

**Denmark-Copenhagen: Evaluation consultancy services**

OJ S 125/2018 03/07/2018

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, Danida Evaluation Department

Postal address: Asiatisk Plads 2

Town: Copenhagen

NUTS code: DK011 Byen København

Postal code: 1448

Country: Denmark

Contact person: Lars Christian Oxe

E-mail: [eval@um.dk](mailto:eval@um.dk)**Internet address(es):**Main address: <http://um.dk/en/danida-en/>**I.3. Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.ethics.dk/ethics/eo#/d8571f7d-23af-49ed-957f-b178668c73c0/publicMaterial>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://www.ethics.dk/ethics/eo#/d8571f7d-23af-49ed-957f-b178668c73c0/homepage>

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

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at: <https://www.ethics.dk/ethics/eo#/d8571f7d-23af-49ed-957f-b178668c73c0/homepage>

**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 the Niger Country Programme

Reference number: 2018-15848

**II.1.2.**

**Main CPV code**

79419000 Evaluation consultancy services

**II.1.3. Type of contract**

Services

**II.1.4. Short description**

The Evaluation Department of the Danish Ministry of Foreign Affairs will commission an evaluation of the Danish Niger Country Programme covering the period from 2009 to 2018. The evaluation criteria will include relevance, efficiency, effectiveness, impact, sustainability and coherence. The evaluation should contribute to documenting experience and lessons learned in relation to Danish cooperation with Niger and fragile state interventions.

**II.1.5. Estimated total value**

Value excluding VAT: 1 900 000,00 DKK

**II.1.6. Information about lots**

This contract is divided into lots: no

**II.2. Description****II.2.2. Additional CPV code(s)**

75211200 Foreign economic-aid-related services

**II.2.3. Place of performance**

NUTS code: DKZ Extra-Regio NUTS 1

Main site or place of performance: Niger

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

The overall vision of the partnership between Denmark and Niger is to support the Government and people of Niger in order to maintain peace and stability, re-enforce democratic values and provide the opportunity for the people to embark on a long term effort to improve living conditions. The current programme (2017-2022) has a budget of DKK 380 million and involves support within governance, water and agriculture / private sector. Niger is a fragile country, and therefore the design of the Country Programme is based on Denmark's approach for cooperation in fragile and conflict-affected areas. In the absence of a permanent Danish representation in Niger, the programme is managed from the Danish embassy in Ouagadougou.

Denmark has had an uninterrupted collaboration with Niger since 1974 and has especially been working long-term within the areas of democracy and human rights, water supply and agriculture. A considerable portion of the collaboration has had a regional focus in Diffa and Zinder. In governance and human rights, support has been provided to building key democratic institutions and actors, supporting women's rights, elections and dialogue mechanisms. Denmark has been a major donor in the alignment and harmonisation of support in the water sector contributing to building infrastructure and national capacity. In agriculture, Denmark has supported activities aiming at countering the efforts of desertification and enhancing productivity and processing within specific value chains. The support has also aimed at strengthening farmer organisations.

Denmark has been managing its cooperation programme from a representation office in Niamey, which was closed in 2014. The Danish embassy in Ouagadougou is now administering the programme. The current country policy paper (2016 – 2020) states that the overall vision for Denmark's engagement to Niger is to support the government and people of Niger in order to maintain peace and stability, re-enforce democratic values and provide the

opportunity for the people to embark on a long effort to improve living conditions. The country policy describes how Niger is currently in a state of fragility and it therefore operates with three scenarios. The country programme is designed with a human rights-based approach, including the principles of non-discrimination, participation, transparency, and accountability.

Given the fragile situation that has dominated in Niger throughout the evaluation period and the overall narrative of the Danish cooperation with Niger, the purpose of the evaluation is to assess to which extent Denmark has contributed to maintaining peace, enhancing stability and furthering democratic values in Niger, and whether gains achieved are likely to be sustained.

Consequently, the evaluation should assess the Danish cooperation from a fragile state perspective. Achievements in relation to poverty eradication, food security, economic development, water supply and sanitation should be assessed both on the basis of the objectives initially set for the relevant interventions, but also for their contribution to peace, stability and promotion of democratic values.

The evaluation is planned to be initiated 1.2.2019 and the final evaluation report should be submitted 1.7.2019. The team envisaged will consist of a team leader and two sector experts.

#### **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**

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

Start: 01/02/2019 End: 01/09/2019

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:

Candidates will be selected on the basis of the information concerning technical and professional ability, cf. section III.1.3), in relation to the object of this contract, cf. sections II.1.4) and II.2.4).

In the selection, the contracting authority will specifically emphasise:

The number of references of independent evaluations as indicated in section III.1.3).

