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**HR-Zagreb: IPA — Sisak waste water programme — supply of waste water maintenance equipment
2012/S 244-400188**

Location — Sisak-Moslavina County, Republic of Croatia

Supply procurement notice

1. **Publication reference:**
EuropeAid/133430/D/SUP/HR.
2. **Procedure:**
Open.
3. **Programme:**
IPA.
4. **Financing:**
IPA 2009H16IPR002 'Sisak waste water programme'.
5. **Contracting authority:**
Hrvatske Vode, Ulica grada Vukovara 220, 10000Zagreb, CROATIA.

Contract specifications

6. **Description of the contract:**
The subject of the contract is the supply and delivery of equipment necessary for maintenance and inspection of the sewerage system, as well as training of the end-recipient's staff and after-sales services.
Lot 1 — 2 tankers for sewerage maintenance; i.e. combination suction/flushing tanker (12,5 m³) and suction tanker (8 m³) equipped with general safety equipment for specific tasks; operational training for 10 days for at least 2 persons per vehicle which should be provided in the Croatian language.
Lot 2 — customised van with CCTV sewer inspection camera equipment and connected IT equipment; training for 5 days for at least 2 persons which should be provided in the Croatian language.
After-sales services for both lot 1 and lot 2 which include:
a) response time — on-site response by the end of next business day (17 h), following the request for service, during 3 years of warranty (1 year's standard warranty and 2 years' commercial warranty);
b) repair time — maximum 1-month time period in case major defaults (major defaults — covers any defaults which do not allow functionality or operation of the maintenance equipment) are detected and maximum 10 days' period in case of minor repairs (minor repairs — includes everything which hinders full functionality or operation of equipment, or limits safety and security of personnel operating with equipment) during 3 years of warranty (1 year's standard warranty and 2 years' commercial warranty);
c) commercial warranty covering all the supplied equipment and its components — 2 years, beginning from the expiry of the 1-year standard warranty.
The place of acceptance of the supplies will be at the address of the end-recipient — Sisački vodovod d.o.o. Sisak.
7. **Number and titles of lots:**
Lot 1 — sewerage suction/flushing tankers.
Lot 2 — customised van equipped with CCTV sewer inspection camera equipment and connected IT equipment.

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 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 facilitation to the eligibility and rules of origin above, participation and works, goods and services of third countries are 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 on 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 supply 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'.

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 16.12.2008 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 17.12.2008 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 abovementioned 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 1 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 1 lot. Tenderers may not submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

11. Tender guarantee:

Tenderers must provide a tender guarantee of 8 000 EUR for lot 1 and 2 000 EUR for lot 2 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. This guarantee will be called upon if the tenderer does not fulfil all obligations stated in its tender.

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:

No information meeting is planned.

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:**

The implementation period will last 275 days for lot 1 and 231 days for lot 2, starting from day of issuance of commencement order and ending on the day of issuance of the certificate of provisional acceptance. The implementation period will include delivery periods of 210 days for lot 1 and 180 days for lot 2.

Selection and award criteria

16. **Selection criteria:**

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

1) Economic and financial capacity of tenderer (based on i.a. item 3 of the tender form for a supply contract). In the case of the tenderer being a public body, equivalent information should be provided:

(a) the annual turnover of the tenderer for the years 2009, 2010 and 2011 (year 2009 is considered to be '2 years before last year', year 2010 is considered to be 'year before last year' and year 2011 is considered to be 'last year') must be at least 2 times the submitted financial proposal;

(b) the cash and cash equivalents of the tenderer at the end of year 2009, year 2010 and year 2011 are positive.

2) Technical capacity of tenderer (based on i.a. items 5 and 6 of the tender form for a supply contract):

The tenderer has successfully completed at least 1 contract in the field related to this contract (supply of suction/flushing tankers if the tenderer is applying for lot 1 or supply of CCTV equipment if the tenderer is applying for lot 2) with total contract value(s) of at least that of his financial proposal for this tender, within the last 3 years before the deadline for submission of tender, indicated in Article 19 of this procurement notice.

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. Some examples of when it may not be considered appropriate by the contracting authority are when the tenderers rely in majority on the capacities of other entities or when they rely 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 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. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the contracting authority.

17. **Award criteria:**

Price.

Tendering

18. **How to obtain the tender dossier:**

The tender dossier is available from the following Internet address:

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

The tender dossier is also available from the contracting authority website at: <http://www.voda.hr/ipa>

Tenders must be submitted using the standard tender form for a supply contract 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 Hrvatske Vode, Ulica grada Vukovara 220, 10000 Zagreb, CROATIA, e-mail: ipa@voda.hr or by fax +385 16307686 (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 to the tender dossier will be published on the EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and on the Hrvatske Vode website at: <http://www.voda.hr/ipa>

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

11.3.2013 (12:00), Zagreb local time, 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:**

11.3.2013 (13:00), Zagreb local time, 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 17.7.2006 establishing an Instrument for Pre-Accession Assistance (IPA).