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## WORKS CONTRACT NOTICE

### Purchase and installment of prefabricated houses in project Municipalities Serbia

**1. Publication reference**

PDT SRB 1803 - 013

**2. Procedure**

Competitive negotiated procedure

**3. Programme title**

Instrument for Pre-Accession Assistance for the year 2015

**4. Financing**

Budget line 6.1.1, 6.1.2

**5. Contracting authority**

Arbeiter-Samariter-Bund, Udruženje Samarićanskih radnika, Antifašističke borbe 14/8, 11070  
Novi Beograd

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### CONTRACT SPECIFICATIONS

**6. Description of the contract**

In the project “Support to IDPs and returnees in 4 LSG in Central Serbia through provision of durable housing solutions and economic sustainability measures” funded by the European Union within the programme “Improvement of the living conditions of IDPs and returnees from readmission process in Serbia”, The Arbeiter-Samariter-Bund will provide durable housing solutions (prefabricated houses) for IDPs and returnees. in the four targeted municipalities (beneficiaries identification, building and hand-over of prefabricated houses, purchase of village houses, distribution of building material to IDPs and returnees).

**7. Number and titles of lots**

The tender is not divided into lots.

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## 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 Section 2.6.10.1 of the **practical Guide**.

Tenderers included in the lists of EU restrictive measures (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract.

### 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

No tender guarantee is required.

### 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.

### 13. Information meeting and/or site visit

No information meeting is planned.

### 14. Tender validity

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders. In exceptional circumstances, the contracting authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period.

### 15. Period of implementation of tasks

The period of implementation of tasks will start from contract signature and will be concluded

100 days after the date of the final building permit.

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## SELECTION AND AWARD CRITERIA

### 16. Selection criteria

The selection criteria for each tenderer are as follow:

#### **Financial criteria:**

- the **average annual business turnover** of the Tenderer in the **past three accounting years** must be at least as the amount of **submitted financial offer**:

#### **Evidence:**

- a) **Registered annual turnover statement** for the turnover generated over company account, for the past **three accounting years**;
  - b) **Registered Financial Statement - balance sheet and profit/loss balance** for the past **three accounting years**.
- it must have **access to financial facilities** to cover the required cash flow for the duration of the contract and **performance security**.

#### **Evidence:**

**Commercial bank statement** and/or **Letter of intention** - for access to financial facilities and performance security should be provided by Tenderer's Commercial bank

#### *Technical and professional capacity of candidate:*

#### **Professional and technical criteria:**

- it must have completed at least 3 projects of the same nature and complexity as the works concerned by the tender and implemented during the following period: 3 years from the submission deadline (04 March 2019). 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.)

- it must carry out at least 70 % of the contract works using its own resources, which means that it must have the equipment, materials, human and financial resources necessary to carry out that percentage of the contract.
- if it is the lead member of a joint venture/consortium, it must be able to carry out at least 50% of the contract works using its own means.

- if it is a partner of a joint venture/consortium (i.e. not the lead member) it must be able to carry out at least 10% of the contract works using its own means.
- all its **key staff** (engineers or architects) must have at least **5 years** appropriate experience and proven qualifications relevant to works of a similar nature to this project.
  - a) **CV and licences** for key staff (engineers or architects) issued by the Chamber of Engineers, should be provided by Tenderer

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 relying on them and must comply with the selection criteria for which the economic operator relies on them. 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.

## 17. Award criteria

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

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## TENDERING

### 18. How to obtain the tender dossier

The tender dossier is available from the Contracting Authority. 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 [aleksandar.pavlovic@asb-see.org](mailto:aleksandar.pavlovic@asb-see.org) (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 shall be sent to all tenderers at the latest 11 days before the submission deadline.

## 19. **Deadline for submission of tenders**

13:00h CET, 04.03.2019 at the Arbeiter Samariter Bund office, Antifašističke borbe 14/8, 11070 Novi Beograd.

The tenderer's attention is drawn to the fact that there are two different systems for sending tenders: one is by post or private mail service, the other is by hand delivery.

In the first case, the tender must be sent before the date and time limit for submission, as evidenced by the postmark or deposit slip<sup>1</sup>, but in the second case it is the acknowledgment of receipt given at the time of the delivery of the tender which will serve as proof.

Any tender submitted to the contracting authority after this deadline will not be considered.

The contracting authority may, for reasons of administrative efficiency, reject any tender submitted on time to the postal service but received, for any reason beyond the contracting authority's control, after the effective date of approval of the evaluation report, if accepting tenders that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.

### **How tenders may be submitted**

Tenders must be submitted in English exclusively to the contracting authority in a sealed envelope:

- EITHER by post or by courier service, in which case the evidence shall be constituted by the postmark or the date of the deposit slip, to :

Arbeiter-Samariter-Bund (ASB)  
Antifašističke borbe 14/8  
11070 Beograd, Srbija

- OR hand delivered by the participant in person or by an agent directly to the premises of the contracting authority in return for a signed and dated receipt, in which case the evidence shall be constituted by this acknowledgement of receipt, to:

Arbeiter-Samariter-Bund (ASB)  
Antifašističke borbe 14/8  
11070 Beograd, Srbija  
10:00 – 16:00h

The contract title and the publication reference (see item 1 above) must be clearly marked on the envelope containing the tender and must always be mentioned in all subsequent correspondence with the contracting authority.

Tenders submitted by any other means will not be considered.

By submitting a tenderer 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 tender.

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<sup>1</sup> It is recommended to use registered mail in case the postmark would not be readable.

**20. Tender opening session**

14:00h CET, 04.03.2019 at the Arbeiter Samariter Bund office, Antifašističke borbe 14/8, 11070 Novi Beograd.

**21. Language of the procedure**

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

**22. Repetition of similar works**

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 **40.000 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.

**23. Legal basis<sup>2</sup>**

Regulation (EU) No 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.

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<sup>2</sup> Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).