
WORKS CONTRACT NOTICE

“Serbia Floods Rehabilitation Support”- Emergency works project “Flood Protection System – Macva” Republic of Serbia

1. Publication reference

EuropeAid/137976/DH/WKS/RS

2. Procedure

Open

3. Programme title

“Serbia Floods Rehabilitation Support”- Emergency works project “Flood Protection System – Macva”

Lot 1 - East Zone, Drenovac – Cevrntija, Right river bank embankment of the Sava River from km: 18+030 to km 23+100

Lot 2 - West zone, Section 2: Banov Brod – Salas Crnobarski reconstruction of right embankment of the river Sava and of the river Drina (km: 52+832 - km: 63+753)

4. Financing

IPA 2014 National Programme for Serbia, Special measure on flood recovery and flood risk management.

5. Contracting Authority

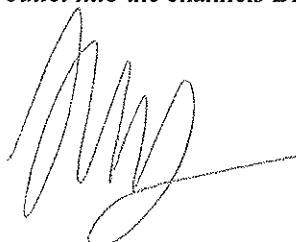
European Commission, on behalf of and for the account of Republic of Serbia.

CONTRACT SPECIFICATIONS

6. Description of the contract

Lot 1 - East Zone, Drenovac – Cevrntija, Right river bank embankment of the Sava River from km: 18+030 to km 23+100

- 1) Reconstruct five (5) km of the right side river embankment according to newly defined parameters.
- 2) Constructions close to the embankment, used during the floods.
- 3) Reconstruct two service roads along the embankment and 6 access roads used for transport of material and machinery during emergency situations.
- 4) Reconstruct gravitation and pressure pipeline at the outlet into the channels Bitva in the pump station Kalenica Revenica location.



Lot 2 - West zone, Section 2: Banov Brod – Salas Crnobarski reconstruction of right embankment of the river Sava and of the river Drina (km: 52+832 - km: 63+753)

- 1) Reconstruct ten point nine (10.9) km of the right side river embankment according to newly defined parameters.
- 2) Constructions close to the embankment, used during the floods.
- 3) Construct and reconstruct service roads along the embankment, access ramps and 13 access roads used for transport of material and machinery during emergency situations.

7. Number and titles of lots

2 LOTS

- Lot 1- East Zone, Drenovac – Cevrtinja, Right river bank embankment of the Sava River from km: 18+030 to km 23+100
- Lot 2 West zone, Section 2: Banov Brod – Salas Crnobarski reconstruction of right embankment of the river Sava and of the river Drina (km: 52+832 - km: 63+753)

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 item 22 below). All goods supplied under this contract must originate in one or more of these countries. Participation is also open to international organisations. 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**.

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

Tenderers must provide a tender guarantee of

- **Lot 1 -70 000,00 Euros**
- **Lot 2 -70 000.00 Euro**



when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender

procedure has been completed and to the successful tenderer[s] upon signature of the contract by all parties.

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

A mandatory information meeting and site visit will be held.

During the following days 11-14/09/2017 starting from 10:00-14:00 CET

14. Tender validity

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders. In exceptional circumstances, the Contracting Authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period.

15. Period of implementation of tasks

18 months works + 12 months DNP

SELECTION AND AWARD CRITERIA

16. Selection criteria

The selection criteria for each tenderer are as follows:

In case a tenderer applies for one lot the Tenderer must comply with the following selection criteria:

Economic and financial capacity of candidate:

- a) The average annual turnover of the tenderer for the last 3 years (2014, 2015 and 2016) must be at least EUR 5.0 million.
- b) The tenderer 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 1.000.000. The credit amounts in euro must be provided by recognized banks and must be designated specifically for the project.

Technical and professional capacity of candidate:

- a) The tenderer must have completed at least two (2) contracts (with a portion of the contract being at least 1,500,000 EUR) for the works of similar nature and complexity (in the field of construction or reconstruction or recovery works on: embankments, or earth filled dams, or riverbed training or riverbank rain-forced), and



proving also experience in dredging works of riverbed sediment, of at least 150.000 m³, which were implemented in the course of the past 5 years (starting from 01/01/2012 up to the deadline for submission of tenders).

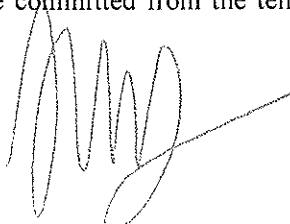
This means that the project the tenderer refers to could have been completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period.

“Completed” is to be interpreted as “Taking over/Provisional Acceptance” or “Performance Certificate” issued for construction contracts. Copies (with translation to English) of the respective certificates, signed by the Supervisor/Contracting Authority/Employer of the projects concerned must be submitted. These documents shall clearly demonstrate the compliance of the presented references with the above criteria. The Contracting Authority reserves the right to check the accuracy and validity of the information given by the tenderers in relation to reference projects.

