

## SERVICE PROCUREMENT NOTICE

### Supervision of Works

**Location – Częstochowa, Mykanów, Silesian voivodship, Poland**

#### 1. Publication reference

EUROPEAID/117594/D/SV/PL

#### 2. Procedure

Restricted

#### 3. Programme

ISPA 2002

#### 4. Financing

Financing Memorandum, Project No: 2002/PL/16/P/PE/035 “Częstochowa wastewater and drinking water treatment”

#### 5. Contracting Authority

Implementing Agency (IA)

National Fund for Environmental Protection and Water Management,  
3A Konstruktorska Str, 02-673 Warsaw, Poland

Contracting Authority - Final Beneficiary

City of Częstochowa

Municipality Office, ul. Śląska 11/13, 42 217 Częstochowa, Poland

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## CONTRACT SPECIFICATION

#### 6. Nature of contract

Technical Assistance /Fee-based

#### 7. Contract description

The Contract is to provide Technical Assistance (Contract Engineer) services for the supervision of 6 (six) works contracts including:

- a) Construction of Water Treatment Plant for biological nitrate removal at Wierchowisko water intake of the capacity of 500 m<sup>3</sup>/h - in accordance with FIDIC Yellow Book, under PRAG procedure,
- b) Extension of the sewer system in Częstochowa - ca 69 km of sewerage and 19 pumping stations - in accordance with FIDIC Red Book, under Polish Public Procurement Law
- c) Extension of the sewer system in the Mykanów municipality – ca 32 km of sewerage and 9 pumping stations - in accordance with FIDIC Red Book, under Polish Public Procurement Law
- d) Extension and modernisation of WWTP in Częstochowa with N&P removal and improved sludge management system, including thermal drying, of the capacity after modernisation of 90,000 m<sup>3</sup> per day (ca 314 000 p.e.)- in accordance with FIDIC Red Book, under PRAG procedure,
- e) Extension of WWTP in Rybna – up to the capacity of 1,000 m<sup>3</sup> per day- in accordance with FIDIC Yellow Book, under Polish Public Procurement Law,

- f) Construction of drainage collector from the city centre to the Warta river - ca. 1,0 km - in accordance with FIDIC Red Book, under Polish Public Procurement Law

The supervision of the works contracts will be conducted in accordance with the requirements of ISPA Programme, FIDIC Red Book first edition 1999 (Conditions of Contract for Construction), FIDIC Yellow Book first edition 1999 (Conditions of Contract for Plant and Design-Build) and Polish Construction Law.

## **8. Numbers and titles of lots**

Not applicable

## **9. Maximum budget**

1 500 000 EUR

## **10. Scope for additional services**

Not applicable

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## **CONDITIONS OF PARTICIPATION**

### **11. Eligibility**

Participation is open on equal terms to all natural and legal persons of the EU Member States, Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland, Czech Republic, Romania, Slovakia, Slovenia, Cyprus Malta and Turkey.

### **12. Candidature**

All eligible natural and legal persons (as per item 11 above) or groups of such persons (consortia) may apply.

A consortium may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure. All members of a consortium (i.e., the leader and all other partners) are jointly and severally liable to the Contracting Authority.

The participation of an ineligible natural or legal person (as per item 11) will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

### **13. Number of applications**

No more than one application can be submitted by a natural or legal person (including legal persons within the same legal group), whatever the form of participation (as an individual legal entity or as leader or partner of a consortium submitting an application). In the event that a natural or legal person (including legal persons within the same legal group) submits more than one application, all applications in which that person (and legal persons within the same legal group) has participated will be excluded.

### **14. Shortlist alliances prohibited**

Any tenders received from tenderers comprising firms other than those mentioned in the short-listed application forms will be excluded from this restricted tender procedure. Short-listed candidates may not form alliances or subcontract to each other for the contract in question.

### **15. Grounds for exclusion**

As part of the application form, candidates must provide the evidence required in Section 2.3.3 of the Practical Guide to contract procedures financed from the General Budget of the European Communities in the context of external actions (available from following Internet address: [http://europa.eu.int/comm/europeaid/index\\_en.htm](http://europa.eu.int/comm/europeaid/index_en.htm)).

### **16. Sub-contracting**

Sub-contracting is not allowed.

## **17. Number of candidates to be short-listed**

On the basis of the applications received, at least 4 and at most 8 candidates will be invited to submit detailed tenders for this contract.

