

This notice in TED website: <http://ted.europa.eu/udl?uri=TED:NOTICE:127236-2018:TEXT:EN:HTML>

**Turkey-Ankara: IPA - Supply of Equipment for Improvement of Customs Enforcement Capacity  
2018/S 058-127236**

**Location — Turkey**

**SUPPLY CONTRACT NOTICE**

1. **Publication reference**  
EuropeAid/139236/IH/SUP/TR
2. **Procedure**  
Open
3. **Programme title**  
Annual action programme for Turkey for the year 2014 under the Instrument for Pre-Accession Assistance (IPA II).
4. **Financing**  
IPA budget Item 22.02 03 01 of the general budget of the EU (85%) and national contribution (15%).
5. **Contracting authority**  
Central Finance and Contracts Unit (CFCU), Ankara, TURKEY.

**Contract specifications**

6. **Description of the contract**  
This contract aims at increasing the capacity of Directorate General of Customs Enforcement for customs controls and surveillance and standardization of customs checks and controls at 3 pilot airports. In this regard, the contract includes supply, delivery, installation (except for Lot 1), commissioning, testing, inspection, training and warranty services of systems that are primary needs for better border and customs controls
7. **Number and titles of lots**  
4 lots:  
Lot 1: Detector Dogs;  
Lot 2: Detector Dog Carriage Vehicles and Law Enforcement Vehicles;  
Lot 3: Dual Source Baggage Scanning Systems;  
Lot 4: Detection Devices for Narcotics and Chemicals.

**Terms of participation**

8. **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 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) n° 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 22 below). Participation is also open to international organisations.  
All supplies under this contract must originate in one or more of these countries.  
Please be 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.

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 one 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 one lot. Tenderers may not submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

11. **Tender guarantee**

Tenderers must provide a tender guarantee of:

- 3 000 EUR for Lot 1,
- 25 000 EUR for Lot 2,
- 5 000 EUR for Lot 3,
- 15 000 EUR for Lot 4.

When submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderer[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.

If the tenderer is bidding for more than 1 lot, it has to provide either a tender guarantee with a total amount of the relative lots he is bidding for or separate tender guarantees for each lot.

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 Para 8.2 of the instructions to tenderers).

15. **Period of implementation of tasks**

The period of implementation will be 360 calendar days for Lot 1, 150 calendar days for Lot 2, 180 calendar days for Lot 3 and 120 calendar days for Lot 4 starting from the commencement date of the contract.

**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 case of 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.

— Lot 1: the average annual turnover of the tenderer must exceed 130 000 EUR,

— Lot 2: the average annual turnover of the tenderer must exceed 1 200 000 EUR,

— Lot 3: the average annual turnover of the tenderer must exceed 225 000 EUR,

— Lot 4: the average annual turnover of the tenderer must exceed 700 000 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 submission deadline.

— at least 3 staff currently work for the tenderer.

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 submission deadline.

For Lot 1:

— the tenderer has delivered canine for law enforcement units under at least 1 contract with a budget of at least 30 000 EUR (proportion carried out by the candidate) which was implemented during the last 5 years prior to the submission deadline (the start and end / completion dates of the references should be specified as day/month/year).

For Lot 2:

— the tenderer has delivered supplies under at least one contract with a budget of at least 800 000 EUR (proportion carried out by the candidate) in fields related to the supply of vehicles which was implemented during the last 5 years prior to the submission deadline (the start and end / completion dates of the references should be specified as day/month/year).

For Lot 3:

— the tenderer has delivered supplies under at least one contract with a budget of at least 150 000 EUR (proportion carried out by the candidate) in fields related to the supply of x-ray devices which was implemented during the last 5 years prior to the submission deadline (the start and end / completion dates of the references should be specified as day/month/year).

For Lot 4:

— the tenderer has delivered supplies under at least one contract with a budget of at least 300 000 EUR (proportion carried out by the candidate) in fields related to the supply of detection devices for narcotics and chemicals which was implemented during the last 5 years prior to the submission deadline (the start and end / completion dates of the references should be specified as day/month/year).

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 contracts completed within the reference period (although started earlier) or to contracts 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 case of contracts still on-going 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.

In case a tenderer applies to multiple lots, the tenderer should meet:

— for economic and financial capacity criterion, the cumulative amount of the average annual turnover required for the relative lots,

— for professional capacity criterion, cumulative number of staff required for the relative lots.

If the tenderer does not meet the required selection criteria for all the lots he applied, his tender will only be taken into consideration for the lot(s) he is qualified for. In this case, the Contracting Authority will choose the most favorable overall solution taking into account the financial offers and the discounts granted. In this respect, the tenderers have no preferences on the lots.

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 tenderer relies 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.

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.

**Tendering**

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

The tender dossier is available from the following Internet addresses: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and the Tender dossier is also available from the Contracting Authority (<https://www.cfcu.gov.tr>). 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, Mr M Selim Uslu (PAO — CFCU Director), TC Başbakanlık Hazine Müsteşarlığı Kampüsü E Blok

İnönü Bulvarı N°: 36 06510 Emek / Ankara, Turkey.

Fax +90 312 286 70 72

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**

28.5.2018, 12:00 (noon), local time — Turkey.

Any tender received by the Contracting Authority after this deadline will not be considered.

20. **Tender opening session**

28.5.2018, 2:30 pm local time – Turkey at CFCU premises at the address:

T.C. Başbakanlık Hazine Müsteşarlığı Kampüsü E Blok İnönü Bulvarı No:36 06510 Emek, Ankara / Turkey.

21. **Language of the procedure**

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

22. **Legal basis**

Regulation (EU) n° 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) n° 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. See Annex A2 of the Practical Guide.

23. **Additional information**

Not applicable.