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## WORKS CONTRACTNOTICE

### Improvement of air quality through reduction in dust emissions from Thermal Power Plant Morava - RE-LAUNCH

#### Serbia

**1. Publication reference**

EuropeAid/134187/DH/WKS/RS

**2. Procedure**

Open

**3. Programme title**

IPA 2012

**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 partner country, the Republic of Serbia

#### CONTRACT SPECIFICATIONS

**6. Description of the contract**

The aim of this measure is the rehabilitation and reconstruction of facilities at thermal power plants (TPPs) in order to reduce harmful emissions of particulates, thus helping to improve air quality and to achieve the key requirements of the EU Large Combustion Plants Directive.

Reconstruction of electrostatic precipitators (ESP) of TPP Morava represents a continuation of the upgrading works started on these facilities, aimed at meeting both Serbian and European regulations pertaining to environmental protection and improvement of air quality. The TPP has been in operation for more than 40 years and their electrostatic precipitators are designed with fly ash removal efficiency which is outdated and cannot meet current regulatory rules. Considering the time-frame for implementation of EU rules (namely the Directive for large combustion plants 2001/80/EC, which according to Annex 2 of the Energy Community Treaty will need to be implemented by Serbia by 31.12.2017), the basic purpose of ESP reconstruction is to meet the rigorous standard for the reduction of ESP outlet emission levels to 50 mg/Nm<sup>3</sup> in TPP Morava.

**7. Number and titles of lots**

No, one lot only (former lot 2).

## 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 **100,000 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 site visit will be held on 21/07/2014 at 10:00hrs in TPP Morava, 35210 Svilajnac, 89 Kneza Milosa Str., where all the visitors will be registered and consequently issued the certificate of attendance. Application for the site visit should be timely sent to EPS Project Manager Mr Milos Vlajic – [milos.vlajic@tent.rs](mailto:milos.vlajic@tent.rs).

An information meeting will be held on 22/07/2014 at 14:00hrs at the premises of the EU Delegation to the Republic of Serbia.

### 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

17 months from the commencement date to the date of the taking over of the works. Defects notification period is 12 months from the taking over of the works.

Construction works can be performed during the overhaul in 2015 (planned to start at the beginning of May 2015 and to be completed at the end of November 2015).

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## SELECTION AND AWARD CRITERIA

### 16. Selection criteria

If a tender is submitted by a consortium, unless specified, the selection criteria will be applied to the consortium as a whole.

The selection criteria for each tenderer (sole tenderer or joint venture/consortium) are as follows:

#### A) Economic and financial capacity of candidate:

- a) the average annual turnover of the tenderer in the past three (3) years (2011, 2012, 2013) must be at least 10,000,000 Euro;
- 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. The credit of at least EUR 1,000,000.00 for the tenderer must be available by a recognised bank specifically against the contract.

#### B) 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 a natural person capable of carrying out the specific works;
- b) Shall carry out at least 70% of the contract works by his 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 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) Must have in place and apply a quality assurance system, such as ISO 9001.
- e) Should have at least 20 professional staff with experience in relevant projects.
- f) **Key personnel:**
  - One (1) **Project Manager** who will coordinate the entire contract. He/she shall be a qualified civil, mechanical, electrical or chemical Engineer with:

- at least **10 years, preferably 15 years**, of relevant post-graduate professional experience;
- project management experience in at least two projects of a similar nature, size and complexity. Out of those 2 projects, at least one should be a construction contract according to FIDIC Plant Design-build Conditions.
- One (1) **Site Manager**. He/she shall be a qualified civil, mechanical or chemical Engineer with:
  - at least **8 years, preferably 12 years**, of relevant post-graduate professional experience;
  - site management experience in **at least two projects** of a similar nature, size and complexity. Out of those 2 projects, at least one should be a construction contract according to **FIDIC Plant Design-Build Conditions**.

**Please note** that the Site Manager must possess, or be in the position to obtain before the commencement date, the relevant professional licences as required by law on Planning and Construction of the Republic of Serbia and other relevant legal provisions.

- One (1) **Lead Precipitator Engineer**. He/she shall be a qualified civil, mechanical or chemical Engineer with **at least 8 years, preferably 12 years**, of relevant post-graduate professional experience in **at least two projects** with a similar nature, size and complexity.

All the key personnel proposed by the tenderer must have a BSc diploma in the relevant engineering field and a good command (both written and spoken) of the English language.

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

**Please note that before the contract commencement date the tenderer must demonstrate that he possesses proper licences according to the Serbian Law for the engineering and construction works.**

**C) 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 (2) projects of a nature and complexity similar to those of the works in the tendered contract, each of them with a value of at least 3,000,000 Euro. At least one reference should have been acquired for the filter for a TPP using lignite or other type of low calorific value coal. The reference projects have to be executed on thermal units with rated electrical output higher than 250 MW.

"Nature and complexity similar to those of the works in the tendered contract" shall be interpreted as follows for the selection criteria:

- Similar nature and complexity means design, installation and commissioning of new Electrostatic Precipitators or the reconstruction/retrofit of the old electrostatic precipitators to meet at least the standards laid down in Council Directive 2001/80/EC, as amended and experience in construction, predominantly mechanical

works including fabrication, transportation and installation of equipment for particle removal within a Thermal Power Plant;

The minimum size ("value") that will be taken into consideration is either the total project value, when the contractor was acting as sole contractor, or the share of the total project value corresponding to its share of the joint-venture participation, when the contractor was member of a joint venture.

"Completed" is to be interpreted as "Taking over / Provisional Acceptance" or "Performance Certificate" issued for construction contracts. Copies (with translation 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 reference projects.

The Tenderer (lead partner or member of a joint venture) must have undertaken at least 50% of the works in a contract for the design, construction, commissioning of the reference projects defined above.

Regarding the calculation of the contract amounts for the completed works of the tenderers, the values will be considered at the date of completion and will not be carried to the date of the evaluation as "net present values" and should be converted to official Euro rate from:

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/infoeuro/infoeuro\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/infoeuro/infoeuro_en.cfm)

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.

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### **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=publi.welcome>

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

Delegation of the European Union to the Republic of Serbia

Finance and Contracts Section, 9<sup>th</sup> floor

GTC 19 Avenue Building

Vladimira Popovica 40

11070 New Belgrade, Serbia

Fax no.: +381 11 3083 201

Working hours: 9:30 – 16:00 CET, Monday to Friday.

It is also available for inspection at the premises of the Contracting Authority, address as 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 E-mail: [DELEGATION-SERBIA-FCS@eeas.europa.eu](mailto:DELEGATION-SERBIA-FCS@eeas.europa.eu)

Delegation of the European Union to the Republic of Serbia

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11070 New Belgrade, 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 EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and on the website of the Delegation of the European Union to the Republic of Serbia [www.europa.rs](http://www.europa.rs).

**19. Deadline for submission of tenders**

**12:00 hours** Central European Time on **19<sup>th</sup> September 2014**.

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

**20. Tender opening session**

**14:30 hours** Central European Time on **19<sup>th</sup> September 2014** at the premises of the Delegation of the European Union to the Republic of Serbia

GTC Avenue Building Block 19a

Vladimira Popovica Street 40, 9th Floor

11070 New Belgrade, Republic of 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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