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**RW-Kigali: EDF — supervision and inspection of improvement
works to the access road to the Ruzizi III dam sites
2011/S 121-199347**

Location: ACP countries — Rwanda

Central Africa, Democratic Republic of the Congo

Service procurement notice

Common procurement vocabulary (CPV):

Main object:

71700000 Monitoring and control services

1. **Publication reference:**
EuropeAid/131383/C/SER/RW.
Internet address(es):
General address of the contracting authority: delegation-rwanda@ec.europa.eu
European Union Delegation in the Republic of Rwanda, PO Box 515, Kigali, RWANDA.
2. **Procedure:**
Restricted.
3. **Programme:**
9th or 10th EDF.
4. **Financing:**
Financing agreement.
5. **Contracting authority:**
European Union, represented by the European Commission on behalf of and for the account of the beneficiary country, Kigali, RWANDA.
6. **Nature of contract:**
Fee-based.
7. **Contract description:**
Supervision and inspection of improvement works to cross-border main roads between the Democratic Republic of the Congo, Burundi and Rwanda. The consultant will be tasked with the following:
 1. preliminary services including any updating of the project with regard to studies carried out.
 2. Examination of the work schedule of the firm performing the works and inspection of compliance therewith.
 3. Setting up of an information-management system.
 4. Inspection of the quality and volume of the works carried out and the materials used.
 5. Inspection of measures and drawing up of interim certificates.
 6. Consultancy services to the project manager regarding problems which arise during performance of the works.
 7. Inspection and consultancy services regarding environment-protection measures.
 8. Development and monitoring of campaigns to raise awareness about HIV/AIDS.

9. Coordination of the parties involved, ensuring that they are regularly informed about the progress of the works, development according to their respective expertise.

10. Analysis of complaints submitted by the firm performing the works and consultancy services to the project manager.

11. Other tasks during performance of the works, such as: inspection of the firm's compliance with the labour legislation in force, security measures, etc.

12. Other services during the provisional acceptance of the works.

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

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

9. **Budget:**

Maximum budget: 500 000 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. **Application:**

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 the application in question. If that ineligible person belongs to a consortium, the whole consortium's application 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:**

23.8.2011.

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

7.11.2011.

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 candidate's average annual turnover over the past 3 financial years must have been greater than 500 000 EUR.

2. The averages of cash and cash equivalents at the beginning and end of year must be positive.

2) Professional capacity of candidate:

1. at least 8 university-educated staff must currently work for the applicant in fields related to this contract.

2. At least 30 % of the staff working for the candidate this year in fields related to this contract are permanent.

3) Technical capacity of candidate:

1. in the 5 years preceding the application opening date, the candidate must have successfully completed at least 3 projects with a budget of at least 70 % of that of this contract in fields related to this contract.

2. Over the past 3 years, the candidate must have inspected and supervised at least 1 roadworks site involving the construction of an unsurfaced road with a minimum length of 10 km.

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: if more than 8 eligible applications meet all the selection criteria, the strengths and weaknesses of these candidates' applications must be re-examined to identify the 8 best applications for the invitation to tender. The only elements that will be considered in this re-examination will be the number and the size of roadworks sites in tropical countries involving road improvement that have been inspected by the candidates.

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

Application

23. **Deadline for receipt of applications:**
29.7.2011 (16:00), 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:
European Union Delegation in the Republic of Rwanda, PO Box 515, Kigali, RWANDA,
— or hand delivered (including courier services) directly to the contracting authority in return for a signed and dated receipt to the following address:
For the attention of: Infrastructure Section. Tel. +250 252585738/39/40/41.
Opening hours: from 7:30 to 17:45.
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:**
3.5.2011.
29. **Legal basis:**
ACP-EC Partnership Agreement signed in Cotonou on 23.6.2000, as amended.
30. **Additional information**
31. **Date of dispatch of this notice:**

16.6.2011.