

This notice in TED website: <http://ted.europa.eu/udl?uri=TED:NOTICE:236371-2012:TEXT:EN:HTML>

**L-Luxembourg: Technical Assistance for the ACP Sustainable Energy Facility (EIB)  
2012/S 142-236371**

**SERVICE PROCUREMENT NOTICE**

**Location: ACP - Regional**

**Title: Technical Assistance for the ACP Sustainable Energy Facility**

1. **Reference code**  
TA2011031 R0 ITF
2. **Procedure**  
International restricted tender
4. **Financing**  
EU – Africa Infrastructure Trust Fund
5. **Contracting Authority**  
European Investment Bank 98-100, boulevard Konrad Adenauer L-2950, Luxembourg.

**CONTRACT SPECIFICATION**

6. **Nature of contract**  
Global price and fee based
7. **Contract description**

The objective of the Africa Sustainable Energy Facility (the "Project") is to increase the role of the private sector in financing climate change activities. More specifically, it aims to promote climate finance through local financial intermediaries in order to increase the financing for smaller renewable energy and energy efficiency projects. The project will be developed on a pilot basis, initially targeting Kenya, Tanzania and Uganda and potentially Rwanda.

The purpose of the technical assistance operation tendered is to support the creation of a Facility Support Unit (FSU), which will seek to leverage the existing advisory services programs and will be tasked with assisting project developers, working with participating financial institutions and engaging with the broader stakeholder group to ensure implementation of the Facility and ultimately the financing of small and medium sized RE and EE projects in the region. This will entail:

  - providing tailored capacity building and transaction support to project developers,
  - creating a pipeline of projects and businesses and to support the Facility to structure products that provide catalytic support and make the pipeline bankable in a way acceptable to both sponsors and financiers,
  - bringing small RE/EE projects to a level of maturity sufficient to attract commercial bank financing,
  - providing technical and financial due diligence for the internal vetting at EIB and IFC,
  - liaising with relevant donor programs/facilities, DFIs, sponsors of RE projects and EE service providers, including ESCOs, vendors, installers, equipment suppliers to develop bankable projects that can be financed by the local financial sector,
  - increasing awareness as to the opportunities presented by EE and RE and to strengthen in general the EE/RE industry in the Pilot Region and carry out any other tasks to support the above objectives

The Project and the technical assistance operation are developed in close cooperation with the International Finance Corporation (IFC). See also item 27 – Additional information below.

8. **Number and titles of lots**

Not applicable.

9. **Maximum budget**

EUR 3 000 000. See also item 27 – Additional information below.

10. **Scope for additional services**

The Contracting Authority may, at its own discretion and subject to the availability of funding, extend the scope and duration of the project to cover complementary and/or additional services. In case of complementary services, the extension shall be up to a maximum not exceeding 50 % of the initial contract value. In case of additional services, such extension shall be 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. See also item 27 – additional information below.

**CONDITIONS PARTICIPATION**

11. **Eligibility and grounds for exclusion**

Participation is open to all legal or natural persons participating either individually or in a grouping (consortium) of candidates. Participation is also open to international organisations. There are no nationality restrictions. 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 Practical Guide to contract procedures for EC external actions (available on the European Commission external website: <http://ec.europa.eu/europeaid/prag/document.do>).

In addition, a candidate may be excluded from this tender procedure if it has been sanctioned in accordance with the World Bank Group anti-corruption policies and sanctions procedures. For the purposes of this paragraph, the relevant World Bank Group Anti-Corruption policies are set forth in the Guidelines on Preventing and Combating Fraud and Corruption in Projects financed by the IBRD Loans and IDA Credits and Grants, and in the Anti-Corruption Guidelines for IFC, MIGA, and World Bank Guarantee Transactions. The World Bank Group sanctions procedures are publicly disclosed on the World Bank's external website.

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. Short-listed candidates may not form alliances or subcontract to each other for the contract in question.

15. **Sub-contracting**

Sub-contracting is allowed, up to a maximum of 45 % of the contract value, and only for specific / specialised services needed to improve the quality and bankability of certain projects.

16. **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, Contracting Authority may invite the candidates who satisfy the criteria to submit a tender.

**PROVISIONAL TIMETABLE**

17. **Provisional date of invitation to tender**

October 2012

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

January 2013

19. **Initial period of implementation of tasks and possible extension of the contract**

The initial period of implementation of the tasks foreseen in the contract shall be of 48 months.

This period may be extended, with the prior approval of the Contracting Authority. See also item 10 above.

**SELECTION AND AWARD CRITERIA**

20. **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 applicant being a public body, equivalent information should be provided.
  - (a) The annual turnover of the candidate (be it an individual company or a consortium) must be of at least EUR 750 000 for each of the last two years for which accounts have been closed. Note to candidates: In the application form, please make sure to include the actual year for which the data is provided
- 2) Professional capacity of candidate (based on items 4 and 5 of the application form)
  - (a) At least 30 % of the staff working for the candidate (individual company or consortium) must be permanent for each of the last two years (2010, 2011). Note to candidates: In the application form, please make sure to include the actual year for which the data is provided.
- 3) Technical capacity of candidate (based on items 5 and 6 of the application form)
  - (a) The candidate (individual company or consortium altogether) has successfully completed, during the last 5 years (since January 1<sup>st</sup>, 2008 up to the deadline of the receipt of applications indicated under item 22 below), at least 2 assignments each of a minimum value of EUR 200 000 equivalent, consisting in the delivery of specialist techno-economic due diligence services on energy efficiency/renewable energy projects and financial advisory services to Banks and Project Promoters for designing, managing and/or structuring financial instruments for these projects to become bankable. The candidate should demonstrate that it had a participation of minimum 50 % in each of the assignments brought as reference. In case of a consortium, at least one of the projects / service contracts responding to the requirements of this criterion must be brought by the Leader. Note to candidates: please

