind. All the members of a consortium (i.e. lead company and all other partners) shall be jointly and severally liable vis-à-vis the contracting authority.
Should an ineligible natural person or legal entity (as defined in point 11) take part, the application concerned will be automatically disqualified. If said ineligible party belongs to a consortium, the application from the whole consortium will be disqualified.
13. **Number of applications:**
Natural persons or legal entities may submit 1 application only, irrespective of whether they take part as a sole legal entity, or as a lead company or member of a consortium submitting an application. Should a natural person or legal entity submit more than 1 application, all the applications involving said party will be disqualified.
14. **Prohibition on alliances between shortlisted candidates:**
Tenders which include companies not mentioned on the application forms used to compile the shortlist will be disqualified from this restricted procedure. Shortlisted candidates may not form alliances or subcontract to each other for the contract in question.
15. **Grounds for exclusion:**
Candidates must sign and enclose with their application the statement provided in the standard application form confirming that they are not in any of the exclusion situations described in point 2.3.3 of the Practical Guide to contract procedures for EU external actions.
16. **Subcontracting:**
Subcontracting is not permitted.
17. **Number of candidates invited to tender:**
Between 4 and 8 candidates will be invited to submit a detailed tender for this contract, on the basis of the applications received. If the number of eligible candidates fulfilling the selection criteria is less than the minimum of 4, the contracting authority may invite those candidates fulfilling the criteria to tender.

Provisional timetable

18. **Scheduled date for dispatch of invitations to tender:**
15.11.2010.
19. **Provisional start date for the contract:**
28.2.2011.
20. **Initial length:**
Duration in months: 49 (from the award of the contract).

Selection and award criteria

21. **Selection criteria:**
Different criteria for natural persons and legal entities.

The following selection criteria will be applied to candidates. If the application is submitted by a consortium, these criteria will apply to the consortium as a whole.

1) Candidate's economic and financial capacity:

if the candidate is a public body, equivalent information must be submitted:

* Legal entities:

1. the candidate's average annual turnover must be more than the maximum annualised budget for the contract (i.e. the maximum budget given in the contract notice divided by the number of years the contract will run for initially, if greater than 1 year); and
2. cash and cash equivalents at the beginning and end of the financial year must be positive.

* Natural persons:

1. the candidate's available financial resources must exceed the maximum annualised budget for the contract (i.e. the maximum budget given in the contract notice divided by the number of years the contract will run for initially, if greater than 1 year); and
2. the candidate's financial situation must not show a loss, taking into account his debts at the beginning and end of the financial year.

2) Candidate's professional capacity:

* Legal entities:

1. the candidate must have a professional certificate relevant to this contract, for example:
 - (i) monitoring of budget implementation and programming;
 - (ii) implementation/monitoring of justice sector programmes;
 - (iii) implementation of technical or organisational reforms in the judicial administration;
2. at least 1 member of the tenderer's staff who is currently working for the candidate in fields connected with this contract must have 10 or more years' professional experience at the level of competence required for this contract.

* Natural persons:

1. the candidate must have a professional certificate relevant to this contract, for example:
 - (i) monitoring of budget implementation and programming;
 - (ii) implementation/monitoring of justice sector programmes;
 - (iii) implementation of technical or organisational reforms in the judicial administration;
2. the candidate must be currently working/have worked during the past 3 years as a technical assistant in the following fields:
 - (i) monitoring of budget implementation and programming;
 - (ii) implementation/monitoring of justice sector programmes;
 - (iii) monitoring matrix/database;
 - (iv) implementation of technical or organisational reforms in the judicial administration with at least 10 years' professional experience required for this contract.

3) Candidate's technical capacity:

* Legal entities:

in the past 5 years, the candidate must have successfully worked on 2 or more projects where the budget was at least equivalent to the one for this contract and where the fields involved were relevant for this contract.

* Natural persons:

in the past 5 years, the candidate must have successfully worked on 2 or more projects where the budget was at least equivalent to the one for this contract and where the fields involved were relevant for this contract.

An economic operator may, if necessary and for a specific contract, make use of the capacities of other bodies irrespective of the legal nature of the connection between himself and said bodies. In this event, he must

provide the contracting authority with proof that he will have the resources needed to carry out the contract by, for example, producing a written commitment by said bodies to make such resources available. These bodies, e.g. the economic operator's parent company, must observe the same eligibility rules, notably regarding nationality, as the economic operator.

If more than 8 eligible candidates meet the aforementioned selection criteria, then the strengths and weaknesses of these applications must be re-examined to identify the 8 best applications.

22. **Award criterion:**
Best quality/price ratio.

Application

23. **Final date for receipt of applications:**
25.10.2010 (10:00), local time.
Applications received after this deadline will be rejected.
24. **Application submission procedures and information to be supplied:**
Applications must strictly comply with submission procedures and the instructions of the standard application form, available on the Internet at the following address: http://ec.europa.eu/europeaid/work/procedures/implementation/services/index_fr.htm
Additional documentation (brochure, letter, etc.) enclosed with the application will not be considered.
25. **Procedures for dispatch of applications:**
Applications must only be sent to the contracting authority in French:
— either by registered post (official postal service), to the following address:
Project to support the departments of the National Authorising Officer (PSON), 25 rue Amadou Assane Ndoye, AMSA Building, first floor, Dakar, SENEGAL,
— or by hand delivery (including courier service) to the contracting authority itself, against a signed and dated acknowledgement of receipt, at the aforementioned address for the attention of Mr Pape Meissa Diop. Tel. +221 338420233.
The contract title and publication reference (see point 1 above) must be clearly marked on the envelope containing the application and must be quoted in all subsequent correspondence with the contracting authority. Applications submitted in any other way will be rejected.
26. **Amendments to or withdrawal of applications:**
Candidates may amend or withdraw their application by giving notice thereof in writing before the final date for receipt of applications. Applications cannot be amended once this deadline has passed.
Notice of amendments or withdrawal must be drawn up and sent as per the instructions given in point 25. The word 'Modification' (amendment) or 'Retrait' (withdrawal), as applicable, must be written on the outside envelope and on the inner envelope (if applicable).
27. **Working language:**
All correspondence concerning this invitation to tender procedure and contract must be in French.
28. **Date of publication of the prior information notice:**
9.10.2009.
29. **Legal basis:**
9th or 10th EDF: ACP-EC Partnership Agreement signed in Cotonou on 23.6.2000, amended on 25.6.2005 and in 2008 (Annex IV).
30. **Additional information**
31. **Date of dispatch of this notice:**

17.9.2010.