

Poland-Bydgoszcz: Supervision of building work

OJ S 151/2013 06/08/2013

Contract notice**Services****Directive 2004/18/EC****Section I: Contracting authority**

I.1. Name and addresses

Official name: Eolica Postolin spółka z ograniczoną odpowiedzialnością

Postal address: ul. Krasińskiego 19

Town: Bydgoszcz

Postal code: 85-008

Country: Poland

Contact person: Eolica Postolin spółka z ograniczoną odpowiedzialnością

For the attention of: Karol Wypijewski

E-mail: info@eolicapostolin.pl

Telephone: +48 503195494

Internet address(es):General address of the contracting authority: <http://www.eolicapostolin.pl>**Additional information can be obtained from:**

the abovementioned address

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:

the abovementioned address

Tenders or requests to participate must be submitted: the abovementioned address**I.2. Type of the contracting authority**

Other: Limited liability company

I.3. Main activity

Other: Renewable energy

I.4. Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: no

Section II: Object of the contract

II.1. Description**II.1.1. Title attributed to the contract by the contracting authority**

The Services of the Investor's Supervision for Wind Farm Construction within the construction of "Postolin Wind Farm Construction Project".

II.1.2. Type of contract and place of performance or delivery

Services

Service category No 12: Architectural services; engineering services and integrated engineering services; urban planning and landscape engineering services; related scientific and technical consulting services; technical testing and analysis services

Main site or place of performance: Pomeranian Voivodeship, Sztum and Ryjewo Communities, Postolin locality.

NUTS code PL635 Starogardzki

II.1.3. Information about a framework agreement or a dynamic purchasing system

II.1.4. Information about framework agreement

II.1.5. Short description of the contract or purchase(s)

The subject matter of the order is performance of the investor's supervision service by the investor's inspector within the 'Postolin Wind Farm Construction' Project.

II.1.6. CPV code(s)

71247000 Supervision of building work

II.1.7. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

II.1.8. Lots

This contract is divided into lots: no

II.1.9. Information about variants

Variants will be accepted: no

II.2. Scope of the procurement

II.2.1. Total quantity or scope

1. The subject matter of the order is performance of the investor's supervision service by the investor's inspector within the 'Postolin Wind Farm Construction' Project. The investor's supervision service will include in particular the following scope:

- Structural constructions,
- Electricity construction,
- Road construction,
- Delivery on site and assembly of the wind turbines.
- Substation engineering,
- Substation commissioning,
- Reporting,
- Invoicing supervision,
- Monitoring of health and safety.

2. Estimated value of the investor's supervision services covered by the project is: PLN 1.200.000 (in words: one million two hundred thousand zloty) net.

3. Scope of investment includes as follows:

- a) preparation and construction of technical infrastructure, including among others: roads, maneuvering areas, foundations for seventeen wind power plants, power connections with fiber optic cable, 20/110 kV transformer station and other elements listed in the documentation and
- b) assembly and launching of seventeen wind power plants and putting them into operation.

4. The investment is situated in the Pomeranian Voivodeship, Sztum and Ryjewo Communities, within the area of Postolin locality.

5. Scope of rights and obligations of the investor's inspector is provided for in Article 25 of the Act of 7 July, 1994 - Construction Law (hereinafter "Construction Law") and includes in particular:

- a) representing the Orderer at the construction site by controlling compliance of the

construction works delivery with the project and building permit, provisions in force and technical knowledge;

b) quality control of performed works and built-in construction products, in particular preventing the use of defective construction products and products not admitted for use in the construction industry;

c) inspection and acceptance of construction works to be covered or buried, participation in tests and technical acceptances of the installations, technical equipment and exhaust ducts as well as preparation and participation in acceptance of finished construction facilities and putting them into operation;

d) confirmation of actually finished works and removal of defects as well as on request of the Orderer, inspecting the construction settlements;

e) the investor's inspector, upon calling by phone, fax, email by any of the parties to the investment process, must appear at the construction site immediately, not later than within 3 (three) days from receiving such information;

f) the right to instruct the construction site manager or works manager, provided that the instructions are confirmed by the entry into the construction site logbook, concerning: removal of defects or threats, performing tests or surveys, including these resulting excavations on uncovering elements as well as providing the expert reports on the performed construction works and proofs of admitting of construction products and technical equipment for use in the construction industry;

g) the right to request from the construction site manager or works manager to make adjustments or repeat the defective works, as well as suspending further construction works in the case, in which continuing thereof would pose a threat or result in unallowable non-compliance with the project or building permit.

II.2.2. Information about options

Options: no

II.2.3. Information about renewals

This contract is subject to renewal: no

II.3. Duration of the contract or time limit for completion

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

Information on tender bond: not applicable.

