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## WORKS PROCUREMENT NOTICE

### Continued Support to Capacity strengthening of the Veterinary, Phytosanitary and Sanitary Border Inspection, Construction of Border Inspection Posts Bajakovo and Zagreb

Republic of Croatia

#### 1. Publication reference

EuropeAid/130213/M/WKS/HR

#### 2. Procedure

Open

#### 3. Programme

IPA

#### 4. Financing

National Programme for Croatia under the IPA-Transition Assistance and Institution Building Component for 2008

#### 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 will include execution of all works necessary for construction of two different buildings, foreseen as the premises for border inspection posts (BIP) for phytosanitary, veterinary and sanitary inspection. The Works Contract will be divided as follows: Section 1- Construction site BIP Bajakovo and Section 2 – Construction site BIP Zagreb Airport. Both BIP constructions are a part of a border crossing complex on two distant locations: the road crossing Bajakovo and Zagreb Airport. Distance between two construction sites is approx 305 km. Total square meter area of two facilities will be approx 2.350,00 m<sup>2</sup>, together with the respective infrastructure and utilities on site. BIP Bajkovo covers area of 1.450,00 m<sup>2</sup> and BIP Zagreb Airport of 892,89 m<sup>2</sup>, both with height of a ground floor. FIDIC Conditions of Contract for Construction (New Red Book) and respective Particular Conditions are basis for implementation of this Works Contract. All works should be done in accordance with issued building permits and respective design documentation with the aim of obtaining the Use/Occupational permit.

#### 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.

### 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**.

Candidates or tenderers/potential applicants and, if they are legal entities, persons who have a power 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 persons, address, legal form and name and given name of the persons with power 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 contractor a grant agreement or decision.

### 10. Number of tenders

Tenderers may submit only one tender per lot. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot. 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 EUR 36.000,00 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 (Performance Security – Demand 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 next cheapest compliant tender.

**13. Information meeting and/or site visit**

An optional site visit for Section 1- Construction site BIP Bajakovo will be held on 23<sup>rd</sup> August 2010 at 12:00 hours on Bajakovo road border crossing.

An optional site visit for Section 2 - Construction site BIP Zagreb will take place on 24<sup>th</sup> August 2010 at 11:00 hours at the information point of Zagreb Airport Passenger Building.

An optional information meeting will be held on 24<sup>th</sup> August 2010 at 14:00 hours in the premises of Ministry of Agriculture, Fisheries and Rural Development, Ulica grada Vukovara 78, Zagreb

Due to the special border entry requirements, attendance to site visits is possible only upon prior registration. Registration data (name, surname and number of identification document /ID card or passport) should be sent up to 19<sup>th</sup> August 2010 until 12:00 h, on the following e-mail address: [procurement@safu.hr](mailto:procurement@safu.hr) with notification – Registration data for site visits Bajakovo and Zagreb

Attendance to site visits and information meeting is strongly recommended.

**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**

The time for completion of works is 275 days, starting from the day of issuance of Commencement Order and ending on the day of issuance of the Taking-Over Certificate for both construction sites.

The Defects Notification Period will last 365 days for both constructions, starting from the day of issuance 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:

1. Economic and financial capacity of candidate:
  - a. The average annual turnover of the tenderer for the last 3 years (2007, 2008 and 2009<sup>1</sup>)

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<sup>1</sup> 2007 is considered to be two years before last year, 2008 is considered to be year before the last year and 2009 is considered to be last year.

must be equal to or exceed EUR 7,2 million.

- b. 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 be equal to or exceed EUR 0,8 million.

