

WORKS PROCUREMENT NOTICE

“Construction of Waste Water Treatment Plant in the Town of Karlovac“

Karlovačka County, Croatia

1. Publication reference

EuropeAid/125770/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

Ministry of Finance of the Republic of Croatia, Central Finance and Contracting Unit,
Katančičeva 5, 10000 Zagreb, Croatia.

CONTRACT SPECIFICATIONS

6. Description of the contract

Construction and design of new wastewater treatment plant (100,000 p.e., 26,000 m³/d) for full treatment of wastewaters collected within the town of Karlovac, under the Conditions of Contract for Plant and Design-Build for Electrical and Mechanical Plant, and for Building and Engineering Works, designed by the Contractor (Yellow Book), First Edition 1999. The Contract includes following works: inlet pumping station, inlet works, offices, workshops, laboratory, primary sedimentation, sludge treatment facilities, secondary and tertiary sewage treatment facilities, effluent pumping station, embankments, fencing and access road.

7. Number and titles of lots

There are no lots.

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*.

10. Number of tenders

Tenderers may submit only one tender. Tenders for parts of a tender will not be considered. Any tenderer may state in its tender that it would offer a discount.

Tenderers may NOT submit a variant solution on those parts of Tender Dossier that are stipulated as mandatory.

However, the Contracting Authority would like to draw your attention to the fact that the Croatian legislation imposes to the Contracting Authority the obligation to include the location permit in the tender documentation for works projects. This location permit is attached in Book B of this tender dossier. It was issued on the basis of a technology chosen by the Contracting Authority. **However, this choice of technology was only made for the purpose of the issuance of the location permit and should in no case be considered as mandatory for the tenderers.**

Therefore, different solutions on parts of Tender Dossier that are indicated as "for information only" may be proposed. Those different solutions will be considered as technical solution to upgrade a technology of Waste Water Treatment Plant and each of them will be treated as the main offer from each tenderer. All different solutions compliant with technically requested outputs shall be considered, but the most economically advantageous solution as defined by I.T.T. article 29.2 will be selected as proposed winner.

In case the selected winning bid would be based on a different technology than the one for which the location permit was issued, the Contracting Authority commits itself to obtain, after the contract signature and as stated by sub-clause 1.13 of the FIDIC Yellow book general conditions of contract, the necessary modification of the location permit on the basis of documentation prepared by the Contractor.

The evaluation grids contain the list of criteria on which the offers will be technically evaluated (criterion No 30 to criterion No 102 in Technical Evaluation Subgrids; Table 2, Table 3 and Table 4 on pages 77 – 83 of the TD, Volume I, Section 5). No other criterion will be taken into consideration. The use of the technology as mentioned in the location permit will not procure any advantage to the tenderer, and the choice of another technology will not be penalized.

11. Tender guarantee

Tenderers must provide a tender guarantee of 260,000 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

A site visit will take place on 25 January 2008 in Karlovac. It is strongly recommended that interested tenderers attend this site visit. The site visit will start at 12:00 hrs local time, at

following address:

Gornje Mekušje b.b.
47 000 Karlovac,
Croatia

An information meeting will be held by the Final Beneficiary at 15:00 hrs local time on 25 January 2008 at the following address:

Vodovod i kanalizacija Karlovac (The Karlovac Water and Sewage Company)
Gažanski trg 8, 47 000 Karlovac,
Croatia

The minutes of the clarification meeting will be submitted in writing to the Tenderers.

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 26 months from the commencement date. 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:

1. He must be a registered firm or natural person capable of carrying out the specified works.
2. The Tenderer must have an average annual turnovers equivalent to or exceeding EUR 20 million over the three years: 2005, 2006 and 2007.
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 1,5 million.
4. The Tenderer 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 contract.
5. The Tenderer must have as a prime contractor completed at least 2 projects of the similar nature (meaning experience in construction or improvement works for biological wastewater treatment plants including design of the process, for urban wastewater), amount and complexity (meaning mixed process, civil, structural, monitoring and SCADA control, mechanical and electrical plant contracts, including building, testing, taking over and performances testing under design & build conditions of contract) comparable to the works concerned by the tender over the last 6 years (last six years shall be understood as the period: 31st December 2001 up to deadline of submission of tenders) in water / wastewater sector.

Each experience shall cover execution of at least one wastewater treatment plant for tertiary treatment of wastewater, constructed on a design and build basis i.e. the works designed and constructed by the Tenderer (and already accepted by employer for operation) with capacity for at least 50,000 p.e.

The Contracting Authority reserves the right to ask for copies of the respective certificates of final acceptance (hand over) signed by the supervisors/contracting authority of the projects concerned.

