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SUPPLY CONTRACT NOTICE

Procurement of combined machine backhoe-loader with additional equipment

1. Publication reference

HR-BA-ME00111 R10D3, tender no. 2

2. Procedure

Local open procedure

3. Programme title

INTERREG CBC CROATIA-BOSNIA AND HERZEGOVINA-MONTENEGRO 2021-2027

4. Financing

Grant contract **R10D3 - Improving waste management infrastructure and mainstreaming 10 Rs of circular economy for sustainable development of Ulcinj, Vinkovci and Orašje**, no. HR-BA-ME00111, co-financed by the European Union, in accordance with the rules of Programme INTERREG CBC Croatia-Bosnia and Herzegovina-Montenegro 2021-2027. Procurement of combined machine backhoe-loader with additional equipment. (activity 2.2).

5. Contracting authority

Municipality of Ulcinj

CONTRACT SPECIFICATIONS

6. Description of the contract

This contract concerns the procurement of combined machine backhoe-loader with additional equipment. (activity 2.2) for the Regional Sanitary Landfill “Mozura” The supplies are foreseen as part of the project **R10D3 - Improving waste management infrastructure and mainstreaming 10 Rs of circular economy for sustainable development of Ulcinj, Vinkovci and Orašje**, under WP2 - Implement construction and equipping of local waste management systems.

To address the issue of underdeveloped and incoherent waste management infrastructure, and consequently, ineffective waste management systems in the partner areas (Ulcinj, Orašje, and Vinkovci), each partner is implementing activities that will contribute to this objective. The Municipality of Ulcinj, a cofounder of the Regional Sanitary Landfill Možura, is conducting this procurement for the supply of a combined backhoe-loader machine with additional equipment.





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The machine will be used by the Regional Sanitary Landfill Možura for loading material into the crusher – bulky, construction, and green waste, for loading and unloading materials used for covering waste, for work within the landfill area related to filling and raising bio torches, and transporting materials, for performing construction work within the landfill area, transporting materials for recycling, and transporting waste tires, for maintaining and filling access roads within the landfill area.

Below is the list of supplies subject of this tendering procedure:

1. Combined machine backhoe-loader: piece 1
2. Hydraulic hammer: piece 1
3. Grapple with rotator: piece: 1

All of the listed items are to have at least a 18 months and 2000 working hours warranty.

The contractor is to deliver and install the supplies at locations within the Municipality of Bar, Montenegro:

1) Regional Sanitary Landfill MOZURA, 85000 Kunje, Bar Montenegro

After the supply, delivery, unloading and installation of the above listed supplies, the contractor is to provide training in the use of the Regional Sanitary Landfill Mozura for the designated staff.

Detailed technical specifications are located in part **B. Annex II + III Technical Specifications + Technical Offer** of this tender dossier.

7. Number and titles of lots

One lot only.

TERMS OF PARTICIPATION

8. Eligibility and rules of origin

Participation is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping – consortium – of tenderers) which are effectively established in a Member State of the European Union or in a eligible country or territory as defined under the Regulation (EU) No 236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable instrument under which the contract is financed (see also heading 22 below). Participation is also open to international organisations.





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All supplies under this contract must originate in one or more of these countries.

Please be aware that after the United Kingdom's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries and of goods originating from third countries will apply to candidates or tenderers from the United Kingdom, and to all candidates or tenderers proposing goods originating from the United Kingdom depending on the outcome of negotiations. In case such access is not provided by legal provisions in force at the time of the contract award, candidates or tenderers from the United Kingdom, and candidates or tenderers proposing goods originating from the United Kingdom could be rejected from the procurement procedure.

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 Section 2.6.10.1. of the Practical Guide.

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.

10. Number of tenders

The candidates may submit an application for one lot only, several lots or all of the lots, but only one application may be submitted per lot. Tenders for parts of a lot will not be considered. Tenderers may not submit a tender for a variant solution in addition to their tender for the supplies required in the tender dossier.

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.

11. Tender guarantee

No tender guarantee is required.

12. Performance guarantee

No performance guarantee is required.

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. In exceptional circumstances, the contracting authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period (see para 8.2 of the instructions to tenderers).





