



SUPPLY CONTRACT NOTICE

Licenses for Bizagi software - UfMS/IOTP/0009/2016

1. Publication reference

UfMS/IOTP/0009/2016

2. Procedure

Open Tender Procedure Published Locally

3. Programme title

ENPI

4. Financing

Financed through UfMS annual budget. This tender procedure will be launched under suspensive clause, i.e. provision of the supplies concerned is subject to availability of the budget funds.

5. Contracting authority

Secretariat of the Union for the Mediterranean

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CONTRACT SPECIFICATIONS

6. Description of the contract

The subject of the contract is the supply of perpetual licenses for Bizagi software including maintenance.

The maximum budget is EUR 32,000.00 (VAT not included)

7. Number and titles of lots

N/A

TERMS OF PARTICIPATION

8. Eligibility and rules of origin

Participation in tendering is open on equal terms to natural and legal persons (participating either individually or in a grouping (consortium) of tenderers), which are established in one of the Member States of the Union for the Mediterranean or in a country or territory authorised by the EC Partnership Agreement under which the contract is financed¹. Participation is also open to international organisations. The participation of an ineligible natural or legal person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a

¹ Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument.



consortium, the whole consortium will be excluded.

No rule of origin is applied.

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 to contracts procedures for EU external actions.

10. Number of tenders

No more than one tender 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 a tender). In the event that a natural or legal person submits more than one tender, all tenders in which that person has participated will be excluded.

11. Tender guarantee

N/A

12. Performance guarantee

2 No performance guarantee is required.

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.

15. Period of implementation of tasks

The time limits for delivery shall be 7 days and the Incoterm applicable shall be DDP².

The implementation period shall run from February 2016 (provisional), and shall be valid until the 31st of December of 2016.

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:

1) Economic and financial capacity of tenderer (based on item 3.A of the tender form). In case of tenderer being a public body, equivalent information should be provided.

- Average annual turnover for the tenderer at least 300,000.00 € for the last two years (2013 and

² DDP (Delivered Duty Paid) - Incoterms 2010 International Chamber of Commerce - <http://www.iccwbo.org/incoterms/>



2014).

2) Professional capacity of tenderer (based on item 3.B of the tender form)

- At least 10 staff resources.

3) Technical capacity of tenderer (based on items 3.C of the tender form)

- The tenderer has delivered supplies under at least two contracts in the field of this tender which were implemented during the following period: 01/01/2013 - 18/01/2016.

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. 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.

17. Award criteria

Lowest Price

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TENDERING

18. How to obtain the tender dossier

The tender dossier is available from the following Internet address: <http://www.ufmsecretariat.org/procurement/>. The tender dossier is also available from the UfMS. 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 procurement@ufmsecretariat.org (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.

19. Deadline for submission of tenders

On 18th of January 2016 at 13:00 hours (Barcelona time) at UfMS Headquarters.

Any tender received after this deadline will not be considered.

Any additional documentation (brochure, letter, etc) sent with the tender will not be taken into consideration.



20. Tender opening session

On 19th of January 2016 at 13:00 hours (Barcelona time) at UfMS Headquarters.

21. Language of the procedure

If you wish to participate in this open invitation to tender, please submit your tender either into English and/or Spanish. Supporting documents and printed literature furnished by the tenderer may be in another language, provided they are accompanied by a translation into the languages of the procedure

For all the documents of this call for tender, if there are discrepancies between the different linguistic versions, the English one prevails.

22. Legal basis

European Neighbourhood and Partnership instrument (Regulation (EC) N° 1638/2006 of the EP and of the Council - OJ L 310/1 of 9.11.2006).

23. Additional information

Monday to Friday from 9:00 to 17:00 (Barcelona local time).

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N.B. Suspensive clause

This tender procedure is launched under a 'suspensive clause': This procurement notice is issued before the approval of the budget. The signature of the contract is subject to the approval of the budget and, therefore, to the allocation of the corresponding funds.

The applicants interested in participating in this call for tender 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, in any way connected with the cancellation of the call for tender on the grounds of the 'suspensive clause', even if the Contracting Authority has been advised of the possibility of damages.

As such, by submitting the application, the economic operator accepts in full the use of the 'suspensive clause' in this call for tender, as well as its possible consequences. Please note that the signature of the contract is subject to the condition of the prior adoption of the budget, which does not modify the elements of the procurement procedure (this will be the case, for instance, if the budgetary envelope initially foreseen is different or if the timeframe, the nature or the condition of the implementation are altered). If the precedent condition is not met, the Contracting authority will either abandon the procurement or cancel the award procedure without the candidates or tenderers being entitled to claim any compensation.

24. Date of dispatch of this notice

15th December 2015