

WORKS PROCUREMENT NOTICE

WATER SUPPLY AND SEWERAGE IMPROVEMENTS AND CONSTRUCTION OF WASTE WATER TREATMENT PLANT IN THE MUNICIPALITY OF DRNIŠ – CONSTRUCTION OF WASTE WATER TREATMENT PLANT Drniš, Knin-Šibenik County, Republic of Croatia

1. Publication reference

EuropeAid/128847/M/WKS/HR

2. Procedure

Local Open

3. Programme

IPA

4. Financing

IPA Financing Agreement between the Republic of Croatia and European Commission

5. Contracting Authority

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

CONTRACT SPECIFICATIONS

6. Description of the contract

The works contract includes design and construction of Waste Water Treatment Plant of tertiary level for 5,000 PE in accordance with FIDIC Conditions of Contract (Yellow book). The plant consists of the following basic components namely: a) mechanical treatment, b) biological treatment and c) sludge treatment.

7. Number and titles of lots

Not applicable

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**.

Tenderers and, if they are legal entities, persons who have powers of representation, decision-making or control over them, are informed that, should they be in one of the situations mentioned in:

- Commission decision (2008/969/EC, Euratom) of 16 December 2008 on the Early Warning System (EWS) for the use of authorising officers of the Commission and the executive agencies (OJ, L 344, 20.12.2008, p. 125),
- Commission Regulation (2008/1302/EC, Euratom) of 17 December 2008 on the central Exclusion Database – CED (OJ, L 344, 20.12.2008, p.12),

their personal details (name, given name if natural person, address, legal form and name and given name of the person with powers of representation, decision-making or control, if legal person) may be registered in the EWS and CED, and communicated to the persons and entities listed in the above-mentioned decision and regulation, in relation to the award or the execution of a procurement contract or a grant agreement or decision.

10. Number of tenders

Tenderers may submit only one tender for whole of the works. Tenders for parts of the works will not be considered. Any tenderer may state in its tender that it would offer a discount. 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 50,000 EUR, when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderer 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 10 March 2010 at 12:00 hrs local time at the following address:

Grad Drniš, Trg Kralja Tomislava 1, HR-22320 Drniš

An information meeting will be held on 10 March 2010 at 14:00 hrs local time at the following address:

Grad Drniš, Trg Kralja Tomislava 1, HR-22320 Drniš

The minutes of the clarification meeting and the site visit will be published at EuropeAid (<https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?ADSSChck=1224846858672&do=publi.welcome&userlanguage=en>) and Hrvatske vode website at <http://www.voda.hr/IPA>.

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

1.110 days from the commencement date including a trial period of 150 days and including a defect notification period of 365 days.

SELECTION AND AWARD CRITERIA

16. Selection criteria

The minimum selection criteria for the Sole Tenderer include:

Economic and financial capacity of candidate:

- The Tenderer must have an annual turnover for each of the last 3 years (2006, 2007, 2008) equivalent to 5,500,000 EUR.
- 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 600,000 EUR.

Technical and professional capacity of candidate:

- The Tenderer must have as a prime contractor completed at least 1 construction project comprising construction or upgrading or significant extension of a biological wastewater treatment plant with capacity of at least 5,000 PE over the last 5 years (last five years shall be understood as the period: 1st January 2005 up to deadline for submission of tenders). Referenced project must have been started and completed in the period of reference. The Contracting Authority reserves the right to ask for copy of the respective certificate of final acceptance signed by the supervisor/contracting authority of the project concerned.
- Tenderer's Designer(s) as a legal person must have completed design for at least 2 projects comprising the design of a biological wastewater treatment plant with capacity of at least 5,000 PE over the last 5 years (last five years shall be understood as the period: 1st January 2005 up to deadline for submission of tenders).
Tenderer's Designer(s) evidence for referenced projects as required above (such as Employer's certificate, affidavit, etc.).
- 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.
- Tenderer's Key Personnel (Process Designer) must have experience in execution of at least 1 project comprising construction or upgrading or significant extension of a biological wastewater treatment plant with capacity of at least 5,000 PE over the last 5 years (last five years shall be understood as the period: 1st January 2005 up to deadline for submission of tenders).
Tenderer's Key Personnel (Process Designer) must also have the following experience:

Position	GENERAL PROFESSIONAL EXPERIENCE (years)	SPECIFIC PROFESSIONAL EXPERIENCE IN SIMILAR ¹ WORKS (years)	EXPERIENCE IN SIMILAR POSITION (years)
Process Designer	10	7	3

Also, Tenderer's Key Personnel (Process Designer) must submit CV's and evidence for referenced project as required above (such as Employer's certificate, affidavit, extract from official employment such as work books, etc.).

