

WORKS PROCUREMENT NOTICE

«EULEX Compound Project Design and Build»

Pristina – Kosovo

1. Publication reference

PROC/287/11/EULEX Compound Project Design and Build (EuropeAid/132152/L/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*¹ 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 contract comprises the delivery of the design and build requirements related to the refurbishment of some existing facilities and the addition of some new facilities at one of EULEX’s compounds in Pristina.

¹ 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

7. Number and titles of lots

Lot 1	<ul style="list-style-type: none">- Office Building- Dog Kennels- Server Building- Refurbishment of Gym/Construction of new containerized showers Annex- Roads, Parking and Open Carwash
Lot 2	<ul style="list-style-type: none">- Garage Building- Training House and installation of additional office containers

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 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. 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 **(see table below)** 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.

Lot 1	15,000 €
Lot 2	7,000 €

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 by the Contracting Authority on **9th November 2011 at 10:00hrs at Industrial Zone “Ali Hadri” Pristina, Kosovo.**

AND

A mandatory site visit will be held by the Contracting Authority on **9th November 2011 at 10:30hrs at at Industrial Zone “Ali Hadri” 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 **8 months** from the date of signature of the contract by both parties plus a Defect Liability Period of **24 months**.

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 (2010, 2009 and 2008) must be at least three times of the financial offer for the lot/s tendered.

2) Professional capacity :

- a) The tenderer should have at least 50-100 permanent staff on its rolls
- b) 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.
- c) The tenderer shall have employed on a permanent or temporary basis, the following key personnel:
 - **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.

The tenderer shall submit along with its 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).

d) The tenderer shall be registered in accordance with its National Legislation for the type of works and designs/project planning foreseen.

3) Technical capacity

- a) The tenderer (consortium as a whole or sole tenderer) has successfully completed at least **2 projects** of similar nature and complexity (comparable to the works to be carried out under this tender) of at least 1,000,000.00€ each;
- b) The tenderer should have a minimum of 5 years of experience in the construction business.

The tenderer 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

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 or to EULEX Kosovo - Procurement Section, Main Warehouse Compound Zona Industriale Veternik, P.O. Box 268, (opposite Gorenje Hotel, next to fuel station), 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 10th January 2012 at 15:00hrs (Kosovo time zone) at EULEX Kosovo - Procurement Section, Main Warehouse Compound Zona Industriale Veternik, P.O. Box 268, (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 10th January 2012 at 15:30hrs (Kosovo time zone) at EULEX Kosovo - Procurement Section, Main Warehouse Compound Zona Industriale Veternik, P.O. Box 268, (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.