**Additional information about the Contract Notice**

**Provision of meals for migrants and asylum seekers
Location – Reception/Asylum centers in the Republic of Serbia**

**Tender reference number:** 435-352/2024-33

Please note that the awarding of the contract is subject to the condition of the prior adoption of a financing decision which does not modify the elements of the procurement procedure (this will be the case, for instance, if the budget 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.

1. **Nature of contract**

Global price

1. **Programme title**

Individual Measure to strengthening the response capacity of the most affected countries in the Western Balkans to cope effectively with the increased mixed migration flows.

1. **Financing**

Financing agreement

1. **Legal basis, eligibility and rules of origin**

The legal basis of this procedure is Regulation (EU) No [2021/1529] establishing the Instrument for Pre-accession Assistance (IPA III). See Annex A2 of the practical guide.

For this contract award procedure, participation is open to all-natural persons who are nationals of and legal persons (participating either individually or in a grouping – consortium – of candidates/tenderers) which are effectively established in a Member State of the European Union or in an eligible country or territory as defined under Article 10 of Regulation (EU) No [2021/1529] establishing the Instrument for Pre-accession Assistance (IPA III).

1. **Candidature**

All eligible natural and legal persons (as per item 4 above)or groupings of such persons (consortia) may apply.

A consortium may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender 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.

1. **Number of requests to participate or tenders**

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

In case of lots, the candidates or tenderers may submit only one application or tender per lot. Contracts will be awarded lot by lot and each lot will form a separate contract.

1. **Grounds for exclusion**

Candidates must submit a signed declaration, included in the request to participate form, to the effect that they are not in any of the situations listed in Section 2.6.10.1 of the **practical guide (PRAG).** Where the candidate intends to rely on capacity providing entities or subcontractor(s), 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.

1. **Sub-contracting**

Sub-contracting is allowed.

1. **Number of candidates to be short-listed**

On the basis of the request to participate received, between 4 and 8 candidates will be invited to submit detailed tenders for this contract. If the number of eligible candidates meeting the selection criteria is less than the minimum of 4, the contracting authority may invite the candidates who satisfy the criteria to submit a tender. If the number of eligible candidates meeting the selection criteria is more than the maximum allowed, the contracting authority will rank them using the re-examination criteria stated below.

1. **Short-list alliances prohibited**

Any tenders received from tenderers having a different composition that the ones mentioned in the short-listed request to participate forms will be excluded from this restricted tender procedure, unless prior approval from the contracting authority has been obtained – see practical guide 2.6.3. Short-listed candidates may not form alliances or subcontract to each other for the contract in question.

1. **Provisional date of invitation to tender**

**22.06.2025.**

1. **Provisional commencement date of the contract**

**01th October 2025**

1. **Period of implementation of tasks**

**Tentatively 15 months**

1. **Language of the procedure**

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

1. **Additional information**

Financial data to be provided by the candidate in the request to participate form or in the tender submission form must be expressed in RSD. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to RSD shall be made in accordance with the InforEuro exchange rate of May, 2025, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.

**SELECTION AND AWARD CRITERIA**

1. **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.

The following selection criteria will be applied to candidates. In the case of requests to participate 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.

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:

**NOTE: The supporting documents (evidence for the selection criteria) for all criteria will be required from the shortlisted candidates in the second stage of this procedure.**

1. **Economic and financial capacity** **(**based on item 3 of the request to participate form). In case of candidate being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three years for which accounts have been closed.
	1. The average annual turnover of the tenderer over the last three years (2024, 2023, 2022) must exceed : **389.224.118,25 RSD**.
	2. The tenderer’s bank account /s has not been frozen for more than 10 consecutive days in the past 12 months prior to the publication of this Contract notice / additional information about the contract notice.
	3. Current ratio (current assets/current liabilities) in the last year for which accounts have been closed must be at least 1. In case of a consortium this criterion must be fulfilled by each member.

**Evidences to be provided for the selection Criteria 1**

If the relevant documentation is available electronically, please indicate web address, issuing authority or body, precise reference of the documentation.

* Proof of economic and financial capacity shall be provided by the tenderer (i.e. in case of joint tender, the combined capacity of all members of the consortium and identified subcontractors) providing the **financial statements or their extracts** for a period equal to the last three financial years for which accounts have been closed.
* Proof / statement from the bank that the tenderer's account has not been frozen for more than 10 consecutive days during the past 12 months prior to the publication of this Contract notice.
* Statement of the economic operator's overall turnover and, where appropriate, turnover in the business area covered by the contract (contracts, work assignments etc.) for the last 3 financial years available.

