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**Contract notice**  
(Directive 2004/18/EC)

## Section I : Contracting authority

### I.1) Name, addresses and contact point(s):

Official name: [Association for Regional and Local Development "Progress"](#) National ID: (if known) [865-243-45-27](#)

Postal address: [Dzierdziowka 164](#)

Town: [Zbydniow](#)

Postal code: [37416](#)

Country: [Poland \(PL\)](#)

Contact point(s): [Republican unitary maintenance and construction enterprise "Dnepro-Bug Waterway"](#) Telephone:

For the attention of: [Mr. Andrey Rekesh](#)

E-mail: [secretary@e40restoration.eu](mailto:secretary@e40restoration.eu)

Fax:

**Internet address(es):** (if applicable)

General address of the contracting authority/entity: (URL) <http://www.dneprobug.by/>

Address of the buyer profile: (URL)

Electronic access to information: (URL) <http://www.dneprobug.by/e40restoration.html>

Electronic submission of tenders and requests to participate: (URL)

### Further information can be obtained from

- The above mentioned contact point(s)  Other (please complete Annex A.I)

### Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from

- The above mentioned contact point(s)  Other (please complete Annex A.II)

### Tenders or requests to participate must be sent to

- The above mentioned contact point(s)  Other (please complete Annex A.III)

### I.2) Type of the contracting authority

- Ministry or any other national or federal authority, including their regional or local sub-divisions
- National or federal agency/office
- Regional or local authority
- Regional or local agency/office
- Body governed by public law
- European institution/agency or international organisation
- Other: (please specify)

[Republican unitary maintenance and construction enterprise](#)

### **I.3) Main activity**

- General public services
- Defence
- Public order and safety
- Environment
- Economic and financial affairs
- Health
- Housing and community amenities
- Social protection
- Recreation, culture and religion
- Education
- Other: *(please specify)*

### **I.4) Contract award on behalf of other contracting authorities**

The contracting authority is purchasing on behalf of other contracting authorities:

yes  no

*information on those contracting authorities can be provided in Annex A*

## Section II : Object of the contract

### II.1) Description :

#### II.1.1) Title attributed to the contract by the contracting authority :

Development of Feasibility Study of E40 Dnieper-Vistula Waterway Restoration

#### II.1.2) Type of contract and location of works, place of delivery or of performance :

choose one category only – works, supplies or services – which corresponds most to the specific object of your contract or purchase(s)

- |   |   |  |
|---|---|--|
| <input type="radio"/> Works   | <input type="radio"/> Supplies                  | <input checked="" type="radio"/> Services  |
| <input type="checkbox"/> Execution  | <input type="checkbox"/> Purchase               | Service category No:                       |
| <input type="checkbox"/> Design and execution   | <input type="checkbox"/> Lease                  | Please see Annex C1 for service categories |
| <input type="checkbox"/> Realisation, by whatever means of work, corresponding to the requirements specified by the contracting authorities | <input type="checkbox"/> Rental                 |  |
|   | <input type="checkbox"/> Hire purchase          |  |
|   | <input type="checkbox"/> A combination of these |  |

Main site or location of works, place of delivery or of performance :

Belarus, Poland, Ukraine

NUTS code:

#### II.1.3) Information about a public contract, a framework agreement or a dynamic purchasing system (DPS):

- The notice involves a public contract  
 The notice involves the establishment of a framework agreement  
 The notice involves the setting up of a dynamic purchasing system (DPS)

#### II.1.4) Information on framework agreement : (if applicable)

- Framework agreement with several operators       Framework agreement with a single operator

Number :

or

(if applicable) maximum number :                      of participants to the framework agreement envisaged

#### Duration of the framework agreement

Duration in years :                      or    in months :

Justification for a framework agreement, the duration of which exceeds four years :

#### Estimated total value of purchases for the entire duration of the framework agreement (if applicable, give figures only)

Estimated value excluding VAT :                      Currency :

or

Range: between :                      : and :                      :    Currency :

Frequency and value of the contracts to be awarded : (if known)

#### II.1.5) Short description of the contract or purchase(s) :

The overall objective of the project of which this contract will be a part is to contribute to greater economic attractiveness and transport accessibility of the Polish, Belarusian and Ukrainian regions through successful implementation of Phase 1 "Analysis and preparation" and laying a foundation for implementation of Phase 2 "Planning" and Phase 3 "Construction" of the big-scale infrastructure project on restoration of an important international arterial waterway E40 on the section Dnieper – Prypiać – Dnerpo-Bug waterway – Muchaviec – Zachodni Buh – Vistula. The expected result of the Phase 1 "Analysis and preparation" is a comprehensive Feasibility Study of E40 restoration.

The main result to be achieved by the Contractor is the comprehensive Feasibility Study, consisting of following parts:

- Transport Economic and Market Analysis Report;
- Environmental and Socio-Economic Impact Assessment Report;
- Navigability Report and Technical Specifications of the E40 Waterway;
- Financing and legal/institutional arrangements Report.

**II.1.6) Common procurement vocabulary (CPV) :**

	Main vocabulary	Supplementary vocabulary (if applicable)
Main object	73210000	

**II.1.7) Information about Government Procurement Agreement (GPA) :**

The contract is covered by the Government Procurement Agreement (GPA) :  yes  no

**II.1.8) Lots:** (for information about lots, use Annex B as many times as there are lots)

This contract is divided into lots:  yes  no

(if yes) Tenders may be submitted for

one lot only

one or more lots

all lots

**II.1.9) Information about variants:**

Variants will be accepted :  yes  no

**II.2) Quantity or scope of the contract :**

**II.2.1) Total quantity or scope :** (including all lots, renewals and options, if applicable)

- The Feasibility Study shall review previous work and undertake the required investigations and analysis of the technical, environmental, socioeconomic, institutional, legal and financial viability and sustainability of the E40 waterway development and operation while taking into account the needs of the riparian countries (water transport infrastructure development for the needs of industry, safe navigation, borders security, draught mitigation and flood protection, irrigation, hydropower generation, tourism, recreation and environmental services).
- The Feasibility Study will provide and analyse 3 realistic alternative scenarios of the Dnieper-Vistula waterway restoration (with special focus on the elimination of the E40's "bottlenecks" and sections with insufficient parameters according to the European Agreement on Main Inland Waterways of International Importance (AGN). One priority scenario of the Dnieper-Vistula waterway restoration that would consider the interests of all stakeholders will be determined and approved by Cross-border Commission on the development of the Dnieper-Vistula waterway.
- The Feasibility Study will provide the international organisations, governments of the three countries and regional authorities with recommendations on measures to be undertaken in order to restore and develop the E40 waterway in an ecologically, environmentally, and economically sustainable manner. It is expected that the

proposed measures of restoration of the Dnieper-Vistula waterway will be implemented into European, national and regional strategies and development programmes for the next programming period.

• The Feasibility Study should lay down a foundation for implementation of Phase 2 "Planning" of the E40 project which should result the preparation of the planning and construction documentation for the infrastructure construction works.

*(if applicable, give figures only)*

Estimated value excluding VAT : 395000.00 Currency : EUR

or

Range: between : : and : : Currency :

**II.2.2) Information about options :** *(if applicable)*

Options :  yes  no

*(if yes)* Description of these options :

*(if known)* Provisional timetable for recourse to these options :

in months : or in days : (from the award of the contract)

**II.2.3) Information about renewals :** *(if applicable)*

This contract is subject to renewal:  yes  no

Number of possible renewals: *(if known)* or Range: between : and:

*(if known)* In the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts:

in months: or in days: (from the award of the contract)

**II.3) Duration of the contract or time limit for completion:**

Duration in months : 11 or in days: (from the award of the contract)

or

Starting: (dd/mm/yyyy)

Completion: (dd/mm/yyyy)

