

## **SERVICE CONTRACT NOTICE**

### **Technical Assistance for Modernisation of the Alayunt-Afyon-Konya and Malatya-Narlı Railway Lines**

**Location: Europe (non EU) - Turkey (TR)**

**1. Publication reference**

EuropeAid/136924/IH/SER/TR

**2. Procedure**

Restricted.

**3. Programme title**

IPA.

**4. Financing**

Financing agreement.

**5. Contracting Authority**

Department for European Union Investments, DG Foreign Relations and European Union Affairs, Ministry of Transport, Maritime Affairs and Communications, Ankara, REPUBLIC OF TURKEY.

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## **CONTRACT SPECIFICATION**

**6. Nature of contract**

Global price.

**7. Contract description**

Preparation of two independent project development studies for modernisation of the Alayunt-Afyon-Konya Railway Line (approximate length 366 km) and the Malatya-Narlı Railway Line (approximate length 198 km). For each study, the scope of services includes the identification of alternative modernisation scenarios and the identification of a preferred scenario based on, among others, the results of a cost-benefit analysis and an environmental impact assessment. The studies will each deliver detailed engineering designs, technical specifications, and tender dossiers complemented by the necessary technical studies (including but not limited to topographical, geotechnical and hydrological surveys), for the approved preferred scenario. Each study will provide a works tender dossier using FIDIC Conditions of Contract for Construction, for Building and Engineering Works Designed By The Employer. Terms of Reference for the works supervision services contracts will also be prepared.

**8. Number and titles of lots**

No, one lot only

## **9. Maximum budget**

4 000 000 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.

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# **CONDITIONS OF PARTICIPATION**

## **11. Eligibility**

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.

## **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 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 unless prior approval from the Contracting Authority has been obtained (see Practical Guide – PRAG - 2.4.3.). 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 PRAG

#### **16. Sub-contracting**

Subcontracting is allowed

#### **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.

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### **PROVISIONAL TIMETABLE**

#### **18. Provisional date of invitation to tender**

October 2015.

#### **19. Provisional commencement date of the contract**

May 2016.

#### **20. Initial period of implementation of tasks**

18 months.

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### **SELECTION AND AWARD CRITERIA**

#### **21. Selection criteria**

Same criteria for legal and natural persons.

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 candidate being a public body, equivalent information should be provided.
  - 1.1. the **average** annual turnover of the candidate in the last three financial years (i.e. the last accounting year for the entity, the year before the last year, and two years before the last year) must exceed EUR 2 700 000 (two million seven hundred thousand) Euros.
2. **Professional capacity of candidate** (based on items 4 and 5 of the application form)
  - 2.1. At least 10 staff members currently work for the candidate (or where applicable to consortium) in the fields related to this contract and are permanent;
3. **Technical capacity of candidate** (based on items 5 and 6 of the application form)
  - 3.1. The candidate has provided services under at least one service contract with a budget of at least 500,000 (five hundred thousand) Euros comprising the preparation of a feasibility study relating to railway construction investments, including demand

forecasts, cost-benefit analysis and environmental impact assessment which was implemented at any moment during the following period: 3 years from the submission deadline. This means that the project the candidate refers to could have been started or completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. Candidates/tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, proof of final payment). In case of projects still on-going only the portion satisfactorily completed (the cost-benefit analysis must be completed and approved within the deadline) during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value. If a candidate/tenderer has implemented the project in a consortium, the percentage that the candidate/tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided if the selection criteria relating to the pertinence of the experience have been used.

- 3.2. The candidate has provided services under at least one service contract with a budget of at least 1,000,000 (one million) Euros comprising the detailed engineering design, technical specifications and preparation of works tender documents for a railway construction project which was implemented at any moment during the following period: 3 years from the submission deadline. This means that the project the candidate refers to could have been started or completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. Candidates/tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, proof of final payment). In case of projects still on-going only the portion satisfactorily completed (the detailed engineering design must be completed and approved within the deadline) during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value. If a candidate/tenderer has implemented the project in a consortium, the percentage that the candidate/tenderer has successfully completed must be clear from the documentary evidence, together with a description of the nature of the services provided if the selection criteria relating to the pertinence of the experience have been used.

Previous experience which caused breach of contract and termination by a Contracting Authority shall not be used as reference.

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 and notably that of nationality, as the economic operator.

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 eight best candidates. The only factors which will be taken into consideration during this re-examination are:

- (a) The highest sum of contract values specifically related to the **railway** construction investments implemented by the Candidate according to criterion 21 (3.1 and 3.2);
- (b) If more than one eligible Candidate has the same sum of contract value according to criterion 21 (3.1 and 3.2), then the Candidates will be ranked according to the highest number of contracts specifically related to **railway** construction implemented by the Candidate according to criterion 21 (3.1 and 3.2).

In case of competition between two or more candidates having the same number of eligible contracts under criterion (b), the candidates will be ranked according to the total value of the proportion(s) carried out by the Leader in the current tender who also acted as a Leader in those eligible contracts.

## 22. Award criteria

Best value for money.

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# APPLICATION

## 23. Deadline for receipt of applications

16:00 local time on 30 July 2015.

Any application received by the Contracting Authority after this deadline will not be considered.

## 24. Application 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 from the following Internet address: <http://ec.europa.eu/europeaid/prag/annexes.do?group=B>

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 in a sealed envelope:

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

For the attention of: Mr. Nedim Yeşil  
Department for European Union Investments  
DG Foreign Relations and European Union Affairs  
Ministry of Transport, Maritime Affairs & Communications  
Hakkı Turaylıç Cad. No. 5, AYGEM BİNASI K: 10  
06520 Emek, ANKARA, Türkiye

- OR hand delivered (including courier services) directly to the Contracting Authority in return for a signed and dated receipt to:

For the attention of: Mr. Nedim Yeşil  
Department for European Union Investments  
DG Foreign Relations and European Union Affairs  
Ministry of Transport, Maritime Affairs & Communications

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 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. Date of publication of prior information notice**

31 March 2015.

**29. Legal basis<sup>1</sup>**

Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an instrument for pre-accession assistance (IPA) (OJ L 210, 31.7.2006, p. 82).

**30. Additional information**

None.

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<sup>1</sup> Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).