
WORKS PROCUREMENT NOTICE

“Construction and Rehabilitation of Water Supply and Wastewater Systems in the Town of Karlovac”

Karlovačka County, Croatia

1. Publication reference

EuropeAid/127425/D/WKS/HR

2. Procedure

Open

3. Programme

ISPA

4. Financing

ISPA 2005/HR/16/P/PE/001; Karlovac Water and Waste Water Programme

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 all necessary installation and civil works for the Water Supply System comprising refurbishment and cleaning of the existing water wells at Mekušje and at Borlin, refurbishment of the Borlin reservoir, replacement of 9.5 km of pipes which are in worst condition (Group 6) and all necessary installation and civil works for the Wastewater System comprising construction of the main collector sewers, holing-through rivers, drilling beneath railways and buildings, construction of pump stations and secondary & tertiary sewers (integrated in 5 Groups):

Group 1:

- Grad Main Lift Station
- Main Grad Collector (section 3) including holing-through beneath the Korana River
- Connection of the South Main Collector to the WWTP

Group 2:

- Gaza Stormwater Pumping Station
- Stormwater Discharge Gaza (section 4) – holing-through
- Reconstruction of the existing main discharge collector for use as Stormwater Retention Volume (section 16)

- Demolition of the building of the old PS Sanac (Gaza)
- Draining PS Struga for rest water from the stormwater retention pipe (section 16)
- Pressure Pipe Ulica Gornja gaza (section 15)

Group 3:

- Pumping Station Banija 2
- Collector Banija – Gaza (section 1a), including holing-through beneath the Kupa River
- Collector Gaza (sections 7 and 7a)
- Holing-through of the Collectors 1a and 7 beneath the Building of the Fire Brigade
- Pumping Station Dreznik
- Main Collector Dreznik (section 11), including holing-through beneath the Kupa River

Group 4:

- Pumping Station Banija 1
- Collector Banija (section 1b)
- Collector PPK (section 6)
- Rehabilitation of existing Network (section 13)

Group 5:

- Pumping Station Mostanje
- Collector and Sewer Lines Svarca (sections 2c; 2b; 2a-2), including holing-through beneath the Korana River
- Pumping Station Svarca 1
- Sewer Mala Svarca (section 8)

Group 6:

- Replacement of 9.5 km of pipes which are in worst condition
- Refurbishment and cleaning of the existing water wells at Mekušje and at Borlin
- Refurbishment of the Borlin reservoir

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.

Since co-financing of this project is provided also by the EBRD, participation of third countries is authorised with regard to this project and in accordance with EBRD eligibility rules.

N.B. The extract of EBRD eligibility rules from the "Procurement Policies and Rules" document, that is available at the following website (<http://www.ebrd.com/pubs/finance/ppr.htm>), is enclosed as Annex to the Procurement Notice.

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 shall 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 350.000,00 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

A site visit for wastewater part of the works will take place on 17 September 2009 in Karlovac. It is strongly recommended that interested tenderers attend this site visit. The site visit will start at 10:00 hrs local time, at the following address:

Karlovac City Hall
Banjavčičeva 9
47 000 Karlovac
Croatia

A site visit for water supply part of the works will take place on 18 September 2009 in Karlovac. It is strongly recommended that interested tenderers attend this site visit. The site visit will start at 10:00 hrs local time, at following address:

Karlovac City Hall
Banjavčičeva 9
47 000 Karlovac
Croatia

A clarification meeting will be held at 14:30 hrs local time on 18 September 2009 at the following address:

Karlovac City Hall
Banjavčičeva 9
47 000 Karlovac
Croatia

The minutes of the clarification meeting and the site visit will be published at EuropeAid (<http://ec.europa.eu/europeaid/cgi/frame12.pl>) and CFCAsites (<http://www.safu.hr/hr/natjecaji?category=10&type=&status=&pg=1&sid=2078405902e6115e00eb8b1513540515>).

14. Tender validity

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders.

15. Period of implementation

The time for completion of all the works shall be 17 months from the commencement date, including winter and high flood periods.

Defect Notification Period will be 12 months commencing upon the issue of the Taking Over Certificate.

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 years¹, equivalent to EUR 45 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 5 million.
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 3 projects (each project of minimum EUR 5 million value) or one project with a minimum EUR 15 million value. The project(s) must have been carried out in the period of 17 months, comprising all necessary installation and civil works for the construction of a main sewerage network and the laying of water supply lines, construction of pumping stations and holing-through rivers over the last 5 years².

