

## **WORKS PROCUREMENT NOTICE**

### **« Upgrade of IPU Camps ».**

#### **Pristina – Kosovo**

**1. Publication reference**

PROC/220/10/Upgrade of IPU Camps (EuropeAid/130572/M/WKS/XK)

**2. Procedure**

Local Open

**3. Programme**

Council Joint Action 2008/124/CFSP of 04 February 2008, on the European Union Rule of Law Mission in Kosovo, (hereafter “EULEX Kosovo”) as amended by JA 2009/445/CFSP and by Council Decision 2010/322/CFSP.

**4. Financing**

Budget article 19 03 03.

This tender procedure is launched under *suspensive clause*<sup>1</sup> i.e. the award of this specific tender is subject to the provision of funding to EULEX through the conclusion of a Contract between the European Commission and the EULEX Head of Mission

**5. Contracting Authority**

The Head of EULEX Kosovo

### **CONTRACT SPECIFICATIONS**

**6. Description of the contract**

The provision of adequate office and living space for the accommodation of the IPU Group in Mitrovicë/Mitrovica.

**7. Number and titles of lots**

One lot only.

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<sup>1</sup> See Paragraph 2.3.6 of Practical Guide to Contract procedures for EU external actions.  
[http://ec.europa.eu/europeaid/work/procedures/implementation/practical\\_guide/documents/2008new\\_prag\\_final\\_en.pdf](http://ec.europa.eu/europeaid/work/procedures/implementation/practical_guide/documents/2008new_prag_final_en.pdf)

## TERMS OF PARTICIPATION

### 8. Eligibility and rules of origin

Participation in tendering 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, in an official candidate country, or a country that is a beneficiary of the Instrument for Pre-Accession Assistance, in a Member State of the European Economic Area, a country of the Western Balkans region or a contributing third State, as authorized by Council Joint Action 2008/124/CFSP of 04 February 2008 on EULEX KOSOVO, (see item 22 below). Participation is also open to international organizations. Participation of natural persons is directly governed by the specific instruments applicable to the programme under which the contract is financed.

The rule of origin has been derogated.

### 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 to contract procedures for EC external actions**.

### 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. 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 **13,500.00 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(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.

### 13. Information meeting and/or site visit

An **optional** information meeting will be held on **11 October 2010 at 15:00hrs** at EULEX Procurement Section, Ndërtesa Farmed, “Muharren Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo.

*AND*

**A mandatory site visit** will be held on **6 October 2010 at 11:30hrs** at **Eulex Log Base Str. Ferki Lisica, 40000 Mitrovicë/Mitrovica, Kosovo.**

#### 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

The period of performance is 90 calendar days from commencement date, plus a Defects Liability Period of 12 months except for heating system for which the Defects Liability Period is 24 months.

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### SELECTION AND AWARD CRITERIA

#### 16. Selection criteria

##### 1) Economic and financial capacity :

- a) The average annual turnover of the tenderer in the past 3 years (2009, 2008 and 2007) must be at least equivalent to the amount of its financial offer.

##### 2) Professional capacity :

- a) The tenderer (consortium as a whole or sole tenderer) must have the capacity to carry out at least 70% of the Contract Works by his own resources, which means that it must have the equipment, materials, technical expertise, know-how and the human and financial resources necessary to enable him to carry out this percentage of the Contract.
- b) The tenderer shall have employed on a permanent or temporary basis, the following key personnel:
  - **One Engineer or architect** : shall possess qualification in architecture or closely related field plus experience in at least **4 projects** of similar complexity on camp facility.
  - **One mechanical engineer**: shall possess qualification in the installation of central heating system or closely related field plus experience in at least **4 projects** of similar complexity on camp facility.
  - **One Site Manager** shall possess qualification in engineering or closely related field plus **10 years** of experience in managing construction and or refurbishment sites.

*Tenderers shall submit along with their offer the CV's and copies of diplomas, and relevant proof documents related to the professional experience of the key personnel (e.g. contracts of employment, reference letters etc).*

- c). the tenderer shall be **registered** in accordance with its National Legislation for the type of works foreseen.

##### 3) Technical capacity

The tenderer (consortium as a whole or sole tenderer) has successfully completed at least **3 projects** of similar nature and complexity (comparable to the works to be carried out under this tender) over the last **5 years**.

Tenderers shall supply copies of the respective certificates of provisional or final acceptance issued by the Supervisors/Contracting Authority of the projects concerned or a written letter of satisfaction from the Employer, Clients of that Contract.

## **17. Award criteria**

Price

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## **TENDERING**

### **18. How to obtain the tender dossier**

The tender dossier is available from the following Internet address: <http://www.eulex-kosovo.eu>. The tender dossier is also available from the Contracting Authority. 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 [tenders@eulex-kosovo.eu](mailto:tenders@eulex-kosovo.eu) or to EULEX Procurement Section, Ndërtesa Farmed, “Muharrem Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo (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 EULEX website at <http://www.eulex-kosovo.eu>.

### **19. Deadline for submission of tenders**

**On 23 of November 2010 at 15:00hrs** (Kosovo time zone) at EULEX, Procurement Section, Ndërtesa Farmed, “Muharrem Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo.

Any tender received after this deadline will not be considered.

### **20. Tender opening session**

**On 23 November 2010 at 15:30hrs** (Kosovo time zone) at EULEX, Procurement Section, Ndërtesa Farmed, “Muharrem Fejza” p.n, Lagja e Spitalit, 10000 Pristina, Kosovo.

### **21. Language of the procedure**

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

### **22. Legal basis**

Council Joint Action 2008/124/CFSP of 04 February 2008, on the European Union Rule of Law Mission in Kosovo, (hereafter “EULEX Kosovo”) as amended by JA 2009/445/CFSP and by Council Decision 2010/322/CFSP.

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