

SERVICE CONTRACT NOTICE

Contract title: Services related to development of technical plans for project:
“Elaboration of Technical Documentation of Subotica - Baja Railway Line”

Location: Autonomous Province of Vojvodina, Republic of Serbia;
Bács-Kiskun County, Hungary

1. Publication reference

2018/S 050-112006

2. Procedure

International Restricted Tender Procedure

3. Programme title

Interreg – IPA CBC Hungary-Serbia Programme

4. Financing

Financing agreement

5. Contracting Authority

Provincial Secretariat for Energy, Construction and Transport
Bulevar Mihajla Pupina 16, 21000 Novi Sad
The Republic of Serbia

CONTRACT SPECIFICATION

6. Nature of contract

Global price

7. Contract description

The Provincial Secretariat for Energy, Construction and Transport in partnership with the DKMT Danube-Kris-Mures-Tisa Euroregional Development Agency - Nonprofit Public Benefit Limited is implementing the project “Elaboration of Technical Documentation of Subotica - Baja Railway Line - Dream Railway”, Reference number: HUSRB/1601/22/0002. In the framework of the project, the Provincial Secretariat for Energy, Construction and Transport plans to acquire Services for the Development and Completion of Technical documentation of Subotica - Csikéria - Bácsalmás - Baja Railway line. The service should include the following:

I. Acquisition of necessary technical documentation for design conditions for the elaboration of preconditions from the competent authorities;

II. Surveys including geotechnical investigations and land/geodetic surveys;

IIIa. Development and completion of Preliminary Design for the railway section Subotica - State border with Hungary (direction Csikéria);

IIIb. Reviewed and Adjusted Elaboration of Environmental Impact Assessment concerning Subotica-Bácsalmás-Baja railway line section in Serbia according to legislation in force in Serbia/Vojvodina – Reference HUSRB/1203/111/038, based on the Preliminary Design;

IIIc. Development and completion of the Feasibility Study of the railway section Subotica – State border with Hungary (Csikéria), the Preliminary Design (IIIa) and the Detailed Feasibility Study for Szeged – Rösztke – Horgoš – Subotica – Csikéria – Bácsalmás - Baja railway line (this feasibility study from 2011 elaborated selection of the alignment alternatives based on the conceptual design, Reference HUSRB/0901/112/153);

IVa. Development and completion of the Design for Approval of the railway section State border with Serbia – Csikéria – Baja;

IVb. Archaeology Documentation based on the archaeological surveys along the line as requested in the Environmental Permit by the Cultural Heritage Office;

IVc. Review of Environmental Impact Assessment concerning State border with Serbia (Csikéria) – Bácsalmás - Baja railway line section in Hungary according to legislation in force in Hungary – Reference HUSRB/1203/111/038, based on the Design for Approval and the Archaeology Documentation, preparation of the necessary adjustments in case the Environmental Permit needs modification;

V. Submission and approval of the Preliminary Design with the Feasibility Study by the State Revision Committee in Serbia and the Design for Approval by the Ministry of National Development (Railway Authority Department) as the responsible authority.

VI. Preparation of three Tender Dossiers for a “design and build” works contract (Yellow FIDIC) related to the 1. Subotica (excl.) – Serbian / Hungarian border (Csikéria) 2. Hungarian / Serbian border (Csikéria) – Bácsalmás 3. Bácsalmás - Baja railway line section.

8. Number and titles of lots

One lot only

9. Maximum budget

EUR 3.030.000,00

10. Scope for additional services

Not applicable.

CONDITIONS OF PARTICIPATION

11. Eligibility

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) N°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 29 below) . Participation is also open to international organisations.

12. Candidature

All eligible natural and legal persons (as per item 11 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 members of a consortium (i.e., the leader and all other members) 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 whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting an application). In the event that a natural or legal person submits more than one application, all applications in which that person 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 unless prior approval from the Contracting Authority has been obtained (see Practical Guide – PRAG - 2.4.3.). 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 submit a signed declaration, included in the standard application form, to the effect that they are not in any of the exclusion situations listed in Section 2.3.3 of the PRAG.

