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**HR-Zagreb: IPA — biosciences technology commercialisation and  
incubation centre (BioCentre) — supervision of works (Zagreb, Croatia)  
2011/S 198-321371**

**Location: Europe (non-EU) — Croatia**

**Service procurement notice**

Common procurement vocabulary (CPV):

Main object:

71520000 Construction supervision services

Additional object(s):

71521000 Construction-site supervision services

1. **Publication reference:**

EuropeAid/130776/D/SER/HR.

Internet address(es):

General address of the contracting authority: <http://www.safu.hr>

2. **Procedure:**

Restricted.

3. **Programme:**

IPA.

4. **Financing:**

Financing agreement.

5. **Contracting authority:**

Central Finance and Contracting Agency, Zagreb, REPUBLIC OF CROATIA.

6. **Nature of contract:**

Global price.

7. **Contract description:**

The overall objective of the project of which this contract will be a part is to increase the creation and growth of technology and knowledge-based SMEs by enabling technology infrastructure, access to technology and business development services, particularly for high value-added sectors of the economy (i.e. biosciences/ biotechnology).

The purpose of this contract is to provide high quality works supervision services to ensure adequate construction of the biosciences technology commercialisation and incubation centre — BioCentre as well as conditions for functioning and full compatibility between the built installations and laboratory and other equipment to be procured via separate supply contract. The consultant shall act on behalf of the contracting authority, performing duties of 'the engineer' according to the FIDIC Conditions of contract for construction for building and engineering works designed by the employer — 'Red Book', first edition 1999, during the pre-construction/mobilisation, construction phase, defects notification period (maintenance period) and reporting period of the works contract.

BioCentre will be located in Zagreb, Borongaj area and it will offer a range of professional services, facilities and expertise to assist start up, incubation and commercialisation of new companies in the area of biosciences.

Total indoor gross floor area of the building will be approximately 5 440 m<sup>2</sup>, consisting of the ground, first and second floor. The building will include the following units:

1. central laboratory qualified according to good laboratory practice (GLP) on the second floor;
2. laboratories and offices for rental on the first floor;
3. joint support facilities; and
4. technical areas and installations.

8. **Numbers and titles of lots:**

The contract is divided into lots: No, 1 lot only.

9. **Budget:**

Maximum budget: 1 077 589 EUR.

10. **Scope for additional services:**

The contracting authority may, at its own discretion, extend the project in duration and/or scope, subject to the availability of funding, up to a maximum not exceeding the length and value of the initial contract. Any extension of the contract would be subject to satisfactory performance by the contractor.

**Conditions of participation**

11. **Eligibility:**

Participation is open to all legal persons (participating either individually or in a grouping (consortium) of candidates) 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 item 29 below). Participation is also open to international organisations. The participation of natural persons is governed by the specific instruments applicable to the programme under which the contract is financed.

12. **Candidature:**

All eligible natural and legal persons (as per item 11 above) or groupings of such persons (consortia) may apply. A consortium may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure. All members of a consortium (i.e., the leader and all other members) are jointly and severally liable to the contracting authority.

The participation of an ineligible natural or legal person (as per item 11) will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

13. **Number of applications:**

No more than 1 application can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting an application). In the event that a natural or legal person submits more than 1 application, all applications in which that person has participated will be excluded.

14. **Shortlist alliances prohibited:**

Any tenders received from tenderers having a different composition than the ones on the application forms will be excluded from this restricted tender procedure, unless prior approval from the contracting authority has been obtained — see PRAG 2.4.3. Shortlisted candidates may not form alliances or subcontract to each other for the contract in question.

15. **Grounds for exclusion:**

As part of the application form, candidates must submit a signed declaration, included in the standard application form, to the effect that they are not in any of the exclusion situations listed in Section 2.3.3 of the 'Practical Guide to contract procedures for EU external actions'.

16. **Subcontracting:**

Subcontracting is not allowed.

17. **Number of candidates to be shortlisted:**

On the basis of the applications received, at least 4 and at most 8 candidates will be invited to submit detailed tenders for this contract. If the number of eligible candidates meeting the selection criteria is less than the minimum of 4, the contracting authority may invite the candidates who satisfy the criteria to submit a tender.

