

# CONTRACT NOTICE

## CALL FOR TENDER: GENERAL INFORMATION

**II.1.1) Information Notice Title: Construction and Upgrading of Municipal Wastewater Collection and Treatment system in Kraljevo**

**II.1.1) Information Notice Reference Number: NEAR/BEG/2021/EA-OP/0098**

**II.1.1) Title:** Construction and Upgrading of Municipal Wastewater Collection and Treatment system in Kraljevo

**II.1.2) Main CPV<sup>1</sup> code**

45252127-4

**II.1.3) Type of contract**

Works

**II.1.4) Short description of the contract**

The purpose of this contract is to upgrade and extend the communal wastewater collection system and to introduce adequate wastewater treatment for the city of Kraljevo. The project includes construction of the waste water treatment plant for Kraljevo agglomeration (90,000 PE), rehabilitation of existing and construction of new sewerage network, including construction of sewage pumping station(s).

**II.1.5) Estimated total value**

N/A

**IV.1.1) Type of Procedure**

Open

**IV.2.1) Previous publication concerning this procedure**

Notice number in the OJ S: 2019/S 158-389585

**II.1.6) Information about lots**

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<sup>1</sup> The Common Procurement Vocabulary (CPV) is the mandatory reference nomenclature applicable to procurement contracts. The list of CPV codes is available on: <http://simap.ted.europa.eu/en/web/simap/cpv>

This contract is divided into lots: yes

Tenders may be submitted for: all lots or one lot only

## **CALL FOR TENDER: INFORMATION PER LOT**

### **II.2) Description**

#### **II.2.1)**

**Lot 1** - Construction of WWTP for Kraljevo agglomeration (FIDIC Condition of Contract - Yellow Book)

**Lot 2** - Reconstruction and extension of wastewater collection networks including construction of sewage pumping station(s) (FIDIC Condition of Contract - RED Book)

#### **II.2.2) Additional CPV code(s)**

**Lot 1:** CPV code 45252127-4

**Lot 2:** CPV code 45231300-8

#### **II.2.3) Place performance**

Geographical zone benefitting from the action: **The City of Kraljevo, Republic of Serbia**

#### **II.2.5) Award Criteria**

Price

#### **II.2.14) Additional information**

Additional services/works

Subsequent to the initial contract resulting from the current tender procedure, new services or works consisting in the repetition of similar services or works, up to the estimated amount of 6,000,000 EUR per Lot 1 and 2,400,000 EUR per Lot 2, may be entrusted to the initial contractor by negotiated procedure without prior publication of a contract notice, provided the new services or works are in conformity with the same basic project.

#### **IV.2.2) Time limit for submission of tenders or requests to participate**

Date: 26/10/2021

Local Time: 15:00

#### **IV.2.6) Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 3 (from the date stated for receipt of tender)

#### **IV.2.7) Conditions for opening of tenders**

Date: 2/11/2021

Local time: 13:00

Place: Conference room at the premises of the Contracting Authority (CFCU), I floor, 3-5 Sremska St., Belgrade 11000, Republic of Serbia

Information about authorised persons and opening procedure: See Internet address provided in Section I.3.

## **Additional information about the Contract Notice**

### **Construction and Upgrading of Municipal Wastewater Collection and Treatment system in Kraljevo Location – Kraljevo, Republic of Serbia**

#### **1. Nature of contract**

**Lot 1:** lump sum

**Lot 2:** unit price

#### **2. Programme title**

Annual Action Programme for Serbia under IPA 2017

#### **3. Financing**

Financing agreement

#### **4. Eligibility and rules of origin**

Participation is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping – consortium – of candidates/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 'Legal basis' below). Participation is also open to international organisations.

All supplies under this contract must originate in one or more of these countries. However, they may originate from any country when the amount of the supplies to be purchased 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.

#### **5. Candidature**

All eligible natural and legal persons (as per item 4 above) or groupings 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 partners 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 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.

## **6. Number of applications or tenders**

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

In case of lots, the candidates or tenderers may submit only one application or tender per lot. Contracts will be awarded lot by lot and each lot will form a separate contract.

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

Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot.

## **7. Tender guarantee**

Tenderers must provide a tender guarantee of **EUR 200,000 for Lot 1 and EUR 90,000 for Lot 2** 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.

## **8. 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.

## **9. Information meeting and/or site visit**

A mandatory information meeting and site visit will be held on 15/09/2021 at 11:00 CET.

The tenderer will need to register for the information meeting at the latest on 10/09/2021 until 14:00h CET writing to:

[nenad.robajac@ekologija.gov.rs](mailto:nenad.robajac@ekologija.gov.rs).

[ozren.ogrizovic@lawyer.com](mailto:ozren.ogrizovic@lawyer.com).

The tenderers shall be informed about further meeting arrangements depending on Covid-19 pandemic situation upon the registration for the meeting.

## **10. Tender validity**

Tenders must remain valid for a period of three months after the deadline for submission of tenders. In exceptional circumstances, the contracting authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period.

## **11. Shortlist alliances prohibited**

N/A

## 12. Grounds for exclusion

Candidates or tenderers must submit a signed declaration, included in the application form or tender form, to the effect that they are not in any of the situations listed in Section 2.6.10.1. of the **practical guide (PRAG)**. Where the candidate or tenderer intends to rely on capacity providing entities or subcontractor(s), he/she must provide the same declaration signed by this/these entity(ies).

Candidates or 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.

