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**Kosovo-Pristina: Framework contract for local staff health insurance No 3
2013/S 136-235133**

Service contract notice

Pristina — Kosovo

Please note that the awarding of the contract is subject to the condition of:
this tender procedure is launched under suspension clause (see paragraph 2.3.6 of the 'Practical Guide to contract procedures for EU external actions': http://ec.europa.eu/europeaid/work/procedures/implementation/practical_guide/documents/2008new_prag_final_en.pdf), i.e. the award of this specific tender is subject to the provision of funding to EULEX through the conclusion of a contract between the European Commission and the EULEX Head of Mission.

1. **Publication reference:**
EuropeAid/134442/D/SER/XK.
2. **Procedure:**
Restricted.
3. **Programme:**
Council Joint Action 2008/124/CFSP of 4.2.2008 on the European Union Rule of Law Mission in Kosovo (hereafter 'EULEX Kosovo') as amended by JA 2009/445/CFSP and by Council Decision 2010/322/CFSP, Council Decision 2012/291/CFSP and Council Decision 2013/241/CFSP of 27.5.2013.
4. **Financing:**
CFSP/2013/9/EULEX Kosovo — Borchardt.
5. **Contracting authority:**
The Head of EULEX Kosovo, Pristina, KOSOVO.

Contract specification

6. **Nature of contract:**
Global price framework contract.
The signature of the framework contract imposes no obligation on the contracting authority to spend the entire maximum available for this contract and/or to insure the indicated number of staff estimated in Annex II, i.e. terms of reference of the tender dossier.
7. **Contract description:**
The purpose of this contract is the provision of health insurance coverage for the local staff of the EULEX Mission in Kosovo, including local staff in the Belgrade Office, comprising 960 (+/- 10 %) persons approximately. The premium will be adjusted to the actual number of local staff during the contract implementation.
The insurance coverage must include:
 - a) health coverage, which includes different kinds of medical treatment (such as treatment in and out of hospital) due to illness, accident, maternity or necessary preventive care;
 - b) disability coverage, in case of illness or accident;
 - c) life insurance.Territorial cover: the benefits in case of death or permanent disability resulting from an accident shall be valid worldwide (24 hrs). The medical care coverage shall include the territories of Kosovo, the former Yugoslav

Republic of Macedonia and Serbia as per conditions stipulated in the terms of reference; exceptionally, in case of extreme medical emergency or accident, which occurs while staying outside these territories, emergency care in the country of occurrence will be covered.

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

No, 1 lot only.

9. **Maximum budget:**

552 960 EUR (per year).

10. **Scope for additional services:**

The contracting authority may extend the project in duration, subject to the availability of funding, up to a maximum of 4 years not exceeding value of the initial contract. Any extension of the contract would be subject to satisfactory performance by the contractor. The cost and duration of the additional services would be agreed by negotiated procedure.

Conditions of participation

11. **Eligibility:**

Participation is open to all legal persons participating either individually or in a grouping (consortium) of tenderers which are established in a Member State of the European Union, in an official candidate country, or a country that is a beneficiary of the Instrument for Pre-Accession Assistance, in a Member State of the European Economic Area, a country of the western Balkans region or a contributing third state, as authorised by Council Joint Action 2008/124/CFSP of 4.2.2008 on EULEX Kosovo as amended by JA 2009/445/CFSP and Council Decision 2010/322/CFSP, Council Decision 2012/291/CFSP of 5.6.2012 and Council Decision 2013/241/CFSP of 27.5.2013). The participation is also open to international organisations. The participation of natural persons is directly governed by the specific instruments applicable to the programme under which the contract is financed.

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.

Also participation is open to groupings insurance company/broker, conditioned that in case of the award the contract must be concluded with the broker.

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 comprising firms other than those mentioned in the shortlisted 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, between 4–8 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:**

16.9.2013.

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

February 2014.

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

The period for implementing the tasks is 12 months from the commencement date of the contract, although the contract may be terminated at short notice (Article 19 of the special conditions of the contract included in the tender dossier).

The contracting authority may, at its own discretion, extend this framework contract in duration up to an additional 12 months by amendment to the present contract signed by both parties. Such an amendment shall be subject to a negotiated procedure according to 3.2.4.1 of the 'Practical Guide to contract procedures for EU external actions'. The extension will be conditioned and limited by the Mission's mandate and to the availability of corresponding budgetary funds.

Selection and award criteria

21. **Selection criteria:**

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 (based on item 3 of the application form). In the case of the candidate being a public body, equivalent information should be provided:

a) total average annual turnover of candidate(s) must exceed 2 times the maximum budget of the contract for the last 3 years (2012, 2011 and 2010);

b) the candidate has been operational for the past 3 years (2012, 2011 and 2010).

2) Professional capacity of candidate (based on items 4 and 5 of the application form):

a) at least 8 staff currently work for the applicant in fields related to this contract, at least 2 of them are qualified technical experts with a communicative level of English language;

b) at least 50 % of all staff working for the candidate this year in fields related to this contract is permanent.

3) Technical capacity of candidate (based on items 5 and 6 of the application form):

a) candidate(s) have (all) worked on at least 1 major project similar to this in fields related to this contract in the past 3 years, meaning candidate(s) have (all) provided insurance cover mentioned in the 'contract description' as outlined in point 7 above, in the past 3 years.

Previous experience which would have led to breach of contract and termination by a contracting authority shall not be used as a reference.

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. 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.

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 candidates. The only factors which will be taken into consideration during this re-examination are:

- 1) the number of projects related to this contract completed in the last 3 years;
- 2) in the case of an equal number of projects the total amount (in euros) of the projects completed in the last 3 years.

22. **Award criteria:**

Best value for money.

Application

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

On 16.8.2013 (15:00), Kosovo time zone at EULEX, Procurement Section, Main Warehouse Compound, Industrial Zone Veternik (opposite Gorenje Hotel, next to fuel station), 10000 Pristina, KOSOVO.
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 from the following Internet address: 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 in English exclusively to the contracting authority in a sealed envelope:
— either by recorded delivery (official postal service) to:
EULEX Kosovo — Procurement Section, Main Warehouse Compound, Industrial Zone Veternik, PO Box 268 (opposite Gorenje Hotel, next to fuel station), 10000 Pristina, KOSOVO,
— or hand delivered (including courier services) directly to the contracting authority in return for a signed and dated receipt to:
EULEX Kosovo — Procurement Section, Main Warehouse Compound, Industrial Zone Veternik, PO Box 268 (opposite Gorenje Hotel, next to fuel station), 10000 Pristina, KOSOVO.
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 application 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.

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27. **Operational language:**
All written communications for this tender procedure and contract must be in English.
28. **Date of publication of prior information notice:**
8.5.2013.
29. **Legal basis:**
Council Joint Action 2008/124/CFSP of 4.2.2008 on the European Union Rule of Law Mission in Kosovo (hereafter 'EULEX Kosovo') as amended by JA 2009/445/CFSP and by Council Decision 2010/322/CFSP, Council Decision 2012/291/CFSP and Council Decision 2013/241/CFSP of 27.5.2013.
30. **Additional information:**
Not applicable.