
WORKS CONTRACT NOTICE

Construction of the Regional Waste Management Centre for Subotica District

Serbia

1. Publication reference

EuropeAid/133971/C/WKS/RS

2. Procedure

Open

3. Programme

IPA

4. Financing

Financing Agreement

5. Contracting Authority

European Union, represented by the Delegation of the European Union to the Republic of Serbia, on behalf of and for the account of the beneficiary country, the Republic of Serbia.

CONTRACT SPECIFICATIONS

6. Description of the contract

The overall aim of the project is the development of a regional waste management to improve access to, and delivery of environmental services and facilities in waste management.

The main focus of this contract will be the construction of a regional waste management centre that meet EU Landfill Directive 1999/31/EC. This will improve the waste management system and ultimately result in a cleaner and safer environment

7. Number and titles of lots

One lot only

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

Tenderers must provide a tender guarantee of 150,000 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% 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 site visit** will be held on 11/12/2013 from 10:30 to 15:00 at Subotica RWMC location in Subotica. The tenderer is obliged to visit and inspect the site of the works and its surroundings for the purpose of assessing, at its own responsibility, expense and risk, factors necessary for the preparation of its tender and the signing of the contract of the works.

The tenderer will need to register for the site visit at the latest on 09/12/2013 writing to:

Mrs. Kikić Andrea
Direktor
"Regionalna deponija" d.o.o. Subotica
andrea.kikic@deponija.rs

The meeting point will be in the premises of "Regionalna deponija" d.o.o, in Trg Lazara Nešića br.1.,24000 Subotica, Srbija

A **clarification meeting** for the tenderers registered for the site visit will be held by the Contracting Authority (Employer) on 12/12/2013 from 14:30 to 15:30 in its premises:

Delegation of the European Union to the Republic of Serbia
GTC 19 Avenue Building Block 19a
Vladimira Popovica 40,11070 New Belgrade, Serbia

14. Tender validity

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

15. Period of implementation of tasks

The period of implementation of tasks shall be 27 months from the commencement date.

SELECTION AND AWARD CRITERIA

16. Selection criteria

In the case of a tender submitted by a Consortium, unless specified, these selection criteria will be applied to the consortium as a whole.

The selection criteria for each tenderer are as follows:

16.1 Economic and financial capacity of candidate:

- a) The average **annual turnover** of the tenderer for the last 3 years (2011, 2012 and 2013) must be at least EUR 10 million.

This must be proven by the audited balance sheets and income statements of the tenderers for the last 3 financial years which were audited by a certified Public (Sworn)/Chartered accountant and any other document necessary to prove annual turnover of the tenderer.

- b) The tenderer must prove the 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 be at least EUR 3 million. The statement shall clearly demonstrate that the financing is available for the concerned contract.

16.2 Professional capacity of candidate:

The tenderer (consortium as a whole or sole tenderer) must fulfil the following criteria:

- a) Shall be a registered firm or natural person capable of carrying out the specified works
- b) Shall carry out at least 70% of the contract works by its own resources, which means that it must have the equipment, materials, human and financial resources necessary to enable it to carry out that percentage of the contract
- c) The lead partner in a consortium/joint venture must have the ability to carry out at least 50% of the contract works by its own means, and the combined partners (i.e. not the lead partner) at least 20%
- d) Should have at least 20 permanent professional staff with experience in the relevant sector (waste management and construction of solid waste

infrastructures)

- e) **Key personnel:** the candidate must demonstrate to have adequate personnel to carry out its duties. All key personnel from the list of key staff must possess the following:
- a bachelor's degree (completion of minimum three years course in a tertiary academic institution, or equivalent qualification)
 - fluency in English, both written and spoken

At a minimum, the following key personnel should be committed from the tenderer to the successful achievement of this project.

- One (1) **Project Manager** who will coordinate the entire contract. He/she shall be a qualified civil, mechanical, environmental or chemical Engineer with **at least 10 years** of relevant post-graduated professional experience and project management experience in at least two projects of at least EUR 5 million in the solid waste sector. Out of these 2 projects, at least one should be a construction contract according to FIDIC Plant Design-Build Conditions.
- One (1) **Assistant Project Manager**. He/she shall be a qualified civil, mechanical, environmental or chemical Engineer with at least 5 years of relevant post-graduated professional experience.
- One (1) **Quality Assurance/Quality Control Engineer**. He/she shall be a qualified Engineer with a minimum of 5 years of relevant post-graduated professional experience in procedures of works and material testing and document management.