**Provisional timetable**

18. **Provisional date of invitation to tender:**

24.1.2012.

19. **Provisional commencement date of the contract:**

15.6.2012.

20. **Initial period of implementation of tasks:**

Duration in months: 34.

**Selection and award criteria**

21. **Selection criteria:**

Same criteria for legal and natural person.

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

1) Economic and financial capacity of candidate:

In the case of the applicant being a public body equivalent information should be provided:

1. the average annual turnover of the candidate for the years 2008, 2009 and 2010 must exceed 400 000 EUR (2008 is considered to be 2 years before the last year, 2009 is considered to be the year before the last and 2010 is considered to be the last year);

2. the annual turnover of the tenderer for each of the last 3 years (2008, 2009 and 2010) must not be lower than 300 000 EUR;

3. the cash and cash equivalents of the candidate at the end of the years 2008, 2009 and 2010 are positive.

2) Professional capacity of candidate:

1. at least 8 staff currently work for the candidate in the field of construction supervision services;

2. at least 20 % of all staff working for the candidate this year in the field of construction supervision services are permanent.

3) Technical capacity of candidate:

1. the candidate has successfully completed (including defects notification period) at least 1 contract in 2008, 2009, 2010 or 2011 (until the deadline for receipt of applications) for the construction supervision of buildings, with the budget (own contribution) equal to or higher than 1 000 000 EUR;

2. the candidate has successfully completed (including defects notification period) at least 1 contract in 2008, 2009, 2010 or 2011 (until the deadline for receipt of applications) for the construction supervision of technological research buildings, hospitals or laboratories.

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 candidate relies on other entities 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. 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.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates must be re-examined to identify the 8 best applications for the tender procedure. The only factors which will be taken into consideration during this re-examination are:

- 1) the total number of projects managed by the candidate according to criterion 3;
- 2) in case of competition between 2 or more candidates having the same number of eligible projects, the candidates will be ranked in descending order according to the total amount of their own contribution to the eligible projects.

22. **Award criteria:**  
Best value for money.

#### **Application**

23. **Deadline for receipt of applications:**

18.11.2011 (16:00), local time.

Any application received after this deadline will not be considered.

24. **Application format and details to be provided:**

Applications must be submitted using the standard application form, the format and instructions of which must be strictly observed. The application form is available at the following Internet address: [http://ec.europa.eu/europeaid/work/procedures/implementation/services/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/services/index_en.htm)

Any additional documentation (brochure, letter, etc.) sent with an application will not be taken into consideration.

25. **How applications may be submitted:**

Applications must be submitted exclusively to the contracting authority in the following language: English — either by recorded delivery (official postal service) to:

Central Finance and Contracting Agency, Ulica grada Vukovara 284, objekt C, 10000 Zagreb, CROATIA,

— or hand-delivered (including courier services) directly to the contracting authority in return for a signed and dated receipt to:

As in abovementioned address.

The contract title and the publication reference (see item 1 above) must be clearly marked on the envelope containing the application and must always be mentioned in all subsequent correspondence with the contracting authority.

Applications submitted by any other means will not be considered.

26. **Alteration or withdrawal of applications:**

Candidates may alter or withdraw their applications by written notification prior to the deadline for submission of applications. No applications may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with item 25.

The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

27. **Operational language:**

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

28. **Date of publication of contract forecast notice:**

27.11.2010.

Notice number in OJ: [2010/S 231-352239](#).

29. **Legal basis:**

Council Regulation (EC) No 1085/2006 of 17.7.2006 establishing an Instrument for Pre-Accession Assistance (IPA).

30. **Additional information:**

The conclusion of the contract resulting from this tender procedure is subject to the fulfilment of the following condition:

bilateral agreement between the Government of Croatia and the Commission of the European Union concerning the co-financing of the major project — operation 2.2.2 of the regional competitiveness operational programme (2007–2011) — of which this contract will be a part, has been signed and has entered into force.

31. **Date of dispatch of this notice:**

3.10.2011.