

# ISPA MEASURE

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**BG-Sofia: ISPA – technical assistance for water cycle survey, detailed designs, works tender dossier preparation and supervision of the construction works for Shoumen water project 2005/S 141-139637**

**ISPA Measure 'Shoumen water cycle improvements in Bulgaria'**

**Location – Bulgaria**

## **Service procurement notice**

1.

### **Publication reference:**

EuropeAid/120223/D/SV/BG

2.

### **Procedure:**

Restricted.

3.

### **Programme:**

ISPA – Instrument for Structural Policy for Pre-Accession.

4.

### **Financing:**

Financing Memorandum for ISPA Measure No 2002/BG/16/P/PE/018.

5.

### **Contracting authority:**

Ministry of Environment and Water.

## **Contract specification**

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6.

**Nature of contract:**

Fee-based.

7.

**Contract description:**

The scope of activities of this technical assistance contract covers:

1. preparation of a water survey and review of the hydraulic design and pollution load for the WWTP Shoumen;
2. preparation of detailed designs and tender documents for the rehabilitation and extension of the water supply and sewerage networks of Shoumen;
3. support to the contracting authority during the process of tender evaluation and award of the 2 works contracts — rehabilitation and extension of water supply and sewerage networks of Shoumen and the extension to secondary treatment of WWTP Shoumen. The said works contracts are based on FIDIC conditions of contract;
4. supervision of the 2 above-mentioned works contracts on behalf of the contracting authority, including all duties of the engineer in accordance with FIDIC conditions of contract, as well as the duties of supervisor in accordance with the Bulgarian legislation.

8.

**Numbers and titles of lots:**

Lot 1 — preparation of a water cycle survey and review of the hydraulic design and pollution load for the WWTP Shoumen. Detailed design of water supply and sewerage networks of Shoumen rehabilitation and extension and tender dossiers' preparation based on PRAG and FIDIC Conditions of Contract for Construction for Building and Engineering Works Designed by the Employer, first edition 1999 (Red Book). Tendering support for the award of network and wastewater treatment plant works contracts.

Lot 2 — supervision or rehabilitation and extension water supply and sewerage networks of Shoumen in accordance with FIDIC Conditions of Contract Construction for Building and Engineering Works Designed by the Employer, first edition, 1999 (Red Book) as well as the duties of supervisor in accordance with Bulgarian legislation.

Lot 3 — supervision of WWTP Shoumen extension in accordance with FIDIC Conditions of Contract for Plant and Design-Build, first edition, 1999 (Yellow Book) as well as the duties of supervisor in accordance with Bulgarian legislation.

The bidders are requested to submit one offer, covering all 3 lots.

9.

**Maximum budget:**

The total budget covering all lots is: EUR 2 902 000.

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10.

**Scope for additional services:**

Not applicable.

**Conditions of participation**

11.

**Eligibility:**

Participation is open on equal terms to all natural and legal persons of the EU Member States and Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Former Yugoslav Republic of Macedonia, Romania, Serbia and Montenegro and Turkey.

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 (i.e. the leader and all other partners) 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 (including legal persons within the same legal group), whatever the form of participation (as an individual legal entity or as leader or partner of a consortium submitting an application). In the event that a natural or legal person (including legal persons within the same legal group) submits more than one application, all applications in which that person (and legal persons within the same legal group) has participated will be excluded.

14.

**Shortlist alliances prohibited:**

Any tenders received from tenderers comprising firms other than those mentioned in the shortlisted

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application forms will be excluded from this restricted tender procedure. Shortlisted 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 statement to the effect that they are not in any of the exclusions listed in section 2.3.3 of the practical guide to contract procedures financed from the general budget of the European Communities in the context of external actions (available from the following Internet address: [http://europa.eu.int/comm/europeaid/index\\_en.htm](http://europa.eu.int/comm/europeaid/index_en.htm)).

16.

**Subcontracting:**

Subcontracting will be allowed up to 30 % of the contract value. Subcontracting can be used for short-term experts and for the geotechnical investigations and/or other types of survey activities that may be needed for the assignment. Subcontracting cannot be used for the activities envisaged for the key experts.

17.

**Number of candidates to be shortlisted:**

On the basis of the applications received, at least 4 and most 8 candidates will be invited to submit detailed tenders for this contract.

**Provisional timetable**

18.

**Provisional date of invitation to tender:**

2.11.2005.

19.

**Provisional commencement date of the contract:**

February, 2006.

20.

**Initial period of execution and possible extension of the contract:**

54 months, including supervision during the 12 months defect notification period for each of the construction works.

**Selection and award criteria**

21.

