

## **SUPPLY CONTRACT NOTICE**

Purchase and installation of solar cooling system for public building within the EU IPA CBC  
ADRIACOLD project

**Primorje-Gorski Kotar County, Republic of Croatia**

### **1. Publication reference**

EV.BR. 01-14

### **2. Procedure**

Local Open Procedure

### **3. Programme**

IPA Adriatic Cross-Border Cooperation Programme 2007-2013

### **4. Financing**

IPA Subsidy contract for the project Diffusion of Cooling and Refreshing Technologies using the Solar Energy Resource in the Adriatic Regions

Budget line 4.3 - Purchase and installation of 1 demonstration plant, project ADRIACOLD. Available budget is 900.000,00 HRK

### **5. Contracting authority**

**Regional Energy Agency Kvarner Ltd.**

**Ciottina 17b**

**51000 Rijeka**

**Croatia**

## **CONTRACT SPECIFICATIONS**

### **6. Description of the contract**

The Solar Cooling System allows to cool and refresh environments using the air conditioning system powered by the heat produced by solar panels, that are traditionally used to produce hot water, instead of using electrical energy to power traditional air conditioners. This type of system, consumes almost exclusively solar energy: it exploits an absorption cycle, fed directly

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by solar energy, which covers up to 98% of energy needs of the equipment. The contract covers purchase and installation of the solar cooling system which will be installed, according to the already made project design, on the public building of Thalassotherapia Crikvenica, located in Crikvenica, Primorsko Goranska County in Croatia. The solar cooling will be carried out by an absorption cooling device that operates with a mixture of lithium bromide and water. The expected cooling effect is 17 kW.

## 7. Number and titles of lots

No, one lot only.

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## TERMS OF PARTICIPATION

### 8. Eligibility and rules of origin

Participation is open to all legal persons participating either individually or in a grouping (consortium) of tenderers which are established in a Member State of the European Union or in a country or territory of the regions covered and/or authorised by the specific instruments applicable to the programme under which the contract is financed (see item 22 below). All goods supplied under this contract must originate in one or more of these countries. Participation is also open to international organisations. Participation of natural persons is directly governed by the specific instruments applicable to the programme under which the contract is financed.

According to art. 19 of EC Regulation 1085/2006 supplies and materials purchased under a contract financed under this Programme must originate in the Community or in one of the countries eligible for external aid (art. 19, paragraphs 1 and 2 of the same Regulation). According to the rule of origin, bidders must submit proof of origin of the supplies through a certificate issued by the competent authorities of the goods' or supplier's country of origin (usually the Chamber of Commerce) and comply with the international agreements to which that country is a signatory.

### 9. Grounds for exclusion

Tenderers must submit a signed declaration, included in the Tender Form for a Supply Contract, to the effect that they are not in any of the situations listed in point 2.3.3 of the Practical Guide to contracts procedures for EU external actions.

**Grounds for exclusion according** section 2.3.3 of the Practical Guide:

Tenderers will be excluded from participation in procurement procedures if:

a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

(b) they, or persons having powers of representation, decision making or control over them, have been convicted of an offence concerning their professional conduct by a judgment of a

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competent authority of a Member State which has the force of res judicata; (i.e. against which no appeal is possible);

(c) they have been guilty of grave professional misconduct proven by any means which the Contracting Authority can justify, including by decisions of the European Investment Bank and international organisations;

(d) they are not in compliance with their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the Contracting Authority or those of the country where the contract is to be performed;

(e) they, or persons having powers of representation, decision making or control over them, have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such an illegal activity is detrimental to the EU's financial interests;

(f) they are currently subject to an administrative penalty referred to in Article 103(1) of the Financial Regulation (for budget-funded programmes) / Article 99 of the Financial Regulation (for 10th EDF-funded programmes).