Please note that the following site engineers positions must possess, or being in a position to obtain before the commencement date, the relevant professional licenses as required by law on Planning and Construction of the Republic of Serbia and other relevant legal provisions.

- One (1) **Site Manager**. He/she shall be a qualified Engineer with at least **8 years** of relevant post-graduated professional experience, out of which minimum 5 years in site management. He/she shall demonstrate experience in at least one project constructed according to FIDIC Plant Design Build Conditions.
- One (1) **Lead Mechanical Engineer** qualified as Mechanical Engineer with a minimum of 5 years of relevant post-graduated professional experience in construction of at least one project of at least EUR 2 million.
- One (1) **Lead Electrical Engineer** qualified as Electrical Engineer with a minimum of 5 years of relevant post-graduated professional experience in construction of at least one project of at least EUR 2 million.

- One (1) **Lead Civil Engineer** qualified as a Civil Engineer with a minimum of 5 years of relevant post-graduated professional experience in construction of at least one project of at least EUR 2 million.

The tenderer must submit in the tender the list, CV's and copies of diploma/degrees and employers certificates of all the staff listed above.

Please note that before the contract commencement date the tenderer must demonstrate that it possesses proper company licenses according to the Serbian law for the engineering and construction works.

16.3 Technical capacity of candidate:

- a) In the past 5 years (from 01.01.2009 to the tender submission deadline), the tenderer must have completed as prime contractor at least two projects of similar nature and complexity, out of which at least one project with a value of minimum EUR 8 million and one project with a value of minimum EUR 4 million.

All contracts listed above shall have been completed in the five years previous to the deadline for receiving tender proposals. "Completed" is to be intended as "Taking Over" or "Performance Certificate issued" for construction contracts. Copies (with translations into 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 the reference projects.

The bidder (lead partner or member of a joint venture) must have undertaken at least 50% of the works in a contract.

For the assessment of the technical capacity, "Nature and complexity similar to those of the works in the proposed contract" shall be interpreted as follows:

- *Similar nature and complexity:* meaning (i) experience in design, installation and commissioning of a Waste disposal site (landfill) including MRF, composting and leachate treatment OR (ii) experience in construction with predominantly earth works including excavation, transportation and compaction of soil within a Solid Waste Disposal Site Construction Contract. At least one project per type (i) and one project per type (ii) should be covered by the tenderer.

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 4.6.5) 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).

An economic operator may, where appropriate and for a particular contract, rely on the capacity 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 tenderer relies mostly on the capacity of other entities or when it relies on key criteria. If the tenderer relies on other entities it must prove to the Contracting Authority that it will have at its disposal the resources necessary to perform the contract, for example by producing an undertaking on the part of those entities to place 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 tender should include a separate document providing data on this third entity for the relevant selection criterion. Proof of capacity must be furnished at the request of the Contracting Authority.

17. Award criteria

Price

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from the EuropeAid website at:

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

and from the website of the Delegation of the European Union to the Republic of Serbia at:
www.europa.rs (section Funding Opportunities)

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.

Delegation of the European Union to the Republic of Serbia
Finance and Contracts Section, 9th Floor
GTC 19 Avenue Building Block 19a
Vladimira Popovica 40
11070 New Belgrade, Serbia
Fax no: +381 11 3083 201
Working hours: 9:30 – 16:00, Monday to Friday

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

DELEGATION-SERBIA-FCS@eeas.europa.eu
Delegation of the European Union to the Republic of Serbia
Finance and Contracts Section, 9th Floor
GTC 19 Avenue Building Block 19a
Vladimira Popovica 40
11070 New Belgrade, Serbia

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(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

12:00 hours Central European Time on **4th February 2014**

Any tender received after this deadline will not be considered.

20. Tender opening session

14:30 hours Central European Time on **4th February 2014** at the premises of the

Delegation of the European Union to the Republic of Serbia

GTC 19 Avenue Building Block 19a

Vladimira Popovica 40

11070 New Belgrade, Serbia

21. Language of the procedure

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

22. Legal basis

Instrument for Pre-Accession Assistance (Council Regulation (EC) N 1085/2006 of 17 July 2006 – OJ L 210/82 of 31.7.2006).

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