
SUPPLY PROCUREMENT NOTICE

Water Supply and Sewerage Improvements and Construction of Waste Water Treatment Plant in the Municipality of Knin - Supply of Operational and Maintenance Equipment

Location - Knin-Šibenik County, Croatia

1. Publication reference

EuropeAid/130475/D/SUP/HR

2. Procedure

Open

3. Programme

IPA

4. Financing

IPA CCI No: 2009HR16IPR001 "Water Supply and Sewerage Improvements with Waste Water Treatment Plant in the Municipality of Knin

5. Contracting authority

Hrvatske vode (Croatian Waters), Ulica grada Vukovara 220, HR – 10000 Zagreb

CONTRACT SPECIFICATIONS

6. Description of the contract

The subject of the contract is the supply and delivery of the Combination Suction Flushing Vehicle (9 m³ – Tank without Water Recycler), equipped with general safety equipment for specific tasks; operational training for 10 days for at least 2 persons which should be provided in Croatian language and after-sales services 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 standard warranty and 2 years commercial warranty)
- b) Repair time- Maximum 1 month time period in case that **major defaults**¹ are detected

¹ **Major defaults** - covers any defaults which does not allow functionality or operation of the suction flushing vehicle

and maximum 10 days period in case of **minor repairs**² during 3 years of warranty (1 year 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

Supplies should be delivered at address of Komunalno poduzeće d.o.o., Trg Oluje 9, 22300 Knin, Croatia and the Incoterm applicable shall be DDP³

7. Number and titles of lots

Single lot

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 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 contracts 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 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

² **Minor repairs** – includes everything which hinders full functionality or operation of the suction flushing vehicle, or limits safety and security of personnel operating the vehicle

³ DDP (Delivered Duty Paid) - Incoterms 2010 International Chamber of Commerce
<http://www.iccwbo.org/incoterms/>

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 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 supplies required in the tender dossier.

11. Tender guarantee

Tenderers must provide a tender guarantee of 3.500 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(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 235 days, 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 period of 180 days.

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 case of tenderer being a public body, equivalent information should be provided.

(a) the annual turnover of the tenderer for the years 2008, 2009 and 2010⁴ must be at least two times of the submitted financial proposal

(b) the cash and cash equivalents of tenderer at the end of year 2008, year 2009 and year 2010 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 one contract in the field related to this contract (supply of suction/flushing vehicles) with total contract value(s) of at least that of his financial proposal for this tender in the year 2008, 2009, 2010 or 2011 (by the deadline for submission of tender).

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 tenderer rely in majority on the capacities of other entities or when they rely on key criteria. If the tenderer rely 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

⁴ Year 2008 is considered to be “two years before last year”, year 2009 is considered to be “year before last year” and year 2010 is considered to be “last year”.

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. 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 the Hrvatske vode, Ulica grada Vukovara 220, 10 000 Zagreb, Croatia, mail ipa@voda.hr or by fax: + 385 (0)1 6307 686 (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

December 5th, 2011 at 12:00 Zagreb Local Time at the premises of Hrvatske Vode (Croatian Waters), Ulica grada Vukovara 220, HR-10000 Zagreb

Any tender received after this deadline will not be considered.

20. Tender opening session

December 5th, 2011 at 13:00 Zagreb Local Time at the premises of Hrvatske Vode (Croatian Waters), Ulica grada Vukovara 220, HR-10000 Zagreb

21. Language of the procedure

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

22. Legal basis

Council Regulation (EC) N° 1085/2006 of 17 July 2006 establishing and Instrument for Pre-Accession Assistance (IPA)