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## **WORKS PROCUREMENT NOTICE**

### **Construction and commissioning of the new Waste Water Treatment Plant at TPP Nikola Tesla B Serbia, Obrenovac**

**1. Publication reference**

EuropeAid/132476/C/WKS/RS

**2. Procedure**

Open

**3. Programme**

IPA

**4. Financing**

Budget line

**5. Contracting Authority**

European Union, represented by the Delegation of the European Union to the Republic of Serbia, on behalf and for the account of the Republic of Serbia.

### **CONTRACT SPECIFICATIONS**

**6. Description of the contract**

The project “Construction of Waste Water Treatment Facility at TPP Nikola Tesla B at the Electric Power Industry of Serbia (EPS)” will significantly reduce the influence of wastewaters, which have huge health implications for the nearby population, by reducing the concentration of relevant pollutants (fuel oil, mineral oils, suspended solids, heavy metals, Biochemical Oxygen Demand), so that they will be in accordance with EU directives and the National and local legislation and regulations at the WWTP outlet, leading to an improvement in water quality around the TPP.

**7. Number and titles of lots**

The works are not divided into 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.

#### **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 EU external actions**.

#### **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 170,000 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 next cheapest compliant tender.

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

An optional site visit will be held on **17 - 18/09/2012, 10h - 14h** at Nikola Tesla B location in Obrenovac. The tenderer is strongly advised to visit and inspect the site of the works and its surroundings for the purpose of assessing, at its own responsibility, expense and risk, factors necessary for the preparation of its tender and the signing of the contract for the works.

A clarification meeting will be held by the Contracting Authority (Employer) on **18/09/2012 at 15:00** hours in the premises of the Contracting Authority (Employer).

#### **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 period of implementation of tasks shall be 24 months from the commencement date.

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## SELECTION AND AWARD CRITERIA

### 16. Selection criteria

In the case of a tender submitted by a consortium, unless specified, these selection criteria will be applied to the consortium as a whole.

16.1 These selection criteria have to be considered as minimum requirements.

The selection criteria for each tenderer are as follows:

#### a) Economic and financial capacity of candidate

- a) The consortium as a whole or the sole tenderer's average annual turnover in construction works in the past 3 years (starting from 01/01/2009) must be at least EUR 8,000,000.
- b) The tenderer must prove the 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 4,000,000.00.

#### 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 a natural person capable of carrying out the specific works
- b) Shall carry out at least 70% of the contract works by his own resources, which means that it shall have the equipment, materials, human and financial resources necessary to enable him to carry out that percentage of the contract.
- c) The lead partner in a consortium/joint venture must carry out at least 50% of the contract works by its own means, and the combined partners (i.e. not the lead partner) at least 20%
- d) Must have in place and apply a quality assurance system, such as ISO 9001.
- e) Should have at least 20 professional staff with experience in relevant projects.

#### f) Key personnel:

- One (1) **Project Manager** who will coordinate the entire contract. He/she shall be a qualified civil, mechanical or chemical Engineer with at least **10 years** of relevant professional experience and project management experience in at least two projects with a similar nature, size and complexity. Out of those 2 projects, at least one should be a construction contract according to FIDIC Plant Design-Build Conditions.
- One (1) **Site Manager**. He/she shall be a qualified civil, mechanical or chemical Engineer with at least **8 years** of relevant professional experience and site management experience in at least two projects with a similar nature, size and complexity. Out of those 2 projects, at least one should be a construction contract according to FIDIC Plant Design-Build Conditions.

Please note that the site engineer, before the contract commencement date, must have all the necessary professional licences issued or validated by the relevant National Authorities.

