



Training #11

Infrastructure projects – Preparation of tender documentation for wastewater projects – Basic elements of tender documentation

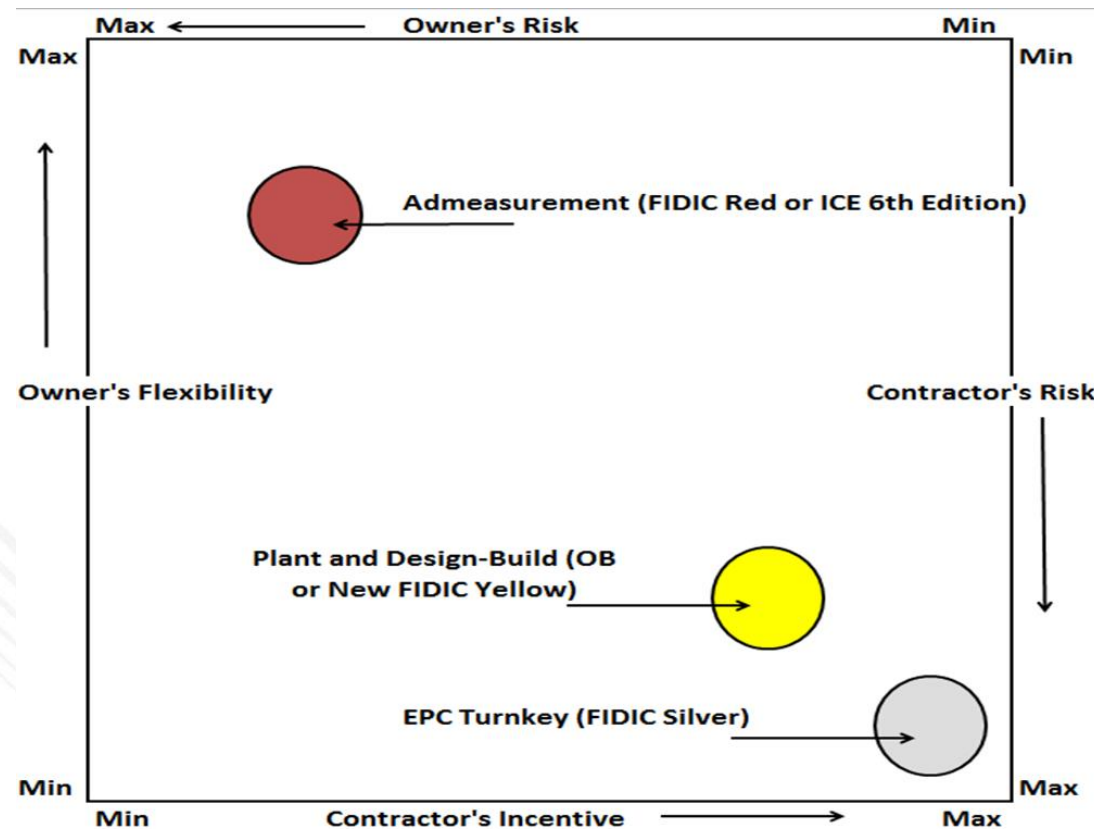


Tender documentation contents

- Instructions for the tenderer how to make tender proposal
- Technical information on subject and scope of works
- Draft contracts on works PRAG / FIDIC
- Forms (models) for different parts that need to be completed
- Guarantee proposals to be submitted
- Bill of quantities to be completed with the prices
- Financing bodies such as IFI or EU usually have predefined forms explaining how to prepare tender documentation

Selection of the agreement type to be implemented

- Complexity of works
- Scope of works
- Project readiness
- Type of technology
- Time for implementation
- Expertise of the Employer
- Requirements of the financing body



What is the required technical documentation

Depending on the type of subject of works and analysis of risks produced by the Employer

Remeasurement (FIDIC RED BOOK)

Water supply / sewage network

- Construction permit
- Project for construction permit
- EIA
- All other special conditions of construction
- Bill of Quantities
- Priced Bill of Quantities

„Plant and Design Build “ (FIDIC YELLOW BOOK)

Drinking water / WWTP

- Location conditions
- Location permit (recommended)
- EIA conditions
- Preliminary design or Conceptual design
- Employer's requests

Regardless of the type of the required project documentation, it shall always be produced in accordance with the national regulations