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

### III.1) Conditions relating to the contract:

#### III.1.1) Deposits and guarantees required: *(if applicable)*

#### III.1.2) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them:

#### III.1.3) Legal form to be taken by the group of economic operators to whom the contract is to be awarded: *(if applicable)*

#### III.1.4) Other particular conditions: *(if applicable)*

The performance of the contract is subject to particular conditions :  yes  no  
*(if yes) Description of particular conditions:*

### III.2) Conditions for participation:

#### III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers:

Information and formalities necessary for evaluating if the requirements are met:

Participation is open to all natural persons who are nationals of and legal persons [participating either individually or in a grouping (consortium) of tenderers] which are effectively established in a Member State of the European Union or in a eligible country or territory as defined under the Regulation (EU) N°236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable Instrument under which the contract is financed. Participation is also open to international organisations. All supplies under this contract must originate in one or more of these countries. All eligible natural and legal persons (as per item 11 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 members of a consortium (ie, the leader and all other members) are jointly and severally liable to the Contracting Authority. The participation of an ineligible natural or legal person (as per item 11) 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.

#### III.2.2) Economic and financial ability:

Information and formalities necessary for evaluating if the requirements are met:

Economic and financial capacity of candidate (based on item 3 of the application form). In case of candidate being a public body, equivalent information should be provided. The objective of this criterion is to examine

Minimum level(s) of standards possibly required: *(if applicable)*

Financial criteria for legal and natural persons:  
• the average annual turnover of the candidate must exceed the annualised maximum budget of the contract

whether or not the candidate (i.e., the consortium as a whole, in the case of an application from a consortium):

- will not be economically dependent on the Contracting Authority in the event that the contract is awarded to it; and
- has sufficient financial stability to handle the proposed contract.

(i.e., the maximum budget stated in the contract notice divided by the initial contract duration in years, where this exceeds 1 year); and

- Current ratio (current assets/current liabilities) must be at least between 1,5 and 3.

### III.2.3) Technical capacity:

Information and formalities necessary for evaluating if the requirements are met:

Technical capacity of candidate (based on items 5 and 6 of the application form). The objective of this criterion is to examine whether or not the candidate (ie, the consortium as a whole, in the case of an application from a consortium has sufficient expertise and experience to be able to handle the proposed contract.

Professional capacity of candidate (based on items 4 and 5 of the application form). The objective of this criterion is to examine whether or not the candidate (i.e., the consortium as a whole, in the case of an application from a consortium):

- has sufficient ongoing staff resources and expertise to be able to handle the proposed contract
- is not a so-called 'body shop', i.e., a candidate with no real expertise in fields related to the contract but which simply identifies and proposes experts to fit the project description

Minimum level(s) of standards possibly required: (*if applicable*)

Technical criterion applicable to both legal and natural persons:

- the candidate has successfully provided services as the sole contractor or main consortium partner on at least 2 projects with a budget of at least Euro 400.000 in fields related to this contract in the past 10 years. This means that the project the candidate refers to could have been started or completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period Candidates/tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, proof of final payment). In case of projects still ongoing only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value. If a candidate/tenderer has implemented the project in a consortium, the percentage that the candidate/tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided if the selection criteria relating to the pertinence of the experience have been used.

Professional criteria for legal and natural persons:

- at least 10 staff currently work for the candidate(s) (i.e. the consortium as a whole, in the case of an application from a consortium) in the fields related to this contract (e.g. Hydrographer, Navigation Specialist, Hydrologist, Field Surveyor, Naval Architect, Dredging Expert/Civil Engineer, Geologist, Environmental Expert, Aquatic and Terrestrial Biologist or Ecologist, Sociologist, Economist, Transport Modelling and Forecasting Expert, Logistics Expert, Legal/Institutional Expert, Public Private Partnerships (PPP) Expert);
- at least 20% of all staff working for the candidate this year (2014) in the fields related to this contract are permanent.

Previous experience which caused breach of contract and termination by a Contracting Authority shall not be used as reference.

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. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of 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.

