**Supply of technical equipment for protection and restoration of ecosystems in the protected natural areas of Botevgrad municipality in 2 LOTs****Botevgrad, Bulgaria**

1. **Nature of contract**

**unit price**

1. **Programme title**

***Interreg-IPA CBC Programme Bulgaria-Serbia, CCI 2014TC16I5CB007***

1. **Financing**

The current tender procedure is financed by the budget of project “The Environment - Future and Responsibility of All”, ref. No. CB007.2.32.165 (BL 5.2 Supply of the PP2’s budget). Project is financed by the Interreg-IPA CBC Programme Bulgaria-Serbia, Call for Proposals No: CCI 2014TC16I5CB007, which is co-financed by national budgets of the Republic Bulgaria and the Republic of Serbia.

1. **Eligibility and rules of origin**

Participation is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping – consortium – of candidates/tenderers) which are effectively established in a Member State of the European Union or in a eligible country or territory as defined under the Regulation (EU) No 236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable instrument under which the contract is financed (see also heading ‘Legal basis’ below). Participation is also open to international organisations.

**For Lot 1:** All supplies under this contract must originate in one or more of these countries.

**For Lot 2:** All supplies under this contract may originate from any country.

Pleasebe aware that after the United Kingdom's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries and of goods originating from third countries will apply to candidates or tenderers from the United Kingdom, and to all candidates or tenderers proposing goods originating from the United Kingdom depending on the outcome of negotiations. In case such access is not provided by legal provisions in force at the time of the contract award, candidates or tenderers from the United Kingdom, and candidates or tenderers proposing goods originating from the United Kingdom could be rejected from the procurement procedure.

1. **Candidature**

**All eligible natural and legal persons (as per item 4 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 partners of a consortium (i.e., the leader and all other partners) are jointly and severally liable to the contracting authority.**

**The participation of an ineligible natural or legal person 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.**

1. **Number of applications or tenders**

**No more than one application or tender can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or partner of a consortium submitting an application/tender). In the event that a natural or legal person submits more than one application or tender, all applications or tenders in which that person has participated will be excluded.**

In case of lots, the candidates or tenderers may submit only one application or tender per lot. Contracts will be awarded lot by lot and each lot will form a separate contract.

Tenders for parts of a lot will not be considered. Tenderers may not submit a tender for a variant solution in addition to their tender for the works or supplies required in the tender dossier.

Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot.

1. No tender guarantee is required.
2. **Performance guarantee**

The successful tenderer will be asked to provide a performance guarantee of 5 % of the amount of the contract VAT excluded at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days after the tenderer receives the contract signed by the contracting authority. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next cheapest compliant tender.

1. **Information meeting and/or site visit**

No information meeting is planned.

1. **Tender validity**

Tenders must remain valid for a period of 3 months after the deadline for submission of tenders. In exceptional circumstances, the contracting authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period.

1. **Grounds for exclusion**

Candidates or tenderers must submit a signed declaration, included in the application form or tender form, to the effect that they are not in any of the situations listed in Section 2.6.10.1. of the **practical guide (PRAG).**

Candidates or tenderers included in the lists of EU restrictive measures (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract.

1. **Sub-contracting**

Sub-contracting is allowed.

1. **Provisional commencement date of the contract**

01.06.2021

1. **Period of implementation of tasks**

Period of implementation of tasks for each lot is 180 days from the receipt of a commencement order for the respective lot issued by the Contracting Authority, but not later than the end date of project CB007.2.32.165, which is 24.03.2022 or the new deadline for the implementation of the project in case of its extension.

The period of implementation includes the registration of the supplied equipment in accordance to the relevant legislation. The registration of the equipment in accordance to the relevant registration should be carried out by the Contractor at its own expense.

**SELECTION AND AWARD CRITERIA**

1. **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 if not specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

**a)** **Economic and financial capacity** **(**based on item 3 of supply tender form). In case of candidate being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three years for which accounts have been closed.

**For Lot n° 1:**

**15.a.1)** the average annual turnover of the tenderer for the last three years for which accounts are closed must exceed 300 000 BGN.

**For Lot n° 2:**

**15.a.2)** the average annual turnover of the tenderer for the last three years for which accounts are closed must exceed 100 000 BGN.

**b) Technical capacity** (based on items 5 and 6 of the application form for service contracts and on items 5 and 6 of the tender form for supply contracts). The reference period which will be taken into account will be the last three years from submission deadline:

**For Lot n° 1:**

**15.b.1)** The candidate has provided supplies under at least 1 contract with a budget of at least **300 000 BGN** in the field of supply of backhoe loaders and/or mini backhoe loaders and/or equivalent specialized lifting and/or digging equipment which was implemented at any moment during the reference period: **19.04.2018 – 19.04.2021.**

This means that the contract the candidate refers to could have been started at any time during the indicated period but it does not necessarily have to be completed during that period, nor implemented during the entire period. Candidates are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. Only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (statement or certificate from the entity which awarded the contract, proof of payment) also detailing its value. If a candidate has implemented the project in a consortium, the percentage that the candidate has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided if the selection criteria relating to the pertinence of the experience have been used.

Previous experience which caused breach of contract and termination by a contracting authority shall not be used as reference.

