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L-Luxembourg: Mid-Term Evaluation of EU-Africa Infrastructure Trust Fund (EIB)

2011/S 24-037708

CONTRACT NOTICE

SECTION I: CONTRACTING AUTHORITY

I.1) NAME, ADDRESSES AND CONTACT POINT(S):

Official name:

European Investment Bank, Postal address: 98-100 Boulevard Konrad Adenauer, Town: Luxembourg, Postal Code: L-2950, Country: Luxembourg, Contact point(s): Mrs Klaudia Berger, Procurement and Purchasing Division, Ref.: KB-954, Telephone: +352 4379-1 E-mail: BEI.ASA@EIB.ORG, Fax: +352 437704. Internet address(es) (if applicable): General address of the contracting authority (URL): www.eib.org.

Further information can be obtained at: As in above mentioned contact point(s)

Specifications and additional documents (including documents for competitive dialogue and a Dynamic Purchasing System) can be obtained at: As in above mentioned contact point(s)

Tenders or requests to participate must be sent to: As in above mentioned contact point(s)

I.2) TYPE OF THE CONTRACTING AUTHORITY AND MAIN ACTIVITY OR ACTIVITIES:

European Institution/Agency or International Organisation

The contracting authority is purchasing on behalf of other contracting authorities: no

SECTION II: OBJECT OF THE CONTRACT

II.1) DESCRIPTION:

II.1.1) Title attributed to the contract by the contracting authority:

EIB – Mid-term evaluation for EU-Africa Infrastructure Trust Fund

II.1.2) Type of contract and location of works, place of delivery or of performance:

Services.

Service category: No 6.

Main place of performance: African countries.

II.1.3) The notice involves:

A public contract.

II.1.4) Information on framework agreement:

II.1.5) Short description of the contract or purchase(s):

The EIB launches this call for tender to select an independent service provider to carry out the mid-term evaluation to assess the performance of the EU-African Infrastructure Trust Fund (ITF). Recommendations for the future work of the ITF and for preparations for the final evaluation are also part of the scope of work.

Background Information:

The EU Africa Infrastructure Trust Fund (ITF) is an instrument to help implement the EU-Africa Infrastructure Partnership. The Manager of the ITF is the European Investment Bank (EIB) and has been mandated by the ITF Executive Committee to undertake the procurement for the ITF's Mid-Term Evaluation. The ITF is governed by the Trust Fund Agreement (TFA) first signed on 23 April 2007. The ITF is to achieve its objectives by providing grant finance for Eligible Projects, which are trans-border infrastructure projects or national projects with a demonstrable regional impact on two or more countries. ITF resources, which come from contributing Donors

are allocated to "Grant Operations" which can take four forms: interest rate subsidies, technical assistance, direct grants and insurance premia.

In accordance with this contract notice, only companies and consortia shall be eligible to apply for this project.

ATTENTION:

in order to take part in this call for tender, interested parties should request the complete tender specifications from the EIB beforehand. The criteria set out in the specifications should be taken into account when drawing up tenders. The minimum criteria indicated in point III.2 "Conditions for participation" of the present contract notice have to be fulfilled in any case: see III.2.1, III.2.2 and III.2.3.

Requests should be sent to the address in point I.1.

Final date for requesting the complete specifications: see point IV.3.3.

II.1.6) **Common procurement vocabulary (CPV):**

Main vocabulary

Main object: 66.17.10.00-9

Additional object(s):

66.00.00.00-0

66.10.00.00-1

II.1.7) **Contract covered by the Government Procurement Agreement (GPA):**

yes

II.1.8) **Division into lots:**

no

II.1.9) **Variants will be accepted:**

no

II.2) **QUANTITY OR SCOPE OF THE CONTRACT:**

II.2.1) **Total quantity or scope:**

If applicable, estimated value excluding VAT: 250 000. Currency: EURO.

II.2.2) **Options:**

no

II.3) **DURATION OF THE CONTRACT OR TIME-LIMIT FOR COMPLETION:**

Duration in months: 8 (from the award of the contract)

SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

III.1) **CONDITIONS RELATING TO THE CONTRACT:**

III.1.1)

Deposits

and

guarantees

required:

III.1.2)

Main

financing

conditions

and

payment

arrangements

and/or
reference
to the
relevant
provisions
regulating
them:

III.1.3) Legal form to be taken by the grouping of economic operators to whom the contract is to be awarded:

Should a grouping (consortium) be awarded the contract, the EIB may require that it adopt a legal form prior to contract signature. All members of the grouping will be jointly and severally liable for performance of the contract. The grouping will be represented by one tenderer who will act as its sole spokesperson. Tenderers must obtain all relevant licences needed to perform the services described before the assignment commences and must, throughout the entire assignment period, comply with all laws and provisions in force.