**Selection criteria:**

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 standing of candidate(s) (firm or consortium) (based on item 3 of the application form):

a) the annual revenue of the candidate (firm or consortium as a whole) for each of the last 3 years (2002, 2003 and 2004) must amount at least to EUR 1 000 000;

b) the annual operating profit (including all administrative and financial expenditure, depreciation according to plan, but excluding extraordinary expenditure and income and taxes) of the tenderer (firm or consortium as a whole) must be positive for at least 2 of the last 3 years (2002, 2003 and 2004).

The tenderer should present the following proofs of economic and financial capacity:

– balance sheets for the last 3 years for which accounts have been closed;

– statement of accounts (profit and loss account) showing the revenue during the last 3 closed financial years.

2) Professional capacity of candidate(s) (based on items 4 of the application form):

a) during the last 3-year period (2003, 2004, 2005), the tenderer shall have on average 5 permanent staff with the following experience:

– supervision of FIDIC contracts or equivalent international experience;

b) during the last 3-year period (2003, 2004, 2005), the tenderer shall have on average 10 permanent staff with the following experience:

– design of water supply networks, sewerage networks and wastewater treatment plants.

3) Technical capacity of candidate(s) (based on items 5 and 6 of the application form):

a) the tenderer must have experience in the following fields:

– water supply design and supervision;

– sewerage network design and supervision;

– wastewater treatment plant supervision,

b) the candidate has successfully completed in the last 7 years (from May 1998 until present) at least:

I. 1 project for construction supervision of a wastewater treatment plant, based on FIDIC conditions of contract or equivalent international conditions of contract;

II. 1 project for design of water supply network;

III. 1 project for design of sewerage network;

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IV. 1 project for construction supervision of water supply and/or sewerage network, based on FIDIC conditions of contract or equivalent international conditions of contract; each with a value of at least EUR 400 000 and where the portion of services carried out by the consultant for each project should be at least equal to 40 % of the value of the project (i.e. participation in the project must not have been in a subcontractor role).

One and the same project can cover for more than one of points I. to IV. above. In that case the minimum value remains EUR 400 000.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the application of these candidates must be re-examined to identify the 8 best applications for the tender procedure. The only factors which will be taken into consideration during this re-examination are:

- 1) the number of successfully executed supervision projects required under Clause 21 point 3(b)I and point 3(b)IV, based on FIDIC Conditions of Contract;
- 2) the total amount of successfully executed projects as required under Clause 21 point 3(b).

The second factor will be applied only in case the number of the eligible candidates still remains more than 8 (and with equal rating), subsequent to the application of the first factor.

22.

### **Award criteria:**

As specified in the tender dossier annexed to the letter of invitation to tender which will be sent to shortlisted candidates.

### **Application**

23.

### **Deadline for receipt of applications:**

26.8.2005 (17.00), local Bulgarian time.

Any application received after this deadline will not be considered.

24.

### **Application format and details to be provided:**

The candidates must request the application form format from the contracting authority using the following website [www.moew.government.bg](http://www.moew.government.bg) or e-mail: [ilievv@moew.government.bg](mailto:ilievv@moew.government.bg), or by fax using the following numbers: (359-2) 987 23 55 or (359-2) 981 43 93.

Note: the application form for this tender differs from the standard application form available on European Commission web.

When preparing the application form the format and instructions must be strictly observed.

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Any application which does not observe these provisions will be automatically eliminated.  
Any additional documentation (brochure, letter, etc.) sent with an application will not be taken into consideration.

25.

**How applications may be submitted:**

Applications must be submitted in English exclusively to the contracting authority:

— either by recorded delivery (official postal service) to:

Mr Vladimir Iliev, Ministry of Environment and Water, Directorate 'EU Funds for Environment', 22, Maria Louiza Blvd, 4th floor, room 414, 1000 Sofia, Republic of Bulgaria,

— or hand-delivered (including courier services) directly to the contracting authority in return for a signed and dated receipt to:

Mr Vladimir Iliev, Ministry of Environment and Water, Directorate 'EU Funds for Environment', 22, Maria Louiza Blvd, 4th floor, room 414, 1000 Sofia, Republic of Bulgaria.

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.

**Operational language:**

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

27.

**Additional information:**

The contracting authority shall not respond to any queries received before the deadline for submission of the applications as specified under clause 23.

The contracting authority reserves the right to request references from the clients for the successfully completed projects listed by the candidate in the submitted application form. The candidate should be ready to present such reference(s) upon request from the contracting authority during the examination of the submitted application form.

28.

**Date of publication of contract forecast:**

3.8.2004.

29.

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### **Legal basis:**

Council Regulation (EC) No 1267/1999 of 21.6.1999 establishing an Instrument for Structural Policies for Pre-Accession, as amended by the Council Regulation (EC) Nos 2382/2001, 2500/2001, 769/2004 and 2257/2004.