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CM-Yaoundé: EDF — works to strengthen the Lake Nyos dam — Cameroon (CM) (second notice)

2011/S 90-145766

Works contract notice

1. **Publication reference:**
EuropeAid/128379/D/WKS/CM (re-tender).
2. **Procedure:**
Open.
3. **Programme:**
European Development Fund (EDF).
4. **Financing:**
Financing agreement No CM/FED/021779 — strengthening the natural dam on Lake Nyos.
5. **Contracting authority:**
Minister for the Economy, Planning and Regional Development, National Authorising Officer in the Republic of Cameroon, Yaoundé, CAMEROON.

Contract specifications

6. **Contract description:**
Works to strengthen the structure of the natural dam by:
— lot 1: strengthening the foundation: this entails constructing an inclined grout curtain within the dam (minimum height of 20 m and width of 90 m) and installing drains as well as a network of approximately 10 piezometers to monitor the effectiveness of the grout curtain,
— lot 2: constructing a spillway: this is a rectilinear reinforced-concrete slab ending in a trough which will be anchored in the existing foundation.
7. **Number and titles of lots:**
2 specific lots are planned:
— lot 1: strengthening the dam using a jet-grouting technique,
— lot 2: constructing a reinforced-concrete spillway.

Conditions of participation

8. **Eligibility and rule of origin:**
Participation in the contract is open on equal terms to all natural persons and legal entities (irrespective of whether they are taking part as individuals or as part of a grouping (consortium) of tenderers) from the EU Member States and the ACP countries and territories, as authorised by the ACP-EC Partnership Agreement under which the contract is financed (see also point 22 below). Participation is also open to international organisations. All the goods supplied under this contract must originate in these countries.
9. **Grounds for exclusion:**
Tenderers must sign and submit the declaration, included with the tender form for a works contract, to the effect that they are not in any of the situations listed in section 2.3.3 of the Practical Guide to contract procedures for EU external actions.
10. **Number of tenders:**

Tenderers may not submit more than 1 tender per lot. Tenders for part of a lot will not be considered. Tenderers may state in their tender whether they would grant a discount should they be awarded several lots. Tenderers may not submit a variant tender in addition to their tender for the work required in the invitation to tender dossier.

11. **Tender guarantee:**

Tenderers must furnish a tender guarantee of:

- lot 1: 70 000 EUR,
- lot 2: 20 000 EUR,

when they submit their tenders. This guarantee will be returned to unsuccessful tenderers once the invitation to tender procedure has been completed, and to the successful tenderer(s) once the contract has been signed by all parties.

12. **Performance bond:**

The successful tenderer will be required to provide a performance bond for 10 % of the contract value when the contract is signed. The bond must be furnished within 30 days of the date on which the tenderer receives the contract signed by the contracting authority. If the successful tenderer does not provide the bond within the time allowed, the contract will be rendered void and a new contract may then be drawn up and sent to the tenderer who submitted the second lowest-priced compliant tender.

13. **Briefing and/or site visit:**

An optional site visit and briefing will be organised by the contracting authority on 5.7.2011 (8:00); meeting point at the regional centre of the Ministry of Scientific Research and Innovation (Minresi) in Bamenda.

Contact details for confirmation of attendance at the briefing are as follows: Secretariat of the Special Commission on EDF-Financed Contracts, Office of the Ministry of the Economy, Planning and Regional Development (Minepat), 3rd floor, 'immeuble Rose', door 310, Yaoundé, CAMEROON. Tel. +237 77803518 / 99863554. Fax +237 22221509. E-mail: esm_sctfed10@yahoo.fr

14. **Tender validity:**

Tenders are to be valid for 90 days from the final date for submission of tenders.

15. **Implementation deadline:**

The implementation deadline is:

- lot 1: 10 months,
- lot 2: 8 months,

from the date on which the works commence.

Selection and award criteria

16. **Selection criteria:**

The tenderer must fulfil the minimum selection criteria set out in Article 12.2 of the instructions to tenderers set out below.

A. Candidate's economic and financial capacity:

A.1) his average annual turnover over the past 3 years must have been at least:

- lot 1: 10 000 000 EUR,
- lot 2: 3 000 000 EUR (or equivalent if turnover is expressed in another currency);

A.2) the overall total volume of civil engineering, building and public works must be greater than:

- lot 1: 15 000 000 EUR,
- lot 2: 5 000 000 EUR,

over these 3 years;

A.3) he must have access to sufficient credit and other financial facilities to cover the required cash flow for the duration of the contract.

He must, in any case, have access to credit in excess of the equivalent of:

- lot 1: 2 000 000 EUR,
- lot 2: 500 000 EUR.

B. Candidate's technical and professional capacity:

B.1) for both lots, he must have completed at least 3 building projects of the same type and of comparable complexity to the works in this tender which were carried out during the following period: 5 years before the date of the submission deadline. The contracting authority reserves the right to request copies of final acceptance certificates signed by the awarding authorities/supervisors for the projects concerned. This means that the project which the tenderer refers to might have begun, been carried out or completed at any moment during the period given, but does not necessarily need to have begun and been completed during this period, or have been carried out during the whole of said period.

At least 1 of the 3 building projects must have been carried out in sub-Saharan Africa or a tropical region.

This experience must include:

- lot 1: construction, strengthening or rehabilitation of dams/slopes/embankments with the installation of a grout curtain by jet grouting at depths of more than 25 m,
- lot 2: construction of complex reinforced-concrete structures on micropiles;

B.2) he must carry out at least 70 % of the work under the contract using his own resources, which means that he must have the equipment, materials, human resources and financial means needed to carry out this portion of the contract;

B.2a) the principal member of a joint venture/consortium must have the capacity to carry out at least 50 % of the works under the contract using his own resources;

B.2b) a partner in a joint venture/consortium (i.e. not the principal member) must have the capacity to carry out at least 20 % of the works under the contract using his own resources.

The capacity is evaluated on the one hand by means of the wording of the grouping agreement and on the other by the resources each member proposes to employ, or other information provided by the tenderer specifically for this purpose;

B.3) managerial staff (lots 1 and 2): works director, construction manager, works foreman and geotechnical manager, construction plan manager, topographer, quality, environment, health and safety manager, lot 1: driller (specialising in jet grouting) with at least 5 years' relevant experience and proven qualifications relating to works similar in nature to those in the project in question.

An economic operator may, if necessary and for a specific contract, make use of the capacities of other entities irrespective of the legal nature of the connection between himself and said entities. As a guideline, it might not be considered appropriate by the contracting authority when the tender relies mostly on the capacities of other entities or relies on the capacities of other entities for the key criteria. In this event, he must provide the contracting authority with proof that he will have the resources needed to carry out the contract by, for example, producing a written commitment by said entities to make such resources available. 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. Furthermore, the information relating to this third entity/these third entities for the relevant selection criteria must be included in a separate document. Proof of their capacity must also be provided when requested by the contracting authority.

17. **Award criterion:**
Price.

Tender submission

18. **Procedures for obtaining the invitation to tender dossier:**
The invitation to tender dossier can be obtained from:

Secretariat of the Special Commission on EDF-Financed Contracts, Minepat Office, 3rd floor, 'immeuble Rose', door 310, Yaoundé, CAMEROON. Tel. +237 77803518 / 99863554. Fax +237 22221509. E-mail: csm_sctfed10@yahoo.fr

It can also be consulted on the supervisor's premises: Institute for Geological and Mining Research (IRGM), opposite the central BEAC in Elig-Essono, Yaoundé, CAMEROON. Tel. +237 22222430. Fax +237 22222431. E-mail: sigha_nkamdjou@yahoo.fr

The standard tender form enclosed with the invitation to tender dossier must be used to draw up tenders, and the clauses and format of this form must be strictly adhered to.

Questions concerning this invitation to tender must be put in writing and sent to the aforementioned address, quoting the publication reference in point 1, no later than 21 days prior to the final date for submission of tenders in point 19. The contracting authority must reply to questions no later than 11 days prior to the final date for submission of tenders. Clarifications or minor amendments to the invitation to tender dossier will be published at least 11 days prior to the final date for submission of tenders on the EuropeAid Internet site at the following address: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>

19. **Final date for submission of tenders:**

Tenders must be submitted, against issue of receipt, to the Special Commission on EDF Contracts at the following address: Special Commission on EDF Contracts, Office of the Minister for the Economy, Planning and Regional Development, door 310, 3rd floor, 'immeuble Rose', Yaoundé, CAMEROON, no later than 17.8.2011 (13:00), local time in Yaoundé.

Tenders received after this time on the final date will not be considered.

20. **Tender opening session:**

Tenders will be opened by the evaluation committee on 17.8.2011 (14:00), local time in Yaoundé, in the presence of the tenderers' duly authorised representatives, on the premises of the Special Commission on EDF Contracts, at the aforementioned address.

21. **Language for the procedure:**

All correspondence regarding this procedure must be in French.

22. **Legal basis:**

ACP-EC Partnership Agreement signed in Cotonou on 23.6.2000, as amended.