

WORKS PROCUREMENT NOTICE

Upgrade of the sewage system in the Municipality of Niksic

Montenegro

1. Publication reference

08ME1.06.01

2. Procedure

Local Open Procedure

3. Programme

IPA 2008

4. Financing

IPA 2008 National Programme, BGUE-B2008-22.020200-C1-ELARG DELMNE

5. Contracting Authority

European Commission, on behalf of and for the account of the beneficiary country

CONTRACT SPECIFICATIONS

6. Description of the contract

This contract will be implemented through "design and build" methodology. The Contract will cover reconstruction and construction of sewage network as described in the available feasibility study. More specifically, around 4560 meters of sewage network is going to be reconstructed in six streets in the central part of the city of Niksic. New construction will cover around 11860 meters of the sewage network in the same city area with another 9700 meters of network in the suburbs.

7. Number and titles of lots

One

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**.

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 70,000.00 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 information meeting will be held on 21.08.2009 at 11:00 h, in the premises of EC Delegation. Send mail to sladjan.maslac@ec.europa.eu to confirm attendance.

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

Time period envisaged for implementation of this contract is **18 months**.

SELECTION AND AWARD CRITERIA

16. Selection criteria

The selection criteria for each tenderer are as follows (in case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole):

Economic and financial capacity of candidate:

- a) the average annual turnover of the tenderer in the past 3 years must be at least 6,000,000.00 EUR
- 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 exceed the equivalent of 1,000,000.00 EUR

Professional and technical capacity of candidate:

- a) it must have completed at least 3 projects of the same nature/amount/complexity comparable to the works concerned by the tender over the last 5 years. The Contracting Authority reserves the right to ask for copies of the respective certificates of final acceptance signed by the supervisors/contracting authority of the projects concerned.
- b) it must have completed at least 2 projects of the same nature/amount/complexity comparable to the services (Design) concerned by the tender over the last 5 years. The Contracting Authority reserves the right to ask for copies of the respective certificates of final acceptance signed by the supervisors/contracting authority of the projects concerned.
- c) it must carry out at least 70% of the contract works by 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.
- d) if it is the lead member of a joint venture/consortium, it must have the ability to carry out at least 50% of the contract works by its own means.
- e) if it is a partner of a joint venture/consortium (i.e. not the lead member) it must have the ability to carry out at least 10% of the contract works by its own means.
- f) all its key personnel must have at least 5 years' appropriate experience and proven qualifications relevant to works of a similar nature to this project.

17. Award criteria

Price

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from the following Internet address:

<http://www.delmne.ec.europa.eu>. The tender dossier is also available from the Contracting Authority.

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 Commission to Montenegro
Danijela Ralevic
Vuka Karadzica 12
81000 Podgorica, Montenegro
Fax. +382 20 444 666
E-mail: danijela.ralevic@ec.europa.eu

(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> and EC Delegation to Montenegro website <http://www.delmne.ec.europa.eu>.

19. Deadline for submission of tenders

14:00 Central European Time on 21.09.2009

Any tender received after this deadline will not be considered.

20. Tender opening session

15:00 Central European Time on 21.09.2009, in the premises of EC Delegation Montenegro

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 1085/2006 of 17 July 2006 establishing the Instrument for Pre-Accession Assistance (IPA). (OJ L 210 of 31/07/2006).