

INVITATION FOR TENDERS

UKRAINE LVIV WASTEWATER BIOGAS PROJECT

INVITATION FOR TENDERS Upgrade and rehabilitation of the grit chambers at the existing WWTP. Ref. EBRD 8784-GPN-45779

Project ref:	Lviv Wastewater Biogas Project
Location:	Ukraine
Business sector:	Municipal and environmental infrastructure
Project number:	45779
Funding source:	EBRD
Contract type:	Procurement of Works
Notice type:	Procurement notices
Issue date:	13.08.2018
Closing date:	27.09.2018 at 14:00 local time

The present Invitation for Tenders follows the General Procurement Notice for this Project, which was published on the EBRD website in "Procurement Notices"

(<https://www.ebrd.com/work-with-us/procurement/p-pn-170801b.html>) on July 31, 2017.

Lviv City Communal Enterprise “Lvivvodokanal”, hereinafter referred to as “the Employer”, has received loans from the European Bank for Reconstruction and Development (“the Bank” or “EBRD”) and the Nordic Environment Finance Corporation (NEFCO) and grants from the Eastern Europe Energy Efficiency and Environment Partnership (E5P) Fund and John Nurminen Foundation (JFN) to finance the Lviv Wastewater Biogas Project, including the rehabilitation and upgrade of the wastewater treatment infrastructure (grit chambers) and the installation of the biogas production from sludge and cogeneration facilities for production of additional electricity and heat from biogas.

The Employer now invites sealed tenders from Contractors for the following contract to be funded from the part of proceeds of the EBRD loan:

- **Upgrade and rehabilitation of the grit chambers at the existing WWTP** in Lviv city in accordance with design developed and approved by the Employer including supply of the equipment and materials, installation and perform all required civil works, testing, pre-commissioning, commissioning and putting into operation of completed grit chambers and defects removal during the during Defect notification period (24 months).

Time for implementation of works (including mobilization, supply, installation and commissioning) – **455 days**.

Defect notification period – **728 days**.

The Conditions of Contract shall be the FIDIC-MDB Harmonised Edition of the Conditions of Contract for Construction (for Building and Engineering works Designed by the Employer), June 2010.

Tendering for contracts to be financed with the proceeds of a loan from the Bank is open to firms from all countries. The proceeds of the Bank’s loan will not be used for the purpose of any payment to persons or entities, or for any import of goods, if such payment or import is prohibited by a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations.

To be qualified for the award of the contract, tenderers shall satisfy the following minimum criteria:

1. **Historical contract non-performance and/or litigation.** The Tenderer has a Litigation History without major claims. The Tenderer shall provide accurate information on any current or past litigation or arbitration resulting from contracts completed or under his execution over the last **5 (five)** years. A consistent history of awards against the Tenderer or any partner of a joint venture may result in failure of the application.

2. Financial statement

2.1 Financial capacity. The Tenderer has an evidence showing that the liquid assets and access to credit facilities are adequate for this Contract, confirmed by a financial statement for the last **3 (three)** (2015-2017) years verified by a chartered accountant.

2.2 Average annual construction turnover. Minimum average annual turnover as a contractor of **EUR 15,000,000 (fifteen million)** equivalent calculated as total certified payments received for contracts in progress or completed, within the last **3 (three)** years. If necessary, the Employer may request a confirmation of such turnovers from the bank (banks) of the Tenderer.

2.3 Financial resources. The Tenderer must have access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means sufficient to meet the construction cash flow for the contract for a period of **2 (two)** months, estimated as not less than **EUR 1,500,000 (one million five hundred thousand)** equivalent, taking into account the Tenderer's commitments for other contracts.

3. Experience:

(a) General experience:

The Tenderer shall have successful experience as prime contractor in the execution of at least **3 (three)** completed projects of a nature, complexity and completion schedule comparable to the proposed contract within the last **7 (seven)** years, each with a value of at least **EUR 4,200,000 (four million two hundred thousand)**. The similarity shall be based on the physical size, complexity, methods / technology or other characteristics as described in Section III, Requirements.

(b) Specific experience:

(i) Confirmed experience of at least 2 (two) completed contracts (by providing Copies of Completion and Taking Over Certificates) of construction, reconstruction or modernization, as well as the commissioning of grit chambers in sewage treatment plants within the past **7 (seven)** years in Eastern European countries or countries with climatic and technical conditions similar to Ukraine.

(ii) The Tenderer shall demonstrate (by providing references, etc.) that at least 2 (two) contracts with the grit chambers that were built, reconstructed or upgraded by the Tenderer as a general contractor during the last **7 (seven)** years have been successfully operated for at least **2 (two)** years after the end of the warranty period.

(iii) The Tenderer should also demonstrate that the time schedules of such works are similar to the requirements for the implementation of the entire project.

4. Personnel Capabilities. The Tenderer shall provide a suitably qualified Contractor's Representative and suitably qualified minimum Key Personnel to fill the following positions. For each position, the Tenderer will supply information, each of whom should meet the experience requirements specified below:

No.	Position/specialization	Total Work Experience (years)	Similar Work in Similar Contracts Experience (years)	Similar Management in Similar Contracts Experience (years)
1	Contractor's Representative	10	7	5
2	Process Engineer	7	5	3
3	Mechanical Engineer	7	5	3
4	Electrical Engineer	7	5	3
5	Construction Engineer	10	7	5
6	Quality Engineer	7	5	3
7	Health and Safety Engineer	7	5	3
8	Environmental Management Specialist	7	5	3

5. Equipment Capabilities. The Tenderer shall own, or have assured access to (through hire, lease, purchase agreement, availability of manufacturing equipment, or other means), the following key items of equipment in full working order, and must demonstrate that, based on known commitments, they will be available for use in the proposed Contract.

The Tenderer may also list alternative equipment which he would propose to use for the Contract, together with an explanation of the proposal.

Acceptable year of manufacture of the proposed equipment - not earlier than 2010.

No.	Equipment Type and Characteristics	Minimum number required
1	Excavator (min 1,0 m3)	4
2	Bulldozers (min 79kW)	4
3	Mobile crane with carrying capacity at least 50t and arm of crane at least 25 m	2
4	Concrete mixer, at least 9 m3 capacity	4
5	Cargo truck (load-carrying capacity min. 20m3)	8
6	Concrete pump, 90m3/h capacity with 35m arm	2
7	CAK (welding machine on wheels)	1
8	Dewatering pump, 100 m3/hour	3
9	Pile driver for up to 12m piles	1
10	Mobile concrete plant, 300m3/day	1

6. Criteria for joint ventures, consortiums or associations (“JVCA”). JVCA shall satisfy the minimum qualification requirements:

- (a) the lead partner shall meet not less than **60 (sixty) percent** of the criteria in regard to general experience and financial statement that mentioned above;
- (b) each other partner shall meet at least **25 (twenty-five) percent** of the criteria in regard to general experience and financial statement that mentioned above.

JVCA shall satisfy collectively the qualification criteria stated above, for which purpose the relevant data of each of the partners shall be added to arrive at the JVCA's total capacity. Each partner individually shall satisfy the requirements for audited balance sheets, eligibility and litigation history.

- 7. Licensing requirements.** The Tenderer shall demonstrate it is able to meet licensing requirements as per Ukrainian legislation. These may include construction license, design license or availability of certified designers. If a Tenderer does not have a license to perform a particular (separate) type (s) of required work, he may engage a subcontractor holding a relevant license. The absence of licenses at the time of submission of the Tender of the First stage is not a reason for the rejection of the offer. If such licenses and permissions are available at the time of the tender submission, copies shall be provided.

- 8. Engagement of subcontractors.** When the Tenderer proposes to involve specific subcontractors or suppliers to perform part of the works or deliveries under the Contract with amount more than 10% of the Contract price, the Tenderer should provide information in accordance with the forms given in Volume I.viii of Tender Data for each proposed subcontractor or supplier. The Tenderer cannot use the references of such subcontractors or sub-suppliers.

Tender documents may be obtained from the office at the address below upon payment of a non-refundable fee of **EUR 300** (three hundred) equivalent, which shall be paid to the Lviv City Communal Enterprise “Lvivvodokanal”:

The bank accounts for transfer of payment for the documents are:

For payment in EUR:

Account # (EUR) 26003212001443
Beneficiary’s bank: JSC UKRGASBANK
Bank’s address: Branch #290/13 of UKRGASBANK, 98 Striyska str., Lviv, 79026, Ukraine
SWIFT: UGASUAUK

Correspondent bank: COMMERZBANK AG
SWIFT: COBADEFF
Correspondent account: 400886433201
Bank’s address: Neue Mainzer Strasse 32-36, 60261 Frankfurt Am Main, Germany
Beneficiary: Lviv City Communal Enterprise “Lvivvodokanal”

For payment in Ukrainian currency:

Назва рахунку Львівське міське комунальне підприємство «Львівводоканал»
Номер рахунку 26004165146
Назва Банку АБ «Укргазбанк»

МФО	320478
ЄДРПОУ	03348471
Податкове свідоцтво	17701395 від 18.11.1995 р.
ПІН	033484713022
Адреса	79017, м. Львів, вул. Зелена, 64

Upon receipt of appropriate evidence of payment of the non-refundable fee, the documents will be dispatched electronically in PDF and MS Word format; however, no liability can be accepted for their non-delivery or late delivery. In case of discrepancies between the PDF and Word versions of the document, the PDF version shall prevail.

A two-stage tender procedure will be adopted and will proceed as follows:

- (a) the First Stage tender will consist of a technical proposal only, without any reference to prices, and a list of any deviations to the technical and commercial conditions set forth in the tender documents. Technical alternatives shall not be permitted. Following evaluation by the Employer of the First Stage tenders, the Employer will invite each tenderer who meets the qualification criteria and who has submitted a technically responsive tender to a clarification meeting. The proposals of all such tenderers will be reviewed at the meeting and all required amendments, additions, deletions and other adjustments will be noted and recorded in a Memorandum. Only qualified tenderers submitting a technically responsive and acceptable First Stage tender will be invited to submit a Second Stage tender.
- (b) the Second Stage tender will consist of an updated technical tender incorporating all changes required by the Employer as recorded in the Memorandum to the clarification meeting or as necessary to reflect any amendments to the tender documents issued subsequent to submission of the First Stage tender; and the commercial tender.

First Stage tenders must be delivered to the address below on or before September 27, 2018, 14:00 at which time they will be opened in the presence of the tenderers' representatives who wish to attend.

All Second Stage tenders must be accompanied by a Tender Security of Euro **300,000 (three hundred thousand)** or equivalent in Ukrainian Hryvna and must be delivered to the address below on or before the time and date of the submission deadline specified in the Letter of Invitation to submit Second Stage tenders, at which time they will be opened in the presence of the tenderers' representatives who wish to attend.

A pre-tender meeting / site visit will be held on August 29, 2018, starting at 10:00 a.m. at Lviv City Communal Enterprise "Lvivvodokanal".

The applicable procurement rules are the Bank's Procurement Policies and Rules (PP&R, Rev. Nov. 2017) which can be located at: <https://www.ebrd.com/work-with-us/procurement/policies-and-rules.html>

Prospective tenderers may obtain further information from, and inspect and acquire the tender documents at, the following office:

Lviv City Communal Enterprise "Lvivvodokanal"
2nd floor, Room 206, 64 Zelena str., Lviv, 79017, Ukraine
Contact person: Mr. Roman Parkhomyk, Procurement Expert
Tel: +38 (032) 225 50 68
Email: tender_lvk@ukr.net

Date: August 13, 2018