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Cross-border Cooperation Programme
Poland - Belarus - Ukraine 2007-2013

SERVICE CONTRACT NOTICE

DEVELOPMENT OF FEASIBILITY STUDY OF E40 DNEIPER-VISTULA WATERWAY RESTORATION

Location - Belarus, Poland, Ukraine

1. Publication reference

IPBU809/E40/FSR/Service/2

2. Procedure

Restricted

3. Programme title

Cross-border Cooperation Programme Poland - Belarus - Ukraine 2007-2013. Project:
“Restoration of the E-40 waterway on the Dnieper-Vistula section: from strategy to planning”

4. Financing

Budget position 5.1.3.

5. Contracting Authority

Association for Regional and Local Development “Progress”. Dzierdziowka 164, 37416
Zbydniow, POLAND

Contact and application submission point: Republican unitary maintenance and construction
enterprise "Dnepro-Bug Waterway", 20 Lenin sq., 225710 Pinsk, Republic of Belarus

CONTRACT SPECIFICATION

6. Nature of contract

Global price

7. Contract description

The overall objective of the project of which this contract will be a part is to contribute to greater economic attractiveness and transport accessibility of the Polish, Belarusian and Ukrainian regions through successful implementation of Phase 1 “Analysis and preparation” and laying a foundation for implementation of Phase 2 “Planning” and Phase 3 “Construction” of the big-scale infrastructure project on restoration of an important international *arterial waterway E40 on the section Dnieper – Prypiac – Dnerpo-Bug waterway – Muchaviec – Zachodni Buh – Vistula*. The expected result of the Phase 1 “Analysis and preparation” is a comprehensive Feasibility Study of E40 restoration.

The main result to be achieved by the Contractor is the comprehensive Feasibility Study, consisting of following parts:

- Transport Economic and Market Analysis Report;
- Environmental and Socio-Economic Impact Assessment Report;
- Navigability Report and Technical Specifications of the E40 Waterway;
- Financing and legal/institutional arrangements Report.

The Feasibility Study shall review previous work and undertake the required investigations and analysis of the technical, environmental, socioeconomic, institutional, legal and financial viability and sustainability of the E40 waterway development and operation while taking into account the needs of the riparian countries (water transport infrastructure development for the needs of industry, safe navigation, borders security, draught mitigation and flood protection, irrigation, hydropower generation, tourism, recreation and environmental services).

The Feasibility Study will provide and analyse 3 realistic alternative scenarios of the Dnieper-Vistula waterway restoration (with special focus on the elimination of the E40’s “bottlenecks” and sections with insufficient parameters according to the European Agreement on Main Inland Waterways of International Importance (AGN). One priority scenario of the Dnieper-Vistula waterway restoration that would consider the interests of all stakeholders will be determined and approved by Cross-border Commission on the development of the Dnieper-Vistula waterway.

The Feasibility Study will provide the international organisations, governments of the three countries and regional authorities with recommendations on measures to be undertaken in order to restore and develop the E40 waterway in an ecologically, environmentally, and economically sustainable manner. It is expected that the proposed measures of restoration of the Dnieper-Vistula waterway will be implemented into European, national and regional strategies and development programmes for the next programming period.

The Feasibility Study should lay down a foundation for implementation of Phase 2 “Planning” of the E40 project which should result the preparation of the planning and construction documentation for the infrastructure construction works.

8. Number and titles of lots

No, one lot only

9. Maximum budget

493 000 EUR (excluding VAT: 395 000 EUR)

10. Scope for additional services

The Contracting Authority may, at its own discretion, extend the project in duration and/or scope subject to the availability of funding up to a maximum not exceeding the length and value of the initial contract . Any extension of the contract would be subject to satisfactory performance by the Contractor.

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 22 below). Participation is also open to international organisations. All supplies under this contract must originate in one or more of these countries.

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 (ie, 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

04.09.2014

19. Provisional commencement date of the contract

10.10.2014

20. Initial period of implementation of tasks

11 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:

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 objective of this criterion is to examine whether or not the candidate (i.e., the consortium as a whole, in the case of an application from a consortium):

- will not be economically dependent on the Contracting Authority in the event that the contract is awarded to it; and
- has sufficient financial stability to handle the proposed contract.

Financial criteria for legal and natural persons:

- the average annual turnover of the candidate must exceed the annualised maximum budget of the contract (i.e., the maximum budget stated in the contract notice divided by the initial contract duration in years, where this exceeds 1 year); and
- Current ratio (current assets/current liabilities) must be at least between 1,5 and 3.

2) **Professional capacity of candidate** (based on items 4 and 5 of the application form).

The objective of this criterion is to examine whether or not the candidate (i.e., the consortium as a whole, in the case of an application from a consortium):

- has sufficient ongoing staff resources and expertise to be able to handle the proposed contract
- is not a so-called 'body shop', i.e., a candidate with no real expertise in fields related to the contract but which simply identifies and proposes experts to fit the project description

Professional criteria for legal and natural persons:

- at least 10 staff currently work for the candidate(s) (i.e. the consortium as a whole,

in the case of an application from a consortium) in the fields related to this contract (e.g. Hydrographer, Navigation Specialist, Hydrologist, Field Surveyor, Naval Architect, Dredging Expert/Civil Engineer, Geologist, Environmental Expert, Aquatic and Terrestrial Biologist or Ecologist, Sociologist, Economist, Transport Modelling and Forecasting Expert, Logistics Expert, Legal/Institutional Expert, Public Private Partnerships (PPP) Expert);

- at least 20% of all staff working for the candidate this year (2014) in the fields related to this contract are permanent.

- 3) **Technical capacity of candidate** (based on items 5 and 6 of the application form). The objective of this criterion is to examine whether or not the candidate (ie, the consortium as a whole, in the case of an application from a consortium) has sufficient expertise and experience to be able to handle the proposed contract

Technical criterion applicable to both legal and natural persons:

- the candidate has successfully provided services as the sole contractor or main consortium partner on at least 2 projects with a budget of at least Euro 400.000 in fields related to this contract in the past 10 years. This means that the project the candidate refers to could have been started or 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. 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 will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its 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 if the selection criteria relating to the pertinence of the experience have been used.

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 an undertaking 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 and notably that of nationality, as the economic operator.

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) involvement of the experienced PL, BY, UA organizations/experts the fields related to this contract as consortium/team members, 2) experience in Eastern Europe on similar actions.

22. Award criteria

Best value for money.

APPLICATION

23. Deadline for receipt of applications

29 August 2014, at 18:00 hrs local Belarusian time.

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?group=B>

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 :

Secretary of Tender Board
Mr. Andrey Rekesh

Republican unitary maintenance and construction enterprise "Dnepro-Bug Waterway", 20 Lenin sq., 225710 Pinsk, Republic of Belarus

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

Secretary of Tender Board
Mr. Andrey Rekesh

Republican unitary maintenance and construction enterprise "Dnepro-Bug Waterway", 20 Lenin sq., 225710 Pinsk, Republic of Belarus

From 9:00am to 18:00pm working hours (Mondays to Fridays)

Tel: +

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.

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

NA

29. Legal basis¹

Grant Contract IPBU.01.03.00-60-809/11-00 “Restoration of the E-40 waterway on the Dnieper-Vistula section: from strategy to planning” financed by ENPI Cross-border Cooperation Programme Poland - Belarus - Ukraine 2007-2013.

30. Additional information

NA

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