
WORKS CONTRACT NOTICE

Works on the regulation and recovering of the river bed on the river Kamišina in Mokra Gora (Užice) and the river Rača, Bajina Bašta

Municipalities of Užice and Bajina Bašta, Republic of Serbia

1. Publication reference

2017/387-271/TD06

2. Procedure

Local open

3. Programme title

Cross-Border Programme Serbia – Bosnia and Herzegovina under the Instrument for Pre-Accession Assistance (IPA), Component II, allocations for 2012 and 2013, EuropeAid/136472/DD/ACT/Multi.

Project: "Flood Defence System in Cross-border Area Serbia - Bosnia and Herzegovina"

4. Financing

Financing agreement. The project is co-financed by the European Union, in accordance with the rules of Cross-Border Programme Serbia – Bosnia and Herzegovina under the Instrument for Pre-Accession Assistance (IPA), Component II programme. Budget line 6. Other, 6.1. Works on the regulation and recovering of the riverbed on the river Kamišina in Mokra Gora (Užice) and Budget line 6. Other, 6.2. Works on the regulation of the left riverbank of the river Raca in Bajina Basta municipality.

5. Contracting Authority

City of Užice

52 Dimitrija Tucovića Street,

31000 Užice, Republic of Serbia

CONTRACT SPECIFICATIONS

6. Description of the contract

This contract is divide to 2 lots.

LOT 1: The subject of this part of the contract is engagement of contractor for construction works in the basin of the river Kamišina which caused great damages on water supply systems, sewage collectors, bridges, roads and tourist sites in Mokra Gora during the past years. In order to reduce the risk of flooding and damages from floods, execution of the works on the river Kamišina will comprise of a group of various types of

recovery and reconstruction interventions on the 13 locations along the river flow.

Planned works include: preparatory works, ground works, concrete works, reinforcement works, biotechnical works and masonry works.

LOT 2: The subject of this part of the contract is engagement of contractor for construction works in the basin of the river Rača that damaged water supply system, electrical installations, the local road, agriculture land and fish ponds in the municipality of Bajina Bašta. The UNDP recognized a problem of the Rača river and in cooperation with the Jaroslav Černi Institute made a proposal for construction of a dam for solving the flooding problem 1,000 meters along from the dam to the Drina mouth. In order to reduce the risk of flooding, damages from floods and prevent future outflows, execution of the works on the river Rača will include a various types of interventions in order to regulate the flow of the river Rača and prevent future torrents by building a dam.

Planned works include: preparatory works, ground works, concrete works and other works.

7. Number and titles of lots

2 lots:

LOT 1: Construction works in the basin of the river Kamišina

LOT 2: Construction works in the basin of the river Rača

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 1% of the amount of the tenderer's offer, together with its tender dossier/offer. The original guarantee, in the form of a blank bill of exchange (a blank promissory note) must be included in the original tender as a security instrument, along with signed promissory note authorization (at the amount of 1% of the contract value, signed and stamped, with the name of the drawee), a copy of the Specimen of Signatures and a copy of the Notarized signatures of authorized persons (OP form). Blank bill of exchange must be signed and stamped by the drawer, properly dated as payable for a period of 90 days after the deadline for submission of tenders, registered in the Register of Bills of Exchange or Mandate of the National Bank of Serbia and payable from the evaluation of offer, at sight, unconditionally and irrevocably, without a protest, in the cases when: tenderer withdraws, recall or alter its offer after the deadline for submission of tenders, selected tenderer do not sign the contract during the specified time, selected tenderer do not submit other specified guarantees.

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 performance securities must be provided together with the return of the countersigned contract no later than 5 days after the tenderer receives the contract signed by the Contracting Authority, in the form of a blank bill of exchange (a blank promissory note) as a security instrument, along with signed promissory note authorization (at the amount of 10% of the contract value, signed and stamped, with the name of the drawee), a copy of the Specimen of Signatures and a copy of the Notarized signatures of authorized persons (OP form). Blank bill of exchange must be signed and stamped by the drawer, properly dated as payable for a period of at least 30 days after the date of implementation of the tasks/final acceptance, registered in the Register of Bills of Exchange or Mandate of the National Bank of Serbia and payable from the evaluation of offer, at sight, unconditionally and irrevocably, without a protest, in the cases when: selected tenderer does not fulfill its contractual obligations, contractual obligations are fulfilled partly and the fulfillment of contractual obligations is delayed.

If the selected tenderer fails to provide such a guarantee within the above mentioned 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

A mandatory site visit will be organised at the future construction sites by the Kamišina and Rača rivers on April 27th, 2018, however, the gathering of the interested tenderers will take place at the premises of the City of Užice, 52 Dimitrija Tucovića Street, 31000 Užice, on April 27th, 2018 at 14:00 hours.

Potential tenderers are obliged to confirm their attendance in writing to the aforementioned address or via e-mail: fds.srb-bih@uzice.rs or by fax: 031/510-098.

A site visit is compulsory, so potential tenderers are strongly advised and obliged to inspect both locations of the works and their surroundings for the purpose of assessing, at his own

responsibility, expense and risk, factors necessary for the preparation of tenders and signing the contracts for the works.

Only Tenderers that have been participating to the mandatory site visit will be eligible for submitting a tender.

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

9 months

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 in Instruction to tenderers and any additional forms tenderers may wish to use.

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

The selection criteria for each tenderer are as follows:

1) Economic and financial capacity of candidate:

- the average annual turnover of the tenderer in the past 3 years (2016, 2015 and 2014) must be at least the value of the tenderer's offer.

Documentary evidence of financial and economic standing:

- tenderer is obliged to provide copies of balance sheets and income statements (profit and loss account) for the past 3 years (2016, 2015 and 2014), as a documentary proofs of financial and economic standing.

2) Technical and professional capacity of candidate:

- it must have completed or have under completion at least 2 contracts of at least the same nature/amount/complexity (river bed reconstruction intervention) as the works concerned by the tender (1 per lot for which apply) and implemented during the past 3 years. That means that the contracts the tenderer refers to could have been started/implemented/completed at any time during the indicated period.
- it must have completed at least 1 contract of the same nature/amount/complexity (any type of construction works; 1 per lot for which apply) financed from international donor programs and implemented during the past 3 years. That means that the contracts the tenderer refers to could have been started/implemented/completed at any time during

the indicated period.

- It 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.
- It must be certified against the standards ISO 9001, ISO 14001, OHASS 18001 and ISO/IEC 17025.
- If it is a partner of a joint venture/consortium (not the lead member), it must be able to carry out at least 10% of the contract works using its own means.
- All its key staff must have at least 5 years' appropriate experience and proven qualifications relevant to works of a similar nature to this project

General requirements for the competences of key experts related to this Contract:

- At least 1 employee working at the position of Site Manager, full or part time contracted with the Tenderer - having a degree in Civil engineering or equivalent, having at least 5 years professional experience with proven qualifications, with an appropriate and valid certificate/license for the execution of works as well as with a certificate for environmental management (according to ISO 14001) and occupational health and safety (according to OHSAS 18001)
- At least 1 employee working at the position of Tenderer's Reporting Associate, full or part time contracted with the Tenderer - having a degree in Economics or equivalent, having at least 5 years professional experience with proven qualifications and experience of being a Project Associate of at least one internationally co-financed project, proficient in English and in the official language of the country of implementation (Serbian), full or part time contracted with the Tenderer

Documentary proof/evidence of technical capacity:

- tenderer is obliged to provide a list of most significant works implemented during the past 3 years, with the sums, dates and place, accompanied by copies of certificates of satisfactory execution or certificates of final acceptance, issued by the supervisors/relevant contracting authority or entity who ordered or purchased the works, specifying whether they have been carried out in a professional manner and have been fully completed or are under completion. This documents must be delivered in order to prove that tenderer have completed or is under completion of at least 2 contracts of at least the same nature/amount/complexity as the works concerned by the tender (river bed reconstruction intervention) and implemented during the past 3 years, until tender publishing. That means that the contracts 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.
- together with a list of equipment, human resources and works in the forms given under the Form 4.6. Technical qualifications (Volume 1, section 4, forms 4.6.1.1, 4.6.2. and

