

SERVICE CONTRACT NOTICE

Tender No EC/BIH/TEN/13/029

Provision of Technical Assistance for 3 high scale energy efficiency projects

Western Balkans, Bosnia and Herzegovina, Konjic, Fojnica and Brcko

1. Publication reference

EuropeAid/134634/C/SER/BA

2. Procedure

Restricted

3. Programme

IPA 2011

4. Financing

BGUE-B2013-22.020200-C8-ELARG DELBIH

5. Contracting Authority

- European Union , represented by the European Commission on behalf of and for the account of the beneficiary country Bosnia and Herzegovina

CONTRACT SPECIFICATION

6. Nature of contract

Global price

7. Contract description

The foreseen TA project will provide support to the three selected communities in development of large scale, bankable projects, aimed at increased EE and use of RE. The assignment shall consist of three separate components, concerning:

- Component 1: District Heating system in Konjic (FBiH),
- Component 2: District Heating system in Fojnica (FBiH),
- Component 3: EE improvement and use of RE in public buildings in Brčko District.

Note: separate prices shall be indicated for each of the components, together with the total contract price. However, there would be only one contract with the best bidder for all 3 components.

The works contracts for the large scale projects, to be financed by other investors, would have an indicative size for components in the range from 1.5 to 3 MEURO.

In all three selected municipalities, the investment projects are targeted towards increasing EE, reducing pollution, enhancing livelihood and increasing the use of RE. The projects in Konjic and Fojnica are aimed at rehabilitation/new construction of DH facilities, whereas the project in Brcko is aimed at improving EE and substituting fossil fuels with RE in public buildings, however not excluding other related feasible interventions. On this course, relevant studies and designs would be produce. Municipalities would be assisted in setting functional and efficient public facilities.

8. Number and titles of lots

no, one lot only

9. Maximum budget

700,000 EUR

10. Scope for additional services

n/a

CONDITIONS OF PARTICIPATION

11. Eligibility

Participation is open to all legal persons [participating either individually or in a grouping (consortium) of candidates] 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 item 29 below). Participation is also open to international organisations. The participation of natural persons is governed by the specific instruments applicable to the programme under which the contract is financed.]

12. Candidature

All eligible natural and legal persons (as per item 11 above) or groupings of such persons (consortia) may apply.

A consortium may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure. All members of a consortium (ie, the leader and all other members) are jointly and severally liable to the Contracting Authority.

The participation of an ineligible natural or legal person (as per item 11) will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

13. Number of applications

No more than one application can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting an application). In the event that a natural or legal person submits more than one application, all applications in which that person has participated will be excluded.

14. Shortlist alliances prohibited

Any tenders received from tenderers comprising firms other than those mentioned in the short-

listed application forms will be excluded from this restricted tender procedure unless prior approval from the Contracting Authority has been obtained (see Prag 2.4.3.). Short-listed candidates may not form alliances or subcontract to each other for the contract in question.

15. Grounds for exclusion

As part of the application form, candidates must submit a signed declaration, included in the standard application form, to the effect that they are not in any of the exclusion situations listed in Section 2.3.3 of the Practical Guide to contract procedures for EC external actions

16. Sub-contracting

Subcontracting is allowed in the amount up to 30% of the offered price..

17. Number of candidates to be short-listed

On the basis of the applications received, between 4-8 candidates will be invited to submit detailed tenders for this contract. If the number of eligible candidates meeting the selection criteria is less than the minimum of 4, the Contracting Authority may invite the candidates who satisfy the criteria to submit a tender.

PROVISIONAL TIMETABLE

18. Provisional date of invitation to tender

September, 2013

19. Provisional commencement date of the contract

January 20, 2014

20. Initial period of implementation of tasks

12 months

SELECTION AND AWARD CRITERIA

21. Selection criteria

Same criteria for legal and natural person

The following selection criteria will be applied to candidates. In the case of applications submitted by a consortium, these selection criteria will be applied to the consortium as a whole:

1) Economic and financial capacity of candidate (based on item 3 of the application form). In case of candidate being a public body, equivalent information should be provided.

Criteria for legal and natural persons:

1- Average annual turnover of the candidate for the previous two years (2011 and 2012) shall be at least 1 MEURO .

2) Professional capacity of candidate (based on items 4 and 5 of the application form)

1- The candidate shall have at least five (5) staff currently working for the candidate in fields

related to this contract;

3) Technical capacity of candidate (based on items 5 and 6 of the application form)

a. At least two (2) projects concerning design of HVAC (heating/ventilation/air conditioning systems) successfully completed in the 36 months prior to submission deadline, investment value of each of the facilities for which the systems are designed shall exceed 10,000,000 EURO (note: besides the amount of contract concerning related design services, the tenderer shall present the total cost of the construction of the respective facility).

This means that the project the candidate refers to could have been completed at any time during the indicated period, but it does not necessarily have to be started during that period, nor implemented during the entire period.

Previous experience which would have lead to breach of contract and termination by a Contracting Authority shall not be used as reference. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

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. It must in that case 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.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates must be reexamined to identify the eight best candidates. The only factors which will be taken into consideration during this re-examination are:

- 1) The number of projects considered relevant as per criterion 21.3.a.
- 2) The value of facilities for which the HVAC designs were produced, implemented in SAA countries and considered relevant as per criterion 21.3.a.

22. Award criteria

Best value for money.

APPLICATION

23. Deadline for receipt of applications

October 30, 2013, 16:30 Central European Time.

Any application received after this deadline will not be considered.

24. Application format and details to be provided

Applications must be submitted using the standard application form , the format and instructions of which must be strictly observed. The application form is available from the following Internet address: http://ec.europa.eu/europeaid/work/procedures/implementation/services/index_en.htm

Any additional documentation (brochure, letter, etc) sent with an application will not be taken into consideration.

25. How applications may be submitted

Applications must be submitted in English exclusively to the Contracting Authority in a sealed envelope:

- EITHER by recorded delivery (official postal service) to :
Procurement Team
Delegation of the European Union to Bosnia and Herzegovina
Skenderija 3a, 71000 Sarajevo, Bosnia and Herzegovina,
- OR hand delivered (including courier services) directly to the Contracting Authority in return for a signed and dated receipt to:
Procurement Team
Delegation of the European Union to Bosnia and Herzegovina
Skenderija 3a, 71000 Sarajevo, Bosnia and Herzegovina,
Phone: +387 33 254 700
Fax : +387 33 666 037
E-mail: delegation-bih@ec.europa.eu

The Contract title and the Publication reference (see item 1 above) must be clearly marked on the envelope containing the application and must always be mentioned in all subsequent correspondence with the Contracting Authority.

Applications submitted by any other means will not be considered.

26. Alteration or withdrawal of applications

Candidates may alter or withdraw their applications by written notification prior to the deadline for submission of applications. No application may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with Item 25. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

27. Operational language

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

28. Date of publication of prior information notice

18/06/2013 EuropeAid/134634/C/SER/BA

29. Legal basis

IPA 2011, Council Regulation (EC) No 1085/2006 of 17.7.2006 establishing an Instrument for Pre-Accession Assistance (IPA).

30. Additional information

The designs to be produced are considered legally valid only if certified by the company having a valid design license under the law of the Federation of Bosnia and Herzegovina and/or Brcko District of Bosnia and Herzegovina.

The company having only one of the licenses (Federation or District) would have to initiate the administrative procedure, and obtain the missing license.

Possession of at least one of the licenses would be considered mandatory for the applicant or at least 1 member of the applicant consortium at the bidding phase.