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## WORKS CONTRACT NOTICE

**Contract title: Tender notice for works for the refurbishment and enhancement of the hosting capacity by doubling it to up to 145 units – CIG: 7002806253**

**Location – Iraq**

**1. Publication reference**

CIG7002806253

**2. Procedure**

Restricted

**3. Financing**

The works related to the implementation of an action funded by the *Instrument contributing to Stability and Peace (IcSP)*

**4. Contracting Authority**

STUDIARE SVILUPPO SRL, Via Flaminia 888 – 00191 Roma, Tel +39 0669921659; fax +39 06 69922173; VAT no. 07444831007 [www.studiairesviluppo.it](http://www.studiairesviluppo.it)

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## CONTRACT SPECIFICATIONS

**5. Description of the contract**

As part of a wider support to capacity building project, the Contracting Authority has been awarded a Grant by the EU to have a Police training Centre in Iraq well equipped and functional in order to host circa 145 EU MS trainers and supporting personnel and to support training activities at the benefit of the Iraqi Police.

The training centre is located within a military zone and shall respect the force protection standards as established in the executive project provided by the Contracting Authority.

The works to be awarded by the present tender include the refurbishment / restoring or replacement of the existing buildings (prefabs) in order to improve accommodation, as well as to establish circa 120 containers module for rooms and facilities. The rooms are conceived to host two trainers and sanitary facilities are shared each 2-4 trainers.

The establishment of the additional buildings will imply the preparation and the fitting out of the area which will host the building, including preparation of the ground, force protection measures and the provision of the connections for electricity and water and wastewater facilities.

**Maximum contract value**

€ 2.500.000

**6. Number and titles of lots**

One lot only

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## CONDITIONS OF PARTICIPATION

### 7. Eligibility and rules of origin

*All countries* are eligible for participation in contracts financed under the IsCP Instruments that are fully untied without prejudice to the limitations inherent to the nature and the objectives of the action.

### 8. Candidature

All eligible natural and legal persons (as per item 7 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 partners of a consortium (i.e. the leader and all other partners) are jointly and severally liable to the Contracting Authority.

The participation of an ineligible natural or legal person (as per item 7) 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.

### 9. 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 partner 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.

### 10. Shortlist alliances prohibited

Any applications received from Applicants having a different composition than the ones on the application forms will be excluded from this restricted tender procedure, unless prior approval from the Contracting Authority has been obtained – see EU PRAG 2.4.3. Short-listed Applicants may not form alliances or subcontract to each other for the contract in question.

### 11. Grounds for exclusion

Candidates, including every consortium member, as well as each capacity-providing entity and (if already identified at this stage) each subcontractor providing more than 10% of the works, must submit a signed declaration, included in the Application Form for works contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the EU **Practical Guide**<sup>1</sup>.

### 12. Sub-contracting

Sub-contracting is allowed and the maximum percentage of the contract value which may be subcontracted is 30%.

### 13. Number of Candidates to be short-listed

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<sup>1</sup>

[http://ec.europa.eu/europeaid/prag/?header\\_description=DEVCO+Prag+to+financial+and+contractual+procedures+applicable+to+external+actions+financed+from+the+general+budget+of+the+EU+and+from+the+11th+EDF&header\\_keywords=ePrag%2C+europa](http://ec.europa.eu/europeaid/prag/?header_description=DEVCO+Prag+to+financial+and+contractual+procedures+applicable+to+external+actions+financed+from+the+general+budget+of+the+EU+and+from+the+11th+EDF&header_keywords=ePrag%2C+europa)

On the basis of the applications received, at least 4 and at most 6 Candidates will be invited to submit detailed tenders for this contract. If the number of eligible Applicants 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 or proceed with the tender with at least 2 candidates. If the number of eligible Candidates meeting the selection criteria is more than the maximum of 6, the Contracting Authority will rank them using the re-examination criteria stated under point 17 below.

**14. Provisional date of Invitation to tender**

June 2017

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

July/August 2017

**16. Period of implementation of tasks**

3 months

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**SELECTION AND AWARD CRITERIA**

**17. Selection criteria**

In order to be considered eligible for the award of the contract, Candidates must provide evidence that they meet the selection criteria. This evidence must be provided by Candidates in the form of the information and documents described in the application forms and in whatever additional form Candidates may wish to utilise.

In the case of a tender submitted by a consortium, unless specified, these selection criteria will be applied to the consortium as a whole:

- a) The selection criteria for each Candidate are as follows:

**1. Economic and financial capacity of Candidate:**

- 1.1. the average annual turnover of the Candidate in the past 3 years must be at least 2.5 million euros (to be demonstrated by the last 3 balance sheets or equivalent declaration)
- 1.2. it must have access to sufficient credit and other financial facilities to cover the required cash-flow for the duration of the contract. In any case, the amount of credit available must exceed the equivalent of 1.5 million euros (to be documented by letter of credit of the bank or any equivalent declaration)

**2. Technical and professional capacity of Candidate:**

- 2.1 it must have completed at least 3 projects of the same nature/amount/complexity comparable to the works concerned by the tender which were implemented during the last 5 years from the submission deadline. These should include works for the refurbishment / installation of pre-fabs and the related facilities in security-sensitive areas or works in military camps/bases/areas.

