

**Belgium-Brussels: Technical assistance to the ACP Secretariat for the management of the  
ACP-EU Culture Programme**

**2018/S 073-161060**

**SERVICE CONTRACT NOTICE**

1. **Publication reference**  
EuropeAid/139511/IH/SER/MULTI
2. **Procedure**  
Restricted
3. **Programme title**  
ACP-EU towards a viable cultural industry (ACP-EU Culture 11th EDF)
4. **Financing**  
Financing agreement
5. **Contracting authority**  
Secretariat of the ACP Group of States, Brussels, Belgium.

**Contract specifications**

6. **Nature of contract**  
Unit price
7. **Contract description**  
Establishment of a Technical Assistance team to ensure the overall implementation of the programme:  
— tasks requiring technical capacity, including the preparation of guidelines and follow-up of calls for tender, assistance with the evaluation process, contract management, analysis of files and reports, information and communication activities, the updating and management of a website and a platform specialised in innovation and entrepreneurship for cultural and creative entrepreneurs,  
— administrative and preparatory tasks relating to planning, financial management, monitoring of programme components and communication of public procurement/grant and results of activities.  
Indicative composition of the team:  
— 1 team leader/general coordination/quality control,  
— 1 grant management and finance manager,  
— 1 communication expert, including virtual platform management,  
— 1 short-term expertise envelope.
8. **Number and titles of lots**  
Single lot
9. **Maximum budget**  
2 000 000 EUR
10. **Additional services**  
The contracting authority may, at its own discretion, extend the project duration and/or contract scope subject to availability of funding up to an estimated amount of approximately 1 800 000 EUR. Any extension of the contract would be subject to satisfactory performance of the tasks by the contractor.

**Conditions of participation**

11. **Eligibility**  
11th EDF  
Participation in the contract is open on equal terms to natural persons and legal entities participating either individually or as part of a grouping — consortium — of tenderers that are established in one of the Member States of the European Union, an

ACP State or in a country or territory authorised by the ACP-EC Partnership Agreement, under which the programme is financed (see also point 29 below). Participation is also open to international organisations.

**12. Application**

Any eligible natural person or legal entity (as defined in point 11 above) or grouping of said parties (consortium) may apply.

A consortium may be a permanent, legally-established grouping or a grouping constituted informally for a specific tender procedure. All the members of a consortium (i.e. the lead company and all other members) will be jointly and severally liable vis-à-vis the contracting authority.

Should an ineligible natural person or legal entity (as defined in point 11) take part, the application concerned will be automatically rejected. Should said party belong to a consortium, its disqualification will entail the disqualification of the consortium as a whole.

**13. Number of applications**

Natural persons or legal entities may submit one application only, irrespective of whether they take part as a sole legal entity, or as a lead company or member of a consortium submitting an application. Should a natural person or legal entity submit more than one application, all the applications involving the said party will be disqualified.

**14. Prohibition on alliances between shortlisted tenderers.**

Tenders that include companies not mentioned on the application forms used to compile the shortlist will be disqualified from this restricted procedure unless prior approval from the contracting authority has been obtained (see section 2.4.3 of the Practical Guide).

Candidates invited to tender 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 described in section 2.3.3 of the Practical Guide.

**16. Sub-contracting**

Subcontracting is allowed.

**17. Number of candidates invited to tender**

On the basis of the applications received, at least 4 and at most 8 candidates will be invited to submit detailed tenders for this contract. Should the number of eligible candidates meeting the selection criteria be less than the minimum of 4, the contracting authority may invite the candidates which satisfy the criteria to submit a tender.

**Provisional schedule for activities**

**18. Scheduled date for dispatch of invitations to tender**

May 2018

**19. Commencement date of the contract**

September 2018

**20. Implementation period for the tasks**

36 months

**Selection and award criteria**

**21. Selection criteria**

The following selection criteria will apply to candidates. Where applications are submitted by a consortium, the selection criteria will apply to the consortium as a whole, unless specifically stipulated otherwise. The selection criteria will not apply to natural persons and single-member companies working as subcontractors.

1) Candidate's economic and financial capacity (details to be given in section 3 of the application form). Should the candidate be a public body, equivalent information must be provided. The reference period taken into account will correspond to the last 3 financial years for which accounts have been closed.

— the average annual turnover of the candidate must exceed 700 000 EUR; and,  
— the general liquidity ratio (short-term assets/short-term liabilities) for the past

financial year for which accounts have been closed must be at least 1. In the case of a consortium, this criterion must be met by each of its members.

2) Candidate's professional capacity (details to be given in sections 4 and 5 of the application form). The reference period will correspond to the 3 financial years prior to the submission deadline.

— in possession of a professional certificate related to this contract, such as registration in the commercial register for at least 3 years,

— at least 5 of the candidate's staff are currently permanently employed in at least two of the fields relevant to this contract (cultural industries, film/audiovisual/small and medium-sized enterprises).

3) Candidate's technical capacity (details to be given in sections 5 and 6 of the application form). The reference period will cover the 5 financial periods prior to the submission deadline.

The tenderer has provided services under at least 2 contracts with a budget of at least 2 000 000 EUR each and in at least 2 of the following fields: cultural industries, cinema/audiovisual, cultural entrepreneurship, private sector, small and medium-sized enterprises, which were performed at any time during the reference period: May 2013 to May 2018. This means that the project the candidate refers to could have been started or completed at any time during the period given.

However, it need not necessarily have been completed during this period, or have been carried out during the whole of said period. Candidates or tenderers may refer either to a project completed during the reference period (although started before this period) or to part of a contract that has not yet been fully performed. In the first scenario, the project will be considered as a whole, subject to proof of satisfactory performance (statement from the entity that awarded the contract, proof of final payment, etc.); in the case of ongoing projects, only the part which has been successfully carried out by the candidate may be used as a reference.

The candidate must be able to provide documentary proof of satisfactory performance of this part (declaration from the entity that awarded the contract, proof of final payment, etc.) and the corresponding amount. If the project referred to was implemented by a consortium, in the event that a selection criterion relating to the relevance of the experience is used, the supporting documents must clearly show the proportion completed by the candidate, as well as a description of the nature of the services provided.

Any previous experience involving a breach of contract and termination by a contracting authority cannot be used as a reference.

An economic operator may, if necessary and for a specific contract, make use of the capacities of other entities irrespective of the legal nature of the connection between itself and said entities. In such an event, it must provide the contracting authority with proof that it will have the resources needed to carry out the contract by, for example, producing a written commitment undertaken by said entities to place such resources at its disposal. Such entities, for instance the economic operator's parent company, must observe the same eligibility rules — notably regarding nationality — and must meet the same selection criteria as the economic operator. 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 works or services for which these capacities are required. With regard to the economic and financial criteria, the entities whose capacities the tenderer uses shall become jointly and severally liable for performance of the contract.

If more than 8 applications prove to be eligible, i.e. meet all the selection criteria, then the strengths and weaknesses of these candidates' applications will need to be re-examined to determine which 8 applications for the invitation to tender are the most suitable. Only the following factors will be considered in the re-examination:

Experience in the number of ACP projects, satisfactorily managed (evidence of the support of the contracting authority), financed by the European Development Fund (application of EDF/European Commission procedures) or other EU budget line during the reference period indicated above.

## 22. Award criteria

The best price-quality ratio.

## **Application**

### 23. Deadline for receipt of applications

16.5.2018 — 16:00 (Brussels time)

Any application received after this deadline will not be considered.

- 24. Format of the application form and details to be provided**  
 The standard application form must be used for applications. The instructions and format of this form must be strictly adhered to. This application form is available from the following web address:  
<http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=B>  
 The application must be accompanied by a solemn declaration, concerning the exclusion and selection criteria, using the template available from the following web address:  
<http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A>  
 Any additional documentation (brochure, letter, etc.) sent with the application will not be taken into consideration.
- 25. Application submission procedures**  
 Applications must only be submitted in French or English and sent to the contracting authority:  
 — either by recorded delivery (official postal service) to the following address:  
 Monsieur Léonard-Emile Ognimba  
 Secrétariat du Groupe des États ACP  
 Département des questions politiques et du développement humain  
 Avenue Georges Henri 451  
 1200 Bruxelles, Belgium  
 In this case, the record of delivery will attest to compliance with the final date for receipt of tenders.  
 — or by bearer (including express courier services), delivered straight to the contracting authority, with a signed and dated acknowledgement of receipt, at the following address:  
 Secretariat of the ACP Group of States  
 Département des questions politiques et du développement humain  
 Avenue Georges Henri 451  
 À l'attention de Monsieur Léonard-Emile Ognimba  
 Telephone: +3227430600  
 Opening hours: 10:30 – 16:00  
 In this case, the acknowledgement of receipt will attest to compliance with the final date for receipt of tenders.  
 The contract title and the contract notice number (see point 1 above) must be clearly marked on the envelope containing the application, and must be quoted in all subsequent correspondence with the contracting authority.  
 Applications submitted in any other way will not be considered.  
 When submitting their proposals, candidates agree to receive notification of the result of the procedure by electronic means. The notification will be deemed to have been received on the day the contracting authority sends it to the email address stated in the application.
- 26. Amendments to or withdrawal of tenders**  
 Tenderers may amend or withdraw their tender by giving notice thereof in writing before the final date for submission of tenders. Tenders cannot be amended once this deadline has passed.  
 Notice of amendment or withdrawal must be submitted and sent as per the instructions given in point 25. The word 'Modification' (amendment) or 'Retrait' (withdrawal), as applicable, must be written on the outside envelope (and on the inner envelope, where applicable).
- 27. Working language**  
 All correspondence concerning this invitation to tender procedure and contract must be in French or English.
- 28. Date of publication of prior information notice**  
 Date: 24.2.2018  
 Notice number in OJ: [2018/S 039-084311](#)
- 29. Legal basis (1)**  
 Annex IV to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23.6.2000 as amended in Luxembourg on 25.6.2005 and in Ouagadougou on 22.6.2010. Reference is made to Annex IV as revised by Decision No 1/2014 of the ACP-EU Council of Ministers of 20.6.2014.  
 (1) Please indicate any specification that may have an impact on the rules of participation (e. g. geographical specificity, short-term or long-term thematic

specificity).

30. **Additional information**  
NA