

SERVICE PROCUREMENT CALL FOR PROPOSAL

Service order in the frame of project titled Geothermal research of Drava-basin (with the reference No. of DRÁVA GEO HUHR/0901/2.1.3/0006)
Kaposvár, South-Transdanubian Region, Hungary

1. Reference No.

DRÁVA GEO HUHR/0901/2.1.3/0006

2. Procurement procedure

Local publication, negotiated procedure in compliance with the Commission Regulation No. 2342/2002 (published on 23 December 2002) and with the Article No. 242 of the Euratom Regulation.

3. Programme

IPA Cross-border Co-operation

4. Financing

Financial Agreement

5. Contracting Authority

Somogy County Local Government (SCLG) (address: 7400 Kaposvár, 3, Csokonai str.) as lead project partner, as contracting entity.

Besides the lead project partner the contract will be signed by all the project partners, namely: Baranya County Local Government (BCLG), Zala County Regional Development Council (ZCRDC), University of Pécs (UP).

CONTRACT SPECIFICATION

6. Nature of contract

Global price service contract.

7. Contract description

In the framework of present contract Somogy County Local Government as project partner of the lead beneficiary of the project titled Geothermal research of Drava-basin (with the reference number of HUHR/0901/2.1.3/0006) being charged with the compilation of certain tasks wishes to procure the following service by means of the IPA Cross-border Co-operation Programme:

Research on geothermal energy sources: it contains economical, legal and regional development surveys as well, as it is detailed in the documentation.

8. Number and titles of lots

1. lot: *Research on geothermal energy sources*

9. Maximum budget

276.331,584 EUR (net)

Disposable maximum budget amount for the project partners:

1. Somogy County Local Government: 80.405,632 EUR (net)
2. University of Pécs: 13.333,36 EUR (net)
3. Zala County Regional Development Council: 89.814,816 EUR (net)
4. Baranya County Local Government: 92.777,776 EUR (net)

CONDITIONS OF PARTICIPATION

10. Eligibility

The contracting entity based on the unique permission of the Contracting Authority invites the under mentioned firm to participate in the procedure:

Geometa Földtani és Környezetvédelmi Kutató-Szolgáltató Kft.

Geometa Geology and Environmental Protection Research Service Provider (1095 Budapest, 4, Mester str. 1/2.)

11. Number of tenders

No more than one tender 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 a tender). In the event that a natural or legal person submits more than one tender, all tenders in which that person has participated will be excluded.

12. Grounds for exclusion

As part of the tender, tenderers must submit a signed declaration, included in the tender form, to the effect that they are not in any of the exclusion situations listed in Section 2.3.3 of the Practical Guide to contract procedures for EU external actions.

Grounds for exclusion

Candidates, tenderers or applicants will be excluded from participation in procurement procedures if:

a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

b) they have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*; (i.e. against which no appeal is possible);

c) they have been guilty of grave professional misconduct proven by any means which the Contracting Authority can justify;

d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the Contracting Authority or those of the country where the contract is to be performed;

e) they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organization or any other illegal activity detrimental to the EU's financial interests;

f) they are currently subject to an administrative penalty referred to in Article 96(1) of the Financial Regulation (BUDGET)/ Article 99 of the Financial Regulation (10th EDF).

13. Sub-contracting

The economic operator if necessary can have resort to other units' capacities regardless of the legal nature of their relation. The Contracting Authority can reject this in case the tender is supported in majority by other organizations' capacities or it is not able to meet the key criteria on its own. In case the tender is supported by other capacities, it is obliged to prove to the Contracting Authority that the capacities will have at its disposal during the implementation period of the contract, producing for example the economic units' undertaking regarding that the contracting entity will be provided by the necessary capacities. Such sub-contractors must fulfill those eligibility criteria, especially that of the nationality like the economic performer in question. Furthermore the selection criteria data referring to this economic operator have to be attached in a separate document to the tender. In case of the Contracting Authority's request the verifying document concerning these data can be furnished if necessary.

