
WORKS CONTRACT NOTICE

Green e-procurement procedure and construction works for the energy upgrade of buildings (Devoll cultural center) & Green e-procurement procedure and construction works for the pilot geothermal system

Bilisht, Devoll, Korce, Albania

1. Reference

No. 3338 Prot.

2. Procedure

Simplified

3. Programme title

Sustainable and almost zero-emission communities and the role of public buildings "nZECOM"

4. Financing

The project is co-financed by the European Union, in accordance with the rules of Interreg IPA II Cross-border Cooperation programme Greece – Albania 2014 -2020.

The project is co-financed by The Municipality of Devoll.

5. Contracting authority

Municipality of Devoll, Albania
Bashkia Devoll, Lagjia nr.1 Rr. 24 Tetori nr. 9

CONTRACT SPECIFICATIONS

6. Nature of contract

30/377/442,04 ALL

7. Description of the contract

The contract obliges the firm to read and understand all technical, legal and financial aspects of the project. In accordance with the National legislation, the firm must coordinate with the contracting authority and then initiate the construction phases as specified on the technical design. The contractor must submit technical and financial reports as needed for the development of the project. The firm must complete all works, part of the contract, with satisfactory quality and within the timeframe indicated in the contract. In the end, the contractor must submit the works to the project owner and guarantee the quality for all works and materials included in the contract.

8. Provisional commencement date of the contract

___/___/2021

9. Period of implementation of tasks

6 months from contract signature until the provisional acceptance.

TERMS OF PARTICIPATION

10. Eligibility and rules of origin

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

Participation in tendering is open on equal terms to all natural and legal persons (participating either individually or in a grouping (consortium) of tenderers) which are established in one of the Member States of the European Union, ACP States or in a country or territory authorised by the ACP-EC Partnership Agreement 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.]

11. 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.

12. 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.

13. 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

14. 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:

All proof and documentation submitted must be originals or notarised copies of the originals. In the cases when the proof/document is lacking, incorrect, false, the contracting authority reserves all rights to disqualify the tenderer.

14.a Economic and financial capacity of candidate:

- Economic operators must supply proof of annual financial balance in the past 3 years (2018, 2019, 2020), certified by a licensed financial experts in Albania. The report of two consecutive years must not have a negative balance between actives and passives.
- Proof of the annual turnover of the tenderer in the past 3 years (2018, 2019, 2020) where at least per one of the reported years, the turnover must be at least the same amount as the budget for the works of this procedure.

14.b Technical and professional capacity of candidate:

- it must have completed projects of the same nature/amount/complexity as the works **concerned** by the tender with at least 50% of the value and implemented during the following period: 5 years counting from the submission deadline 29.11.2021. 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.
- Construction license issued by the licensing authority of the Government of Albania
- Specific categories of construction license as indicated below:
 - NP-3 A. Reconstruction and maintenance of civil and industrial buildings, façade coating
 - NP-10 A. Construction of electric power production plant
 - NS-1 A. Demolition works for buildings
 - NS-4 A. Masonry layering works and all similar, wood layers, plastic layers, metal layers, glass layers and layers of a technical nature
 - NS-12 A. Technological, thermal and air conditioning plants
- The tenderer must be equipped with ISO Certification issued by a certified authority authenticated by national or international accreditation institution. The certifications needed are listed below:
 - ISO 9001 – 2015 (or equivalent)

- OHSAS 18001 – 2007 (or equivalent)
- PAS 99 – 2012 (or equivalent)
- The economic operator participating must have a technical director part of the construction license of the firm. This technical director must be signed under the tenderer with a work contract, diploma, CV and proof of salary payment. Work contracts, diplomas and CV's will serve as proof also for other key staff such as:
 - Civil Engineer
 - Mechanical Engineer
 - Geological Engineer
 - Electrical Engineer
- The average number of workers as staff of the tenderer is 11 (eleven), with proof of paid salaries at least 1 month before the tender submission. Documentation that serve as proof might be social security certificates or other documentation issued by the competent authorities.
- The tenderer must have part of his staff with proof as mentioned above and proof of qualification also specialized workers such as:
 - Electric installation expert
 - Electronic installation expert
 - Heating, Ventilation and Air Conditioning installation expert
 - Drill machine operator
 - Crane / lifting machine operator
- A statement of the technical equipment, tools or the plant available to the economic operator (owned or rented) for performing the works contract such as:
 - 1 Portable well drilling machine for boreholes 100m deep
 - 1 Truck equipped with crane
 - 1 Welding machine
 - 1 Concrete mixing and placing plant
 - 2 Jackhammers
 - 1 Power generator
 - 1 Air compressor
- For the vehicles, proof of road safety certification, vehicle insurance and permit for road use must be provided issued by the competent authorities.

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 ALL Albanian Lek. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to ALL Albanian Lek shall be made in accordance with the InforEuro exchange rate of October 2021, which can be found at the following address: <http://ec.europa.eu/budget/graphics/inforeuro.html>.

15. 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

16. Ethics clauses

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

17. Legal basis¹

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 (See Annex A2 of the practical guide).





18. Appeals

¹ Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).

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.

19. 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.

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