
WORKS CONTRACT NOTICE

Construction/reconstruction of Banja Luka Basic and District Court, Republika Srpska, Bosnia and Herzegovina

1. Publication reference

EuropeAid/ 137-747/DD/WKS/BA

2. Procedure

Local Open

3. Programme title

IPA 2012 National Programme for Bosnia and Herzegovina

4. Financing

BGUE-B2015-22.025100-C8-NEAR DELBIH

5. Contracting Authority

The European Union represented by the European Commission, on behalf of and for the account of Bosnia and Herzegovina.

CONTRACT SPECIFICATIONS

6. Description of the contract

The purpose of this contract is construction/reconstruction of the buildings used by the Basic Court Banja Luka and District Court Banja Luka located in Banja Luka, Republika Srpska, Bosnia and Herzegovina. Basic Court Banja Luka is situated in the city area Centar, of Banja Luka 6 (new survey), and covers an area of 4987m². Stated location is developed. Access to the location mentioned is from the Alley Saint Sava and from the street Bishop Platon. Business, public, administrative and religious buildings, whose number of floors ranges from GF to GF + 4 + indrawn floor are placed in the immediate surroundings. The parcel is fenced along the street Bishop Platon and Alley Saint Sava. The terrain is flat. District Court Banja Luka is situated on cadastre parcel no. 826 cadastre parcel, cadastre county Banja Luka 8 (n.p.), and covers an area of 1464 m². The subject parcel is built. Access to the site location is from the street of King Peter I Karađorđević and from the direction of Isaija Mitrovic Street. In the near surroundings there are commercial and residential buildings, with the number of floors that varies from G to G+4. The terrain is flat.

The institutions are situated as described above and need to be constructed/reconstructed according to prepared technical documentation simultaneously. The technical design documentation and building permits is provided to the EU Delegation by the Ministry of Justice of Republika Srpska and are available with the EU Delegation.

It is important to stress that the works will be performed during ordinary and every-day functioning of mentioned institutions, so collaboration with the beneficiary representatives is essential.

7. Number and titles of lots

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 item 22 below). All goods supplied under this contract must originate in one or more of these countries. Participation is also open to international organisations. 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**.

10. Number of tenders

Tenderers may submit only one tender per lot. Tenders for parts of a lot 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 for more than one lot. 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 **40 000 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

An **optional** site visit will be held on **12th January 2016 at 10:00** am at the following address:

Basic Court Banja Luka on
Vladike Platona 2
78000 Banja Luka, Bosnia and Herzegovina

followed by site visit to District Court Banja Luka on:

District Court Banja Luka
Kralja Petra I Karadjordjevica 12
78000 Banja Luka, Bosnia and Herzegovina

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 followed by the 12 (twelve) months of Defects Liability Period.

SELECTION AND AWARD CRITERIA

16. Selection criteria

1. *Economic and financial capacity of candidate:*

- a) The tenderer must be a registered firm or natural persons capable to carry out the specified works. It must be duly authorized/licenced to perform the works under this contract in accordance with the relevant law in force in BiH;
- b) The total cumulative turnover in construction works of a sole tenderer or a joint venture/consortium as a whole, during the last three (3) years must be at least 8 M EUR (eight million euro);
- c) In the case of joint venture/consortium the Lead Partner's individual total cumulative turnover in construction works in the last three (3) years must be at least 1.5 M EUR (One and half million euro);
- d) Works in hand in construction of a sole tenderer or a joint venture/consortium as a whole must be at least 1 M EUR (One million euro);
- e) 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 500 000 EUR (Five hundred thousand euro);
- f) 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 M EUR (One million euro).

2. *Professional capacity of candidates:*

- a) The candidate's key personnel must be composed of the following profiles:

1. Project Manager

The Project Manager will coordinate entire contract. He/she is to be with the following qualifications:

- shall have an University degree in civil engineering or architecture (*);
- shall be licensed engineer or architect according to the legislation applicable in Bosnia and Herzegovina;
- shall have at least ten (10) years of experience in managing construction/reconstruction/ rehabilitation of the buildings;
- shall have experience of managing at least 1 completed construction/reconstruction/ rehabilitation works contract of similar size and nature in the last 10 years;
- shall have acceptable command of English language.

2. Site Manager

The Site Manager will manage works on site and will be present on site full time. He/she is to be with the following qualifications:

- shall have an University degree in civil engineering or architecture (*);

- shall be licensed engineer or architect according to the legislation applicable in Bosnia and Herzegovina;
- shall have at least five (5) years of experience as a site manager (i.e. managing construction/ reconstruction /rehabilitation of the buildings);
- shall have experience as a site manager of construction/ reconstruction/ rehabilitation of buildings in at least 1 works contract of similar size and nature;

(*) *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.*

3. Technical capacity of candidate:

- a) The tenderer shall present its experience in implementation, **as a prime contractor**, of at least **1 (one)** completed construction/reconstruction/ rehabilitation works contract, of similar complexity and nature, over the last **5 (five)** years prior to the tender submission deadline.

The tenderer must present copies of the respective certificate(s) of commissioning, 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 is available at the following web page:

http://europa.ba/?page_id=320 and <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>

CD with drawings is available free of charge for collection from the following address: Delegation of the European Union to BiH; Contracts, Finance and Audit Section – Procurement, Skenderija 3a, 71000 Sarajevo, BiH. In case that tenderer is not able to collect CD from the premises of the Delegation of the European Union to Bosnia and Herzegovina, CD with drawings could be sent by the courier to the address of the interested party at its own expense.

Tenderers with questions regarding collection of CD with drawings should send them in writing to the fax no. +387 33 218 323 or

e-mail: delegation-bih-procurement@eeas.europa.eu

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-bih-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://europa.ba/?page_id=320

19. Deadline for submission of tenders

2nd March 2016 at 12:00 Central European Time

Delegation of the European Union to Bosnia and Herzegovina

Skenderija 3a

71000 Sarajevo, Bosnia and Herzegovina

Any tender received by the Contracting Authority after this deadline will not be considered.

20. Tender opening session

2nd March 2016 at 15:00 Central European Time

Delegation of the European Union to Bosnia and Herzegovina

Skenderija 3a

71000 Sarajevo, Bosnia and Herzegovina

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 17.07.2006 establishing and Instrument for Pre-Accession Assistance (IPA) – OJ 210 of 31.07.2006.