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**Turkey-Ankara: IPA - Technical Assistance for Strengthening Institutional Capacity of the Judiciary and Execution System for the Fight against Addiction
2020/S 076-178999**

Location – non-EU/Turkey

Service Contract Notice

1. **Publication reference**
EuropeAid/140224/IH/SER/TR
2. **Procedure**
Restricted
3. **Programme title**
Annual Action Programme for Turkey for the year 2016 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 (100 %).
5. **Contracting Authority**
Central Finance and Contracts Unit, Ankara, TURKEY
Clarifications may be sought from the contracting authority at the following email address pao@cfcu.gov.tr at the latest 21 days before the deadline for submission of applications stated at the point 23 below.
Clarifications will be published on the website of DG International Cooperation and Development at the latest 5 days before the deadline.

Contract Specification

6. **Nature of contract**
Fee-based
7. **Contract description**
The contract will contribute to the improvement of institutional capacity of judiciary in terms of fight against drug addiction.
In this context the contract will cover activities such as trainings, workshops, drug addiction awareness raising group programmes, family counselling programmes, establishment of a monitoring and integration system, studies on regulations about drugs, drawing up a strategy and action plan, developing effective rehabilitation and intervention programmes etc. to achieve a more supportive environment for addicted offenders within the probation system and their families, to develop training materials for incorporating into the curriculum of the Justice Academy and to better handle drug and stimulant-related crimes by studying regulation about drugs and establishment of specialised courts, to point out general strategies and sub-actions to strengthen the Judiciary and Execution System in Turkey in terms of combating drug addiction, to help addicted offenders particularly within the probation system and their families, addicted convicts and detainees in penal institutions.
8. **Number and titles of lots**
One lot only
9. **Maximum budget**
EUR 2 000 000.

10. **Scope for additional services**

Not applicable.

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 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 29 below).

Participation is also open to international organisations.

For UK candidates: Please be aware that following the entry into force of the EU-UK Withdrawal Agreement(1) on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union and to goods originating from an eligible country, as defined under Regulation (EU) No 236/2014(2) are to be understood as including natural or legal persons residing or established in, and to goods originating from, the United Kingdom. Those persons and goods are therefore eligible under this call.

(1) Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

(2) 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.

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 (i.e., 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 shortlisted application forms will be excluded from this restricted tender procedure unless prior approval from the contracting authority has been obtained (see practical guide – PRAG – 2.6.3.).

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 2.6.10.1. of the PRAG.

Candidates 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.

16. **Sub-contracting**

Subcontracting is allowed.

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**

17 June 2020

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

4 January 2021

20. **Initial period of implementation of tasks**

24 months.

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

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. The reference period which will be taken into account will be the last 3 financial years for which accounts have been closed.

Criteria for legal and natural persons:

— the average annual turnover of the candidate must exceed EUR 1 000 000 in the reference period.

2) Professional capacity of candidate (based on items 4 and 5 of the application form). The reference period which will be taken into account will be the last 3 years preceding the submission deadline.

Criteria for legal and natural persons:

— at least 5 staff currently work for the candidate in fields related to this contract.

3) Technical capacity of candidate (based on items 5 and 6 of the application form). The reference period which will be taken into account will be the last three years preceding the submission deadline.

Criteria for legal and natural persons:

1. The candidate has provided services under a single contract/similar assignment with a budget of at least EUR 1 000 000 (proportion carried out by the candidate) in the field of capacity building of prison or probation system which was implemented at any moment during the following period: 3 years prior to the submission deadline of this application (the start and end/completion dates of the references should be specified as day/month/year).

2. The candidate has provided services under a single contract/similar assignment with a budget of at least EUR 500 000 (proportion carried out by the candidate) in the field of drug addiction which was implemented at any moment during the following period: 3 years prior to the submission deadline of this application (the start and end/completion dates of the references should be specified as day/month/year), this means that the contract/assignment the candidate 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.

Candidates are allowed to refer either to contracts/assignments completed within the reference period (although started earlier) or to contracts/assignment not yet completed. In the first case the contract/assignment will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract/assignment, proof of final payment). In case of contracts/assignments still ongoing only the portion satisfactorily completed during the reference period although started earlier will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to contracts/assignment completed) also detailing its value. If a candidate has implemented the contract/assignment 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. Documentary evidence is not required at the application stage but will be requested with the invitation to tender.

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. 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 the performance of the contract by producing a commitment by 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 — notably that of nationality — 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, an economic operator may only rely on the capacities of other entities where the latter will perform the services 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. If more than 8 eligible candidates meet the above selection criteria, their relative strengths and weaknesses must be re-examined in order to rank their applications and identify the 8 best candidates in accordance with point 17 of this contract notice. The only additional comparative criteria that will be taken into consideration during this re-examination, in the order in which they appear below, are:

- 1) The highest number of contracts/similar assignments that meet criterion 21.3.1
- 2) The highest cumulated value of all the contracts/similar assignments that meet criterion 21.3.1

N.B.: additional comparative criterion No 1 shall be applied to all the eligible candidates that meet the selection criteria. If, after applying additional comparative criterion No 1, it is not possible to identify the 8 best candidates because two or more candidates are tied for the 8th position, additional comparative criterion No 2 shall be applied only to these tied candidates.

22. **Award criteria**

Best price-quality ratio.

Application

23. **Deadline for submission of applications**

The candidate 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(3), 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.

20 May 2020 (17.00), local time — Turkey

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 to the postal service 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.

(3) It is recommended to use registered mail in case the postmark would not be readable.

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?chapterTitleCode=B>

The application must be accompanied by a declaration on honour on exclusion and selection criteria using the template available from the following Internet address:

<http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A>

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

Central Finance and Contracts Unit (CFCU), Attn: Dr. Hakan Ertürk – CFCU Director, T .C. Hazine ve Maliye Bakanlığı Kampüsü, E Blok İnönü Bulvarı No 36, 06510 Emek/Ankara, TURKEY

— or hand delivered by the candidate 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:

Central Finance and Contracts Unit (CFCU), Attn: Dr. Hakan Ertürk – CFCU Director, T .C. Hazine ve Maliye Bakanlığı Kampüsü, E Blok İnönü Bulvarı No: 36, 06510 Emek/Ankara, TURKEY

Tel: +90 312 295 49 00

(The opening hours of the contracting authority are 9.00-18.00)

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.

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.

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**

9 March 2020

Notice number in OJ: [2020/S 48-112634](#)

29. **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), OJ L 77, 15.3.2014. p.11 - See Annex A2 of the practical guide.

30. **Additional information**

Financial data to be provided by the candidate in the standard application form must be expressed in EUR. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to EUR shall be made in accordance with the InforEuro exchange rate May 2020, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.