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**GN-Conakry: EDF — overseeing and inspection assignment
for the official building rehabilitation project (PREBO)
2011/S 117-192093**

Location: ACP countries — Guinea

Service procurement notice

Common procurement vocabulary (CPV):

Main object:

71700000 Monitoring and control services

1. **Publication reference:**

EuropeAid/131295/D/SER/GN.

Internet address(es):

general address of the contracting authority: <http://eeas.europa.eu/delegations/guinea>

2. **Procedure:**

Restricted.

3. **Programme:**

9th or 10th EDF.

4. **Financing:**

Financing agreement.

5. **Contracting authority:**

Republic of Guinea, Conakry, GUINEA.

6. **Nature of contract:**

Fee-based.

7. **Contract description:**

The overall aim of the project (PREBO) to which this contract belongs is to help restore the managerial capacities of government services within the country by providing its dispersed and decentralised departments (devastated during the strikes in January and February 2007) with suitable infrastructure to perform their duties. The specific aim of this contract is to oversee and inspect the works to construct and rehabilitate the official buildings located throughout the territory.

The successful tenderer for the service contract must ensure that the works to construct and rehabilitate the official buildings are carried out satisfactorily, in compliance with the rules of the trade and the technical specifications in force, and within the deadline set in the works contracts. Furthermore, he will need to assist the supervisor and his representative in performing their duties.

The works involved have the aim of constructing new buildings and rehabilitating certain existing buildings. The 37 selected buildings are located in 7 regions (Boké, Conakry, Kindia, Labé, Mamou, Kankan and Faranah) and house regional, prefectural and subprefectural administrative blocks, local police and Gendarmerie stations, town halls and main police stations.

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

The contract is divided into lots:

no, 1 lot only.

9. **Budget:**

Maximum budget: 520 000 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 1 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 not allowed.

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:**

12.8.2011.

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

1.11.2011.

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

Duration in months: 14 (from the award of the contract).

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

1. the average annual turnover of the candidate for the past 3 years (2008, 2009, 2010) (aggregated turnover in the case of a consortium) must exceed the maximum budget of the contract;
2. the averages of cash and cash equivalents at the beginning and end of the year (2010) are positive.

2) Professional capacity of candidate:

1. at least 10 staff worked for the candidate in 2010 on analysis and inspection of construction or building rehabilitation projects;
2. at least 20 % of all staff working for the candidate in 2010 on inspection or analysis of construction or rehabilitation projects are permanent.

3) Technical capacity of candidate:

the candidate has worked successfully (certificate of satisfactory completion or letter of approval of the final performance report) on at least 1 project with a budget of at least that of this contract related to overseeing and inspection assignments of construction or building rehabilitation projects, which were implemented at any moment during the following period: in the 3 years preceding the submission deadline, set for 22.7.2011.

Notes:

(a) for projects concerning pre-feasibility, feasibility and/or overseeing and inspection studies, the study phase will be allocated to the 1st year of performance of the contract to check compliance with the obligation for the performance to have been carried out during the first 3 years (i.e. if overseeing and inspection were carried out before July 2008 or after July 2011, the project will not be considered) and only those projects meeting this condition will be considered;

(b) for projects concerning pre-feasibility, feasibility and/or overseeing and inspection studies, the share of the budget dedicated to 'overseeing and inspection' will be reduced by the following percentages:

— 60 % of the total contract value in the case of contracts concerning pre-feasibility, feasibility, overseeing and inspection,

— 75 % of the total contract value in the case of contracts concerning feasibility and inspection.

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 tenderers rely in majority on the capacities of other entities or when they rely on key criteria. If the candidate 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 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 these third entities

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:

— statement regarding the most important projects carried out as part of overseeing and inspection assignments of construction or building rehabilitation projects during the past 3 years.

A maximum of 3 important projects per candidate will be used to identify the 8 best applications. These projects will be selected according to the following criteria:

1) they must have been successfully completed (certificate of satisfactory completion or letter of approval of the final performance report) during the 3 years preceding the submission deadline, set for 22.7.2011;

2) they must be of a value 50 % higher than the maximum budget of this contract. Only the 3 largest contracts will be considered. To this end, the percentage that the legal entity states it has carried out will be applied to identify that entity's relative market share;

3) they must have been carried out in sub-Saharan Africa;

4) they must concern the overseeing and inspection of construction or building rehabilitation projects.

The 8 best applications will be selected on the basis of the highest aggregate value of the 3 projects selected.

Notes:

(a) for projects concerning pre-feasibility, feasibility and/or overseeing and inspection studies, the study phase will be allocated to the 1st year of performance of the contract to check compliance with the obligation for the performance to have been carried out during the first 3 years (i.e. if overseeing and inspection were carried out before July 2008 or after July 2011, the project will not be considered) and only those projects meeting this condition will be considered;

(b) for projects concerning pre-feasibility, feasibility and/or overseeing and inspection studies, the share of the budget dedicated to 'overseeing and inspection' will be reduced by the following percentages:

- 60 % of the total contract value in the case of contracts concerning pre-feasibility, feasibility, overseeing and inspection;

- 75 % of the total contract value in the case of contracts concerning feasibility and inspection,

— statement concerning the candidate's staff (permanent and non-permanent on an average annual basis) working on overseeing and inspection assignments of construction or building rehabilitation projects over the past 3 years (2008, 2009, 2010),

— the candidate's average annual turnover over the past 3 years (2008, 2009, 2010) (aggregate turnover for consortia).

22. **Award criteria:**
Best value for money.

Application

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

22.7.2011 (11:00), local time.

Any application received after this deadline will not be considered.

24. **Applications 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_fr.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: French,
— either by recorded delivery (official postal service) to:

Delegation of the European Union, immeuble Le Golfe, Coléah, PO Box 730, Conakry, GUINEA,

— or hand delivered (including courier services) directly to the contracting authority in return for a signed and dated receipt to: for the attention of the Head of Delegation. Tel. +224 63404871 / 62352071.

Opening hours: 8:00-17:00.

As in above-mentioned 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 'Modification' (alteration) or 'Retrait' (withdrawal) as appropriate.

27. **Operational language:**

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

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

Date: 20.4.2011.

Notice number in OJ: [2011/S 77-125194](#).

29. **Legal basis:**

9th or 10th EDF: ACP-EC Partnership Agreement signed in Cotonou on 23.6.2000, as amended.

30. **Additional information:**

The awarding authority is the EDF National Authorising Officer in the Republic of Guinea, whose functions have been temporarily taken on by the European Commission subsequent to Commission Decision C/2010/101.

Additional services may be assigned to the successful tenderer depending on the results of the initial contract (see item 10 above: Scope for additional services). These services will involve the final acceptance of works contracts and inspection of construction works or rehabilitation of other buildings financed by the European Union. The additional services will be the subject of a negotiated procedure and will have an estimated maximum value of 100 000 EUR.

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

9.6.2011.