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RW-Kigali: EDF — overseeing and inspecting rehabilitation work on the Kigali–Gatuna road

2011/S 60-096223

Location: ACP countries — Rwanda

Service procurement notice

Common procurement vocabulary (CPV)

Main object:

71247000 Supervision of building work

1. **Publication reference:**

EuropeAid/129017/D/SER/RW.

2. **Procedure:**

Restricted.

3. **Programme:**

9th or 10th EDF.

4. **Financing:**

Financing agreement.

5. **Contracting authority:**

Republic of Rwanda, Ministry of Finance and Economic Planning in Rwanda, Kigali, RWANDA.

6. **Nature of contract:**

Fee-based.

7. **Contract description:**

The consultant is called on to oversee and inspect rehabilitation work on the Kigali–Gatuna road, which is part of the northern corridor between Kigali and Gatuna (border post between Rwanda and Uganda).

The consultant's tasks will include:

1. study, verification and updating, as required, of drawings and the detailed technical dossier compiled by the consulting firm;
2. analysis and approval or approval proposal to the supervisor with respect to the measures proposed by the firm (installation of the work site, materials and equipment, performance schedule, any subcontracting, etc.);
3. preparation of the quality assurance plan for overseeing the work and analysis and approval of the firm's plan and health procedures, security; environmental protection, etc.;
4. verification as to the availability and suitability of the material and equipment, of the staff's qualifications and experience, with respect to the tasks envisaged under the works contract;
5. organisation and proposal of specific actions for the environment; advancement of women, protection of minors, etc.;
6. verification and reasoned opinion as to the performance schedule submitted by the firm performing the work;
7. checking of all the administrative documents required under the general terms and conditions for works contracts, etc.

8. **Numbers and titles of lots:**

The contract is divided into lots: no, 1 lot only.

9. **Budget:**
Maximum budget: 1 700 000 EUR.

10. **Scope for additional services:**
The contracting authority may, at its own discretion, extend the project in duration and/or scope, subject to the availability of funding, up to a maximum not 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 in tendering is open on equal terms to natural and legal persons participating either individually or in a grouping (consortium) of tenderers which are established in 1 of the Member States of the European Union, ACP States or in a country or territory authorised by the ACP-EC Partnership Agreement under which the contract is financed (see also heading 29 below). Participation is also open to international organisations.

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 other 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 1 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 1 application, all applications in which that person has participated will be excluded.

14. **Shortlist alliances prohibited:**
Any tenders received from tenderers having a different composition than the ones on the application forms will be excluded from this restricted tender procedure, unless prior approval from the contracting authority has been obtained — see PRAG 2.4.3. Shortlisted 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 EU external actions.

16. **Subcontracting:**
Subcontracting is allowed.
Maximum percentage of the contract value which may be subcontracted: 20 %.
Activities which may be subcontracted:
— topography,
— geotechnics.

17. **Number of candidates to be shortlisted:**
On the basis of the applications received, at least 4 and at most 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:**
10.5.2011.
19. **Provisional commencement date of the contract:**
30.9.2011.
20. **Initial period of implementation of tasks:**
Duration in months: 33 (from the award of the contract).

Selection and award criteria

21. **Selection criteria:**
Same criteria for legal and natural person.
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:
in case of applicant being a public body equivalent information should be provided:
1. the average annual turnover of the candidate in the past 3 years must exceed 600 000 EUR;
 2. the averages of cash and cash equivalents at the beginning and end of year are positive.
- 2) Professional capacity of candidate:
1. the candidate has a professional certificate appropriate to this contract, such as the registration or trade register certificate, certificate of approval in a trade association relevant to this project;
 2. at least 6 of the candidate's permanent staff currently work in fields related to this contract;
 3. at least 20 % of all staff working for the candidate this year in fields related to this contract are permanent.
- 3) Technical capacity of candidate:
1. the candidate has worked successfully in the 5 years previous to the opening date for applications on 3 or more projects with a budget at least equivalent to 70 % of the budget for this contract and in fields related to this contract;
 2. the candidate has, over the past 3 years, provided overseeing/inspection services for at least:
— 1 roadworks site entailing rehabilitation or construction of a paved road of at least 60 km in length,
— 1 roadworks site entailing the use of at least 50 000 tonnes of coated materials.
- If more than 8 eligible applications meet all the selection criteria, the strengths and weaknesses of these candidates' applications will need to be re-examined to determine which 8 applications for the invitation to tender are the most suitable. The only factors which will be taken into consideration during this re-examination are the number and scale of roadwork sites in tropical countries, entailing the rehabilitation of paved roads, inspected by candidates.
- 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. Some examples of when it may not be considered appropriate by the contracting authority are: when the tenderer relies in majority on the capacities of other entities or when he relies on key criteria. If the candidate relies on other entities 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 and notably that of nationality, as the economic operator. Furthermore, the data for these third entities for the relevant selection criteria 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.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates must be re-examined to identify the 8 best applications for the tender procedure.

The only factors which will be taken into consideration during this re-examination are: the number and scale of roadwork sites in tropical countries, entailing the rehabilitation of paved roads, inspected by candidates.

22. **Award criterion:**
Best value for money.

Application

23. **Deadline for receipt of applications:**

26.4.2011 (16:00), local time.

Any application received after this deadline will not be considered.

24. **Applications format and details to be provided:**

Applications must be submitted using the standard application form, the format and instructions of which must be strictly observed. The application form is available at the following Internet address: http://ec.europa.eu/europeaid/work/procedures/implementation/services/index_fr.htm

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 exclusively to the contracting authority in French:

— either by recorded delivery (official postal service), to:

Rwanda Public Procurement Authority (RPPA), PO Box 4276, Kigali, REPUBLIC OF RWANDA,

— or hand delivered (including courier services) to the contracting authority in return for a signed and dated receipt to the above-mentioned address, for the attention of the Rwanda Public Procurement Authority (RPPA), avenue de la Paix, PO Box 4276, Kigali, REPUBLIC OF RWANDA. Tel. +250 501403.

Opening hours: 7:00–17:00.

The contract title and the publication reference (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 applications 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 French.

28. **Date of publication of contract forecast notice:**

27.8.2009.

29. **Legal basis:**

9th or 10th EDF: ACP-EC Partnership Agreement signed in Cotonou on 23.6.2000, as amended.

30. **Additional information:**

It should be noted that award of the contract is subject to the prior adoption of a financing decision and the prior conclusion of a financing agreement.

This condition does not affect the elements of the invitation to tender procedure (in the case, for example, where the budget allowance initially planned is different or where the nature or condition of, or schedule for implementation are changed).

If this condition is not fulfilled, the contracting authority may withdraw from the contract or cancel the procurement procedure, without candidates or tenderers being entitled to claim any compensation.

31. **Date of dispatch of this notice:**
14.3.2011.