



**REPUBLIC OF SERBIA**  
**KORIDOR 10 d.o.o.**



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**WORKS PROCUREMENT NOTICE**

**Construction of Corridor X, Highway E-75 Nis – FYROM border**  
**Section: Srpska Kuca - Donji Neradovac, South of Serbia**

**1. Publication reference**

CORRX.E75/HiPERB/WORKS/PACK1/LOT2

**2. Procedure**

International open tender procedure

**3. Programme**

Hellenic Plan for the Economic Reconstruction of the Balkans (HiPERB)

**4. Financing**

- Financed under the Agreement on a five year Development Cooperation Programme 2002-2006, as it was subsequently extended to the year 2011, between the Government of the Hellenic Republic and the Government of the Republic of Serbia
- Serbian co-financing
- European Investment Bank funds may be also used for financing of the works

**5. Contracting Authority**

Republic of Serbia, Koridor 10 d.o.o. (K10DOO), 11000 Belgrade, 19a, Vojkoviće Street.

**CONTRACT SPECIFICATIONS**

**6. Description of the contract**

E-75 highway is a part of European highway network and runs through Serbia along the Hungarian border (Horgos) - Novi Sad - Belgrade - Nis - FYROM border (Presevo) route. The subject of this contract is construction of section Srpska Kuca – Donji Neradovac, km 926+400 - km 934+350, total length 7,97km and is part of E-75 highway section passing through Serbia from Leskovac (Grabovnica) to FYROM border (Cukarka village).

The highway includes two carriageways, 10,7m wide, with medium green zone, 4m wide, two shoulders of 1m (total width of 27,40m), and a number of bridges and one interchange - Bujanovac 1.

Construction on this section includes works on: Bridges, Overpasses, Slab top culverts, Road construction works, Drainage, Electrical works, Horticultural, Lighting system for Bujanovac 1 interchange, Local roads, Traffic signalization, Traffic signalization-redirection, Structures, Telecommunication and Water stream regulations.

## **7. Number and titles of lots**

Not appropriate.

### **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] involved into construction business, 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 Hellenic Plan for the Economic Reconstruction of the Balkans (HiPERB) under which the contract is financed (see also heading 22 below). All works, supplies and services under this contract must originate in one or more of these countries. Participation is also open to international organisations. The 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 to contract procedures for EC external actions**.

## **10. Number of tenders**

Tenderers may submit only one tender. Tenders for parts 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. 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 700.000 euro 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 10% 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**

An optional information meeting and site visit will be held on July 1, 2010 in Vranje. Contact person for confirmation of attendance Ms Jasna Filipovic, phone +381 11 3344 174, fax +381 11 3248 682.

## **14. Tender validity**

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

## **15. Period of construction:**

Construction period is 30 months including 12 months of the Defect Notification Period.

## SELECTION AND AWARD CRITERIA

### 16. Selection criteria

All tenderers must provide the information and documents with their tenders according to the requirements given in Instructions to tenderers, section 12.

All tender must comprise the following information and duly completed documents:

- Tender form and appendix, in accordance with the forms provided in Volume 1, section 2;
- Documentation as required in the questionnaire in Volume 1, Section 4, including all forms attached;
- Bill of quantities/Breakdown of the overall price, detailed breakdown of prices, Schedule of Adjustment Data, in the form provided in Volume 4; The prices filled in the detailed breakdown of prices section of the volume 4 are deemed to have been determined on the basis of the conditions in force 30 days prior to the latest date fixed for submission of tenders. The price breakdown shall be used when required for any purpose under the contract, notably to provide the coefficients for the application of the price revision formula referred to in article 13.8 of the General Conditions.
- Cash flow statements;
- Copies of the most recent documents showing the organisation chart, legal status and place of registration of the headquarters of the tenderer, a power of attorney empowering the person signing the tender and all related documentation. These documents must correspond to the forms in Volume 1, Section 4 of the tender dossier:
  - general information about the tenderer (Form 4.1)
  - organisation chart (Form 4.2)
  - Power of Attorney (Form 4.3).
- Evidence showing that the liquid assets and access to credit facilities are adequate for this contract, confirmed by a financial statement for the last 3 years, verified by a chartered accountant. This evidence must be provided using Form 4.4 Financial statement, in Volume 1, Section 4 of the tender documents.
- Financial projections for the two years ahead. This information must follow Form 4.4 Financial statement, provided in accordance with Volume 1, Section 4 of the tender documents.
- Financial identification form (Form 4.5a, Volume 1) and Legal Entity File (Form 4.5b, Volume 1). Where the tenderer has already signed another contract financed by the European Community, it may provide instead of the forms and its supporting documents either the file numbers received or copies of the forms provided on that occasion, unless a change occurred in the meantime.
- Information about the tenderer's technical qualifications. This information must follow the forms in Volume 1, Section 4 of the tender documents and include:
  - a presentation of the tenderer's organisation, including the total number of staff employed (Form 4.6.1.1),
  - a list of the staff proposed for the execution of the contract, with the CVs of key staff (Forms 4.6.1.2 and 4.6.1.3),
  - a list of plant for execution of the contract. The descriptions must demonstrate the tenderer's ability to complete the works and should include inter alia:

