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## WORKS PROCUREMENT NOTICE

### Rehabilitation of the Fortress Kastel, Banja Luka

Location – Banja Luka, Bosnia and Herzegovina  
EC/BiH/12/003

**1. Publication reference**

EuropeAid/133-573/L/WKS/BA

**2. Procedure**

Local Open

**3. Programme**

IPA 2011

**4. Financing**

BGUE-B2012-22.020200-C8-ELARG DELBIH

**5. Contracting Authority**

Delegation of the European Union to Bosnia and Herzegovina on behalf of the beneficiary country

### CONTRACT SPECIFICATIONS

**6. Description of the contract**

The Historic Site of Fortress Kastel is designated as a National Monument of BiH by the Decision of the Commission to Preserve National Monuments of Bosnia and Herzegovina in 2004 (OG BiH no. 36/05).

The contract objective is to preserve Kastel as part of the cultural and historical heritage, with elements of authentic architecture, as a memorial ambient and a part of urban environment which can fulfill contemporary needs in the fields of culture, recreation and tourism.

The rehabilitation of Fortress Kastel will include the following interventions: constructive stabilization of the bastions and walls in the southeastern part of the fortress complex; reconstruction of the missing parts of walls and bastions and restoration works on the “Stone Building”, which involves replacement of the roofing tiles; constructive stabilization of the existing floor construction and adapting the interior for the new purpose (Banja Luka city museum).

**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 EU external actions**.

#### **10. Number of tenders**

Tenderers may submit only one tender. Incomplete tenders, not covering the entire scope of works 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. 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 40,000 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 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**

No information meeting and/or site visit 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 of tasks**

Period of implementation is limited to maximum **24** calendar months from Commencement date.

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### **SELECTION AND AWARD CRITERIA**

#### **16. Selection criteria**

##### **Economic and Financial capacity:**

1. The tenderer must be registered firm or natural persons capable to carry out the specified works.
2. The total turnover in construction works of a sole tenderer during the past three (3) years (2009+2010+2011) must be at least **2.5 MEUR**. In the case of joint venture/consortium the Lead Partner's individual total turnover in construction works in the past three (3) years (2009+2010+2011) must be at least **1.0 MEUR**, while the consortium/joint venture as a whole must have turnover in

construction works of at least **2.5 MEUR** in total for the previous three (3) years (2009+2010+2011); (Vol. 1; Sec.4; Form 4.4; Financial statement – 4.4.2.).

3. Works in hand in construction of a sole tenderer must be at least **1.5 MEUR**. In the case of joint venture/consortium, works in hand in construction of at least one (1) member of joint venture/consortium must be at least **0.5 MEUR**; while the consortium/joint venture as a whole must have at least **1.5 MEUR** construction works in hand. (Vol. 1; Sec.4; Form 4.4; Financial statement – 4.4.3.)
4. The sole tenderer or at least one of the partners in a 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 at least **0.75 MEUR**.

### **Professional capacity:**

Key personnel must be as follows:

#### **a. Project/Site Manager:**

- Shall have a University degree (BSc)\* in Civil Engineering or Architecture,
- is a chartered engineer (“polozen strucni ispit”) according to the legislation applicable in Bosnia and Herzegovina
- shall have at least seven (7) years of relevant professional experience in **construction** sector
- shall have completed at least one (**1**) **construction/reconstruction project**, as a project/site manager, over the last **5 (five) years (2007, 2008, 2009, 2010, 2011)**.

#### **b. Heating/Ventilation/Air-Conditioning Engineer:**

- Shall have a University degree (BSc)\* in Mechanical Engineering,
- is a chartered engineer (“polozen strucni ispit”) according to the legislation applicable in Bosnia and Herzegovina
- shall have at least five (5) years of relevant professional experience in construction sector

#### **c. Electrical Engineer:**

- Shall have a University degree (BSc)\* in Electrical Engineering,
- is a chartered engineer (“polozen strucni ispit”) according to the legislation applicable in Bosnia and Herzegovina
- shall have at least five (5) years of relevant professional experience in construction sector

(\*) *A level of education which corresponds to completed university studies attested by a diploma in a subject relevant to the field concerned when the normal period of university education is equivalent to 4 years or more.*

### **Technical capacity:**

- a) In case of sole tenderer, he must have the ability to carry out at least 70% of the construction works by its own means, meaning he must have organisational, structure, equipment, materials, human and financial resources, including access to the bank loans, necessary to enable him to carry out 70% of the contract.
- b) In case of consortium/joint venture, the lead partner must have the ability to carry out at least 50% of the contract works by his own means, as defined in point a) above.
- c) Other partners in a joint venture/consortium (i.e. not the lead partner) must have the ability to carry out at least 10% of the contract works by his own means, as defined in point a) above.

- d) The sole tenderer/or joint venture/consortium as a whole must have completed at least **3 (three) cultural heritage protection** project, physically completed, over the past **5 (five) years (2007, 2008, 2009, 2010, 2011)**.

The tenderer must present evidence, e.g. copies of the respective certificates(s) of commissioning, provisional or final acceptance certificate endorsed by the Supervisors/Contracting Authority, proving the above required experience. Ongoing works contracts with more than 75% works progress documented would also be taken in consideration.

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

The lowest price of the administratively and technically compliant offer.

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## TENDERING

### 18. How to obtain the tender dossier

The tender dossier is available at EuropeAid website at <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and EU Delegation to BiH website <http://www.europa.ba/Tenders.aspx?lang=EN&cat=2>.

Copy of construction drawings, in electronic format, are available for collection from the Contracting Authority. Collection of construction drawings will be organized and couriers' fee paid by the Tenderer.

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 Bosnia and Herzegovina, Procurement Team  
Skenderija 3a, 71000 Sarajevo; Bosnia and Herzegovina  
Fax: +387 33 218 323  
E-mail: [delegation-bih-procurement@eeas.europa.eu](mailto:delegation-bih-procurement@eeas.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 EU Delegation to BiH website <http://www.europa.ba/Tenders.aspx?lang=EN&cat=2>.

**19. Deadline for submission of tenders**

**12:00** Central European Time on **Tuesday, 11th December 2012.**

Any tender received after this deadline will not be considered.

**20. Tender opening session**

**15:00** Central European Time on **Tuesday, 11th December 2012** at the premises of the Delegation of the European Union to Bosnia and Herzegovina.

**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 an Instrument for Pre-Accession Assistance (IPA)