

Tender Notice

Contract title: Reconstruction of lighting in Trimusa Park
Project code: BIHP000046
Tender number: BIHC000064
Procedure: Negotiated with publication
Location: Mostar, Bosnia and Herzegovina

Contracting Authority: **Člověk v tísní, o.p.s. (People in Need, hereinafter PIN)**

entered in the Register of Non-profit Organizations administered by the Municipal Court in Prague, Volume O, File 119

With its registered office at: Šafaříkova 635/24, 120 00 Prague 2

ID: 257 55 277

Local Office Address: Maršala Tita 95, 81 000 Mostar, Bosnia and Herzegovina

Represented by Sanja Lepić based on the power of attorney granted by the director

Part 1: Instructions to tenderers

I. SCOPE OF TENDER

1. Qualified tender offers (bids) are sought from competent contractors registered in Bosnia and Herzegovina for the following construction works:

Reconstruction of the lightning of "Trim staza" in Trimuša park in Mostar, Bosnia and Herzegovina.

Attached, in the form of the Tender Notice Annexes, are these technical documents describing requested installations /construction works and related supplies in detail:

- Annex 1 – BoQ Trimuša Park
- Annex 2 – Specific Experience of the Bidder
- Annex 3 – Letter of assurance (template)
- Annex 4 – Stamped and signed eligibility sworn statement (template)
- Annex 5 – List of key staff engaged in the works (template)



- Annex 6 – List of equipment for the implementation of the work (template)
 - Annex 7 – Technical Description of the Project
 - Annex 8 – Drawing of cable laying
 - Annex 9 – Drawing of existing and new concrete foundations
 - Annex 10 – Drawing of Electrical installation
 - Annex 11 – Drawing of Anker for the light pole
 - Annex 12 – Example of the design for the lighting
 - Annex 13 – Example of the design for the light pole
 - Annex 14 – Drawing of the road access and parking
 - Annex 15 – Drawing of the “Trim staza”-lightning project zone
 - Annex 16 – Overview of Cadastre plots within project zone
 - Annex 17 – Overview of cadastre plots, project zone and road access
2. The work in general consist of the provision of materials, equipment, manpower. All specified is requested in the frame of this project in order to make the work complete in every part and detail – as described in technical BoQ Annex 1
 3. Suppliers must offer commodities matching or exceeding the quality specified in Annex 1 – BoQ Trimuša Park
 4. **Quotation:** The Bill of Quantity (BoQ) shall be priced and totalled in **BAM** – and submitted to PIN office as a part of the offer.

The Tenderer shall make sure that all clauses are priced and the calculations are accurate. The Tenderer will bear responsibility for the non-priced clauses and inaccurate calculations in the submitted offer. Price for performance of the work is equal to the sum of the item prices in the Bill of Quantity. Total price prepared by the Tenderer, is one of the evaluation criteria.

The financial and technical offers must be in separated envelopes. The bidders will be disqualified if the financial and technical offers were not in separated envelopes.

5. Payments will be made to the Contractor in the form of instalments as follows:
 - First instalment payment: 15% of the contract value within 7 days from the day of the conclusion of this Contract
 - Every following payment will be made based on the actual situation and works progress, but **not more frequently than monthly**. The progress payment calculation: the percentage of completion applied to the total contract price, less retainage (e.g. 6%, but not less than 5% and not more than 10%) which is held by the project owner until final acceptance of the project.
6. The Contractor is obliged to provide bank guarantee before Contract conclusion for the period of 6 (six) months after the end of Contract.



II. TENDERING

1. **Tender documentation** with detailed instructions for tenderers and forms to be filled by the tenderers can be obtained upon request via email procurement.bih@peopleinneed.net. **Tender forms and instructions included in tender documentation must be strictly followed otherwise the tender offer might be excluded.**
2. If any of the Tenderers **requires any clarification relating to the tender**, such question should be sent to PIN by e-mail to the following e-mail address: procurement.bih@peopleinneed.net If PIN answers the question, **all other Tenderers will be copied the answer. Communication will be held through e-mail.**

To ensure that PIN could copy the answer to all tenderers, all Tenderers are advised to send their e-mail contacts to the above specified PIN e-mail address, or otherwise ensure that PIN knows their contact details.

