

**L-Luxemburgo: Gestión y asistencia técnica de apoyo para el proyecto moldavo de protección contra las inundaciones (BEI)**

**2012/S 96-158320**

**SERVICE PROCUREMENT NOTICE**

**Location: Republic of Moldova**

**Management and TA Support to Moldova Flood Protection Project**

**1. Reference code**

TA2011038 MD EST

**2. Procedure**

International restricted tender

**3. Programme**

European Neighbourhood and partnership

**4. Financing**

European Partnership Technical Assistance Trust Fund (EPTATF)

**5. Contracting Authority**

European Investment Bank, 98-100, boulevard Konrad Adenauer, L-2950Luxembourg.

**CONTRACT SPECIFICATION**

**6. Nature of contract** Global price and fee-based

**7. Contract description.** The objectives of the proposed technical assistance operation are to (i) assist and enhance the capacities of the promoter (Ministry of Environment, MoENV) to design, procure and implement the restoration and upgrading of the flood protection system of the Republic of Moldova and to enable its subsequent operation; and to (ii) set up institutional conditions (institutional framework and capacity development) in line with EU Flood Directive and the Water Framework Directive.

In this sense, the first phase of the technical assistance will cover the preparation of a study for all river basins of Moldova further to the EU flood directive, consisting of a preliminary flood risk assessment, mapping (flood hazards), and hydraulic modeling. Further, institutional issues such as stakeholder analysis, institutional and capacity assessment including roles and mandates, ownership of and responsibility for the different components involved (river bed, embankments, hydro power facilities, flood plains, dams, flow regulation and monitoring, etc.) which are not yet settled, shall also be treated. Finally, the study shall comprise a Moldova Flood Protection Master plan outlining the required investments in the short, medium and long terms and their phasing.

**8. Number and titles of lots** Not applicable.

**9. Maximum budget** EUR 2,000,000

**10. Scope for additional services** The Contracting Authority may, at its own discretion and subject to the availability of funding, extend the scope and duration of the project to cover complementary and/or additional services.

In case of complementary services, the extension shall be up to a maximum not exceeding 50% of the initial contract value. In case of additional services, such extension shall be up to a maximum not

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exceeding the length and value of the initial contract.  
Any extension of the contract would be subject to satisfactory performance by the Contractor.

### **CONDITIONS OF PARTICIPATION**

**11. Eligibility** Participation is open to all legal or natural persons participating either individually or in a grouping (consortium) of candidates. Participation is also open to international organisations. There are no nationality restrictions.

**12. Candidature** All eligible natural and legal persons (as per item 11 above) 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 members) are jointly and severally liable to the Contracting Authority;

The participation of an ineligible natural or legal person (as per item 11) will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

**13. Number of applications** No more than one application 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 an application). In the event that a natural or legal person submits more than one application, all applications in which that person has participated will be excluded.

**14. Shortlist alliances prohibited** Any tenders received from tenderers comprising firms other than those mentioned in the short-listed application forms will be excluded from this restricted tender procedure. Short-listed candidates may not form alliances or subcontract to each other for the contract in question.

**15. Grounds for exclusion** As part of the application form, candidates must submit a signed declaration, included in the standard application form, to the effect that they are not in any of the exclusion situations listed in Section 2.3.3 of the Practical Guide to contract procedures for EC external actions.

**16. Sub-contracting** Sub-contracting is allowed, up to a maximum of 30% of the initial contract value.

**17. Number of candidates to be short-listed** On the basis of the applications received, between 4 and 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 4, the Contracting Authority may invite the candidates who satisfy the criteria to submit a tender.

### **PROVISIONAL TIMETABLE**

**18. Provisional date of invitation to tender** July 2012

**19. Provisional commencement date of the contract** November 2012

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**20. Initial period of implementation of tasks and possible extension of the contract** The initial period of execution of the contract shall be of 18 months. This period may be extended, with the prior approval of the Contracting Authority. See also item 10 above.

### **SELECTION AND AWARD CRITERIA**

**21. Selection criteria** The following selection criteria will be applied to candidates. In the case of applications submitted by a consortium, these selection criteria will be applied to the consortium as a whole:

1) Economic and financial capacity of candidate (based on item 3 of the application form). In case of applicant being a public body, equivalent information should be provided.

The annual turnover (if the candidate is an individual company) or the average annual turnover (if the candidate is a consortium) of the candidate must be of at least EUR 1,000,000 for each of the last two years for which accounts have been closed. Note to candidates: In the application form, please make sure to include the actual year for which the data is provided

2) Professional capacity of candidate (based on items 4 and 5 of the application form)

(a) The candidate (individual company or the Leader in case of a consortium) must employ, as permanent staff, at least 3 experts in integrated flood risk management, each with at least 10 years of professional experience in the field. Note to candidates: As part of the application, and in addition to the completed standard application form, please provide a statement under oath on the number of permanent staff employed who possess the required expertise in the field indicated. Reliance on the experience of another entity for the purposes of this criterion is not considered appropriate by the Contracting Authority and will not be accepted.

(b) For each of the last two years (2010, 2011), at least 30% of the overall number of staff of the candidate (individual company or consortium overall) is permanent. Note to candidates: In the application form, please make sure to include the actual year for which the data is provided

3) Technical capacity of candidate (based on items 5 and 6 of the application form)

The candidate (individual company or consortium altogether) has implemented, during the last 5 years (from 2007 up to the deadline for the receipt of applications indicated under item 23 below), at least 2 projects, each of a minimum value of EUR 500,000 equivalent, covering activities similar to those requested under this tender (see description at point 7 above), in the flood management field, and should demonstrate that it had a participation of minimum 50% in each of the project(s) brought as reference. In case of a consortium, at least one of the projects / service contracts responding to the requirements of this criterion must be brought by the Leader. Note to candidates: the projects referenced must have been completed before the deadline for the submission of applications. Where the projects referenced have been implemented by consortia comprising two or more of the members now associated as a consortium for this tender procedure, their respective percentages shall be added together, in order for the application to be assessed on the basis of the consortium as a whole. The Contracting Authority may not consider appropriate the reliance on the capacity of other entities for this selection criterion.

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 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 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 Contracting Authority.

Note, however, that the Contracting Authority may not consider such reliance as appropriate, for instance when the tenderers rely in majority on the capacities of other entities or when they rely on key criteria.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates must be reexamined to identify the eight best applications for the tender procedure. The only factors which will be taken into consideration during this re-examination are, in order of precedence:

1) The number of projects brought as reference which comply with the requirements of criterion 3

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above

2) In case of competition between two or more applicants having the same number of relevant reference projects as per additional criterion 1 above, the number of references complying with criterion 3 above which have been implemented in the application of / compliance with the requirements of the EU Flood Directive and the Water Framework Directive will prevail.

**22. Award criteria** Best value for money.

## **APPLICATION**

**23. Deadline for receipt of applications** The applications must be received by the Contracting Authority no later than 17:00 hrs. CET on 22 June 2012.

Any application received after this deadline will not be considered.

## **24. Application format and details to be provided**

Applications must be submitted using the standard application form (available from the following Internet address: [http://www.eib.org/attachments/med/ta\\_application\\_form\\_en.doc](http://www.eib.org/attachments/med/ta_application_form_en.doc)), whose format and instructions must be strictly observed.

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

**25. How applications may be submitted** Applications must be submitted in English exclusively to the Contracting Authority:

— EITHER by recorded delivery (official postal service) to:

European Investment Bank (EIB)

Mr Stefan Kerpen, Head of Technical Assistance Unit

OPS B/Technical Assistance Unit (TAU)

100 boulevard Konrad Adenauer, L-2950 Luxembourg

— OR hand delivered (including courier services) to:

European Investment Bank (EIB)

Mr Stefan Kerpen, Head of Technical Assistance Unit

OPS B/Technical Assistance Unit (TAU)

100 boulevard Konrad Adenauer, L-2950 Luxembourg

The Contracting title and the Reference code (see item 1 above) must be clearly marked on the envelope containing the application and must always be mentioned in all subsequent correspondence with the Contracting Authority

Applications submitted by any other means will not be considered.

**26. Alteration or withdrawal of applications** Candidates may alter or withdraw their applications by written notification prior to the deadline for submission of applications. No application may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with Item 25. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

**27. Operational language** All written communications for this tender procedure and contract must be in English.

**28. Additional information** NA

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**29.Date of publication of contract forecast**

[2012/S 59-095122](#) / 24 March 2012

**30.Legal basis** Regulation (EC) no.1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument, and the European Investment Bank Board of Directors decision of 14 July 2010 on the establishment of the multi-purpose, multi-sectoral Eastern Partnership Technical Assistance Trust Fund (EPTAF).