

BG-Sofia: ISPA — supervision and technical assistance for construction of flue gas desulphurisation plants at units 5 and 6 of TPP 'Maritsa East 2' in Bulgaria 2005/S 99-097890

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Bulgaria/Stara Zagora municipality/Kovachevo village

Service procurement notice

1. Publication reference: EuropeAid /120100/D/SV/BG-relaunch

2. Procedure: International restricted tender procedure.

3. Programme: ISPA.

4. Financing: ISPA reference number: 2001/BG/16/P/PE/004; Financing memorandum signed on 24.8.2004.

EBRD Project ID: 22344; Loan agreement is effective from 30.11.2004.

Information sheet for the above ISPA measure can be accessed on:

http://europa.eu.int/comm/regional_policy/funds/ispa/bulga_en.htm.

5. Contracting authority: Ministry of Environment and Water, Republic of Bulgaria, 67 William Gladstone Str., 1000 Sofia, Bulgaria. Fatme Iliaz, Deputy Minister and ISPA SAO, Tel.: (359-2) 940 62 57. Fax: (359-2) 981 66 10. E-mail: iliaz@moew.government.bg.

Contract specification

6. Nature of contract: Services — fee-based.

7 . Contract description: The contract activities will include:

— preparation of tender documents and assistance in tender procedure for a works contract under the procurement policies and standard tender documents of the European Bank of Reconstruction and Development (EBRD);

— implementation of the duties of the 'Engineer' under 1999 FIDIC Conditions of contract for plant and design-built (Yellow Book);

— implementation of the functions of the 'Consultant' ('Construction supervision') as explicitly required under the Bulgarian legislation;

— provision of technical assistance to the employer

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for the project 'Construction of flue gas desulphurisation plants for units 5 and 6 of TPP Maritsa East 2.

8. Numbers and titles of lots: Not applicable.

9. Maximum budget: EUR 3 800 000.

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, Bulgaria, Romania, Turkey, Albania, Former Yugoslav Republic of Macedonia, Bosnia-Herzegovina, Croatia and Serbia-Montenegro.

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. Short-list alliances prohibited: Any tenders received from tenderers comprising firms other than those mentioned in the short-listed application forms will be excluded from this restricted tender procedure. Short-listed 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 exclusion situations listed in Section 2.3.3 of the Practical Guide to

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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).

16. Subcontracting: Subcontracting will be allowed up to 30 % of the contract value. Subcontracting can be used only for recruiting short-term experts.

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

Provisional timetable

18. Provisional date of invitation to tender: The intended date for invitation to tender is July 2005.

19. Provisional commencement date of the contract: The intended commencement date is October 2005.

20. Initial period of execution and possible extension of the contract: The overall legal duration of the contract is expected to be 62 months, comprising 12 months for tender preparation, tendering and award of works contract, 38 months for design, construction, pre-commissioning and commissioning, 12 months for defects notification period and preparation of final statement, submission of final report and making the outstanding payments.

However, tenderers must take into account that the contracting authority may, at its sole discretion, extend the duration of the contract by a period not exceeding 6 calendar months should any extension of the time for completion of the construction works is needed. In all such cases the supervisor shall be deemed to have included in his tendered price all and any costs associated with the extension and the contracting authority will not accept any claim for additional money or time.

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 (based on item 3 of the application form):
 - (a) the average revenue of the candidate must exceed EUR 2 million for each of the years 2002, 2003 and 2004; and
 - (b) annual operating profit (including all administrative and financial expenditure, depreciation according to plan, but excluding extraordinary expenditure and income and taxes) of the candidate (firm or

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consortium) should be positive for at least 2 of the years 2002, 2003, 2004.

The candidate shall 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 three closed financial years.

