
WORKS CONTRACT NOTICE

Regulation of the riverbed of Suva (Konska) Reka - phase 1

1. Publication reference

CN1 – SO2.3 – SC021/T3

2. Procedure

Local open

3. Programme title

INTERREG IPA Cross-Border Programme Greece – The former Yugoslav Republic of Macedonia 2014-2020 (Call for Proposals No: CCI: 2014TC16I5CB009).

4. Financing

Title of the project: “Sustainable management of cross-border water resources (AQUA-M II)” is co-financed by the European Union, in accordance with the rules INTERREG - IPA CBC Programme Greece – The former Yugoslav Republic of Macedonia.

The project is co-financed by national budget of the Republic of Macedonia (Ministry of Local Self Government).

5. Contracting Authority

Municipality of Gevgelija

Address: Dimitar Vlahov No. 4, 1480 Gevgelija

CONTRACT SPECIFICATIONS

6. Description of the contract

The contract includes regulation of the riverbed of Suva (Konska) Reka in the Municipality of Gevgelija on the section from km 2 + 640,00 to km 2 + 050,00, with a double trapezoidal cross section with dimensions as provided in the main project (technical documentation) and space in the installation with additional width for the evacuation of the large quantities of water. The regulation includes construction of cascade sills on chains, which will limit the development of erosion along the watercourse. It is expected that the problem with local erosion will be solved in the concave parts and in the bottom with additional protection of the bottom and the slopes according to the technical documentation.

Construction works include:

- Geodetic Works
- Land works
- Construction of protection stone structures
- Arrangement of river banks
- Gabions
- Mattresses.

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 22 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 purchase.

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

Tender guarantee is not required.

12. Performance guarantee

The successful tenderer will be asked to provide a performance guarantee of 5 % 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

No information meeting is planned.

The tenderer is strongly advised to visit and inspect the site of the works and its surroundings for the purpose of assessing, at its own responsibility, expense and risk, the factors necessary for preparing its tender and signing the contract for the works.

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

12 months from the commencement day until provisional acceptance (technical reception).

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 evidence must be provided by tenderers in the form of the information and documents described in Sub-clauses 12.1 and 12.2 of the Instruction to Tenderers, Section 1 of Volume 1, and any additional forms tenderers may wish to use.

In case of a tender submitted by a consortium, unless specified, these selection criteria will be applied to the consortium as a whole.

The selection criteria for each tenderer are as follows:

16.1 Economic and financial capacity of candidate:

16.1.1 The average annual turnover of the tenderer for the last 3 closed financial years must be at least EUR 500.000,00

16.1.2 The tenderer shall demonstrate, by a bank statement that, it has available or has access to lines of credit or any other credit facilities sufficient to meet the construction cash flow for the duration of the contract of not less than EUR 100.000,00.

16.1.3 It must have a valid insurance "Professional risk liability for construction" in accordance with art. 41-a, paragraph 2, of the Macedonian Law on Construction. The minimum coverage of the insurance should be as in art. 41-a, paragraph 3 of the Law on Construction in Macedonia (Official Gazette of RM - No.70/2013 from 16.05.2013), or equivalent as per the legislation of the country of its headquarters' registration.

The requirement under point 16.1.1 must be proven by financial statements (balance sheets/ profit & loss statements/ cash flow statements) of the tenderer for the last 3 financial years (2015-2017).

The requirement under point 16.1.2 must be proven by bank statement, issued in the name of the tenderer or any member of the consortium.

The requirement under point 16.1.3 "Professional liability" must be proven by a copy of valid insurance by relevant entity (Insurance Company).

Technical and professional capacity of candidate:

16.1.4 The Tenderers must be a duly registered firm or natural person in accordance with the Law on Construction of the Republic of Macedonia - Official Gazette No. 130/09, 124/10, 18/11, 36/11, 54/11, 13/12, 144/12, 25/13, 79/13, 137/13, 163/13, 27/14, 28/14, 42/14, 115/14, 149/14, 187/14, 44/15, 129/15, 217/15, 226/15, 30/16 and 31/16), approved to implement works of group I, or equivalent registration on the professional

or trade register of the country in which he is established. If the selected contractor has equivalent registration on the professional or trade register of the country in which he is established, before signing the contract it must provide evidence that it is authorized for execution of works in Republic of Macedonia in accordance with the Law on Construction.

The requirement under point 16.1.4 must be proven must be proven by a copy of “Licence A” issued by the Ministry of transport and communication or equivalent.

16.1.5 The tenderer has completed at least one (1) works contract with the same nature and complexity in the field of riverbed regulation, with minimum value of EUR 200.000,00, within the last 5 years up to the submission deadline of this tender.

The contract is considered completed if provisional/ final acceptance/ technical reception or equivalent certificate is issued by Contracting Authority/ Employer/ Client/ Supervisor clearly indicating the date of issuing of the aforementioned certificates. Completion means that the project the tenderer refers to has been completed at any time during the indicated period but it does not necessarily have to be started during that period, or implemented during the entire period.

If a candidate/ tenderer has implemented the project in a consortium, the percentage that the candidate/ tenderer has completed must be clear from the documentary evidence, together with a description of the nature of the works provided if the selection criteria relating to the relevance of the experience have been used.

16.1.6 Minimum capacity level required:

- The tenderer has at least 10 employees with appropriate qualification: Machine operators;
- The tenderer has at least 15 employees with appropriate qualification: labourers and unskilled staff;

The overview of the tenderer’s staff to be presented in Section 4, Form 4.6.1.1.

- The tenderer must propose as a minimum 2 key personnel with the following qualifications and experience:

- A Technical Site Manager:

- Education: Bachelor's Degree level in Civil Engineering
- Certificates: Authorisation “A” for construction issued by the Chamber of certified Architects and certified Engineers of Republic of Macedonia / or equivalent document issued by relevant institution for candidates outside of Republic of Macedonia;
- Professional experience: experience in at least 3 projects as Technical Site Manager / Project Manager / Site engineer of works contracts.

- A Hydro Engineer:

- Education: Bachelor's Degree level in Civil Engineering or Mechanical Engineering
- Certificates: minimum Authorisation “B” for construction issued by the Chamber of certified Architects and certified Engineers of Republic of Macedonia / or equivalent document issued by relevant institution for candidates outside of Republic of Macedonia

- Professional experience: at least 3 years of experience as Hydro Engineer in works contracts and technical competence in this field.

16.1.7 The tenderer must have the necessary technical capacity, i.e. machines, equipment, to prove that he can fulfil the works. If the tenderer hasn't got the necessary equipment he has to declare that he will hire it and minimum should include:

- Excavator (at least 1)
- Bulldozer (at least 1)
- Combined excavator (at least 2)
- Loader (at least 1)
- Trucks (at least 5)
- Pump for extraction underground water (at least 1)

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 a commitment 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.

With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the works for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance 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 (with the drawings) is 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.

- 1.1. Tenderers with questions regarding this tender should send them in writing to kabinet@gevgelija.gov.mk or postal addresses: Str. Dimitar Vlahov No. 4, 1480 Gevgelija (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 in direct communication with the potential tenderers and on the web site: www.gevgelija.gov.mk/ and <http://www.ipa-cbc-programme.eu/project-news/>

19. Deadline for submission of tenders

09.01.2019 – 12.00 h, local time.

The Contracting authority's opening hours are: 8:00-16:00 h.

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

20. Tender opening session

09.01.2019 – 14.00 h, local time in the premises of Gevgelija Municipality.

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 10.000.00, 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 Main design.

23. Legal basis¹

- Regulation (EU) N°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.

- Regulation (EU) N° 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-Accession Assistance (IPA II) Regulation.

- Commission Implementing Regulation (EU) No 447/2014 of 2 May 2014 on the specific rules for implementing.

- Regulation (EU, Euratom) N° 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002.

- Commission Delegated Regulation (EU) N° 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) N° 966/2012 of the European Parliament and of the Council on the financial rules applicable to the General Budget of the Union.

- The INTERREG - IPA CBC Programme "Greece – The former Yugoslav Republic of Macedonia 2014 – 2020" (CCI: 2014TC16I5CB009).

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

