

**Denmark-Copenhagen: Foreign economic-aid-related services**

OJ S 49/2016 10/03/2016

**Contract notice****Services****Legal Basis:**

Directive 2014/24/EU

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Ministry of Foreign Affairs of Denmark, Danida

Postal address: Asiatisk Plads 2

Town: Copenhagen K

NUTS code: DKZZZ Extra-Regio NUTS 3

Postal code: 1448

Country: Denmark

Contact person: Christina June Jensen

E-mail: [danidacontracts@um.dk](mailto:danidacontracts@um.dk)

Telephone: +45 33921430

**Internet address(es):**Main address: <http://www.danidacontracts.um.dk>**I.3. Communication**The procurement documents are available for unrestricted and full direct access, free of charge, at: <http://um.dk/en/danida-en/activities/business/contracts/long/contract-opportunities/>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted to the abovementioned address

**I.4. Type of the contracting authority**

Ministry or any other national or federal authority, including their regional or local subdivisions

**I.5. Main activity**

Other activity: development assistance

**Section II: Object**

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**II.1. Scope of the procurement****II.1.1. Title**

Evaluation of Danish support to Promotion and Protection of Human Rights.

Reference number: 2016-2215

**II.1.2. Main CPV code**

75211200 Foreign economic-aid-related services

**II.1.3. Type of contract**

Services

**II.1.4. Short description**

Evaluation of Danish support to Promotion and Protection of Human Rights.

### **II.1.5. Estimated total value**

Value excluding VAT: 1 300 000,00 DKK

### **II.1.6. Information about lots**

This contract is divided into lots: no

## **II.2. Description**

### **II.2.2. Additional CPV code(s)**

79419000 Evaluation consultancy services

### **II.2.3. Place of performance**

NUTS code: DKZ Extra-Regio NUTS 1

Main site or place of performance: Various countries including Denmark, and most likely Burkina Faso, Niger, Tanzania and Uganda.

### **II.2.4. Description of the procurement**

The Ministry of Foreign Affairs is tendering a consultancy assignment for the Evaluation of Danish support to Human Rights and Democracy. The evaluation will be undertaken by a team of external consultants between June and November 2016.

Promoting and protecting human rights is an integral part of the Danish Strategy for Development Cooperation 'The Right to a Better Life'. The strategy affirms a commitment to advance the human rights agenda at the policy level as well as in Danish development cooperation, channelled through multilateral engagements, bilateral development assistance and support to CSOs. Human rights are promoted via a wide range of interventions; through normative work, policy dialogue and direct implementation of development assistance to developing countries.

The evaluation will have a dual purpose: First to provide a broad overview of Danish support to advancing human rights through an assessment of engagements at the policy level as well as the operational level and assessing inter-linkages between these levels; and second to document results of Danish engagements within selected areas where Denmark has played a significant role in advancing human rights: 1) Combating torture; 2) Support to human rights institutions; 3) Indigenous people's rights; 4) CSR and 5) Access to justice and rule of law.

The evaluation serves both learning and accountability purposes, and the results of the evaluation are expected to feed into the ongoing revision of the Danish strategy for Development Cooperation as well as provide lessons learned to guide the implementation of Danish support to the promotion of human rights.

The evaluation team will consist of consultants with substantial experience within the field of human rights and with extensive experience with evaluation of development assistance (i.e. evaluations that conform to the DAC evaluation definition).

It is expected that the evaluation will include two country visits, both to take place in Africa.

The maximum budget for the assignment is 1 300 000 DKK.

In situations where conflict of interest occurs, candidates may be excluded from participation, if their participation may question the independence and impartiality of the Evaluation.

Expected start date for the assignment is 15.6.2016.

### **II.2.5. Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

### **II.2.6. Estimated value**

Value excluding VAT: 1 300 000,00 DKK

### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 7

This contract is subject to renewal: no

### **II.2.9. Information about the limits on the number of candidates to be invited**

Envisaged number of candidates: 5 Objective criteria for choosing the limited number of candidates:

Selected on the basis of most relevant project references presented in the ESPD seen in relation to the services to be provided, cf. description in section II.2.4). Emphasis will be on experience with evaluations and good governance and human rights in developing countries. Experience with evaluation will have a slightly higher priority than the other parameter.

