document for completion by the contracting authority

to be submitted as **ANNEX to the tender dossier**

**WORKS CONTRACT NOTICE**

**Installation of the bike trail equipment and infrastructure**

**City of Sombor**

1. **Reference**

DTP2-0002-2.2 TD4

1. **Procedure**

Simplified

1. **Programme title**

Interreg Danube Transnational Programme

1. **Financing**

The project is co-financed by the European Union, in accordance with the rules of Interreg Danube Transnational programme.

The project is co-financed by the City of Sombor.

1. **Contracting authority**

City of Sombor

Trg Cara Urosa 1

25 000 Sombor

**CONTRACT SPECIFICATIONS**

1. **Nature of contract**

**Lump-sum**

1. **Description of the contract**

The subject of this contract is installation of the bike trail equipment and infrastructure in the City of Sombor, necessary for actual implementation of Amazon of Europe (AoE) Bike Trail project, financed under Interreg Danube Transnational Programme. The Contractor shall install: resting points for bikers with shelter, info boards with details about the while trail, related section, and relevant natural and cultural attractions and signposts along the AoE Trail Route Plan (50 km around the Sombor), based on common AoE brending and design (previously developed project result – Trail Implementation Standards).

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

08.01.2021.

1. **Period of implementation of tasks**

60 days

**TERMS OF PARTICIPATION**

1. **Eligibility and rules of origin**

Participation in this tender procedure is open only to the invited tenderers.

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) No 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 17 below). Participation is also open to international organisations. All goods purchased under the contract must originate from an eligible source country as defined above. However, the goods to be purchased may originate from any country, whenever the total price of the estimated quantity of those goods, as reflected in a separate item of the breakdown of the lump-sum price (Volume 4.2.3) is below EUR 100 000.

1. **Subcontracting**

**Subcontracting is allowed.** Subcontractors, suppliers and entities upon whose capacity the tenderer relies for the selection criteria, must be eligible in respect of the rules on nationality and origin for the financing programme detailed in Section 10 above.

1. **Grounds for exclusion**

Natural persons, companies or undertakings falling into a situation set out in Section 2.6.10.1.1. (‘exclusion from participation in procurement procedures’) and Section 2.6.10.1.2. (‘rejection from a given procedure’) of the practical guide, are not entitled to participate in this tender procedure or be awarded a contract. Should they do so, their tender will be considered unsuitable or irregular respectively. Tenderers must provide declarations to the effect that they are not in any of the exclusion situations listed in Section 2.6.10.1. of the practical guide. The declarations must cover all the members of a joint venture/consortium. Tenderers guilty of making false declarations may also incur financial penalties up to 10% of the value of the contract and exclusion in accordance with the Financial Regulation in force.

Those exclusion situations apply to all members of a joint venture/consortium, all subcontractors and all suppliers to tenderers, as well as to all entities upon whose capacity the tenderer relies for the selection criteria.

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.

1. **Number of tenders**

Tenderers may submit only one tender. Tenders for parts of the works will not be considered. Tenderers may not submit a tender for a variant solution in addition to their tender for the works required in the tender dossier.

**SELECTION AND AWARD CRITERIA**

1. **Selection criteria**

### In order to be eligible for the award of the contract, tenderers must provide evidence that they meet the selection criteria. If a tender is submitted by a consortium, unless specified, the selection criteria will be applied to the consortium as a whole.

The selection criteria for each tenderer are as follows:

***14.a Economic and financial capacity of candidate:***

**-** the average annual turnover of the tenderer in the past 3 years must be at least the same or higher than tenderer financial offer for this contract

***14.b Technical and professional capacity of candidate:***

**-** it must have completed at least one projects of the similar nature/amount/complexity as the works **concerned** by the tender and implemented during the following period: 5 years counting from the submission deadline. 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

**-** it must have at least one employed civil engineer with appropriate licence issued or certified by Serbian Chamber of Engineers in line with Serbian Law for Construction

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. 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 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 provided 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.

Financial data to be provided by the tenderer in relation to the selection criteria must be expressed in EUR. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to EUR shall be made in accordance with the InforEuro exchange rate of November 2020, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.

1. **Award criteria**

The sole award criterion will be the price: the most economically advantageous tender is the technically compliant tender with the lowest price.

**TENDERING**

1. **Ethics clauses**

**The tenderers are subject to the ethics clauses, detailed in Section 2.5.6. of the practical guide.**

1. **Legal basis[[1]](#footnote-2)**

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 .

Regulation (EU, Euratom) No. 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union amending Regulations (EU) No. 1296/2013, (EU) No. 1301/2013, (EU) No. 1303/2013, (EU) No. 1304/2013, (EU) No. 1309/2013, (EU) No. 1316/2013, (EU) No. 223/2014, (EU) No. 283/2014, and Decision No. 541/2014/EU and repealing Regulation (EU, Euratom) No. 966/2012 (‘Financial Regulation’).

Commission Decision (EU) No. 2018/1520 of 9 October 2018 repealing Delegated Regulation (EU) No. 1268/2012 (‘Delegated Regulation’) 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.

Financing Agreement concluded between the Republic of Serbia, the European Commission and the Managing Authority.

1. **Appeals**

Tenderers believing that they have been harmed by an error or irregularity during the award process may file a complaint. See further Section 2.12. of the practical guide.

1. **Early detection and exclusion system**

The tenderers and, if they are legal entities, persons who have powers of representation, decision-making or control over them, are informed that, should they be in one of the situations of early detection or exclusion, their personal details (name, given name if natural person, address, legal form and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the early detection and exclusion system (EDES) and communicated to the persons and entities concerned in relation to the award or the execution of a procurement contract.

1. Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term). [↑](#footnote-ref-2)