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## WORKS CONTRACT NOTICE

### INVITATION TO TENDER FOR SISAK WASTE WATER PROGRAMME – CONSTRUCTION OF WASTE WATER COLLECTION SYSTEM SISAK - CROATIA

**1. Publication reference**

EuropeAid/133001/D/WKS/HR

**2. Procedure**

Open

**3. Programme**

IPA

**4. Financing**

IPA CCI No: 2009HR16IPR002 Sisak Waste Water Programme – Construction of Waste Water Collection System

**5. Contracting Authority**

Hrvatske vode, Ulica grada Vukovara 220, HR – 10000 Zagreb

### CONTRACT SPECIFICATIONS

**6. Description of the contract**

Construction and reconstruction of waste water infrastructure in accordance with FIDIC conditions of contract ('Red Book'), where the works consist of the reconstruction of:

WW 1 – collector III(b): main collector, 2 retention basins, 1 pumping station;

WW 3 – Galdovo complex: pumping station for foul water, pumping station for storm water, retention basin, collector (excluding river crossing); and

WW 4 – Odranska & Zeleni Brijeg storm water overflow collectors & Odranski Most pumping complex: sewer collectors and retention main, increasing capacity of pumping station, transfer main for the pumping station Kolodvor to the northern end of the Ladjarska collector (excluding river crossing).

**7. Number and titles of lots**

This tender is not divided in Lots.

## TERMS OF PARTICIPATION

### 8. Eligibility and rules of origin

Participation is open to all natural or 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. As the contract is co-financed by the European Bank for Reconstruction and Development (EBRD), in addition to the eligibility and rules of origin above, participation and works, goods and services of third countries is authorised in accordance with the EBRD eligibility rules as defined in the Bank's "Procurement policies and rules", sub-clauses 2.6-2.9 which can be found in the website <http://www.ebrd.com/downloads/procurement/ppr10.pdf>

### 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 action**.

### 10. Number of tenders

Tenderers may submit only one tender for the works. Tenderers must tender for the whole of the works required by the tender dossier. Tenders for parts of the works will not be considered. 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 **250,000** 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**

Participation to the information meeting and site visit is recommended, but not compulsory.

A site visit will be held on 23rd April 2013, at 11:00 hrs local time at the following address:

Grad Sisak  
Rimska 26  
HR - 44000 Sisak  
Croatia

An information meeting will be held on 23rd April 2013, at 14:00 hrs local time at the following address:

Grad Sisak  
Rimska 26  
HR - 44000 Sisak  
Croatia

The minutes of the clarification meeting and the site visit will be published on EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and on the website of the Contracting Authority at the following address; <http://www.voda.hr/hv-ipa-tenders-en>

### **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**

995 days from the commencement date, including a defect notification period of 365 days.

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## **SELECTION AND AWARD CRITERIA**

### **16. Selection criteria**

*The minimum selection criteria for the Sole Tenderer include:*

Economic and financial capacity of candidate:

1. The Tenderer must have an annual turnover for each of the last 3 years (2010, 2011, 2012) equivalent to 10,000,000 EUR.
2. 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 2,000,000 EUR.

Technical and professional capacity of candidate:

3. The Tenderer must have as a prime contractor completed at least 2 projects comprising the construction of a waste water collection system in the length of at least 10 km each within the last 5 years (last five years shall be understood as 5 years before the deadline for submission of tenders).

Referenced project must have been completed in the indicated period but it does not necessarily have to be started within that period.

The Tenderer shall in his Tender provide the certificate of final acceptance signed by the supervisor/contracting authority of the project concerned.

4. The Tenderer must 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 contracted works.
5. Tenderer's Key Personnel (Contractor's Representative and Site Manager) must have the following experience:

Position	GENERAL PROFESSIONAL EXPERIENCE (years)	SPECIFIC PROFESSIONAL EXPERIENCE IN SIMILAR <sup>1</sup> WORKS (years)	EXPERIENCE IN SIMILAR POSITION (years)
<b>Contractor's Representative</b>	<b>8</b>	<b>4</b>	<b>2</b>
<b>Site Manger</b>	<b>5</b>	<b>3</b>	<b>1</b>

Also, Tenderer's Key Personnel (Contractor's Representative and Site Manager) must submit CV's and evidence for referenced projects as required above (such as Employer's certificate, affidavit, extract from official employment such as work books, etc.).

