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## WORKS PROCUREMENT NOTICE

### Construction works at the Bikarac Regional Waste Management Centre Šibenik-Knin County, Croatia

**1. Publication reference**

EuropeAid/124036/D/WKS/HR

**2. Procedure**

Open

**3. Programme**

ISPA

**4. Financing**

ISPA 2005/HR/16/P/PE/003 Bikarac Regional Waste Management Centre

**5. Contracting Authority**

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

### CONTRACT SPECIFICATIONS

**6. Description of the contract**

The works contract includes construction of new Regional Waste Management Centre (RWMC) and the remediation and closure of existing Bikarac landfill, which implies also the following works: reshaping of the existing landfill (5.2 ha), preliminary works on Cells 1 and 2 (volume 1,650,000 m<sup>3</sup>), construction of Cell 1 (volume 350,000 m<sup>3</sup>), capping and degassing..

**7. Number and titles of lots**

N/A

### 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**.

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 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 for whole of the works. Tenders for parts of the works will not be considered. Any tenderer may state in its tender that it would offer a discount. 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 100,000 euros 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 second best admissible 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 04 September 2009 at 11:00 hrs local time at the site address:

Bikarac Landfill  
Donje polje bb, 22000 Šibenik,  
Croatia

An information meeting will be held on 04 September 2009 at 14:00 hrs local time at the Final Beneficiary address:

Gradska knjižnica "Juraj Šižgorić" (City library "Juraj Šižgorić")  
Poljana 6, 22000 Šibenik  
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 CFCAs websites (<http://www.safu.hr/en/tenders?category=10&type=&status=&pg=1>).

#### **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**

510 days from the commencement date.

Defect Notification Period will be 24 months commencing upon the issue of the Taking Over Certificate.

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### **SELECTION AND AWARD CRITERIA**

#### **16. Selection criteria**

The minimum selection criteria for the Sole Tenderer include:

*Economic and financial capacity of candidate:*

1. It must be a registered firm or natural person capable of carrying out the specified works.
2. The Tenderer must have an annual turnover for each of the last 3 years (2006, 2007, 2008) equivalent to EUR 6 million.
3. 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 EUR 900,000.
4. 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.

*Technical and professional capacity of candidate:*

5. The Tenderer must have as a prime contractor completed at least 2 projects (each project of minimum EUR 3 million value) comprising the construction of new landfill in capacity of 500,000 m<sup>3</sup> and at least 2 projects comprising the remediation and closure of old landfill (remediation and closure can be covered either within one project or within

separate referenced projects<sup>1</sup>) over the last 8 years (last eight years shall be understood as the period: 31st December 2000 up to deadline for submission of tenders). Referenced projects must have been started and completed in the period of reference. The Contracting Authority reserves the right to ask for copies of the respective certificates of final acceptance signed by the supervisors/contracting authority of the projects concerned.

6. Tenderer's Designer(s) must have completed at least 2 projects comprising the design of new landfill (including treatment of leachate by biological methods) in capacity of 500,000 m<sup>3</sup> over the last 8 years (last eight years shall be understood as the period: 31<sup>st</sup> December 2000 up to deadline for submission of tenders). Tenderer's Designer(s) must submit CV's and evidence for referenced projects as required above (such as Employer's certificate, affidavit, etc.).

7. Tenderer's Key Personnel (Contractors Representative/Project Manager, Site Manager, Foreman, Head Designer and Quality Control Person) must have at least 3 years' experience on relevant position and in relevant works covering construction of new landfills and remediation or closure of old landfills. Also, Tenderer's Key Personnel must submit CV's and reference certificates with years of experience as required above (such as Employer's certificate, affidavit, extract from official employment such as work books).

8. Lining Team Manager shall be an engineer or technologist with not less than 5 years of experience in the installation of HDPE geomembrane liners. The Master Seamer shall have installed not less than 100,000 m<sup>2</sup> of HDPE geomembrane using hot air welder for HDPE liner.

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 be a registered firm or natural person capable of carrying out the specified works.
2. The joint venture/consortium must have an annual turnover for each of the last 3 years (2006, 2007, 2008) equivalent to EUR 6 million (lead member of a joint venture/consortium must have an annual turnover for each of the last 3 years equivalent to EUR 4 million).
3. 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 EUR 900,000.
4. The joint venture/consortium as a whole must carry out at least 70% of the contract works by his own resources, which means that he must have the equipment, materials, human and financial resources necessary to enable him to carry out that percentage of the contracted works.

*Technical and professional capacity of candidate:*

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<sup>1</sup> In case remediation and closure are covered within separate referenced projects, four projects are needed – two covering remediation and two covering closure of old landfills.

5. Joint Venture/Consortium as a whole must have completed at least 2 projects (each project of minimum EUR 3 million value) comprising the construction of new landfill in capacity of 500,000 m<sup>3</sup> and at least 2 projects comprising the remediation and closure of old landfill (remediation and closure can be covered either within one project or within separate referenced projects<sup>2</sup>) over the last 8 years (last eight years shall be understood as the period: 31st December 2000 up to deadline for submission of tenders). Referenced projects must have been started and completed in the period of reference. The Contracting Authority reserves the right to ask for copies of the respective certificates of final acceptance signed by the supervisors/contracting authority of the projects concerned.

6. Joint Venture/Consortium Designer(s) must have completed at least 2 projects comprising the design of new landfill (including treatment of leachate by biological methods) in capacity of 500,000 m<sup>3</sup> over the last 8 years (last eight years shall be understood as the period: 31<sup>st</sup> December 2000 up to deadline for submission of tenders). Joint Venture/Consortium Designer(s) must submit CV's and evidence for referenced projects as required above (such as Employer's certificate, affidavit, etc.).

7. Tenderer's Key Personnel (Contractors Representative/Project Manager, Site Manager, Foreman, Head Designer and Quality Control Person) must have at least 3 years' experience on relevant position and in relevant works covering construction of new landfills and remediation or closure of old landfills. Also, Tenderer's Key Personnel must submit CV's and reference certificates with years of experience as required above (such as Employer's certificate, affidavit, extract from official employment such as work books).

8. Lining Team Manager shall be an engineer or technologist with not less than 5 years of experience in the installation of HDPE geomembrane liners. The Master Seamer shall have installed not less than 100,000 m<sup>2</sup> of HDPE geomembrane using hot air welder for HDPE liner.

## 17. Award criteria

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

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## TENDERING

### 18. How to obtain the tender dossier

The tender dossier is available from Central Finance and Contracting Agency, Ulica grada Vukovara 284, 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**

**IBAN: HR3723400091510295771**

**Purpose of payment: For tender dossier**

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<sup>2</sup> In case remediation and closure are covered within separate referenced projects, four projects are needed – two covering remediation and two covering closure of old landfills.

or Croatian currency countervalue 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 inspection at the premises of the Contracting Authority, address as in point 5 above. 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](mailto:procurement@safu.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 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**

12:00 local time on 12 October 2009, at the Central Finance and Contracting Agency, Ulica grada Vukovara 284 (Business Center "Almeria", building C, reception office), 10000 Zagreb, Croatia at the reception office.

Any tender received after this deadline will not be considered.

#### **20. Tender opening session**

14:00 local time on 12 October 2009, at the premises of the Central Finance and Contracting Agency, Ulica grada Vukovara 284 (Business center "Almeria", building C), 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) N° 1267/1999 of 21 June 1999, as last amended by Council Regulation (EC) No. 2112/2005 of 21 November 2005.