**III.2.4) Information about reserved contracts:** *(if applicable)*

- The contract is restricted to sheltered workshops
- The execution of the contract is restricted to the framework of sheltered employment programmes

**III.3) Conditions specific to services contracts:**

**III.3.1) Information about a particular profession:**

Execution of the service is reserved to a particular profession:  yes  no  
*(if yes)* Reference to the relevant law, regulation or administrative provision :

**III.3.2) Staff responsible for the execution of the service:**

Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service:  yes  no



## Section IV : Procedure

### IV.1) Type of procedure:

#### IV.1.1) Type of procedure:

Open

Restricted

Accelerated restricted

Justification for the choice of accelerated procedure:

Negotiated

Some candidates have already been selected (if appropriate under certain types of negotiated procedures) :  yes  no  
(if yes, provide names and addresses of economic operators already selected under Section VI.3 Additional information)

Accelerated negotiated

Justification for the choice of accelerated procedure:

Competitive dialogue

#### IV.1.2) Limitations on the number of operators who will be invited to tender or to participate: (restricted and negotiated procedures, competitive dialogue)

Envisaged number of operators:

or

Envisaged minimum number: 4 and (if applicable) maximum number 8

Objective criteria for choosing the limited number of candidates:

If more than 8 eligible candidates meet the selection criteria, the relative strengths and weaknesses of the applications of these candidates must be reexamined to identify the eight best candidates. The only factors which will be taken into consideration during this re-examination are: 1) involvement of the experienced PL, BY, UA organizations/experts the fields related to this contract as consortium/team members, 2) experience in Eastern Europe on similar actions.

#### IV.1.3) Reduction of the number of operators during the negotiation or dialogue: (negotiated procedure, competitive dialogue)

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated :  yes  no

### IV.2) Award criteria

#### IV.2.1) Award criteria (please tick the relevant box(es))

Lowest price

or

The most economically advantageous tender in terms of

the criteria stated below (the award criteria should be given with their weighting or in descending order of importance where weighting is not possible for demonstrable reasons)

the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document

Criteria	Weighting	Criteria	Weighting
1.		6.	
2.		7.	
3.		8.	
4.		9.	
5.		10.	

#### IV.2.2) Information about electronic auction

An electronic auction will be used  yes  no

(if yes, if appropriate) Additional information about electronic auction:

#### IV.3) Administrative information:

**IV.3.1) File reference number attributed by the contracting authority:** (if applicable)

[IPBU809/E40/FSR/Service/2](#)

**IV.3.2) Previous publication(s) concerning the same contract:**

yes  no

(if yes)

Prior information notice  Notice on a buyer profile

Notice number in the OJEU: of: (dd/mm/yyyy)

Other previous publications(if applicable)

**IV.3.3) Conditions for obtaining specifications and additional documents or descriptive document:** (in the case of a competitive dialogue)

Time limit for receipt of requests for documents or for accessing documents

Date: [25/08/2014](#) Time: [18:00](#)

Payable documents  yes  no

(if yes, give figures only) Price: Currency:

Terms and method of payment:

**IV.3.4) Time limit for receipt of tenders or requests to participate:**

Date: [29/08/2014](#) Time: [18:00](#)

**IV.3.5) Date of dispatch of invitations to tender or to participate to selected candidates:** (if known, in the case of restricted and negotiated procedures, and competitive dialogue)

Date: [04/09/2014](#)

**IV.3.6) Language(s) in which tenders or requests to participate may be drawn up:**

Any EU official language

Official EU language(s):

[EN](#)

Other:

**IV.3.7) Minimum time frame during which the tenderer must maintain the tender:**

until: :

or

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

**IV.3.8) Conditions for opening of tenders:**

Date :                      (dd/mm/yyyy)    Time

*(if applicable)* Place:

Persons authorised to be present at the opening of tenders *(if applicable)* :

yes     no

*(if yes)* Additional information about authorised persons and opening procedure:

## Section VI: Complementary information

### VI.1) Information about recurrence: *(if applicable)*

This is a recurrent procurement :  yes  no

*(if yes)* Estimated timing for further notices to be published:

