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## WORKS PROCUREMENT NOTICE

### Construction works on the business administration facility "Centre for Exchange of Information on Cross-Border Cooperation" in Vladicin Han Municipality

Vladicin Han, Region of Pcinja, Republic of Serbia

**1. Publication reference**

2007CB16IPO006-2009-1-3/003/PP2/RL

**2. Procedure**

Competitive negotiated

**3. Programme**

Bulgaria – Serbia IPA Cross-border Programme (CCI Number: 2007CB16IPO006)

**4. Financing**

Budget line 5/PP2 Investments, Small scale construction under subsidy contract №. PД-02-29-245/02.08.2011. Project: №. 2007CB16IPO006-2009-1-3. Project Name: Centre for Exchange of Information on Cross-Border Cooperation. [Acronym: CONNECTION]

**5. Contracting Authority**

Municipality of Vladičin Han

Svetosavska 1 17510 Vladičin Han, Serbia

### CONTRACT SPECIFICATIONS

**6. Description of the contract**

This works contract is to be implemented in accordance with the conditions for works contracts of the Practical Guide to contract procedures for European Union External Actions. The subject of the contract is to Construction of a new business administration facility on cadastral lot k.p.3385/3 Cadastral municipality KO Vladicin Han at the location known as KULA. Facility has floor structure consisting of cellar+ground floor+1. On the ground floor there are two offices, conference room, and a hall with a buffet room, sanitary facilities, a lift and the staircase. On the floor, the rooms are identical except for the fact that one office is bigger and the conference hall can be partitioned with the folding door so as to get two classrooms. All the rooms shall be adapted for the disabled: this refers to the size of the opening, windshield, use of lift, special toilet as well as adequate arrangement of desks in the classrooms and offices. Facility shall be an ENEGRY EFFICIENT BUILDING.

**7. Number and titles of lots**

The works are not divided into Lots.

## TERMS OF PARTICIPATION

### 8. Eligibility and rules of origin

Participation is open to all legal persons [participating either individually or in a grouping (consortium) of tenderers] which are established in a Member State of the European Union or in a country or territory of the regions covered and/or authorised by the specific instruments applicable to the programme under which the contract is financed (see also heading 22 below). All works, supplies and services under this contract must originate in one or more of these countries. Participation is also open to international organisations. The participation of natural persons is directly governed by the specific instruments applicable to the programme under which the contract is financed.

### 9. Grounds for exclusion

Tenderers must submit a signed declaration, included in the Tender Form for a Works Contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the **Practical Guide to contract procedures for EU external actions**.

### 10. Number of tenders

Tenderers may submit only one tender per lot. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot. Tenderers may not submit a tender for a variant solution in addition to their tender for the works required in the tender dossier.

### 11. Tender guarantee

No tender guarantee is required

### 12. Performance guarantee

The successful tenderer will be asked to provide a performance guarantee of 10% of the amount of the contract at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days after the tenderer receives the contract signed by the Contracting Authority. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next cheapest compliant tender.

### 13. Information meeting and/or site visit

An optional information meeting and site visit will be held on 25.09.2012 at Vladicin Han municipality. Place on Clarification meeting Municipality of Vladicin Han, street Svetosavska № 1. and Place on Site visit: Municipality of Vladicin Han, Location KULA. Contact person: Siniša Simonovic

### 14. Tender validity

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders.

### 15. Period of implementation of tasks

The time for completion of works shall be **100 days** from the date of the contract signature by the last party (Contractor) but the possible extension of 90 days will be the subject of approval by the Managing Authority.

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## SELECTION AND AWARD CRITERIA

### 16. Selection criteria

The following selection criteria will be applied to tenderers. This criterion will be applied to legal and natural persons. In the case of a tender submitted by a joint venture/consortium, unless specified, these selection criteria will be applied to the joint venture/consortium as a whole:

#### 1) General

- a. The tenderer must be a firm or a natural person duly registered as per the national law and/or accordingly authorised to carry out the works specified under this contract;

