
SERVICE PROCUREMENT NOTICE

RO 2004/016-784.01.01.03

lot 1: 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 - Technical assistance for works supervision

and

lot 2: Connection infrastructure improvement in Rast - Lom border check point - Technical assistance for works supervision

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

1. Publication reference

121359/D/SV/RO

2. Procedure

Restricted

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 (decentralised tendering procedure)

CONTRACT SPECIFICATION

6. Nature of contract

Fee-based

7. Contract description

Supervision of works for:

- **Objective of 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.
- **Objective of lot 2:** rehabilitation of county road 561D Giubega-Bailesti-Rast-Rast port and arrangement of the port facilities, consisting of 32 km of road with 6.00 m carriageway and 2 x 0.75 m shoulders. Additionally the works will include repairing of

the border check-point building, connection road of 500 lm long and 6 m wide between DJ 561 D 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.

8. Numbers and titles of lots

Two Lots - Technical assistance for supervision of works.

9. Maximum budget

Lot 1: EUR **350,000**, including amount indicated below for Defects Notification Period and Contract Completion.

Lot 2: EUR **300,000**, including amount indicated below for Defects Notification Period and Contract Completion.

10. Scope for additional services

According to the provisions of the Financing Memorandum for PHARE 2004, the contract execution deadline for these Technical Assistance contracts is 30 November 2008, while the duration of the works contracts, including Defects Notification Period, is **1280** calendar days.

By the time of launching this TA project, MEI, as Contracting Authority, initiated the formalities for extending the contract execution deadline for this TA project.

If the extension of the contract execution deadline is approved, the Consultant shall be required to provide the following additional services:

- • **Act as ‘The Engineer’ under FIDIC Conditions of Contract for Construction (1999) for the Works Contracts during the following phases:**
 1. **Defects Notification Period;**
 2. **Contract Completion.**

The indicative allocation for these additional services is of: 50,000 Euro.

If the extension of the disbursement is not approved, the Consultant agrees to sign a further contract by negotiated procedure (subject to ex-ante approval), through which it will provide the services described above.

CONDITIONS OF PARTICIPATION

11. Eligibility

Participation is open on equal terms to all natural and legal persons of the EU Member States, the countries, and territories of the regions covered and/or authorised by the Regulation or other specific instruments applicable to the programme under which the contracts are financed (see also point 28 below).

12. Candidature

All eligible natural and legal persons (as per item 11 above) or groupings of such persons (consortia) may apply.

A consortium may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure. All members of a consortium

(ie, the leader and all other partners) are jointly and severally liable to the Contracting Authority.

The participation of an ineligible natural or legal person (as per item 11) will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

13. Number of applications

No more than one application can be submitted by a natural or legal person (including legal persons within the same legal group), whatever the form of participation (as an individual legal entity or as leader or partner of a consortium submitting an application). In the event that a natural or legal person (including legal persons within the same legal group) submits more than one application, all applications in which that person (and legal persons within the same legal group) has participated will be excluded.

14. Shortlist alliances prohibited

Any tenders received from tenderers comprising firms other than those mentioned in the short-listed application forms will be excluded from this restricted tender procedure. Short-listed candidates may not form alliances or subcontract to each other for the contract in question.

15. Grounds for exclusion

As part of the application form, candidates must provide the evidence required in Section 2.3.3 of the Practical Guide to contract procedures financed from the General Budget of the European Communities in the context of external actions (available from following Internet address: http://europa.eu.int/comm/europeaid/index_en.htm).

16. Sub-contracting

Sub-contracting will be allowed. The maximum percentage of the contract value which may be sub-contracted shall not exceed 30 % of the total budget amount.

17. Number of candidates to be short-listed

On the basis of the applications received, at least 4 and at most 8 candidates for each lot will be invited to submit detailed tenders for this contract.

PROVISIONAL TIMETABLE

18. Provisional date of invitation to tender

April 2006

19. Provisional commencement date of the contract

August 2006

20. Initial period of execution and possible extension of the contract

The duration of the project is **730** calendar days.

A 550 calendar days extension of the contract, may be required for the supervision during the Defects Notification Period if the extension of the contract execution deadline is approved.

If the extension of the contract execution deadline is not approved, the Consultant agrees to sign an additional services contract by negotiated procedure, through which it will provide the services described under point 10.

