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## SUPPLY PROCUREMENT NOTICE

### “Supply of Operational and Maintenance Equipment for Karlovac Water and Waste Water Programme”

Republic of Croatia

#### 1. Publication reference

EuropeAid/128448/D/SUP/HR

#### 2. Procedure

Open

#### 3. Programme

ISPA 2005

#### 4. Financing

ISPA Karlovac Water and Waste Water Programme

#### 5. Contracting authority

Central Finance and Contracting Agency

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## CONTRACT SPECIFICATIONS

#### 6. Description of the contract

This supply contract covers the procurement of the necessary equipment and materials for the Sewerage Networks Inspections and Sewer Maintenance. Through this procurement the Final Beneficiary - Water and Waste Water Company Karlovac, will be provided with two vehicles equipped with modern vacuum and jetting tankers, one of which is to recycle wastewater, and one vehicle with smaller jetting tanker for the collection of sewage. The vehicles shall be equipped with general safety equipment for specific tasks. This procurement also includes sewerage system maintenance equipment as well as CCTV for sewerage inspection. The CCTV will be used together with maintenance vehicle on the sites.

#### 7. Number and titles of lots

Lot 1 – Sewerage Maintenance Vehicles

Lot 2 – CCTV full equipment with transportation vehicle

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## 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 item 22 below). All goods supplied under this contract must originate in one or more of these countries. Participation is also open to international organisations. 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, is available at the following website: <http://www.ebrd.com/pubs/finance/ppr.htm> .

### 9. Grounds for exclusion

Tenderers must submit a signed declaration, included in the Tender Form for a Supply Contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the Practical Guide to contracts 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 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 supplies required in the tender dossier.

### 11. Tender guarantee

Tenderers must provide a tender guarantee of 10.000 EUR for Lot 1 and 2.600 EUR for Lot 2 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. This guarantee will be called upon if the tenderer does not fulfil all obligations stated in its tender.

## **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 next cheapest compliant tender.

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

No information meeting is planned.

## **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 implementation period will last 275 days for Lot 1 and 171 days for Lot 2, starting from day of issuance of Commencement Order and ending on the day of issuance of the certificate of Provisional Acceptance. The implementation period will include delivery period of 210 days for Lot 1 and 120 days for Lot 2.

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# **SELECTION AND AWARD CRITERIA**

## **16. Selection criteria**

The following selection criteria will be applied to tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole:

- 1) Economic and financial capacity of tenderer (based on i.a. item 3 of the Tender Form for a Supply Contract). In case of tenderer being a public body, equivalent information should be provided.
  - (a) the annual turnover of the tenderer for the year 2008<sup>1</sup> must be at least two times of the submitted financial proposal<sup>2</sup>
  - (b) the cash and cash equivalents of tenderer at the end of year 2007 and year 2008 are positive
- 2) Technical capacity of tenderer (based on i.a. items 5 and 6 of the Tender Form for a Supply Contract)
  - (a) the tenderer has successfully completed at least one contract in the field related to this contract (supply of sewage equipment if the tenderer is applying for Lot 1 or supply of CCTV equipment if the tenderer is applying for Lot 2) with the budget of at least that of his

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<sup>1</sup> 2007 is considered to be year before last year and 2008 is considered to be last year.

<sup>2</sup> If the tenderer applies for more than one lot, the total offered price (meaning, the total sum of offered prices stated in the tenderer's declaration for all tendered lots) will be evaluated against the set annual turnover.

financial proposal for this tender in the years 2007, 2008 or 2009.

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.

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# **TENDERING**

## **18. How to obtain the tender dossier**

The tender dossier is available from the following Internet address:

<https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>. The tender dossier is also available from the Contracting Authority from the following address:

<http://www.safu.hr>. Tenders must be submitted using the standard Tender Form for a Supply Contract 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, 10 000 Zagreb, Croatia (Središnja agencija za financiranje i ugovaranje programa i projekata EU, Ulica grada Vukovara 284, 10 000 Zagreb, Hrvatska), mail [procurement@safu.hr](mailto:procurement@safu.hr) or by fax: +385 (0)1 4591 075 (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 or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and on the CFCA website at: <http://www.safu.hr>.

## **19. Deadline for submission of tenders**

13 April 2010 at 10:00 Zagreb Local Time at the premises of Central Finance and Contracting Agency, Ulica grada Vukovara 284, 10 000 Zagreb, Croatia

Any tender received after this deadline will not be considered.

## **20. Tender opening session**

13 April 2010 at 12:00 Zagreb Local Time at the premises of Central Finance and Contracting Agency, Ulica grada Vukovara 284, 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**

Council Regulation (EC) N° 1267/1999 of 21 June 1999, as last amended by Council Regulation (EC) No. 2112/2005 of 21 November 2005.