Document for completion by the contracting authority

to be submitted as **ANNEX to the tender dossier**

(not published for the simplified procedure or negotiated procedure)

**WORKS CONTRACTNOTICE**

Green infrastructure Shtip

**Stip, East planning region , North Macedonia**

1. **Reference**

09-4263/­­­14, BGMK0300060/02

1. **Procedure**

Simplified

1. **Programme title**

Interreg VI-A Bulgaria-North Macedonia; BGMK0300060 EcoScape

1. **Financing**

The project is co-financed by the European Union, in accordance with the rules of Interreg VI-A Bulgaria-North Macedonia programme.

1. **Contracting authority**

Municipality of Stip, str.Vasil Glavinov 4B, Shtip

**CONTRACT SPECIFICATIONS**

1. **Nature of contract**

**Lump-sum**

1. **Description of the contract**

The main objective of this contract is to create new modern public areas that will provide conditions for improving the environment, through the establishing of new green areas, reconstruction of the existing green urban areas and their preservation. The scope of this contract includes development of green infrastructure on three locations on the territory of the urban area of the Municipality of Shtip. The planned works include planting of tall deciduous trees, decorated with flower arrangements and low-stemmed decorative evergreen plants, construction of garden with cherry trees, flower pots and irrigation system which use a storm water through the building's gutters, arrangement of new green areas in the urban part of the city and the planting of low-stemmed evergreen trees, development of small pocket park in the urban part of the city, within the framework of which it is planned to green the space with new areas of grass, planting of high-stemmed deciduous trees, of the maple species, installation of pots etc.

1. **Provisional commencement date of the contract**

16.12.2024

1. **Period of implementation of tasks**

12 months

**CONDITIONS OF PARTICIPATION**

1. **Legal basis, eligibility and rules of origin**

The legal basis of this procedure is Regulation (EU) No 2021/1529 establishing the Instrument for Pre-accession Assistance (IPA III). See Annex A2 of the practical guide.

For this contract award procedure, participation is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping – consortium – of candidates/tenderers) which are effectively established in a  Member State of the European Union or in an eligible country or territory as defined under Article 11 of Regulation (EU) No 1529  establishing the Instrument for Pre-accession Assistance (IPA III).

All supplies and materials under this contract may originate in any country.

1. **Subcontracting**

**Subcontracting is allowed.**

Subcontractors, suppliers and entities upon whose capacity the tenderer relies for the selection criteria, must be eligible in respect of the rules on nationality and origin for the financing programme detailed in Section 10 above.

1. **Grounds for exclusion**

Natural persons, companies or undertakings falling into a situation set out in Section 2.6.10.1.1. (‘exclusion from participation in procurement procedures’) and Section 2.6.10.1.2. (‘rejection from a given procedure’) of the practicalguide, are not entitled to participate in this tender procedure or be awarded a contract. Should they do so, their tender will be considered unsuitable or irregular respectively. Tenderers must provide declarations to the effect that they are not in any of the exclusion situations listed in Section 2.6.10.1. of the practical guide. The declarations must cover all the members of a joint venture/consortium. Tenderers guilty of making false declarations may also incur financial penalties up to 10% of the value of the contract and exclusion in accordance with the Financial Regulation in force.

Those exclusion situations apply to all members of a joint venture/consortium, all subcontractors and all suppliers to tenderers, as well as to all entities upon whose capacity the tenderer relies for the selection criteria.

Tenderers included in the lists of EU restrictive measures (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract.

1. **Number of tenders**

Tenderers may submit only one tender. Tenders for parts of theworks will not be considered. Tenderers may notsubmit a tender for a variant solution in addition to their tender for the works required in the tender dossier.

**SELECTION AND AWARD CRITERIA**

1. **Selection criteria**

### In order to be eligible for the award of the contract, tenderers must provide evidence that they meet the selection criteria. If a tender is submitted by a consortium, unless specified, the selection criteria will be applied to the consortium as a whole.

The selection criteria for each tenderer are as follows:

***14.a Economic and financial capacity of candidate:***

**-** the average annual turnover of the tenderer in the past 3 years must be at least 250.000,00 EUR.

**-** the tenderer must have access to an amount of credit which exceeds 30.000,00 EUR

***14.b Technical and professional capacity of candidate:***

**-** it must have completed at least two projects of the same nature/amount/complexity as the works **concerned** by the tender and implemented during the following period: 29.11.2019 – 29.11.2024 The contracting authority reserves the right to ask for copies of certificates of final acceptance signed by the supervisors/contracting authority of the projects concerned.

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 by producing a commitment on the part of those entities to place 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 relying on them and must comply with the selection criteria for which the economic operator relies on them. Furthermore, the tender should include a separate document providing data on this third entity for the relevant selection criterion. Proof of capacity must be provided at the request of the contracting authority.

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.

With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies, become jointly and severally liable for the performance of the contract.

Financial data to be provided by the tenderer in relation to the selection criteria must be expressed in EUR. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to EUR shall be made in accordance with the InforEuro exchange rate of 11.2024, which can be found at the following address: <http://ec.europa.eu/budget/graphs/inforeuro.html>.

1. **Award criteria**

The sole award criterion will be the price: the most economically advantageous tender is the technically compliant tender with the lowest price.

**TENDERING**

1. **Ethics clauses**

**The tenderers are subject to the ethics clauses, detailed in Section 2.5.6. of the practical guide.**

instrument under which this contract is to be financed - See Annex A2 of the practical guide

1. **Appeals**

Tenderers believing that they have been harmed by an error or irregularity during the award process may file a complaint. See further Section 2.12. of the practical guide.

1. **Early detection and exclusion system**

The tenderers and, if they are legal entities, persons who have powers of representation, decision-making or control over them, are informed that, should they be in one of the situations of early detection or exclusion, their personal details (name, given name if natural person, address, legal form and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the early detection and exclusion system (EDES) and communicated to the persons and entities concerned in relation to the award or the execution of a procurement contract.