SELECTION AND AWARD CRITERIA

21. Selection criteria

The following selection criteria will be applied to candidates. In the case of applications submitted by a consortium, these selection criteria will be applied to the consortium as a whole:

For Lot 1:

- 1) 1) Economic and financial standing of candidate *[based on item 3 of the application form]*
 - a) a) Total average annual turnover of the candidate(s) must exceed **800,000** EURO over the past three years (2003, 2004, 2005);
 - b) b) The average annual operating profit of the candidate(s) over the last three years must be positive
- 2) Professional capacity of candidate *[based on items 4 and 5 of the application form]*
 - a) a) At least 10 experts of the permanent staff working for the candidate in the last three years (2003, 2004 and 2005) must work in fields related to the contract: works supervision
 - b) b) The candidate must prove his **relevant experience related to this contract**, in supervision of the works.
- 3) Technical capacity of candidate *[based on items 5 and 6 of the application form]*
 - a) a) The candidate has coordinated and completed in the last 5 five years (starting with January 2005 until the deadline for the current prequalification) at least **1 supervision project of works following FIDIC or similar conditions of contract**. The value of the works supervised should be at least **5,000,000 EURO** and this value should be clearly specified in the description of project activities.

For Lot 2:

- 2) 2) 1) Economic and financial standing of candidate *[based on item 3 of the application form]*
 - a) a) Total average annual turnover of the candidate(s) must exceed **700,000** EURO over the past three years (2003, 2004, 2005);
 - b) b) The average annual operating profit of the candidate(s) over the last three years must be positive
- 2) Professional capacity of candidate *[based on items 4 and 5 of the application form]*

- a) a) At least 10 experts of the permanent staff working for the candidate in the last three years (2003, 2004 and 2005) must work in fields related to the contract: works supervision
- b) b) The candidate must prove his **relevant experience related to this contract**, in supervision of the works.
- 3) Technical capacity of candidate *[based on items 5 and 6 of the application form]*
- a) a) The candidate has coordinated and completed in the last 5 five years (starting with January 2005 until the deadline for the current prequalification) at least **1 supervision project of works following FIDIC or similar conditions of contract**. The value of the works supervised should be at least **3,500,000 EURO** and this value should be clearly specified in the description of the project activities.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates must be re examined to identify the eight best applications for the tender procedure. The only factors which will be taken into consideration during this re-examination are:

- the number of relevant reference projects provided by each eligible candidate for selection criteria 21.3.a) and then, their cumulative value of works supervised.

22. Award criteria

As specified in the tender dossier annexed to the letter of invitation to tender which will be sent to short-listed candidates.

APPLICATION

23. Deadline for receipt of applications

29 May, 16.00 hrs, local time

Any application received after this deadline will not be considered.

24. Application format and details to be provided

Applications must be submitted using the standard application form (available from the following Internet address: http://europa.eu.int/comm/europeaid/index_en.htm), whose format and instructions must be strictly observed.

Any application which does not observe these provisions will be automatically eliminated. Any additional documentation (brochure, letter, etc) sent with an application will not be taken into consideration.

25. How applications may be submitted

Applications must be submitted in English exclusively to the Contracting Authority:

- EITHER by **recorded delivery** (official postal service) to :

Ministry of European Integration, 12 Libertatii Blvd, Room no, 409 B,

Bucharest, Sector 5, Romania,

Cross-Border Co-operation Directorate; Fax: +40 21 3114185

Attention of Mrs. Daniela Dumitrescu - Director

- Or **hand delivered** (including courier services) **directly** to the Contracting Authority in return for a **signed and dated receipt** to:

Ministry of European Integration, 12 Libertatii Blvd, Room no, 409 B,

Bucharest, Sector 5, Romania,

Cross-Border Co-operation Directorate; Fax: +40 21 3114185

Attention of Mrs. Daniela Dumitrescu - Director

The **Contract title**, the **Publication reference** (see item 1 above) and the **Number of lot** must be clearly marked on the envelope containing the application and must always be mentioned in all subsequent correspondence with the Contracting Authority.

Applications submitted by any other means will not be considered.

26. Operational language

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

27. Additional information

N/A

28. Date of publication of contract forecast

April 2005

28. Legal basis

Financing Memorandum 2004/016-784.01 signed on 8 April 2005, EC Directive no. 3906/89 and EC Directive no. 1266/99.
