
WORKS CONTRACT NOTICE

MINISTRY OF SUSTAINABLE DEVELOPMENT AND TOURISM OF MONTENEGRO ECO EFFICIENT BUILDING - II PHASE – WORKS

Location - Montenegro (ME)

Please note that the awarding of the contract is subject to the condition of:

the prior adoption of a financing decision

which does not modify the elements of the procurement procedure (this will be the case, for instance, if the budget initially foreseen is different or if the timeframe, the nature or the condition of the implementation are altered). If the precedent condition is not met, the contracting authority will either abandon the procurement or cancel the award procedure without the candidates or tenderers being entitled to claim any compensation.

1. Publication reference

DPW/ E.E.B/101-1560/498

2. Procedure

International Open

3. Programme title

Bilateral cooperation between Montenegro and Italy **Financing**

The implementation of this Contract will be financed by the Ministry for the Environment, Land and Sea of the Republic of Italy, within bilateral cooperation between Montenegro and Italy in the field of environmental protection. Energy efficient building is aimed for Ministry of Sustainable Development and Tourism with a Study unit of Ecology for the University of Montenegro needs.

4. Contracting Authority/Employer

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

CONTRACT SPECIFICATIONS

5. Description of the contract

Eco efficient building for the purpose of Government of Montenegro is located in DUP of "University centre", urban plot no. 9. The surface of the plot is approximately 5.616m².

The building consists of underground (garage), ground floor and two upper floors.

The gross area of building is approximately 10.020m², of which the gross area of underground is 4.660m², and the gross area of floors is approximately 5.360m².

In accordance with the Design the capacity of the building is 210 employees.

The underground part of building is 98 parking places capacity and premises for technical use.

On the ground floor premises for MOSTD and University are designed, precisely main hall, bar and room for reception of external mail for the Ministry and classrooms of total capacity of 100 seats, reference library and a teaching staff meeting room for the University.

On the first floor, which is the main floor of the building, 49 offices , 8 cabinets for secretaries , deputies and advisors of ministers as well as three meeting rooms are designed.

Following premises are planned on the second floor: two cabinets for the minister with offices for administrative assistants and meeting rooms, two cabinets for deputies of ministers and their secretaries, auditorium with 75 seats with four permanent halls for interpreters and technique, a conference hall within the auditorium of 30 seats, two meeting rooms with 30 seats.

The implementation of project is planned in two phases.

Phase I – works of phase I are related to: making of concrete and steel construction of the building, construction of energy block, wooden construction, installation of plumbing and sewer, landscaping with electrical installations of high voltage, drainage of the facility as well as final works, except façade.

Phase II – works of phase II are related to: installation of façade, water tank ,installation works in the building and landscaping works- installation works of low and high voltage, sprinkler system and thermo-technical installations as well as installation of equipment, devices and plants

On the site works on the construction of reinforced concrete and steel structures are executed. Construction works are divided in phases so the continuation of works of phase I is only possible after execution of works of phase II, (construction of facade and covering the facility), which means that part of works of phase I and phase II will be done simultaneously.

The contract will be implemented under FIDIC Conditions of Contract for Construction for Building and Engineering Works Designed by the Employer” (First Edition 1999; FIDIC “Red Book”).

6. Number and titles of lots

One lot only

TERMS OF PARTICIPATION

7. 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. 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.

8. 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**.

9. 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.

10. Tender guarantee

Tenderers must provide a tender guarantee of 50,000 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 upon signature of the contract by all parties.

11. 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/Employer. 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

An optional information meeting and the site visit will be held on 31.08.2017 at 10:00 hrs. The site visit will start in the premises of the Contracting Authority/Employer - Directorate of Public Works at the following address:

Novaka Miloševa 18, 81000 Podgorica, Montenegro.

Fax: +382 20 230 228

E mail: [djrgov.me](mailto:djr@gov.me)

After the site visit is completed, the information meeting will be held.

The tenderers shall confirm their intention to participate in the site visit and information meeting at least 3 (three) 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: [djrgov.me](mailto:djr@gov.me)

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/Employer may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period.