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15. Period of implementation of tasks

The time limits for the implementation of tasks shall be 2 month (60 days) from the provisional date of contract signature. The contract signature shall be on November 22nd 2024, with the period of implementation of tasks lasting until January 22nd, 2024, being the date of provisional acceptance.

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 unless specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors:

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. The reference period which will be taken into account will be the last three years for which accounts have been closed.

Criteria for legal persons:

1 - Current ratio (current assets/current liabilities) in the last year for which accounts have been closed must be at least 1. In case of a consortium, this criterion must be fulfilled by each member.

2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the tender form for a supply contract). The reference period which will be taken into account will be the last three years from submission deadline.

No specific capacities required

3) Technical capacity of tenderer (based on i.a. items 5 and 6 of the tender form for a supply contract). The reference period which will be taken into account will be the last three years from submission deadline.

This means that the contract the tenderer 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. 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, final acceptance). In case of projects still on-going only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly





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to projects completed) also detailing its value.

Criteria for legal and natural persons:

1 - the tenderer has delivered similar supplies under at least one contract with a budget of at least that of this contract.

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 they rely on key criteria. If the tenderer relies 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 a commitment 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 relying on them and must comply with the selection criteria for which the economic operator relies on them. 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.

With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the tasks 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.

17. Award criteria

Lowest technically compliant offer

TENDERING

18. How to obtain the tender dossier

The tender dossier is available from the following Internet address: www.ul-gov.me. The tender dossier is also available from the contracting authority. 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 email: ipa@ul-gov.me (mentioning the publication reference shown in item 1) at the latest 21 days before the deadline for submission of tenders given in item 19. The contracting authority must reply to all tenderers' questions at the latest 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier shall be published at the latest





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11 days before the submission deadline on the website of the Municipality of Ulcinj www.ul-gov.me.

19. Deadline for submission of tenders

The tenderer's attention is drawn to the fact that there are two different systems for sending tenders: one is by post or private mail service, the other is by hand delivery.

In the first case, the tender must be sent before the date and time limit for submission, as evidenced by the postmark or deposit slip¹, but in the second case it is the acknowledgment of receipt given at the time of the delivery of the tender which will serve as proof.

The deadline for the submission of tenders is the 16th of November, 2024, by 14.00 o'clock.

Any tender submitted to the contracting authority after this deadline will not be considered.

The contracting authority may, for reasons of administrative efficiency, reject any tender submitted on time to the postal service but received, for any reason beyond the contracting authority's control, after the effective date of approval of the evaluation report, if accepting tenders that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.

How tenders may be submitted

Tenders must be submitted in English exclusively to the contracting authority in a sealed envelope:

- EITHER by post or by courier service, in which case the evidence shall be constituted by the postmark or the date of the deposit slip, to :

**OPŠTINA Ulcinj (Građanski biro)
Bulevar Skenderbega b.b
85360 Ulcinj, Crna Gora
Odjeljenje za EU projekte
Za: Arslan Hajdinaga**

- OR hand delivered by the participant in person or by an agent directly to the premises of the contracting authority in return for a signed and dated receipt, in which case the evidence shall be constituted by this acknowledgement of receipt, to:

**OPŠTINA Ulcinj (Građanski biro)
Bulevar Skenderbega b.b
85360 Ulcinj, Crna Gora
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¹ It is recommended to use registered mail in case the postmark would not be readable.





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Opening hours: 8.30–14.00h

The contract title and the Publication reference (see item 1 above) must be clearly marked on the envelope containing the tender and must always be mentioned in all subsequent correspondence with the contracting authority.

Tenders submitted by any other means will not be considered.

By submitting a tender candidates accept to receive notification of the outcome of the procedure by electronic means. Such notification shall be deemed to have been received on the date upon which the contracting authority sends it to the electronic address referred to in the tender.

20. Tender opening session

The tender opening session will be held on the 19th of November, 2024, at 11.00 o'clock within the building of the Municipality of Ulcinj, Bulevar Skenderbega b.b., 85 360 Ulcinj, Montenegro.

21. Language of the procedure

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

22. Legal basis²

Framework Agreement Between Montenegro Represented By The Government Of Montenegro And The European Commission On The Arrangements For Implementation Of Union Financial Assistance To Montenegro Under The Instrument For Preaccession Assistance (IPA II)

Grant contract HR-BA-ME00111

23. Additional information

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² Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).

