

INVITATION FOR TENDERS

Ulcinj Municipal Infrastructure - Sewerage Network construction in the settlements of Kodre, Bijela Gora, Totosi and Donja Bratica

Ulcinj - Montenegro

1. Procedure

Open international

2. Contract title

Ulcinj Municipal Infrastructure - Sewerage Network construction in the settlements of Kodre, Bijela Gora, Totosi and Donja Bratica

3. Financing

Montenegro (hereinafter referred to as "the Borrower") has received a loan from the European Investment Bank (hereinafter referred to as "the Bank") towards the cost of the "Montenegro Water and Sanitation" project. Municipality of Ulcinj intends to exploit the loan of the Bank to finance contract: *"Ulcinj Municipal Infrastructure - Sewerage Network construction in the settlements of Kodre, Bijela Gora, Totosi and Donja Bratica"*. Estimated value of the contract is **EUR 4,240,000.00** (four million two hundred and forty thousands) excluding Value Added Tax (VAT).

4. The Employer

Municipality of Ulcinj

Address: Blv. Gjerg Kastrioti Skenderbeu bb, 85360 Ulcinj, Montenegro

5. Description of the contract

The investment project „*Ulcinj Municipal Infrastructure - Sewerage Network construction in the settlements of Kodre, Bijela Gora, Totosi and Donja Bratica*” includes the following main works:

- Construction of sanitary sewerage system in settlements Kodre, Bijela Gora, Totosi and Donja Bratica in the approximate length of 11.9 km.
- Construction of temporary pumping station in Ulcinjsko Polje for transport of collected sewerage to the existing sanitary sewer.
- Construction o stormwater collection in settlements Kodre, Bijela Gora, Totosi and Donja Bratica in the approximate length of 1.8 km.

The Works Contract will be implemented as per FIDIC Red Book Conditions of Contract, First Edition 1999.

This contract is expected to be implemented within 365 days plus 365 days of Defect Notification Period (DNP) = Commencement Date + 365 days + DNP. Tentative start date of the contract is December 2018.

6. Qualification criteria

To be qualified for contract award the Tenderer must satisfy the requirements specified below:

a) Eligibility:

- 1) Firms originating from all countries of the world are eligible to submit tenders.
- 2) Tenderer shall not have a conflict of interest. All Tenderers found to have a conflict of interest shall be disqualified.
- 3) Tenderer shall be disqualified if the Tenderer, an affiliate of the Tenderer, a party constituting the Tenderer or an affiliate of a party constituting the Tenderer, is under a declaration of ineligibility by the Bank, at the date of the deadline for Tender submission or thereafter, as well as if having been excluded as a result of the Borrower's country laws or official country regulations, or by an act of compliance with UN Security Council resolution.
- 4) No affiliate of the Employer shall be eligible to tender or participate in a tender in any capacity whatsoever unless it can be demonstrated that there is not a significant degree of common ownership, influence or control amongst the affiliate and the Employer.

b) Historical contract non-performance

- 1) Non-performance of a contract did not occur within the last **5 (five) years** prior to the deadline for tenders submission, based on all information on fully settled disputes or litigation. A fully settled dispute or litigation is one that has been resolved in accordance with the Dispute Resolution Mechanism under the respective contract, and where all appeal instances available to the Tenderer have been exhausted.
- 2) All pending litigation shall in total not represent more than **20 percent (20 %)** of the Tenderer's net worth and shall be treated as resolved against the Tenderer.

c) Financial situation

- 1) The annual operating profit of the Tenderer (in case of a JVCA of the Leading Partner) must be positive (including all administrative and financial expenditure as well as depreciation according to plan, but excluding extraordinary expenditure and income as well as taxes) for the previous **3 (three)** financially closed years.

Balance sheets for the last **3 (three)** financially closed years shall be submitted and must demonstrate the soundness of the Tenderer's financial position, showing long-term profitability.

- 2) The Tenderer shall have average annual turnover for the last **3 (three)** financially closed years of not less than **4,000,000.00 (four million) EURO**.

The Leading Partner of a JVCA shall have average annual turnover (for the last **3 (three)** financially closed years of not less than **2,400,000.00 (two million four hundred thousand) EURO**.

- 3) The Tenderer shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means sufficient to meet the construction cash flow for the contract for a period of **4 (four) months**,

estimated as not less than **800,000.00 EUR (eight hundred thousand EUR)**, taking into account the applicant's commitments for other contracts.

d) Experience

- 1) Experience under contracts in the role of contractor or management contractor for the last **3 (three) years** prior to the tender submission deadline, and with activity in at least nine **(9) months**.
- 2) The Tenderer shall demonstrate that it has successful experience in the construction/execution of at least 10 km of sewerage network or water supply network in last **5 (five) years** prior to the submission deadline, of minimum diameter of pipes 250 mm.
- 3) The Tenderer (in the case of JVCA, all partners references count) must have completed as a prime contractor (lead company in a JVCA) at least **2 (two)** works contract of the same nature (water supply or wastewater pipeline construction), over the last **5 (five) years** prior to the submission deadline. The works must have included in total construction of **10 (ten) km** of sewerage or water supply network of minimum diameter of pipes 250 mm.

Submitted reference projects (two), must meet all characteristics.