2. Technical and professional capacity of candidate:

- a. The tenderer must be a registered company or natural person authorized for carrying out the specified works;
- b. The tenderer must carry out at least 70% of the contracted 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;
- c. The tenderer has successfully completed as a sole contractor EITHER one works contract in the field of public or industrial buildings, covering the works performed in parallel on at least two distant (minimum 50 km) construction sites and with the budget equal to or exceeding EUR 3,6 million OR at least 2 works contracts in the field of public or industrial buildings, implemented in parallel on distant (minimum 50 km) construction sites with the budget of each works contract equal to or exceeding EUR 1,8 million. Those contracts should have been implemented and successfully completed in the years 2006, 2007, 2008, 2009 and 2010 up to the deadline for submission of tenders. The tenderer has to provide the Contracting Authority with copies of the respective Final Acceptance Certificates (or equivalent) signed by the concerned Supervisor/Engineer, the Contracting Authority or the Employer of the projects stating that the works were implemented successfully and within the deadline.
- d. The tenderer's key personnel: Contract Project Manager and two Building Site Organisation Managers must have at least 5 years of working experience in construction site organisation. Mechanical Works Organisation Manager and Electrical Works Organisation Manager must have at least 3 years of working experience in construction site organisation in the field of mechanical or electrical works. The tenderer has to provide the Contracting Authority the copies of the CVs and employer's certificates/extracts from workbooks for all Key Personnel identified in this requirement to prove that they satisfy given criteria;

The minimum selection criteria for joint venture/consortium will include:

1. Economic and financial capacity of candidate:

- a. The average annual turnover of the joint venture/consortium for the last 3 years (2007, 2008 and 2009<sup>1</sup>) must be equal to or exceed EUR 7,2 million. The average annual turnover of a leader of the joint venture/consortium for the last 3 years (2007, 2008, 2009<sup>1</sup>) must be equal to or exceed EUR 3,6 million.
- b. The leader of the 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 be equal to or exceed EUR 0,8 million.

2. Technical and professional capacity of candidate:

- a. All members of the joint venture/consortium must be registered companies or natural persons authorized for carrying out the specified works;
- b. The joint venture/consortium as a whole must carry out at least 70 % of the contracted 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 leader of a joint venture/consortium must have the ability to carry out at least 50% of the contracted 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 leader of the Consortium) must have the ability to carry out at least 10% of the contracted works by its own means, as defined in Sub-clause 12 of the Instructions to Tenderers.
- c. The members of the joint venture/consortium have successfully completed (as sole contractors or members of a consortium/joint venture) EITHER one works contract in the field of public or industrial buildings, covering the works performed in parallel on at least two distant (minimum 50 km) construction sites and with the budget equal to or exceeding EUR 3,6 million OR at least 2 works contracts in the field of public or industrial buildings, implemented in parallel on distant (minimum 50 km) construction sites with the budget of each works contract equal to or exceeding EUR 1,8 million. Those contracts should have been implemented and successfully completed in the years 2006, 2007, 2008, 2009 and 2010 up to the deadline for submission of tenders. The tenderer has to provide the Contracting Authority with copies of the respective Final Acceptance Certificates (or equivalent) signed by the concerned Supervisor/Engineer, the Contracting Authority or the Employer of the projects stating that the works were implemented successfully and within the deadline.
- d. The tenderer's key personnel: Contract Project Manager and two Building Site Organisation Managers must have at least 5 years of working experience in construction site organisation in Civil engineering. Mechanical Works Organisation Manager and Electrical Works Organisation Manager must have at least 3 years of working experience in construction site organisation in the field of mechanical or electrical works. The tenderer has to provide the Contracting Authority the copies of the CVs and employer's certificates/extracts from workbooks for all Key Personnel identified in this requirement to prove that they satisfy given criteria.

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. 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.

## **17. Award criteria**

Price

## 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 600,00 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**

**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.

The tender dossier is also available for prior inspection at the premises of the Contracting Authority, address as in point 5 above after prior notification and agreement of the time of such inspection to the [procurement@safu.hr](mailto:procurement@safu.hr) quoting in the “subject” of an e-mail message: 2008-0303-0101\_works\_td\_inspection

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: IPA 2008-0303-0101\_works\_bz\_questions) 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

The deadline for submission of tenders is 21<sup>st</sup> September 2010 at 12:00 h, Zagreb Local Time, at the premises of Central Finance and Contracting Agency, Ulica grada Vukovara 284 (building C), 10 000 Zagreb, Croatia).

Any tender received after this deadline will not be considered.

### 20. Tender opening session

The tender opening session will be on 21<sup>st</sup> September 2010 at 14:00 h Zagreb Local Time, at the premises of Central Finance and Contracting Agency, Ulica grada Vukovara 284 (building C), 10

000 Zagreb, Croatia.

**21. Language of the procedure**

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

**22. Legal basis**

EC Council Regulation No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA)