

WORKS CONTRACTNOTICE

Construction and Equipping of the BiH Railways Regulatory Board Headquarters Building

Western Balkans, Bosnia and Herzegovina, Republika Srpska, Dobož

Tender No EC/BIH/TEN/13/042

1. Publication reference

EuropeAid/ 135-455/DD/WKS/BA

2. Procedure

Local Open

3. Programme

IPA 2012 National programme to Bosnia and Herzegovina

4. Financing

BGUE-B2013-22.020200-C8-ELARG DELBIH

5. Contracting Authority

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

CONTRACT SPECIFICATIONS

6. Description of the contract

A new, 1,200 m², functional headquarters building of the BiH Railways Regulatory Board (BiH RRB), to be located at Dobož, shall be constructed to accommodate a permanent seat of the BiH RRB. BiH Railways Regulatory Board has procured the land plot and obtained the Main Design, approved as "good for construction" by the authorised reviser. However, it should be expected that some minor changes to the Design would have to be considered, designed and implemented by the works contractor. BiH RRB has obtained the construction permit.

The RRB Headquarters Building, once erected, shall be equipped by the works contractor, as per Specifications, to the level to enable immediate accommodation of the

BiH RRB staff, and start of their performance in the new premises.

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. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount. 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 **30,000 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

11 (eleven) months from the start date to be established by the Commencement Order.

SELECTION AND AWARD CRITERIA

16. Selection criteria

Economic and financial capacity of candidate:

- a) The average annual turnover in the past three (3) years of the candidate, being the sole tenderer or the joint venture / consortium, must be at least **2.5 million euro**.
- b) Works in hand of the candidate, being the sole tenderer or the joint venture / consortium, must be in construction business at least **1.2 million euro**.
- c) The candidate 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 the equivalent of its financial offer.

Professional capacity of candidate:

- a) The Site Manager shall have:
 - Accomplished as a minimum a two-year post-secondary education in Architecture or Civil Engineering, or certified as equivalent,
 - License for high rise construction execution under the Law of Republika Srpska - the copy of the license shall be attached to the bid.
 - At least 5 (five) years of experience in execution of construction activities as site manager or/and supervisor,
 - Completed as a Site Manager at least one construction/reconstruction of the building of similar size, nature and complexity, comparable to this project, over the past five (5) years.

Technical capacity of candidate:

- a) The candidate, being the sole tenderer or at least the leader of the joint venture / consortium, shall possess the valid license for execution of the high rise construction works under the Law of Republika Srpska. The copy of the license shall be attached to the bid.
- b) The candidate, being the sole tenderer or the leader of the joint venture/consortium, shall have ability to carry out at least 60% of the Works by its own means, meaning he shall have sufficient organisational, personnel, material, equipment and financial resources for such task.
- c) In case of the joint venture/consortium, other partners shall have capacity to carry out at least 10% of the Works by their own means.

- d) The candidate, being the sole tenderer or the leader of the joint venture / consortium, shall present experience in completed construction / reconstruction of at least one (1) building of similar size, nature and complexity, comparable to this project, over the past five (5) years.

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

The tenderer must present copies of respective certificate(s) of commissioning, provisional or final acceptance endorsed by the supervisor/contracting authority for the referenced 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 at its expense.

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>. And <http://www.delbih.ec.europa.eu/Tenders.aspx?id=65&cat=2&lang=EN>

19. Deadline for submission of tenders

April 1, 2014, 12:00, Central European Time.

Any tender received after this deadline will not be considered.

20. Tender opening session

April 1, 2014, 15:00, Central European Time.

21. Language of the procedure

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

22. Legal basis

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