Selection of procurement procedure

Selection of the procurement procedure depends on PRAG procurement conditions

$\geq 5.000.000$ EUR

International open procedure

≥ 300.000 EUR < $5.000.000$ EUR

Open procedure in the country

> 20.000 EUR < 300.000 EUR

Simplified procedure

≤ 20.000 EUR

Only one proposal

Parts of tender documentation

In accordance with PRAG

- **PIN – prior information notice**
- **CN – Contract Notice**
- **Tender documentation:**
 - Volume 1: Instructions for the bidders.
 - Volume 2: Contract conditions
 - Volume 3: Technical specifications / Requests of the employer
 - Volume 4: Bill of Quantities / Payment schedule
 - Volume 5: Drawings

Who is responsible for which type of documentation?

Република Србија
ОПШТИНА РАША
ОПШТИНСКА УПРАВА – Одсек за урбанизам,
стабилност територије и просторно
планирање
03 Београд 113-771/13
Датум: 12.11.2013. год.
Р а ш а

Онако на урбанистички, стабилност територије и просторно
планирање Општина Раша поступило је по захтеву ЈЗП "Раши" из Раши, и на
основу Закона бр. 147/09 и 147/10 о урбанистичком и просторном
планирању РС, Закона бр. 73/09, 81/09 – исправка, 64/10 – исправка УС, 24/11, 121/12,
42/13 – исправка УС и 105/13 – исправка УС, члана 7. и 8. Просторног и стабилност
информације о локалитету и о одређеном локалитету доноси ("Сл. гласник РС",
бр. 3/09, члана 142, Закона о општем управном поступку ("Сл. гласник РС",
бр. 33/97 и 31/01 и "Сл. гласник РС", бр. 30/10), Просторног плана општине
Раши и Урбанистичког пројекта за регулирање просторног плана Општина
Раши на с.л. 1832/2 КО Раши, који је:

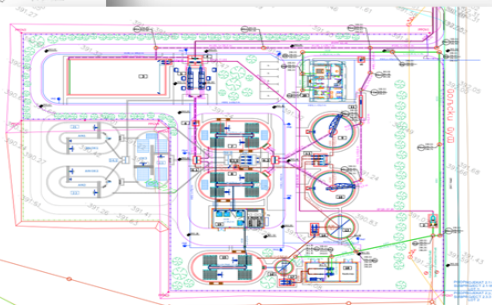
РЕШЕЊЕ
О ЛОКАЛИТЕТСКОМ ДОЗВОЛИ

Инвеститор, Општина Раши из Раши као власнику грађевинског
локалитета одлази се на територију ЈЗП "Раши" из Раши, локалитет доноси за
изградњу постројења за пречишћавање отпадних вода, на кат. парцели бр.
1832/2 КО Раши у општини Раши.

Положај и опис:
Локалитет на који је поднато захтев налази се на територији Општине Раши.
Уређење на урбанистички планови на основу просторног плана Општине Раши.
Постројења за пречишћавање отпадних вода Раши, потребан за изградњу
највећег и најновијег пројекта у складу са Просторним планом Општине Раши
и Урбанистичком пројектом за регулирање просторног плана Општине Раши на
с.л. 1832/2 КО Раши, са могућношћу финансирања.

Правна регулација:
- Бр. 147/09 и 147/10 о урбанистичком и просторном планирању РС;
1. Урбанистички план (просторни, локалитет, саобраћај, лабораторија и
канализација)
2. Просторни план Општине Раши
3. Просторни план Општине Раши
4. Просторни план Општине Раши
5. Просторни план Општине Раши
6. Просторни план Општине Раши
7. Просторни план Општине Раши

End Recipient



ШУМАРСТВА И ВОДОПРИВРЕДЕ
Републичка дирекција за воде
Број: 325-05-392/2011-07
Датум: 28.09.2011. године
Београд
МБ

На основу чл. 113, 115 и 117. Закона о водама ("Службени гласник РС"
члана 30, став 2. Закона о државној управи ("Службени гласник РС"
члана 8, став 6. Закона о министарствима ("Службени гласник РС"
Закона о општем управном поступку ("Службени гласник РС" бр. 33/97
по захтеву без бр. од 01.06.2011. год. ЈКП "Раши" из Раши, матице
управној ствари издати су водни услови. Министарство пољопривреде,
шумарства и водопривреде, Републичка дирекција за воде доноси:

