**WORKS CONTRACTNOTICE**

**“Construction of water supply pipe system”**

**Location**‑**Resen, The Republic of North Macedonia**

1. **Reference**

CN1 – SO 2.3 – SC 011 /TD 8

1. **Procedure**

 Simplified

1. **Programme title**

Project “A real time monitoring and leakage detection and reduction system in water distribution networks – Smart Water Save” within Intereg IPA Cross-border Cooperation Programme “Greece – The Republic of North Macedonia 2014-2020” under the Instrument of Pre-accession Assistance (IPA II)

1. **Financing**

The project is co-financedby the European Union and Ministry of Local Self-Goverment of the Republic of North Macedionia, in accordance with the rules of Intereg IPA Cross-border Cooperation Programme “Greece – The Republic of North Macedonia 2014-2020”

Budget line D6.3.2

1. **Contracting authority**

 Public Communal Enterprise “Proleter”,

St. “Obikolna” 22,

7310Resen

The Republic of North Macedonia

**CONTRACT SPECIFICATIONS**

1. **Nature of contract**

**Lump-sum**

1. **Description of the contract**

The current contract will support the Public Communal Enterprise “Proleter”, in Resen in the process of implementation of the project “A real time monitoring and leakagedetection and reduction system in water distribution networks – Smart Water Save”, financed under Interreg IPA Cross-border Cooperation Programme “ Greece-the Republic of North Macedonia 2014-2020 “. The purpose of the service contract is the **reconstruction of water supply pipe** (**new pipeline from str. "Boris Kidrich" to the reservoir)** to support the objectives of the project (defined as deliverable D6.3.2 in the project). The following assignment should be realized in the framework of this contract:

* For the new water supply pipeline, the Contractor shall furnish and install the complete pipes and fittings as required for the construction of the water supply network according to the drawings;
* The Contractor shall submit manufacturer's certificates and certificates from approved laboratories certifying that the pipes have been subjected to, and have satisfactorily undergone the required tests according to the specified standards. All materials shall comply with the standards mentioned hereinafter;
* Pipes shall be labelled according to MKC EN 13476, including: manufacturer mark and reference to the standard, pipe material, nominal diameter and stiffness class;
* The pipes must be manufactured by an ISO 9001 certified company;
* Transport, handling, storage and installation of pipes shall be in accordance with the pipe manufacturers’ instructions;
1. **Provisional commencement date of the contract**

24.06.2021

1. **Period of implementation of tasks**

10 days 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.

For UK candidates or tenderers: Please be aware that following the entry into force of the EU-UK Withdrawal Agreement\* on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union and to goods originating from an eligible country, as defined under Regulation (EU) No 236/2014\*\* and Annex IV of the ACP-EU Partnership Agreement\*\*\*, are to be understood as including natural or legal persons residing or established in, and to goods originating from, the United Kingdom \*\*\*\*. Those persons and goods are therefore eligible under this call.

\* Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

\*\* Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action.

\*\*\* Annex IV to the ACP-EU Partnership Agreement, as revised by Decision 1/2014 of the ACP-EU Council of Ministers (OJ L196/40, 3.7.2014)

\*\*\*\* including the Overseas Countries and Territories having special relations with the United Kingdom, as laid down in Part Four and Annex II of the TFEU]

1. **Subcontracting**

**Subcontracting is 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 practicalguide, 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 theworks will not be considered. Tenderers may notsubmit 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 beeligible for the award of the contract, tenderers must provideevidencethattheymeet the selectioncriteria. 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 50.000;

**-** mast have at least 2 (two) contracts for construction of water supply pipe systems or relevant with value of 50.000 EUR or more;

***14.b Technical and professional capacity of candidate:***

- it must haveProfessional licenceCertificate for construction – at least License B for construction works issued by the Ministry of Transport and Communication of The Republic of North Macedonia (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).In case of foreign entities, they must have a professional certificate appropriate to this contract such as a professional license(s), certificate(s) (or right), in accordance with the laws of the country in which he is established (or equivalent) for the execution of this contract. They will have to be accredited (authorised) and registered in accordance with the relevant legislation of Macedonia (all related costs, both for the legal body as well as the contractors personnel, shall be included in the Contract Price);

- it must have completed at least 2 (two) relevant projects\* of the same nature, amount and complexity as the works concerned by the tender and implemented during the following period: 3 years counting from the submission deadline which is 16.06.2021. 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;

- it mustmust have ISO 9001 Standards for a quality management system, ISO 14001 standard for environmental management, OHSSAS 18001 standard for health and safety;

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

* at least 2 (two) Mini Loaders;
* at least 2 (two) Mini Excavator;
* at least 1(one)Butt-welding machine for PE pipes;
* at least 1 (one) pump for hydraulic pressure testing;
* at least 1 (one)1 underground cable detector.

- at least 15 (fifteen) permanent staff currently work for the tenderer in the current year in the fields related to this contract;

The Tenderer shall prove that among its permanent staff there are at least:

- 1(one) civil engineer with valid authorization “licence B”, who will be in charge of the execution of the works and be present on the site full time. He/She shall: have at least 5 years of professional experience in construction of the water supply pipe system.

-  2(two) construction technicians with Certificate for PE welding.

\* Relevant projects: works contracts for the construction and/or reconstruction and/or extension and/or upgrading and/or rehabilitation of water supply pipe systems in urban areas with at least DN 225 with a minimum length of 2 km within the last 3 years up to the submission deadline of this tender

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

* Copy of legal registrationas evidence that it is registered as a legal entity for performing the activity related to this contract or evidence that they belong to a relevant professional association in accordance with the regulations of the country where it is registered;
* Copy of Professional license: at least License B for construction works issued by the Ministry of Transport and Communication;
* Copy of ISO 9001 Standards for a quality management system, ISO 14001 standard for environmental management, OHSSAS 18001 standard for health and safety;
* A list of the works carried out in the last three years;
* A list of equipment 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 -project/site manager (Forms 4.6.1.2 and 4.6.1.3).

Capacity-providing entities:

An economic operator may, where appropriate and for a particular contract, rely on the capacity of other entities, regardless of the legal nature of the links which it has with them. If the tenderer relies on other entities, it must prove to the contracting authority that it will have at its disposal the resources necessary to perform the contract by producing a commitment on the part of those entities to place resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator relying on them and must comply with the selection criteria for which the economic operator relies on them. Furthermore, the tender should include a separate document providing data on this third entity for the relevant selection criterion. Proof of capacity must be provided at the request of the contracting authority.

With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the works for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

Financial data to be provided by the tenderer in relation to the selection criteria must be expressed in EUR. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to EUR 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[[1]](#footnote-2)**

Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action and Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II); Commission Implementing Regulation (EU) No 447/2014 of 2 May 2014 on the specific rules for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11th March 2014 establishing an Instrument for Pre-accession Assistance (IPA II) - 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.

1. Please state any specificity that might have an impact on rules on participation (such as geographic or thematicor long/short term). [↑](#footnote-ref-2)