Preference will be given to independent evaluations within topics related to this evaluation, from West Africa and the extent to which the clients of those evaluations are comparable to the Danish Ministry of Foreign Affairs.

#### **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, economic operators whose independence and impartiality of the evaluation may be questioned may be excluded from participating.

The contracting authority has a maximum budget excluding VAT of 1 900 000 DKK. Tenders will be rejected if they exceed the contracting authority's maximum budget.

## **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:

In Part III.A-C of the ESPD, economic operators must answer whether they are subject to exclusion grounds.

An economic operator is excluded from the procurement procedure if the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein has been convicted by final judgement or fined within the last 4 years for any of the exclusion grounds relating to the criminal convictions listed in section 135(1) of the Danish Public Procurement Act.

An economic operator is excluded from the procurement procedure if it has unpaid overdue debt of 100 000 DKK or more to public authorities in relation to payment of taxes and payment of social security, cf. section 135(3) of the Danish Public Procurement Act. An economic operator is, however, not excluded where the economic operator provides guarantee of payment of the part of the debt which constitutes 100 000 DKK or more, or where the economic operator has agreed on a repayment scheme with the collection authority and that scheme is observed, cf. section 135(4).

An economic operator is excluded from the procurement procedure if it is subject to any of the exclusion grounds listed in sections 136(1)(1) and 136(1)(2) of the Danish Public Procurement Act.

An economic operator is excluded from the procurement procedure if it within the last 2 years has been subject to any of the exclusion grounds listed in sections 136(1)(3) and 137(1)(2-3) of the Danish Public Procurement Act.

The contracting authority can accept the following documentation in relation to the exclusion grounds in sections 135(1), 135(3) and 137(1)(2) of the Danish Public Procurement Act (in order of priority): (1) An extract from the relevant register or a similar document issued by a competent judicial or administrative authority stating that the economic operator is not subject to the grounds for exclusion stipulated in section 135(1); (2) A certificate issued by the competent authority in the country referred to as documentation that the economic operator is not subject to the grounds for exclusion stipulated in sections 135(3) and 137(1)(2); (3) A declaration on oath (in countries where such extracts, certificates or similar documents are not issued, or where the documentation does not cover all the grounds for exclusion stipulated in sections 135(1), 135(3) and 137(1)(2) entirely); (4) A solemn declaration made by the person concerned before a competent judicial or administrative authority, a notary or a competent professional or trade body, in the country of origin or in the country where the economic operator is established (in countries where there is no provision for declarations on oath). The contracting authority cannot accept self-declarations or similar declarations issued by the economic operator or the person concerned as documentation in relation to the exclusion grounds.

Economic operators can identify the relevant documentation using the online platform e-Certis: <https://ec.europa.eu/growth/tools-databases/ecertis/>

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

List and brief description of selection criteria:

In Part IV.B of the ESPD, the economic operator must fill in its average yearly turnover for the last 2 financial years available (where the economic operator can present annual reports).

If the economic operator consists of a group of economic operators (e.g. a consortia or joint venture) or if the economic operator relies on the capacity of other entities, each involved economic operator or entity must submit a completed ESPD.

When an economic operator is participating in the procurement procedure together with others (e.g. a consortia or joint venture) or if the economic operator relies on the economic and financial standing of other entities, the participating economic operators or the entities referred to are subject to joint and severable liability for the performance of the contract.

Before the time limit for receipt of tenders, the candidates, which the contracting authority has invited to tender, must present either annual reports or excerpts hereof or relevant statements from a bank or certified accountant as documentation of the economic and financial standing.

When an economic operator is participating in the procurement procedure together with others or when an economic operator relies on the economic and financial standing of other entities, the economic operator must also provide statements of support or other documentation proving that the economic operator has access to the necessary economic and financial standing. The statements of support must establish a legal obligation for the party concerned and state that the involved economic operators or entities are subject to joint and severable liability for the performance of the contract.

Economic operators are encouraged to submit all necessary documentation as early as possible.

Minimum level(s) of standards possibly required:

The economic operator is required to have an average yearly turnover of minimum 3 800 000 DKK for the last 2 financial years available.

When the economic operator is participating in the procurement procedure together with others (e.g. a consortia or joint venture) or if the economic operator relies on the capacity of other entities, it is required that the participating economic operators or the economic operator and the entities referred to altogether meet the selection criteria.

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

List and brief description of selection criteria:

In Part IV.C of the ESPD, the economic operator must fill in a list of maximum 5 contracts entered into, ongoing or finalized within the last 3 years stating a description of the contract (nature and quantity of services from the economic operator and how they compare to the description of this procurement), amount (contract fee received by the economic operator), start date, end date and recipient (name and contact information).

If an economic operator has listed more than 5 contracts, the contracting authority will only read and assess the 5 most recent contracts listed (based on start date).