III.1.4) Other particular conditions to which the performance of the contract is subject:

no

III.2) CONDITIONS FOR PARTICIPATION:

III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers:

Information and formalities necessary for evaluating if requirements are met:

Tenderers will be excluded from participation in this Call for Tenders if, pursuant to Article 45 of the Council Directive 2004/18/EU of 31 March 2004 relating to the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts, any of the following exclusion criteria apply to them:

- a. they are bankrupt or are being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, or are in any analogous situation arising from a similar procedure provided for in national laws or regulations;
- b. they are the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by the court or of an arrangement with creditors or of any other similar proceedings under national laws and regulations;
- c. they have been convicted by a judgment which has the force of res judicata in accordance with the legal provisions of the country of any offence concerning their professional conduct;
- d. they have been guilty of grave professional misconduct proven by any means which the contracting authorities can demonstrate;
- e. they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or those of the country of the contracting authority;
- f. they have been the subject of a conviction by final judgment of which the contracting authority is aware for one or more of the reasons listed below:
 - (i) participation in a criminal organisation, as defined in Article 2(1) of Council Joint Action 98/733/JHA(20);
 - (ii) corruption, as defined in Article 3 of the Council Act of 26 May 1997(21) and Article 3(1) of Council Joint Action 98/742/JHA(22) respectively;
 - (iii) fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities(23);
 - (iv) money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering(24).

g. they are guilty of serious misrepresentation in supplying the information required by the contracting authority for participation in this Call for Tenders or who have not provided such information;

Tenderers must show that they are not in one or more of the situations listed above by providing the following evidence in relation to items mentioned above:

(a) in relation to items (a), (b), (c) and (f) above, relevant extract(s) from the judicial record or, failing that, equivalent documentation issued by a competent judicial or administrative authority in the country where they are established. The extract(s) or equivalent documentation must be the most recent available. Depending on the national legislation of the country in which they are established, these documents must relate to entities with legal personality and/or natural persons; in the latter case, they must relate to the person(s) empowered to represent the tenderer and sign the framework contract if the tender is successful.

(b) in relation to item (e) above, the most recent certificates issued by the competent social security and tax authorities of the country where they are established. Where no such certificate is issued in that country, this can be replaced by a declaration on oath or solemn statement made before a competent judicial or administrative authority, a notary or a competent professional or trade body in that country. The declaration or statement provided must be dated less than 4 months before the final date for submission of tenders. Depending on the national legislation of the country in which they are established, these documents must relate to entities with legal personality and/or natural persons; in the latter case, they shall relate to the person(s) empowered to represent the tenderer and sign the contract if the tender is successful.

(c) In relation to items (d), and (g) above, a solemn declaration stating that the tenderer is not guilty of professional misconduct, and is supplying all the information required under this Call for Tenders in good faith and without misrepresentation. This solemn declaration should be signed by the person(s) empowered to represent the tenderer and sign the contract if the tender is selected and dated less than 4 months before the final date for submission of tenders.

III.2.2) **Economic and financial capacity:**

The candidate have to submit:

- Global turnover of the company/consortium for the last 3 financial years,
- Turnover related to relevant required services for the last 3 financial years,
- A full set of financial statements (comprising at least a balance sheet and profit and loss account) for the last 3 financial years, where the tenderer is required by law to produce such statements. Where the relevant company law requires the financial statements to be audited, the auditors' statement should be included. Where the tenderer is not required to produce full financial statements, other documents establishing financial capacity should be submitted (for example; internal reports, management accounts, appropriate bankers' statements, evidence of professional risk indemnity insurance). Where a tenderer represents a consortium of firms or groups of service providers, the above mentioned financial information must be provided for each member or group,
- Where the tenderer wishes to subcontract or otherwise rely on the capacities of other entities, it must prove that it will have at its disposal the resources necessary for performance of the contract, for example by producing an unambiguous undertaking on the part of those entities to collaborate with the tenderer if he wins the contract and the extent of the resources that it will put at the tenderers' disposal for the performance of the contract,
- Size of the company/consortium.

Minimum level(s) of standards possibly required:

The minimum annual consolidated turnover shall be at least EUR 1m

The minimum size be 5 permanent staff members

III.2.3) **Technical capacity:**

The technical capacity will be evaluated on the basis of evidence in support of the following specific requirements.

— Size of pool of own staff resources relevant to the purpose of the contract,
— Company/consortium profile organization and staffing, details of offices, affiliated offices or network in Sub-Saharan Africa.

(a) A list of similar assignments carried out under the tenderer's direct responsibility during the past 5 years of which at least 3 should be in the field of evaluations, proving merit and appropriate technical and regional experience in the field of the services requested; indicating reference contacts,

— A confirmation that the tenderer will be able to propose the experts to cover the full range of required areas.

