

## SUPPLY CONTRACT NOTICE

### FRAMEWORK CONTRACT: Purchase of drugs & rapid diagnostic tests LEBANON

#### 1. Reference

Tender/01/PASs/ICU/09/01/2023

#### 2. Procedure

Local Open Tender FRAMEWORK CONTRACT

#### 3. Programme title

“Bando 2020 per la concessione di contributi a Iniziative promosse da Organizzazioni della società civile e altri soggetti senza finalità di lucro iscritti all’Elenco di cui al comma 3, dell’art.26 della Legge n.125/2014” - Dotazione finanziaria pluriennale 91,01 milioni di Euro – Pubblicato in G.U.R.I. n. 318/2020 del 23/dicembre 2020”

#### 4. Financing

The Italian Agency for Development Cooperation (AICS) – PASs Project AID 012590/03/1

#### 5. Contracting authority

**Official name:** ICU Istituto per la Cooperazione Universitaria Onlus

**Postal address:** Hekmeh Bld.-5th floor-facing Sagesse Brasilia School-Baabda Street-Baabda –  
Lebanon

**Town:** Beirut (Lebanon)

**Postal Code:** NA

**E-mail:** camilla.rebora@icu.it

**Internet address:** www.icu.it

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## CONTRACT SPECIFICATION

#### 6. Nature of contract

Unit-price

#### 7. Contract description

ICU - Istituto per la Cooperazione Universitaria - Onlus, the international NGO leader of the project “PASs: Promoting access to health and training services for the Iraqi population belonging to the Christian Chaldean minority”, co-financed by The Italian Agency for Cooperation, is planning to award the contract for the supply of chronic and non-chronic diseases drugs & rapid diagnostic tests.

## **8. Number and titles of lots**

No Lots

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# **CONDITIONS OF PARTICIPATION**

## **10. Legal basis, eligibility and rules of origin**

Participation in tender procedures is open on equal terms to all natural who are nationals of and legal persons (participating either individually or in grouping-consortium- of tenderers) effectively established in a Member State or a country, territory or region mentioned as eligible by the relevant regulation/basic act governing the implementation of the Union's instruments for external action (CIR) for the applicable instrument under which the contract is financed as per Annex A2a to the practical guide. Tenderers must state their nationality in their tenders and provide the usual proof of nationality under their national legislation.

Under CIR (REGULATION (EU) No 236/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down common rules and procedures for the implementation of the Union's instruments for financing external action), supplies may originate from any country if the amount of the supplies to be procured is below EUR 100,000 per purchase. This means that as far as the value of goods originating from a country not included under Annex A2a to the PRAG is below this threshold, the related expenditure should be considered eligible.

The tenderer must state the origin of the supplies, and the selected contractor will always have to prove the origin of the supplies. For equipment and vehicles of a unit cost on purchase of more than EUR 5 000, contractors must present proof of origin at the latest when the first invoice is presented. The certificate of origin must be made out by the competent authorities of the country of origin of the supplies and must comply with the rules laid down by the relevant Union legislation. Failure to comply with this condition may result in the termination of the contract and/or suspension of payment

## **11. 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.

Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot.

## **12. Grounds for exclusion**

As part of the tender, tenderers must submit a signed declaration, included in the tender form, to the effect that they are not in any of the exclusion situations listed in Section 2.6.10.1. of the practical guide.

Tenderer 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.

## **13. Sub-contracting**

Subcontracting is allowed.

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## PROVISIONAL TIMETABLE

### 14. Provisional commencement date of the contract

24 February 2023

### 15. Implementation period of the tasks

17 Months

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## SELECTION AND AWARD CRITERIA

### 16. 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 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.

The following selection criteria will be applied to the tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole if not specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

**1) Economic and financial capacity of the tenderer** (based on item 3 of the tender form). In case of tenderer being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three financial years for which accounts have been closed.

- ✓ the average annual turnover of the tenderer in the past 3 years must be at least 100,000 EUR
  
- ✓ Evidence showing that the liquid assets and access to credit facilities are adequate for this contract.

- ✓ Copies of the most recent documents showing the organization chart, legal status and place of registration of the tenderer's headquarters, a power of attorney empowering the person signing the tender and all related documentation;
- ✓ Proof of the capacity to operate under the legal framework of Lebanon and the specific bank restriction affecting Lebanon in order to perform the requested task. The tenderer must prove the capacity to receive payment in Euro and provide the following documents:
  - Legal Registration Documents
  - Registry of Commerce and Ministry of Finance Registration with VAT
- ✓ VAT registration certificate, issued by the country of registration.

**2) Professional capacity of the tenderer** (based on items 4 of the tender form).

The reference period which will be taken into account will be the last three years preceding the submission deadline.

- ✓ at least 2 CV's of the Key Staff proposed have the qualifications and experience in the field as the minimum experience requirement specified below:

<b>Position</b>	<b>Total Work Experience (Years)</b>	<b>Relevant Experience in Similar Work (Years)</b>
General Manager		
Assistant General Manager		

- ✓ Tenderers should be registered under MOH for medicines supply.

**3) Technical capacity of tenderer** (based on items 5 and 6 of the tender form). The reference period which will be taken into account will be the last three years preceding the submission deadline.

- ✓ at least 3 projects of the same nature/amount/complexity as the works concerned by the tender and implemented during the following period: within 3 years from the submission deadline. The contracting authority reserves the right to ask for copies of certificates of final acceptance / work completion signed by the supervisors/contracting authority of the projects concerned;

This means that the contract the tenderer refers to could have been started at any time during the indicated period but it does not necessarily have to be completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to supply contracts completed within the reference period (although started earlier) or to supply contracts not yet

completed. Only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (statement or certificate from the entity which awarded the contract, proof of payment) also detailing its value. If a tenderer has implemented the supply contract in a consortium, the percentage that the tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the supplies provided if the selection criteria relating to the pertinence of the experience have been used.

Previous experience which would have led to breach of contract and termination by a contracting authority shall not be used as reference. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

## **17. Award criteria**

Price

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# **TENDERING**

## **18. Deadline for submission of tenders**

The deadline for submission of tenders is 13 February 2023 at 11:00 am.

## **19. Tender format and details to be provided**

Tenders must be submitted using the standard tender form.

The tender must be accompanied by a declaration on honour on exclusion and selection criteria using the template available from the following Internet address:

[https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#Annexes-AnnexesA\(Ch.2\):General](https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes#Annexes-AnnexesA(Ch.2):General)

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

## **20. How tenders may be submitted**

Tenders must be submitted in English exclusively to the contracting authority, using the means specified in point 10 of the instructions to tenderers.

Tenders submitted by any other means will not be considered.

By submitting a tender tenderers accept to receive notification of the outcome of the procedure by electronic means.

## **21. Alteration or withdrawal of tenders**

Tenderers may alter or withdraw their tenders by written notification prior to the deadline for submission of tenders. No tender may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with point 15 of the instructions to tenderers.

## **22. Operational language**

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

### **23. Additional information**

Financial data to be provided by the candidate in the standard application form must be expressed in EURO. 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 Info Euro exchange rate of **JANUARY 2023** of the applicable Info Euro exchange rate, which can either correspond to the month and year of the publication of the present contract notice or the month and year corresponding to the deadline for submitting applications, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.