

WORKS CONTRACT NOTICE

**Bicycle road construction in the framework of the project Kneszeczyc3- SZEGED (SZŐREG) -
NOVI KNEZEVAC BICYCLE ROAD CONSTRUCTION (phase 3), Nr.
HUSRB/1203/111/139**

Újszentiván, Csongrád County, Hungary

1. Publication reference

Works Kneszeczyc3 HUSRB/1203/111/139

2. Procedure

Local open

3. Programme title

Hungary-Serbia IPA Cross border Co-operation Programme 2007-2013

4. Financing

Budget line, Subsidy Contract of the project HUSRB/1203/111/139

5. Contracting Authority

Local Government of Újszentiván, 6754 Újszentiván; 7, Felszabadulás Street

CONTRACT SPECIFICATIONS

6. Description of the contract

According to the technical specifications of the bike path construction in the tender documents, the task have the following parameters:

The workplace and bike trail selection is between Rákóczi street and Mária sor(street) in Újszentiván on 514, 012, 127, 015 and 018/2 lot numbers. Areas are owned and daily operated by Újszentiván Municipality.

The construction of the bike trail will be on an existing land road. Asphalt pavement construction will be used, this activity need construction licence. The licencing process was conducted by Csongrád County Government Office of Traffic Inspectorate, Decision reg. nr. CS / UT / 333/22 / of 2012.

The bike trail, based on the paragraphs nr. 7.2. and 8.4. of 8.4. of "Bicycle road traffic facilities management technical specification (ÚT 2-1.203:2010 (e-UT 03.04.11) " has 1.00 m.

Between the 2 sections, namely the Rákóczi street – Mária sor, on the lots 514, 012, 127, 015 and

018/2 in the same time with the construction of roads covering the bike trail, an additional of 3.00 m section will be constructed in the middle lane.

The road in question will be used as a bicycle road and will be connected to Szeged (Szőregi) - NOVI Kneževac existing network.

The pavement width will have 5.00 m, the berm width will have 1:00 m. Edge construction does not take place, the crown width will have 7.00 m. According to the sample cross-section, an one-sided slope has to be constructed, the rate is 2.5%. The berm width will be 1:00 to 1:00 m, one-sided slope 5%. The design phase length: 1794.88 m

7. Number and titles of lots

No, one lot only

TERMS OF PARTICIPATION

8. Eligibility and rules of origin

Participation is open to all legal persons participating either individually or in a grouping (consortium) of tenderers] which are established in a Member State of the European Union or in a country or territory of the regions covered and/or authorised by the specific instruments applicable to the programme under which the contract is financed (see item 22 below). All goods supplied under this contract must originate in one or more of these countries. Participation is also open to international organisations. Participation of natural persons is directly governed by the specific instruments applicable to the programme under which the contract is financed.

9. Grounds for exclusion

Tenderers must submit a signed declaration, included in the Tender Form for a Works Contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the **Practical Guide**.

10. Number of tenders

Tenderers may submit only one tender per lot. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot. Tenderers may not submit a tender for a variant solution in addition to their tender for the works required in the tender dossier.

11. Tender guarantee

Tenderers must provide a tender guarantee of 4.000 EUR 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.

12. Performance guarantee

The successful tenderer will be asked to provide a performance guarantee of 5% 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.

Faulty performance penalty

Requirements: contractor does not fulfill his responsibilities under this contract agreement and doesn't correct errors indicated by the Contract Authority.

Based : on the sub-task portion of the net amount of the entrepreneurial fee

Rate: from the day after the expiring of the error-correcting period, 1% of the penalty base daily, up to the maximum 20% of the penalty base.

Delay penalty

Requirements: the Contractor fails to complete his tasks in time according to the schedule.

Based : on the sub-task portion of the net amount of the entrepreneurial fee

Rate: 1% of the penalty base daily, up to the maximum 20% of the penalty base. After 30 days of delay the Contracting Authority is allowed to terminate the contract unilaterally.