The Tenderer must submit Taking Over Certificates or other documents of contractual relevance with clear evidence of (as a minimum) the name of contract, name of prime contractor, construction period, taking over date and final contract price.

e) Contractor's personnel

The Tenderer shall provide suitably qualified personnel to fill the following positions. For each position the Tenderer will supply information specified below:

No.	Position	Total Work Experience In construction field (years)	Experience in construction of sewerage or water network projects (years)
1	Contractor's Representative <i>The proposed person shall be an employee of the Tenderer</i>	10	5
2	Site Manager <i>Site Manager shall be employee of the Tenderer and shall bear with Montenegrin or any other Eligible country engineering licences to perform construction work</i>	5	3
3	Geodetic Surveyor <i>The proposed person shall bear with a Montenegrin or any other Eligible country licence to perform geodetic surveying</i>	5	3
4	Civil - Hydraulic Engineer <i>The proposed engineer shall bear with a Montenegrin or any other Eligible country licence to perform hydro engineering construction works</i>	10	5

Note: At the moment of tender submission, the Tenderer must be **accredited and registered** for such type of activity by the national accreditation authorities of his country.

At the moment of Contract signing (or the latest on the Commencement Date), the Contractor will have to be accredited (authorised), registered and he (including his personnel) shall have all professional licence(s), certificate(s) (or right) necessary for the execution of the contracted Works, in accordance with the relevant legislation of Montenegro.

f) Contractor's equipment

The Tenderer shall own, or have assured access to (through hire, lease, purchase agreement, availability of manufacturing equipment, or other means), the following key items of equipment in full working order, and must demonstrate that, based on known commitments, they will be available for use in the proposed contract.

No.	Equipment Type and Characteristics	Minimum Number required
1	Excavators	3
2	Transport vehicles	3
3	Vibratory plate	3
4	Asphalt paver	1

g) Amount of works to be carried out by the Contractor

The Leading Partner in a JVCA shall carry out at least **60%** of the works by his own means. Hence he must demonstrate that he has the equipment, material, human and financial resources necessary to carry out this percentage of the Contract.

Any partner in a JVCA shall carry out at least **10%** of the works by his own means. Hence he must demonstrate that he has the equipment, material, human and financial resources necessary to carry out this percentage of the Contract.

h) Amount of works to be carried out by Subcontractors

The maximum amount of work to be carried out by Subcontractors is limited to **30%**.

Any Subcontractor whose share of the project exceeds 10% must be stated in the offer.

7. Tender security

A Tender Security of **EUR 100.000 (one hundred thousand)** fulfilling the conditions indicated in the Tender Documents must accompany all tenders.

8. Pre-tender meeting and site visit

A pre-tender meeting and site visit are envisaged to take place on **25th September 2018 at 12:30 CET** in the Municipality of Ulcinj.

Non-attendance at the pre-Tender meeting will not be a cause for disqualification of a Tenderer.

9. Clarification of the tender document

Requests for clarification shall be received by the Employer no later than 14 days prior the deadline for submission of tenders.

The Employer will respond in writing to any such request for clarification no later than 7 days prior the deadline for submission of tenders.

10. Tender validity

Tenders shall remain valid for the 120 days after the Tender submission deadline.

11. Award criteria:

The Employer shall award the Contract to the Tenderer whose offer has been determined to be the lowest evaluated Tender and is substantially responsive to the Tender Document, provided further that the Tenderer is determined to be qualified to perform the Contract satisfactorily.

12. How to obtain tender documents:

Interested eligible Tenderers may obtain further information from:

Municipality of Ulcinj
Attention: Mr. Mustafa Gorana
Street Address: Blv. Gjerg Kastrioti Skenderbeu bb
City: Ulcinj
Postal Code: 85360
Country: Montenegro
Fax number: +382 (0) 30 425 005
E-mail address: mustafa.gorana@ul-gov.me
martina.vuckovic@procon.me

The tenderers are advised to send all written correspondence to all e-mail addresses.

A complete set of Tender Documents (instructions for downloading the electronic version of the tender documents will be provided) may be purchased on the submission of an application to the above address (bearing the name of the project) and upon payment of a non-refundable fee of **EUR 300.00 (three hundred)** to:

For the local companies:

PRVA BANKA 535-5928-46

For the foreign companies:

INSTRUCTION FOR PAYMENT

RAIFFEISEN BANK - RZBAATWW (EUR, USD, GBP, CHF, SEK, AUD, CAD)

56: Intermediary bank: RAIFFEISEN ZENTRALBANK
OESTERREICH AG VIENNA SWIFT
CODE:RZBAATWW

57A: Account with institution: PRVA
BANKA CRNE

GORE
PODGORICA
SWIFT CODE: PRVAMEPG

59: Beneficiary customers: ME25535005130000006564
SKUPSTINA OPSTINE ULCINJ 26 NOVEMBAR
BB Ulcinj

13. Deadline for submission of tenders

All tenders must be delivered in closed envelopes bearing the mention "*Ulcinj Municipal Infrastructure - Sewerage Network construction in the settlements of Kodre, Bijela Gora, Totosi and Donja Bratica*" - Ref. No: 3701, not later than **25th October 2018 at 11:00 CET** (Central European Time - Ulcinj Time) at the following address:

Municipality of Ulcinj
Blv. Gjerg Kastrioti Skenderbeu bb
85360 Ulcinj
Montenegro

14. Tender opening

Tenders will be opened on **25th October 2018 at 12:30 CET** in the premises of Municipality of Ulcinj, in presence of Tenderers representatives who choose to attend.

15. Language of the procedure

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