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<sup>1</sup> Similar works mean construction / reconstruction / restoration of waste water collection system.

***The joint venture/consortium as a whole (all members together) and the lead member must satisfy the following minimum qualifying criteria:***

Economic and financial capacity of candidate:

1. The joint venture/consortium must have an annual turnover for each of the last 3 years (2010, 2011, 2012) equivalent to 10,000,000 EUR (lead member of a joint venture/consortium must have an annual turnover for each of the last 3 years equivalent to EUR 8 million).
2. The lead member of joint venture/consortium 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 2,000,000 EUR.

Technical and professional capacity of candidate:

3. The joint venture/consortium as a whole must have completed at least 2 projects comprising the construction of waste water collection system in the length of at least 10 km each within the last 5 years (last five years shall be understood as 5 years before the deadline for submission of tenders).

Referenced project must have been completed in the indicated period but it does not necessarily have to be started within that period.

Joint Venture/Consortium shall in his Tender provide the certificate of final acceptance signed by the supervisor/contracting authority of the project concerned.

4. The joint venture/consortium as a whole 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 it to carry out that percentage of the contracted works.
5. The joint venture/consortium's Key Personnel (Contractor's Representative and Site Manager) must have the following experience:

Position	GENERAL PROFESSIONAL EXPERIENCE (years)	SPECIFIC PROFESSIONAL EXPERIENCE IN SIMILAR <sup>2</sup> WORKS (years)	EXPERIENCE IN SIMILAR POSITION (years)
<b>Contractor's Representative</b>	<b>8</b>	<b>4</b>	<b>2</b>
<b>Site Manger</b>	<b>5</b>	<b>3</b>	<b>1</b>

Also, the joint venture/consortium's Key Personnel (Contractor's Representative and Site Manager) must submit CV's and evidence for referenced projects as required above (such as Employer's certificate, affidavit, extract from official employment such as work books, etc.)

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

The sole award criterion will be the price. The contract will be awarded to the lowest compliant tender.

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## TENDERING

#### 18. How to obtain the tender dossier

The tender dossier is available from the Contracting Authority, **Hrvatske vode, Ulica grada Vukovara 220, HR - 10000 Zagreb, Croatia upon payment of EUR 500**, in favour of Hrvatske vode

at the Bank Account in Zagrebačka Banka d.d.:

Account Number 2100036202

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<sup>2</sup> Similar works mean construction / reconstruction / restoration of wastewater collection system.

IBAN HR 7723600001101425545

SWIFT CODE: ZABAHR2X

Reference number: 374-1-12 (payer registration number)

Purpose of payment: For tender dossier – 133001 IPA

or Croatian currency counter value of the relevant amount due in EUR in favour of Hrvatske vode, in accordance with provisions of the current Foreign Exchange Act of the Republic of Croatia,

at the Bank Account in Zagrebačka Banka d.d.:

Broj računa: 2360000-1101425545

Poziv na broj: 374-1-12 (MB uplatitelja)

Svrha: uplata za natječajnu dokumentaciju – 133001 IPA

The aforementioned payment excludes courier delivery.

The tender dossier is also available for inspection at the premises of the Contracting Authority. 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 the Contracting Authority, **Hrvatske vode, Ulica grada Vukovara 220, HR – 10000 Zagreb, Croatia for att. of Mr. Robert Kartelo, Fax No. : +385 1 630 76 86, email: ipa@voda.hr** (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/onlineservices/index.cfm?do=publi.welcome>

and on the website of the Contracting Authority at the following address;

<http://www.voda.hr/hv-ipa-tenders-en>

#### **19. Deadline for submission of tenders**

12:00 hrs local time on 11th June 2013 at the premises of Hrvatske Vode, Ulica Grada Vukovara 220, 10000 Zagreb, Croatia

Any tender received after this deadline will not be considered.

#### **20. Tender opening session**

13:00 hrs local time on 11th June 2013 at the premises of Hrvatske Vode, Ulica Grada Vukovara 220, 10000 Zagreb, Croatia

**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 (IPA)