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### **PROVISIONAL TIMETABLE**

#### **18. Provisional date of invitation to tender**

July 2004

#### **19. Provisional start date of the contract**

October 2004

#### **20. Initial contract duration and possible extension**

39 months

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### **SELECTION AND AWARD CRITERIA**

#### **21. Selection criteria**

The following selection criteria will be applied to candidates. In the case of applications submitted by a consortium, these selection criteria will be applied to the consortium as a whole:

1) Economic and financial standing of candidate(s)

(a) the average annual revenue of the candidate for the period indicated in the Application Form, item 3, table "Financial data", row 1 (for the criterion (a)) shall be more than 2 200 000 EUR.

(b) the cash and cash equivalents of the candidate at the end of each year as indicated in the Application Form, item 3, table "Financial data", last row shall be positive (>0).

2) Professional capacity of candidate(s)

(a) the number of candidate's (or leader's if a consortium is established) permanent staff in the current year and in each of the two previous years shall be not less than 10;

(b) the number of candidate's (or leader's if a consortium is established) permanent staff in the this year and in each of the two previous years working in fields similar to this contract shall be not less than 6 (fields similar to this contract means sewerage works and waste water management)

3) Technical capacity of candidate(s) (for all partners of the consortium combined if the consortium is established):

(a) over the past 3 years the candidate has performed the duties of Contract Engineer on construction of at least 1 wastewater treatment plant with minimum capacity of 25 000 m<sup>3</sup>/day.

(b) over the past 3 years the candidate has performed the duties of Contract Engineer on construction of at least 1 sewerage operating in the gravity-pumping system and located in an inhabited area (with developed infrastructure).

(c) over the past 3 years the candidate has performed the duties of Contract Engineer on construction of at least 1 water treatment plant

(d) over the past 3 years the candidate has performed the duties of Contract Engineer on construction of at least 3 works contracts carried out in accordance with FIDIC Conditions of Contract (Red Book)

(e) over the past 3 years the candidate has performed the duties of Contract Engineer on construction of at least 1 project co-financed by the European Union (total value of EU co-

financing min 4 500 000 EUR).

All above mentioned technical criteria have to be jointly fulfilled by candidates.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates must be re-examined to identify the eight best applications for the tender procedure. The only factor which will be taken into consideration during this re-examination is:

- 1) The higher number of projects supervised under FIDIC Conditions of Contracts concerning sewerage operating in the gravity-pumping system and located in an inhabited area (with developed infrastructure).

## **22. Award criteria**

As specified in the tender dossier annexed to the letter of invitation to tender which will be sent to short-listed candidates.

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## **APPLICATION**

### **23. Deadline for applications**

At 3.30 p.m. of local time on the 20<sup>th</sup> May 2004.

Any application received after this deadline will not be considered.

### **24. Application format and details to be provided**

**Applications must be submitted using the standard application form** (available from the following Internet address: [http://europa.eu.int/comm/europeaid/index\\_en.htm](http://europa.eu.int/comm/europeaid/index_en.htm)), whose format and instructions must be strictly observed.

**Any application which does not observe these provisions will be automatically eliminated.** Any additional documentation (brochure, letter, etc) sent with an application will not be taken into consideration.

### **25. How applications may be submitted**

Applications must be submitted in English in one (1) original and (5) copies, in one sealed envelope exclusively to the **National Fund for Environmental Protection and Water Management**:

EITHER by **recorded delivery** (official postal service) to :  
National Fund for Environmental Protection and Water Management, Cohesion Projects  
Department  
3A Konstruktorska Str. (**room 208**, tel. +48 22 -459 00 00)  
02-673 WARSAW, Poland

OR **hand delivered** (including courier services) **directly** in return for a **signed and dated receipt**  
to:

National Fund for Environmental Protection and Water Management, Cohesion Projects  
Department  
3A Konstruktorska Str. (room 208, tel. +48 22 - 459 00 00)  
02-673 WARSZAWA, Poland,

The **Contract title** and the **Publication reference** (see item 1 above) must be clearly marked on the envelope containing the application and must always be mentioned in all subsequent correspondence with the Contracting Authority/Implementing Agency.

**Applications submitted by any other means will not be considered.**

### **26. Operational language**

All written communications for this tender procedure must be in English.

### **27. Additional information**

Any successful tenderer will not be eligible to participate in any of the works tenders

connected with this contract. Any company having previous involvement in the project is deemed to have an unfair advantage and therefore is not allowed to participate in this tender.

## **28. Date of publication of contract forecast**

November 2003

## **29. Legal basis**

Council Regulation (EC) No 1267/1999 of 21 June 1999 establishing an Instrument for Structural Policies for Pre-Accession (ISPA), as amended

Council Regulation (EC) No 2500/2001 of 17 December 2001 concerning pre-accession financial assistance for Turkey and amending Regulations (EEC) No 3906/89, (EC) No 1267/1999, (EC) No 1268/1999 and (EC) No 555/2000

Financing Memorandum dated 17<sup>th</sup> December 2002