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**Turkey-Ankara: IPA — Supply of mobile surveillance units for increasing border surveillance capacity of borders between Turkey and EU 2017/S 016-025290**

**Supply contract notice**

**Location — Europe (non-EU) — Turkey**

1. **Publication reference:**  
EuropeAid/138541/IH/SUP/TR.
2. **Procedure:**  
Open.
3. **Programme title:**  
For lot 1: national programme for Turkey 2013 under the Instrument for Pre-Accession Assistance — transition assistance and institution building component.  
For lot 2: annual action programme for Turkey for the year 2014 under the Instrument for Pre-Accession Assistance (IPA II).
4. **Financing:**  
For lot 1: IPA budget item 22.02.01 of the general budget of the EU (75 %) and national contribution (25 %).  
For lot 2: IPA budget item 22.02.03.01 of the general budget of the EU (75 %) and national contribution (25 %).
5. **Contracting authority:**  
Central Finance and Contracts Unit (CFCU), Ankara, TURKEY.

**Contract specifications**

6. **Description of the contract:**  
The subject of this contract is the supply, delivery, installation, putting into operation, inspection, testing, training and warranty services of the mobile surveillance units in order to support Turkish border security and surveillance through modernisation of border surveillance system and contributing to the prevention of illegal migration, human trafficking, cross-border crimes, and smuggling and to ensure further development and implementation of border management and standards in line with EU's IBM policies and strategies.
7. **Number and titles of lots:**  
2 lots:  
lot 1: mobile surveillance units, unarmoured;  
lot 2: mobile surveillance units, armoured.

**Terms of participation**

8. **Eligibility and rules of origin:**  
Participation in this tender is governed by both of the following rules on nationality and origin:  
for lot 1: 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 or in a country or territory of the regions covered and/or authorised by the specific instruments applicable to the programme under which the contract is financed (see item 22 below). All goods supplied under this contract must originate in 1 or more of these countries. Participation is also open to international organisations. Participation of natural persons

is directly governed by the specific instruments applicable to the programme under which the contract is financed.

All supplies under this contract must originate in 1 or more of these countries;

for lot 2: 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 eligible country or territory as defined under the Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11.3.2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action (CIR) for the applicable instrument under which the contract is financed (see also heading 22 below). Participation is also open to international organisations.

All supplies under this contract must originate in 1 or more of these countries.

9. **Grounds for exclusion:**

Tenderers must submit a signed declaration, included in the tender form for a supply contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the 'Practical Guide'.

10. **Number of tenders:**

Tenderers may submit only 1 tender per lot. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than 1 lot. Tenderers may not submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

Tenderers are required to apply for both lots with identical product/item (apart from the protective covering determined within the TS items 1.1.1.1 and 2.1.1.1). The award criteria shall be the lowest price for lot 1 and lot 2 combined.

11. **Tender guarantee:**

Tenderers must provide a tender guarantee of 100 000 EUR for lot 1 and 200 000 EUR for lot 2 when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderers(s) upon signature of the contract by all parties. This guarantee will be called upon if the tenderer does not fulfil all obligations stated in its tender.

12. **Performance guarantee:**

The successful tenderer will be asked to provide a performance guarantee of 10 % of the amount of the contract 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.

13. **Information meeting and/or site visit:**

No information meeting is planned.

14. **Tender validity:**

Tenders must remain valid for a period of 90 days 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 (see paragraph 8.2 of the instructions to tenderers).

15. **Period of implementation of tasks:**

The supply, delivery, installation, putting into operation, inspection, testing, and training must be completed within 540 calendar days, starting from the date of signature of the contract by both parties, and the products delivered will have a 1-year contractor's warranty as from the date of the issuance of their provisional acceptance. Detailed information is provided in Article 19 of special conditions.

### **Selection and award criteria**

#### **16. Selection criteria:**

The following selection criteria will be applied to tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole unless specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are subcontractors:

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

The selection criteria for each tenderer to lot 1 and lot 2 (i.e. the tenderer is required to satisfy the below criterion overall, as the tenderers are required to apply for both lots) are as follows:

- the average annual turnover of the tenderer who submitted an offer must exceed 25 000 000 EUR.

2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the tender form for a supply contract). The reference period which will be taken into account will be the last 3 years from the submission deadline:

- at least 10 staff currently work for the tenderer in fields related to this contract.

3) Technical capacity of tenderer (based on i.a. items 5 and 6 of the tender form for a supply contract). The reference period which will be taken into account will be the last 5 years from the submission deadline.

The selection criteria for each tenderer to lot 1 and lot 2 (i.e. the tenderer is required to satisfy the below criterion overall, as the tenderers are required to apply for both lots) are as follows:

- the tenderer has delivered supplies under at least 2 contracts with a budget of at least 10 000 000 EUR or 1 contract with a budget of at least 20 000 000 EUR in the fields relating to the supply of military or security vehicles capable of providing intelligence, surveillance, target acquisition and/or reconnaissance activities which were implemented during the following period: 5 years from the submission deadline, between 7.3.2012 and 7.3.2017.

This means that the contract the tenderer refers to could have been started or completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, final acceptance). In the case of projects still ongoing only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value.

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. 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 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, for example 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. 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 furnished 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.

17. **Award criteria:**  
Price (the lowest price for lot 1 and lot 2 combined).

**Tendering**

18. **How to obtain the tender dossier:**  
The tender dossier is available from the following Internet address: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and <http://www.cfcu.gov.tr>  
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:  
Central Finance and Contracts Unit, attention: Ms Emine Döger (Acting PAO–CFCU Director), Eskişehir Yolu 4.km 2180 Cad. No: 63, C-Blok, 06510, Söğütözü, Ankara, TURKEY. Fax: +90 3122867072. E-mail: [pao@cfcu.gov.tr](mailto:pao@cfcu.gov.tr)  
(mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19. The contracting authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and at: <http://www.cfcu.gov.tr>
19. **Deadline for submission of tenders:**  
28.3.2017 (12:00), local time — Turkey.  
Any tender received by the contracting authority after this deadline will not be considered.
20. **Tender opening session:**  
28.3.2017 (14:30), local time — Turkey at CFCU premises at the address:  
Eskişehir Yolu 4. km 2180 Cad. No: 63 C-Blok, 06510 Söğütözü, Ankara, TURKEY.
21. **Language of the procedure:**  
All written communication for this tender procedure and contract must be in English.
22. **Legal basis:**  
Council Regulation (EC) No 1085/2006 of 17.7.2006 establishing an Instrument for Pre-Accession Assistance (IPA) (OJ L 210, 31.7.2006, p. 82) and Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11.3.2014 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 11.3.2014 establishing an Instrument for Pre-Accession Assistance (IPA II), OJ L 77, 15.3.2014, p. 11.
23. **Additional information:**  
Not applicable.