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HR-Zagreb: IPA — invitation to tender for Sisak waste water programme — construction of waste water treatment plant 2012/S 214-352717

Sisak — Croatia

Works procurement notice

1. **Publication reference:**
EuropeAid/133000/D/WKS/HR.
2. **Procedure:**
Open.
3. **Programme:**
IPA.
4. **Financing:**
IPA CCI No: 2009HR16IPR002 Sisak waste water programme — construction of waste water treatment plant.
5. **Contracting authority:**
Hrvatske vode, Ulica grada Vukovara 220, 10000Zagreb, CROATIA.

Contract specifications:

6. **Description of the contract:**
The contract consists of:
(1) designing (preliminary design, main design, detailed design);
(2) obtaining all approvals and permits;
(3) construction;
(4) commissioning of waste water treatment plant (WWTP) Sisak;
(5) local flood protection works;
(6) local landscaping works;
(7) construction of access road;
(8) training of the WWTP staff;
all based on FIDIC conditions of contract ('Yellow Book').
The WWTP Sisak shall be designed for the capacity of 60 000 PE and for tertiary treatment (P and N removal) and shall be equipped with sludge management facilities.
7. **Number and titles of lots:**
The tender is not divided into 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 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 actions'.

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 works required in the tender dossier.

11. **Tender guarantee:**

Tenderers must provide a tender guarantee of 250 000 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(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 13.12.2012 (11:00), local time, at the following address: Grad Sisak, Rimaska 26, 44000 Sisak, CROATIA.

An information meeting will be held on 13.12.2012 (13:00), local time, at the following address: Grad Sisak, Rimaska 26, 44000 Sisak, CROATIA.

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/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:**

1 295 days from the commencement date, 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:

1. The tenderer must have an annual turnover for each of the last 3 years (2009, 2010, 2011) 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 3 000 000 EUR.

Technical and professional capacity of candidate:

3. The tenderer must have as a prime contractor completed at least 1 construction project comprising either:

- the construction of a biological waste water treatment plant with capacity of at least 50 000 PE, or
- the upgrading or extension of a biological waste water treatment plant with the value of works not less than 8 000 000 EUR,

during the last 5 years (last 5 years shall be understood as the period: 31.12.2007 up to the deadline for submission of tenders).

The 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 have as a prime contractor completed main (main design means design in such a degree of detail, that a building permit can be based on it) design for at least 2 projects comprising the design of either:

- a biological waste water treatment plant with capacity of at least 50 000 PE, or
- the upgrading or extension of a biological waste water treatment plant with the value of works not less than 8 000 000 EUR,

during the last 5 years (last 5 years shall be understood as the period: 31.12.2007 up to the deadline for submission of tenders).

The referenced projects must have been completed in the indicated period but they do not necessarily have to be started within that period.

The tenderer must submit evidence for referenced projects as required above (such as employer's certificate, affidavit, etc.).

5. 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.

6. The tenderer's key personnel (process designer) must have experience in execution of at least 1 project comprising either:

- the construction of a biological waste water treatment plant with capacity of at least 50 000 PE, or
- the upgrading or extension of a biological waste water treatment plant with the value of works not less than 8 000 000 EUR,

during the last 5 years (last 5 years shall be understood as the period: 31.12.2007 up to the deadline for submission of tenders).

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

The tenderer's key personnel (process designer) must also have the following experience:

position; general professional experience (years); specific professional experience in similar (similar works mean construction/upgrading/significant extension of a biological waste water treatment plant) works (years); experience in similar position (years):

process designer; 10; 7; 3.

Also, the tenderer's key personnel (process designer) must submit CVs and evidence for referenced project as required above (such as employer's certificate, affidavit, extract from official employment such as work books, etc.).

7. The 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 (similar works mean construction/upgrading/significant extension of a biological waste water treatment plant) works (years); experience in similar position (years):

contractor's representative; 8; 4; 2;

site manager; 5; 3; 1.

Also, the tenderer's key personnel (contractor's representative and site manager) must submit CVs 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. 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.

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 (2009, 2010, 2011) 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 8 000 000 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 3 000 000 EUR.

Technical and professional capacity of candidate:

3. The joint venture/consortium as a whole must have completed at least 1 construction project comprising either:

— the construction of a biological waste water treatment plant with capacity of at least 50 000 PE, or

— the upgrading or extension of a biological waste water treatment plant with the value of works not less than 8 000 000 EUR,

during the last 5 years (last 5 years shall be understood as the period: 31.12.2007 up to the deadline for submission of tenders).

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

The joint venture/consortium shall in its tender provide the certificate of final acceptance signed by the supervisor/contracting authority of the project concerned.

4. The joint venture/consortium must have completed main (main design means design in such a degree of detail, that a building permit can be based on it) design for at least 2 projects comprising the design of:

— a biological waste water treatment plant with capacity of at least 50 000 PE, or
— the upgrading or extension of a biological waste water treatment plant with the value of works not less than 8 000 000 EUR,

during the last 5 years (last 5 years shall be understood as the period: 31.12.2007 up to the deadline for submission of tenders).

The referenced projects must have been completed in the indicated period but they do not necessarily have to be started within that period.

The joint venture/consortium must submit 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. The joint venture/consortium's key personnel (process designer) must have experience in execution of at least 1 project comprising either:

— the construction of a biological waste water treatment plant with capacity of at least 50 000 PE, or
— the upgrading or extension of a biological waste water treatment plant with the value of works not less than 8 000 000 EUR,

during the last 5 years (last 5 years shall be understood as the period: 31.12.2007 up to the deadline for submission of tenders).

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

The joint venture/consortium's key personnel (process designer) must also have the following experience: position; general professional experience (years); specific professional experience in similar (similar works mean construction/upgrading/significant extension of a biological waste water treatment plant) works (years); experience in similar position (years):
process designer; 10; 7; 3.

Also, the joint venture/consortium's key personnel (process designer) must submit CVs and evidence for referenced project as required above (such as employer's certificate, affidavit, extract from official employment such as work books, etc.).

7. 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 (similar works mean construction/upgrading/significant extension of a biological waste water treatment plant) works (years); experience in similar position (years):

contractor's representative; 8; 4; 2;

site manager; 5; 3; 1.

Also, the joint venture/consortium's key personnel (contractor's representative and site manager) must submit CVs 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. 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:**

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

Tendering

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

The tender dossier is available from the contracting authority, Hrvatske vode, Ulica grada Vukovara 220, 10000 Zagreb, CROATIA, upon payment of 500 EUR, 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

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, 10000 Zagreb, CROATIA, for attention of Mr Robert Kartelo, fax +385 16307686, e-mail: 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/hv-ipa-tenders-en>

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

12.2.2013 (12:00), 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:**

12.2.2013 (13:00), 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).