

WORKS PROCUREMENT NOTICE

RO 2004/016-784.01.01 Improve traffic fluency to cross border check point Turnu Magurele - Nikopol by primary rehabilitation of county road DJ 546, between km 4+000 – km 40+000
and

RO 2004/016-784.01.02 Connection infrastructure improvement in Rast - Lom border check point - Works execution

**Location – Romania, 3 South-West Muntenia Development Region,
Teleorman and Dolj Counties**

1. Publication reference

EuropeAid/121364/D/WKS/RO

2. Procedure

International Open Tender

3. Programme

PHARE

4. Financing

PHARE 2004 Cross Border Co-operation programmes of Romania – Programme between Romania and Bulgaria

5. Contracting Authority

Ministry of European Integration, Romania

CONTRACT SPECIFICATIONS

6. Description of the contract

Lot 1: improvement/rehabilitation of access road to the cross border check point to Bulgaria at Turnu Magurele - Nikopol. The road section is located on the county road DJ 546 (km 4+000 – 40+000) between Turnu Magurele city limit and boundary of Teleorman/ Olt counties.

Lot 2: rehabilitation of county road 561D Giubega-Bailesti-Rast-Rast Port, consisting of 32 km of road with 6.00 m carriageway and 2 x 0.75 m shoulders and arrangement of the port facilities. Additionally the works will include repairing of the border check-point building, connection road of 500 lm long and 6 m wide between DJ 561D and the quays, quay for passengers, loading-unloading wharf of 100 sqm with a 1000 sqm platform reinforced with concrete and a parking of 100m x 100m reinforced with concrete.

7. Number and titles of lots

Two Lots:

Lot 1 – Road improvement/rehabilitation in Turnu Magurele

Lot 2 – Road rehabilitation and arrangement of port facilities in Rast - Lom

TERMS OF PARTICIPATION

8. Eligibility and rules of origin

Participation is open on equal terms to all natural and legal persons [participating either individually or in a grouping (consortium) of tenderers] of the Member States of the European Union and the countries and territories of the regions covered and/or authorised by the Regulation (including Albania, Bosnia-Herzegovina, Croatia, FYROM and Serbia-

Montenegro) or other specific instruments applicable to the programme under which the contract is financed (see also heading 21 below). All goods supplied under this contract must originate in these countries.

9. Grounds for exclusion

Tenderers must submit a statement 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 financed by the general budget of the European Communities in the context of external actions*.

10. Number of tenders

Tenderers (including firms within the same legal group, other members of the same consortium, and sub-contractors) may submit only one tender. Tenders for parts of the 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 one or two lots, expressed in % (percent) of the total offer. 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 not less than **55,000 Euro for Lot 1 and 45,000 for Lot 2** 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 guarantees

The successful Tenderer(s) will be asked to provide a performance guarantee of no more than 10% of the amount of the contract(s) at the signing of the contract(s). This guarantee must be provided no later than 30 days after the Tenderer(s) receives the contract(s) signed by the Contracting Authority. If the selected Tenderer(s) 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(s) which has submitted the second best admissible tender.

13. Information meeting and site visit

A mandatory information meeting and site visit will be held on May 24th 2006, 11:00 local hours, at the premises of Turnu Magurele City Hall, 2nd Republicii Street, 14520 Turnu Magurele, Teleorman County *and two days later, on May 26th, 13:00 local hours, at the premises of Dolj County Council, 19 Unirii Street, 200585 Craiova, Dolj County.*

14. Tender validity

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders.

15. Period of execution

The time for completion of the Works shall be **730 days for each lot**, after the signature of the Contract by all parties. The defects Notification Period shall be **550 days for each lot**.

SELECTION AND AWARD CRITERIA (for all lots)

16. Selection criteria

The minimum qualifying criteria for each Tenderer include:

- a) Must be a registered firm or natural person legally capable of carrying out the specified works.
- b) The Tenderer or, in case of a joint-venture, the leading partner of the joint venture must have the average annual turnover in the past 3 years of at least equivalent to **EURO 14 millions**.
- c) If he is a sole Tenderer (i.e. he may have subcontractors, but he is not a partner in a Joint Venture/ Consortium for the purposes of the Tender) he shall carry out at least 70

% of the Contract Works by his own means, defined as meaning that he must have the equipment, materials, human and financial resources necessary to enable him to carry out this percentage of the Contract.

