

Contract notice

Works

Legal Basis:

This contract will be financed by European Investment Bank (EIB) and is subject to the EIB's Guide to Procurement.

Section I: Contracting authority

1.1) **Name and addresses**

Official name: PC Motorways of the Federation of Bosnia and Herzegovina Ltd Mostar

Postal address: Hamdije Kresevljakovica, 19

Town: Sarajevo

NUTS code: BA Bosnia And Herzegovina

Postal code: 71000

Country: Bosnia and Herzegovina

Contact person: Lejla Hodzic

E-mail: h.lejla@jpautoceste.ba

Telephone: +387 33277922

Fax: +387 33277901

Internet address(es):

Main address: <https://www.jpautoceste.ba>

1.3) **Communication**

Access to the procurement documents is restricted. Further information can be obtained at: <https://www.jpautoceste.ba>

Additional information can be obtained from the abovementioned address. Tenders or requests to participate must be submitted to the abovementioned address.

1.4) **Type of the contracting authority**

Body governed by public law

1.5) **Main activity**

Other activity: Road Management

Section II: Object

II.1) **Scope of the procurement**

II.1.1) **Title:**

Construction of motorway on Corridor Vc, section Tunnel Kvanj-Buna

Reference number: EIB-GtP/20150773-05

II.1.2) **Main CPV code**

45233120 Road construction works

II.1.3) **Type of contract**

Works

II.1.4) **Short description:**

The subject of this contract is Construction of a new approx. 5,25 km long motorway section including major structures: Tunnel Kvanj, Viaduct Rotimski potok, and overpass Rujevice.

II.1.5) **Estimated total value**

Value excluding VAT: 150 000 000.00 EUR

II.1.6) **Information about lots**

This contract is divided into lots: no Description

II.2) **Description**

II.2.3) **Place of performance**

NUTS code: BA Bosnia And Herzegovina

Main site or place of performance:

Bosnia and Herzegovina, motorway sub-section Tunnel Kvanj-Buna

II.2.4) **Description of the procurement:**

Procurement will follow a restricted procedure (with prequalification), followed by single-stage tender.

In the Prequalification (PQ) Process, Applicants shall submit a PQ Application Form providing information essential to evaluate the Applicant's qualification subject to the terms and conditions of the PQ Application Form document. The PQ Application Form is available from the Procuring Entity as described above. Only applications submitted in the format of a PQ Application Form shall be accepted; any other application shall be rejected. PQ Application Forms will be issued only to Applicants who directly contact the Procuring Entity through the address above. All clarifications and any amendments or addenda will be communicated in writing with all Participants who have properly obtained the PQ Application Form.

The Procuring Entity shall undertake the evaluation of applications in accordance with the terms of the PQ Application Form. It shall notify all Participants about the outcome of Prequalification in writing. Only firms and JVCA that have been prequalified under the Prequalification process will be invited to tender.

In a subsequent step, shortlisted Applicants having passed the PQ shall be invited to submit Tenders in accordance with conditions of Tender Documents.

The Procuring Entity shall award the Contract to the Applicant whose Tender has been determined to be the lowest price of the compliant and technically responsive tender providing also the tenderer meets the tender capacity constraint that may be set down in the tender document.

The contract will be financed with the proceeds of a loan from the European Investment Bank ("the Bank" or the "EIB") and a grant from the Western Balkans Investment Framework (WBIF).

The Bank shall not provide or otherwise make funds available, directly or indirectly, to or for the benefit of an individual or entity that is subject to financial sanctions imposed by the EU, either autonomously or pursuant to the financial sanctions decided by the United Nations Security Council on the basis of Article 41 of the UN Charter and EU sanctions giving effect to UN Security Council resolutions that impose sanctions.

Firms originating from all countries of the world are eligible to tender. However, applicants shall not be in conflict of interest or have been declared ineligible by the Bank.

The applicable law is the law of BiH. The applicable procurement rules are the EIB's Guide to Procurement (GtP) which can be downloaded at: https://www.eib.org/attachments/strategies/guide_to_procurement_en.pdf The EIB Anti Fraud Policy and EIB Exclusion Policy apply. Applicants must complete and sign a covenant of integrity as part of their PQ Application Form. Failure to submit a properly completed and signed covenant may lead to rejection of an application and other remedy under applicable EIB policies.

The remedy mechanism is described in the application form.

