
WORKS CONTRACTNOTICE

Construction of the Border Crossing Point (BCP) in Bijaca,

Bosnia and Herzegovina

(TENDER NO: EC/BiH/TEN/12/038)

1. Publication reference

EuropeAid/133353/C/WKS/BA

2. Procedure

Open International

3. Programme

IPA 2011 National Programme for Bosnia and Herzegovina

4. Financing

Financing agreement

5. Contracting Authority

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

CONTRACT SPECIFICATIONS

6. Description of the contract

The works subject to EU financing, Lot III of the construction, will be complementing the works implemented by the BiH Authorities (Lots I and II). Works under Lots I (construction of the highway section crossing the BCP Bijača) and II (construction of a minor part of the facilities to enable temporary border control) are ongoing and are planned to be completed by end June 2013.

The works subject to EU financing are related to construction of functional part of the border crossing point in Bijača, and once completed will enable full operation of the BCP Bijača. These works includes the following:

Lot III: Phases 3 and 4

Phase 3 comprises works on the southern plateau of the BCP while Phase 4 comprises works on the northern plateau of the BCP, both including the respective buildings and installations, as follows:

- Traffic solution including plateau, parking lots, and pedestrian areas;
- Landscape arrangement;
- External lighting;
- Main building for the customs and police officers (passengers and freight traffic);
- Inspections building (phytosanitary, market and sanitary);
- Building for detailed inspection of vehicles;
- Control boots (border police and customs checks);
- Weighting scales (two);
- Toilets for man and woman;
- Central canopy;
- Hydro installations (external and internal), including water supply, surface water drainage and sewage networks;

- Mechanical installations (heating, ventilation and air-conditioning system);
- Electrical installations, high and low voltage (i.e. electricity, lighting, telecommunications, audio and video surveillance, fire alarm, lightning protection installation).

7. Number and titles of lots

No, one lot only.

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 **57,000 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

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 of tasks

12 (twelve) months following issuance of the Commencement Order.

SELECTION AND AWARD CRITERIA

16. Selection criteria

Economic and Financial capacity:

- a) The tenderer must be a registered firm or natural persons capable to carry out the specified works.
- b) The total turnover in construction works of a sole tenderer during the past three (3) years (2010 + 2011 + 2012) must be at least **6.0 MEUR**. In the case of joint venture/consortium the Lead Partner's individual total turnover in construction works in the past three (3) years (2010 + 2011 + 2012) must be at least **3.0 MEUR**, while the consortium/joint venture as a whole must have turnover in construction works of at least **6.0 MEUR** in total for the previous 3 years (2010 + 2011 + 2012); (Vol. 1; Sec.4; Form 4.4; Financial statement – 4.4.2.).
- c) Works in hand in construction of a sole tenderer must be at least **1.0 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 **0.7 MEUR**; while the consortium/joint venture as a whole must have at least **1.0 MEUR** construction works in hand. (Vol. 1; Sec.4; Form 4.4; Financial statement – 4.4.3.)
- d) 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 **1.0 MEUR**.

Professional capacity:

The key personnel (Project Manager, Site Manager and Electrical Engineer) must be as follows:

a) Project Manager:

- shall have a University degree (BSc)^(*) in civil engineering or architecture;
- shall have at least ten (10) years of relevant professional experience in construction management (i.e. managing design preparation., construction works or supervision over construction works)

b) Site Manager:

- shall have accomplished as a minimum a 2 year post-secondary education in technical disciplines
- 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
- shall have completed at least one (1) **construction/reconstruction project**, as a site manger, of a similar complexity and nature, comparable with this particular project over the last **5 years (2008, 2009, 2010, 2011, 2012)**.

c) Electrical engineer:

- shall have a University degree (BSc)^(*) in electrical engineering;
- is a chartered engineer under the legislation applicable in Bosnia and Herzegovina ("polozen strucni ispit");
- shall have at least five (5) years of relevant professional experience related to electrical installations (i.e. design preparation, supervision over construction or construction of electrical installations of HV/LV)

()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 at least one of the partners in a joint venture/consortium shall present its experience in implementation, **as a prime contractor**, of at least **1 (one)** construction project, physically completed, of similar complexity and nature, over the past **5 (five)** years prior to the tender submission deadline.

The tenderer must present copies of the respective certificate(s) of commissioning, provisional or final acceptance certificate endorsed by the Supervisors/Contracting Authority for the projects concerned. The Contracting Authority reserves the right to ask for further information.

An economic operator may, where appropriate and for a particular contract, rely on the capacity 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 mostly on the capacity of other entities or when it relies 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 to perform the contract, for example by producing an undertaking on the part of those entities to place 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 tender should include a separate document providing data on this third entity for the relevant selection criterion. Proof of capacity must be furnished at the request of the Contracting Authority.

17. Award criteria

Price.

TENDERING

18. How to obtain the tender dossier

An electronic version of the tender dossier including drawings (CD-ROM) is available free of charge for collection, from the Contracting Authority from the following address:

Delegation of the European Union to Bosnia and Herzegovina
Contract, Finance and Audit Section – Procurement Team
Skenderija 3a
71000 Sarajevo; Bosnia and Herzegovina

upon request sent to the e-mail address: DELEGATION-BiH-PROCUREMENT@eeas.europa.eu.

In case that tenderer is not able to collect the dossier from the premises of the Delegation of the European Union to Bosnia and Herzegovina, an electronic version of the tender dossier including drawings (CD-ROM) will be sent by courier delivery to the address of the interested party.

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-buh-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>.

19. Deadline for submission of tenders

12:00 Central European Time on 14th October 2013

Any tender received after this deadline will not be considered.

20. Tender opening session

15:00 Central European Time on 14th October 2013

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)