include only those assignments for which you have been legally contracted by the Client (as individual contractor or as member of a consortium). The assignments referenced could have been started before, but must have been completed (i.e. final payment made by the Client), at any time during the period from 2008 up to the deadline for the submission of tenders. The tenderer may refer to a part of an assignment which is not yet completed, but only in so far as the part is successfully completed and its date of completion and the tenderer's contribution may be clearly identified and proven through adequate documentary evidence (such as certificates from the beneficiary). Where the assignments referenced have been implemented by consortia comprising two or more of the members now associated as a consortium for this tender procedure, their individual percentages shall be cumulated, so that the application is assessed on the basis of the candidate consortium as a whole. Note that reliance on the experience of another entity (natural or legal person) for the purposes of this criterion will not be considered appropriate by the Contracting Authority

(b) The candidate (individual company or consortium altogether) has successfully completed, during the last 5 years (since January<sup>st</sup>, 2008 up to the deadline for the receipt of applications indicated under item 22 below), at least 2 similar assignments in African States, including the delivery of specialist techno-economic due diligence services on energy efficiency/renewable energy projects and financial advisory services to Banks and Project Promoters for designing, managing and/or structuring financial instruments for these projects to become bankable. The candidate should demonstrate that it had a participation of minimum 50 % in each of the assignments brought as reference. Note to candidates: please include only those assignments for which you have been legally contracted by the Client (as individual contractor or as member of a consortium). The assignments referenced could have been started before, but must have been completed (i.e. final payment made by the Client), at any time during the period from 2008 up to the deadline for the submission of tenders. The tenderer may refer to a part of an assignment which is not yet completed, but only in so far as that part is successfully completed and its date of completion and the tenderer's contribution may be clearly identified and proven through adequate documentary evidence (such as certificates from the beneficiary). Where the assignments referenced have been implemented by consortia comprising two or more of the members now associated as a consortium for this tender procedure, their individual percentages shall be cumulated, so that the application is assessed on the basis of the candidate consortium as a whole. Note that reliance on the experience of another entity (natural or legal person) for the purposes of this criterion will not be considered appropriate by the Contracting Authority.

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 the capacities of other entities, 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. Furthermore, the data for this third entity, for the relevant selection criterion, must be included in the tender in a separate document. Proof of such capacity will also have to be furnished when requested by the Contracting Authority.

Note, however, that reliance on other entities' capacities may not be considered appropriate by the Contracting Authority in cases when the tenderer relies in majority on such capacities or when such reliance concerns key criteria.

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 applications for the tender procedure. The only factors which will be taken into consideration during this re-examination are, in order of precedence:

- 1) The number of assignments brought as reference which comply with the criterion 3(b) above.
- 2) The number of assignments brought as reference which comply with the criterion 3(a) above.

21. **Award criteria**  
Best value for money.

#### **APPLICATION**

22. **Deadline for receipt of applications**  
The applications must be received by the Contracting Authority no later than 17:00 hrs. CEST on 20 September 2012.  
Any application received after this deadline will not be considered.
23. **Application format and details to be provided**  
Applications must be submitted in paper and e-copy (CD-ROM), using the standard application form (available at: [http://www.eib.org/attachments/med/ta\\_application\\_form\\_en.doc](http://www.eib.org/attachments/med/ta_application_form_en.doc)), whose format and instructions must be strictly observed. Any additional documentation (brochure, letter, etc) sent with an application will not be taken into consideration.
24. **How applications may be submitted**  
Applications must be submitted in English exclusively to the Contracting Authority:  
— EITHER by recorded delivery (official postal service) to:  
European Investment Bank (EIB)  
Mr Stefan Kerpen, Head of Technical Assistance Unit  
OPS A/TFA/Technical Assistance Unit (TAU)  
100 boulevard Konrad Adenauer, L-2950 Luxembourg  
— OR hand delivered (including courier services) to:  
European Investment Bank (EIB)  
Mr Stefan Kerpen, Head of Technical Assistance Unit  
OPS A/TFA/Technical Assistance Unit (TAU)  
100 boulevard Konrad Adenauer, L-2950 Luxembourg  
The Contract title and the Reference code (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.
25. **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 24. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

26. **Operational language**

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

27. **Additional information**

1. The International Finance Corporation (IFC) will, as a subsequent step, procure services for the same type of activities as foreseen under this technical assistance operation.

2. This tender procedure is launched with a "suspension clause". This entails that the award of the contract is subject to approval of funding for this technical assistance operation by the EU-Africa Infrastructure Trust Fund management bodies. The candidates interested in participating in this tender procedure must be fully aware that in no event shall the Contracting Authority be liable for any damages whatsoever including, without limitation, damages for loss of profits / costs incurred by applicant in preparing and submitting his application, in any way connected with the cancellation of the tender procedure on the ground of the "suspension clause" even if the Contracting Authority has been advised of the possibility of damages. As such, by submitting their application, the candidate accepts in full the use of the "suspension clause" in this tender procedure as well as its possible consequences.

28. **Date of publication of contract forecast**

[2011/S 216-351046](#) of 10<sup>th</sup> November 2011.

29. **Legal basis**

ACP-EC Partnership Agreement signed at Cotonou on 23 June 2000 as amended on 25 June 2005 and in 2008 (Annex II), the Council Regulation (EC)617/2007 of 14<sup>th</sup> of May 2007 on the implementation of the 10<sup>th</sup> EDF under the ACP-CE Partnership Agreement, the Financial Regulation applicable to the 10<sup>th</sup> EDF, adopted by the Council Regulation no. 215/2008 and the EU – Africa Infrastructure Trust Fund agreement signed on 23.04.2007