**2)** **Professional capacity** (based on items 4 and 5 of the request to participate form for service contracts). The reference period which will be taken into account will be the last three years preceding the submission deadline.

Criteria for legal persons:

2.1 **has a professional certificate** appropriate to this contract, such as:

HACCP standard certificate and a valid licence for providing services including food preparation, food transport and catering or proof that HACCP standardization is in the process with clear indication when the certificate and/or licence is expected to be obtained.

2.2 **at least 25 (Twenty-five) employed / engaged staff** currently work for the candidate in fields related to this contract. To guarantee high quality service at all times contractor must have employed / engaged staff, at least **5 (five) trained chefs (chef and sous-chef)** and **20 (Twenty) other staff** such as **kitchen assistants**, **drivers** etc.

2.3 Candidate/tenderer applies environmental management measures when performing the contract.

**Evidences to be provided for the selection Criteria 2:**

* 1. Copy of the valid HACCP certificate.
	2. A statement of the average annual manpower (employed or engaged staff), for whom the pension insurance is being paid individually or contracts for engaged staff. Employment contracts must be valid for a period of at least six months after the submission deadline

**and**

An organisational / human resources chart and CVs or brief professional background of key personnel e.g. nutritionist in charge of the menu composition and verification, logistics manager, supplies manager, chefs, sous-chefs, accountant, driver, to be involved in the implementation of the contract, includingtheir educational and professional qualifications and years of experience.

* 1. Tenderer must prove that it has internal procedures set in place in order to ensure that the environmental management measures will be implemented when performing the contract.

**3) Technical capacity** (based on items 5 and 6 of the request to participate form for service contracts). The reference period which will be taken into account will be the last three years from submission deadline.

3.1 The tenderer has provided principal services **several contracts** with a combined budget (portion supplied by legal entity) of at least : 389.224.118,25 RSD (VAT excluded), in the field of preparation and distribution of meals, which was implemented at any moment during the reference period. In case of a consortium, this criterion must be fulfilled by at least one member.

This means that the contracts the candidate 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. Candidates are allowed to refer either to projects completed within the reference period (although started earlier) or to projects 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 candidate has implemented the project in a consortium, the percentage that the candidate has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided/supplies delivered if the selection criteria relating to the pertinence of the experience have been used.

3.2 **Candidate has technical equipment, tools or plant** available to the economic operator for performing a service contract.

Candidate must have:

- **at least 7 facilities** for food preparation, with HACCP management system and dispersed in such a way as to enable the distribution of meals in timely and efficient manner;

- **at least 7 vehicles for food transportation** fulfilling appropriate standards and

- **specialized containers for food storage** during transportation.

3.3 **Candidate / economic operator has technicians or technical bodies** available, whether or not belonging directly to it, especially those responsible for quality control.

3.4 The tenderer has a capacity to start supplying the meals, at the latest 10 days after contract signing and issued commencement order.

**Evidences to be provided for the selection Criteria 3:**

For Criteria 3.1

* **Documentary evidence for past similar contracts**: - summary of more than 1(one) similar contract, relevant to the services required under this call for tenders, indicating the dates, value, name and address of the client (public or private), brief description of the services undertaken including name and role of any sub-contractors and/or consortium members. The Contracting Authority may elect to contact any of the aforementioned companies for a reference. Your permission to do so will be assumed unless you state any objections. Previous experience which caused breach of contract and termination by a contracting authority shall not be used as reference.

For Criteria 3.2

* **Specification of transport vehicle and storage containers** to be able to provide the safe delivery of food. Provide copy of vehicle licence or copies of concluded contracts which represent the legal bases for the vehicle ownership (lease or lease agreement).
* Provide accounting card of fixed assets or inventory list on the date 31.12.2024. or other appropriate proof of assets (for specialized storage containers).
* **Proof of necessary kitchen/production facilities** that will be available to the Economic operator for performing the contract, e.g. property register, sales contract, lease contract or other appropriate evidence. Provide map of locations of kitchen/production facilities.
* **Confirmation that the facility is registered in the relevant register of facilities** according to the law e.g. central register of facilities of the Ministry of Agriculture, forestry and water management of RS.

For Criteria 3.3

* Provide details of the technicians or technical bodies the economic operator can call upon, especially those responsible for quality control in relation to this procurement.
* Statement that the economic operator can provide the required **certificates** drawn up by official **quality control institutes** or agencies of recognized competence attesting the conformity of products clearly identified by references to the technical specifications or standards, which are set out in the relevant procurement documents.

