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**HR-Zagreb: IPA — technical assistance for rehabilitation and improvement of the Sava river waterway
2012/S 116-190590**

Location: Europe (non-EU) — Croatia

Service procurement notice

Common procurement vocabulary (CPV):

Main object:

71356200 Technical assistance services — MA09 For transport

Additional object(s):

71242000 Project and design preparation, estimation of costs — MA13 For waterways

1. **Publication reference:**

EuropeAid/127638/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 subject of this contract is the preparation of project documentation for rehabilitation and improvement of the Sava river waterway to the IV class of navigability.

A number of previous studies have been undertaken in connection with rehabilitation and improvement of the Sava river waterway and they are summarised as follows: (i) pre-feasibility study (2007); (ii) feasibility study (2008); (iii) environment assessment (2008); (iv) environmental impact assessment study (EIA — 2010); and (v) conceptual design (2010). During 2010 existing project documentation was reviewed and amended through framework contract which provided an opinion on the quality of existing project documentation, pointed out any discrepancies and suggestions for improvements.

These studies summarise the considerable amount of work already undertaken to date. The consultant shall review previous project documents, designs, reports and verify any technical, economic or commercial findings given in these reports which have a direct bearing on the project as it develops.

This contract aims to provide surveys and technical documentation/designs, i.e. implementation of geotechnical site investigations, an amendment of the hydraulic 1-D model, and development of 2-D hydraulic model, update of the EIA study (if needed), an amendment of the existing conceptual design and preparation of the main designs (the technical specifications, drawings and cost estimate), preparation of detailed design for the

rehabilitation and improvement of the Sava river waterway. The consultant is required to prepare all necessary documentation required for amendment of the existing location permit, obtainment of the building permits in accordance with national legislation. On the basis of prepared main designs it is necessary to update the existing feasibility study with CBA and to prepare IPA/CF project application in accordance with the requirement of the EU and national legislation in order to propose the project for EU co-financing, and complete tender dossier for construction works and supervision of works.

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

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

9. **Budget:**

Maximum budget: 2 300 000 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 allowed.

Maximum percentage of the contract value which may be subcontracted: 30 %.

Activities which may be subcontracted: activities necessary to support the preparation of project outputs (e.g. geotechnical field investigations, geodetic survey — revetments, geodetic survey — groynes, geodetic survey — bottom sills, geodetic survey — watercourse profiles, water measurements, design control/audit costs, design validation/nostrification costs).

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:**

14.9.2012.

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

20.3.2013.

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

Duration in months: 20.

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 annual turnover of the tenderer for each of the last 3 years (2009, 2010 and 2011) must not be lower than 1 400 000 EUR (2009 is considered to be 2 years before last year, 2010 is considered to be the year before last and 2011 is considered to be last year);

2. the cash and cash equivalents of the candidate at the end of the years 2009, 2010 and 2011 were positive.

2) Professional capacity of candidate:

1. at least 4 staff currently work for the candidate in the field of inland waterway infrastructure design, and are permanent.

3) Technical capacity of candidate:

1. the candidate has successfully completed at least 1 contract that covers the field of inland waterway infrastructure design. The contract must have been implemented in the years 2009, 2010, 2011 or 2012 (until the deadline for receipt of applications);

2. the contract must have been with a budget (own contribution) equal to or exceeding the established amount of 2 300 000 EUR.

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:**
30.7.2012 (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

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:**

14.10.2008.

Notice number in OJ: [2008/S 199-263157](#).

29. **Legal basis:**

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

Commission Regulation (EC) No 718/2007 of 12.6.2007 implementing Council Regulation (EC) No 1085/2006 establishing an Instrument for Pre-Accession Assistance (IPA) (hereinafter 'IPA Implementing Regulation').

Commission Regulation (EU) No 80/2010 of 28.1.2010 amending Regulation (EC) No 718/2007 implementing Council Regulation (EC) No 1085/2006 establishing an Instrument for Pre-Accession Assistance (IPA).

The Framework Agreement (hereinafter 'Framework Agreement') is a document signed on 27.8.2007 between the Government of the Republic of Croatia and the Commission of the European Communities on the rules for cooperation concerning EC financial assistance to the Republic of Croatia in the framework of the implementation of the assistance under the Instrument for Pre-Accession Assistance (IPA) (OG, International Agreements, No 10/07).

Commission Decision of 7.12.2007 adopting the transport operational programme (TOP) (CCI 2007HR16IPO002), specifying the detailed implementation methods.

Commission Decision C(2010) 3771 of 22.6.2010 amending Decision C(2007) 6051 adopting the multiannual 'Transportation' operational programme for Community assistance from the Instrument for Pre-Accession Assistance for the regional development component in Croatia CCI 2007HR16IPO002.

Agreement between the Government of the Republic of Croatia and the European Commission modifying the Financing Agreement between the Government of the Republic of Croatia and the European Commission concerning the multiannual operational programme 'Transportation' for Community assistance from the Instrument for Pre-Accession Assistance under the 'Regional development' component in Croatia (OG, International Agreements No 11/10).

30. **Additional information:**

Not applicable.

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

8.6.2012.