16. Sub-contracting

Subcontracting is allowed.

17. Number of candidates to be short-listed

On the basis of the applications received, between 4 and 8 candidates will be invited to submit detailed tenders for this contract. If the number of eligible candidates meeting the selection criteria is less than the minimum of 4, the Contracting Authority may invite the candidates who satisfy the criteria to submit a tender.

PROVISIONAL TIMETABLE

18. Provisional date of invitation to tender

June 12th, 2018

19. Provisional commencement date of the contract

September 20th, 2018

20. Initial period of implementation of tasks

18 months

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 unless specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

1) **Economic and financial capacity of candidate** (based on item 3 of the application form). In case of candidate being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three years for which accounts have been closed.

(a) - The average annual turnover of the candidate in the last 3 (three) financial years for which accounts have been closed, must exceed the annualised maximum budget stated in the contract notice i.e., the maximum budget stated in the contract notice divided by the initial contract duration in years, where this exceeds 1 year. In case of a consortium, this criterion must be fulfilled as an accumulated average among the consortium members.

(b) - Current ratio (current assets/current liabilities) in the last year for which accounts have been closed must be at least 1. In case of a consortium, this criterion must be fulfilled by each member.

(c) - The average annual current assets in the last 3 (three) financial years for which accounts have been closed, must exceed 1.000.000,00 EUR.

For 1(a), 1(b) and 1(c), please provide the following documents translated in English language and Hungarian or Serbian:

- Balance sheets for the last 3 (three) financial years for which accounts have been closed.

2) **Professional capacity of candidate** (based on items 4 and 5 of the application form). The reference period which will be taken into account will be the last five years from submission deadline.

(a) – The candidate must have minimum following licences:

In accordance with the Law of the Republic of Serbia

- 1.) (P141G2) Design license for public railway infrastructure with connections;
- 2.) (P141S1) License for traffic and traffic signalization projects for public railway infrastructure with connections;
- 3.) P142G1- License for construction projects for facilities on public railway infrastructure with connections;
- 4.) (P141E1) License for design of high and medium voltage electrical installations for public railway infrastructure with connections;
- 5.) (P141E4) License for projects for managing electric motors - automation, measurement and regulation for public railway infrastructure with connection.

In accordance with the Hungarian Law:

- 1.) At least 1 person as a railway line designer specialist, who
- has a degree in higher education required for obtaining a valid license for the design of railway constructions (or equivalent) as specified in Government Decree No 266/2013 (VII.11),

2) At least 1 person as a railway electrification specialist, who
- has a degree in higher education required for obtaining a valid license for the design of railway electrification constructions (or equivalent) as specified in Government Decree No 266/2013 (VII.11),

3) At least 1 person as a railway electrification designer specialist, who
- has a degree in higher education required for obtaining a valid license for the design of railway electrification constructions (or equivalent) as specified in Government Decree No 266/2013 (VII.11),

4) At least 1 person as a railway signaling system designer specialist, who
- has a degree in higher education required for obtaining a valid license for the design of railway electrification constructions (or equivalent) as specified in Government Decree No 266/2013 (VII.11),

One person may be nominated for only one position.

For 2(a), please provide:

- Statement in free format specifying listed requirements stated in 2(a) including details on licence owners, type of engagement of licence owners, their professional experience, etc.;
- Copy of all stated licences,

The following documents translated in English language and Hungarian or Serbian:

- All stated licences;

3) Technical capacity of candidate (based on items 5 and 6 of the application form). The reference period which will be taken into account will be the last five years from submission deadline.

(a) - The candidate has provided in the past 5 years (the reference period may not go beyond the past 5 years from the submission deadline set out in point 23.) minimum 5 projects (at least one from Serbia and one from Hungary) which in combination covered the following services defined in Article 7:

II. Surveys including geotechnical investigations and land/geodetic surveys;

IIIa. Development and completion of Preliminary Design for railway (including border crossing);

IIIb. Elaboration of Environmental Impact Assessment concerning railway;

IIIc. Development and completion of the Feasibility Study for railway line/network;

IVa. Development and completion of the Design for Approval for railway (including border crossing).

