
WORKS CONTRACT NOTICE

Reconstruction of Judicial Academy Building in Belgrade

Location – Serbia

1. Publication reference

EuropeAid/139201/DD/WKS/RS

2. Procedure

Local Open

3. Programme title

IPA 2015 National Programme for Serbia – Support to Justice Sector

4. Financing

Financing agreement

5. Contracting Authority

The European Union, represented by the Delegation of the European Union on behalf of and for the account of and for the account of partner country, the Republic of Serbia

CONTRACT SPECIFICATIONS

6. Description of the contract

The project aim is to reconstruct, renovate and adapt existing building for the Judicial Academy in Belgrade in order to improve the quality of the training environment by enhancing the physical capacities of the Judicial Academy and improving the working and learning conditions in line with the European standards.

The building of Judicial Academy is situated in the centre of the Belgrade at the corner of Svetozara Markovica and Krunska Streets. The building is composed of a basement, ground floor, four floors and Attic, with total gross area 3.546.31m². Although the building itself is not under heritage protection, it is situated in the central area of the city of Belgrade, which is protected as ambient unit.

Reconstruction works include civil, electrical, mechanical including heating – ventilation - air conditioning (HVAC) and other works necessary for the functioning of the building of the Judicial Academy and its training purpose. Works will be executed according to the Main Design and building permit already obtained from the Beneficiary.

7. Number and titles of lots

One lot only

TERMS OF PARTICIPATION

8. Eligibility and rules of origin

Participation is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping – consortium - of tenderers) which are effectively established in a Member State of the European Union or in an eligible country or territory as defined under the Regulation (EU) N°236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable Instrument under which the contract is financed (see also heading 22 below) . Participation is also open to international organisations. All supplies under this contract must originate in one or more of these countries. However, they may originate from any country when the amount of the supplies to be purchased is below 100, 000 euros per purchased.

Please be aware that after the United Kingdom's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries and of goods originating from third countries will apply to candidates or tenderers from the United Kingdom and to all candidates or tenderers proposing goods originating from the United Kingdom depending on the outcome of negotiations. In case such access is not provided by legal provisions in force at the time of the contract award, candidates or tenderers from the United Kingdom, and candidates or tenderers proposing goods originating from the United Kingdom could be rejected from the procurement procedure.

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**.

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 30 000euros 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 next cheapest compliant tender.

13. Information meeting and site visit

Site visit and information meeting are mandatory.



The site visit will start in front of the main entrance of the:

Judicial Academy building
Svetozara Markovica 21
Belgrade

The information meeting will be held the same day, together with the visit. For date and time refer to Volume 1, section 1, point 6 of "Instructions to Tenderers".

In order to attend the information meeting and site visit, each representative need to have a written authorisation by the company he/she represents. Attendance shall be confirmed in advance, at least 2 days before the site visit date, to Nenad Vujić and Svetlana Momčilović, on e-mail nenad.vujic@pars.rs and Svetlana.momcilovic@pars.rs

14. Tender validity

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders. In exceptional circumstances, the Contracting Authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period.

15. Period of implementation of tasks

The period of implementation of tasks shall be 12 months from the commencement order, until the provisional acceptance

SELECTION AND AWARD CRITERIA

16. Selection criteria

In order to be eligible for the award of the contract, tenderers must provide evidence that they meet the selection criteria according to section 12.2 of the Instructions to Tenderers.

If a tender is submitted by a consortium, unless specified, the selection criteria will be applied to the consortium as a whole.

The selection criteria for each tenderer are as follows:

A) Economic and financial capacity of candidate:

- a) The average annual turnover of the tenderer for the last 3 years (2015, 2016 and 2017) must be at least EUR 3.000.000.

This must be proven by the audited balance sheets and income statements of the tenderers for the last 3 financial years which were audited by a certified Public (Sworn)/Chartered accountant and any other document necessary to prove annual turnover of the tenderer. The Contracting Authority reserves the right to carry out any further inquiry on the Tenderer's financial standing as the Evaluation Committee may deem appropriate.

- 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 at least EUR 300.000 The statement shall clearly demonstrate that the financing is available for the concerned contract.