Sub-contracting is approved, to the extent of maximum 50% of the total undertaking amount.

PROVISIONAL SCHEDULE

14. Provisional commencement date of the contract

6 June 2011, promptly after concluding the contract.

15. Implementation period of the tasks

According to the presently effective Subsidy Contract which provides the financial security for the research activity the implementation date linking to the completion of the activity is 31 August 2011, adding that the contracting entity has submitted a request on the modification of the subsidy contract to the Contributing Organization relating the prolongation of the implementation period to 30 April 2012 and the prolongation of the research activity to 20 April 2012. Pursuant to this, the latest planned date linking to the completion of the activity is 20 April 2012.

The condition of the conclusion of the subsidy contract is the National Development Agency's (or the VATI Public Company's acting on behalf of NDA) approval of Somogy County Local Government's request on the prolongation of the project implementation deadline.

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:

The necessary data and required verifying method to award the eligibility:	The minimum criteria of the eligibility:
16.1. Financial – economic eligibility criteria:	
16.1.1. The following documents have to be attached to verify the financial and economic eligibility by the contracting entity and its sub-contractor to be involved into the implementation to a more than 10% extent of the procurement value (henceforward: sub-contractor of more than 10%). Statement on the overall turnover (net revenues) in the last year (2010). Statement on the turnover (net revenues) deriving from the procurement service (geological/geophysical research).	The last year's (2010) turnover of the tenderer (jointly tenderers) and the sub-contractor of more than 10% has to be all together 276.331 EUR (net), from which the turnover deriving from the procurement service (geological/geophysical research) exceeds 200.000 EUR (net). The tenderer and the sub-contractors of more than 10% can fulfill the required eligibility criteria jointly.
16.2. Technical – professional eligibility	
16.2.1. Statement on the experts being involved in the implementation. Statement on the experts' professional experience.	The tenderer (jointly tenderers) and its (their) sub-contractor(s) of more than 10% have to be jointly the under mentioned at least five experts (one expert can be appointed more than one position, but all positions must be verified) at their disposal: 1. At least two geophysicists with scientific qualification, at least one geophysicist (academic, professor of the Hungarian Scientific Academy), who have at least 5 years professional experience in the field of geothermal research (key expert No. 1). 2. At least two geographers with scientific qualification, experts of regional development, who have at least five years professional experience on the research of the Croatian-Hungarian cross-border region and at least one person has the sufficient knowledge of Croatian language (key expert No. 2). 3. At least one economist with at least five years international experience in development (key expert No. 3). 4. At least two engineers with experience in development projects (key expert No. 4). 5. At least one lawyer with international legal experience and with scientific qualification (key expert No. 5).

16.2.2. Review of the referencies covering the geological/geophysical research projects completed in the years of 2008, 2009, 2010 by the tenderer and the sub-contractors of more than 10%.	The tenderer has taken part successfully in at least three geological/geophysical projects during the last three years.
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An economic operator where appropriate and relating certain contracts can entrust other natural or legal persons regardless of the legal nature of their relation. In this case the operator has to verify the Contracting Authority that the necessary sources for completing the contract will have at its disposal, for example by making a commitment on the part of those natural and legal persons on the provision of the sources. Such entities, for example the parent company of the economic performer must respect the same rules relating the eligibility criteria in particular that of the nationality as the economic operator.

17. Award criteria

Best value for money.

TENDERING

18. Deadline of receipt of tenders

Deadline of submission of tender: 4 pm, 31 May 2011. The contracting entity dispatches the call for proposal and the documentation directly to the undertaking invited to the negotiation. The date of the dispatching of the call for proposal and the documentation is 29 April, 2011.

The date of tender opening is the same as the deadline of tender submission.

In the tender opening procedure the representatives of the contracting entity and those of candidates and the ones invited by them can be present.

19. Tender format and details to be submitted

The tenders have to be submitted using the standard tender formats (which are available at the following [Internet address: http://ec.europa.eu/europeaid/work/procedures/implementation/services/index_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/services/index_en.htm)), whose format and instructions have to be strictly kept.

Any other kind of documentation (brochure, letter etc.) attached to the tender will not be taken into consideration.

20. How the tenders can be submitted

The tenders have to be submitted to the Contracting Authority, on A/4 format papers, in a way that they cannot be opened (they cannot be opened without the injury of their consistency), being stitched or being bound, continuously numbered starting from the first page (it is sufficient to number all the pages that contain information). Every written pages has to be signed by the ones who are entitled to do by the company or the ones to be assigned to in the documentation, has to be in a typed or printed form, in one original and in three copies, both of them (original, copy) to be marked. The required original and copies have to be wrapped up in one package, have to be closed and labelled with the following: „Tender – DRÁVA GEO geothermic research” and „It is forbidden to open before deadline!”

Tenders submitted by any other means will not be considered.

21. Alteration or withdrawal of tenders

Tenderers may alter or withdraw their tenders by written notification prior to the deadline for submission of tenders. No tender may be altered after this deadline.

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with Clause 7 of the Instruction to Tenderers. The outer envelope (and the relevant inner envelope) must be marked “Alteration” or “Withdrawal” as appropriate.

22. Operational language

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

23. Legal basis

Commission Decision No. C(2007)2034;

Council Regulation No. 1085/2006;

Commission Regulation (EC) No. 718/2007. on establishing an instrument for pre-accession assistance (IPA);

Council Regulation (EC, Euratom) No. 1605/2002;

Council Regulation (EC, Euratom) No. 2342/2002. On the implementation of Council regulation No. 1605/2002.

24. Other information

24.1. Payment conditions

The contracting entity can receive the contractor's interim and final invoices according to the under mentioned schedule.

In each interim invoicing period the total amount of the invoices issued for the partners cannot exceed the following amounts:

1. period: 75.000 EUR net (4 interim invoices), it can be submitted on 30 September 2011;
2. period: 75.000 EUR net (4 interim invoices), it can be submitted on 30 December 2011;
3. period: 126.331,584 EUR net (4 final invoices), it can be submitted after the implementation of the contract, within 10 calendar days.

The contracting entity is obliged to share its invoices to be submitted in certain period among the project partners named in present call for proposal in the financing proportion assigned to them. The financing proportion is listed below:

SCLG: 29,09752038456990%

BCLG: 33,57480267545260%

UP: 4,82512240006172%

ZCRDC: 32,50255453991570%

The condition of the payment of the invoices is the issuing of the performance certificate declaration signed by the partners.

24.2. The negotiation process

Prior to the establishment of the invalidation and inconvenience the contracting entity negotiates with the tenderer at least during one session orally and in writing in certain case (the oral and the written parts mean one session) on the contractual terms, on the (professional) circumstances relating the completion, on the proposals made to be evaluated, in order to that the contracting entity can conclude a contract under the most favourable conditions.

The contracting entity has the right to hold more negotiation sessions. In this case during the first (or the further) session(s) the tenderer submitting a tender with the lowest undertaking amount does not make an appropriate proposal considering the extent of the financial coverage having at the contracting entity's disposal. Or rather the contracting entity fails to make an arrangement with the tenderer on the contractual terms and on the (professional) circumstances relating the completion.

The tenderer who wishes to take part in the negotiation has to be represented by a person who is entitled to make declaration and to undertaking on behalf of his company.

In case of several negotiation sessions the tender binding comes into force at the end of the negotiation.

Date of negotiation with the tenderer: 6 June 2011, 1 pm.

Place of negotiation: Somogy County Local Government (7400 Kaposvár, 3, Csokonai str.), room No. 221.

24.3. The specimen(s) of signature of the person(s) entitled to represent the company ha/s(ve) to be attached to the tender. In case of the ones who are entitled to represent the company but the submitted copy of the register does not include their names it is necessary to attach the original of the related written authorization containing the mandatary's signature.

24.4. The contracting entity provides the completion of documents on a fully basis.