6. Tenderer's Designers (Process Designer and Head Designer) must have completed at least 2 projects (of a minimum EUR 6 million value) comprising the design of new waste water treatment plant for tertiary treatment of wastewater, constructed on a design and build basis

i.e. the works designed and constructed by the Tenderer (and already accepted by employer for operation) with capacity for at least 50,000 p.e. over the last 6 years (last six years shall be understood as the period: 31st December 2001 up to deadline of submission of tenders).

7. Tenderer's Key Personnel Contractor Representative/Project Manager and Site Manager must have at least 15 years of experience and Foreman, Head Designer and Process Designer must have at least 10 years of experience on relevant position and in relevant works.

8. Tenderer's Key Personnel (Contractor's Representative/Project Manager, Site Manager, Foreman, Process Designer and Head Designer) must submit reference certificates of at least 15 years of experience for Contractor Representative/Project Manager and Site Manager and certificates of at least 10 years of experience for Foreman, Head Designer and Process Designer on relevant position and in relevant works (construction of new waste water treatment plants). The Tenderer will supply information on the candidate for each position, who should meet the experience requirements specified below:

POSITION	TOTAL EXPERIENCE (years)	EXPERIENCE IN SIMILAR WORKS (years)	EXPERIENCE IN SIMILAR POSITION (years)
Contractor's Representative	15	8	5
Site Manager	15	7	5
Foreman	10	7	5
Head Designer	10	8	5
Process Designer	10	8	5

The **joint venture/consortium** as a whole (all members together) and the lead member must satisfy the following minimum qualifying criteria:

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 must have an average annual turnovers equivalent to or exceeding EUR 20 million over the three years: 2005, 2006 and 2007. The lead member of a joint venture/consortium must have an average annual turnovers equivalent to or exceeding EUR 15 million over the three years: 2005, 2006 and 2007.
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 1,5 million.
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 contract. The lead member of a joint venture/consortium, must have the ability to carry out at least 50% of the contract works by his own means, as defined in Subclause 4.
5. 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 his own means, as defined in Sub-clause 4.

6. Joint Venture/Consortium must have completed at least 2 projects of the similar nature (meaning experience in construction or improvement works for biological wastewater treatment plants including design of the process, for urban wastewater), amount and complexity (meaning mixed process, civil, structural, monitoring and SCADA control, mechanical and electrical plant contracts, including building, testing, taking over and performances testing under design & build conditions of contract), comparable to the works concerned by the tender over the last 6 years (last six years shall be understood as the period: 31st December 2001 up to deadline of submission of tenders) in water / wastewater sector.

7. Joint Venture/Consortium Designers (Process Designer and Head Designer) must have completed at least 2 projects (of a minimum EUR 6 million value) comprising the design of new wastewater treatment plant for tertiary treatment of wastewater, constructed on a design and build basis i.e. the works designed and constructed by the Tenderer (and already accepted by employer for operation) with capacity for at least 50,000 p.e. over the last 6 years (last six years shall be understood as the period: 31st December 2001 up to deadline of submission of tenders).

8. Joint Venture/Consortium Key Personnel, Contractor Representative/Project Manager and Site Manager must have at least 15 years of experience and Foreman, Head Designer and Process Designer must have at least 10 years of experience on relevant position and in relevant works.

9. Joint Venture/Consortium Key Personnel (Contractor's Representative/Project Manager, Site Manager, Foreman, Process Designer and Head Designer) must submit reference certificates of at least 15 years of experience for Contractor Representative/Project Manager and Site Manager and certificates of at least 10 years of experience for Foreman, Head Designer and Process Designer on relevant position and in relevant works (construction of new Waste Water Treatment Plants). The Tenderer will supply information on the candidate for each position, who should meet the experience requirements specified below:

POSITION	TOTAL EXPERIENCE (years)	EXPERIENCE IN SIMILAR WORKS (years)	EXPERIENCE IN SIMILAR POSITION (years)
Contractor's Representative	15	8	5
Site Manager	15	7	5
Foreman	10	7	5
Head Designer	10	8	5
Process Designer	10	8	5

17. Award criteria

Lowest bid (as defined under ITT article 29.2) satisfying the administrative and technical criteria.

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from Ministry of Finance, Central Finance and Contracting Unit, Katančičeva 5, 10000 Zagreb, Croatia, upon payment of **500 EUR** 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. It is also available for inspection at the premises of the Contracting Authority at the 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 Ministry of Finance, Central Finance and Contracting Unit, Katančičeva 5, 10000 Zagreb, Croatia and/or cfcu@mfin.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:

http://ec.europa.eu/europeaid/work/procedures/index_en.htm and also on the Contracting Authority website at: <http://cfcu.mfin.hr>

19. Deadline for submission of tenders

12:00 local time on 14 March 2008, at the Ministry of Finance, Central Finance and Contracting Unit, Katančičeva 5, 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 14 March 2008, at the Ministry of Finance, Central Finance and Contracting Unit, Katančičeva 5, 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) No 1267/1999 of 21 June 1999, as last amended by Council Regulation (EC) No 2112/2005 of 21 November 2005