- One (1) **Design Manager**. . He/she shall be a qualified civil, mechanical or chemical Engineer with at least **8 years** of relevant professional experience and design experience in at least two projects with a similar nature, size and complexity.
- One (1) **Quality Assurance/Quality Control Engineer** qualified as qualified Engineer or equivalent with a minimum of **5 years** practical experience in procedures of works and materials testing and document management.
- One (1) **Site Civil Engineer** qualified as Civil Engineer with a minimum of **5 years** practical experience in constructions of at least at least two projects with a similar nature, size and complexity.
- One (1) **C&I Engineer** qualified as Electrical Engineer with a minimum of **5 years** practical experience in constructions of at least at least two projects with a similar nature, size and complexity.
- One (1) **Site Electrical Engineer** qualified as Electrical Engineer with a minimum of **5 years** practical experience in constructions of at least at least two projects with a similar nature, size and complexity.
- One (1) **Site Mechanical Engineer** qualified as Mechanical Engineer with a minimum of **5 years** practical experience in constructions of at least at least two projects with a similar nature, size and complexity.
- One (1) **Site Process Engineer** qualified as Chemical Engineer with a minimum of **5 years** practical experience in constructions of at least at least two projects with a similar nature, size and complexity.
- One (1) **Commissioning Manager** qualified as Mechanical, Electrical or Chemical Engineer with a minimum of **5 years** practical experience in constructions of at least at least two projects with a similar nature, size and complexity.
- One (1) **Health and Safety Officer** with at least **3 years** of relevant professional experience of safety management in works of a similar size, nature and complexity.

All Experts proposed by a tenderer shall have a good command of the English language.

**The tenderer must submit in the tender the list, CV's and copies of diploma/degrees and employers certificates of all the staff listed above**

**Please note that before the contract commencement date the tenderer must demonstrate that he possesses proper licences according to the Serbian Law for the engineering and construction works.**

#### **c.) Technical capacity of candidate**

- The tenderer must have completed as prime contractor at least 2 contracts including the design, construction and commissioning of at least two WWTPs either for thermal power plant or in the oil refineries industry or in chemical industry or in pharmaceutical industry or for municipal needs, whereas at least one WWTP must have been completed for industry, with at least one of those 2 contracts of a minimum value of EUR 6,000,000 (EUR six million) and the other of a minimum value of EUR 4,000,000 (EUR four

million), whereas one of these 2 contracts must have contained at least mechanical and biological parts. This value refers to the total value of the works on the treatment facilities the contractor was responsible for. The works should have been completed within 5 years prior to the deadline for submission of (i.e. in the years from 01 January 2007 until the date of submission of tenders). Copies (with translation into English) of the respective performance certificates / final acceptance certificates, signed by the supervisor/contracting authority/employer of the projects concerned 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 check the accuracy and validity of the information given by the tenderers in relation to reference projects.

- The bidder (lead partner or member of a joint venture) must have undertaken at least 50% of the works in a contract for the design, construction, commissioning of at least one reference WWTP.

Regarding the calculation of the contract 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>

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 tenderer relies in majority on the capacities of other entities or when they rely on key criteria. If the tenderer relies on other entities it must 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.

## **17. Award criteria**

Price.

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## **TENDERING**

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

The tender dossier is available from the 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 at: [www.europa.rs](http://www.europa.rs) (section Funding Opportunities)

Delegation of the European Union to the Republic of Serbia

Finance and Contracts Section, 9<sup>th</sup> floor  
GTC 19 Avenue Building  
Vladimira Popovica 40  
11070 New Belgrade, Serbia  
Fax no.: +381 11 3083 201  
Working hours: 9:30 – 16:00 CET, Monday to Friday.

It is also available for inspection at the premises of the Contracting Authority, address as 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 E-mail: [DELEGATION-SERBIA-FCS@eeas.europa.eu](mailto:DELEGATION-SERBIA-FCS@eeas.europa.eu)

Delegation of the European Union to the Republic of Serbia  
Finance and Contracts Section, 9<sup>th</sup> floor  
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11070 New Belgrade, Serbia

(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**

**12:00 hours** Central European Time on **13<sup>th</sup> November 2012**.

Any tender received after this deadline will not be considered.

#### **20. Tender opening session**

**14:30 hours** Central European Time on **13<sup>th</sup> November 2012** at the premises of the Delegation of the European Union to the Republic of Serbia  
GTC Avenue Building Block 19a  
Vladimira Popovica Street 40, 9th Floor  
11070 New Belgrade, Republic of Serbia

#### **21. Language of the procedure**

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

#### **22. Legal basis**

Instrument for Pre-Accession Assistance (Council Regulation (EC) N° 1085/2006 of 17 July 2006 - OJ L 210/82 of 31.7.2006).