**WORKS CONTRACT NOTICE**

**Construction and adaptation of the Holy Water path, connecting 5 (five) monasteries and paternal arrangement of St Elijah church’s yard in Grnchari village**

**Location: Resen, Municipality of Resen, Pelagonija Region, Republic of North Macedonia**

1. **Reference**

**CN1- SO 1.3 - SC 040, WP4, DEL 4.2.1**

1. **Procedure**

Simplified

1. **Programme title**

INTERREG IPA Cross Border Cooperation Programme ″Greece- Republic of North Macedonia 2014-2020

1. **Financing**

The project is co-financed by the European Union, in accordance with the rules of INTERREG IPA Cross Border Cooperation Programme ″Greece- Republic of North Macedonia 2014-2020 programme.

The project is co-financed by National Funds of the participating countries, under Project Holy Water CN1- SO 1.3 - SC 040 , Working Package 4, Budget Line 4.2.1

1. **Contracting authority**

Municipality of Resen

Square Car Samoil no.20 , 7310 Resen , Republic of North Macedonia

**CONTRACT SPECIFICATIONS**

1. **Nature of contract**

**Lump-sum**

1. **Description of the contract**

Construction and adaptation of 10.193m of walking trail – separated on three sections. Section 1 – from church St. Petar and Pavle to St. Petka in v.Podmochani (1801, 42m), Section 2- from the Church St.Ilija in Grnchary village to St. Georgi in v.Kurbinovo (4782m) and Section 3- from the church St. Georgi – v.Kurbinovo to St. Holy Mother of God in v. Slivnica (2544 m) and second part in Section 3 – with length of 1063 metres.

These paths are of a great importance for the development of the tourism and for the cultural and historical significance of selected monasteries and the whole Prespa and Pelagonija Region. 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 construction works for paternal arrangement yard of St. Elijah church in v. Grnchari.

All works should be implemented according to national legislation and in line with prepared technical documentation for the path Holy Water.

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

01. April 2022 year

1. **Period of implementation of tasks**

Up to 2(two) months from contract signature. In case of extension of the period of implementation of the project Holy Water, the contract should be extended too.

**CONDITIONS OF PARTICIPATION**

1. **Legal basis, eligibility and rules of origin**

The legal basis of this procedure is 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 IPA II

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 Article 8 of the Regulation (EU) No 236/2014 for the applicable Instrument under which the contract is financed. Participation is also open to international organisations.

Participation financed by the European Instrument for Democracy and Human Rights (EIDHR) and the Instrument contributing to Stability and Peace (IcSP)[[1]](#footnote-1) is fully untied[[2]](#footnote-2).

All supplies under this contract must originate in one or more of these countries.

All supplies and materials under this contract must originate in one or more of these countries.

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 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.

***14.a Economic and financial capacity of candidate:***

**-** The average annual turnover of the tenderer in the past 3 years must be at least 160.000 EUR

- 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/.

• Presentation of the prove for access to sufficient credit or other financial facilities.

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

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 national legislation

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, road compaction and similar. 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:

– 3(three) transportation vehicles – tipper trucks;

– 2 (two) mini excavators;

– 2(two) Construction rollers

- 1(one) Excavator with picker

- 1(one) mini loader

- 1(one) grader

- 1 (one ) dumper

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:

**Civil Engineer/Architect- 2 experts**

**(One of them should be appointed as Project/Site Manager)**

- 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

- Minimum 20 employees , employed or engaged to work on this contract.

- Record of at least 1 (one) projects of comparable nature and degree of complexity\* in the field of civil works/construction.

\*Relevant project is considered: Project for construction of line infrastructure, compacting roads and similar. 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

- List of works carried out in the last three 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 еequipment 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.

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 [<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. **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. Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace (OJ L 77, 15.3.2014, p. 1). [↑](#footnote-ref-1)
2. Article 11 CIR. [↑](#footnote-ref-2)