## 13. Sub-contracting

Sub-contracting is allowed

## 14. Number of candidates to be short-listed

N/A

## 15. Provisional date of invitation to tender

N/A

## 16. Provisional commencement date of the contract

December 2021

## 17. Period of implementation of tasks

**Lot 1:** 1085 days from the Commencement date until the Taking Over and 365 days Defect Notification Period.

**Lot 2:** 455 days from the Commencement date until the Taking Over and 365 days Defect Notification Period.

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## SELECTION AND AWARD CRITERIA

### 18. Selection criteria

The selection criteria are described in section 12.2 of the instruction to tenderers

### 19. Award criteria

**Lot 1:** The most economically advantageous tender is the technically compliant tender with the lowest price.

**Lot 2:** The most economically advantageous tender is the technically compliant tender with the lowest price.

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## APPLICATION AND TENDERING

### 20. How to obtain the tender dossier

The tender dossier is available from Contracting Authority (CFCU) at the following address:

Ministry of Finance, Government of the Republic of Serbia  
Department for Contracting and Financing of EU Funded Programmes (CFCU)  
3-5 Sremska St., VII floor, Office 701  
11000 Belgrade, Republic of Serbia

on electronic format (CD-ROM), free of charge. Any person representing the potential tenderer can obtain the tender dossier; no authorisation or power of attorney is needed. Please note that the contracting authority cannot send the tender documentation to a postal address, or by any other

means, i.e. electronic, express mail, etc.

Tenders must be submitted using the standard tender form included in the tender dossier, whose format and instructions must be strictly observed.

Any request for additional information must be made in writing through the TED eTendering website accessible from the F&T portal at <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home>. Registration on TED eTendering is required to be able to create and submit a question. Additional information can be requested by clicking “Create a question” in the Questions&Answers tab at least 21 days before the deadline for submission of tenders given in item ‘**Deadline for submission of applications or tenders**’. The questions and answers will be published on TED eTendering and on CFCU website at <http://www.cfcu.gov.rs/tenderi.php> at the latest 11 days before the submission deadline. The website will be updated regularly and it is the tenderer’s responsibility to check for updates and modifications during the submission period.

## **21. Tender opening session**

13:00 Central European Time on 2/11/2021, Conference room at the premises of the Contracting Authority (CFCU), I floor, 3-5 Sremska St., Belgrade 11000, Republic of Serbia

## **22. Applications format and details to be provided**

N/A

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

Tenders must be submitted in English exclusively to the contracting authority in a sealed envelope:

- EITHER by post or by courier service, in which case the evidence shall be constituted by the postmark or the date of the deposit slip, to :

Ministry of Finance, Government of the Republic of Serbia  
Department for Contracting and Financing of EU Funded Programmes (CFCU)  
Division for Tender Evaluation and Contracting  
3-5, Sremska St., VII floor, Office 701  
11000 Belgrade,  
Republic of Serbia

- OR hand delivered by the participant in person or by an agent directly to the premises of the contracting authority in return for a signed and dated receipt, in which case the evidence shall be constituted by this acknowledgement of receipt, to:

Ministry of Finance, Government of the Republic of Serbia  
Department for Contracting and Financing of EU Funded Programmes (CFCU)  
Division for Tender Evaluation and Contracting  
3-5, Sremska St., VII floor, Office 701  
11000 Belgrade,  
Republic of Serbia

Opening hours of the Contracting Authority: 8:30 – 15:00 CET, Monday to Friday

The contract title and publication reference (see contract notice) must be clearly marked on the envelope containing the application and must always be mentioned in all subsequent correspondence with the contracting authority.

Applications submitted by any other means will not be considered.

By submitting an application candidates accept to receive notification of the outcome of the procedure by electronic means. Such notification shall be deemed to have been received on the date

upon which the contracting authority sends it to the electronic address referred to in the application form.

#### **24. Deadline for submission of applications**

The candidate's attention is drawn to the fact that there are two different systems for sending applications: one is by post or private mail service, the other is by hand delivery.

In the first case, the application must be sent before the date and time limit for submission, as evidenced by the postmark or deposit slip<sup>1</sup>, but in the second case it is the acknowledgment of receipt given at the time of the delivery of the application that will serve as proof.

**The deadline for submission of applications can be found in the Contract Notice under IV.2.2.**

Any tender sent to the contracting authority after this deadline will not be considered.

The contracting authority may, for reasons of administrative efficiency, reject any application submitted on time but received, for any reason beyond the contracting authority's control, after the effective date of approval of the short-list report, if accepting applications that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.

#### **25. Clarifications on the contract notice**

Any request for additional information must be made in writing through the TED eTendering website accessible from the F&T portal at <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home>. Registration on TED eTendering is required to be able to create and submit a question. Additional information can be requested by clicking "Create a question" in the Questions&Answers tab at the latest 21 days before the deadline for submission of tenders stated at section **IV.2.2) of the contract notice**.

Clarifications will be published on TED eTendering website and on CFCU website at <http://www.cfcu.gov.rs/tenderi.php>.

The contracting authority must reply to all tenderers' questions at least 11 days before the deadline for receipt of tenders.

#### **26. Alteration or withdrawal of applications**

Applicants may alter or withdraw their applications by written notification prior to the deadline for submission of applications. No applications may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with precedent item. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

#### **27. Language of the procedure**

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

#### **28. Legal basis**

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).

#### **29. Additional information**

Please note that participation at the tender opening session is restricted to authorised representatives of the companies that are tendering for the contract. Each representative will have to submit the document of authorisation.

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<sup>1</sup> It is recommended to use registered mail in case the postmark would not be readable.

Financial data to be provided by the candidate in the standard application form or the tenderer in the tender form 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 **September 2021**, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.