**For Lot n° 2:**

**15.b.2)** The candidate has provided supplies under at least 1 contract with a budget of at least **100 000 BGN** in the field of supply of firefighting trucks and/or equivalent specialized vehicles and/or equivalent specialized equipment which was implemented at any moment during the reference period: **19.04.2018 – 19.04.2021.**

This means that the contract the candidate refers to could have been started at any time during the indicated period but it does not necessarily have to be completed during that period, nor implemented during the entire period. Candidates are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. Only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (statement or certificate from the entity which awarded the contract, proof of payment) also detailing its value. If a candidate has implemented the project in a consortium, the percentage that the candidate has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided if the selection criteria relating to the pertinence of the experience have been used.

Previous experience which caused breach of contract and termination by a contracting authority shall not be used as reference.

Capacity-providing entities

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. If the tenderer relies on other entities it must prove to the contracting authority that it will have at its disposal the resources necessary for performance of the contract by producing a commitment 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 relying on them and must comply with the selection criteria for which the economic operator relies on them. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be provided when requested by the contracting authority.

With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

1. **Award criteria**

Price

**APPLICATION AND TENDERING**

1. **How to obtain the tender dossier**

The tender dossier is available from the following Internet address: from the Contracting Authority’s webpage <https://botevgrad.bg/> and on the official website of the programme <http://www.ipacbc-bgrs.eu>. The tender dossier is also available from the contracting authority. Tenders must be submitted using the standard tender form for a supply contract included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to [obshtina@botevgrad.org](mailto:obshtina@botevgrad.org) and to [gergana.nikolova@botevgrad.org](mailto:gergana.nikolova@botevgrad.org) (mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item ‘**Deadline for submission of applications or tenders’**. The contracting authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Possible clarifications or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the Contracting Authority’s webpage <https://botevgrad.bg/> and on the official website of the programme <http://www.ipacbc-bgrs.eu>.

1. **Tender opening session**

**27.04.2021, 13:30 h. local time**, at the premises of Municipality of Botevgrad, with address: 13 "Osvobozhdenie" square, Botevgrad, postal code 2140, Republic of Bulgaria

1. **How applications may be submitted**

Applications must be submitted in English exclusively to the contracting authority in a sealed envelope.

* Either by post or by courier service, in which case the evidence shall be constituted by the postmark or the date of the deposit slip, to:

Municipality of Botevgrad  
13 "Osvobozhdenie" square, Botevgrad, postal code 2140, Republic of Bulgaria

* OR hand delivered by the participant in person or by an agent directly to the premises of the contracting authority in return for a signed and dated receipt, in which case the evidence shall be constituted by this acknowledgement of receipt, to:

Municipality of Botevgrad  
13 "Osvobozhdenie" square, Botevgrad, postal code 2140, Republic of Bulgaria

Opening hours: 08:30 – 17:30 o’clock local time (lunch break from 12:30 – 13:30 o’clock, local time)

The contract title and publication reference (see contract notice) 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.

By submitting an application candidates accept to receive notification of the outcome of the procedure by electronic means. Such notification shall be deemed to have been received on the date upon which the contracting authority sends it to the electronic address referred to in the application form.

1. **Deadline for submission of applications**

The candidate’s attention is drawn to the fact that there are two different systems for sending applications: one is by post or private mail service, the other is by hand delivery.

In the first case, the application must be sent before the date and time limit for submission, as evidenced by the postmark or deposit slip[[1]](#footnote-1), but in the second case it is the acknowledgment of receipt given at the time of the delivery of the application that will serve as proof.

**The deadline for submission of applications can be found in the Contract Notice under IV.2.4.**

Any application sent to the contracting authority after this deadline will not be considered.

The contracting authority may, for reasons of administrative efficiency, reject any application submitted on time but received, for any reason beyond the contracting authority's control, after the effective date of approval of the short-list report, if accepting applications that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.

1. **Clarifications on the contract notice**

Clarifications may be sought from the contracting authority at the following email addresses [obshtina@botevgrad.org](mailto:obshtina@botevgrad.org) and [gergana.nikolova@botevgrad.org](mailto:gergana.nikolova@botevgrad.org) at the latest 21 days before the deadline for submission of applications stated at section **IV.2.4) of the contract notice**.

Clarifications will be published on the Contracting Authority’s webpage <https://botevgrad.bg/> and on the official website of the programme <http://www.ipacbc-bgrs.eu> at the latest 11 days before the deadline for the submission of applications.

1. **Alteration or withdrawal of applications**

Applicants 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 precedent item. The outer envelope (and the relevant inner envelope if used) must be marked ‘Alteration’ or ‘Withdrawal’ as appropriate.

1. **Language of the procedure**

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

1. **Legal basis**

* Regulation(EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action and Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-Accession Assistance (IPA II) – IPA II Regulation;
* Commission Implementing Regulation (EU) No 447/2014 of 2 May 2014 on the specific rules for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council establishing an Instrument for Pre-accession Assistance (IPA II) - IPA II Implementing Regulation;
* Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal;
* Commission Delegated Regulation (EU) No 481/2014 of 4 March 2014 supplementing Regulation (EU) No 1299/2013 of the European Parliament and of the Council with regard to specific rules on eligibility of expenditure for cooperation programmes;
* Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012
* Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006;
* Regulation (EU, EURATOM) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002;
* Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union;
* Interreg - IPA CBC Programme Bulgaria-Serbia, CCI 2014TC16I5CB007, adopted by the European Commission with Decision No C(2015) 5444 on 30 July 2015.

1. **Additional information**

Financial data to be provided by the candidate in the standard application form or the tenderer in the tender form must be expressed in **BGN**. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to **BGN** shall be made in accordance with the InforEuro exchange rate of **MARCH 2021**, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.

1. It is recommended to use registered mail in case the postmark would not be readable. [↑](#footnote-ref-1)