РЕШЕЊЕ
О ИЗДАВАЊУ ВОДНИХ УСЛОВА

Издају се подносиоцу захтева Јавном комуналном предузећу
Дунавска бр. 2а, у поступку припреме и израде техничке документације
за сакупљање, одређивање и пречишћавање отпадних вода, Р.
пречишћавања отпадних вода у реку Ибар, на територији општине
услови:

1. У поступку израде техничке документације, на основу предходне
документације на основу главног пројекта у складу са важећим проп.
на овом подручју.
2. На главни пројекат прибавити техничку контролу, према
прописима.
3. Техничку документацију урадити на основу урбанистичке и планске документације.
4. Подносиоцу захтева је у обавези да реши имовинско-правне односе, на предметом
катастарском парцели у новој котлици.
5. Карактеристичне рачунарске вредности протицаја реке Ибар на предметној деоници
изnose:

-стогодишња велика вода	$Q_{100} = 1170 \text{ m}^3/\text{s}$
-педесетогодишња велика вода	$Q_{50} = 970 \text{ m}^3/\text{s}$
-двадесетогодишња велика вода	$Q_{20} = 738 \text{ m}^3/\text{s}$
-средње воде	$Q_{\text{ср}} = 40,3 \text{ m}^3/\text{s}$
-мање воде	$Q_{\text{мин}} = 3,05 \text{ m}^3/\text{s}$

VOLUME 2
CONTRACT AGREEMENT
WORKS CONTRACT FOR EUROPEAN UNION EXTERNAL ACTIONS
NO «Contract number»
FINANCED FROM THE EU GENERAL BUDGET

Between
The Government of the Republic of Serbia represented by the Ministry of Finance
Department for Contracting and Financing of EU Funded Programmes (CFCU)
3-5 Sremska Str., Belgrade 11000, Republic of Serbia
("Contracting Authority"),
of the one part,
and
"Full official Name of Contractor"
[Legal status/title]
[Official registration number]
[Full official address]
[VAT number],
("the Contractor")
of the other part,

have agreed as follows:
CONTRACT TITLE: Construction of the WWTP Rvati
Identification number: EuropeAid/135432/H/WKS/RS

Whereas the Contracting Authority would like the Contractor to carry out the following work:
Construction of Water treatment plant Rvati
and has accepted a tender by the Contractor for the design, execution and completion of such works and
the remedying of any defects therein.

It is hereby agreed as follows:

* Where the contracting party is an individual.
* Where applicable.
* Except where the contracting party is not VAT registered.
2011
date contract signed