15. Period of implementation of tasks

42 months = 18 months (Works) and 24 months (Defects Notification Period-DNP)

SELECTION AND AWARD CRITERIA

16. Selection criteria

The selection criteria for each candidate are as follows:

Economic and financial capacity of candidate:

- a) average annual turnover of the tenderer in the past 3 years (2013, 2014, 2015) must be at least EUR 4,800,000.

Average annual turnover = (turnover 2013 + turnover 2014 + turnover 2015) / 3

The consortium as a whole must satisfy the minimum qualifications required. The consortium leader must meet at least 50 % of the requirement. Each member of the consortium must meet at least 10% of the requirement.

Evidence: The above requirements should be demonstrated by audited financial statements (balance sheet, profit & loss statement, cash flow statement) of the tenderer for the last 3 financial years.

Technical and professional capacity of candidate:

- must have completed as prime contractor in the last 5 (five) years period (15.06.2011 – 15.06.2016) at least 2 (two) projects of same nature and complexity, of which 1 (one) of the same amount of the tender value. At least 1 (one) project must have been completed in a Member States of the European Union; -

- The contract is considered completed if at least taking over certificate or equivalent certificate is issued by a competent authority (Employers, Contracting Authorities, Clients or Engineers) clearly indicating the date of successful completion/acceptance of the detailed design;
- Tenderers shall submit copies of the certificates of completion signed by the supervisor / contracting authority / employer of the project concerned, if necessary duly translated into English;
- Tenderers must submit such a certificate signed by the competent authority for the project concerned.

The tenderer must be a registered firm 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 license(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 on railway. For the purpose of tender evaluation, legal requirements must be respected from every member of a consortium while for professional license 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 Price). This includes:

- 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 Law on the Protection of Nature (Official Gazette of Montenegro 51/04),

Works register and technical rules drawing up the statements shall be as set out in the "Regulation on the Contents and the Method of Keeping the Building Log Book, Works Register and Inspection Records" Official Gazette of Montenegro 81/08 [Pravilnik o sadržini i načinu vođenja građevinskog dnevnika, građevinske knjige i knjige inspekcije ("Sl. list Crne Gore", br. 81/08 od 26.12.2008),] and all other relevant norms standards and legislation (including the latest amendments).

- 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)].

– More information can be found at the following link:
<http://www.ingkomora.me/>

- Tenderer's key personnel must have 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 to Clause 4.3 of General Conditions of Contract. He/She shall:

- 1) possess a university degree in civil engineering;
- 2) have at least 10 years of professional experience in railway engineering;
- 3) possess proven experience of having at least two (2) successfully completed projects, in the field of the railway engineering, under FIDIC Conditions of Contract - Red/Yellow Book (or similar contract conditions like those used by the WB/EBRD/CEB, and other international finance institutions) with cumulative minimum value of EUR 4,000,000 on the position of Contractor's Representative or Project manager;
- 4) at least one (1) successfully completed project in railway track rehabilitating under operation in the last eight years;
- 5) possess a working knowledge of English;
-supporting documentation, confirming compliance with the above requirements (defined under the bullets 1, 3 and 4) must be provided with the tender.

ITT 12.2 f - Form 4.6.1.3 - One (1) Contractor's Representative:

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

possess a university degree in civil engineering;
have at least 15 years of professional experience in civil engineering,
with particular regarding to the eco-efficient building;
possess proven experience of having at least two (2) successfully completed
Construction Contracts (on the position of Contractor's Representative or
Project Manager
(Supporting documentation must be provided);
possess a high level of English (i.e. corresponding to level 1 in form 4.6.1.3);

ITT 12.2 f - Form 4.6.1.3 - One (1) Site Engineer:

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

possess a university degree in civil engineering;

have at least 5 years of professional experience in site management possess a good level of English (i.e. corresponding to levels 1, 2 or 3 in form 4.6.1.3).

ITT 12.2 f - Form 4.6.1.3 - One (1) Site Engineer:

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

possess a university degree in architecture;

have at least 5 years of professional experience in site management possess a good level of English (i.e. corresponding to levels 1, 2 or 3 in form 4.6.1.3).

ITT 12.2 f - Form 4.6.1.3 - One (1) Site Engineer:

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

possess a university degree in civil engineering;

have at least 5 years of professional experience in site management possess a good level of English (i.e. corresponding to levels 1, 2 or 3 in form 4.6.1.3).

ITT 12.2 f - Form 4.6.1.3 - One (1) Site Engineer:

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

possess a university degree in mechanical engineering;

have at least 5 years of professional experience in site management possess a good level of English (i.e. corresponding to levels 1, 2 or 3 in form 4.6.1.3).

ITT 12.2 f - Form 4.6.1.3 - One (1) Site Engineer:

He/She shall be in charge of the execution of electrical works (High voltage) and be present on site full time. He/She shall:

possess a university degree in electrical engineering;

have at least 5 years of professional experience in site management possess a good level of English (i.e. corresponding to levels 1, 2 or 3 in form 4.6.1.3).

ITT 12.2 f - Form 4.6.1.3 - One (1) Site Engineer:

He/She shall be in charge of the execution of electrical works (low voltage) and

be present on site full time. He/She shall:
possess a university degree in electrical engineering;
have at least 5 years of professional experience in site management possess a
good level of English (i.e. corresponding to levels 1, 2 or 3 in form
4.6.1.3).

ITT 12.2 f - Form 4.6.1.3 - One (1) Site Engineer:

He/She shall be in charge of the execution of geodetic works and be present on
site full time. He/She shall:
possess a university degree in geodetic engineering;
have at least 5 years of professional experience in site management possess a
good level of English (i.e. corresponding to levels 1, 2 or 3 in form
4.6.1.3).

ITT 12.2 f - Form 4.6.1.3 - One (1) Site Engineer:

He/She shall be in charge of the execution of firefighting works and be present
on site full time. He/She shall:
possess a university degree in engineering;
have at least 5 years of professional experience in site management possess a
good level of English (i.e. corresponding to levels 1, 2 or 3 in form
4.6.1.3).

ITT 12.2 f - Form 4.6.1.3 One (1) Health and Safety Manager:

He/She shall be in charge of health and safety on site according to the relevant
laws and regulations and the conditions of contract. He/She shall:
have at least 3 years of practical experience in health and safety management on
civil Works sites applying health and safety standard procedures.

During the Contract implementation, the Contractor shall employ additional personnel [at least one representative of the contractor must have railway certificate , electrical engineer high/low voltage, geodetic survey engineer, quality assurance expert, health and safety expert, environment expert, and any other expert considered necessary by the Tenderer] as required for contract implementation. At this point, there are no specific qualification requirements for non-key personnel from the Contracting Authority's/Employer's side.

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 documents 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 will have to possess a professional licence(s)/certificate(s)

(or right), in accordance with the relevant legislation of Montenegro (the laws are listed above).

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/Employer 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/Employer 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/Employer.

17. Award criteria

The most economically advantageous tender is the technically compliant tender with the best price-quality ratio. The best price-quality ratio is established by applying the series of weightings (point 24.2) to each of the following criteria:

- 1) quotation price 50%
- 2) available resources 15%
- 3) working methodology and experiences 35%

24.2 AWARD COMPUTATION

The weightings to apply to the selection criteria are:

- | | |
|---|-----------|
| 4 | very high |
| 3 | high |
| 2 | medium |
| 1 | low |

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from the website of the Directorate of Public Works - Montenegro website www.djr.gov.me/direkcija .

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 Directorate of Public Works / [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/Employer 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 website of the Directorate of Public Works - Montenegro website www.djr.gov.me/direkcija.

19. Deadline for submission of tenders

29th September 2017 at 10:00 hrs Central European Time (CET)

Opening hours for submission of tenderers: 07:00 to 09:30 h

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

20. Tender opening session

29th September 2017 at 10.00 hrs Central European Time (CET) at:

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. 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 5,000,000 EUR, 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 basic project.