
WORKS CONTRACTNOTICE

The reconstruction of the Kastel Fortress phase II – unit 2 “cultural Centre with auxiliary services”

Location – Banja Luka, Bosnia and Herzegovina

Tender No: EC/BIH/TEN/14/007

1. Publication reference

EuropeAid/135-952/DD/WKS/BA

2. Procedure

Open

3. Programme

Preparatory action for preserving and restoring cultural heritage in conflict areas in the Western Balkans for the year 2012

4. Financing

BGUE-B2014-22.020900-C8-ELARG

5. Contracting Authority

European Commission, on behalf of and for the account of the partner country

CONTRACT SPECIFICATIONS

6. Description of the contract

The Historic Site of Fortress Kastel is designated as a National Monument of BiH by the Decision of the Commission to Preserve National Monuments of Bosnia and Herzegovina in 2004 (OG BiH no. 36/05).

The contract objective is to preserve Kastel as part of the cultural and historical heritage, with elements of authentic architecture, as a memorial ambient and a part of urban environment which can fulfil contemporary needs in the fields of culture, recreation and tourism.

The rehabilitation works on of Fortress Kastel, Design Spatial Unit 2 will include the following interventions: constructive stabilization of the bastions, walls and underground arsenal in the north and west part of the fortress complex as well as for reconstruction of the towers 3 and 4, and the reconstruction of the foreign lines of general infrastructure and auxiliary facilities needed for the functioning of the summer stage (sanitary and auxiliary facilities, wardrobe, antechamber, storages etc.).

7. Number and titles of lots

no, one lot only

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 with [Stabilisation and Association Agreement in force with the Union \(FYROM, Albania, Montenegro and Serbia\)](#) or in a country under the [EEA Agreement \(Iceland, Norway and Lichtenstein\)](#). All works, supplies and services under this contract must originate in one or more of these countries. Participation is also open to international organisations. The participation of natural

persons is directly governed by the specific instruments applicable to the programme under which the contract is financed.

By way of derogation, participation is also open to all legal persons which are established in Bosnia and Herzegovina.

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 to contract procedures for EU external actions**.

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 **20.000 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(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 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.

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

Period of implementation is **10 calendar months** from the Commencement date.

SELECTION AND AWARD CRITERIA

16. Selection criteria

Economic and Financial capacity:

1. The tenderer must be registered firm or natural persons capable to carry out the specified works.
2. The total turnover in construction works of a sole tenderer for each of the two (2) last years (2012, 2013) must be at least **1.5 MEUR**. In the case of joint venture/consortium the Lead Partner's individual total turnover in construction works for each of the two (2) last years must be at least **0.7 MEUR**, while the consortium/joint venture as a whole must have turnover in construction works of at least 1.5 MEUR in total for the last two (2) years (2012, 2013); (Vol. 1; Sec.4; Form 4.4; Financial statement – 4.4.2.).
3. Works in hand in construction of a sole tenderer must be at least **0.75 MEUR**. In the case of joint venture/consortium, works in hand in construction of at least one (1) member of joint venture/consortium must be at least **0.5 MEUR**; while the consortium/joint venture as a whole must have at least **1.5 MEUR**

construction works in hand. (Vol. 1; Sec.4; Form 4.4; Financial statement – 4.4.3.)

4. The sole tenderer or at least one of the partners in a joint venture/consortium 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 be at least **0.5 MEUR**.

Professional capacity:

Key personnel must be as follows:

Site Manager:

- Shall have a University degree (BSc)* in Civil Engineering or Architecture,
- is a chartered engineer (“polozen strucni ispit”) according to the legislation applicable in Bosnia and Herzegovina
- shall have at least seven (7) years of relevant professional experience in construction sector
- shall have completed at least one (1) construction/reconstruction project, as a site manager, over the last 3 (three) years (2011, 2012, 2013).

() A level of education which corresponds to completed university studies attested by a diploma in a subject relevant to the field concerned when the normal period of university education is equivalent to 4 years or more.*

Technical capacity:

a) In case of sole tenderer, he must have the ability to carry out at least 70% of the construction works by its own means, meaning he must have organisational, structure, equipment, materials, human and financial resources, including access to the bank loans, necessary to enable him to carry out 70% of the contract.

b) In case of consortium/joint venture, the lead partner must have the ability to carry out at least 50% of the contract works by his own means, as defined in point a) above.

c) Other partners in a joint venture/consortium (i.e. not the lead partner) must have the ability to carry out at least 10% of the contract works by his own means, as defined in point a) above.

d) The sole tenderer/or joint venture/consortium as a whole must have completed at least 3 (three) cultural heritage protection project, physically completed, over the past 5 (five) years (2009, 2010, 2011, 2012, 2013).

The tenderer must present evidence, e.g. copies of the respective certificates(s) of commissioning, provisional or final acceptance certificate endorsed by the Supervisors/Contracting Authority, proving the above required experience for the projects concerned. The Contracting Authority reserves the right to ask for further information.

An economic operator may, where appropriate and for a particular contract, rely on the capacities 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 rely in majority on the capacities of other entities or when they rely on key criteria. If the tenderer rely on other entities it must prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those 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 data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the Contracting Authority.

17. Award criteria

The lowest price of the administratively and technically compliant offer.

TENDERING

18. How to obtain the tender dossier

An electronic version of the tender dossier including drawings (CD-ROM) is available free of charge for collection, from the Contracting Authority from the following address:

Delegation of the European Union to Bosnia and Herzegovina
Contract, Finance and Audit Section – Procurement Team
Skenderija 3a
71000 Sarajevo; Bosnia and Herzegovina

upon request sent to the e-mail address: DELEGATION-BIH-PROCUREMENT@eeas.europa.eu.

In case that tenderer is not able to collect the dossier from the premises of the Delegation of the European Union to Bosnia and Herzegovina, an electronic version of the tender dossier including drawings (CD-ROM) will be sent by courier delivery to the address of the interested party at its expense.

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

Delegation of the European Union to Bosnia and Herzegovina
Procurement Team
Skenderija 3a
71000 Sarajevo; Bosnia and Herzegovina
Fax: +387 33 218 323

E-mail: DELEGATION-BIH-PROCUREMENT@eeas.europa.eu

(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 <http://europa.ba/Tenders.aspx?lang=EN&cat=2>

19. Deadline for submission of tenders

12:00 Central European Time on 28th July 2014.

Any tender received after this deadline will not be considered.

20. Tender opening session

15:00 Central European Time on 28th July 2014 at the premises of the Delegation of the European Union to Bosnia and Herzegovina

21. Language of the procedure

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

22. Legal basis

Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities