
WORKS CONTRACT NOTICE

Construction of the Border-Crossing Point Kotroman between Republic of Serbia and Bosnia and Herzegovina

Location - Republic of Serbia

1. Publication reference

EuropeAid/139827/ID/WKS/RS

2. Procedure

Local Open

3. Programme title

Annual Action Programme for Serbia (2014)

4. Financing

Financing agreement

5. Contracting Authority

The Government of the Republic of Serbia, represented by the Ministry of Finance, Department for Contracting and Financing of EU Funded Programmes (CFCU), Belgrade, Serbia.

CONTRACT SPECIFICATIONS

6. Description of the contract

Construction of the new Border Crossing Point Kotroman between the Republic of Serbia and Bosnia and Herzegovina. The works shall be executed during operation of the existing Border Crossing Point and include demolition of existing facilities, earthworks including landfill, structural, architectural, mechanical and electrical works. The total area of the plot is 15.528 m². The total gross area of above ground objects and canopies is 2220.29 m².

7. Number and titles of lots

One lot only

TERMS OF PARTICIPATION

8. Eligibility and rules of origin

Participation is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping - consortium - of tenderers) which are effectively established in a Member State of the European Union or in a eligible country or territory as defined under the Regulation (EU) N°236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable Instrument under which the contract is financed (see also heading 23 below). Participation is also open to international organisations. All supplies under this contract must originate in one or more of these countries. However, they may originate from any country when the amount of the supplies to be purchased is below 100, 000 euros per purchased.

Please be aware that after the United Kingdom's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries will apply to tenderers from the United Kingdom depending on the outcome of negotiations. In case such access is not provided by legal provisions in force at the time of contract award, tenderers from the United Kingdom could be rejected from the procurement procedure.

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. 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 **35.000** 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 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 obligatory information meeting and site visit will be held on 22 August 2018 at 12:00 CET, at the border crossing Kotroman.

The tenderer will need to register for the site visit at the latest on 20 August 2018 until 13:00 CET writing to:

Milan Savić, savicmi@carina.rs

Tanja Marjanović, tanja.marjanovic@mfin.gov.rs

14. Tender validity

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders. In exceptional circumstances, the Contracting Authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period.

15. Period of implementation of tasks

The period of implementation shall be 18 months from the commencement date until the provisional acceptance.

SELECTION AND AWARD CRITERIA

16. Selection criteria

In order to be eligible for the award of the contract, tenderers must provide evidence that they meet the selection criteria. This must be provided by tenderers using the forms described in 12.1 of the Instruction to Tenderers and any additional forms tenderers may wish to use.

If a tender is submitted by a consortium, unless specified, the selection criteria will be applied to the consortium as a whole.

The selection criteria for each tenderer are as follows:

A - ECONOMIC AND FINANCIAL CAPACITY OF TENDERER:

- a) the average annual turnover of the tenderer for the last 3 years must be at least 3.000.000 EUR;
- b) The tenderer 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 exceed the equivalent of 1.000.000 EUR. The credit amounts in euro must be provided by recognized banks and must be designated specifically for the project.

B - TECHNICAL AND PROFESSIONAL CAPACITY OF TENDERER:

- a) The minimum total staff number (in accordance with Form 4.6.1) employed by the tenderer from August 2018 must be at least 60 (sixty). Out of them, minimum 10 must be engineers or foreman. Proof of social contribution and/or insurance covering August/September 2018 period must be provided with the tender.
- b) The tenderer must have completed at least one (1) contract (with a portion of the contract carried out by the legal entity being at least 1.500.000 EUR) in the field of construction or renovation of public buildings, which were implemented during the following period: in

the course of the past 5 years (starting from 01.01.2013 up to the deadline for submission of tenders).

This means that the project the tenderer refers to could have been completed at any time during the indicated period but it does not necessarily have to be started and completed during that period. Tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects started and completed during the reference period. In both cases the project will be considered in its whole.

“Completed” is to be interpreted as “Taking over/Provisional Acceptance” or “Performance Certificate” issued for construction contracts. Copies (with translation to English) of the respective certificates, signed by the Supervisor/Contracting Authority/Employer of the projects concerned must be submitted. These documents shall clearly demonstrate the compliance of the presented references with the above criteria. The Contracting Authority reserves the right to check the accuracy and validity of the information given by the tenderers in relation to reference projects.

Regarding the calculation of the contracts amounts for the completed works of the tenderers, the values will be considered at the date of the completion and will not be carried to the date of the evaluation as "net present values" and should be converted to Euro rate from:

<http://ec.europa.eu/budget/inforeuro/index.cfm?Language=en>

- c) The tenderer must be a registered firm or a natural person legally capable of carrying out the specified works;
- d) The tenderer must carry out at least 70% of the contract works using its own resources, which means that it must have the equipment, materials, human and financial resources necessary to carry out that percentage of the contract;

17. Award criteria

The most economically advantageous tender is the technically compliant tender with the lowest price.

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from the Contracting Authority at 3-5 Sremska Street, V floor, office 502, Belgrade, Republic of Serbia on CD-ROM, free of charge. 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:

Ministry of Finance
Department for Contracting and Financing of EU Funded Programmes (CFCU)
Division for Tender Preparation and Contract Management

3-5 Sremska St, V floor, office 502
11000 Belgrade, Republic of Serbia
E-mail: cfcu.questions@mfin.gov.rs

(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 at the Contracting Authority's website at www.cfcu.gov.rs.

19. Deadline for submission of tenders

1 October 2018 at 12:00 CET.

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

20. Tender opening session

1 October 2018 at 14:00 CET at the premises of Ministry of Finance, Department for Contracting and Financing of EU Funded Programmes (CFCU), 3-5 Sremska St, Belgrade, Republic of Serbia.

21. Language of the procedure

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

22. Repetition of similar works

Subsequent to the initial contract resulting from the current tender procedure, new works consisting in the repetition of similar works, up to the estimated amount of EUR 1.000.000, may be entrusted to the initial contractor by negotiated procedure without prior publication of a contract notice, provided the new works are in conformity with the same basic project.

23. Legal basis¹

Regulation (EU) No. 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action and Regulation (EU) No. 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-Accession Assistance (IPA II).

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