2) Professional capacity of candidate (based on items 4 and 5 of the application form):

- (a) the candidate (a firm or the leading partner of a consortium) has at least 10 professional staff with experience in supervising construction projects;
- (b) the candidate (a firm or the leading partner of a consortium) has at least 5 professional staff with experience in supervision of contracts based on FIDIC Conditions of Contract or internationally recognized conditions of contract, clearly marked in p. 4 of the application form;
- (c) the candidate (a firm or the leading partner of a consortium) shall have at least 5 professional staff with experience in the preparation of tender documents for design-build or turnkey contracts, clearly marked in p. 4 of the application form;
- (d) the candidate (a firm or the leading partner of a consortium) shall have at least 3 professional staff with experience in technical assistance during the construction of FGD plants, clearly marked in p. 4 of the application form.

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

The candidate must demonstrate that it substantially satisfies the requirements regarding experience, as specified below:

(A) The candidate must have experience either:

- in two design and supervision projects or;
- in one design and supervision project, provided that the candidate carried out at least one design project plus one supervision project.

The above-mentioned services must have been performed on FGD projects that apply the wet limestone/gypsum desulphurisation technology and including at least ID fan(s), absorber(s), limestone handling facility, wet stack(s), ducts, etc. and successfully completed within the last 10 years. In addition to the above, the referent FGD Plants are installed on power plants with SO₂ concentration in the flue gas of at least 8 000 (mg/Nm³ — dry, 6 % O₂) (measured at the ID Fan) and operated successfully for at least 1 year, at minimum desulphurisation rate at least 92 % and meeting the requirements of the relevant European Union legislation and strategies with regard to the emissions of SO_x and the discharge of other pollutants in the atmosphere, relevant to the coal fired utilities (Integrated Pollution Prevention and Control directive (IPPC — 1996) — (into force); National Emission Ceilings Directive (NEC — 2001) — (into force) Large Combustion Plant directive (LCP — 2001) — (2008)).

(B) The candidate must demonstrate experience in design and supervision in at least one of the referent FGD Plants that comply with the requirements in (A) above; the referent FGD plants have been installed on power units with a gross electric power output of minimum 150 MW and/or power plants with a gross electric output of minimum 200 MW.

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(C) The candidate must demonstrate experience in design and supervision of gypsum dewatering facilities installed in at least one of the FGD Plants within the last 10 years, which comply with the requirement 21.3.A.

Requirements B and C will be satisfied if relevant projects are included in requirement A.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications 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 (in priority order), are:

- 1) Preference to candidates with the highest number of successfully executed projects as given in Clause 21, Point 3, based on the FIDIC conditions of contract, within the last 10 years.
- 2) Preference will be given to candidates with FGD projects implemented at Power Plants, which have highest concentration of SO₂ in the flue gas (measured at the ID fan). The first factor will be applied only in case the number of the eligible candidates still remains more than 8 (and with equal rating).

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 short-listed candidates.

Application

23. Deadline for receipt of applications: The deadline for receipt of applications is 17.00 local Bulgarian time on 26.6.2005.

Any application received after this deadline will not be considered.

24. Application format and details to be provided: Applications must be submitted using the application form from the contracting authority (available from the following Internet address: <http://www.doe.bg> whose format and instructions must be strictly observed. Should any applicant have difficulties obtaining the application form from the mentioned Internet address the application form can also be requested either by e-mail to razmova@doe.bg or by fax using the following number: (359-2) 980 12 44).

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

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

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the PIU for the project:

– either by recorded delivery (official postal service) to: Ministry of Energy and Energy Resources, International Projects and Aid Programmes Department, 8 Triaditsa St., 9th floor, room 903, 1040 Sofia, Republic of Bulgaria;

– or hand-delivered (including courier services) directly to the PIU for the project in return for a signed and dated receipt to: Ministry of Energy and Energy Resources, International Projects and Aid Programmes Department, 8 Triaditsa St., 9th floor, room 903, 1040 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: Not applicable.

28. Date of publication of contract forecast: 7.7.2004.

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