- Tenderer's Key Personnel (Contractor's Representative and Site Manager) must have experience in execution of at least 1 project comprising construction or upgrading or significant extension of a biological wastewater treatment plant with capacity of at least 5,000 PE over the last 5 years (last five years shall be understood as the period: 1st January 2005 up to deadline for submission of tenders).
Tenderer's Key Personnel (Contractor's Representative and Site Manager) must also have the following experience:

¹ Similar works mean construction/upgrading/significant extension of a biological waste water treatment plant

Position	GENERAL PROFESSIONAL EXPERIENCE (years)	SPECIFIC PROFESSIONAL EXPERIENCE IN SIMILAR ² WORKS (years)	EXPERIENCE IN SIMILAR POSITION (years)
Contractor's Representative	10	5	3
Site Manger	10	5	3

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, etc.)

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 (2006, 2007, 2008) equivalent to 5,500,000 EUR (lead member of a joint venture/consortium must have an annual turnover for each of the last 3 years equivalent of 3,500,000 EUR).
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 600,000 EUR.

Technical and professional capacity of candidate:

3. The joint venture/consortium as a whole must have completed at least 1 construction project comprising construction or upgrading or significant extension of a biological wastewater treatment plant with capacity of at least 5,000 PE over the last 5 years (last five years shall be understood as the period: 1st January 2005 up to deadline for submission of tenders). Referenced project must have been started and completed in the period of reference. The Contracting Authority reserves the right to ask for copy of the respective certificate of final acceptance signed by the supervisor/contracting authority of the project concerned.

² Similar works mean construction/upgrading/significant extension of a biological wastewater treatment plant

4. Joint Venture/Consortium Designer(s) as a legal person must have completed design for at least 2 projects comprising the design of a biological wastewater treatment plant with capacity of at least 5,000 PE over the last 5 years (last five years shall be understood as the period: 1st January 2005 up to deadline for submission of tenders).

Joint Venture/Consortium's Designer(s) must submit CV's and evidence for referenced projects as required above (such as Employer's certificate, affidavit, etc.).

5. The joint venture/Consortium as a whole 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.
6. Joint Venture/Consortium Key Personnel (Process Designer) must have experience in execution of at least 1 project comprising construction or upgrading or significant extension of a biological wastewater treatment with capacity of at least 5,000 PE over the last 5 years (last five years shall be understood as the period: 1st January 2005 up to deadline for submission of tenders).

Joint Venture/Consortium's Key Personnel (Process Designer) must also have the following experience:

Position	GENERAL PROFESSIONAL EXPERIENCE (years)	SPECIFIC PROFESSIONAL EXPERIENCE IN SIMILAR ³ WORKS (years)	EXPERIENCE IN SIMILAR POSITION (years)
Process Designer	10	7	3

Also, Tenderer's Key Personnel (Process Designer) must submit CV's and evidence for referenced project as required above (such as Employer's certificate, affidavit, extract from official employment such as work books, etc.).

7. Joint Venture/Consortium Key Personnel (Contractor's Representative and Site Manager) must have experience in execution of at least 1 project comprising construction or upgrading or significant extension of a biological wastewater treatment plant with capacity of at least 5,000 PE over the last 5 years (last five years shall be understood as the period: 1st January 2005 up to deadline for submission of tenders).

Tenderer's Key Personnel (Contractor's Representative and Site Manager) must also have the following experience:

³ Similar works mean construction/upgrading/significant extension of a biological waste water treatment plant

Position	GENERAL PROFESSIONAL EXPERIENCE (years)	SPECIFIC PROFESSIONAL EXPERIENCE IN SIMILAR ⁴ WORKS (years)	EXPERIENCE IN SIMILAR POSITION (years)
Contractor's Representative	10	5	3
Site Manger	10	5	3

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, etc.)

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.

17. Award criteria

Price

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 300**, in favour of Hrvatske vode

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

Account Number 2100036202

IBAN HR 7723600001101425545

SWIFT CODE: ZBAHR2X

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

Purpose of payment: For tender dossier - IPA

⁴ Similar works mean construction/upgrading/significant extension of a biological wastewater treatment plant

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 - 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/online-services/index.cfm?do=publi>. welcome and the Contracting Authority's website at <http://www.voda.hr/IPA>

19. Deadline for submission of tenders

12:00 hrs local time on April 27th, 2010 at the Hrvatske vode, Ulica grada Vukovara 220, HR – 10000 Zagreb, Croatia at the registration office room 220, second floor.

Any tender received after this deadline will not be considered.

20. Tender opening session

13:00 hrs local time on April 27th, 2010 at the premises of the Hrvatske vode, Ulica grada Vukovara 220, HR – 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)