No.	Equipment Type and Characteristics	Minimum Number required
1	Hot asphalt mixing plant, min capacity 150 t/h (can be replaced with two of min capacity 80 t/h)	1 piece
2	Wheeled asphalt paver, electronically/laser guided blade, width min 7 m, laying capacity 50 t/hour	2 pieces
3	Concrete batching plant, min capacity 50 m <sup>3</sup> /h	1 piece
4	Concrete pump, min capacity 25 m <sup>3</sup> /h	2 pieces
5	Excavators, min capacity 1 m <sup>3</sup>	6 pieces
6	Bulldozers, min capacity 15 t or 200HP	5 pieces
7	Loaders, min capacity 1 m <sup>3</sup>	5 pieces
8	Trucks, capacity 10-20 t	25 pieces
9	Transport Mixer for concrete, 5 m <sup>3</sup>	4 pieces
10	Rubber wheel rollers, min capacity 10 t	4 pieces
11	Steel wheel rollers, min capacity 10 t	8 pieces

The tenderer must indicate whether such equipment is owned, hired or used by a subcontractor. Manufacturer's documents fully describing the equipment must be submitted with the tender (Form 4.6.2);

- a list of materials and any supplies intended for use in the works, stating their origin;
  - a work plan with brief descriptions of major activities (Form 4.6.3), showing the sequence and proposed timetable for the implementation of the tasks. In particular, the proposal shall detail the temporary and permanent works to be constructed. The tenderer must take account of the prevailing weather conditions and the requirement to prepare "As-built" designs/drawings. Obligation of the Contracting Authority is to obtain building permits prior to the execution of construction works. The tenderer must also submit a comprehensive method statement, with drawings if necessary, showing the methods by which it proposes to carry out the works. In particular, the tenderer must indicate the numbers, types and capacities of the plant and personnel it proposes to use on the major activities of work;
  - a critical milestone bar chart showing times and duties allocated for employees for this contract (Form 4.6.3);
  - data concerning subcontractors and the percentage of works to be subcontracted (Form 4.6.3);
  - evidence of relevant experience in execution of works of a similar nature, including the nature and value of the relevant contracts, as well as works in hand and contractually committed (Form 4.6.4). The evidence shall include successful experience as the prime contractor in construction of project of the same nature and complexity comparable to the works concerned by the tender during the last five (5) years;
  - information regarding the proposed main site office (Form 4.6.3);
  - an outline of the quality assurance system(s) to be used (Form 4.6.7).
  - if applicable, information about tenderers involved in a joint venture/consortium (Form 4.6.5);
  - details of their litigation history over the last five (5) years (Form 4.6.6);
  - details of the accommodation and facilities to be provided for the Supervisor (Form 4.6.8), to comply with the requirements stated in Volume 4, Bill of Quantities;
  - any other information (Form 4.6.9).
- Proof documents, declarations and undertakings according to clauses 3.1-3.6 above. These documents should cover all members of a joint venture/consortium and all subcontractors to tenderers as specified.
  - Unless otherwise provided in the contract, all materials, equipment and services to be supplied under the contract must originate in a Member States 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 specified in clause 3.1 above. Tenderers must provide an undertaking signed by their representative certifying their compliance with this requirement.
  - For these purposes, "origin" means the place where the materials and/or equipment are mined, grown, produced or manufactured and/or from which services are provided. The origin of goods must be determined according to the Community Customs Code or the international agreements to which the country concerned is a signatory.
  - Modifications (if any);
  - Tender guarantee, in the form provided in Volume 1, Section 3.
  - Statements
    - Statement that Tenderer possess or will apply, following the award of the contract, for the relevant license for performance of construction works at the relevant ministry and under the Laws of the Republic of Serbia in particular for motorways, arterial and regional roads, traffic connections to motorways, arterial and regional roads; for construction works on roads (I131G2) and for construction of structures - bridges (I132G1), before the start of works. The Employer will provide required assistance to the Contractor in obtaining such licenses and any undue delays caused in the issuance of the licenses which is beyond the control of the Contractor will be taken into account for suitable extension of the time for completion of the contract without any penalties or damages to the Contractor.
    - Statement that if the Tenderer wins the Contract he will have among his personnel suitable qualified engineers who have or will apply for the licenses for performance of relevant construction works at the Engineering Chamber of Serbia before the start of works, in particular personal licenses 410 and 412 or 415.