In case the Tenderer does not inform PIN about corresponding e-mail address PIN will send the copy of the answer to any e-mail address available to PIN from public sources and then the Tenderer cannot claim that they/it did not know the same information as other Tenderers.

Questions could be answered only until Wednesday 19.10.2022 at 12:00 PIN does not guarantee that all questions will be answered.

Tender offers should not be dispatched before expiry of the period for questions under the preceding point II. 2. of this notice - if the Tenderer dispatches the tender offer before expiry of that period they/it cannot claim that they/it did not know all information as other Tenderers.

3. Each Tenderer shall submit only one Tender offer, either individually or as a partner in a joint venture. A Tenderer who submits or participates in more than one Tender offer will be disqualified from the Tender.
4. The Tenderer, at the **Tenderer's own responsibility and risk**, is encouraged to visit and examine the construction site.
5. Tender **offer must remain valid** for the period of **60 days** from the date of closing unless withdrawn in writing before the close of tenders.
6. The contract is concluded with the winning tenderer. Should the winning tenderer fail to provide to PIN the necessary cooperation to conclude the contract within the period of 30 days upon the tender results notice, PIN can further negotiate with the second-best tenderer that shall be considered the winning tenderer. Should they fail to conclude the contract with the second best tenderer within 15 days following the notice, PIN is allowed to cancel the tender. Notice of results shall be deemed the third day following the day of dispatch of the tender results notice.
7. **Sealed** Tender offers have to be submitted to PIN or sent by registered post to reach the PIN office **before closing date and time: Wednesday 26th of October 2022. at 12:00** to following address: PIN Office in Mostar, Maršala Tita 95, 2nd floor, 88 000 Mostar, Bosnia and Herzegovina.



For construction works: please send Bill of quantities with filled in prices – a soft-copy in excel sheet on usb stick and other copy in **PDF format/print out** – in case of discrepancy between the two versions, PDF/printout prevails over excel sheet.

Bids received after the closing date & time will not be considered.

8. Sealed envelope with PIN address should be marked with the following text:

“Reconstruction of the lightning of “Trim staza“ in Trimuša park”

“DO NOT OPEN BEFORE: Wednesday 26th of October 2022. at 12:01

9. Envelope opening session will be held on: 20th of October 2022 at 12:01 venue (address): PIN Mostar Office, Maršala Tita 95, 88000 Mostar.

III. QUALIFICATION AND EVALUATION CRITERIA

1. To accept or reject the tender is the responsibility of the **Tender Committee**, decision of which shall be final.

2. Each tenderer must meet and properly prove the following **qualification criteria** with relevant documentation:

- **Copy of valid Business Registration Certificate** issued by government of Bosnia and Herzegovina and **Certificate of the Fiscal Number** – The Bidder must submit a copy of their certificate documenting authorization to legally conduct work in Bosnia and Herzegovina.
- **Certified copy of the ID** of the responsible person
- **Certificate of residence** for the responsible person
- **Certificate of Non-conviction** for company and for responsible person
- **Solvency certificate of the company** – not older than 30 days
- **Filled, signed and stamped BoQ form – Annex 1**
- **Filled, signed and stamped Specific Experience of the Bidder (Annex 2)**, including the contract information (name, phone number and working email). **To score points during the evaluation process**, the tenderer must submit, for each experience, the project description (name, type of structure, type of works, client, value of contract, implementation period) **and a signed and stamped copy of the final payment certificate and/or a signed and stamped copy of the work completion certificate.**
- **Filled, signed and stamped Letter of Assurance – Annex 3**
- **Filled, signed and stamped Sworn Eligibility Statement – Annex 4**
- **Filled, signed and stamped List of staff (Annex 5)** that the tenderer will use to implement the project. **To score points during the evaluation process**, the tenderer must submit a **signed and stamped copy of the CV** of each proposed key staff personnel.



- **Filled, signed and stamped List of Equipment (Annex 6)** that the tenderer will use to implement the project.
 - **Filled, signed and stamped Work Chronogram** (free form). The PIN work completion time estimation and PIN estimated work chronogram will be disclosed at the opening of the tenderer envelopes.
3. The tender evaluation committee will evaluate and award the contract on the basis of the following **evaluation criteria**

1st stage, Technical Evaluation

The offers will first be evaluated on technical and organizational capacity and after the successful technical evaluation is completed (the ones above 70 points), the committee will open the financial offers of the successful bidders and will apply the 2nd stage of evaluation (Final Evaluation/Selection stage) to define the selected quotation.

The evaluation criteria and scoring for the Technical Evaluation are the following:



No.	Criteria	Requirement					Max Score		
1	Technical Proposal	Adequacy of Technical Proposal in responding to the estimated PIN work completion time and work chronogram					20		
		No.	Parameter			Max. Points			
		1	Work completion time			15			
		2	Work chronogram			5			
2	Specific Experience	Successful experience as a contractor in the execution of at least 3 similar projects, of each valued not less than 40.000 EUR and comparable to the proposed project in size and complexity within the last 5 years. Experience must be supported by evidence and testimonials of the successful competition of the works, from project employers or consultants, in the form of a signed and stamped copy of the final payment certificate and/or work completion certificate.					45		
3	Personnel for the Key Staff Positions	Bidder must demonstrate that it will have the personnel for the key positions that meet the following requirements, providing a signed and stamped CV of the personnel					20		
		Pointing criteria for evaluating Personnel for the key staff positions							
		No.	Position	Staff No.	Education level	Total work Experience		Previous Experience in similar works	Max. Points
		1	Site Manager	1	Civil Engineer Graduate	5 years		2	10
2	Supervisor for Electrical works	1	Electrical Engineer	5 years	2	10			
4	Equipment for the implementation of the contract	The Bidder must demonstrate that it will have available (own or rented) for the implementation of the Contract following equipment listed hereafter:					15		
		Pointing criteria for evaluating equipment required for the implementation of the contract							
		No.	Equipment Type and Characteristics			Minimum number required		Maximum point	
		1	Mini or small excavator			1		5	
		2	Concrete and asphalt cutter			1		5	
3	Truck			1	5				
Max total score						100			



Scoring Criteria	
1 Technical Proposal	1.1 Work completion time 5% +/- compared to estimation: 20 pt. 10% +/- compared to estimation: 16 pt. 15% +/- compared to estimation: 12 pt. 20% +/- compared to estimation: 8 pt. 25% +/- compared to estimation: 4 pt. more than 25% +/- compared to estimation: 0 pt.
	1.2 Work chronogram logical and realistic estimation: 5 pt. not logical and unrealistic estimation: 0 pt.
2 Specific experience	Full documentation submitted: 15 pt./experience Full documentation not submitted: 0 pt./experience Even if more than 3 experiences submitted, no more than 45 pt. can be awarded 1 or no experiences: 0 pt.
3 Personnel for key positions	All criteria satisfied and CV submitted: 10 pt./personnel All criteria not satisfied or CV missing: 0 pt./personnel
5 Equipment	Available: 5pt. Not available: 0 pt.

2nd stage, Final Evaluation/Selection

The tender evaluation committee will award the contract on the basis of the following **evaluation criteria**:

- Price (weight 70%)**
 Evaluation result of this criterion equals to following formula: $(\text{Price A}/\text{Price B}) * \text{criteria weight}$.
 Price A = lowest price from all offers evaluated in the 2nd stage; Price B = actual price offered by the tenderer
- Technical Evaluation (weight 30%)**
 Evaluation result of this criterion equals to following formula: $(\text{No. of points B}/\text{No. of points A}) * \text{criteria weight}$.
 No. of points A = highest number of points from all submitted offers; No. of points B = actual number of points offered by the tenderer

These points will be multiplied by criteria weight. For each supplier marks for all criteria are summed up to obtain Total Evaluation. Supplier with highest sum of marks is the winner of the tender.

In case of equal number of points, the winning bid will be the one with the lowest price.



IV. OTHER PROVISIONS

Further negotiations with a tenderer the about price and conditions are allowed if the negotiation is directed at making the bid more favourable for PIN.

In justified cases after receiving bids and/or during the negotiation (especially if it becomes apparent, that none of the tenderers can execute the contract in its full extent) is PIN entitled to split the contract between two or more suppliers so, that each of them will supply part of the contract. This decision must be announced to all bidders so, that they have chance to modify their bids.

In case additional construction works would prove to be necessary for finalization of the activity for which this tender is published, PIN reserves the right to procure them from the winner of this tender under a negotiated procedure on the basis of a single tender if the potential extension of the contract for a value and duration wouldn't exceed the value and the duration of the initial contract awarded under this tender.

Tenderers will be notified about the results of the tender via e-mail within 7 working days after the termination of the tender.



V. Summary of requirements on tender offer

Tender offer (bid submitted by the tenderer) shall consist of the following documents:

No.	Type of envelope	Document	Remarks
1	Financial Offer	Annex 1– BOQ form	Filled, signed and stamped
2	Technical Offer	Annex 2 – Specific Experience of the Bidder	Filled, signed and stamped
3	Technical Offer	Annex 3- Letter of assurance (template)	Filled, signed and stamped
4	Technical Offer	Annex 4 – Stamped and signed eligibility sworn statement (template)	Signed and stamped
5	Technical Offer	Annex 5 – List of staff engaged in the works (technically qualified for supervision of the construction works, Site Engineer, etc.)	Filled, signed and stamped
6	Technical Offer	Annex 6 –List of equipment for the implementation of the work (should be involved to implement the works in construction site)	Filled, signed and stamped
7	Technical Offer	Specification and design of proposed light pole and light lamp	Submitted
8	Technical Offer	Certificate of Non-conviction	For company and for responsible person
9	Technical Offer	Copy of valid business registration	Submitted
10	Technical Offer	Certified copy of the ID for responsible person	Submitted
11	Technical Offer	Solvency certificate of the company	Not older than 30 days



Part 2: Terms and conditions

I. EXCLUSION AND DISQUALIFICATION

1. PIN shall **exclude from the tender any bid of a tenderer** falling into any of the following cases:

- a) They are **bankrupt** or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) They or persons having powers of representation, decision-making or control over them have been **convicted of an offence** concerning their **professional conduct** by a judgement that has the force of res judicata;
- c) They have been **guilty of grave professional misconduct** proven by any means that the contracting authority can justify;
- d) They have **not fulfilled obligations relating to the payment of social security contributions** or the **payment of taxes** in accordance with the legal provisions of the country in which they are established or those of the Czech Republic or those of the country where the contract is to be performed;
- e) They or persons having powers of representation, decision making or control over them have been the subject of a judgment which has the force of res judicata **for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity**;
- f) They do **engage in the employment of children**, disrespect basic social rights and working conditions based on international labour standards;
- g) They have **engaged in the trafficking in persons** and have **provided any support** (direct or indirect) of **terrorism**, including the financing of terrorism, or transactions with persons connected with terrorism;
- h) They are currently subject to an **administrative penalty** imposed by donor or have been listed by the donor as **ineligible** for participation in award procedures financed by donor's money;
- i) Candidate might be excluded on the basis of another procurement procedure or grant award procedure financed by PIN or donor of the project, under which they have been **declared to be in serious breach of contract** for failure to comply with their contractual obligations;
- j) They or any of their employees, associates or other persons related to them provided technical assistance to PIN under that same procurement procedure.

Points (a) to (d) do not apply to the purchase of supplies on particularly advantageous terms from either a supplier which is definitively winding up its business activities, or the receivers or liquidators of a bankruptcy, through an arrangement with creditors, or through a similar procedure under national law.



Tenderers shall declare they are in none of the situations listed above by the signature of **Sworn eligibility statement** form.

2. Bids of tenderers shall be **disqualified** from the tender who, during the procurement procedure:
 - a) tenderer is subject to a **conflict of interest**;
 - b) tenderer has **not stated true facts** or has misinterpreted information required by PIN, or fails to provide timely such information or to provide required documents stated by PIN as condition for participation in the tender;
 - c) **tenderer does not meet the PIN qualification criteria** or requirements stipulated in the tender documentation.
 - d) tenderer has fulfilled the exclusion condition mentioned above in preceding article (Part 2, Article I.), points c) or i) **during the last 2 years** prior to the launch of the tender.

II. CODE OF CONDUCT FOR SUPPLIERS

In addition to the above conditions for disqualification, Code of Conduct for Suppliers defines all areas that PIN expects all of its suppliers at minimum to respect, and operate in ways that meet fundamental responsibilities in human rights, labour, environment and anti-corruption. The Code of Conduct is defined by the Ten principles of the UN Global Compact¹:

- Support and respect the protection of internationally proclaimed human rights;
- No involvement in human rights abuses;
- Freedom of association and recognition of right to collective bargaining;
- Employment is freely chosen, not forced or compulsory;
- No exploitation of children and child labour;
- No discrimination in respect of employment and occupation;
- Support a precautionary approach to environmental challenges;
- Accept greater environmental responsibility promotion;
- Encourage the development and spread of environmentally friendly technologies;
- Adhering to highest standards of ethical conduct behaviour, including: working against corruption and all its forms, conflict of interest disclosure, respect to local laws.

¹ For more information, see <https://www.unglobalcompact.org/what-is-gc/mission/principles>



III. CANCELLATION OF THE TENDER/NON-CONCLUSION OF THE CONTRACT WITH THE WINNING TENDERER

PIN may cancel the announced tender or not conclude contract with the winning tenderer in the following cases:

	Case	Procedure
a)	PIN has not received any bid , or none of the bids received was qualitatively and/or financially worthwhile or all the bids received have been disqualified from the tender	PIN has the right to cancel tender and proceed according to chapter Application of exemptions (exemption A.b) or A.e)
b)	Major discrepancies have been found in the Tender Notice or other supporting documentation of the tender;	PIN has the right to cancel tender and announce a new tender
c)	Serious circumstances have occurred during the tender which prevent PIN to continue the tender	PIN has the right to cancel tender and proceed according to chapter Application of exemptions (exemption A.a)
d)	Only one bid , complying with the tender conditions, has been submitted	PIN has the right to cancel tender and proceed according to chapter Application of exemptions (exemption A.c)
e)	The winning tenderer refuse to sign contract with PIN, have not stated true facts in their bid or their bid is at dumping price or otherwise jeopardizes free competition in the market (e.g. forbidden supplier agreements, cartels, abuse of the leading position in the market).	PIN is entitled to either accept the bid of the bidder whose bid has ended at the second or other places or cancel the tender and announce a new tender

IV. GENERAL CONDITIONS

1. The **Tenderer shall bear all costs** associated with the **preparation and submission of the Tender**, and PIN will in no case be responsible or liable for such costs.
2. The tenderer hereby declares and warrants that has seen and understood the terms of the below mentioned **policies** and it complies and shall comply with all applicable terms and conditions specified therein:
 PIN Policy on Ethical Conduct, PIN Code of Conduct, PIN Anti-Corruption Policy and other related policies referred to therein, which are incorporated by reference and represent an integral part of this tender notice. Electronic copies containing the complete text are available at:
www.clovekvtisni.cz/policies
3. The tenderer will immediately and without undue delay inform PIN of any event which interferes or threatens to materially interfere with this Tender notice, including suspicion of or actual fraud, corruption, bribery, theft, terrorist financing or other misuse of funds. Such information should be passed in the first instance to fraud@peopleinneed.cz.
 All information will be treated with the upmost confidentiality. Information can also be reported directly to the PIN programme team where appropriate, these will be immediately passed on to the above-mentioned e-mail address.
4. PIN reserves the right to cancel the tender without giving any reason.



List of Annexes:

- Annex 1 – BoQ Trimuša Park
- Annex 2 – Specific Experience of the Bidder
- Annex 3 – Letter of assurance (template)
- Annex 4 – Stamped and signed eligibility sworn statement (template)
- Annex 5 – List of key staff engaged in the works (template)
- Annex 6 – List of equipment for the implementation of the work (template)
- Annex 7 – Technical Description of the Project
- Annex 8 – Drawing of cable laying
- Annex 9 – Drawing of existing and new concrete foundations
- Annex 10 – Drawing of Electrical installation
- Annex 11 – Drawing of Anker for the light pole
- Annex 12 – Example of the design for the lighting
- Annex 13 – Example of the design for the light pole
- Annex 14 – Drawing of the road access and parking
- Annex 15 – Drawing of the “Trim staza”-lightning project zone
- Annex 16 – Overview of Cadastre plots within project zone
- Annex 17 – Overview of cadastre plots, project zone and road access

.....

.....

On behalf of People In Need

Date