For Criteria 3.4

* Statement, indicating the number of days, that the tenderer has a capacity to start delivering the meals after contract signing and issued commencement order.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the request to participate of these candidates must be re-examined in order to rank them and identify the 8 best requests to participate for the tender procedure. The only additional comparative criteria that which will be taken into consideration during this re-examination, in the order in which they appear below, are:

* the highest number of projects that meet criterion 3.1;
* the highest cumulated value of the projects that meet criterion 3.1.

**N.B.**: additional comparative criterion No 1 shall be applied to all the eligible candidates that meet the selection criteria. If, after applying additional comparative criterion No 1, it is not possible to identify the 8 best candidates because two or more candidates are tied for the 8th position, additional comparative criterion No 2 shall be applied only to these tied candidates.

1. **Award criteria**

Best price-quality ratio.

**PARTICIPATION**

1. **Requests to participate format and details to be provided**

Requests to participate must be submitted using the request to participate form, the format and instructions of which must be strictly observed. The request to participate form is available from the following Internet address:

<https://ec.europa.eu/europeaid/prag/document.do?isAnnexes=true>

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

<https://ec.europa.eu/europeaid/prag/document.do?isAnnexes=true>

Any documentation (brochure, letter, etc.) sent with a request to participate in addition to what has been requested will not be taken into consideration.

1. **How requests to participate may be submitted**

Requests to participate must be submitted in English exclusively to the contracting authority in a sealed envelope.

* Either by post or by courier service, in which case the evidence shall be constituted by the postmark or the date of the deposit slip, to:

**Mr Slobodan Karanović, project manager**

**Commissariat for refugees and migration of the Republic of Serbia**

**Narodnih heroja 4, 11070 Belgrade, Serbia**

OR hand delivered 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 this acknowledgement of receipt, to:

**Mr Slobodan Karanović, project manager**

**Tel: +381 64 828 1653**

**Commissariat for refugees and migration of the Republic of Serbia**

**Narodnih heroja 4, 11070 Belgrade, Serbia**

Opening/closing hours, Monday – Friday: 07:30 a.m. - 15:30 p.m.

The contract title and publication reference (see contract notice) must be clearly marked on the envelope containing the request to participate and must always be mentioned in all subsequent correspondence with the contracting authority.

Requests to participate submitted by any other means will not be considered.

1. **Deadline for submission of requests to participate**

The candidate’s attention is drawn to the fact that there are two different systems for sending Requests to participate: one is by post or private mail service, the other is by hand delivery.

In the first case, the request to participate must be sent before the date and time-limit for submission, as evidenced by the postmark or deposit slip[[1]](#footnote-1), but in the second case it is the acknowledgment of receipt given at the time of the delivery of the request to participate that will serve as proof.

**The deadline for submission of requests to participate can be found in the Contract Notice under IV.2.2.** *Unless the Time Zone is specified in eTendering, the “Local Time” mentioned under IV.2.2 in the Contract Notice shall be understood as Central European Time (CET) which is the standard time in Brussels*.

Any request to participate sent to the contracting authority after this deadline will not be considered. The contracting authority may, for reasons of administrative efficiency, reject any request for participation submitted on time but received, for any reason beyond the contracting authority's control, after the effective date of approval of the short-list report, if accepting requests to participate that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.

1. **Clarifications on the contract notice**

Any request for clarifications must be made in writing at the latest 21 days before the deadline for submission of requests to participate stated at section **IV.2.2) of the contract notice,** to the Contracting authority at the following address slobodan.karanovic@kirs.gov.rs. This concerns request for clarifications about the contract notice and also request for clarifications about the content of the document called “Additional information to the contract notice.”

Clarifications will be published on the Contracting authority’s website: [*https://kirs.gov.rs/cir/javne-nabavke/otvoreni-postupak/0*](https://kirs.gov.rs/cir/javne-nabavke/otvoreni-postupak/0) *at* the latest 8 days before the deadline for the submission of requests to participate. The website will be updated regularly and it is the candidates responsibility to check for updates and modifications during the submission period.

1. **Outcome of the evaluation**

By submitting a request to participate 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 request to participate form.

1. **Alteration or withdrawal of requests to participate**

Candidates may alter or withdraw their requests to participate by written notification prior to the deadline for submission of requests to participate. No requests to participate may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with precedent item. The outer envelope (and the relevant inner envelope if used) must be marked ‘Alteration’ or ‘Withdrawal’ as appropriate.

effective date of approval of the short-list report, if accepting applications that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.

1. It is recommended to use registered mail in case the postmark would not be readable. [↑](#footnote-ref-1)