B) Professional capacity of candidate:

The tenderer (consortium as a whole or sole tenderer) must fulfil the following criteria:

- a) Shall be a registered firm or natural person legally capable of carrying out the specified works of the same complexity and nature as defined below;
- b) Shall 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 contract;
- c) The lead partner in a consortium/joint venture must have the ability to carry out at least 50% of the contract works by its own means, and the combined partners (i.e. without the lead partner) at least 30%;
- d) Must have in place and apply a quality assurance system, such as ISO 9001;
- e) Shall have employed key personnel which should be assigned for the tendered contract implementation. A minimum of key personnel should be committed from the tenderer to the successful achievement of this project. All key staff must have minimum 5 years of appropriate experience and proven qualification relevant to the works of similar nature and complexity to this project.

C) Technical capacity of candidate:

The tenderer (consortium as a whole or sole tenderer) must fulfil the following criteria:

The tenderer must have completed as a prime contractor at least two (2) projects of the similar nature and complexity to the works concerned by the tendered contract. One of these projects must have been completed with a value of at least 1,000,000 EUR, and the other project must have been completed with a value of at least 500 000EUR. The works must have been completed at any moment during the period of past eight (5) years from the date of submission of tenders.

- "Similar nature and complexity to the works concerned by the tendered contract" shall be interpreted as follows:

Similar nature and complexity means design and construction or reconstruction of civil or administrative buildings for private or public use with no less than 2000 m2 GFA.

- The minimum size (value) that will be taken into consideration is either the total project value, when the contractor was acting as a sole contractor, or the share of the total project value corresponding to its share of joint-venture participation, when the contractor was member of a joint-venture.

- "Completed" is to be interpreted as "Taking Over/Provisional Acceptance" or "Performance Certificate/Final Acceptance" issued for construction works. Copies (translated in English) of the respective certificates, signed by the contracting authorities/employer's supervisors of the contracts concerned, verifying the

satisfactory/successful completion and acceptance of the contracts, must be submitted. These documents shall clearly demonstrate the compliance of the presented references with the above criteria. The Contracting Authority reserves the right to ask for copies, and to check for accuracy and validity of copies of certificates of final/provisional acceptance signed by the supervisors/contracting authority/employer of the contracts concerned, and any information given by the tenderers in relation to reference contracts. The project which the tenderer refers to could have been completed at any time during the indicated period, but they do not necessarily have to be started during that period, nor implemented during the entire period.

- "As a prime contractor" means that the tenderer (lead partner or member of a joint venture) must have undertaken at least 50% of the works in a project for the design, construction or reconstruction of buildings as defined above.
- Regarding the calculation of the project amounts for the completed works of the tenderers, the values will be considered at the date of completion and will not be carried to the date of the evaluation as "net present values" and should be converted to official Euro rate from: <http://ec.europa.eu/budget/inforeuro/index.cfm?Language=en>

17. Award criteria

Technically compliant tender with the lowest price

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and from the website of the Delegation of the European Union to the Republic of Serbia www.europa.rs (section Funding Opportunities).

It is also available for inspection at the premises of the Contracting Authority, address as indicated below. 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

Delegation of the European Union to the Republic of Serbia
Finance, Contracts and Audit Section, 9th floor
Vladimira Popovica 40/V
11070 New Belgrade, Republic of Serbia
Fax: +381 11 3083 201
E-mail address: DELEGATION-SERBIA-FCS@eeas.europa.eu

Opening hours: 9.30-16.00

(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 will 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>.

19. Deadline for submission of tenders

Submission of tenders to:

Delegation of the European Union to the Republic of Serbia

Finance, Contracts and Audit Section, 9th floor

Vladimira Popovica 40/V

11070 New Belgrade, Republic of Serbia

Fax: +381 11 3083 201

E-mail address: DELEGATION-SERBIA-FCS@eeas.europa.eu

Opening hours: 9.30-16.00

For exact date and time refer to Volume 1, section 1, point 1.2 of "Instructions to Tenderers". Any tender received by the Contracting Authority after this deadline will not be considered.

20. Tender opening session

Place:

Delegation of the European Union to the Republic of Serbia

Finance, Contracts and Audit Section

Vladimira Popovica 40/V

11070 New Belgrade, Republic of Serbia

Fax: +381 11 3083 201

E-mail address: DELEGATION-SERBIA-FCS@eeas.europa.eu

For exact date and time refer to Volume 1, section 1, point 1.2 of "Instructions to Tenderers".

21. Language of the procedure

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

22. Repetition of similar works

Subsequent to the initial contract resulting from the current tender procedure, new works consisting in the repetition of similar works, up to the estimated amount of EUR 500.000, may be entrusted to the initial contractor by negotiated procedure without prior publication of a contract notice, provided the new works are in conformity with the same basic project.

23. Legal basis

Regulation (EU) N°236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action (CIR) and regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II).

