

# SERVICE CONTRACT NOTICE

Tender No EC/BIH/TEN/13/023

**Preparation of designs and studies for improvement of the road on the SEETO Route 2b:  
Brod na Drini (Foča) - Hum (Šćepan Polje), and Sarajevo - Foča (Brod na Drini) sections**

**1. Publication reference**

EuropeAid/134410/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 assignment shall facilitate access to the loan funds of IFIs (namely the EBRD) for construction of the respective road section, the present bottleneck on the SEETO Comprehensive Network Route 2b. The assignment shall consist of two separate components, concerning:

- Component 1:** update of existing studies, optimization of the alignment, and preparation of the Preliminary and Main Design for the road communication Brod na Drini (Foča) - Hum (Šćepan Polje), including interstate bridge (Bosnia and Herzegovina-Montenegro) in the total length of indicatively of 21.10 km, including the bridge.
- Component 2:** preparation of preliminary studies and designs for betterment of the road section Sarajevo (Sarajevo international Airport) – Foča (Brod na Drini), indicatively 68.50 km.

Note:

- i. Separate prices shall be indicated for each of the components, together with the total contract price. However, there would be only one contract, to be concluded with the best bidder for the contract.
- ii. Component 1: Brod na Drini (Foča) - Hum (Šćepan Polje) road section shall be attributed the ultimate priority in implementation.
- iii. Although the preliminary studies and designs for Brod na Drini (Foča) - Hum (Šćepan Polje) road sections have been completed, some additional efforts on update of the existing documentation and preparation of the documents required by the EBRD and the EIB (e.g. road safety audit) would be required under this assignment.

#### **8. Number and titles of lots**

No, one lot only.

#### **9. Maximum budget**

2,500,000 EUR

#### **10. Scope for additional services**

The Contracting Authority may, at its own discretion, extend the project in duration and/or scope subject to the availability of funding up to a maximum not exceeding the length and value of the initial contract. Any extension of the contract would be subject to satisfactory performance by the Contractor.

---

## **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.

### **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**

April 2014

### **19. Provisional commencement date of the contract**

July 2014

### **20. Initial period of implementation of tasks**

24 months in total; maximum 18 months for completion of Component 1.

---

## **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 financial years shall be at least 1.5 MEURO.

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

1- The designs to be produced under this assignment are considered legally valid only if certified by the company having a valid design license under the law of Republika Srpska Entity of Bosnia and Herzegovina. Possession of the valid license for design of roads issued by the relevant authority of Republika Srpska, therefore, would be considered mandatory for the applicant or at least 1 member of the applicant consortium at the time of submitting the expression of interest. The copy of the license shall be attached to the expression of interest.

2 - The candidate shall have at least fifteen (15) 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. Projects concerning provision of preliminary and/or main design for at least a total of 30 km of categorised paved roads subject to design (excluding: motorways, expressways, and non-categorised local roads), not necessarily subject to a single project, successfully completed in the 36 months prior to submission deadline.

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.

***Please clearly indicate the date (dd/mm/yy) of completion of the respective road design, length of the respective road section, and category of the road subject to design. Lengths of the relevant road sections shall be added and selection based on the total length, rather than on the number of such projects.***

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 total length of the road sections considered relevant as per criterion 21.3.a.
- 2) The total length of the road sections considered relevant as per criterion 21.3.a in IPA countries.

## 22. Award criteria

Best value for money.

---

## APPLICATION

### 23. Deadline for receipt of applications

March 3, 2014, 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](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](mailto: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**

02/05/2013 EuropeAid/134410/C/SER/BA

**29. Legal basis**

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

**30. Additional information**

N/a