The Tenderer will have to provide the Contracting Authority with copies of the respective certificates of final acceptance signed by the concerned supervisors/contracting authority of the project(s) stating that the works were implemented successfully and within the deadline. However, for project(s) completed in the last 12 months, a copy of the provisional acceptance certificate will be considered as sufficient.

Every Tenderer will have to provide the Contracting Authority with a table enumerating all projects to be implemented within the next 17 months and to specify the value and duration of each of them.

6. Tenderer's Key Personnel: Contractor's Representative/Project Manager, 6 Site Managers (one site manager for each group of the works according to clause 6 with the experience relevant for the particular group of the works), at least 10 Main Foremen (for each team as civil works, micro-tunneling, mechanical works, electrical works) and 1 Quality Control Expert must have at least 7 years of experience on relevant position and in relevant works.

¹ Last 3 years should be understood as 2006, 2007 or 2008.

² Last 5 years shall be understood as the period: 01 January 2005 up to deadline for submission of tenders.

At least one (1) Surveying Engineer who has at least 5 years of experience in mapping of sewer lines and preparing as-built drawings of sewer network and collector lines.

N.B : The project will require 6 groups of works according to clause 6 and at least 10 teams to work in parallel in two shifts.

7. Tenderer's Key Personnel (Contractor's Representative/Project Manager, Site Manager for each group of the works, Main Foremen for each team, Surveying Engineer and Quality Control Expert) must submit CVs and reference certificates with years of experience as required under selection criterion number 6 above (such as Employer's certificate, affidavit, extract from official employment such as work books).

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 legally capable of carrying out the specified works.
2. The joint venture/consortium as a whole must have an annual turnover for each of the last 3 years³ equivalent to EUR 45 million (lead member of a joint venture/consortium must have an annual turnover for each of the last 3 years equivalent to EUR 20 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 total amount of credit available must exceed the equivalent of EUR 5 million.
4. 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. The lead member of a joint venture/consortium, must have the ability to carry out at least 50% of the contract 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 lead member) must have the ability to carry out at least 10% of the contract works by its own means, as defined in Sub-clause 12 of the Instructions to Tenderers.

Technical and professional capacity of candidate:

5. The joint venture/consortium as a whole must have completed at least 3 projects (each project of minimum EUR 5 million value) or one project with a minimum EUR 15 million value. The project(s) must have been carried out in the period of 17 months, comprising all necessary installation and civil works for the construction of a main sewerage network and the laying of water supply lines, construction of pumping stations and holing-through rivers over the last 5 years⁴.

The Tenderer will have to provide the Contracting Authority with copies of the respective certificates of final acceptance signed by the concerned supervisors/contracting authority of the

³ Last 3 years should be understood as 2006, 2007 or 2008.

⁴ Last five years shall be understood as the period: 01 January 2005 up to deadline for submission of tenders.

project(s) stating that the works were implemented successfully and within the deadline. However, for project(s) completed in the last 12 months, a copy of the provisional acceptance certificate will be considered as sufficient.

Every Tenderer will have to provide the Contracting Authority with a table enumerating all projects to be implemented within the next 17 months and to specify the value and duration of each of them.

6. Tenderer's Key Personnel: Contractor's Representative/Project Manager, 6 Site Managers (one site manager for each group of the works according to clause 6 with the experience relevant for the particular group of the works), at least 10 Main Foremen (for each team as civil works, micro-tunneling, mechanical works, electrical works) and 1 Quality Control Expert must have at least 7 years of experience on relevant position and in relevant works.

At least one (1) Surveying Engineer who has at least 5 years of experience in mapping of sewer lines and preparing as-built drawings of sewer network and collector lines.

N.B : The project will require 6 groups of works according to clause 6 and at least 10 teams to work in parallel in two shifts.

7. Tenderer's Key Personnel (Contractor's Representative/Project Manager, Site Manager for each group of the works, Main Foreman for each team, Surveying Engineer and Quality Control Expert) must submit CVs and reference certificates with years of experience as required under selection criterion number 6 above (such as Employer's certificate, affidavit, extract from official employment such as work books).

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 Central Finance and Contracting Agency, Ulica grada Vukovara 284 (Business center Almeria, building C), 10000 Zagreb, Croatia, upon payment of EUR 700 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 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, (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 26 October 2009, at the Central Finance and Contracting Agency, Ulica grada Vukovara 284 (Business center Almeria, building C), 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 26 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.