### VI.2) Information about European Union funds:

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

*(if yes)* Reference to project(s) and/or programme(s):

[Grant Contract IPBU.01.03.00-60-809/11-00 "Restoration of the E-40 waterway on the Dnieper-Vistula section: from strategy to planning" financed by ENPI Cross-border Cooperation Programme Poland - Belarus - Ukraine 2007-2013.](#)

### VI.3) Additional information: *(if applicable)*

### VI.4) Procedures for appeal:

#### VI.4.1) Body responsible for appeal procedures:

Official name:

Postal address:

Town:

Postal code:

Country:

Telephone:

E-mail:

Fax:

Internet address: *(URL)*

#### Body responsible for mediation procedures *(if applicable)*

Official name:

Postal address:

Town:

Postal code:

Country:

Telephone:

E-mail:

Fax:

Internet address: *(URL)*

#### VI.4.2) Lodging of appeals: *(please fill in heading VI.4.2 or if need be, heading VI.4.3)*

#### VI.4.3) Service from which information about the lodging of appeals may be obtained:

Official name:

Postal address:

Town:

Postal code:

Country:

Telephone:

E-mail:

Fax:

Internet address: (*URL*)

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

[18/07/2014](#) (*dd/mm/yyyy*) - ID:2014-094987

**Annex A**  
**Additional addresses and contact points**

**I) Addresses and contact points from which further information can be obtained**

Official name: National ID: *(if known)*  
Postal address:  
Town: Postal code: Country:  
Contact point(s): Telephone:  
For the attention of:  
E-mail: Fax:  
Internet address: *(URL)*

**II) Addresses and contact points from which specifications and additional documents can be obtained**

Official name: National ID: *(if known)*  
Postal address:  
Town: Postal code: Country:  
Contact point(s): Telephone:  
For the attention of:  
E-mail: Fax:  
Internet address: *(URL)*

**III) Addresses and contact points to which tenders/requests to participate must be sent**

Official name: National ID: *(if known)*  
Postal address:  
Town: Postal code: Country:  
Contact point(s): Telephone:  
For the attention of:  
E-mail: Fax:  
Internet address: *(URL)*

**IV) Address of the other contracting authority on behalf of which the contracting authority is purchasing**

Official name National ID ( if known ):  
Postal address:  
Town Postal code  
Country

----- (Use Annex A Section IV as many times as needed) -----

## Annex B Information about lots

**Title attributed to the contract by the contracting authority** Development of Feasibility Study of E40 Dnieper-Vistula Waterway Restoration

**Lot No : 1    Lot title :** DEVELOPMENT OF FEASIBILITY STUDY OF E40 DNEIPER-VISTULA WATERWAY RESTORATION

### 1) Short description:

### 2) Common procurement vocabulary (CPV):

	Main vocabulary	Supplementary vocabulary <i>(if applicable)</i>
<b>Main object</b>	73210000	

### 3) Quantity or scope:

The overall objective of the project of which this contract will be a part is to contribute to greater economic attractiveness and transport accessibility of the Polish, Belarusian and Ukrainian regions through successful implementation of Phase 1 “Analysis and preparation” and laying a foundation for implementation of Phase 2 “Planning” and Phase 3 “Construction” of the big-scale infrastructure project on restoration of an important international arterial waterway E40 on the section Dnieper – Prypiac – Dnerpo-Bug waterway – Muchaviec – Zachodni Buh – Vistula. The expected result of the Phase 1 “Analysis and preparation” is a comprehensive Feasibility Study of E40 restoration.