These should be documented by a list of previous projects / works implemented, including date of start and end date, value of the works, location, contracting authority, beneficiary and partners/subcontractors.

The Contracting Authority reserves the right to ask for copies of the respective certificates of final acceptance signed by the supervisors/contracting authorities of the projects concerned.

- 2.2 it must carry out at least 70% of the contract works by own resources, which means that it must have the equipment, materials, human and financial resources necessary to enable it to carry out that percentage of the contract.

This criterion shall be documented by presenting a short company presentation, including number of staff and qualifications, assets etc or equivalent declaration.

b) 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. Some examples of when it may *not* be considered appropriate by the Contracting Authority are when the tenderer relies mostly on the capacity of other entities or when it relies on key criteria. 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, for example 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. Furthermore, the tender should include a separate document providing data on this third entity for the relevant selection criterion. Proof of capacity must be furnished 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.

Applications submitted by companies in partnerships forming a joint venture/consortium must also fulfil the following requirements:

- The application must include all the information required by the application form for each member of the joint venture/consortium and the summary data for execution of works by the tenderer.
- The application must be signed in a way that legally binds all members. One member must be appointed lead member and that appointment confirmed by submission of powers of attorney signed by legally empowered signatories representing all the individual members.
- All members of the joint venture/consortium are bound to remain in the joint venture/consortium for the whole execution period of the contract. See the declaration in the tender form.

If more than 6 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates must be re-examined to identify the 6 best applications for the tender procedure. The only factors which will be taken into consideration during this re-examination are:

- the highest number of projects in criteria 2.1 (up to 10 projects) performed in military areas
- the highest value of the project in criteria 2.1
- Preference will be given to experience in Iraq

## 18. Award criteria

The most economically advantageous tender is the technically compliant tender with the lowest price.

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## APPLICATION

## 19. Deadline for receipt of Applications

Deadline for receipt of Applications shall be no later than 10th May 2017, h. 17 (e.g., 17:00 Central European Time).

Any application received after this deadline will not be considered.

## 20. Applications format and details to be provided

Applications must be submitted using the standard application form provided with this notice and its annexes (also available on [www.studiairesviluppo.it/bandi-forniture-e-servizi](http://www.studiairesviluppo.it/bandi-forniture-e-servizi)).

By submitting an application, the candidate accepts 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.

## 21. How applications may be submitted

Applications must be submitted in English exclusively to the Contracting Authority in English on-line or in hard copies.

### **ON-LINE**

The Applications can be submitted in one only file (.pdf) including all the necessary documents to the following (legal) email address: [studiairesviluppo@pec.it](mailto:studiairesviluppo@pec.it) the subject of the email shall compulsory indicate the following “**Application works in Iraq – DO NOT OPEN before 10may**”.

### **IN HARD COPIES**

Application can be also sent in hard copies in a sealed envelope, as follows:

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

**Ufficio Protocollo  
Studiare Sviluppo, Via Flaminia 888  
00191 Roma**

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 dated receipt to:

**Ufficio Protocollo  
Studiare Sviluppo, Via Flaminia 888  
00191 Roma.**

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

for receipt.

In both cases working days / hours are as follows:

**Opening hours:** Monday – Friday (excl. Italian national holidays) from 9 am to 6 pm

**Contact points:** Ms. Manila Marcuccio, Direttore Progetti, Via Flaminia 888 – 00191 Roma, Tel +39 0669921659; fax +39 06 69922173; [marcuccio@studiaresviluppo.it](mailto:marcuccio@studiaresviluppo.it)

The Contract title and 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.

## **22. Alteration or withdrawal of Applications**

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

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with item 20. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

## **23. Language of the procedure**

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

## **24. Date of publication of prior information Notice**

No prior information Notice published.

## **25. Repetition of similar work**

Subsequent to the initial contract resulting from the current tender procedure, new works consisting in the repetition of similar works, up to the estimated amount of 1.000.000 EUR, may be entrusted to the initial contractor by negotiated procedure without prior publication of a contract notice, provided the new works are in conformity with the same basic project.

## **26. Legal basis**

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 230/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 March 2014 establishing an instrument contributing to stability and peace.

In addition, being the Contracting Authority a Public Body of a EU MS, the Italian legislative decree 50/2016 concerning public procurement also apply.

## **27. Additional Information**

The contract will be awarded as urgent contract. So the shortlisted companies must be ready to present the technical offers in a short time and start implement the works immediately after the awarding.