

INTERNATIONAL INVITATION FOR PREQUALIFICATION (SERVICE CONTRACT)

Federation of Bosnia and Herzegovina Water and Sanitation Project

Central Supervision over Works

Federal Ministry of Agriculture, Water Management and Forestry (FMAWMF)

Procurement Reference:	09-2-28-1206-129/15
Country:	Bosnia and Herzegovina – Federation of BiH
Funding Sources:	EIB, EU, Swedish International Development Cooperation Agency (SIDA), BiH Federal Environmental Fund and municipal budget
Contract Type:	Consultancy Services
Notice Type:	Invitation for Prequalification
Issue Date:	March 13, 2018
Closing Date:	April 13, 2018

The Federal Ministry of Finance and Treasury (MFT) (hereinafter referred to as "the Borrower") and the Federal Ministry of Finance (FMF) and the Federal Ministry of Agriculture, Water Management and Forestry (FMAWMF) (both as "the Entity") has signed a Finance Agreement to receive a loan from the European Investment Bank – EIB (hereinafter referred to as "the Bank") – towards the cost of the Project “Federation of Bosnia and Herzegovina Water and Sanitation”. This International Invitation for Prequalification relates to one of the components of the project, namely the contract for “Central Supervision over Works of the Project Water and Sanitation in the federation BiH”. This contract shall be signed and implemented by FMAWMF (hereinafter referred to as "the Promoter").

Project Definition

The overall objective of the “Water and Sanitation FBiH Project” is to develop an EU-standard Integrated Sustainable Water and Wastewater Management scheme in Federation of Bosnia and Herzegovina (FBiH). The Project concerns priority investment schemes for water and sanitation within the territory of the FBiH.

For the execution of the Project, a Finance Contract was signed in two steps by Bosnia and Herzegovina (MFT as the Borrower and FMF and FMAWMF as the Entity) in Sarajevo on 15 July 2008 and the EIB representatives in Luxembourg on 18 August 2008.

Pursuant to the Contract, the Federation of BiH undertakes to implement the project consisting of investment schemes to be carried out by the municipalities included into the project within the FBiH through the FMAWMF and FMF using the loan funds in the amount of EUR 60 million and the equal amount of own contribution of the municipalities involved, which according to the Contract total 121.3 million EUR.

Considering that the provision of own funds in the amount of 50% for investment schemes is a difficult requirement to meet by the municipalities, even under normal recession-free circumstances, the Delegation of the European Commission in BiH acknowledged the joint approach taken by the NIPAC of BiH, FMAWMF, FMF and EIB that this Project should be supported by grants from pre-accession and other funding instruments (IPA, IPF, etc.).

The grant resources available to the Project either from the EU from different funding instruments or from other bilateral funding agencies like SIDA shall be under the management of EIB. The agreement for the transfer and implementation of these funds (IPF-MW 2008, IPA 2009 and SIDA) has been signed between EIB and EU.

Considering that the purpose of the Project is to use the resources (EIB loan, grants and own funds of the municipalities) to ensure the implementation of measures contributing to the improvement of infrastructure and provision of services aimed at adequate (both in terms of quality and quantity) water supply and wastewater treatment in the municipalities included in the project. The priority investment schemes shall be implemented in the following municipalities:

1. **Orašje**
2. **Velika Kladuša**
3. **Bosanski Petrovac**
4. **Bosanska Krupa**
5. **Široki Brijeg**
6. **Tomislavgrad**
7. **Mostar**
8. **Jajce**
9. **Prozor Rama**
10. **Čitluk**
11. **Glamoč**
12. **Tešanj**
13. **Dobog Jug**
14. **Bosansko Grahovo**
15. **Konjic**
16. **Usora**
17. **Gračanica**
18. **Lukavac**
19. **Kupres**
20. **Gornji Vakuf Uskoplje**

Contract Description

The Borrower intends prequalifying firms and joint ventures to tender for the Contract to be funded from part of the proceeds of the loan. The scope of the Contract shall be the 20 municipalities listed above.

This contract shall include, but not be limited to, the following services:

Central Supervision of works: The Consultant shall provide full supervisory services during construction and Defect Notification Period and shall act, for each respective Municipality, as the Engineer to each contract carried out under FIDIC contract conditions, and as the Supervisor for each contract carried out under Local Contract Conditions (FBiH CCC), as specified in or necessarily implied from the Contract as well as administer the Contract, dealing with situations in accordance with the Contract and taking due regard of all relevant circumstances. The services will

also include an approval of the Contractor's design for the design and build contracts (in particular for the treatment works), issuing variations and reporting and assessing the claims from the Contractor.

Commencement Date and Duration:

It is anticipated that the assignment will start in August 2018 with the duration of 46 months (including DNP) .

