

COUNCIL OF EUROPE DEVELOPMENT BANK

CALL FOR TENDERS

MAY 2014

**CONSULTANCY SERVICES FOR THE PREPARATION STAGES OF THE CONSTRUCTION OF A
PRISON FOR SHORT TERM SENTENCES IN BJELO POLJE IN MONTENEGRO
FIP 17453 / SCA 14**

DEADLINE FOR SUBMISSION OF OFFERS: 24 June 2014 , NOON.

1. Assignment

Council of Europe Development Bank (CEB) is issuing a call for tenders to provide assistance to Montenegro for the provision of **Consultancy Services for the preparation stages of the construction of a prison for short term sentences in Bjelo Polje in Montenegro**. The assignment is financed from the Spanish Social Cohesion Account (SCA).

Background

The problem faced in the prison system in Montenegro is a problem shared by prison systems in most of the countries in the region, and that is prison over-population. Apart from the continual growing trend in the number of detained and convicted persons, the solution to this problem is further challenged by the spatial capacities of the existing buildings.

In terms of infrastructure, there are two main prisons in Montenegro, one in Spuž and another in Bjelo Polje. Spuž Prison - located north-west of Podgorica - is a multi-functional prison complex consisting of (i) a closed prison for sentenced prisoners with average population 270, (ii) a semi-open prison for sentenced prisoners with average population 170 and (iii) a pre-trial prison with an average population 270. Bijelo Polje prison is located 220 km north-east of Podgorica. With total capacity for 200 inmates, it services the courts in the north of the country and consists of a single multi-functional unit for (i) pre-trial prisoners, (ii) sentenced prisoners and (iii) civil prisoners.

Over the past years, the number of persons sentenced to prison in Montenegro has risen considerably. Both prisons are overpopulated and currently a total of 1,700 convicts are waiting to begin their sentence. Nevertheless, this problem cannot be resolved only by increasing the capacity of prison places, but by changing the criminal law and type of punishment. The last European Commission (EC) progress report on Montenegro indicates that although conditions in prisons have improved over the last years, further harmonisation with the European Union (EU) standards is needed. Also, it has been stated that the overcrowding in prisons must be reduced and that alternative sanctions and rehabilitation activities must be introduced in order to improve the detaining conditions.

The National Strategy of Judicial Reform 2007-2012 and the Action Plan for the Enforcement of the Strategy relate to the coherence and effectiveness of the existing legislation and regulatory framework in Montenegrin legislation, and regulations with regard to the implementation of human rights obligations, alternative sanctions and measures to pre-trial detention and imprisonment, through installing a probation service step-by-step. In order to make it possible for Montenegro to reach the European standards, the Ministry of Justice (MoJ) of Montenegro is implementing a new policy within the system of the enforcement of criminal sanctions, whose main characteristics involve: improving the legislative framework, promoting alternative sanctions, reducing the prison population and improving the conditions in prisons. This new policy was supported by EC Instrument for Pre-accession Assistance (IPA) 2009 funding, a Framework Contract (FWC) Project 'Support to the penitentiary sector in Montenegro' (implemented from mid-2011 to January 2012). The project purpose was to strengthen the capacity of the Ministry of Justice of Montenegro and the Prison Administration to effectively steer and implement the alternative sanctions system and prison management in line with EU standards and best practices, resulting in the improvement of prison conditions and the reduction of prison overcrowding.

In November 2011, the Government adopted an Action Plan for the Improvement of the Prison system which outlines the steps and activities required for the reconstruction and adaptation of the existing facilities, as well as the construction of the new ones.

In January 2012 a Deputy Minister for Execution of Criminal Sanctions in the Ministry of Justice was appointed. The Sector for execution of criminal sanctions covers three Departments:

- Department for Rights of Persons Deprived of Liberty
- Department for Conditional Liberty - Probation office
- Department for Criminal and Misdemeanour records.

At the same time, by Government Regulation, the Prison Administration (ZIKS) became part of the Ministry of Justice.

The "Master Plan of Investment in the Infrastructure in the Sectors of Education, Health, Culture, Sport and State Administration for 2011-2020", adopted by the Government of Montenegro in January 2011, envisages the construction of the Prison for Long-term Sentences and the Penitentiary Hospital in Spuž, as well as the Prison in Bijelo Polje. CEB financing was initially requested for financing construction and rehabilitation of these three objects.

In September 2012, CEB carried out a pre-appraisal mission and outlined a set of recommendations which inter alia called the MoJ to prioritize the investments for construction of penitentiary facilities in line with the priorities and availability of national budget.

In February 2013, the delegation of the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) visited Montenegro. Most of the CPT's recommendations relate to the matters to be addressed by improving the infrastructure, through the construction of new and overhaul of the existing facilities within the penitentiary sector.

Currently, through EC IPA funds, MoJ implements a twinning project "Support Penitentiary Reform in Montenegro" in partnership with Germany and the Netherlands. Through this project, MoJ shall implement measures to improve the legal framework in line with the standards and best practices of the EU, to reduce prison population, improve prison conditions and strengthen alternative sanctions. The project duration is 18 months. The implementation of these measures should be accompanied by the construction of new facilities - as prescribed by the "Master Plan of infrastructure investments in the sectors of education, health, culture, sports, and government for the period 2011-2020" (see above).

