

SERVICE CONTRACT NOTICE

Tender No EC/BIH/TEN/13/049

Provision of preliminary studies and designs for railway section Dobož – Tuzla – Brčko

Location: Western Balkans, Bosnia and Herzegovina, Federation of BiH, Republika Srpska, Brčko District of BiH

1. Publication reference

EuropeAid/135145/C/SER/BA

2. Procedure

Restricted

3. Programme title

IPA 2012

4. Financing

BGUE-B2014-22.020200-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 Contractor's assignment shall include provision of professional services in preparing of preliminary studies and designs for prevailingly overhaul ('velika opravka') and possible partial reconstruction of the specific railway sections on the priority section Dobož – Tuzla – Brčko of the SEETO Railway Comprehensive Network.

The assignment shall take in consideration the three Components concerning the following railway sections in BiH:

1. Component I: Kostajnica (Doboj) – Bosanska Poljana,
2. Component II: Bosanska Poljana - Tuzla,
3. Component III: Bosanska Poljana - Brčko - State border with the Republic of Croatia,

The task would consider preparing of a full set of documents that would result with the outputs to enable preparation of the preliminary and the main design for overhaul/reconstruction. This would include, but not necessarily be limited to the preparation of:

- (i) Technical study, including determination and elaboration of potential variants of overhaul and modernisation,
- (ii) Traffic study,
- (iii) Multi-criteria analysis,
- (iv) Preliminary environment impact assessment,
- (v) Pre-feasibility Study,
- (vi) Revision of the Preliminary Solution / Conceptual Designs,
- (vii) Other studies/design(s) documents as may deemed necessary.

The design shall consider, but not necessarily be limited to, track, structures, signaling systems, electric powering, and telecommunication systems. The documents shall be produced within the legal framework of Bosnia and Herzegovina, the two Entities: Federation of Bosnia and Herzegovina and Republika Srpska, and Brcko District, railway regulations promoted by the BiH Railway Regulatory Board, EU Technical Specifications of Interoperability, EU Norms and Standards, and BAS.

8. Number and titles of lots

No, one lot only

9. Maximum budget

600,000 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 Practical Guide – 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 PRAG

16. Sub-contracting

Subcontracting is allowed.

17. Number of candidates to be short-listed

On the basis of the applications received, between 4 and 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, 2014

19. Provisional commencement date of the contract

January, 2015

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:

a. Average annual turnover of the candidate for the previous two financial years shall be at least 1 MEURO.

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

a. Possession of **the two licenses** for design of civil engineering structures ('projektiranje objekata niskogradnje'), preferably specifically for railways ('željeznica'), valid under the Laws of Federation of Bosnia and Herzegovina and Republika Srpska, shall be mandatory for the applicant or at least 1 member of the applicant consortium at the time of application. **Copies of the both licenses must be attached to the application.**

The applicant, or at least 1 member of the applicant consortium, shall obtain the respective license under the legislation of Brcko District prior to signature of the Contract by the candidate.

b. 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. The candidate shall have successfully completed in the 36 months prior to submission deadline preliminary and/or main design for at least a total of 50km of conventional railway track for combined freight + passenger, or prevaingly freight traffic (excluding high speed railways providing for speed over 160km/h), not necessarily subject to a single contract. Proportion carried out by legal entity in preparation of the preliminary and/or main design of the specific railway section shall be at least 60% for each of the referenced projects.

The length of the respective railway sections for which the designs were produced shall be measured **start-to-end-point** of the respective section. In case of design for double track railway section, the candidate may present the total length of both tracks (left track + right track) if subject to the design for the respective section.

Please clearly indicate the date (dd/mm/yy) of completion of the respective railway design, and the length of the respective railway section subject to design. Lengths of the relevant railway sections shall be added, and selection based on the total length of the sections, not on the number, nor the price of such projects.

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 caused breach of contract and termination by a Contracting Authority shall not be used as reference.

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:

- a. The total length of the railway sections considered relevant as per criterion 21.3.a.
- b. The total length of the railway 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

August 4, 2014, 16:30 Central European Time.

Any application received by the Contracting Authority 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/prag/annexes.do?group=B>

Any additional documentation (brochure, letter, etc) sent with an application will not be taken into consideration, except the two licenses requested as mandatory under Point 21. 2) a. above.

25. How applications may be submitted

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

22/10/2013 EuropeAid/135145/C/SER/BA

29. Legal basis¹

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

30. Additional information

n/a

¹ Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).