Page 1 of 3

CFCU

VOLUME 1
SECTION 1:
INSTRUCTIONS TO TENDERERS

Page 1 of 21

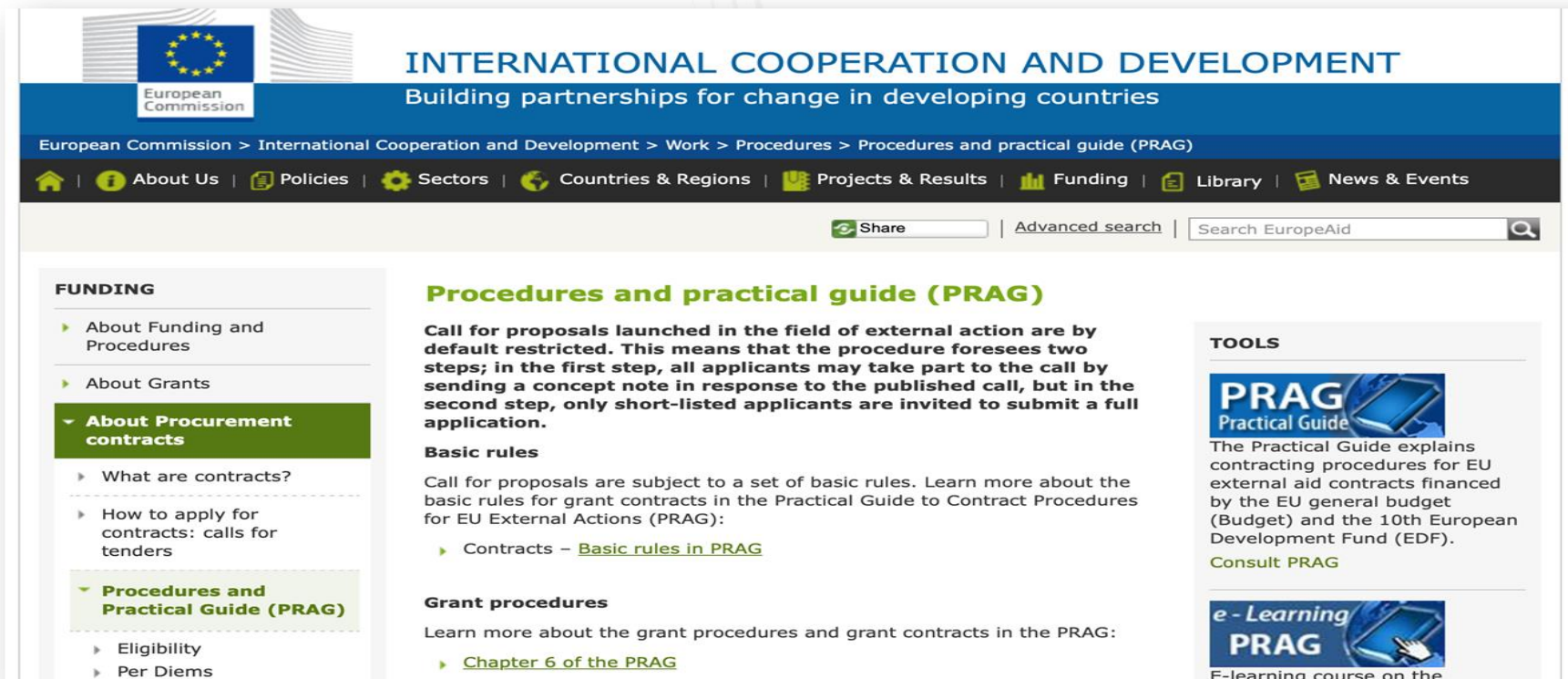
VOLUME 3
SECTION 1
EMPLOYER'S REQUIREMENTS

VOLUME 4
SECTION 1
PREAMBLE
SECTION 2
DOWN OF LUMP-SUM PRICE
SECTION 3
PROCESS GUARANTEES

End Repecient

PRAG is available on EU website

https://ec.europa.eu/europeaid/work/procedures/index_en.htm_en



The screenshot displays the European Commission's website for International Cooperation and Development. The header features the European Commission logo and the title "INTERNATIONAL COOPERATION AND DEVELOPMENT" with the tagline "Building partnerships for change in developing countries". A navigation bar includes links to "European Commission > International Cooperation and Development > Work > Procedures > Procedures and practical guide (PRAG)". Below this, a secondary navigation bar lists various sections: "About Us", "Policies", "Sectors", "Countries & Regions", "Projects & Results", "Funding", "Library", and "News & Events". A search bar and a "Share" button are also present.

FUNDING

- About Funding and Procedures
- About Grants
- About Procurement contracts**
 - What are contracts?
 - How to apply for contracts: calls for tenders
- Procedures and Practical Guide (PRAG)**
 - Eligibility
 - Per Diems

Procedures and practical guide (PRAG)

Call for proposals launched in the field of external action are by default restricted. This means that the procedure foresees two steps; in the first step, all applicants may take part to the call by sending a concept note in response to the published call, but in the second step, only short-listed applicants are invited to submit a full application.

Basic rules

Call for proposals are subject to a set of basic rules. Learn more about the basic rules for grant contracts in the Practical Guide to Contract Procedures for EU External Actions (PRAG):

- Contracts – [Basic rules in PRAG](#)

Grant procedures

Learn more about the grant procedures and grant contracts in the PRAG:

- [Chapter 6 of the PRAG](#)

TOOLS

PRAG Practical Guide

The Practical Guide explains contracting procedures for EU external aid contracts financed by the EU general budget (Budget) and the 10th European Development Fund (EDF).