Regarding the calculation of the contracts amounts for the completed works of the tenderers, the values will be considered at the date of the completion and will not be carried to the date of the evaluation as "net present values" and should be converted to Euro rate from: <http://ec.europa.eu/budget/infocuro/index.cfm?Language=en>.

Proposed sub-contractors (for more than 10% of the contract value) shall meet the required experience in similar works (experience detailed and specified in Form 4.6.3.8) as per the proportion of the envisaged participation (the sub-contractors shall meet the execution or/and design sub-criteria according to the nature of their involvement in the contract).

- b) The tenderer must be a registered firm or natural person legally capable of carrying out the specified works
- c) The tenderer must carry out at least 70% of the contract works using its own resources, which means that it must have the equipment, materials, human and financial resources necessary to carry out that percentage of the contract.
- d) The lead member of a joint venture/consortium, must be able to carry out at least 50% of the contract works using its own means.
- e) Any member of JV should have at least permanent professional staff required for obtaining licence I080G3 for hydro technical works, as defined according to Serbian Construction and Planning Law.
- f) if it is a partner of a joint venture/consortium (i.e. not the lead member) it must be able to carry out at least 10% of the contract works using its own means.
- g) key staff - following key personnel should be committed from the tenderer to the successful achievement of this contract:



- One (1) **Project Manager (Contractor's representative)** who will coordinate the entire contract. He/she shall have a university degree, with at least 10 years of relevant post-graduated professional experience in civil engineering and project management experience in at least two projects with a similar nature and complexity. He/she should possess personal licence no. 413 or 414.
- One (1) **Site Manager**. He/she with a university degree in civil engineering with at least 5 years of relevant post-graduated professional experience and site management experience in at least one project with a similar nature, and complexity.
- In addition to the key personnel listed above, the Contractor shall propose the following staff (whose complete details and documentation shall be submitted after the signature of the contract and approval shall be received before the commencement date):
- One (1) **Site Engineer** with a university degree in civil engineering with at least 5 years of relevant post-graduated professional experience in construction of at least one project with a similar nature, size and complexity
- One (1) **Survey Engineer** with a university degree in survey engineering with at least 5 years of relevant post-graduated professional experience in one project with a similar nature, and complexity.

All the listed personnel must possess the following:

- Fluency in English, both written and spoken;
- Computer literacy.

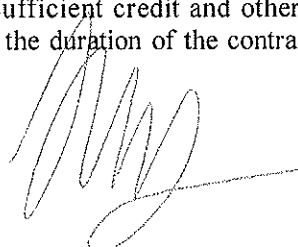
Please note that the **Site Manager** and **Site Engineer** position must possess, or being in a position to obtain before the commencement date, the relevant professional licenses (413 or 414) as required by Law on Planning and Construction of the Republic of Serbia and other relevant legal provisions.

The tenderer must submit in the tender the list, CV's and copies of diploma/degrees and employer certificates for the key personnel listed above.

In case a tenderer applies to both Lots i.e. Lot 1 and Lot 2, the tenderer must comply with the following selection criteria:

Economic and financial capacity of candidate:

- a) The average annual turnover of the tenderer for the last 3 years (2014, 2015 and 2016) must be at least EUR 7.0 million.
- b) The tenderer 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 1.600.000. The credit amounts in euro must be provided by recognized banks and must be designated specifically for the project.

Technical and professional capacity of candidate:

The tenderer must have completed

- at least three (3) contracts (with a portion of the contract being at least 3.300.000 EUR) for the works of similar nature and complexity and experience in the works on sand refilling in at least 200 000 m³, which were implemented in the course of the past 5 years (starting from 01.01.2012 up to the deadline for submission of tenders).

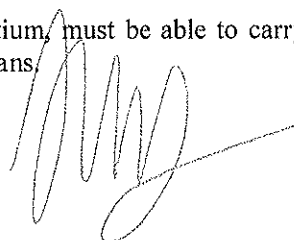
This means that the project the tenderer refers to could have been completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period.

“Completed” is to be interpreted as “Taking over/Provisional Acceptance” or “Performance Certificate” issued for construction contracts. Copies (with translation to English) of the respective certificates, signed by the Supervisor/Contracting Authority/Employer of the projects concerned must be submitted. These documents shall clearly demonstrate the compliance of the presented references with the above criteria. The Contracting Authority reserves the right to check the accuracy and validity of the information given by the tenderers in relation to reference projects.