4.6.3.), tenderer is obliged to provide a description of the technical equipment, tools and plant to be employed by the company for performing a work contract

- if the contract is going to be performed in a consortium, together with a list of equipment, human resources and works in the forms given under the Form 4.6. Technical qualifications (Volume 1, section 4, forms 4.6.1.1, 4.6.2. and 4.6.3.), tenderer is obliged to provide a description of the technical equipment, tools and plant to be provided by the subcontractor(s) and an indication of the proportion of the contract which the tenderer may intend to subcontract or perform in a consortium.

- tenderer is obliged to provide a copies of relevant certificates to standards as a proof that it is certified against the standards ISO 9001, ISO 14001, OHASS 18001 and ISO/IEC 17025

Documentary proof/evidence of professional capacity:

- copies of employment contracts or temporary service agreement with the key experts (site manager and tender reporting associate), as an Annex to the CV Form 4.6. (Volume 1, section 4, forms 4.6.1.2. and 4.6.1.3.),

- copies of relevant diplomas for the key experts (diploma in Civil Engineering for Site Manager and diploma in Economics or equivalent for Tender Reporting Associate), as an Annex to the CV Form 4.6. (Volume 1, section 4, forms 4.6.1.2. and 4.6.1.3.),

- copies of relevant certificates/licenses for the execution of works in accordance with Serbian legislation for Site manager, as well as a certificate for environmental management (according to ISO 14001) and occupational health and safety (according to OHSAS 18001), as an Annex to the CV Form 4.6. (Volume 1, section 4, forms 4.6.1.2. and 4.6.1.3.)

- detailed description of relevant professional experience in CV Form 4.6. (Volume 1, section 4, forms 4.6.1.2. and 4.6.1.3.), for both Site Manager and Tender Reporting Associate, as a proof for general requirements for the competences of key experts related to this Contract.

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 (the technically compliant tender with the lowest price).

TENDERING

18. How to obtain the tender dossier

The tender dossier is available in the electronic format at the following webpages:

The advertisement for local publication is published in the Official Gazette of the Republic of Serbia and in national daily newspapers Srpski Telegraf, and tender dossier is available on the City of Uzice and Municipality of Bajina Basta websites, at:

<http://uzice.rs/clanci/objave/> and <http://bajinabasta.rs/javne-nabavke/>

It is also available for inspection at the premises of the Contracting Authority, address as in point 5 above. 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:

City of Užice, M r. Aleksandar Tasić
52, Dimitrija Tucovića Street, 31000 Užice
Fax No: 031/510-098
E-mail: fds.srb-bih@uzice.rs

mentioning the publication reference shown in item 1: 2017/387-271/TD06 and lot number, at least 21 days before the deadline for submission of tenders given in item 19 (not later than 22.05.2018, till 16:00 hrs).

The Contracting Authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders (not later than 01.06.2018, till 16:00 hours).

Eventual clarifications or minor changes to the tender dossier will be published at the latest 11 days before the submission deadline in the Official Gazette and websites of the City of Uzice and the Municipality of Bajina Basta: <http://uzice.rs/clanci/objave/> and <http://bajinabasta.rs/javne-nabavke/>

19. Deadline for submission of tenders

12.06.2018, before 14:00 hours.

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

20. Tender opening session

13.06.2018, at 10:00 hours at the venue of the City of Užice, premises of the City

Development Center, NN Petra Čelovića Street, 31000 Užice.

21. Language of the procedure

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

22. Legal basis¹

Cross-Border Programme Serbia – Bosnia and Herzegovina under the Instrument for Pre-Accession Assistance (IPA), Component II, allocations for 2012 and 2013, EuropeAid/136472/DD/ACT/Multi.

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