[Consult PRAG](#)

e-Learning PRAG

E-learning course on the

All forms are prepared and available

http://ec.europa.eu/europeaid/prag/annexes.do;JSESSIONID_PUBLIC=xKtKuFhBftAWXp14oom45VjiqzCPUK9KZkb0uU3XsXAH5kk2cbdq!-2076012933?chapterTitleCode=D

European Commission

INTERNATIONAL COOPERATION AND DEVELOPMENT

eContent

European Commission > International Cooperation and Development > Funding > Online Services > Prag > Annexes (D)

Version 2019.0 What's new Document Annexes Download available languages Previous versions Keywords External links Search

42 item(s) found, displaying 1 to 42. Page(s): 1 Item(s) per page: All

Name	Description	Action
D1	Prior information notice	Download
D2	Contract notice	Download
D3	Summary contract notice - local advertisement	Download
D4a	Letter of invitation to tender	Download
D4b	Instructions to tenderers	Download
D4c	Tender form	Download
D4d	Tender guarantee	Download
D4e	Technical offer questionnaire	Download
D4f	Technical offer form 4.1	Download
D4g	Technical offer form 4.2	Download
D4h	Technical offer form 4.3	Download
D4i	Technical offer form 4.4	Download

PIN

Prior information

- Setting out specific characteristics of the planned tender procedure
- Briefly state the subject, content and value of the contracts in question.
- Must be published, at least 30 days - but not longer than 12 months - before the publication of the contract notice in the Official Journal of the European Union and on the Directorate General for International Cooperation and Development website.
- Publishing a prior information notice does not oblige the contracting authority to award the contracts proposed

Contract Notice

Document for completion and publication by the contracting authority.

WORKS CONTRACT NOTICE

< Contract title >

< Location - Area/region and country/countries >

[Only in case of suspension clause]

Please note that the awarding of the contract is subject to the condition of:

- [the prior adoption of a financing decision and the prior conclusion of a financing agreement]
- [the prior adoption of a financing decision]
- [the prior conclusion of a financing agreement,]

which does not modify the elements of the procurement procedure (this will be the case, for instance, if the budget initially foreseen is different or if the timeframe, the nature or the condition of the implementation are altered). If the precedent condition is not met, the contracting authority will either abandon the procurement or cancel the award procedure without the candidates or tenderers being entitled to claim any compensation.]

1. Publication reference

< Publication reference of the corresponding prior information notice >

2. Procedure

Open

3. Programme title

< Please specify the programme title mentioned in the applicable financing agreement / financing decision >

4. Financing

< Budget line / financing agreement / other >

5. Contracting authority

[For direct management: European Commission, on behalf of and for the account of <the partner country/countries >]

[For indirect management: < The partner country >]

< Address >

Instructions to Tenderer

In submitting a tender, the tenderer accepts in full and without restriction the special and general conditions governing the contract as the sole basis of this tendering procedure, whatever its own conditions of sale may be, which it hereby waives. Tenderers are expected to examine carefully and comply with all instructions, forms, contract provisions and specifications contained in this tender dossier. Failure to submit a tender containing all the required information and documentation within the deadline will lead to rejection of the tender. No account can be taken of any reservation in the tender as regards the tender dossier; this may result in immediate rejection of the tender without further evaluation.

These instructions set out the rules for the submission, selection and implementation of contracts financed under this call for tenders, in conformity with the provisions of the practical guide, which is applicable to this call (available on the internet at this address: <http://ec.europa.eu/europeaid/prag/document.do>).

Instructions to Tenderer

How to complete standard ITT template

Please insert information between the <> brackets as indicated for each tender procedure. Square brackets [] and parts shaded in grey indicate options to choose: they should be included when applicable, but should only be modified in exceptional cases, dictated by the requirements of a specific call for tenders.

All other parts of these standard instructions must be left unchanged. In the final version of the instructions to tenderers, please remember to delete this paragraph, any other text with yellow highlighting and to suppress all brackets.

Instructions to Tender

VOLUME 1

SECTION 1:

INSTRUCTIONS TO TENDERERS

July 2019
d4b_itt_en

Page 1 of 24

Selection Criteria

- Should be clear;
- Non-discriminatory;
- May not go beyond the scope of the contract;
- The reference period for financial capacity may not go beyond the **last 3 years** for which accounts have been closed;
- A list of the works carried out in the **last 5 years**, accompanied by certificates of satisfactory execution;
- Has sufficient on-going staff resources, expertise and experience to be able to take on the proposed contract;
- Is not a so-called 'body shop', i.e. a candidate with no real expertise in fields related to the contract;

Selection Criteria – cont.

- When deciding on the appropriate criteria, CA must consider whether compliance can **be proved** and should, for instance, consider **what type of documentary evidence** the tenderer may submit **as proof**.
- The selection criteria must be specified in the contract notice/instructions to tenderers and applied by the contracting authority **without modification unless a corrigendum has been published**.