In order to be considered eligible for the award of the contract, tenderers must provide evidence that they meet the selection criteria. This evidence must be provided by tenderers in the form of the information and

documents described in Sub-clause 12.1 given in Instruction to tenderers and in whatever additional form tenderers 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. The selection criteria for each tenderer are as follows:

- The Tenderer must be a firm or a legal person duly registered as per the national law and/or accordingly authorized to carry out the works specified by this contract as a professional body. Similarly all members of the Joint-Venture/Consortium must be firms or legal persons duly registered as above.

Economic and financial capacity of candidate:

Minimum average annual turnover of thirty five million Euro (35 million Euro), calculated as total certified payments received for construction contracts in progress or completed, within the last three (3) years. The tenderer, either individual or Joint Venture/Consortium, must have access to sufficient credit and other financial facilities to cover the required cash flow for the four months period during the contract. In any case, the amount of credit available must exceed the equivalent of five million Euro (5 million Euro). This requirement should be proved through the required reference/certificate (4.4.6) in Form 4.4.

Technical and professional capacity of candidate:

The tenderer must have completed projects of the same nature and complexity comparable to the works related to the tender over the last 5 years and specifically:

- total length of 20 km highways or 40 km of national road construction works,
- total length of one branch bridges 400 m, one of the bridges with length of at least 100 m, with more than one span, the longest of which shall be at least 40 meters.

Participation as contractor, management contractor, or subcontractor, in at least one (1) contract within the last five (5) years, with a value of at least twenty-five million (25 mil. EUR), that have been successfully and substantially completed and that are similar to the proposed Works. This experience shall be proved through taking over certificates from the adequate contracting authorities.

Non – fulfilment of the requirements of the aforementioned experience will result in the disqualification of the tenderer.

Regarding Technical and professional capacity of candidate for the aforementioned projects, (using the mean rate of exchange applicable when the contracts were carried out) their total amount shall be equivalent to at least twenty five million Euro (25 million Euro), and additionally for each of them (proposed projects) the amount shall be equivalent to ten million Euro (10 million Euro).

For the above or other contracts executed within any of last five (5) years, a minimum experience in the following key activities should be executed by tenderer:

- earthworks and rock excavation 200.000 m<sup>3</sup>/year
- asphalt production and laying 100.000 t/year
- production and built in structural concrete 10.000 m<sup>3</sup>/year

The Tenderer, either individual or joint venture/consortium, must carry out at least 60 % of the contractual works by his own resources, which means that he must own or hire the equipment, materials, human and financial resources necessary to enable him to carry out that percentage of the contract. The leader party in a joint venture/consortium must have the ability to carry out at least 50 % of the contractual works by his own means. If it is a partner of a joint venture/consortium (i.e. not the lead member) it must have the ability to carry out at least 20 % of the contract works by its own means. Fulfilment of these requirements shall be proved by submitting documents on available resources, i.e. materials and financial resources in the relevant percentage.

The Key personnel must fulfil the following requirements:

Project Manager shall have a university degree in civil engineering and at least 15 years of experience of which: at least 7 years spent having a project management role on highway construction projects in the project management, overall administration, financial administration and control of highway construction projects; and 2 of them should have been carried out in accordance with FIDIC or

equivalent Conditions of Contract; knowledge of English is essential with good written and oral skills, as well as computer literacy in Microsoft Office applications.

Site Manager shall have a university degree in civil engineering and at least 12 years of experience of which: at least 7 years spent in an on-site technical management position on highway construction projects; and at least 5 years should have been spent working in a similar senior managerial position in the construction management and administration, and 2 of them should have been carried out in accordance with FIDIC or equivalent Conditions of Contract; knowledge of English is essential with good written and oral skills, as well as computer literacy in Microsoft Office applications.

