Document for completion by the contracting authority

to be submitted as **ANNEX to the tender dossier**

**WORKS CONTRACT NOTICE**

**Reconstruction of walking trails**

**Municipality of Kriva Palanka and surrounding area** – North Macedonia

1. **Reference**

“Sustainable utilization of cultural heritage of Dupnica and Kriva Palanka “CB006.2.21.150-1w

1. **Procedure**

Simplified

1. **Programme title**

2014TC16I5CB006 – 2018 – 2 of the INTERREG – IPA CBC Bulgaria – North Macedonia Programme 2014 – 2020

1. **Financing**

The project is financed by the European Union, in accordance with the rules of INTERREG – IPA CBC Bulgaria – North Macedonia Programme 2014 – 2020.

The project is co-financed by Budget of North Macedonia.

1. **Contracting authority**

Municipality of Kriva Palanka

Address: St. SV Joakim Osogovski 175, 1330 Kriva Palanka

**CONTRACT SPECIFICATIONS**

1. **Nature of contract**

**Lump sum**

1. **Description of the contract**

Reconstruction of 885,33 metres of 2 walking trails from Kriva Palanka outskirts to the Monastery "St. Joakim Osogovski", which is the major tourist attraction in Kriva Palanka municipality. The subject of this project are placed in Kriva Palanka and Varovishte or more accurately in the places called Babin Dol and Krusha. These paths are of a great importance for the development of the tourism and for the cultural and historical significance of the Monastery "St. Joakim Osogovski".There are existing paths in certain parts of the route which are with variable dimensions on particular sections but not wide more than 1.0m , with large bumps, without pavements, with large longitudinal and cross slopes on particular sections and with drainage problem of the surface water in some places. The works will include some corrections of the riverbed off Babindol river in order to stop the leaks that are damaging the walking trail.

1. **Provisional commencement date of the contract**

10.05.2021

1. **Period of implementation of tasks**

Up to 6 months from contract signature

**TERMS OF PARTICIPATION**

1. **Eligibility and rules of origin**

Participation in this tender procedure is open only to the invited tenderers.

Participation is open to all natural persons who are nationals of and legal persons [participating either individually or in a grouping (consortium) of tenderers] which are effectively established in a Member State of the European Union or in a eligible country or territory as defined under the Regulation (EU) No 236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable Instrument under which the contract is financed (see also heading 17 below). Participation is also open to international organisations. All goods purchased under the contract must originate from an eligible source country as defined above. However, the goods to be purchased may originate from any country, whenever the total price of the estimated quantity of those goods, as reflected in a separate item of the breakdown of the lump-sum price (Volume 4.2.3) is below EUR 100 000.

1. **Subcontracting**

**Subcontracting is not allowed.**

Subcontractors, suppliers and entities upon whose capacity the tenderer relies for the selection criteria, must be eligible in respect of the rules on nationality and origin for the financing programme detailed in Section 10 above.

1. **Grounds for exclusion**

Natural persons, companies or undertakings falling into a situation set out in Section 2.6.10.1.1. (‘exclusion from participation in procurement procedures’) and Section 2.6.10.1.2. (‘rejection from a given procedure’) of the practical guide, are not entitled to participate in this tender procedure or be awarded a contract. Should they do so, their tender will be considered unsuitable or irregular respectively. Tenderers must provide declarations to the effect that they are not in any of the exclusion situations listed in Section 2.6.10.1. of the practical guide. The declarations must cover all the members of a joint venture/consortium. Tenderers guilty of making false declarations may also incur financial penalties up to 10% of the value of the contract and exclusion in accordance with the Financial Regulation in force.

Those exclusion situations apply to all members of a joint venture/consortium, all subcontractors and all suppliers to tenderers, as well as to all entities upon whose capacity the tenderer relies for the selection criteria.

Tenderers included in the lists of EU restrictive measures (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract.

1. **Number of tenders**

Tenderers may submit only one tender. Tenders for parts of the works will not be considered. Tenderers may not submit a tender for a variant solution in addition to their tender for the works required in the tender dossier.

**SELECTION AND AWARD CRITERIA**

1. **Selection criteria**

### In order to be eligible for the award of the contract, tenderers must provide evidence that they meet the selection criteria. If a tender is submitted by a consortium, unless specified, the selection criteria will be applied to the consortium as a whole.

The selection criteria for each tenderer are as follows:

14.a Economic and financial capacity of candidate:

- the average annual turnover of the tenderer in the past 3 years must be at least EUR 300.000;

- the candidate must have a valid insurance "Professional liability" under Art. 41a of Law for construction or equivalent

The evidences of economic and financial capacity have to be furnished by the following documents:

• presentation of balance sheets or extracts from balance sheets for a period equal to the last three years for which accounts have been closed / last year, year-2, year 3/. Minimum average annual turnover must be at least three times the value of the financial bid for the last 3 years.

14.b Technical and professional capacity of company.

1. The company shall have a professional license, certificate (or right), in accordance with the laws of the country in which he is established, or equivalent, for the execution of the construction works.