(b) - The candidate has provided services under at least one contract with a budget of at least EUR 1.000.000,00 in development, modernization or rehabilitation of a railway line which was implemented at any moment during the five-year reference period.

This means that the project the candidate refers to could have been started or completed at any time during the indicated five-year period, but it does not necessarily mean that it had started during that five-year period. Candidates/tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, proof of final payment). In case of projects still on-going only the portion satisfactorily completed during the reference period although started earlier will be taken into consideration.

(c) - The candidate has provided services under at least one contract on Design for

Approval (or Preliminary Design) of a railway line of at least 30 km railway line in Serbia or in Hungary with minimum one railway station.

For 3(a), 3(b) and 3(c), please provide the following documents in English language and Hungarian or Serbian:

- Documentary evidence i.e. Contracts and/or certificate of reference for 3(a);
- Documentary evidence i.e. Contracts and/or certificate of reference detailing value (if a candidate/tenderer has implemented the project in a consortium, the percentage that the candidate/tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided) for 3(b);
- Documentary evidence i.e. Contracts and/or certificate of reference for 3(c).

Previous experience which caused breach of contract and termination by a Contracting Authority shall not be used as reference.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing a commitment on the part of those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility - notably that of nationality – and must fulfil the same relevant selection criteria as the economic operator. With regard to technical and professional criteria, an economic operator may only rely on the capacities of other entities where the latter will perform the works or services 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.

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

- 1) the total number of kilometres for reference projects found eligible under 21-3(a) which in combination covered the following services defined in Article 7:
 - II. (Surveys including geotechnical investigations and land/geodetic surveys);
 - IIIa. Development and completion of Preliminary Design for railway (including border crossing);
 - IIIb. Elaboration of Environmental Impact Assessment concerning railway;
 - IIIc. Development and completion of the Feasibility Study for railway line/network;
 - IVa. Development and completion of the Design for Approval for railway (including border crossing);
- 2) the total number of the reference designs of development, modernisation or rehabilitation of a railway line found eligible under 21-3(b) and in case of equality on this criterion;
- 3) the total number of kilometres for the reference designs for approval (or preliminary design) of a railway line found eligible under 21-3(c) and in case of equality on this criterion.

22. Award criteria

Best price-quality ratio.

APPLICATION

23. Deadline for receipt of applications

14.00h (local time), May 30th, 2018

Any application received by the Contracting Authority after this deadline will not be considered.

24. Application format and details to be provided

Applications must be submitted using the standard application form, the format and instructions of which must be strictly observed. The application form is available from the following Internet address:

<http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=B>

The application must be accompanied by a declaration of honour on exclusion and selection criteria using the template available from the following Internet address:

<http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A>

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 exclusively to the Contracting Authority in a sealed envelope:

- EITHER by recorded delivery (official postal service) to :

*Pokrajinski sekretariat za energetiku, građevinarstvo i saobraćaj
Provincial Secretariat for Energy, Construction and Transport
Bulevar Mihajla Pupina 16, 21000 Novi Sad, Republika Srbija*

In this case, the delivery record makes proof of compliance with the time-limit for receipt.

- OR hand delivered (including courier services) directly to the Contracting Authority in return for a signed and dated receipt to:

*Contact name: Endre Šurjan,
Pokrajinski sekretariat za energetiku, građevinarstvo i saobraćaj
Provincial Secretariat for Energy, Construction and Transport
Bulevar Mihajla Pupina 16, 21000 Novi Sad, Republika Srbija*

In this case, the acknowledgment of receipt makes proof of compliance with the time-limit for receipt.

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.

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.

26. Alteration or withdrawal of applications

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

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with Item 25. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

27. Operational language

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

28. Date of publication of prior information notice

March 14th, 2018

2018/S 050-112006

29. Legal basis¹

Regulation (EU) N°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).

30. Additional information

The current conditions are for short-listing. The detailed requirements for experts will be included in the tender documentation for short listed candidates.

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