II.2.5) **Award criteria**

Criteria below

Price

II.2.6) **Estimated value**

II.2.7) **Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 24

This contract is subject to renewal: no

II.2.10) **Information about variants**

Variants will be accepted: no

II.2.11) Information about options

Options: no

II.2.13) Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds: yes

Identification of the project:

Western Balkans Investment Framework

II.2.14) Additional information

Section III: Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.2) Economic and financial standing

List and brief description of selection criteria:

The PQ Application Form available from the Procuring Entity includes a comprehensive list of financial & economic criteria which Applicants must fulfil to be considered for invitation to bid. The criteria include the following:

Average Annual Turnover: The Applicant shall have an average annual turnover as prime contractor over the last 3 (three) years (2019, 2020 and 2021) of not less than EURO 150 million equivalent.

Financial Resources: The Applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means sufficient to meet the construction cash flow for the contract for a period of 6 (six) months, estimated as not less than EURO 37,5 million equivalent, taking into account the applicant's commitments for other contracts.

Note: The full requirements for pre-qualification are expressed in the PQ Application Form and those shall prevail.

III.1.3) Technical and professional ability

List and brief description of selection criteria:

The PQ Application Form available from the Procuring Entity includes a comprehensive list of technical criteria which Applicants must fulfil to be considered for invitation to tender. The criteria include the following The information for experience shall be provided for the period of 2017 to 2021 (inclusive).

General Experience:

The Applicant shall demonstrate that it has successful experience as contractor (sole contractor, lead partner or partner in a JV) in the execution of:

(i) at least two (2) motorway or expressway projects (with a minimum value of EUR 120 million each) of a nature and complexity comparable to the proposed contract;

(ii) at least one (1) transport infrastructure project (with a minimum value of EUR 50 million) under FIDIC Yellow Book or other similar design and build conditions of contract

Note: The full requirements for pre-qualification are expressed in the PQ Application Form and those shall prevail.

III.2) Conditions related to the contract

III.2.2) Contract performance conditions:

10 days after issuance of the Letter of Acceptance, the selected Contractor shall provide the evidence that it has applied for:

(1) License - Authorization for performing construction works on the territory of Federation Bosnia and Herzegovina and Authorization for performing site investigations for them or their subcontractor. This Authorization is issued by the Federal Ministry of Physical Planning and is in accordance with Article 38. of

Decree on construction site organization, mandatory construction documents and construction actors; "Official Gazette of the Federation of Bosnia and Herzegovina" No. 25a/22, and 42/22.

(2) Licence - Authorization to perform designing, i.e. shall be entities registered to perform such services and licenced by the FB&H Ministry of Physical Planning (Pursuant to the Decree on construction site establishment, mandatory site documents and parties involved in construction (Official Gazette of the Federation of B&H, No. 25a/22, and 42/22)).

Section IV: Procedure

IV.1) Description

IV.1.1) Type of procedure

Restricted procedure

IV.1.3) **Information about a framework agreement or a dynamic purchasing system**

IV.1.8) **Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: no

IV.2) **Administrative information**

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

Date: 10/10/2022

Local time: 10:00

IV.2.3) **Estimated date of dispatch of invitations to tender or to participate to selected candidates**

Date: 06/03/2023

IV.2.4) **Languages in which tenders or requests to participate may be submitted:**

English

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

Duration in months: 12 (from the date stated for receipt of tender)

Section VI: Complementary information

VI.1) **Information about recurrence**

This is a recurrent procurement: no

VI.3) **Additional information:**

All costs related to participation in this procurement procedure shall be borne by applicants.

Any unsuccessful Applicant who is not satisfied with the Client's debriefing has the right to file a Complaint to the Independent Complaints Committee at the address below.

Candidates should alert the Procuring Entity, with a copy to the European Investment Bank to procurementcomplaints@eib.org, in case they should consider that certain clauses or provisions of this notice might limit international competition or introduce an unfair advantage to some candidates.

Furthermore, any party having or having had an interest in obtaining a particular contract and who has been or risks being harmed by an alleged infringement of the Guide to Procurement may submit a complaint to the Bank's Procurement Complaints Committee (PCC) as per Annex 8 of the EIB's Guide to Procurement. Complaints are to be submitted by mail or electronic mail to procurementcomplaints@eib.org.

Any requests for clarification of the PQ Application Form must be submitted in writing 14 days prior to the deadline for submission of applications, stating the title and reference number of the tender procedure.

Joint Venture members will have joint and several liability towards the Employer concerning participation in the tender procedure and any contract awarded as a result of it.

The contract shall be implemented under the FIDIC Conditions of Contract for Building and Engineering Works Designed by the Contractor: The Plant and Design-Build, First Edition 1999.

VI.4) **Procedures for review**

VI.4.1) **Review body**

Official name: Independent Complaints Committee appointed by Federal Ministry of Transport and Communications

Postal address: Braće Fejića bb

Town: Mostar

Postal code: 71 000

Country: Bosnia and Herzegovina