
WORKS PROCUREMENT NOTICE

Construction of Podgorica Eastern By-Pass – Section 4 Montenegro

1. Publication reference

EuropeAid/126523/C/WKS/ME

2. Procedure

International open tender procedure

3. Programme

IPA 2007

4. Financing

2007 IPA Programme plus co-financing by the Beneficiary (Capital City of Podgorica).

5. Contracting Authority

European Community, represented by the European Commission on behalf of and for the account of the beneficiary country. Address:

The Delegation of the European Commission to Montenegro
Vuka Karadzica 12
81000 Podgorica
Montenegro

CONTRACT SPECIFICATIONS

6. Description of the contract

Construction of an urban highway, total length approximately 2.5 km., comprising dual carriageways (width 7 metres each), central median, pedestrian footpaths, and ancillary works including street lighting, provision of stormwater drainage and other utility services. The works also include the provision of two railway under-passes of insitu and pre-cast pre-stressed concrete construction, 90 metres and 12 metres in length. The majority of the site of the works is currently undeveloped.

7. Number and titles of lots

One Lot

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 EC 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

Tenderers must provide a tender guarantee of 100,000 euros (one hundred thousand euros) 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% (ten percent) 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 second best admissible tender.

13. Information meeting and/or site visit

An optional information meeting will be held on **Monday 22 September 2008**, 10:00 hrs Podgorica local time, in the premises of the Delegation of the European Commission to Montenegro.

14. Tender validity

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

15. Period of implementation

365 calendar days from the date specified in the commencement order.

SELECTION AND AWARD CRITERIA

16. Selection criteria

The minimum selection criteria for each tenderer are as follows:

1. He must be a registered firm or natural person capable of carrying out the specified works.
2. In case of a joint venture, the Lead member must reach 50% of the minimum qualifications as requested below.

NB: a joint venture as a whole must satisfy the minimum qualifications required below.

3. Their annual turnover in the past 3 years must be equivalent to 16,000,000 euros.
4. 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.
5. If he is a sole tenderer he also must have access to sufficient credit and other financial facilities to cover the required cashflow for the duration of the contract. In any case, the amount of credit available must exceed the equivalent of 2,000,000 euros.
6. 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, as defined in Subclause 4.
7. 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, as defined in Subclause 4.
8. He must have completed at least 3 projects of the same nature/amount/complexity comparable to the works concerned by the tender over the last 5 years. The Contracting Authority reserves the right to ask for copies of the respective certificates of final acceptance signed by the supervisors/contracting authority of the projects concerned.
9. All his key personnel must have at least 10 years' appropriate experience and proven qualifications relevant to works of a similar nature to this project.

17. Award criteria

Price

TENDERING

18. How to obtain the tender dossier

The tender dossier is available free of charge from the Contracting Authority:

The Delegation of the European Commission to Montenegro
Finance and Contracts Section
Vuka Karadzica 12
81000 Podgorica
Montenegro

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.

In case tenderer is not able to collect the dossier from the address, he shall organise its collection at its own expense.

Tenderers with questions regarding this tender should send them in writing to:

The Delegation of the European Commission to Montenegro
Vuka Karadzica 12
81000 Podgorica
Montenegro
Fax: +382 (0) 20 444 666
E-mail: danijela.ralevic@ec.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 to the tender dossier will be published on the EuropeAid website at http://ec.europa.eu/europeaid/work/procedures/index_en.htm.

19. Deadline for submission of tenders

October 17th 2008, 12:00 Central European Time

Any tender received after this deadline will not be considered.

20. Tender opening session

October 17th 2008, 14:00 Central European Time at the Delegation of European Commission to Montenegro
Vuka Karadzica 12
81000 Podgorica
Montenegro

21. Language of the procedure

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

22. Legal basis

Council regulation (EC) N° 1085/2006¹ of 17 July 2006.

¹ OJ L 210, 31.7.2006