Failure penalty

Requirements: the Contractor fails to complete his tasks (or parts of his tasks), including the case if the Contractor fails to complete them in time according to the schedule, and the compliance is no longer required by the Contracting Authority.

Based : on the net amount of the entrepreneurial fee

Rate: 20% of the penalty base.

The Contractor agrees that the Contracting Authority can deduct the sum of the penalty from the invoice.

13. Information meeting and/or site visit

An optional site visit will be held on 3rd of September 2014, 8:00 o'clock. The temporarily meeting point is in front of the Újszentiván Mayor's Office building , 6754 Újszentiván, 7, Felszabadulás Street. Contact person: Mr. Kovács Gábor, +36 20 402 2010.

14. Tender validity

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders.

15. Period of implementation of tasks

This period is from contract signature, until 30th November 2014. The condition of the acceptance of the final invoice is the existence of the successful technical handover of the works and proven initiation of the occupancy permit procedure.

SELECTION AND AWARD CRITERIA

16. Selection criteria

Economic and financial capacity of candidate:

- a. The Profit in the Balance Sheet of the tender could not be negative in all of the past three closed financial years (2011, 2012, 2013).

The following proof documents should be requested: Presentation of a copy of the balance sheets or an extract from balance sheets for each of last closed three years, if the publication of the balance sheet is required under the company law of the country in which the economic operator is established.

- b. The tenderer's total net annual turnover, based on the simple mathematical average of the previous three years' (2011, 2012, 2013) have to reach at least 300.000.000 HUF

The following proof documents should be requested: a signed statement about the annual turnover, signed by tenderer.

- c. Certifies with a bank statement that the tenderer has no delayed payment towards any other natural person or legal entity based on his bank account and no delay accrued in bank loan repayment in the last 24 months.

The following proof documents should be request: appropriate statements from banks.

Technical and professional capacity of candidate:

- a. The tenderer has completed at least 1 projects of the same nature as the works concerned by the tender (road and/or bike road construction) of and implemented during the following period: August 2009 – August 2014, worth of net HUF 200.000.000 at least. The reference may consist of no more than 2 lots.

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.

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.

The following proof documents should be request: The list of the most important works carried out in the last 60 months, containing the following information:

- the name and address of the Contracting Authority or entity who ordered or purchased the works ,
- the subject and short description of the works ,

- A brief description of the subject and, in the case of more entities involved in the same reference, own performance certificate is required,
- Execution time (period), place of performance,
- The amount of the contract and the value of the performance in the case of more entities involved in the same reference, own performance certificate is required,
- The name and contact details of the person providing the reference information,
- Information showing that performance was, fulfilled according to the specifications of the contract

The contracting authority reserves the right to verify the performance of the works cited in the documents, by asking proof of documents from the technical supervisors (handover certificate / certificate of completion).

- b. The Tenderer must have certificates of EN ISO 9 001 accredited in any national system, or, lacking this, a proof about a system equalling to the standard.

The following proof documents should be request: the copy of the EN ISO 9 001 certificate or, lacking this, a proof about a system equalling to the standard.

- c. In each of the examined three years (2011, 2012, 2013.) the statistical average of the employees' number at the Tenderer must be at least 10 people.

The following proof documents should be request: a signed statement of the statistical average of the employees' number of the past three years.

- d. The Tenderer must have the following professional staff required in order to perform the task:

- at least one responsible technical supervisor in charge who has a diploma in any kind of advanced studies and has at least 36 months of experience in managing blacktop road and/or bicycle route and/or footpath construction works.

Execution of the contract should only be started if the technical supervisor in charge has a certificate of MV-KÉ according to 266/2013. (VII.11.) governmental decree or MV-KÉ/A based on the 244/2006. (XII.5) governmental decree (or equivalent). The technical supervisor in charge has to be registered in the Hungarian Chamber of Engineers Register.