Earthworks Manager shall have a university degree in civil engineering and at least 10 years of experience of which: at least 5 years spent in an on-site technical management position on road construction projects; and at least 5 years should have been spent working in a similar senior managerial position in the construction management and administration, and 2 of them should have been carried out in accordance with FIDIC or equivalent Conditions of Contract; knowledge of English is essential with good written and oral skills, as well as computer literacy in Microsoft Office applications.

Bridge and Structural Works Manager shall have a university degree in civil engineering and at least 10 years of experience of which: at least 5 years spent in an on-site technical management position on construction projects; and at least 5 years should have been spent working in a similar senior managerial position in the construction management and administration, and 2 of them should have been carried out in accordance with FIDIC or equivalent Conditions of Contract; knowledge of English is essential with good written and oral skills, as well as computer literacy in Microsoft Office applications.

Pavement Works Manager shall have a university degree in civil engineering and at least 10 years of experience of which: at least 5 years spent in an on-site technical management position on road construction projects; and at least 5 years should have been spent working in a similar senior managerial position in the construction management and administration, and 2 of them should have been carried out in accordance with FIDIC or equivalent Conditions of Contract; knowledge of English is essential with good written and oral skills, as well as computer literacy in Microsoft Office applications.

Environmental Manager shall have a university degree in civil engineering and at least 10 years of experience of which: at least 5 years spent in road projects especially in supervising the environmental issues, control and monitoring of environmental impacts, health and safety issues; and at least 3 years spent in preparation of EIAs and EMPs.

Quality Assurance Manager shall have a university degree in civil engineering and at least 10 years of experience: in highway projects especially in quality assurance, quality control, international standards of quality control and quality management; knowledge of English is essential with good written and oral skills, as well as computer literacy in Microsoft Office applications.

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.

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

- The tender must include all the information required by Sub clause 12.1 above for each member of the joint venture/consortium and the summary data for execution of works by the tenderer.
- The tender 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. See Form 4.6.5 in Volume 1 and the tender form.

- 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.

#### **17. Award criteria**

Subject to eligibility and qualification, the Contracting Authority will award the contract to the tenderer whose tender has been determined to be substantially responsive to the tender documents and who has offered the lowest Evaluated Tender Price.

### **TENDERING**

#### **18. How to obtain the tender dossier**

The tender dossier is available from Koridor 10 d.o.o. (K10DOO), 19a, Vojkoviće Street, Floor VI, Room No. 1, 11000 Belgrade, every working day from 10:00 to 15:00 (CET), upon payment of 300 Euro (three hundred Euro) or 30,000 RSD (thirty thousand RSD), which excludes courier delivery. If requested tender dossier will be promptly dispatched by courier but no liability can be accepted for loss or late delivery. It is also available for inspection at the premises of the Contracting Authority, address as in point 5 above. Tenders must be submitted using the standard tender form included in the tender dossier, whose format and instructions must be strictly observed. The method of payment will be direct deposit to:

Recipient: Koridor 10 d.o.o.

Account No. 160-318918-33, code of payment 221

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Bank: Banca Intesa AD Belgrade

Instructions for payment of the amount in foreign currency:

FIELD 32A:	VALUE DATE-EUR-AMOUNT
FIELD 50K:	ORDERING CUSTOMER
FIELD 56A: (INTERMEDIARY)	BCITITMM
FIELD 57A: (ACC. WITH BANK)	DBDBRSBG
FIELD 59: (BENEFICIARY)	RS35160005010021688104
FIELD 70:	DETAILS OF PAYMENT

Tenderers with questions regarding this tender should send them in writing: by post, fax or e-mail: 19a, Vojkoviće Street 11000 Belgrade, fax +381 11 3248 682. or to [n.ivanisevic@koridor10.rs](mailto:n.ivanisevic@koridor10.rs) (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.

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

Delivered to:

Koridor 10 d.o.o.

19a, Vojkoviće Street

11000 Belgrade, Republic of Serbia

Before: 12:00 (CET) on September 7, 2010.

Any tender received after this deadline will not be considered.

#### **20. Tender opening session**

Tenders will be opened the same day and address indicated in item 19, at 13:00 (CET).

#### **21. Language of the procedure**

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

## **22. Legal basis**

Agreement on a Five Year Development Cooperation Programme 2002-2006 as this was subsequently extended to the year 2011, between the Government of the Hellenic Republic and the Government of the Republic of Serbia. The tender documentation and the procedure reflects the bilateral Agreement between the Governments of the Hellenic Republic and the Government of the Republic of Serbia and is in accordance, as required, with the general context of EC External Actions procedures.