Regarding the calculation of the contracts amounts for the completed works of the tenderers, the values will be considered at the date of the completion and will not be carried to the date of the evaluation as "net present values" and should be converted to Euro rate from: <http://ec.europa.eu/budget/inforeuro/index.cfm?Language=en>

Proposed sub-contractors (for more than 10% of the contract value) shall meet the required experience in similar works (experience detailed and specified in Form 4.6.3.8) as per the proportion of the envisaged participation (the sub-contractors shall meet the execution or/and design sub-criteria according to the nature of their involvement in the contract).

- The tenderer must be a registered firm or natural person legally capable carrying out the specified works.
- The tenderer must carry out at least 70% of the contract works using its own resources, which means that it must have the equipment, materials, human and financial resources necessary to carry out that percentage of the contract.
- The lead member of a joint venture/consortium, must be able to carry out at least 50% of the contract works using its own means.



- Any member of JV should have at least permanent professional staff required for obtaining licence I080G3 for hydro technical works, as defined according to Construction and Planning Law.
- if it is a partner of a joint venture/consortium (i.e. not the lead member) it must be able to carry out at least 10 % of the contract works using its own means.
- key staff - following key personnel should be committed from the tenderer, for each Lot, for the successful achievement of this contract:

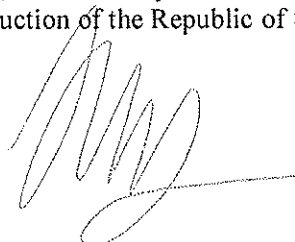
The Tenderer must provide the following key staff for each individual Lot, i.e. Lot and Lot 2 respectfully

- One (1) **Project Manager (Contractor's representative)** who will coordinate the entire contract. He/she shall have a university degree, with at least 10 years of relevant post-graduated professional experience in civil engineering and project management experience in at least two projects with a similar nature and complexity. He/she should possess personal licence no. 413 or 414.
- One (1) **Site Manager**. He/she with a university degree in civil engineering with at least 5 years of relevant post-graduated professional experience and site management experience in at least one project with a similar nature, and complexity.
- In addition to the key personnel listed above, the Contractor shall propose the following staff (whose complete details and documentation shall be submitted after the signature of the contract and approval shall be received before the commencement date):
- One (1) **Site Engineer** with a university degree in civil engineering with at least 5 years of relevant post-graduated professional experience in construction of at least one project with a similar nature, size and complexity.
- One (1) **Survey Engineer** with a university degree in survey engineering with at least 5 years of relevant post-graduated professional experience in one project with a similar nature, and complexity.

All the listed personnel must possess the following:

- Fluency in English, both written and spoken;
- Computer literacy.

Please note that the **Site Manager** and **Site Engineer** position must possess, or being in a position to obtain before the commencement date, the relevant professional licenses (413 or 414) as required by Law on Planning and Construction of the Republic of Serbia and other relevant legal provisions.



The tenderer must submit in the tender the list, CV's and copies of diploma/degrees and employer certificates for the key personnel listed above.

17. Award criteria

The most economically advantageous tender is the technically compliant tender with the lowest price.

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=public.welcome>. 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
Delegation of the European Union to the Republic of Serbia
Finance, Contracts and Audit Section
GTC 19a Avenue Building
Vladimira Popovica 40/V
11070 Belgrade, Serbia
Fax. +381 11 3083 201
E-mail address: DELEGATION-SERBIA-FCS@eeas.europa.eu

(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 EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>.

19. Deadline for submission of tenders

14.11.2017 - 12:00 CET

Any tender received by the Contracting Authority after this deadline will not be considered.

Opening hours of the Contracting Authority: 9:30-16:00 CET.

20. Tender opening session

14.11.2017 - 14:00h CET

Delegation of the European Union to the Republic of Serbia
Finance, Contracts and Audit Section
GTC 19a Avenue Building



Vladimira Popovica 40/V
11070 Belgrade, Serbia
Fax. +381 11 3083 201

21. Language of the procedure

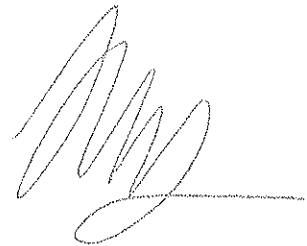
All written communications for this tender procedure and contract must be in English.

22. Repetition of similar works

Subsequent to the initial contract resulting from the current tender procedure, new works consisting in the repetition of similar works, up to the estimated amount of <amount>, may be entrusted to the initial contractor by negotiated procedure without prior publication of a contract notice, provided the new works are in conformity with the same basic project.

23. Legal basis¹

Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-Accession Assistance (IPA II) and Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned on the right side of the page.

¹ Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).