The main result to be achieved by the Contractor is the comprehensive Feasibility Study, consisting of following parts:

- Transport Economic and Market Analysis Report;
- Environmental and Socio-Economic Impact Assessment Report;
- Navigability Report and Technical Specifications of the E40 Waterway;
- Financing and legal/institutional arrangements Report.
- The Feasibility Study shall review previous work and undertake the required investigations and analysis of the technical, environmental, socioeconomic, institutional, legal and financial viability and sustainability of the E40 waterway development and operation while taking into account the needs of the riparian countries (water transport infrastructure development for the needs of industry, safe navigation, borders security, draught mitigation and flood protection, irrigation, hydropower generation, tourism, recreation and environmental services).
- The Feasibility Study will provide and analyse 3 realistic alternative scenarios of the Dnieper-Vistula waterway restoration (with special focus on the elimination of the E40’s “bottlenecks” and sections with insufficient parameters according to the European Agreement on Main Inland Waterways of International Importance (AGN). One priority scenario of the Dnieper-Vistula waterway restoration that would consider the interests of all stakeholders will be determined and approved by Cross-border Commission on the development of the Dnieper-Vistula waterway.
- The Feasibility Study will provide the international organisations, governments of the three countries and regional authorities with recommendations on measures to be undertaken in order to restore and develop the E40 waterway in an ecologically, environmentally, and economically sustainable manner. It is expected that the proposed measures of restoration of the Dnieper-Vistula waterway will be implemented into European, national and regional strategies and development programmes for the next programming period.

• The Feasibility Study should lay down a foundation for implementation of Phase 2 “Planning” of the E40 project which should result the preparation of the planning and construction documentation for the infrastructure construction works.

(if known, give figures only) Estimated cost excluding VAT: 395000.00

Currency: EUR

or

Range: between :

and:

Currency:

**4) Indication about different date for duration of contract or starting/completion:** *(if applicable)*

Duration in months : 12 or in days : (from the award of the contract)

or

Starting: (dd/mm/yyyy)

Completion: (dd/mm/yyyy)

**5) Additional information about lots:**



**Annex C1 – General procurement**  
**Service categories referred to in Section II: Object of the contract**  
**Directive 2004/18/EC**

<b>Category No [1]</b>	<b>Subject</b>
1	Maintenance and repair services
2	Land transport services [2], including armoured car services, and courier services, except transport of mail
3	Air transport services of passengers and freight, except transport of mail
4	Transport of mail by land [3] and by air
5	Telecommunications services
6	Financial services: a) Insurances services b) Banking and investment services [4]
7	Computer and related services
8	Research and development services [5]
9	Accounting, auditing and bookkeeping services
10	Market research and public opinion polling services
11	Management consulting services [6] and related services
12	Architectural services; engineering services and integrated engineering services; urban planning and landscape engineering services; related scientific and technical consulting services; technical testing and analysis services
13	Advertising services
14	Building-cleaning services and property management services
15	Publishing and printing services on a fee or contract basis
16	Sewage and refuse disposal services; sanitation and similar services
<b>Category No [7]</b>	<b>Subject</b>
17	Hotel and restaurant services
18	Rail transport services
19	Water transport services
20	Supporting and auxiliary transport services
21	Legal services
22	Personnel placement and supply services [8]
23	Investigation and security services, except armoured car services
24	Education and vocational education services
25	Health and social services
26	Recreational, cultural and sporting services [9]
27	Other services

1 Service categories within the meaning of Article 20 and Annex IIA to Directive 2004/18/EC.

2 Except for rail transport services covered by category 18.

3 Except for rail transport services covered by category 18.

4 Except financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services. The following are also excluded: services involving the acquisition or rental, by whatever financial means, of land, existing buildings or other immovable property or concerning rights thereon. However, financial service contracts concluded at the same time as, before or after the contract of acquisition or rental, in whatever form, shall be subject to the Directive.

- 5 Except research and development services other than those where the benefits accrue exclusively to the contracting authority for its use in the conduct of its own affairs on condition that the service provided is wholly remunerated by the contracting authority.
- 6 Except arbitration and conciliation services.
- 7 Service categories within the meaning of Article 21 and Annex IIB of Directive 2004/18/EC.
- 8 Except employment contracts.
- 9 Except contracts for the acquisition, development, production or co-production of program material by broadcasters and contracts for broadcasting time.