
WORKS CONTRACT NOTICE

Design and construction of the New Electric Traction Substation “Trebešica” – Railway Infrastructure of Montenegro (RIoM)

Location - Podgorica-Kolašin, Montenegro

1. Publication reference

EuropeAid/136807/IH/WKS/ME

2. Procedure

Open

3. Programme title

Regional Development Programme 2012-2013 Instrument for Pre-Accession Assistance (IPA)

4. Financing

Financing agreement concerning the “Regional development” Programme under the Instrument for Pre-Accession Assistance 2012-2013

5. Contracting Authority

Directorate of Public Works, Novaka Miloševa 18, 81000 Podgorica, Montenegro

CONTRACT SPECIFICATIONS

6. Description of the contract

The works on the 110/25 kV ETS “Trebešica” will include dismantling of all the existing electrical apparatus and civil structures and a complete installation of the new civil structures and 110 kV, 25 kV electrical elements and equipment. The works on the ETS “Trebešica” will include:

civil and structural works, including the civil works associated with complete site preparation (foundations, structures and all ancillary equipment) of a 110 kV substation,

110 kV/27 kV traction transformers with new transformer outpost,

25 kV switchgear located in the building,

25 kV feeder and associated return conductor and bonding cables from the 25 kV switchgear to the overhead contact line equipment and rails,

wiring, testing and commissioning,

SCADA¹ system design installation and commissioning includes matching with the existing traction SCADA system.

The contract will be implemented as per FIDIC Conditions of Contract for Plant and Design-Build Contract (Yellow Book - First Edition, 1999).

7. Number and titles of lots

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 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 **60 000 euro** 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.

¹ SCADA- Supervisory Control and Data Acquisition

13. Information meeting and/or site visit

A mandatory information meeting and the site visit will be held on June 18th 2015. The site visit will start in the premises of the Contracting Authority - Directorate of Public Works at the following address: Novaka Miloševa 18, 81000 Podgorica, Montenegro at 11:00 hrs. After the site visit is completed, the information meeting will be organized.

The tenderers shall confirm their intention to participate in the meeting and site visit at least 7 (seven) days before the scheduled date.

Contact details to confirm attendance are:

Directorate of Public Works,

Address: Novaka Miloševa 18, 81000 Podgorica, Montenegro

Fax: +382 20 230 228

E mail: djr@gov.me

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

22 months (Works) and 24 months (Defects Notification Period - DNP)

SELECTION AND AWARD CRITERIA

16. Selection criteria

Economic and financial capacity of candidate:

- The average annual turnover of the candidate (individual applicant or JV/consortium as a whole) over the last three years must be at least EUR 6,000,000 (*The consortium as a whole must satisfy the minimum requirement related to the average annual turnover. The consortium leader must meet at least 50% of the requirement while the other members have to have each at least 10% of the requirement.*)
- The Tenderer shall demonstrate, by a bank statement, that he has available or has access to liquid assets, lines of credit, or other financial means sufficient to meet the construction cash flow for the contract of not less than EUR 920,000, for a period of 6 months, in addition to the Tenderer's commitments for other contracts. In the case of submission of the bank statement shall clearly demonstrate that the credit facility is available specifically for this project.

Technical and professional capacity of candidate:

- During the period of 5 years before the submission deadline it must have completed: (a) at least 2 (two) projects of the same nature/amount/complexity

as the design concerned by the tender [comprising the main (detailed) design of the Electrical Power Substations (one of them must be Electric Traction Substation), and implemented during the following period: (b) at least 2 (two) projects of the same nature/amount/complexity as the works concerned by the tender [i.e. construction or reconstruction or extension or modernisation (manufacturing/purchase, transport and installation, testing and commissioning) of the Electrical Power Substations (one of them must be Electric Traction Substation)];

(The contract is considered completed if at least Taking-Over Certificate is issued by a competent authority (Employers, Contracting Authorities, Clients or Engineers) clearly indicating the date of successful completion. The date of the project completion/taking-over certificate must be within the period of 5 years before the submission deadline.

An individual contract submitted, that covers both fields of expertise (requested under 12.2.a) and 12.2.b), will be counted as two separate referent projects that complies with both, 12.2.a) and 12.2.b), sub-criteria.

The Contracting Authority reserves the right to ask for copies of certificates of final acceptance/taking-over certificate signed by the supervisors/contracting authority of the projects concerned.

- The Consortium 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.
 - if it is the lead member of a joint venture/consortium, it must be able to carry out at least 50% of the contract works using its own means.
 - if it is a partner of a joint venture/consortium (i.e. not the lead member) it must be able to carry out at least 10% of the contract works using its own means.
- The tenderer must be a registered firm or natural person legally capable of carrying out the specified works; in case of a consortium, this requirement applies to all members of the consortium. At the moment of tender submission, the tenderer shall have a professional licence(s), certificate(s) (or right), in accordance with the laws of the country in which he is established (or equivalent) for the execution of the construction works/designing. For the purpose of tender evaluation, legal requirements must be respected from every member of a consortium while for professional licence only one member is sufficient to have it. The latest on the Commencement Date, the Contractor will have to be accredited (authorised) and registered in accordance with the relevant legislation of Montenegro (*all related costs, both for the legal body as well as the contractors personnel, shall be included in the Contract Lump-Sum Price*). This includes, but is not limited to:

- Law on spatial development and construction of structure (Official Gazette of Montenegro, No. 51/08, with addenda);
 - Law on health and safety at work (Official Gazette of Montenegro no. 79/04 and Official Gazette of Montenegro no. 26/10, 40/11, with addenda).
 - The applicable rulebook on licensing of foreign entities is “*Rulebook on the conditions and manner of validation and cancelation of the licence for foreign bodies*” (Official Gazette of Montenegro no. 79/04 and Official Gazette of Montenegro no. 68/08, 33/11), [Pravilnik o uslovima i načinu ovjeravanja i poništavanja ovjere licence stranog lica” (“Sl. list Crne Gore”, br. 68/08 od 12.11.2008, 33/11 od 08.07.2011)²], with addenda (if any).
 - More information can be found at the following links: <http://www.atcg.co.me/cg/>, or at: <http://www.ingkomora.me/>
- **Tenderer’s key personnel appropriate qualifications, skills and experience as follows:**

One (1) Contractor's Representative:

He/She will manage the contract and act as the contractor's representative according Clause 4.3 of General Conditions of Contract. He/She shall:

- possess a university degree in the civil or electrical engineering;
- have at least 10 years of professional experience in civil or electrical engineering;
- possess proven experience of having at least two (2) successfully completed projects under FIDIC Conditions of Contract - Yellow Book (or comparable contract standard) (minimum value of EUR 2 000 000) on the position of Contractor’s Representative;
- at least one (1) successfully completed project in implementing *Electric Traction Substation* project, related to the construction, supervision and/or management (in the last five years);
- possess a high level of English (i.e. corresponding to level 1 in the form 4.6.1.3);
- supporting documentation, confirming compliance with the above requirements (defined under the bullets 1,3 and 4), must be provided with the tender;

One (1) Site Engineer:

He/She shall be in charge of the execution of the works and be present on the site full time. He/She shall:

- possess a university degree in the electrical (power) engineering;

² Available at:

http://www.ingkomora.me/ikcg_sajt/cms/public/image/uploads/Pravilnik_o_uslovima_i_nacinu_ovjeravanja_i_ponistavanja_ovjere_licence_stranog_lica.pdf

- have at least 10 years of professional experience in the electrical (power) engineering;
- at least one (1) successfully completed project in implementing *Electric Traction Substation* project (in the last five years);
- possess a good level of English (i.e. corresponding to levels 1 or 2 in the form 4.6.1.3);
- supporting documentation, confirming compliance with the above requirements (defined under the bullets 1 and 3), must be provided with the tender.

One (1) Electronic Engineer (for remote control system-SCADA)

He/She shall be in charge of the execution of the works (specifically with respect to the remote control system). He/She shall:

- possess a university degree in the electrical (electronic) engineering;
- have at least 8 years of professional experience in the electrical (electronic) engineering;
- at least one (1) successfully completed project related to SCADA for *Electric Power Substation* project (in the last five years);
- possess a good level of English (i.e. corresponding to levels 1 or 2 in the form 4.6.1.3);
- supporting documentation, confirming compliance with the above requirements (defined under the bullets 1 and 3), must be provided with the tender.

One (1) Chief Design Engineer:

He/She shall be in charge of a team leader/lead designer for preparation of the main design under the contract. He/She shall:

- possess a university degree in the electrical engineering;
- have at least 8 years of professional experience in the electrical engineering;
- at least two (2) successfully completed projects, related to development of the main designs for *Electric Power Substations* (in the last five years);
- possess a high level of English (i.e. corresponding to level 1 in the form 4.6.1.3);
- supporting documentation, confirming compliance with the above requirements (defined under the bullets 1 and 3), must be provided with the tender.

Tenderer's non-key personnel:

During the Contract implementation, the Contractor shall employ other non-key personnel [i.e. Electrical Engineer, Architect, Civil Engineer, Health and Safety, Environment Expert, etc.] as required for contract implementation and under the relevant laws and regulations of Montenegro. At this point of time, there are no specific qualification requirements for non-key personnel from the Contracting Authority's side. In the course of contract implementation, the non-key personnel will have to fulfill requirements defined in the relevant laws and regulations of

Montenegro.

Note#1: At the moment of tender submission, the above key personnel shall have a professional licence(s), certificate(s) (or right), in accordance with the laws of the country in which he/she is located, or equivalent, for performance of his/her profession (Submission of the document in the tender phase is not obligatory. A statement and/or provision of the name and/or number of the document in the CV is sufficient). In the course of contract implementation, the personnel (both key and non-key) will have to possess a professional licence(s), certificate(s) (or right), in accordance with the relevant legislation of Montenegro (this includes but is not limited to the Law on spatial development and construction of structures, Official Gazette of Montenegro, No. 51/08 with addenda). All related cost is deemed to be included in the lump sum contract price.

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

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>. It is also available from the Contracting Authority website: www.djr.gov.me/direkcija and on the Ministry of Sustainable Development and Tourism website www.mrt.gov.me. 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 [djrgov.me](mailto:djr@gov.me) (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>, on the Directorate of Public Works - Montenegro website www.djr.gov.me/direkcija and on the Ministry of Sustainable Development and Tourism website www.mrt.gov.me.

19. Deadline for submission of tenders

August 18th 2015 at 10:00 hrs Central European Time (CET)

Opening hours for submission of tenderers: 08:00 to 16:00 hrs

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

20. Tender opening session

August 18th 2015 at 11:00 hrs Central European Time (CET):

Directorate of Public Works
Novaka Miloševa 18,
81000 Podgorica, Montenegro

21. Language of the procedure

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

22. Legal basis

Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA);

Commission Regulation (EC) No 718/2007 of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an instrument for pre-accession assistance (IPA) and

Commission Regulation (EU) No 80/2010 of 28 January 2010 amending Regulation (EC) No 718/2007 implementing Council Regulation (EC) No 1085/2006 establishing an instrument for pre-accession assistance (IPA)