

Contract Notice 5/T/2024

Supply of agricultural machinery and equipment and delivery of related ancillary services in Libya

Areas concerned: Tripoli; Municipalities of Sebha, Murzuq, Ubari and Ghat in
Southern Libya

1. Name and address of the Contracting Authority

CIHEAM Bari – Mediterranean Agronomic Institute of Bari

Via Ceglie, 9 70010 Valenzano (BA), Italy

Website: <https://www.iamb.it/>

2. Type of Procedure and Nature of contract

International Open Tender procedure to be executed in compliance with the latest edition of *the Practical guide on contract procedures for European Union external action (PRAG)* –

Supply contract: unit price.

3. Object of the contract

The present contract notice is issued in the framework of the project “EFEF PLUS - Enhancing Farmer Entrepreneurship in the Municipalities of Sebha, Murzuq, Ubari and Ghat” implemented by CIHEAM Bari under funding from the Italian Ministry of Foreign Affairs and International co-operation. The project aims at supporting local administrations in their efforts to promote economic recovery by fostering local farmer entrepreneurship through improved access to modern and efficient agricultural machinery for various high value crops, as well as training on their proper use and maintenance.

To this end, the execution of the present contract will entail the following:

- Supply of agricultural machinery and equipment in full compliance with the quantities and technical specifications set out in the tender dossier (technical annex).
- Delivery of ancillary services, namely:
 - Transport of machinery and equipment to Tripoli by sea or road if the goods are supplied and/or imported by operators located outside Tripoli or outside Libya. In the case of maritime transport, the importation of the goods might take place duty-free.
 - Temporary arrangement of the goods in a secure site (warehouse/car park) owned and/or rented by the tenderer and located in an accessible position in Tripoli for a period of at least 7 days in order to allow for machine inspection and handover to the Libyan authorities (inspection/handover to be arranged for in close consultation and agreement with the Contracting Authority and to be conducted, based on tenderer’s shipping and delivery times,

in one and/or two phases once the whole set of machinery and equipment and/or a part of them are supplied and ready for the delivery to their final destinations).

- Once the handover has been made, on-road transportation of the agricultural machinery and equipment to their final destinations (Municipalities of Murzuq, Ubari, Ghat and Sebha) in compliance with international and national sector regulations.
- Training of end-users on agricultural machinery operation and maintenance by specialized technicians availed by the machinery manufacturers (training might take place by means of distance learning platforms and/or in persona by skilled personnel sent in the project areas).

4. Legal basis, eligibility and rules of origin

All supplies under this contract may originate in any country.

5. Candidature

All eligible natural and legal persons or groupings of such persons (consortia) may participate.

A consortium may be a permanent, legally established grouping or a grouping which has been constituted informally for a specific procurement procedure. All partners of a consortium (i.e., the leader and all other partners) are jointly and severally liable to the contracting authority.

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 consortium, the whole consortium will be excluded.

6. 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 partner 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.

7. Grounds for exclusion

Candidates must submit a signed declaration, included in the tender form, to the effect that they are not in any of the situations listed in Section 2.6.10.1 of the PRAG. Where the candidate intends to rely on capacity providing entities, he/she must provide the same declaration signed by this/these entity(ies). 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.

8. Sub-contracting

Sub-contracting is not allowed.

9. Period of implementation of tasks

From contract signature until the end of April 2025 (provisional).

10. Language of the procedure

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

11. Transmission of the tender dossier

Tenderers shall request tender documents from the Project Management Unit by sending an email with the subject "Contract Notice 5/T/2024" to the following addresses:

TO: gareappalti@iamb.it CC: gigantino@iamb.it and casilli@iamb.it

The tender dossier shall comprise the following:

- Instructions to tenderers
- Draft contract

- Annex I: General conditions for supply contracts
- Annex II: technical offer
- Annex III: financial offer
- Annex IV: organisation & methodology
- Annex V: performance guarantee
- Annex VI: legal entity
- Annex VII: financial identification
- Administrative compliance grid
- Evaluation grids
- Tender form for a supply contract and Declaration on honour on exclusion and selection criteria.

12. Additional information

Financial data to be provided by the candidate in the tender submission 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 of May 2024, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.

SELECTION AND AWARD CRITERIA

13. Selection criteria

Capacity-providing entities

An economic operator (i.e. candidate or tenderer) 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 economic operator relies on other entities, it must in that case 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 and notably that of nationality as the economic operator relying on them 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 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 tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the economic operator relies, become jointly and severally liable for the performance of the contract.

In the case of tender submitted by a consortium, these selection criteria will be applied to the consortium as a whole if not specified otherwise.

The candidate shall not use previous experience which caused breach of contract and termination by a contracting authority as a reference for selection criteria.