This evaluation is to be carried out by a team with advanced knowledge, and experience in at least the following fields:

(a) The team leader must have a master's degree in economics or finance, an overall professional experience of at least 15 years and specific experience in development infrastructure of at least 8 years, preferably in African developing countries. Strong knowledge of Trust Fund mechanisms and/or similar funding initiatives is a requirement.

Overall, the team must cover the following areas of expertise:

(b) Sound and proven experience in evaluation methods and techniques of development interventions;

(c) Development and financing of public and private sector infrastructure projects in Africa (see Item 15 d) of these ToR);

(d) Understanding of EU financing instruments used for infrastructure outside the EU;

(e) Other cross-cutting areas, including institutional development and capacity building, environmental and social impacts of infrastructure projects, economic development and regional integration in Africa.

(f) The team must be fluent in French and English. Written documents and presentations must however be in English. The team must possess strong interpersonal skills (communication, interviewing, analytical, quick learner, neutral and objective attitude) and excellent drafting skills and proficiency in standard computer technology packages (MS Office, internet...).

Details are outlined in the tender specifications to be requested in beforehand: see point II.1.5 of the present contract notice.

Minimum level(s) of standards possibly required:

At least 3 assignments in the field of evaluations

III.2.4) **Reserved contracts:**

no

III.3) **CONDITIONS SPECIFIC TO SERVICES CONTRACTS:**

III.3.1) **Execution of the service is reserved to a particular profession:**

no

III.3.2) **Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service:**

yes

In submitting a tender, candidates will be expected to provide professional profiles and CVs of staff who would be assigned to the contract

SECTION IV: PROCEDURE

IV.1) **TYPE OF PROCEDURE:**

IV.1.1) **Type of procedure:**

Open.

- IV.1.2) **Limitations on the number of operators who will be invited to tender or to participate (restricted and negotiated procedures, competitive dialogue):**
- IV.1.3) **Reduction of the number of operators during the negotiation or dialogue (negotiated procedure, competitive dialogue):**
- IV.2) **AWARD CRITERIA:**
- IV.2.1) **Award criteria:**
The most economically advantageous tender in terms of the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document.
- IV.2.2) **An electronic auction will be used:**
no
- IV.3) **ADMINISTRATIVE INFORMATION:**
- IV.3.1) **File reference number attributed by the contracting authority:**
KB -954
- IV.3.2) **Previous publication(s) concerning the same contract:**
no
- IV.3.3) **Conditions for obtaining specifications and additional documents (except for a DPS) or descriptive document (in the case of a competitive dialogue):**
Time limit for receipt of requests for documents or for accessing documents
Date: 01/03/2011 Time: 16h00
Payable documents: no
- IV.3.4) **Time-limit for receipt of tenders or requests to participate:**
Date: 21/03/2011 Time: 23h59
- IV.3.5) **Date of dispatch of invitations to tender or to participate to selected candidates (if known) (in the case of restricted and negotiated procedures, and competitive dialogue):**
- IV.3.6) **Language(s) in which tenders or requests to participate may be drawn up:**
EN
- IV.3.7) **Minimum time frame during which the tenderer must maintain the tender (open procedure):**
Duration in days: 180 (from the date stated for receipt of tender)
- IV.3.8) **Conditions for opening tenders:**
Place: European Investment Bank Headquarters, Luxembourg
Persons authorised to be present at the opening of tenders: no

SECTION VI: COMPLEMENTARY INFORMATION

- VI.1) **THIS IS A RECURRENT PROCUREMENT:**
no
- VI.2) **CONTRACT RELATED TO A PROJECT AND/OR PROGRAMME FINANCED BY COMMUNITY FUNDS:**
yes
If yes, reference to project(s) and/or programme(s):
EU-Africa Infrastructure Trust Fund
- VI.3) **Additional information:**
- VI.4) **PROCEDURES FOR APPEAL:**
- VI.4.1) **Body responsible for appeal procedures:**
Official name: General Court of the European Union

Postal address: Rue du Fort Niedergrünewald

Town: Luxembourg

Postal code: L-2925

Country: Luxembourg

E-Mail:

GeneralCourt.Registry@curia.europa.eu,

CFI.Registry@curia.europa.eu

Telephone: +352 4303-1

Internet address (URL):

URL:<http://curia.europa.eu>

Fax: +352 43032100

Body responsible for mediation procedures:

VI.4.2) **Lodging of appeals:**

Precise information on deadline(s) for lodging appeals:

Within 2 months of the plaintiff being notified or, failing this, of the day on which it came to his knowledge.

VI.4.3) **Service from which information about lodging of appeals may be obtained:**

VI.5) **DATE OF DISPATCH OF THIS NOTICE:**

28/01/2011