### **II.2.10. Information about variants**

Variants will be accepted: no

### **II.2.11. Information about options**

Options: no

### **II.2.13. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds: no

### **II.2.14. Additional information**

As the task to be performed is an evaluation assignment, Candidates whose independence and impartiality of the evaluation may be questioned may be excluded from participating.

## **Section III: Legal, economic, financial and technical information**

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### **III.1. Conditions for participation**

#### **III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

Not applicable.

#### **III.1.2. Economic and financial standing**

List and brief description of selection criteria:

List and brief description of selection criteria:

Using the ESPD, the applicant should quote its annual turnover for the last 3 available accounting years.

The information should be provided in the ESPD, Part IV, B: Economic and financial standing, section 1a.

Unless the information is publicly and electronically accessible free of charge, the documentation for the turnover quoted in the ESPD should be included in the technical tender.

The documentation should be in the form of financial statements or extracts from the financial statements or a statement of the undertaking's overall turnover certified by a chartered accountant or certified public accountant.

Minimum level(s) of standards possibly required:

A turnover of 3 000 000 DKK each accounting year.

If the candidate is a joint venture, the joint venture shall, as a whole, meet the minimum conditions related to economic and financial standing. In that case, each member shall submit a completed and signed ESPD.

If the candidate relies on the capacity of others, the turnover is calculated as the sum of the turnover of the applicant and the other entity's (or entities') turnover.

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. Where an economic operator wants to rely on the capacities of other entities, it shall prove to the contracting authority that it will have at its disposal the resources necessary, for example, by producing a commitment by those entities to that effect. The letter of commitment or relevant documentation shall establish the legal commitment of the party concerned to support the applicant for the full contract period.

Such an entity must also submit a completed and signed ESPD.

### **III.1.3. Technical and professional ability**

List and brief description of selection criteria:

Using the ESPD, the applicant should provide:

- a) a list of no more than ten project references of contract(s) (entered or finalized) in the last three years of most relevant services provided cf. section II.2.4). The information should include a description of the assignment and the services provided, the contract sum, dates, and the name of the client. Information should be entered in the ESPD, Part IV, C, section (1b).
- b) a description of the technical facilities and measures used by the economic operator for ensuring quality. Information should be entered in the ESPD, Part IV, C, section (3).
- c) The educational and professional qualifications of the economic operator's managerial staff, provided that they are not evaluated as an award criterion. Information should be entered in the ESPD, Part IV, C, section (6)(b).
- d) A statement of the average annual manpower of the economic operator and the number of managerial staff for the last three years. Information should be entered in the ESPD, Part IV, C, section (8).
- e) An indication of the proportion of the contract, which the economic operator expects to subcontract. Information should be entered in the ESPD, Part IV, C, section (10).

Minimum level(s) of standards possibly required:

If the candidate is a joint venture, the joint venture shall, as a whole, meet the minimum conditions related to technical and professional ability. In that case, each member shall submit a completed and signed ESPD. Note that no more than 10 project references must be presented for the joint venture together.

Regarding a): 2 relevant reference(s) of contract(s) (entered or finalized) in the last 3 years; Of these:

- Minimum 1 relevant contract for a related complex evaluation;
- Minimum 1 relevant contract related to good governance and human rights in developing countries.

1 project reference may cover both of the above.

Regarding b): An EN ISO 9001 certification or similar, or an acceptable operating quality assurance and management system.

Regarding c) Management has relevant technical and management experience;

Regarding d) Minimum the amount of staff required for the assignment;

Regarding e) The major part of the services must be rendered by the applicant.

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. Where an economic operator wants to rely on the capacities of other entities, it shall prove to the contracting authority that it will have at its disposal the resources necessary, for example,

by producing a commitment by those entities to that effect. The letter of commitment or relevant documentation shall establish the legal commitment of the party concerned to support the applicant for the full contract period.

Such an entity must also submit a completed and signed ESPD.

### **III.2. Conditions related to the contract**

#### **III.2.2. Contract performance conditions**

The winner of the contract will be required to perform the services in compliance with the Danida Anti-corruption Code of Conduct and the principles of the UN Global Compact.

The winner of the contract will be required to take out before commencement and maintain for the duration of the liability period, at its own cost, a Professional Liability Insurance equal to the total contract amount.

A group of economic operators will be required to enter a joint venture agreement.

Where a joint venture is proposed, the Ministry of Foreign Affairs of Denmark will require that all members of the joint venture are jointly and severally liable.