2. Certificate for construction – at least License B for construction works issued by the Ministry of Transport and Communication (according to the Law on Construction, Official Gazette 130/2009, 124/10, 18/11, 36/11, 54/11, 13/12, 144/12, 25/13, 79/13, 137/13, 163/13, 27/14, 28/14, 42/14, 115/14, 149/14, 187/14, 44/2015, 129/2015, 217/2015, 226/2015, 30/2016, 31/2016, 71/2016 and 132/2016).

3. It must have completed at least 1(one) relevant\* project of the same nature and complexity as the works concerned by the tender: 3 years to the date set as the deadline for submission of tenders. The Contracting Authority reserves the right to ask for copies of certificates of final acceptance signed by the supervisors/contracting authority of the projects concerned.

\*Relevant project is considered: Project for construction of line infrastructure (mark E according to the national classification of constructions). Realised project must involve degree of complexity of works and comparable value to the financial bid.

4. It must have a minimum necessary technical capacity, i.e. machines, equipment, proposed for execution of the contract, including the following:

– 1 Transportation vehicle – tipper truck;

– 1 Concrete mixer up to 1 kw;

– 1 Excavator;

– 1 Construction roller

5. All key personnel of the tenderer must have appropriate work experience and proven qualifications relevant to works of a similar nature to this project. The key personnel should consist at least from:

Project/Site Manager: Civil Engineer/Architect

- Valid Authorization B for execution of construction works in the field of civil engineering issued by the Chamber of Authorized Architects and Authorized Engineers.

- At least 3 years of relevant professional experience in civil works/construction according to the relevant projects

- Record of at least 1 (one) projects of comparable nature and degree of complexity\* in the capacity of Project/Site Manager.

\*Relevant project is considered: Project for construction of line infrastructure (mark E according to the national classification of constructions). Realised project must involve degree of complexity of works and comparable value to the financial bid.

The evidences of technical and professional capacity have to be furnished by the following documents:

• Document of registered activity (DRD-form) as evidence that it is registered as a legal entity for performing the activity related to the subject of the contract or evidence that they belong to a relevant professional association in accordance with the regulations of the country where it is registered

• Professional license: at least License B for construction works issued by the Ministry of Transport and Communication (according to the Law on Construction, Official Gazette 130/2009, 124/10, 18/11, 36/11, 54/11, 13/12, 144/12, 25/13, 79/13, 137/13, 163/13, 27/14, 28/14, 42/14, 115/14, 149/14, 187/14, 44/2015, 129/2015, 217/2015, 226/2015, 30/2016, 31/2016, 71/2016 and 132/2016)..

* A list of the works carried out in the last two years, with the sums, dates and place.

The list of the most significant works must be accompanied by certificates of satisfactory execution, issued by the contracting authority or entity that ordered or purchased the works, specifying whether they have been carried out in a professional manner and have been fully completed.

* A list of еquipment proposed for execution of the contract (Form 4.6.2).
* A list of the staff proposed for the execution of the contract, with the CVs of key staff (Forms 4.6.1.2 and 4.6.1.3).

If the candidate/tenderer is unable to provide the evidence requested for some exceptional reason which the contracting authority finds to be justified, it may prove its capacity by any other means which the contracting authority considers appropriate.

If the documentary evidence submitted is not written in one of the official languages of the European Union, a translation into the language of the procedure must be attached. Where the documents are in an official language of the European Union other than the one of the procedure, it is however strongly recommended to provide a translation into the language of the procedure, in order to facilitate the evaluation of the documents.

Offers from tenderers who do not meet the selection criteria of this section shall be rejected by the Evaluation Committee.

Financial data to be provided by the tenderer in relation to the selection criteria must be expressed in EUR [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate]. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to [EUR] [<ISO code of national currency> only for indirect management in the following cases: (i) when legal or local constraints exceptionally impose using the national currency; (ii) when needed, for contracts within the imprest component of a programme estimate] shall be made in accordance with the InforEuro exchange rate of [<**MONTH and YEAR>** of the applicable InforEuro exchange rate, which can either correspond to the month and year of the publication of the present contract notice or the month and year corresponding to the deadline for submitting applications], which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.

1. **Award criteria**

The sole award criterion will be the price: the most economically advantageous tender is the technically compliant tender with the lowest price.

**TENDERING**

1. **Ethics clauses**

**The tenderers are subject to the ethics clauses, detailed in Section 2.5.6. of the practical guide.**

1. **Legal basis**

Regulation or other instrument under which this contract is to be financed - See Annex A2 of the practical guide

1. **Appeals**

Tenderers believing that they have been harmed by an error or irregularity during the award process may file a complaint. See further Section 2.12. of the practical guide.

1. **Early detection and exclusion system**

The tenderers and, if they are legal entities, persons who have powers of representation, decision-making or control over them, are informed that, should they be in one of the situations of early detection or exclusion, their personal details (name, given name if natural person, address, legal form and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the early detection and exclusion system (EDES) and communicated to the persons and entities concerned in relation to the award or the execution of a procurement contract.