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**TN-Tunis: purchase of equipment to collect coastal data for  
the Agency for Coastal Protection and Development (APAL)**

**2011/S 62-099369**

**Tunis — Tunisia**

**Supplies contract notice**

1. **Publication reference:**  
EuropeAid/130908/D/SUP/TN.
2. **Procedure:**  
Open.
3. **Programme:**  
Neighbourhood.
4. **Financing:**  
Financing agreement.
5. **Contracting authority:**  
Ministry of Agriculture and Environment (MAE) of Tunisia, Tunis, TUNISIA.

**Contract specifications**

6. **Contract description:**  
The object of the contract is the supply, delivery, installation, commissioning, maintenance and after-sales service, by the contractor, of the following supplies: 3 data-collection stations comprising 1 fixed laboratory buoy and 2 complementary automated lightweight buoys equipped with instruments, allowing remote surveillance of the marine environment on the Tunisian coast.
7. **Number and titles of lots:**  
1 lot only.

**Conditions of participation**

8. **Eligibility and rule of origin:**  
Participation in the contract is open to all legal entities, irrespective of whether they are taking part as individuals or as part of a grouping (consortium) of tenderers, from the European Union Member States and from the countries and territories of the regions covered and/or authorised by the specific instruments applicable to the aid programme under which the contract is financed (see point 22 below). All the goods supplied under this contract must originate in 1 or more of these countries. International organisations may also take part. Participation of natural persons is governed by the instrument that specifically applies to the programme under which the contract is financed.
9. **Grounds for exclusion:**  
Tenderers must sign and submit the declaration, included with the tender form for a supplies contract, confirming that they are not in any of the situations listed in section 2.3.3 of the Practical Guide to contract procedures for EU external actions.
10. **Number of tenders:**

Tenderers may not submit more than 1 tender per lot. Tenders for part of a lot will not be considered. Tenderers may state in their tender whether they would grant a discount should they be awarded several lots. Tenderers may not submit a variant tender in addition to their tender for the supplies required in the invitation to tender dossier.

11. **Tender guarantee:**

Tenderers must provide a tender guarantee of 8 000 EUR when they submit their tender. This will be returned to unsuccessful tenderers once the invitation to tender procedure has been completed and to the successful tenderer(s) once the contract has been signed by all parties. This guarantee will be drawn on if the tenderer does not honour all the obligations stipulated in the invitation to tender.

12. **Performance bond:**

The successful tenderer will be required to provide a performance bond for 10 % of the contract value when the contract is signed. The tenderer will have 30 days from the date on which he receives the contract signed by the contracting authority in which to furnish the bond along with the countersigned contract. If the successful tenderer does not provide the required bond within the time allowed, the contract will be rendered void and a new contract may then be drawn up and sent to the tenderer who submitted the second lowest-priced compliant tender.

13. **Briefing and/or site visit:**

There are no plans for a briefing.

14. **Tender validity:**

Tenders are to be valid for 90 days from the final date for submission of tenders.

15. **Implementation period for the tasks:**

The implementation period for the tasks is 5 months from the date on which the contract is signed by both parties until notification of provisional acceptance.

**Selection and award criteria**

16. **Selection criteria:**

The following selection criteria will be applied to tenderers. Where tenders are submitted by a consortium, these criteria will apply to the consortium as a whole.

1) Tenderer's economic and financial capacity (based on point 3 of the tender form for a supplies contract). If the tenderer is a public body, equivalent information must be submitted:

(a) the tenderer's average annual turnover for the past 3 financial years (2008-2009-2010) must be more than twice the maximum contract budget; and

(b) cash and cash equivalents at the beginning and end of the financial year during the past 3 financial years (2008-2009-2010) must be in surplus.

2) Tenderer's professional capacity (based on points 4 and 5 of the tender form for a supplies contract):

(a) at least 5 of the tenderer's staff must be currently working in fields related to this contract; and

(b) at least 20 % of all those employees working for the tenderer this year in fields related to this contract must be on permanent contracts.

3) Tenderer's technical capacity (based on points 5 and 6 of the tender form for a supplies contract):

the tenderer must have successfully concluded at least 3 projects in the past 3 years (2008-2009-2010), with a global budget at least twice the maximum budget of this contract, in fields related to this contract.

This means that the projects to which the tenderer refers might have begun, been carried out or completed at any moment during the period given, but do not necessarily need to have begun and been completed during this period, or have been carried out during the whole of said period.

An economic operator may, if necessary and for a specific contract, make use of the capacities of other entities irrespective of the legal nature of the connection between himself and said entities. As an example, the contracting authority may consider it inappropriate if the tenderer relies, for the main part, on the capacities of other entities or calls on them for key criteria. If the capacities of other entities are relied on, the economic operator must, in that case, provide the contracting authority with proof that it will have the resources needed to perform the contract by, for example, producing an undertaking from those entities to place those resources at its disposal. These entities, e.g. the economic operator's parent company, must observe the same eligibility rules, notably regarding nationality, as the economic operator in question. Furthermore, the information relating to the third entity(ies) for the relevant selection criteria must be included in a separate document. Proof of their capacity must also be provided when requested by the contracting authority.

17. **Award criterion:**  
Price.

**Tender submission**

18. **Procedures for obtaining the invitation to tender dossier:**

The invitation to tender dossier is available from the following web address: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>

It can also be obtained from the contracting authority. The standard tender form for a supplies contract must be used to draw up tenders. This form can be found in the invitation to tender dossier, and its clauses and format must be strictly adhered to.

Questions regarding this invitation to tender must be sent in writing to:

Environment-energy programme support unit, c/o (CITET), boulevard du leader Yasser Arafat,  
1080 La Chargaia, Tunis, TUNISIA. Tel. +216 71771707 / 71771996. Fax +216 71772132. E-mail:  
[slim.belkahia@mdci.gov.tn](mailto:slim.belkahia@mdci.gov.tn)

(quoting the publication reference in point 1) at least 21 days before the final date for submission of tenders, given in point 19. The contracting authority must reply at least 11 days before the final date for submission of tenders. Clarifications or minor amendments to the invitation to tender dossier will be published at least 11 days prior to the final date for submission of tenders on the EuropeAid site: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>

19. **Final date for submission of tenders:**

30.5.2011 (17:00).

Tenders received after this deadline will not be considered.

20. **Tender opening session:**

31.5.2011 (10:00).

21. **Language for the procedure:**

French must be used for all correspondence concerning this invitation to tender.

22. **Legal basis:**

Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24.10.2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument (OJEU — L 310/1 of 9.11.2006).