How the Selection Criteria will be calculated

- Tenderers **must provide** evidence that they meet the selection criteria. This must be provided by tenderers using the forms described in ITT 12.1 and any additional forms tenderers may wish to use.
- If a tender is submitted by a consortium, unless specified, the selection criteria will be applied to the **consortium as a whole**.

Capacity-providing entities

- An economic operator may, where appropriate and for a particular contract, rely on the capacity of other entities, regardless of the legal nature of the links which it has with them.
- If the tenderer relies on other entities, it must prove to the contracting authority that it will have at its disposal the resources necessary to perform the contract
- With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter **will perform the works** for which these capacities are required.
- 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 relying on them

Selection Criteria – not to be used

Extracted from PRAG

- requesting disproportionate annual turnover
- number of staff
- number of previous projects, etc. as regards the amount of the contract;
- using imprecise terms such as 'sufficient', 'major', 'relevant' as they are too ambiguous.
- requesting a percentage of the staff working in specific fields as this may be discriminatory for large companies;
- requesting technical experience relating to EU projects only
- requesting prior experience in the partner country,
- requesting technical experience that effectively restricts the number of eligible candidates to one or a few firms.

Example:

Tenderer must have completed as prime contractor at least two contracts (with a portion of the contract being at least EUR 5.000.000) which includes construction of new waste water treatment plant with capacity of at least 30.000 P.E. which was completed at any moment during the following period: in the course of the past 5 years.

Example:

- a) Tenderer must be able to carry out at least 70% of the value of the Contract Works using its own resources, which means that it must have the equipment, materials, human and financial resources necessary to carry out that percentage of the contract.
- b) The Leading Partner in a joint venture/consortium must be able to carry out at least 50% of the value of the Contract Works using its own resources/means.
- c) Any partner in a joint venture/consortium, other than the Leading Partner, must be able to carry out at least 10% of the value of the Contract Works using its own resources/means.

Example

Questions

- **Why only prime contractor;**
- **What if the contractor has completed one contract with the value of the works 100.000.000 EUR;**
- **What does it mean portion of the contract;**
- **What if the contractor has constructed industrial chemical pre-treatment plant;**
- **What if the plant is only with the preliminary treatment level;**
- **What if the contractor is completely reconstructed existing plant of 100.000 P.E.;**
- **Who will evaluation committee confirm tenderer capability under a);**
- **Who will evaluation committee confirm tenderer capability under b);**
- **What if the Design company in JV only performs design of the plant.**

Example / cont.:

Contractor's Representative shall have:

- university degree in civil engineering or equivalent
- at least 15 years of post-graduate experience in civil engineering
- experience in at least 2 projects of at least EUR 3 million value in the construction or reconstruction of WWTP, carried out in accordance with FIDIC Conditions of Contract or equivalent;

Design Manager shall have:

- university degree in civil or technology engineering or equivalent
- at least 10 years of post-graduate experience
- design experience in at least 1 project of the wastewater treatment;

Example

Questions

- **What if Contractor representative has 14 years of experience**
- **Is 3 mil. EUR value of one or cumulative for two WWTPs**
- **What if the project is not completed**
- **What if the expert worked only a week on a project**
- **What role of the expert on the project will be accepted**
- **What type of WWTP will be acceptable**
- **What will be required position in referenced project for Expert no 2**
- **Is experience required in construction project or in design or both**

Common mistakes

- Modification of the PRAG template where no modification is required / allowed;
- Using disproportionate turnover amount;
- Using disproportionate amount for tender guarantee;
- Unclear and disproportionate Selection Criteria;
- Miscalculation of the required days by PRAG;
- Information presented is not harmonise with other part of TD;

Common mistakes

Turnover of the tenderer

minimum yearly turnover requested **may not exceed 2 times the estimated annual contract value**, except in duly justified cases motivated in the tender dossier (ITT)

Tender guarantee

A tender guarantee assures the contracting authority that submitted tenders will not be withdrawn. If the contracting authority deems a tender guarantee to be appropriate and proportionate, it may request it, representing **1% to 2% of the overall value of the contract (5.3.2)**

EU PROJECT PREPARATION FACILITY PROJECT

All documents, information, materials and pictures from this EU PPF training are available for download in the download section of our site www.ppf.rs

Questions and assistance

Robert Kartelo

Trainer, EU PPF | PPF6/EuropeAid/135637/IH/SER/RSr

+381 11 4040721

info@ppf.rs

www.ppf.rs

Thank you for your attention!