Estimated value of works: EUR: 57 million (*Exclusive of VAT.*)

Maximum budget for the service contract: EUR 1,710,000 (*Exclusive of VAT*)

Eligibility:

There are no eligibility restrictions. The EIB shall not provide finance, directly or indirectly, to or for the benefit of, award a contract under any EIB Project to, or enter into any relationship with, an individual or entity who is subject to financial sanctions imposed by the European Union pursuant to Chapter 2 of Title V of the Treaty on European Union or article 215 of the Treaty on the Functioning of the European Union, either autonomously or pursuant to the financial sanctions decided by the United Nations Security Council on the basis of article 41 of the UN Charter.

Consultant's Profile:

All physical and legal entities 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 members of a consortium (i.e. the leader and all other members) are jointly and severally liable to the Promoter.

The participation of an ineligible physical and legal entity shall result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

No more than 1 application can be submitted by a physical and legal entities whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting an application). In the event that a natural or legal person submits more than 1 application, all applications in which that person has participated will be excluded.

The Consultant should have substantive experience and knowledge in administrative management, procurement, design and supervision of similar construction works and acquiring equipment for the projects in similar climatic and geological conditions. The Consultant should also have a sound knowledge of the local legislation concerning construction.

The Consultant shall employ suitably qualified engineers and other professionals who shall be competent to carry out any/or all of the duties in accordance with the responsibilities and/or authorities that are specified for this assignment. It is recommended that a part of the consultancy input will be carried out by staff with local experience in BiH or in Western Balkans and who are able to communicate in the local languages.

The Consultant shall consider the prospective peaks of the construction activities and ensure the adequacy of staff levels during such periods.

The Consultant shall mobilize, in addition to other engineers or professionals as may be deemed necessary and appropriate, other various key personnel, who shall be responsible for tendering and tender evaluation, the review and approval of the Contractor's Design and subsequent supervision of the execution of the works.

Subcontracting:

Subcontracting is allowed.

Maximum percentage of the contract value which may be subcontracted: 15 %.

Pre-qualification Criteria:

The following selection criteria will be applied to all candidates. In the case of applications submitted by a consortium, the lead partner shall meet not less than 50 percent of all the qualifying criteria for financial and technical capacity. The consortium must satisfy collectively the criteria for professional capacity, for which purpose the relevant figures for each of the partners shall be added to arrive at the consortium's total capacity:

1) Economic and financial capacity of candidate:

The average annual turnover of the candidate must exceed EUR 2,000,000 (two million) for the last 3 financial years (2017, 2016 and 2015).

2) Professional capacity of candidate:

At least 15 permanent staff in the last 3 years working for the candidate in the fields related to this contract.

The candidate should have a back-up capacity other than the team to conduct the tendering and supervision work.

The candidate should have given the company organization and company description in his application.

3) Technical capacity of candidate:

1. The candidate should have successfully completed at least 2 service contracts in the last 6 years prior to the submission deadline of this application (from April 2012 to April 2018) (the following sub-criteria can be covered either under single projects or separate projects for each sub-criterion under separate references):

a) for/including supervision and design in the environment sector with a minimum value of **EUR 1,350,000** (one million three hundred fifty thousand) excluding VAT in a single project (proportion carried out by the candidate);

b) for/including construction supervision for a waste water treatment plant Construction or Design-Build project having a minimum capacity of 5 000 m³/day;

c) for/including construction supervision for a project including construction of a minimum of 100 km of pipeline works including drinking water, sewerage, in a single programme; and

e) for/including construction supervision for any kind of construction which is governed by FIDIC contract conditions including both Red and Yellow Books.

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. If the candidate relies on other entities it must in that case prove to the Promoter 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. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the Promoter.

Number of candidates to be shortlisted:

On the basis of the applications received, at least 5 and at most 8 candidates will be invited to submit detailed tenders for this contract. If the number of eligible candidates meeting the selection criteria is less than the minimum of 5, the Promoter may invite the candidates who satisfy the criteria to submit a tender.

If more than 8 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 8 best applications for the tender procedure. The only factor which will be taken into consideration during this re-examination is:

— the cumulative value of the budget (in euro) of the service contracts (proportion carried out by the candidate) fulfilling technical capacity criterion 3.1(a).

Language:

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

Submission Requirements

Interested firms are hereby invited to submit expressions of interest to the address below, on or before **April 13, 2018**, (15:00 local time). Documents which are received late shall be rejected and returned unopened.

One original and 2 numbered copies of the EoI in English (for the mandatory template see below) should be submitted by recorded delivery or hand-delivered (upon a signed and dated receipt) to the Promoter in an envelope sealed and marked.

Interested firms may obtain the necessary templates for the EoIs by mail from the following contact:

Federal Ministry of Agriculture, Water Management and Forestry

PMU – Project Management Unit

Contact person:

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Address: Marka Marulića br. 2 ,

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