**WORKS CONTRACT NOTICE**

**“Implementation of construction works”**

**Suloglu, Turkey**

1. **Reference**

035-WORKS-Suloglu-04

1. **Procedure**

Simplified

1. **Programme title**

Second Call for proposals under the Interreg-IPA CBC Bulgaria-Turkey Programme 2014-2020, CCI No 2014TC16I5CB005

1. **Financing**

The project is co-financed by the European Union, in accordance with the rules of the Interreg-IPA CBC Bulgaria-Turkey Programme 2014-2020, CCI No 2014TC16I5CB005, Subsidy Contract РД 02-29-188/23.07.2019.

1. **Contracting authority**

**Municipality of Suloglu**

Merkez Mah. Kemalbalıkesir Cad. No.46

Suloglu, Edirne, Turkey

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Contact person: Mrs. Nazife Ahmedova

**CONTRACT SPECIFICATIONS**

1. **Nature of contract**

**Lump-sum**

1. **Description of the contract**

The Municipality of Suloglu is currently implementing project under Interreg-IPA CBC Bulgaria-Turkey Programme 2014-2020, CCI No 2014TC16I5CB005 – Project “Suloglu and Sozopol - Informed, Trained, Equipped”, ref. No. CB005.2.11.035. The purpose of this project is the establishment of Disaster Management Centre in the town of Suloglu, Turkey. Therefore, a building, located on the 1997 parcel with a surface area of 4.600 m2 in Edirne province - Suloglu District, with a total area of 242 m2, consisting of a ground floor and a mezzanine floor with a living area of 172.00 m2, is planned to be renovated according to the design projects. New usage areas will be built for better functionality of the building. The existing roofing will be renewed and all electrical installations, clean water and waste water installations in the building will be changed. New automatic doors for the warehouse entrance will be installed, as well as solar system panels.

The reconstruction of the building in Suloglu will be implemented in compliance with all requirements of the Turkish legislation and consists of projects, as follows: architectural, construction, electrical, water and sewage, solar system parts that are an integral part of the procurement documentation.

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

20.03.2020

1. **Period of implementation of tasks**

The time for completion of the construction works is 6 /six/ months from the date of providing access to the Site.

**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.

Pleasebe aware that after the United Kingdom's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries and of goods originating from third countries1 will apply to candidates or tenderers from the United Kingdom, and to all candidates or tenderers proposing goods originating1 from the United Kingdom depending on the outcome of negotiations. In case such access is not provided by legal provisions in force at the time of the contract award, candidates or tenderers from the United Kingdom, and candidates or tenderers proposing goods originating1 from the United Kingdom could be rejected from the procurement procedure*.*

1However, they may originate from any country when the amount of the supplies to be purchased is below EUR 100 000.

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.

1. **Tender guarantee**

Tenderers must provide a tender guarantee of **3 200 euros** 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.

1. **Performance guarantee**

The successful tenderer will be asked to provide a performance guarantee of 6 % 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.

**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.

The selection criteria for each tenderer are as follows:

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

* **The average annual turnover of the tenderer for the last three years for which accounts have been closed must be at least 100 000 EUR;**

The documents, with which the economic and financial capacity of the tenderer under this point is proved, are balance sheets or extracts from balance sheets for a period equal to or less than the last three years for which accounts have been closed, where publication of the balance sheet is required under the company law of the country in which the economic operator is established or a statement of overall turnover and turnover for works covered by a contract during a period of no more than the last three financial years.

If a tender is submitted by a consortium the selection criteria of this point for economic and financial capacitywill be applied to the consortium as a whole.

* **The tenderer must have access to an amount of credit which is at least 30 000 EUR**

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

* **The tenderer must have completed at least 1/one/ contract of the same nature as the works concerned by the current procedure during the following period: 06.03.2015 -06.03.2020 /5 years from the submission deadline/.**

This means that the project the tenderer refers to could have been started/implemented/completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. As projects of similar nature, comparable to the works concerned, construction works of the same construction group will be accepted.

The documents, with which compliance with the technical and professional capacity under this point is proved, is list of the most significant works accompanied by certificates of satisfactory execution, issued by the contracting authority or the entity which ordered or purchased the works, specifying whether they have been carried out in a professional manner and have been fully completed. 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.

If a tender is submitted by a consortium the criteria of this point for technical and professional capacitywill be applied to those members of the consortium, which will execute construction works.

* **The tenderer must have minimum key personnel with the following qualifications and experience:**
* **Expert 1 – Technical manager** – a person who has received a diploma with the qualification "architect" or equivalent, having minimum 5 \five\ years of professional experience;
* **Expert 2 – Civil Engineer –** a person who has received a diploma with the qualification "civil engineer" or equivalent, having minimum 5 \five\ years of professional experience;

The documents, with which compliance with the technical and professional capacity under this point is proved, are Form 4.6.1.2. «Staff to be employed on the contract», Volume 1, Section 4 of the tender dossier, CVs, diplomas and certificates, references, proving professional qualifications and experience of the key personnel.

If a tender is submitted by a consortium the selection criteria of this point for technical and professional capacitywill be applied to the consortium as a whole.

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 publication of the present contract notice, 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-1)**

* 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 for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council establishing an Instrument for Pre-accession Assistance (IPA II);
* Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal;
* Commission Delegated Regulation (EU) No 481/2014 of 4 March 2014 supplementing Regulation (EU) No 1299/2013 of the European Parliament and of the Council with regard to specific rules on eligibility of expenditure for cooperation programmes;
* Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006;
* 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;
* Council Regulation (EU, EURATOM) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002;
* Regulation (EU, EURATOM) 2015/1929 of the European Parliament and of the Council of 28 October 2015 amending Regulation (EU, Euratom) No 966/2012 on the financial rules applicable to the general budget of the Union;
* Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union;
* Commission Delegated Regulation (EU) 2015/2462 of 30 October 2015 amending Delegated Regulation (EU) No 1268/2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union;
* The Interreg-IPA CBC Bulgaria-Turkey Programme, approved by the European Commission by Decision C(2015) 5280 from 22.07.2015, amended with Decision C(2016) 2852 from 4.5.2016 and Decision C(2016) 8642 from 13.12.2016;
* Financing Agreement between the Republic of Turkey and European Commission for the Programme;
* Memorandum on Implementation of Interreg – IPA Cross-Border Cooperation Programme Bulgaria-Turkey CCI Number: 2014TC16I5CB005 between the Government of the Republic of Bulgaria and the Government of the Republic of Turkey;
* Turkish legislation

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 thematic or long/short term). [↑](#footnote-ref-1)