

SERVICE CONTRACT NOTICE

Site supervision for works

Location – Chisinau/Republic of Moldova

1. Reference

COMINF/3.1/1-3.3

2. Procedure

Competitive negotiation procedure

3. Programme title

Joint Operational Program Romania - Republic of Moldova for the ENI Cross-Border Cooperation Programme for the years 2014-2020

4. Financing

Grant Contract no. 87467/28.06.2019

5. Contracting Authority

Ministry of Internal Affairs, represented by Information Technology Service, Republic of Moldova

CONTRACT SPECIFICATION

6. Nature of contract

Fee-based

7. Contract description

This contract is established between the **Ministry of Internal Affairs, represented by Information Technology Service, Republic of Moldova** the “Contracting Authority” and “the service **provider**” and the purposes of this contract are as follows:

- Perform daily monitoring and control of the conformity of the construction works, the materials used, the equipment delivered with the requirements from the project documentation, with the norms and regulations in the field of construction,
- To monitor the compliance of the methodological and technological indications, with the contractual obligations of the construction companies subcontracted by the beneficiary for realization of the works for each lot.
- To control the volumes and costs of the performs works, that will be the subject of payments, according to the project documentation and the estimated costs;
- To carry out the checks provided for the technical regulations and to sign the documents drawn up as a result of the checks.

- To ensure the delivery to the Beneficiary of the documents of reception and of the technical book of the construction after the final reception.

8. Number and titles of lots

One lot only

9. Maximum budget

[MDL] 634 000

CONDITIONS OF PARTICIPATION

10. Eligibility

Participation is open to all natural persons who are nationals of and legal persons [participating either individually or in a grouping (consortium) of tenderers] which are effectively established in a Member State of the European Union or in a eligible country or territory as defined under the Regulation (EU) N°236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable Instrument under which the contract is financed (see also heading 22 below) . Participation is also open to international organisations. All supplies under this contract must originate in one or more of these countries. However, they may originate from any country when the amount of the supplies to be purchased is below 100,000 euros per purchase.

11. Number of tenders

No more than one tender can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting a tender). In the event that a natural or legal person submits more than one tender, all tenders in which that person has participated will be excluded.

12. Grounds for exclusion

As part of the tender, tenderers must submit a signed declaration, included in the tender form, to the effect that they are not in any of the exclusion situations listed in Section 2.3.3. of the **Practical Guide**.

13. Sub-contracting

Subcontracting is allowed.

PROVISIONAL TIMETABLE

14. Provisional commencement date of the contract

The contracts will be signed once the works start.

15. Implementation period of the tasks

During the execution of the constructions and the final reception of the works:

Maximum 12 months of execution of the works (is estimated to start the works in quarter III, 2021);

SELECTION AND AWARD CRITERIA

16. Selection criteria

The following selection criteria will be applied to the tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole. if not specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

1) Economic and financial capacity of the tenderer (based on item 3 of the tender form). In case of tenderer being a public body, equivalent information should be provided. The reference period which will be taken into account will be the last three years for which accounts have been closed.

Criteria for legal and natural persons:

1. Annual revenues recorded in the last three years (2017, 2018, 2019), with a minimum value equal to the amount of the offer, confirmed by financial reports / income statements.
2. Lack of debts to the public budget, confirmed by the tax administration.
3. Available financial resources (min. 10% of the offer value), confirmed by account statement and / or bank certificate.

2) Professional capacity of the tenderer (based on items 4 of the tender form).

The reference period which will be taken into account will be the last three years from submission deadline.

Criteria for legal and natural persons:

1. has experience in construction and supervision of works, minimum 3 years.
2. has staff employed for the areas related to this contract.

3) Technical capacity of candidate (based on items 5 and 6 of the tender form). The reference period which will be taken into account will be the last three years from submission deadline.

Criteria for legal and natural persons:

1. The staff involved must be certified for the works included in the lot for which the tender is submitted, with the presentation of certificates and identification cards issued by the competent authorities, valid at the time of submission of the tender for those areas:

- “Civil constructions”, “Outdoor electrical installations and networks”, “Water supply and sewerage installations and networks”, “Telecommunication installations and networks”, “Indoor electrical installations and networks”, “Technical Supervisor”.

2. The proposed staff will have:

Qualifications and skills

- - Reporting skills and knowledge in the field of construction (confirmed by CV and based on the interview).

General professional experience

- Minimum 5 years of general professional experience in the field of construction (CV and other certificates)

Specific professional experience

- - At least 3 years of experience in supervising the works (CV and other documents proving the experience)

- Minimum 2 letters of recommendation.

Candidates must be independent of the companies carrying out the construction works, to be supervised and not have conflicts of interest in the responsibilities assumed.

Previous experience which would have led to breach of contract and termination by a Contracting Authority shall not be used as reference. This is also applicable concerning the previous experience of experts required under a fee-based service contract.

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 a commitment 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 - notably that of nationality - and must fulfil the same relevant selection criteria as the economic operator. With regard to technical and professional criteria, an economic operator may only rely on the capacities of other entities where the latter will perform the works or services 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.

Factors that will be considered during the reviews are:

1. The largest number of service contracts, which meet criterion 3.2
2. The largest number of years of supervision of the works by the proposed experts

17. Award criteria

Best price-quality ratio.

The most advantageous offer is established by evaluating the technical quality in relation to the price at 80/20

TENDERING

18. Deadline for receipt of tenders: Accordingly to AIS RSAP

The deadline for receipt of tenders is specified in point 8 of the Instruction to Tenderers.

19. Tender format and details to be provided

Tenders must be submitted using the standard tender form for Competitive Negotiated Procedures, the format and instructions of which must be strictly observed. The tender form is available from the following Internet address: <http://ec.europa.eu/europeaid/prag/annexes.do?group=B> , under the zip file called Simplified Tender dossier.

The tender must be accompanied by a declaration of honour on exclusion and selection criteria using the template available from the following Internet address:

<http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A>

Any additional documentation (brochure, letter, etc.) sent with a tender will not be taken into consideration.

20. How tenders may be submitted

Tenders must be submitted in English or Romanian exclusively to the Contracting Authority, using the means specified in point 8 of the Instructions to Tenderers.

An offer may be submitted for one lot, two or all lots clearly stating of the amount, the distribution of days and experts on each lot.

Tenders submitted by any other means will not be considered.

By submitting a tender tenderers accept to receive notification of the outcome of the procedure by electronic means.

21. Alteration or withdrawal of tenders

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

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with point 8 of the Instructions to Tenderers. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

22. Operational language

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

23. Legal basis

- EU Regulation no. 232/2014 establishing a European Neighbourhood Instrument including all subsequent modifications and additions;
- Commission Implementing Regulation (EU) No 897 /2014 of 18 August 2014 laying down specific provisions for the implementation of cross-border cooperation programmes financed under Regulation (EU) No 232/2014 of the European Parliament and the Council establishing a European Neighbourhood Instrument including all subsequent modifications and additions;
- 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 including all subsequent modifications and additions including all subsequent modifications and additions;
- Commission Implementing Decision of 17.12.2015 approving the Joint Operational Programme including all subsequent modifications and additions;
- Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002, including all subsequent modifications and additions;
- Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union including all subsequent modifications and additions;

- REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);
- Financing Agreement concluded between the Government of Republic of Moldova and the European Commission as of December, 2016;