

## **WORKS CONTRACTNOTICE**

### **Relocation of Warehouse/logistics elements to the EMC**

#### **Kosovo**

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

- This tender procedure is launched under **suspension clause** 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<sup>1</sup>.

which do not modify the elements of the procurement procedure (this will be the case, for instance, if the budgetary envelope 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**

PROC/409/13/Relocation of Warehouse/logistics elements to the EMC

#### **2. Procedure**

Open Local

#### **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**

Contract No CFSP/2012/9/EULEX KOSOVO - Borchardt

#### **5. Contracting Authority**

The Head of EULEX Kosovo

### **CONTRACT SPECIFICATIONS**

#### **6. Description of the contract**

Construction of a New Logistics Warehouse in the EULEX Medical Compound.

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<sup>1</sup> See paragraph 2.4.12, of the Practical Guide to Contract procedures for EU external actions.

## 7. Number and titles of lots

No, one lot only.

## TERMS OF PARTICIPATION

## 8. 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 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 as amended by JA 2009/445/CFSP and by Council Decision 2010/322/CFSP). The participation is also open to international organisations. The participation of natural persons is directly governed by the specific instruments applicable to the programme under which the contract is financed.

No rule of origin is applied.

## 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 EU 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 for more than one lot. Tenderers may 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 **8,000.00Euro** 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

**A mandatory** information meeting will be held on **28 May 2013 at 10:30hrs** at Ali Hadri Street, Industrial Zone, 10000 Pristina, Kosovo.

*AND*

**A mandatory site visit** will be held on **28 May 2013 at 10:30hrs** at Ali Hadri Street, Industrial Zone, 10000 Pristina, 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 the execution of the tasks will be **6 months** from contract signature.

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### **SELECTION AND AWARD CRITERIA**

#### **16. Selection criteria**

##### **Economic and financial capacity of candidate:**

- the average annual turnover of the tenderer in the past 3 years (2012, 2011, 2010) must be at least EUR 1,000,000.00.

##### **Technical and professional capacity of candidate:**

- it must have completed at least **3 projects** of the same nature (containers, ground works, asphaltting, concrete works, housing projects) and complexity as the works concerned during the past 5 years (2012, 2011, 2010, 2009, 2008).
- it must carry out at least **70%** of the contract works using its own resources, which means that it must have the equipment, materials, human and financial resources necessary to carry out that percentage of the contract.
- it must attach their methods/declaration/adherence to the Environmental Management Policy, Health and Safety Policy and Quality Assurance System (**ISO 9001**).
- it must have employed the following key staff:
  - **One Contract Manager:** shall be a qualified civil engineer with at least 10 years of relevant project management experience.
  - **One Site Manager:** shall be a qualified engineer with at least 7 years of relevant site management experience and/or project management of at least two projects with a similar nature and size as the scheme(s).
  - **One Safety Manager:** shall be qualified with at least **3 years** experience of health and safety management” in works of similar nature.
  - **One Quality Assurance/Quality Control Manager:** shall be qualified civil engineer or equivalent with at least **3 years** practical experience in procedures of works and material testing and document management.

Senior management to have higher university degrees, middle managers to have appropriate technical graduate degrees or proven track record in construction;

## 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/en/tenders/>. It is also available for inspection at the premises of the Contracting Authority, address as in point 5 above. 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:

**EULEX Kosovo – Procurement Section**  
**Main Warehouse Compound**  
**Industrial Zone Veternik**  
**(opposite Gorenje Hotel, next to fuel station)**  
**10000 Pristina, Kosovo**  
**E-mail: [tenders@eulex-kosovo.eu](mailto:tenders@eulex-kosovo.eu)**

(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/en/tenders/>.

### 19. Deadline for submission of tenders

On **26 June 2013 at 15:00hrs**, (Kosovo time zone) at EULEX, Procurement Section, Main Warehouse Compound, Industrial Zone Veternik, (opposite Gorenje Hotel, next to fuel station), 10000 Pristina, Kosovo.

Any tender received after this deadline will not be considered.

### 20. Tender opening session

On **26 June 2013 at 15:30hrs**, (Kosovo time zone) at EULEX, Procurement Section, Main Warehouse Compound, Industrial Zone Veternik, (opposite Gorenje Hotel, next to fuel station), 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 and Council Decision 2012/291/CFSP.