The following proof documents should be requested:

- CV signed by the expert (containing the general and special experience of the expert (marked in months), as well as the workplace of the expert,

- copy of the expert's diplomas or certificates
 - copy of Hungarian Chamber of Engineers' certificate
 - the statement of exclusivity and availability signed by the expert.
- at least one construction site manager, who has a diploma in any kind of advanced studies and has at least 36 months of experience in managing blacktop road and/or bicycle route and/or footpath construction works.

The following proof documents should be requested:

- CV signed by the expert (containing the general and special experience of the expert (marked in months), as well as the workplace of the expert,
 - copy of the expert's diploma or certificates
 - the statement of exclusivity and availability signed by the expert.
- e. The tenderer is required to have the minimum technical equipment (machinery) as the following:
- 1 piece of soil-stabilizing machines working to at least 2.5 m in width and 30 inches in depth
 - 2 pieces of wheeled and / or tracked excavator min. 22t
 - 1. min combination backhoe loader, trench digger, 60W power
 - 3 Trucks min. 18 t gross weight
 - 1 piece of roller
 - 1 piece of vibratory compactor min. 9 t
 - 1 piece of road kerbs cylinder

17. Award criteria

Price

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from Mr. Kovács Gábor (HU-6754 Újszentiván, Felszabadulás Street. 7., palyazat@ujszentivan.hu; Tel: +36 20 402 2010) upon payment of gross 101.600 HUF, which excludes courier delivery.

Payment shall be made through bank transfer at the bank account of Local Government of Újszentiván (Reference nr: purchasing the tender package PraG Works Kneszeczyc3 HUSRB/1203/111/139): 11500092-11075521

It is also available for inspection at the premises of the Contracting Authority, address as in point 5 above. Please send your request to the e-mail address palyazat@ujszentivan.hu and after a short consultation a mutually suitable date will be fixed. (Please indicate the reference nr. PraG Works Kneszeczyc3 HUSRB/1203/111/139 in the topic of the message).

Tenders must be submitted using the standard tender form included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to **Kovács Gábor**, palyazat@ujszentivan.hu, HU-6754 Újszentiván, Felszabadulás u. 7, (mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19. The Contracting Authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier will be published at the latest 11 days before the submission deadline on the <http://www.kozbeszerzes.hu> webpage.

19. Deadline for submission of tenders

09:00 Central European Time on 29th September 2014.
Opening hours of the Contracting Authority: 8:00-14:00 on Working days.

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

20. Tender opening session

09:00 Central European Time on 29th September 2014.

Venue: Helyszín: 6754 Újszentiván, Felszabadulás Street. 7, Project management Office

21. Language of the procedure

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

22. Legal basis¹

- a. COUNCIL REGULATION (EC) No 1085/2006 of 17 July 2006
- b. COMMISSION REGULATION (EC) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ;
- c. COMMISSION REGULATION (EC) No 718/2007 of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an Instrument for Pre-Accession Assistance (IPA)

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

- d. COMMISSION REGULATION (EC) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities.
- e. COMMISSION REGULATION (EC) No 800/2008 of 6 August 2008 on declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General Block Exemption Regulation)
- f. COMMISSION DECISION C (2007)2034 on the Rules and procedures for services, supply and works contracts financed from the general budget of the European Communities for the purposes of cooperation with third countries.
- g. The Programme Document of the Hungary-Serbia IPA Cross-border Co-operation Programme 2007-2013, approved by the European Commission on the 25th of March 2008 by Decision Ref No C(2008)1075
- h. The relevant Call For Proposals of the Programme (HUSRB/1203)
- i. The Project Implementation Handbook for the Hungary-Serbia IPA Cross-border Co-operation Programme 2007-2013
- j. The Guidelines for Implementing Information and Publicity Requirements for the Projects in the Hungary-Serbia IPA Cross-border Co-operation Programme
- k. The Practical Guide to contract procedures for EC external actions (http://ec.europa.eu/europeaid/work/procedures/implementation/practical_guide/index_en.htm)
- l. IPA — HUSRB/1203/111/139