

**HR-Zagreb: IPA — supervision of construction of the water supply and
sewerage system with wastewater treatment plant for Slavonski Brod**

2009/S 239-341327

Slavonski Brod, Brodsko – Posavska County, Republic of Croatia

Service procurement notice

Common procurement vocabulary (CPV):

Main object:

71247000 Supervision of building work

1. **Publication reference:**

EuropeAid/128554/D/SER/HR.

Internet address:

General address of the contracting authority: <http://www.voda.hr/ipa>

2. **Procedure:**

Restricted.

3. **Programme:**

IPA.

4. **Financing:**

IPA CCI No: 2008HR16IPR003 water supply and sewerage system with wastewater treatment plant for Slavonski Brod.

5. **Contracting authority:**

Hrvatske vode, Ulica grada Vukovara 220, 10000 Zagreb, CROATIA.

6. **Nature of contract:**

Fee-based.

7. **Contract description:**

The contract consists of construction supervision of a water supply and sewerage system with wastewater treatment plant for Slavonski Brod, namely:

activity 1 — supervision services during 'construction of water supply and sewerage system' in accordance with FIDIC conditions of contract (Red Book); and

activity 2 — supervision services during 'construction of wastewater treatment plant' for 80 000 PE in accordance with FIDIC conditions of contract (Yellow Book).

8. **Numbers and titles of lots:**

The contract is divided into lots: no, 1 lot only.

9. **Budget:**

Maximum budget: 1 500 000 EUR.

10. **Scope for additional services:**

The contracting authority may, at its own discretion, extend the project in duration and/or scope, subject to the availability of funding, up to a maximum not exceeding the length and value of the initial contract.

Any extension of the contract would be subject to satisfactory performance by the contractor.

Conditions of participation

11. **Eligibility:**
Participation is open to all legal persons (participating either individually or in a grouping (consortium) of candidates) 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 item 29 below). Participation is also open to international organisations. The participation of natural persons is governed by the specific instruments applicable to the programme under which the contract is financed.
12. **Candidature:**
All eligible natural and legal persons (as per item 11 above) or groupings of such persons (consortia) may apply. A consortium may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure. All members of a consortium (i.e., the leader and all other members) are jointly and severally liable to the contracting authority.
The participation of an ineligible natural or legal person (as per item 11) will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.
13. **Number of applications:**
No more than 1 application can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting an application). In the event that a natural or legal person submits more than 1 application, all applications in which that person has participated will be excluded.
14. **Shortlist alliances prohibited:**
Any tenders received from tenderers comprising firms other than those mentioned in the shortlisted application forms will be excluded from this restricted tender procedure. Shortlisted candidates may not form alliances or subcontract to each other for the contract in question.
15. **Grounds for exclusion:**
As part of the application form, candidates must submit a signed declaration, included in the standard application form, to the effect that they are not in any of the exclusion situations listed in Section 2.3.3 of the 'Practical Guide to contract procedures for EC external actions'.
16. **Subcontracting:**
Subcontracting is not allowed.
17. **Number of candidates to be shortlisted:**
On the basis of the applications received, at least 4 and at most 8 candidates will be invited to submit detailed tenders for this contract. If the number of eligible candidates meeting the selection criteria is less than the minimum of 4, the contracting authority may invite the candidates who satisfy the criteria to submit a tender.

Provisional timetable

18. **Provisional date of invitation to tender:**
17.2.2010.
19. **Provisional commencement date of the contract:**
5.7.2010.
20. **Initial period of implementation of tasks:**
Duration in months: 50.

Selection and award criteria

21. **Selection criteria:**

Same criteria for legal and natural person.

The following selection criteria will be applied to candidates. In the case of applications submitted by a consortium, these selection criteria will be applied to the consortium as a whole:

1) Economic and financial capacity of candidate:

In the case of the applicant being a public body equivalent information should be provided:

1. the annual turnover of the candidate (i.e., the consortium as a whole, in the case of an application from a consortium) for the years 2007 and 2008 must exceed 1 000 000 EUR;
2. cash and cash equivalents at the end of the year 2007 and 2008 were positive.

2) Professional capacity of candidate:

1. the minimum number of permanent staff currently working for the candidate (i.e., the consortium as a whole, in the case of an application from a consortium) in the field related to the contract (construction supervision) is 10 persons.

3) Technical capacity of candidate:

1. the candidate (i.e., the consortium as a whole, in the case of an application from a consortium) has worked successfully on at least 1 project for construction supervision of a wastewater treatment plant for at least 50 000 PE. The projects must have been completed in 2006, 2007, 2008 or 2009, and implemented in EU Member States, Member States of the European Economic Area, Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Kosovo under UNSC Resolution 1244/99, Montenegro, Serbia or Turkey;
2. the candidate (i.e., the consortium as a whole, in the case of an application from a consortium) has worked successfully on at least 2 projects for construction supervision of a water supply and sewerage system within an urban area in total length of at least 2 000 m.

The projects must have been completed in 2006, 2007, 2008 or 2009, and implemented in EU Member States, Member States of the European Economic Area, Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Kosovo under UNSC Resolution 1244/99, Montenegro, Serbia or Turkey.

3. Note: One and the same project can cover both of the criteria (21-3.1 and 21-3.2) above.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the contracting authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those 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.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates must be re-examined to identify the 8 best applications for the tender procedure.

The only factors which will be taken into consideration during this re-examination are:

- the number of successfully executed supervision projects required under point 21.3-1. If no limitation to 8 candidates is possible because too many candidates ranked 8 or better come up with same number of projects the criterion under point 21.3-2. will be applied to these candidates;
- the number of successfully executed supervision projects as required under point 21.3-2.

22. **Award criteria:**

Best value for money.

Application

23. **Deadline for receipt of applications:**

18.1.2010 (12:00), local time.

Any application received after this deadline will not be considered.

24. **Application format and details to be provided:**

Applications must be submitted using the standard application form, the format and instructions of which must be strictly observed. The application form is available at the following Internet address: http://ec.europa.eu/europeaid/work/procedures/implementation/services/index_en.htm

Any additional documentation (brochure, letter, etc.) sent with an application will not be taken into consideration.

25. **How applications may be submitted:**

Applications must be submitted exclusively to the contracting authority in the following language — English:
— either by recorded delivery (official postal service) to:

Hrvatske vode, attention: Mr Robert Kartelo, Ulica grada Vukovara 220, 10000 Zagreb, CROATIA,

— or hand-delivered (including courier services) directly to the contracting authority in return for a signed and dated receipt to:

attention: Mr Robert Kartelo. Tel. +385 16307333.

As in abovementioned address.

The contract title and the publication reference (see item 1 above) must be clearly marked on the envelope containing the application and must be mentioned in all subsequent correspondence with the contracting authority.

Applications submitted by any other means will not be considered.

26. **Alteration or withdrawal of applications:**

Candidates may alter or withdraw their applications by written notification prior to the deadline for submission of applications. No applications may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with item 25.

The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

27. **Operational language:**

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

28. **Date of publication of contract forecast notice:**

Date: 22.5.2009.

Notice number in OJ: [2009/S 97-138686](#).

29. **Legal basis:**

Council Regulation (EC) No 1085/2006 of 17.7.2006 on establishing an Instrument for Pre-Accession Assistance (IPA).

30. **Additional information**

31. **Date of dispatch of this notice:**

1.12.2009.