III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

The (gross) price of the tender offer is a lump sum and covers all costs borne by the Contractor for diligent and legally valid delivery of the subject-matter of the order.

III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: no

III.2. Conditions for participation

III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

- List and brief description of conditions:
1. To the tender offer it is necessary to attach the excerpt from the proper registry or the certificate of registration in the register of economic activities.
 2. All documents, statements, certificates and powers of attorney required by the Orderer should be submitted along with the offer, if granted.
 3. To confirm that the Contractor is not subject to exclusion, the following should be submitted:
 - a) statement on no reasons to exclude from the order awarding procedure (Appendix 4 to ToR);
 - b) valid transcript from the relevant register (Register of Entrepreneurs of the National Court Register or other applicable register), provided that the separate provisions require an entry to the register to demonstrate no reasons to exclude and for natural persons - relevant statement).
 4. In the scope necessary do demonstrate compliance with the knowledge and experience condition, list of investor's supervision services for at least 2 (two) construction works consisting in at least 10 (ten) wind turbine construction (Appendix 6 to ToR). The List should be supplemented with references provided by contractors, signed by authorized contractors' representatives. References shall prove that services of supervision for constructional works of wind turbines have been duly rendered or are being duly rendered. These documents must be submitted in original or a copy certified as a true copy by the Contractor.
 5. List of persons participating in the delivery of the order, in particular responsible for providing the services, quality control or construction works managing, including information on their professional qualifications, experience and education necessary to deliver the order as well as scope of performed activities and information on the basis to dispose these persons (Appendix 5 to ToR). The selected Contractor, prior to the conclusion of the Agreement, will be obliged to provide the Orderer with a valid certificate confirming that a given investor's supervision inspector belongs to the relevant Polish professional chamber. In case of investor's supervision inspectors who are not Polish citizens, the Orderer will require submitting of a decision of a competent chamber of civil engineers upon the recognition of professional qualifications or a certificate on temporary registration as a member of the chamber of civil engineers in case of cross-border services.
 6. Statement that the persons participating in the order delivery hold the required certificates, provided that the legal acts impost such obligation (Appendix 7 to ToR).

III.2.2. Economic and financial ability

- List and brief description of conditions:
1. This order may be granted to the Contractors, which meet the conditions of stable financial and economic condition.
 2. The condition shall be considered met, if the Contractor demonstrates a civil liability insurance for the amount of at least PLN 300.000 (in words: three hundred thousand).
 3. The awarded Contractor shall be obliged to provide the Orderer with a copy of valid insurance policy or any other document confirming his civil liability insurance for business activity related to the subject matter of the order for the amount of app. 300.000 (in words: three hundred thousand) PLN.

III.2.3. Technical and professional ability

List and brief description of conditions:

1. The Contractors authorized to apply for order awarding.
This order may be granted to the Contractors, which:
 - a) are not subject to exclusion as defined in Article 24 of the Public procurement law,

- b) meet the conditions of holding the certificate for specific type of activity or activities, provided that such obligation is imposed by legislation,
- c) meet the condition of knowledge and experience,
- d) meet the conditions of holding applicable technical capacity and employees performing the order.

2. Certificate for specific type of activity or activities, provided that such obligation is imposed by legislation.

Compliance assessment for this condition

The condition will be deemed fulfilled if the Contractor submits an appropriate declaration together with information about professional qualifications, experience and education, as well as with the documentation confirming the education, qualifications and authorizations required to perform specific activities or activities related to the subject of the tender.

To recognise that the Contractor meets the condition of having the personnel capable of performing the tender, the Orderer requires that the Contractor submits the statement confirming compliance with the condition, and proves, that during the time required for the realization of the tender, the Contractor will have at its disposal at least:

a) an investor's supervision inspector, with specialization in construction and building – this person is obliged to:

- have a building license without restrictions to perform independent technical functions in the construction industry in the construction and building specialty for management of construction works in accordance with the Regulation of the Minister of Transport and Building dated 28 April 2006 on the independent technical functions in construction industry ("MTB Regulation") or equivalent valid building authorizations for managing construction and building works, that have been issued under the regulations earlier in force, or equivalent authorizations issued to citizens of the European Economic Area and the Swiss Confederation, subject to Art. 12a and other provisions of the Construction Law and the Act of 18 March 2008 - Act on recognition of professional qualifications acquired in the Member States of the European Union ("Act on the Recognition of Qualifications"), and,

- be currently member of the relevant professional chamber and hold a valid public liability insurance of such person;

b) an investor's supervision inspector, with specialization in roads – this person is obliged to:

- have a building license without restrictions to perform technical functions in building – road specialty for the management of construction works in accordance with MTB Regulation or equivalent valid building authorizations for managing road works, that have been issued under the regulations earlier in force, or equivalent authorizations issued to citizens of the European Economic Area and the Swiss Confederation, subject to Art. 12a and the other provisions of the Construction Law and the Act on the Recognition of Qualifications, and

- be currently a member of the relevant professional chamber and hold a valid public liability insurance of such persons;

c) an investor's supervision inspector, with specialization in installation in field of network, installation and electrical and electromagnetic equipment – this persons is obliged to:

- have a building license without restrictions to perform independent technical functions in the construction industry in the installation specialty in field of network, installation and electrical and electromagnetic equipment, for management of construction works in accordance with the MTB Regulation or equivalent to them, valid building authorizations, for managing works in field of network, electrical installation, that have been issued under the regulations earlier in force, or equivalent authority issued to citizens of the European Economic Area and the Swiss Confederation, subject to Art. 12a and the other provisions of the Construction Law and the Act on the Recognition of Qualifications, and

- be currently member of the relevant professional chamber and hold a valid public liability

insurance of such persons.

Evaluation of the above condition will be conducted via the fulfils or does not fulfil method, based on the required documents and declarations encloses with the bid.

3. Knowledge and experience

Compliance assessment for this condition

The condition shall be considered met, if the Contractor demonstrates that persons participating in the delivery of the order, in particular responsible for providing the services of investor's supervision inspector with specialization: in construction and building, roads, in installation in field of network, installation and electrical and electromagnetic equipment, as well as services of supervision with regards to health and safety matters, provided that services for at least 5 years.

Additionally the Contractor shall demonstrate, that the supervision inspector with specialization: in construction and building, in installation in field of network, installation and electrical and electromagnetic equipment, as well as providing services of supervision with regards to health and safety matters, provided investor's supervision services for at least 2 investments consisting in wind farm construction of at least 10 wind turbines.

The Contractor, by itself or through a translator, should be able to communicate (in an oral and in a written form) on technical matters in the following languages: Polish, English and Spanish. If the Contractor use the services of the translator, the Contractor shall bear the costs related to these services.

Compliance assessment for this condition will be performed on compliant/non-compliant basis, based on the required documents and statements enclosed to the tender offer. In case of using translator's services the Ordered will cover all costs connected with that services.

4. Technical capacity and human resources able to deliver the order

Compliance assessment for this condition

The Contractor may benefit from knowledge and experience of people able to perform the order of the other entities, regardless of the legal relationships between them. In such case, the Contractor is obliged to prove the Orderer his/her ability to dispose the people able to deliver the order, in particular by providing a letter of obligation of these entities ensuring that these persons will be at the Orderer's disposal for the entire duration necessary to deliver the order.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

III.3.2. Information about staff responsible for the performance of the contract

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Open

IV.1.2. Information about the limits on the number of candidates to be invited

IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue

IV.2. Award criteria

IV.2.1. Award criteria

Lowest price

IV.2.2. Information about electronic auction

An electronic auction will be used: no

IV.3. Administrative information

IV.3.1. File reference number attributed by the contracting authority

IV.3.2. Previous publication concerning this procedure

no

IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document

Payable documents: no

IV.3.4. Time limit for receipt of tenders or requests to participate

16.9.2013 - 12:00

IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.3.6. Languages in which tenders or requests to participate may be submitted

English. Polish.

IV.3.7. Minimum time frame during which the tenderer must maintain the tender

Duration in days: 60 (from the date stated for receipt of tender)

IV.3.8. Conditions for opening of tenders

Date: 16.9.2013 - 13:00

Place:

Bydgoszcz.

Persons authorised to be present at the opening of tenders: yes

Information about authorised persons and opening procedure: Opening of the tender offers shall be of open nature and take place directly upon the expiry of their submission date, provided that the day of expiry of submission date is the day of tender offer opening.

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds: yes

Identification of the project: The investment being the subject matter of the order is co-financed from the EU Funds within Action 9.4 'Production of energy from renewable sources' within Priority IX - 'Environment-friendly energy infrastructure and energy efficiency' of the Operational Program Infrastructure and Environment for 2007 - 2013.

VI.3. Additional information

1. The Orderer reserves its right to annul this order award procedure at any stage thereof without any reason and without incurring any penalty.

2. The Orderer will provide the Technical Documentation in electronic form. The Technical Documentation will be provided by the Orderer after submitting by the Contractor the signed agreement on protection of confidential information.

VI.4. Procedures for review

VI.4.1. Review body

VI.4.2. Review procedure

VI.4.3. Service from which information about the review procedure may be obtained

VI.5. Date of dispatch of this notice

1.8.2013