In the context of the European integration, the Government of Montenegro on 27 June 2013 adopted Action plans for negotiating Chapters 23 (Judiciary and Fundamental Rights) and 24 (Justice, Freedom and Security). The Action Plan for Chapter 23 provides priorities in the development of the infrastructure in the prison sector and calls for construction of a new prison for short-term sentences in Bijelo Polje for 150 individuals, while envisaging potential financing through a CEB loan. This Government decision follows the CEB pre-appraisal recommendations and a request to CEB was conveyed during the Governor's visit to Montenegro in July 2013.

Assignment description

The MoJ of Montenegro requested Technical Assistance (TA) for preparation of this Project. The assignment intends to carry out a Feasibility Study and an Operational Plan for the construction of the prison for short-term sentences in Bjelo Polje, as well as assist the authorities in building adequate institutional capacity to manage the Project. The Feasibility report will represent basis for the Montenegro Loan Application in 2014.

Budget A maximum indicative budget of €115,000 is envisaged for the entire assignment, out of which €15,000 is allocated for a pool of additional expert/days. The use of the contingency is subject to prior approval by the CEB based on a justified request by the Consultant.

Duration The term of engagement is 5 months, commencing in July 2014. The engagement may be extended for an additional period and an additional budget equal to the original budget, if there are additional services or new needs identified upon completion of the assignment, at the discretion of CEB.

2. Provisional timetable

	TIME*
Publication Date	20 May 2014
Deadline for request for any clarifications from the CEB	3 June 2014 Midnight

Last date on which clarifications are issued by the CEB	10 June 2014	
Deadline for submission of tenders	24 June 2014	Noon
Completion date for evaluation of offers	27 June 2014	
Notification of award	1 July 2014	
Contract signature	11 July 2014	

* All times are in the time zone of Paris, France

4. Pre-qualification criteria

PQQ Evaluation Criteria	PQQ Sub-Criteria	Weighting	PQQ Cross Reference
Economic and Financial Capacity Staff Resources	Turnover	Minimum 400 000 EUR/year in 2011, 2012 and 2013	Section 3
	Staff numbers	Minimum 4 permanent staff	Section 4
Experience	Projects in the fields related to this contract	Minimum 5 projects equal or bigger to 200 000 EUR in fields of design, preparation and /or management of construction of social infrastructure (healthcare facilities, education facilities, public administrative buildings, etc.) in the last 8 years.	Section 5

5. How to obtain the tender documentation?

Companies interested in this tender should write to the Procurement Department of the CEB by email to the address procurement@coebank.org before the 10 June 2014, 17.00 hours indicating in the subject of the email the reference to the publication of this call for tenders. The CEB Procurement Department will then forward the tender package including Terms of Reference, Instructions to Tenderers and all necessary forms.

6. Content of the offer

The Applicant (in case of a joint application, each consortium member) shall provide the Statement of Integrity (Enclosure 3) duly completed and signed.

The Applicant shall complete the Pre-Qualification Questionnaire (Annex 3) and submit it, together with any requested supporting information in a sealed envelope marked *PRE-QUALIFICATION QUESTIONNAIRE*.

The applicant shall submit and offer according to the enclosed template (Annex 3) and submit it in a sealed envelope marked *TECHNICAL OFFER*.

The applicant shall submit a financial offer with its best price according to the enclosed template (Enclosure 1b) in a sealed envelope marked *FINANCIAL OFFER*.

All documents shall be in English.

7. Additional information, questions before the deadline.

No additional information will be provided. Any potential bidders that would like to ask questions about this tender should do it in writing by email to procurement@coebank.org, indicating in the subject of their message "CONSULTANCY SERVICES FOR THE PREPARATION STAGES OF THE CONSTRUCTION OF A PRISON FOR SHORT TERM SENTENCES IN BJELO POLJE IN MONTENEGRO. FIP 17453 / SCA 14".

Any questions related to this tender should arrive by the 3 June 2014, midnight. Questions that arrive later than this will not be answered.

CEB will provide answers to the questions at the latest by 10 June 2014, by publishing updates to this notice in the procurement section of the website of CEB (www.coebank.org).

8. Acceptance and rejection of bids

CEB reserves the right to accept or reject non-substantive defects that might affect bids. CEB will reject expressions of interest received after the submission deadline, without any penalty or justification.

9. Modification or cancellation of the tender

CEB reserves the right to modify or cancel, at any time, all or part of this tender as necessary, without having to justify its action or incurring any liability to potential bidders.

10. Presentation and submission conditions

Tenders shall be submitted in three sealed envelopes, as explained in point 6, before the submission deadline.

The date of reception by CEB shall serve as evidence in this respect. The inner-envelope shall be marked: "Not to be opened by the mail service" while the outer-envelope shall be marked "Procurement Department - Tender for CONSULTANCY SERVICES FOR THE PREPARATION STAGES OF THE CONSTRUCTION OF A PRISON FOR SHORT TERM SENTENCES IN BJELO POLJE IN MONTENEGRO. - FIP 17453 / SCA 14", and be sent to the following address:

**Council of Europe Development Bank
Procurement Department
34 rue Boissiere
75116 Paris - France**

Tenders that arrive after the submission deadline, 24 June 2014, noon, shall be rejected and re-directed unopened to the Sender.