

## **SERVICE PROCUREMENT NOTICE**

### **Travel Agency Services**

**Location: Kosovo**

**1. Publication reference**

EuropeAid/129176/D/SER/XK

**2. Procedure**

Restricted

**3. Programme**

Council Joint Action 2008/124/CFSP of 04 February 2008 on the European Union Rule of Law Mission in Kosovo, (hereafter “EULEX Kosovo”)

**4. Financing**

Budget article 19 03 03.

Contract No CFSP/2009/24/EULEX Kosovo — De Kermabon.

**5. Contracting Authority**

The Head of EULEX Kosovo

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## **CONTRACT SPECIFICATION**

**6. Nature of contract**

Global price

**7. Contract description**

To provide assistance related to official duty trips including hotel reservations, car rental and all relevant services related to airline travel bookings.

**8. Number and titles of lots**

This tender procedure is not divided into lots.

**9. Maximum budget**

1,074,000.00 Euros yearly (One million and seventy four thousand Euros)

**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.

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## CONDITIONS OF PARTICIPATION

### 11. Eligibility

Participation in tendering is open to all legal persons participating either individually or in a grouping (consortium) of candidates 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 authorized by Council Joint Action 2008/124/CFSP of 04 February 2008 on EULEX KOSOVO, (see also item 30 below). Participation is also open to international organisations. The participation of natural persons is 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 (ie, 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 one 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 one 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 short-listed application forms will be excluded from this restricted tender procedure. Short-listed 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 EC external actions

### 16. Sub-contracting

Sub-contracting will be allowed with the maximum 30% percent of the contract value which may be sub-contracted

### 17. Number of candidates to be short-listed

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.

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## PROVISIONAL TIMETABLE

### 18. Provisional date of invitation to tender

March 2010

### 19. Provisional commencement date of the contract

April/May 2010

### 20. Initial period of implementation of tasks and possible extension of the contract

The period of implementation of the tasks identified is twenty four (24) months from the Commencement date.

The Contracting Authority may, at its own discretion, extend the contract in duration up to additional twenty four (24) months by amendment to the present contract signed by both parties. Such an amendment shall be subject to a negotiated procedure according to 3.2.3.1 of the Practical Guide to Contract Procedures for EC external actions. The Contractor gives up the right to withdraw from the contract for its entire duration, including possible renewals and guarantees to undertake any extension requested in accordance with the provisions set out above.

The extension will be conditioned and limited by the Mission's mandate and to the availability of corresponding budgetary funds.

In addition to the grounds for termination defined in the General Conditions, the Contracting Authority may terminate the contract, in whole or in part, at any time after giving thirty (30) days notice to the Contractor, in case EULEX's mandate was not to be prolonged and/or in case of budgetary issues affecting the financing of the project or for any other reasons the Contracting Authority deems as necessary.

In case of termination of the contract on such grounds, the Contractor shall not be entitled to claim any indemnity for loss suffered.

The Contractor shall only be entitled to claim for sums owing to it for services already provided and/or for services to be provided until the actual date of termination of the contract.

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## 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 case of applicant being a public body, equivalent information should be provided.
  - Total average annual turnover of candidate(s) must exceed 3 times the maximum budget of the contract for the last three years (2007, 2008 and 2009);
  - The averages of cash and cash equivalents at the beginning and end of year are positive.
- 2) Professional capacity of candidate (based on items 4 and 5 of the application form)
  - The candidate provides certificate of the cooperation with the airlines that operates from /to Pristina.
  - The candidate has a statement of the company's on line computerized reservation system
  - Use online reservation system such as AMADEUS

- At least 5 staff currently work for the applicant in fields related to this contract; and
- At least 30% of all staff working for the candidate this year in fields related to this contract are permanent.

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

- The candidate has worked successfully on at least one project, with a budget of at least that of this contract, in fields related to this contract in the past three years (2007, 2008 and 2009).

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

- 1) 2a
- 2) 3a

## 22. Award criteria

Best value for money.

## APPLICATION

### 23. Deadline for receipt of applications

**On 16 February 2010 at 15:00 hrs**, (Kosovo time zone) at EULEX, Procurement Section, Ndërtesa Farmed, “Muharren Fejza” p.n, Lagja e Spitalit, 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 (available from 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) ), whose format and instructions must be strictly observed.

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:

- EITHER by recorded delivery (official postal service) to :

**EULEX Kosovo  
Procurement Section**

**Ndërtesa Farmed  
“Muharren Fejza” p.n.  
Lagja e Spitalit  
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  
Ndërtesa Farmed  
“Muharren Fejza” p.n.  
Lagja e Spitalit  
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.

## **27. Operational language**

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

## **28. Additional information**

Tender procedure under suspension clause: This procurement notice is issued before the financing decision or the signature of the financing agreement between the Commission and the recipient. The award of the contract is subject to the conclusion of the financing agreement and therefore, to the allocation of the corresponding funds.

## **29. Date of publication of contract forecast**

13 October 2009

## **30. Legal basis**

Council Joint Action 2008/124/CFSP of 04 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX Kosovo