If the economic operator consists of a group of economic operators (e.g. a consortia or joint venture) or if the economic operator relies on the capacity of other entities, each involved economic operator or entity must submit a completed ESPD.

When an economic operator is participating in the procurement procedure together with others (e.g. a consortia or joint venture) or if the economic operator relies on the technical and professional abilities of other entities, the specific parts of the contract must be performed by the economic operators or entities with the required technical and professional abilities.

Before the time limit for receipt of tenders, the contracting authority reserves the right to contact the recipients of services or require statements from the recipients confirming that the economic operators, which the contracting authority has invited to tender, have performed the listed contracts.

When an economic operator is formed by a group of economic operators or relies on the technical and professional abilities of other entities, the economic operator must also provide statements of support or other documentation proving that the economic operator has access to the necessary technical and professional abilities. The statements of support must establish a legal obligation for the party concerned and state the parts of the contract to be performed by the party concerned.

Economic operators are encouraged to submit all necessary documentation as early as possible.

Minimum level(s) of standards possibly required:

The economic operator is required to have performed (entered into, ongoing or finalized) minimum 2 relevant contracts (as defined below) within the last 3 years.

As a relevant contract is considered:

Independent evaluations of development cooperation following the OECD/DAC evaluation quality criteria with a value attributable to the economic operator of more than 500 000 DKK within at least one of the following 2 topics:

- 1) Development cooperation in conflict-affected or fragile situations involving aspects of good governance;
- 2) Multi-sector evaluations or country programme evaluations.

An “independent evaluation” is an evaluation carried out for an evaluation unit of a development organization.

References related to reviews and monitoring work will not be considered relevant references. Neither will short-listing under a framework contract be considered a reference in itself.

When the economic operator is participating in the procurement procedure together with others (e.g. a consortia or joint venture) or if the economic operator relies on the capacity of other entities, it is required that the participating economic operators or the economic operator and the entities referred to altogether meet the selection criteria.

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

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

Prior to the signing of the contract, the economic operator must present statements of availability from all non-permanent staff (e.g. project specific consultants or freelance consultants).

When an economic operator is participating in the procurement procedure together with others, the economic operator must present a joint statement from all the participating economic operators which identifies the member of the group who can act as an agent on behalf of the group with mandate to establish a legal obligation on behalf of the group in relation to the contracting authority.

The winning tenderer is to perform the contract in compliance with the Danida Anti-Corruption Policy and the principles of the UN Global Compact.

Economic operators can find more information on:

<http://um.dk/en/danida-en/about-danida/Danida-transparency/anti-corruption/>  
<https://www.unglobalcompact.org/what-is-gc/mission/principles>

## **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: 24/08/2018 Local time: 14:00

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

Date: 07/09/2018

#### **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: 6 (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 governed by Danish law and the rules applicable hereunder.

An English translation of the Danish Public Procurement Act is available on: <https://www.kfst.dk/media/46419/the-public-procurement-act.pdf>

Access to the procurement procedure requires online registration.

Guidance (in Danish and English) on the use of the tendering system can be found at:

<https://www.udbudssystemet.dk/public/instructions/ETHICS.EO.vejledning.pdf>

Local time in section IV is according to Central European Time (CET) in Denmark.

Economic operators may only submit one application or tender.

Economic operators must submit a European Single Procurement Document (ESPD) as preliminary evidence that the economic operator is not subject to exclusion grounds and that the economic operator fulfils the minimum requirements for economic and financial standing and technical and professional ability.

When the economic operator is participating together with others or if the economic operator relies on the capacity of other entities, each participating economic operator must provide a separate ESPD.

Before the time limit for receipt of tenders, the candidates, which the contracting authority has invited to tender, must present documentation of the information provided in the ESPD.

This contract has not been divided into lots, cf. section II.1.6), due to market and economic considerations.

Economic operators will not receive remuneration for their participation in the procedure.

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

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

Official name: Klagenævnet for Udbud

Postal address: Toldboden 2

Town: Viborg

Postal code: 8800

Country: Denmark

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

Telephone: +45 72405708

Internet address: <https://erhvervsstyrelsen.dk/klagenaevnet-for-udbud>

#### **VI.4.3. Review procedure**

Precise information on deadline(s) for review procedures:

Actions regarding requests to participate and selection must be submitted within 20 calendar days from the day after the contracting authority has notified the economic operators of the decisions regarding selection.

Other actions regarding the procedure (e.g. decisions regarding award of contract) must be submitted within 45 calendar days from the day after the publication of a contract award notice in the Official Journal of the EU.

The complainant must at the same time notify the contracting authority that an action has been submitted to the Danish Complaints Board for Public Procurement.

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

Official name: Konkurrence- og Forbrugerstyrelsen

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

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

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

29/06/2018