The selection criteria for each tenderer are as follows:

- **Economic and financial capacity** (based on item 3 of supply tender form). In case of candidate

being a public body, equivalent information should be provided. **Maximum 30 points allocated as follows:**

- 1.1. Annual turnover of the candidate or offeror for the year 2023 (or for the year 2022, if for 2023 has not yet been submitted), duly proven. The expected value is equal to or greater than 2,000,000 euros, **10 points**. In the event that the turnover presented has a lower value than the value indicated previously, a proportionately lower score will be assigned. Minimal required turnover to participate to the tender is equal to 200,000 euros.
- 1.2. Current ratio (current assets/current liabilities) for the year 2023 (or for the year 2022, if for 2023 has not yet been submitted), duly proven. In case of a consortium this criterion must be fulfilled by each member. **Maximum 20 points:**
 - 1.2.1. Ratio between 1 and 1.3 → 10 points.
 - 1.2.2. Ratio greater than 1.3 → 20 points.
- **Professional capacity** (based on items 4 and 5 of the tender form for supply contracts). **Maximum 40 points allocated as follows:**
 - 2.1. Availability of agricultural machinery after-sales services in Libya for at least one year, duly proven (e.g. name, location and contacts of any assistance centers responsible for agricultural machinery maintenance over their warranty period). **Maximum 20 points.**
 - 2.2. Accessories, consumables and ancillary services. **Maximum 20 points as follows:**
 - 2.2.1. Evaluation of consumables and accessories suggested by the tenderer: **Maximum 5 points.**
 - 2.2.2. Evaluation of the relevance and effectiveness of the ancillary services to be provided: **Maximum 15 points.**
- **Technical capacity** (based on items 5 and 6 of the tender form for supply contracts). The reference period which will be taken into account will be the last four (4) years from submission deadline. **Maximum 30 points allocated as follows:**
 - 3.1. Prior experience of the candidate with of at least one supply made as a part of international cooperation projects implemented by International Organizations, duly proven. **10 points.**
 - 3.2. Prior experience of the candidate in the supply of agricultural machinery and equipment in Libya with at least 3 contracts, each with a budget of at least EUR 150,000.00, as part of international cooperation projects implemented by International Organizations, duly proven. **20 points.** In the event that the number of contracts is lower than 3, a proportionately lower score will be assigned.

14. Award criteria

Best price-quality ratio. The formula for the rating of the offers will be as follows:

Technical Offer (TO): **TO Rating** = (Total Score Obtained by the Offer / Max. Obtainable Score for TO)

Financial Offer (FO): **FO Rating** = (Lowest Priced Offer / Price of the Offer Being Reviewed)

Combined Score = (TO Rating) x (Weight of TO, 60%) + (FO Rating) x (Weight of FO, 40%)

SUBMISSION OF TENDERS

15. Formats and templates

Tenders must be submitted using the forms and templates provided by the Contracting Authority.

16. Trasmission of tenders

Tenders must be sent to the Contracting Authority before the deadline specified in paragraph 17. They must include all the documents specified in the tender dossier and be sent to the following address:

- By post or by courier service - in which case the evidence shall be constituted by the delivery date - to:

CIHEAM Bari – Mediterranean Agronomic Institute of Bari
Via Ceglie 9 70010 Valenzano (BA) – Italy
To the attention of Mr. Rocco Paolo Giannelli
Administration Office

- By hand delivery by the participant 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 the acknowledgement of receipt, to:

CIHEAM Bari – Mediterranean Agronomic Institute of Bari
Via Ceglie 9 70010 Valenzano (BA) – Italy
To the attention of Mr. Rocco Paolo Giannelli
Administration Office

- Sent by email only by tenderers in possession of an Italian certified email address (PEC):

TO: amministrazione@pec.iamb.it

17. Deadline for the Contracting Authority to receive the tender

The deadline for receipt of tenders by the Contracting Authority is:

04/08/2024 at 11:59 PM (Rome, Italy time zone)

Within 3 days from the deadline set for tender receipt, the Contracting Authority will publish the list of the tenders received on the CIHEAM Bari website (section tender)

Should tenderers find out that their tender is missing from the list, they must notify, within 3 working days from the publication of the list, any proof of transmission of their tender in full compliance with the modalities and timeframe set by the present notice.

Notifications should be sent by e-mail to the following address: gareappalti@iamb.it

In the event that the Contracting Authority should confirm the admissibility of an unreceived tender, the terms for its resubmission will be agreed upon with the tenderer.

18. Clarifications on the contract notice

Tenderers can submit any request for clarification in writing to the following addresses up to the 25th of June 2024, specifying the publication reference and the contract title

TO: gigantino@iamb.it

CC: casilli@iamb.it

The contracting authority has no obligation to provide clarifications after the above date.

No information meeting is planned. The Contracting Authority will publish the answers to the questions received by the 28th of June 2024 in a .pdf file that can be downloaded from the CIHEAM

Bari website at the following link: <https://www.iamb.it/tenders/> (section reserved to this tender).

19. Opening session of the Tenders

The tenders will be opened on 13/08/2024 (provisional date) by a committee appointed by the Contracting Authority. The committee will draw up minutes of the meeting, which will be available to tenderers on request by sending an email to gareappalti@iamb.it

The purpose of the opening session is to check whether the tenders are complete, whether the requisite tender guarantees have been provided, whether the required documents have been properly included and whether the tenders are generally in order.

20. Outcome of the evaluation

By submitting a tender 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 tender form.

21. Alteration or withdrawal of tenders

Tenderers may alter their tenders by written notification prior to the deadline for tender receipt by the Contracting Authority. No tenders may be altered after the above deadline.

Any such notification of alteration shall be prepared and submitted in accordance with the precedent item. In case of alteration, the tenderer shall submit any supplementary documentation and/or revised document specifying in the outer envelope 'Alteration' for tenders sent by post or courier. For tenders sent by Italian certified emails, any supplementary documentation and/or revised document should be sent to amministrazione@pec.iamb.it as an attachment in PDF format and 'Alteration' should appear in the subject of the email.

Tenderers may withdraw their tenders by written notification sent by post, courier or by email not later the date scheduled for the tenders' opening session (13/08/2024).