
WORKS PROCUREMENT NOTICE

Continued Support to Capacity strengthening of the Veterinary, Phytosanitary and Sanitary Border Inspection, Construction of Border Inspection Post in Rijeka Port

Republic of Croatia

1. Publication reference

EuropeAid/130394/M/WKS/HR

2. Procedure

Open

3. Programme

IPA

4. Financing

National Programme for Croatia under the IPA-Transition Assistance and Institution Building Component for 2008

5. Contracting Authority

Central Finance and Contracting Agency, Ulica grada Vukovara 284, 10000 Zagreb, Croatia

CONTRACT SPECIFICATIONS

6. Description of the contract

This Works contract includes execution of all works necessary for reconstruction of existing warehouse at the container terminal Brajdica in Rijeka Port. Part of the existing building is to be adapted as premises for veterinary, sanitary and phytosanitary border inspection. Total gross area of warehouse is 4.956, 38 m² and gross area of adapted part will be 1.148, 57 m².

In line with new function of space new openings in existing external walls and new partition walls are going to be introduced. Ceiling will be hanged on existing floor supporting structure. New premises will use existing utility infrastructure (water supply, sewage and electric power)

FIDIC Conditions of Contract for Construction (New Red Book) and respective Particular Conditions are basis for implementation of this Works Contract. All Works should be done in accordance with issued Building permits and respective design documentation with the aim of obtaining the Use/Occupational permit.

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**.

Candidates or tenderers/potential applicants and, if they are legal entities, persons who have a power 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 persons, address, legal form and name and given name of the persons with power 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 contractor 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 works required in the tender dossier.

11. Tender guarantee

Tenderers must provide a tender guarantee of EUR 7.500,00 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 (Performance Security

– Demand 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

An optional site visit for Construction site BIP Rijeka will be held on 23rd September 2010 at 12:00 hours in the existing warehouse at the container terminal Brajdica in Rijeka Port.

An optional information meeting will be held on 23th September 2010 at 14:00 hours in the premises of the headquarters building of Rijeka Port.

Due to the special entry requirements, attendance to site visit is possible only upon prior registration. Registration data (name, surname and number of identification document /ID card or passport) should be sent up to 17th September 2010 until 12:00 h, on the following e-mail address: procurement@safu.hr with notification – Registration data for site visit BIP Rijeka.

Attendance to site visits and information meeting is strongly recommended.

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 time for completion of works is 215 days, starting from the day of issuance of Commencement Order and ending on the day of issuance of the Taking-Over Certificate.

The Defects Notification Period will last 365 days, starting from the day of issuance of the Taking-Over Certificate.

SELECTION AND AWARD CRITERIA

16. Selection criteria

The minimum selection criteria for the Sole Tenderer include:

1. Economic and financial capacity of candidate:
 - a. The average annual turnover of the tenderer for the last 3 years (2007, 2008 and 2009¹) must be equal to or exceed EUR 2,2 million.

¹ 2007 is considered to be two years before last year, 2008 is considered to be year before the last year and 2009 is considered to be last year.

- b. 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 be equal to or exceed 280.000,00 EUR.
2. Technical and professional capacity of candidate:
- a. The tenderer must be a registered company or natural person authorized for carrying out the specified works;
 - b. The tenderer must carry out at least 70% of the contracted 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;
 - c. The tenderer has successfully completed as a sole contractor at least two works contract in the field of construction or reconstruction of public, industrial or commercial buildings with the budget equal to or exceeding EUR 1,0 million in the years 2006, 2007, 2008, 2009 or 2010 up to the deadline for submission of tenders. The tenderer has to provide the Contracting Authority with copies of the respective Final Acceptance Certificates (or equivalent) signed by the concerned Supervisor/Engineer, the Contracting Authority or the Employer of the projects stating that the works were implemented successfully and within the deadline.
 - d. The tenderer's key personnel: Contract Project Manager and Building Site Organisation Manager must have at least 5 years of working experience in construction site organisation. Mechanical Works Organisation Manager and Electrical Works Organisation Manager must have at least 3 years of working experience in construction site organisation in the field of mechanical or electrical works. The tenderer has to provide the Contracting Authority the copies of the CVs and employer's certificates/extracts from workbooks for all Key Personnel identified in this requirement to prove that they satisfy given criteria;