#### 2) Economic and financial capacity of tenderers:

- a. The average annual turnover of the following three (3) years (2011, 2010, 2009) is at least EUR 500000.
- b. The tenderer shall provide evidence of secured financing of not less than EUR 50000 in form of cash at hand, secured irrevocable credit line granted by a reputable bank or other acceptable form of funds. If the tenderer it is the sole tenderer it must have access to sufficient credit and other financial facilities to cover the required cash-flow for the duration of the contract. In any case, the amount of credit available must exceed the equivalent of EUR 50 000.
- c. The tenderer should present an appropriate statements from banks or evidence of professional risk indemnity insurance;
- d. The tenderer shall have the annual net earnings in the past 3 years strictly positive and growing;
- e. In case of a consortium/joint venture, the economic and financial capacity requested shall be as follows:
  - The leading partner shall meet not less than 50% of the economic and financial standing criteria specified below;
  - Each other partner shall meet not less than 10% of the economic and financial standing criteria;
  - the tenderer (in case of a joint venture all member together) must have annual turnovers at the equivalence to EUR 500 000 in the last three years (2011, 2010, 2009)

### 3) Technical and professional capacity of candidate:

- a. The tenderer must be a registered firm or a natural person legally capable of carrying out the specified works according Serbian Law. Tenderer must have quality standard certificate ISO 9001, ISO 14001 and OHSAS 18001, copies of which will be attached as proof.
- b. The tenderer (in case of a joint venture all members of the joint venture together) must have completed at least 3 projects of the same nature/amount/complexity comparable to the works concerned by the tender which were implemented during the following period: 5 years from the submission deadline, 15.10.2012. For projects of similar nature comparable to the works concerned will be accepted works for construction of business or administrative facility. Copies of the respective taking-over or final acceptance certificates signed by the supervisor/contracting authority of the projects concerned must be submitted. Tenderer's certificates for ongoing works will not be taken into consideration.
- c. The tenderers leading partners of a Joint Venture or Consortia shall meet not less than 50% of the technical and professional capacity specified above, and:
  - if he is a sole tenderer he must carry out at least 70% of the contract works by his own resources, which means that he must have the equipment, materials, human and financial resources necessary to enable him to carry out that percentage of the contract
  - if he is the lead member of a joint venture/consortium, he must have the ability to carry out at least 50% of the contract works by his own means.
  - if he is another partner of a joint venture/consortium (i.e. not the lead member) he must have the ability to carry out at least 10% of the contract works by his own means.
- d. it must have the necessary technical capacity, i.e. machines, equipment, to prove that he can fulfil the works.
  - Trenching machines
  - Transportation vehicles
  - Concrete mixing and placing plant
  - Lifting equipment
  - Scaffold
- e. Key Personnel: The Tenderer must have suitably qualified personnel to fill the key positions. Key personnel (Site Manager-Civil Engineer, Electrical Engineer and Mechanical Engineer) must have at least 3 years' appropriate experience and proven qualifications relevant to works of a similar nature to this project and have possess the required licenses.

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. Some examples of when it may *not* be considered appropriate by the Contracting Authority are when the tender rely in majority on the capacities of other entities or when they rely on key criteria. If the tender rely on other entities it must 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. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the Contracting Authority.

## 17. Award criteria

Price

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## TENDERING

### 18. How to obtain the tender dossier

The tender dossier is available from Municipality of Vladičin Han, Svetosavska № 1. Vladičin Han, Serbia. It is also available for inspection at the premises of the Contracting Authority, address as in point 5 above. Tenders must be submitted using the standard tender form included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to email: hawk13@open.telekom.rs and postal addresses: Sinisa Simonovic, Municipality of Vladičin Han, Svetosavska 1. 17510 Vladičin Han, Serbia. (mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19. The Contracting Authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier will be published at the latest 11 days before the submission deadline on the website Vladičin Han Municipality <http://www.vladicinhan.org.rs>.

### 19. Deadline for submission of tenders

15.10.2012, 15:00 o'clock at local time

Any tender received after this deadline will not be considered.

### 20. Tender opening session

16.10.2012 at 12:00 o'clock local time. The premises of Municipality of Vladičin Han, Svetosavska № 1. Vladičin Han, Serbia

### 21. Language of the procedure

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

### 22. Legal basis

- Council Regulation (EC) **No 1085/2006** of 17 July 2006 establishing an Instrument for Pre-accession Assistance – the IPA general regulation;
- Commission Regulation (EC) **No 718/2007** of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an instrument for pre-accession assistance – the IPA implementing regulation (IPA IR).
- Regulation of European Parliament and Council (EU) No. 540/2010 of 16 June 2010 amending Council Regulation (EC) No 1085/2006;
- Commission Regulation (EC) **No 80/2010** of 28 January 2010 amending Regulation (EC) No 718/2007 implementing Council Regulation (EC) No 1085/2006 establishing an instrument for pre-accession assistance (IPA)
- Bulgaria – Serbia IPA Cross Border Programme, approved by the European Commission on 25.03.2008 with programme reference number C (2008) 1058