

SERVICE CONTRACT NOTICE

Cleaning Services No. 4 Kosovo

Please note that the awarding of the contract is subject to the condition of:

This tender procedure is launched under suspensive clause i.e. Provision of the services concerned is subject to availability of the budget funds.

1. Publication reference

EuropeAid/136634/IH/SER/XK

2. Procedure

Restricted

3. Programme title

Council Joint Action 2008/124/CFSP of 04 February 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, Council Decision 2013/241/CFSP, Council Decision 2014/349/CFSP and Council Decision 2014/685/CFSP of 29 September 2014.

4. Financing

CFSP/2014/32/EULEX Kosovo

5. Contracting Authority

EULEX Kosovo

CONTRACT SPECIFICATION

6. Nature of contract

Unit price framework contract.

The signature of the framework contract imposes no obligation on the Contracting Authority to spend the entire maximum budget available for this contract and/or to order the services as estimated in Annex II i.e. Terms of References of the Tender Dossier,

7. Contract description

The overall objective of the project of which this contract will be a part is as follows:

- Provision of **cleaning services** for all facilities of the Contracting Authority within Kosovo.
- Provision of **cleaning services for medical facilities** of the Contracting Authority within Kosovo;

- Provision of **ground maintenance and winter works** for facilities of the Contracting Authority within Kosovo.
- **Pest control** for facilities of the Contracting Authority.

8. Number and titles of lots

no, one lot only

9. Maximum budget

EUR 600,000.00

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 is open to all natural persons who are nationals of and legal persons participating either individually or in a grouping (consortium) of tenderers which are effectively established in a Member State of the European Union, or 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 as amended by JA 2009/445/CFSP and Council Decision 2010/322/CFSP, Council Decision 2012/291/CFSP, Council Decision 2013/241/CFSP, Council Decision 2014/349/CFSP and Council Decision 2014/685/CFSP of 29 September 2014. 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 (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 unless prior approval from the Contracting Authority has been obtained (see Practical Guide – PRAG- 2.4.3.). 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 PRAG

16. Sub-contracting

Subcontracting is allowed. The total value of the sub-contracted part of the services must not exceed 30% of the contract value and the sub-contractor must not sub-contract further.

17. Number of candidates to be short-listed

On the basis of the applications received, between 4 and 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

April/May 2015

19. Provisional commencement date of the contract

August 2015

20. Initial period of implementation of tasks

The period for implementing the tasks is 12 months from the start 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 additional twelve (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 case of candidate being a public body, equivalent information should be provided.

- Total aggregated annual turnover of candidate(s) must exceed the maximum budget of the contract for the last three years (2012, 2013 and 2014);
- The candidate has been operational for the past three years (2012, 2013 and 2014).

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

- at least 60 staff currently work for the applicant in fields related to this contract; and
- at least 20% 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)

- Candidate(s) have (all) worked at least one project in each of the below mentioned fields:
 - Provision of cleaning to office facilities;
 - Provision of cleaning for medical facilities;
 - Provision of ground maintenance and winter works;
 - Pest control

Previous experience which caused breach of contract and termination by a Contracting Authority shall not be used as 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 reexamined to identify the eight best candidates. The only factors which will be taken into consideration during this re-examination are:

- the highest number of projects in criteria 3;
- the highest value of projects in criteria 3.

22. **Award criteria**

Best value for money.

APPLICATION

23. Deadline for receipt of applications

On **02 April 2015 at 15:00 hrs**, (Kosovo time zone) at EULEX, Procurement Section, Ndertesa Farmed, "Muharrem Fejza" p.n. Lagja e Spitalit, 10000 Pristina,.

Any application received by the Contracting Authority 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/prag/annexes.do?group=B>

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
Ndertesa Farmed
"Muharrem Fejza" p.n.
Lagja 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
Ndertesa Farmed
"Muharrem Fejza" p.n.
Lagja 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. Date of publication of prior information notice

23 January 2015

29. Legal basis¹

Council Joint Action 2008/124/CFSP of 04 February 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, Council Decision 2013/241/CFSP, Council Decision 2014/349/CFSP and Council Decision 2014/685/CFSP of 29 September 2014.

30. Additional information

N/A

¹ Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).