The minimum selection criteria for joint venture/consortium will include:

1. Economic and financial capacity of candidate:
- a. The average annual turnover of the joint venture/consortium for the last 3 years (2007, 2008 and 2009¹) must be equal to or exceed EUR 2,2 million. The average annual turnover of a leader of the joint venture/consortium for the last 3 years (2007, 2008, 2009¹) must be equal to or exceed EUR 1,1 million.
 - b. The leader of the 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 be equal to or exceed 280.000,00 EUR.
2. Technical and professional capacity of candidate:
- a. All members of the joint venture/consortium must be registered companies or natural persons authorized for carrying out the specified works;
 - b. The joint venture/consortium as a whole must carry out at least 70 % of the contracted 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. The leader of a joint venture/consortium must have the ability to carry out at least 50% of the contracted works by its own means, as defined in Sub-clause 12 of the Instructions to Tenderers. Another member of a joint venture/consortium (i.e. not the leader of the Consortium) must have the ability to carry out at least 10% of the contracted works by its own means, as defined in Sub-clause 12 of the Instructions to Tenderers.

- c. The members of the joint venture/consortium have successfully completed (as sole contractors or members of a consortium/joint venture) at least two works contract in the field of construction or reconstruction of public, industrial or commercial buildings with the budget equal to or exceeding EUR 1,0 million in the years 2006, 2007, 2008, 2009 or 2010 up to the deadline for submission of tenders. The tenderer has to provide the Contracting Authority with copies of the respective Final Acceptance Certificates (or equivalent) signed by the concerned Supervisor/Engineer, the Contracting Authority or the Employer of the projects stating that the works were implemented successfully and within the deadline.
- d. The tenderer's key personnel: Contract Project Manager and Building Site Organisation Manager must have at least 5 years of working experience in construction site organisation in Civil engineering. Mechanical Works Organisation Manager and Electrical Works Organisation Manager must have at least 3 years of working experience in construction site organisation in the field of mechanical or electrical works. The tenderer has to provide the Contracting Authority the copies of the CVs and employer's certificates/extracts from workbooks for all Key Personnel identified in this requirement to prove that they satisfy given criteria.

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 Central Finance and Contracting Agency, Ulica grada Vukovara 284 (Business center Almeria, building C), 10000 Zagreb, Croatia, upon payment of EUR 500,00 in favour of the Ministry of Finance of the Republic of Croatia at the Bank Account in Privredna Banka Zagreb d.d.:

Giro account: 702000-132344-91
SWIFT CODE: PBZG HR 2X

Purpose of payment: For tender dossier

or Croatian currency counter value of the relevant amount due in EUR in favour of the Ministry of Finance of the Republic of Croatia, in accordance with provisions of the current Foreign Exchange Act of the Republic of Croatia, at the Bank Account in Croatian National Bank:

Žiro - račun: 1001005-1863000160

Model: 64

Poziv na broj: 9733 – 20157 – MB (uplatitelja)

Svrha: uplata za natječajnu dokumentaciju

The aforementioned payment excludes courier delivery.

The tender dossier is also available for prior inspection at the premises of the Contracting Authority, address as in point 5 above after prior notification and agreement of the time of such inspection to the procurement@safu.hr quoting in the “subject” of an e-mail message: EuropeAid_130394_works_tdri_inspection

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 Central Finance and Contracting Agency, Ulica grada Vukovara 284 (Business center Almeria, building C), 10000 Zagreb, Croatia, and/or procurement@safu.hr (mentioning the publication reference: EuropeAid_130394_works_ri_questions) 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 also on the Contracting Authority website at: <http://www.safu.hr>

19. Deadline for submission of tenders

The deadline for submission of tenders is 26th October 2010 at 12:00 h, Zagreb Local Time, at the premises of Central Finance and Contracting Agency, Ulica grada Vukovara 284 (building C), 10 000 Zagreb, Croatia).

Any tender received after this deadline will not be considered.

20. Tender opening session

The tender opening session will be on 26th October 2010 at 14:00 h Zagreb Local Time, at the premises of Central Finance and Contracting Agency, Ulica grada Vukovara 284 (building C), 10 000 Zagreb, Croatia.

21. Language of the procedure

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

22. Legal basis

EC Council Regulation No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA)