Document for completion by the contracting authority

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

**WORKS CONTRACT NOTICE**

*Work contract* "Implementation works for the mini-botanical gardens’’ *within the project "E-Natura"*

**Berat, Albania**

1. **Reference**

Interreg IPA II CBC PROGRAMME, Greece - Albania 2014-2020/ “**E-Natura**” / Prot no. 5232, **Order No. 576, date 21.10.2021.**

1. **Procedure**

 Simplified

1. **Programme title**

Interreg IPA II CBC PROGRAMME, Greece - Albania 2014-2020

1. **Financing**

The project is co-financed by the European Union, in accordance with the rules of Interreg IPA II CBC PROGRAMME, Greece - Albania 2014-2020 programme.

1. **Contracting authority**

 Municipality of Berat, Albania
 Bulevardi Republika.Berat.Albania.

**CONTRACT SPECIFICATIONS**

1. **Nature of contract**

**Lump-sum**

1. **Description of the contract**

This contract concerns the implementation of the works for the construction of four mini-botanic gardens within E- Natura Project.

The main objective of the E Natura project is the agro-touristic development of the two cross-border regions, through the creation of four bike paths and four mini-botanic gardens nearby the bike paths. From an environmental perspective, all planned actions are minimally-invasive and tailored to promote & protect the natural heritage of the involved regions.

This contract concerns the implementation of the works for the construction of four mini-botanic gardens within E- Natura Project. According to the technical project attached to this dossier, there will be works for the construction of four mini-botanic gardens, by landscaping of the area, planting of selected trees/flowers, installation of explanatory signs, placing the wooden seats and other elements, according to the technical design.

**Provisional commencement date of the contract**

03.03.2022

1. **Period of implementation of tasks**

Four months starting from contract signature.

**TERMS OF PARTICIPATION**

1. **Eligibility and rules of origin**

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:

(a) information on the educational and professional qualifications, skills, experience and expertise of the persons responsible for performance; (Main Site Manager Curriculum Vitae). In case the qualification skills of the Main Site manager are not equal or higher to the type **/**amount **/**complexity of our project the company will be excluded.

The economic operator should have employed with a valid work contract, for the duration of the contract, the following professionals:

1 (one) Civil Engineer.

1(one) Agronomist.

(b) a list of the works carried out in the last three years, accompanied by certificates of satisfactory execution for the works. (By showing Final Acceptance Certificate, if the Building was constructed for a Governmental Entity or Showing Commissioning and Testing Certificates of the Constructed Registered Building (Kolaudim punimesh). However, where necessary in order to ensure an adequate level of competition, the contracting authority may indicate that evidence of relevant works delivered or performed more than three years before will be taken into account.

(c) a statement of the average annual manpower and the number of managerial staff of the economic operator for the last three years;

(d) a certificate that shows the companies have paid all taxes and Social Security Contributions from the Regional Directorate Tax Office;

(e) a professional license awarded by the government to execute construction works .

 f)Proof on the following technical tools and equipment available to the tenderer or which could be made available to the tenderer for the execution of the contract:

* Self-unloading transport vehicle with a capacity of minimum 3.5 tons - 1 (one)
* Mini excavator – 1 (one)

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

**-** the average annual turnover of the tenderer in the past 3 years must be at least 15,000 Euros per year.

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

**-** The tenderermust have completed at least one project of the same amount of (lump sum budget) as the works concerned by the tender and implemented during the following period of three years: 2018-2019-2020.

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.

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

1. **Award criteria**

The financial offer of the companies that have fulfil and comply with all the documents and criteria related to section 14 will be issued.

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-1)**

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 and IPA II. See Annex A2 of the practical guide II.

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-1)