- d) If he is a sole Tenderer, or, in case of a joint-venture, if he is the leading partner of the joint venture, he also must have access to credit adequate to assure the required cash flow for the duration of the Contract. In any case the credit amount should exceed **EURO 2.25 million** or the equivalent in local currency, must be provided by a recognized bank and must be designated specifically for the project.
- e) If he is the lead partner in a joint venture/consortium, he must have the ability to carry out at least 50% of the contract works by his own means, as defined in Sub-clause c) above.
- f) If he is another partner in a joint venture/consortium (i.e. not the lead partner) he must have the ability to carry out at least 10% of the contract works by his own means, as defined in Sub-clause c) above.
- g) The Tenderer (Sole Tenderer or Joint Venture/ Consortium) must have completed at least **1 (one) project** of the same nature/ amount/ complexity comparable to the works concerned by each Lot over the last 5 years.

Projects **commenced prior to January 2001, or handed-over after February 2006**, will not be considered, **as well as projects not satisfying the nature/ amount/ complexity criteria**. Copies of the respective hand-over certificates, including Annex 2, as per Romanian legislation, or similar document/annex indicating the defects, for projects abroad, signed by the supervisors/contracting authority of the projects concerned or sworn statements by contracting authorities duly notarised must be included in the tender.

Reference projects for which the above Annex 2, or similar, indicates major defects, shall not be considered satisfactory.

- h) All his key personnel must have at least 8 years appropriate experience and proven qualifications relevant to works of a similar nature to this project.
- i) An economic operator/tenderer may, where appropriate and for a particular contract, rely on the capacities of other entities = resource companies regardless of the legal nature of the links which it has with them. It must in that case 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 of the part of those entities = resource companies to place those resources at its disposal."

NOTE:

Work experience in terms of similar projects to the proposed Contract shall be interpreted as follows:

- Similar nature means rehabilitation or construction of roads, including bridges and culverts, quays, ferry ramps.
- Similar complexity means construction contracts, including commissioning, handing over and performance testing;
- The minimum size value that will be taken into consideration is the total project value, whether the Contractor was acting as sole Contractor, or was member of a joint-venture;
- The last five years shall be understood as the period from January 2001 to February 2006

- j) Proposed methodology must prove the capacity of the Tenderer to complete the works and must be consistent with the proposed work schedule, cash flow and quality assurance system. Inconsistency between these documents shall lead to the Tender disqualification

Should a Tenderer decide to bid for both Lots, he will have to fulfil the double of the above minimum criteria.

17. Award criteria

The Evaluation Committee shall select the Tenderer(s) whose Tender(s) has been determined to meet the administrative and technical criteria, and has offered the lowest price.

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from **Ministry of European Integration, 12 Libertatii Blvd, 4th floor, room 409B, tel. +40 21 311 41 80** upon payment of **EURO 350 for each Lot**.

Payment for the Tender Documents should be transferred in the bank account specified below:

Bank account:	RO87 ABNA 4100 2641 0025 3797
Account Holder:	Ministry of European Integration
Bank name:	ABN AMRO Bank Bucuresti
Bank address:	2 Expozitiei Blvd Sector 1 Bucharest Romania, PoBox 25-11
SWIFT:	ABNAROBU

The Tender Dossier is also available for inspection at the premises of the Contracting Authority (Ministry of European Integration).

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 **Ministry of European Integration, 12 Libertatii Blvd, Sector 5, Bucharest, room no. 409 B, Fax +40 21 3114185**, in attention of Mr. Marius RADU, Head of Unit (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.

19. Deadline for submission of tenders

Tenders must be received at the latest on **26 July**, at **14:00** hours local time, and at the following address: **Ministry of European Integration, 12 Libertatii Blvd, Sector 5, Bucharest, Romania room no. 409 B**, by registered letter with acknowledgement of receipt or hand-delivered against receipt signed by an authorised representative.

Any tender received after this deadline will not be considered.

20. Tender opening session

The tenders will be opened in a public opening session that will be held on **the day of the deadline for submission of tenders**, at **14:30** hours local time at the address below:

Ministry of European Integration, 12 Libertatii Blvd, Sector 5, Bucharest, Romania, room no. 409 B.

21. Legal basis

Financing Memorandum 2004/016-784.01, signed on April 8th, 2005, Council Regulation (EEC) No 2698/1990 amending Regulation (EEC) No 3906/89 establishing Phare; Council Regulation (EEC) No. 769/2004; Council Regulation (EEC) No. 2666/2000.