## **Section IV: Procedure**

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### **IV.1. Description**

#### **IV.1.1. Type of procedure**

Restricted procedure

#### **IV.1.3. Information about a framework agreement or a dynamic purchasing system**

#### **IV.1.8. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

### **IV.2. Administrative information**

#### **IV.2.2. Time limit for receipt of tenders or requests to participate**

Date: 08/04/2016 Local time: 10:30

#### **IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

Date: 13/04/2016

#### **IV.2.4. Languages in which tenders or requests to participate may be submitted**

English

#### **IV.2.6. Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 2 (from the date stated for receipt of tender)

## **Section VI: Complementary information**

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### **VI.1. Information about recurrence**

This is a recurrent procurement: no

### **VI.2. Information about electronic workflows**

Electronic invoicing will be accepted

Electronic payment will be used

### **VI.3. Additional information**

The tender procedure is subject to the law of Denmark and the rules applicable hereunder.  
Any legal entity may only submit one application.

No restrictions on nationality.

The applications shall be submitted using the ESPD form available on <http://um.dk/en/danida-en/activities/business/contracts/long/contract-opportunities/>

A signed electronic version (pdf file) must be received by the Contracting Authority at the address stated in section I.1) before the time limit stated in section IV.2.2)) of this Contract Notice. In addition, an identical paper version must be sent to the Contracting Authority at the address stated in section I.1) before the time limit stated in section IV.2.2).

The Contracting Authority shall exclude an economic operator from participation in a procurement procedure where they have established that the applicant is covered by the exclusion grounds listed in the Danish Procurement law, (Udbudsloven) § 135 and 136 (Directive 2014/24/EU of the European Parliament and of the Council, article 57(1)-(3), and article 57 (4)(e),(f) and (h).)

The Contracting Authority will exclude an applicant from the procurement procedure if the applicant is in a situation covered by the Danish Procurement law (Udbudsloven) § 137, stk. 1, no. 2. (Directive 2014/24/EU of the European Parliament and of the Council, article 57 (4) (b).)

The Tenderer shall include in the technical tender, documentation for the information given in the ESPD regarding the exclusion grounds listed in the Danish Procurement law § 135, stk. 1 and 3, and §137 stk. 1, no. 2. (EU Directive 2014/24/EU, article 57 (1), article 57 (2), and article 57 (4)(b)). For Danish applicants documentation can be presented in the form of a 'serviceattest'.

The Ministry reserves the right — but is not obliged — to use the remedies provided for in the Danish procurement law, §159, stk. 5, if applications or tenders do not fulfil the formalities of the tender documents. (Directive 2014/24/EU of the European Parliament and of the Council, article 56 (3))

Rationale for not splitting the contract up into lots (cf. Danish Procurement Law §49, stk. 2):  
This contract has not been split into lots due to market and economic considerations. The size and character of the services to be provided makes it unsuitable for distributing over several lots.

If a Tenderer is eligible and the tender substantially responsive, its Candidate for the position as Team leader is expected to be invited for an interview.

Failure to comply with this will lead to disqualification of the Tenderer. Interviews of Team Leader candidates are expected to take place 30.5.2016 in Copenhagen.

The Client opposes exclusive agreements with sub-consultants, be they organisations or individuals.

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

Official name: Klagenævnet for Udbud, Erhvervsstyrelsen (The Complaints Board for Public Procurement, Danish Commerce and Companies Agency)

Postal address: Dahlerups Pakhus Langelinie Allé 17

Town: Copenhagen Ø

Postal code: 2100

Country: Denmark

E-mail: [klfu@erst.dk](mailto:klfu@erst.dk)

Telephone: +45 35291000

Fax: +45 33307799

Internet address: <http://klfu.dk>

**VI.4.4. Service from which information about the review procedure may be obtained**

Official name: Konkurrence- og Forbrugerstyrelsen (Danish Competition and Consumer Authority)

Postal address: Carl Jacobsens Vej 35

Town: Valby

Postal code: 2500

Country: Denmark

E-mail: [kfst@kfst.dk](mailto:kfst@kfst.dk)

Telephone: +45 41715000

Fax: +45 41715100

Internet address: [www.kfst.dk](http://www.kfst.dk)

**VI.5. Date of dispatch of this notice**

08/03/2016