***Remarks: Contract Authority will be later, after selecting of the winning Tenderer with whom it intends to sign a contract, to submit the original or copies of all documents (receipts, statements, documents, authorizations, etc.) proving that the selecting Tenderer is not in any of the situations listed in point 2.3.3 of the Practical Guide.***

## 10. Number of tenders

Tenderers may submit only one tender per lot. Tenders for parts of a lot will not be considered. Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot. Tenderers may not submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

## 11. Tender guarantee

Tenderers must provide a tender guarantee of 18.000,00 HRK when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderer(s) upon signature of the contract by all parties. This guarantee will be called upon if the tenderer does not fulfil all obligations stated in its tender.

## **12. Performance guarantee**

The successful tenderer will be asked to provide a performance guarantee of 10% of the amount of the contract at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days after the tenderer receives the contract signed by the Contracting Authority. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next cheapest compliant tender.

## **13. Information meeting and/or site visit**

No information meeting is planned

## **14. Tender validity**

Tenders must remain valid for a period of 90 days after the deadline for submission of tenders.

## **15. Period of implementation of tasks**

Implementation period is 45 days, starting from day of contract signature by both sides and ending on completion of tasks.

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# **SELECTION AND AWARD CRITERIA**

## **16. Selection criteria**

The following selection criteria will be applied to tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole:

- 1) Economic and financial capacity of tenderer (based on i.a. item 3 of the Tender Form for a Supply Contract). In case of tenderer being a public body, equivalent information should be provided.
  - Annual turnover in the financial years 2010, 2011 and 2012 is at least two times of the submitted financial proposal. Year 2010 is considered to be “two years before last year”, year 2011 is considered to be “year before last year” and year 2012 is considered to be “last year”.
  - The cash and cash equivalents of the tenderer at the end of year 2010, year 2011 and year 2012 are positive.
- 2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the Tender Form for a Supply Contract)
  - at least 2 staff members currently work for the tenderer in fields related to this

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contract ; the 2 staff members have to be mechanical engineers or one mechanical engineer and one electrical engineer

- has a professional certificate appropriate to this contract, such as a manufacturer's certificate for selling of the offered equipment
  - has a manufacturer's certificate for servicing of the offered equipment (if service is required).
- 3) Technical capacity of tenderer (based on i.a. items 5 and 6 of the Tender Form for a Supply Contract)
- the tenderer has delivered supplies under at least one contract concerning HVAC installations (heating, ventilation, and air conditioning) with the budget of at least the amount of his financial proposal for this tender, and implemented in the years 2011, 2012 or 2013. Projects referring to year 2013 must have been completed by the deadline for submission of tenders.

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 rely in majority on the capacities of other entities or when they rely on key criteria. If the tenderer rely on other entities it must 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 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.

## 17. Award criteria

Price.

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# TENDERING

## 18. How to obtain the tender dossier

The tender dossier is available from the Contracting Authority website at: <http://www.reakvarner.hr/hr/natjecaji/> and also at REA Kvarner, Ciottina 17b, 51000 Rijeka, Croatia. Tenders must be submitted using the standard Tender Form for a Supply Contract included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to REA Kvarner, Ciottina 17b, 51000 Rijeka, Croatia, e-mail: [info@reakvarner.hr](mailto:info@reakvarner.hr) or by fax +385 51 263 751

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(mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19. The Contracting Authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the Contracting Authority website at:  
<http://www.reakvarner.hr/hr/natjecaji/>.

## **19. Deadline for submission of tenders**

**Tenders must be submitted by February 11th 2014 at 11:00 AM** Rijeka local time to the address **REA Kvarner d.o.o., Ciottina 17b, 51000 Rijeka, Croatia.**

Any tender received after this deadline will not be considered.

## **20. Tender opening session**

**Tender opening session will take place February 11th 2014 at 11:00 AM** Rijeka local time at the premises of **REA Kvarner, Ciottina 17b, 51000 Rijeka, Croatia.**

## **21. Language of the procedure**

All written communications for this tender procedure and contract must be in English.

## **22. Legal basis**

EC Council Regulation No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA)