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**MW-Lilongwe: EDF — technical assistance to 'Rural infrastructure development' programme (RIDP) component 2 'Capacity development for the irrigation sector'**

**2010/S 251-384408**

**Location: ACP countries — Malawi**

**Service procurement notice**

1. **Publication reference:**  
EuropeAid/130396/D/SER/MW.  
Internet address(es):  
General address of the contracting authority: [http://www.cc.cec/EUROPEAID/cris/saisie/document/inc\\_extract\\_document.cfm?entt\\_cod=AOP&docu\\_nsq=837940&doex\\_cod=HTM](http://www.cc.cec/EUROPEAID/cris/saisie/document/inc_extract_document.cfm?entt_cod=AOP&docu_nsq=837940&doex_cod=HTM)
2. **Procedure:**  
Restricted.
3. **Programme:**  
9th or 10th EDF.
4. **Financing:**  
Financing agreement.
5. **Contracting authority:**  
Government of the Republic of Malawi.
6. **Nature of contract:**  
Fee-based.
7. **Contract description:**  
The contract is to provide 7 key experts, out of which 5 will be for short-term assignment, and approximately 32 man months of unallocated non-key experts (approx. 10) for the support to the implementation of the 'Rural infrastructure development' programme (RIDP) component 2 'Capacity development for the irrigation sector'. The Ministry of Irrigation and Water Development, Department of Irrigation, will be supported by 1 team leader (institutional development expert) providing advice on policy and institutional development as well as project management, strategic planning, monitoring and evaluation and by 1 senior key expert for coordination of feasibility studies and technical capacity building.  
The team leader will also be called to assist the Department of Irrigation in the management (financial and procurement) of the programme estimate (approximate value of 1 000 000 EUR on a 3- to 4-year implementation period).  
Other key experts will provide expertise on irrigation engineering, hydrology (especially for larger schemes), environmental impact, organisational mapping and development and agribusiness/ agro-economy. Unallocated non-key expertise may cover areas such as civil engineering, irrigation agronomy, soil science/ analysis, surveillance, geo-technical analysis, financial management accounting and legal advice. Incidental expenditure of the contract will include the costs for missions and the material and other costs necessary for the topological and geotechnical surveying, soil sampling and analysis and other analysis required for the execution of the feasibility studies foreseen (approximately 5 large- and 15 medium-scale irrigation schemes).

The contracted service provider will work in partnership with, and build capacity of, the Ministry of Irrigation and Water Development, especially Department of Irrigation and its decentralised structures and staff and other stakeholders who will be either directly involved or associated with the implementation of the 10th EDF 'Rural infrastructure development' programme.

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

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

9. **Budget:**

Maximum budget: 3 600 000 EUR.

10. **Scope for additional services:**

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.

**Conditions of participation**

11. **Eligibility:**

Participation in tendering is open on equal terms to natural and legal persons participating either individually or in a grouping (consortium) of tenderers which are established in one of the Member States of the European Union, ACP States or in a country or territory authorised by the ACP-EC Partnership Agreement under which the contract is financed (see also heading 29 below). Participation is also open to international organisations.

12. **Candidature:**

All eligible natural and legal persons (as per item 11 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 members of a consortium (i.e., the leader and all other members) are jointly and severally liable to the contracting authority.

The participation of an ineligible natural or legal person (as per item 11) 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.

13. **Number of applications:**

No more than 1 application 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 an application). In the event that a natural or legal person submits more than 1 application, all applications in which that person has participated will be excluded.

14. **Shortlist alliances prohibited:**

Any tenders received from tenderers having a different composition than the ones on the application forms will be excluded from this restricted tender procedure, unless prior approval from the contracting authority has been obtained — see PRAG 2.4.3. Shortlisted candidates may not form alliances or subcontract to each other for the contract in question.

15. **Grounds for exclusion:**

As part of the application form, candidates must submit a signed declaration, included in the standard application form, to the effect that they are not in any of the exclusion situations listed in Section 2.3.3 of the 'Practical Guide to contract procedures for EU external actions'.

16. **Subcontracting:**

Subcontracting is allowed.

Activities which may be subcontracted: subcontracting will be allowed for topological and geotechnical surveys and soil sampling and analysis.

17. **Number of candidates to be shortlisted:**

On the basis of the applications received, at least 4 and at most 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.

**Provisional timetable**

18. **Provisional date of invitation to tender:**

1.3.2011.

19. **Provisional commencement date of the contract:**

1.5.2011.

20. **Initial period of implementation of tasks:**

Duration in months: 42.

**Selection and award criteria**

21. **Selection criteria:**

Same criteria for legal and natural person.

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:

1) Economic and financial capacity of candidate:

In the case of the applicant being a public body equivalent information should be provided:

1. the value of annual turnover of the candidate must exceed the maximum budget of the contract for each of the past 3 years (2007, 2008, 2009);
2. the value of cash and cash equivalents at the beginning and end of years 2007, 2008 and 2009 was positive.

2) Professional capacity of candidate:

1. has a professional certificate appropriate to this contract, such as finance and project management and or infrastructure development and natural resource management;
2. at least 15 expert staff currently work for the applicant in fields related to this contract;
3. at least 10 % of all staff working for the candidate in the year 2009 in fields related to this contract were permanent.

3) Technical capacity of candidate:

1. the candidate has successfully completed at least 3 contracts of more than 20 months duration with a budget of at least 3 000 000 EUR each in fields related to this contract and completed in the years 2007, 2008, 2009 or 2010. Thereof, at least 2 contracts with a value of the technical assistance component of at least 2 000 000 EUR in the field of infrastructure or natural resource management or agriculture;
2. the candidate must be registered with its relevant national authority and must have been operational for at least 5 years.

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 candidate rely 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.

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 to identify the 8 best applications for the tender procedure. The only factors which will be taken into consideration during this re-examination are:

1. number of contracts above 500 000 EUR carried out in the field of irrigation development in sub-Saharan African countries since 2007;
2. number of contracts funded by EC/EU, preferably following EDF rules and regulations completed since 2007.

22. **Award criteria:**

Best value for money.

**Application**

23. **Deadline for receipt of applications:**

7.2.2011 (14:00), local time.

Any application received after this deadline will not be considered.

24. **Application 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 at the following Internet address: [http://ec.europa.eu/europeaid/work/procedures/implementation/services/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/services/index_en.htm)

Any additional documentation (brochure, letter, etc.) sent with an application will not be taken into consideration.

25. **How applications may be submitted:**

Applications must be submitted exclusively to the contracting authority in the following language — English: — either by recorded delivery (official postal service) to:

Ministry of Finance, National Authorising Office, NAO Support Unit, PO Box 30049, Lilongwe 3, MALAWI,

— or hand-delivered (including courier services) directly to the contracting authority in return for a signed and dated receipt to:

attention: Madalo M. Nyambose. Tel. +265 1788171.

Opening hours: 8:00–17:00.

As in abovementioned address.

The contract title and the publication reference (see item 1 above) must be clearly marked on the envelope containing the application and must always be mentioned in all subsequent correspondence with the contracting authority.

Applications submitted by any other means will not be considered.

26. **Alteration or withdrawal of applications:**

Candidates 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 prepared and submitted in accordance with item 25.

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

27. **Operational language:**

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

28. **Date of publication of contract forecast notice:**

7.8.2010.

29. **Legal basis:**

ACP–EC Partnership Agreement signed at Cotonou on 23.6.2000 as amended.

30. **Additional information:**

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 do not modify the elements of the procurement procedure (this will be the case, for instance, if the budgetary envelope 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.

31. **Date of dispatch of this notice:**  
15.12.2010.