**Invitation for Prequalification**

**PART 2**

**DESIGN FOR CONSTRUCTION AND RECONSTRUCTION**

**OF**

**CLINICAL CENTRE KRAGUJEVAC**

**Contracting Authority:**

**Ministry of Health of the Republic of Serbia**

**Publication reference: MOH/EIBPIU/021/SE/04**

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Application for
service contract

Contract notice: MOH/EIBPIU/021/SE/04

DESIGN FOR CONSTRUCTION AND RECONSTRUCTION OF CLINICAL CENTRE KRAGUJEVAC

**Please supply one signed** application, together with **three copies.** For economical and ecological reasons, we strongly recommend that you submit your files on paper (no plastic folder or divider). We also suggest you use double-sided printing wherever possible.Your application must include a signed declaration and Annex I - Covenant of Integrity using the annexed formats from each legal entity making the application. **All data included in this application must concern only the legal entity or entities making the application.**

Any additional documentation (brochures, letters etc.) sent with your application will not be taken into consideration.Applications submitted by a **consortium** (i.e. either a permanent, legally-established grouping or a grouping set up informally for a specific tender procedure) must follow the instructions applicable to the consortium leader and its members.

The list of documents which have to be provided as evidence for requirements specified in the contract notice, point 11 is presented in Form 1. The list of documents which have to be provided as evidence for requirements specified in the contract notice, point 21 is the following: audited financial statements for relevant years with an independent audit report, evidence that the candidate is registered with the competent authority, i.e. registered in the appropriate registry, in the field of architectural/engineering technical design and proper evidence of project performance as stated under item 6 of this application form.

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. If the economic operator relies on other entities it must prove to the contracting authority that it will have at its disposal the resources necessary for the performance of the contract 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 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 provided when requested by the contracting authority. With regard to technical and professional criteria, an economic operator may only rely on the capacities of other entities where the latter will perform the services for which these capacities are required. With regard to economic and financial criteria, the entities upon whose capacity the candidate relies become jointly and severally liable for the performance of the contract.

**1 SUBMITTED by (i.e. the identity of the candidate)**

|  |  |  |
| --- | --- | --- |
|  | **Name(s) of legal entity or entities making this application** | **Nationality[[1]](#endnote-1)** |
| **Leader[[2]](#endnote-2)** |  |  |
| **Member** |  |  |
| **Etc …**  |  |  |

**2 CONTACT PERSON (for this application)**

|  |  |
| --- | --- |
| **Name** |  |
| **Organisation** |  |
| **Address** |  |
| **Telephone** |  |
| **Fax** |  |
| **e-mail** |  |

**3 ECONOMIC AND FINANCIAL CAPACITY[[3]](#endnote-3)**

Please complete the following table of financial data[[4]](#endnote-4) based on your closed annual accounts and your latest projections. If annual accounts are not yet available for the current year or past year, please provide your latest estimates in the columns marked with \*\*. Figures in all columns must be calculated on the same basis to allow a direct, year-on-year comparison to be made (or, if the basis has changed, please provide an explanation of the change as a footnote to the table). When the current ratio is set as selection criterion, for non-for-profit organisations the ratio has to be calculated without taking into account within the current liabilities the pre-financing received from donors for ongoing projects. Any other clarification or explanation which is judged necessary may also be provided. If the candidate is a public body, please provide equivalent information.

Evidence such as audited financial statements for relevant years with an independent audit report have to be attached.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Financial data** | **2 years before last year[[5]](#endnote-5)****EUR** | **Year before last year5EUR** | **Last year5EUR** | **Average[[6]](#endnote-6)EUR** | **Pastyear****EUR\*\***  | **Current****Year****EUR\*\*** |
| Annual turnover[[7]](#endnote-7), excluding this contract |  |  |  |  |  |  |
| Current assets[[8]](#endnote-8)  |  |  |  |  |  |  |
| Current liabilities[[9]](#endnote-9)  |  |  |  |  |  |  |
| Current ratio (current assets/current liabilities) |  |  |  |  |  |  |

**4 STAFF**

Please provide the following statistics on permanently employed or sub-consultants or freelancers which are working on different projects, for the current year and the two previous years.[[10]](#endnote-10)

Evidence that the candidate is registered with the competent authority, i.e. registered in the appropriate registry, in the field of architectural or engineering technical design has to be attached.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Annual manpower** | **Year before past year**  | **Past year**  | **Current year**  | **Period average** |
|  | **Overall** | **Relevant fields[[11]](#endnote-11)** | **Overall** | **Relevant fields11** | **Overall** | **Relevant fields11** | **Overall** | **Relevant fields11** |
| Permanent staff[[12]](#endnote-12) |  |  |  |  |  |  |  |  |
| Design engineers |  |  |  |  |  |  |  |  |
| Other staff[[13]](#endnote-13) |  |  |  |  |  |  |  |  |
| Total |  |  |  |  |  |  |  |  |
| Permanent staff as a proportion of total staff (%) | % | % | % | % | % | % | % | % |

**5 AREAS OF SPECIALISATION**

Please fill in the table below to indicate any areas of specialist knowledge related to this contract for each legal entity making this application. State the type of area of specialisation as the row heading and use the name of the legal entity as the column headings. Indicate the areas of specialist knowledge each legal entity has by placing a tick (✓) in the box corresponding to the specialisation in which it has significant experience. **Maximum 10 specialisations**.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Leader | Member 2 | Member 3 | Etc … |
| Relevant specialisation 1 |  |  |  |  |
| Relevant specialisation 2 |  |  |  |  |
| Etc …[[14]](#endnote-14) |  |  |  |  |

**6 EXPERIENCE**

Please fill in the table below to summarise the main projects related to this contract carried out over the past 5 years[[15]](#endnote-15) by the legal entity or entities making this application. The number of references to be provided must not exceed 15 for the entire application. Candidates 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, proof of final payment). In case of projects still on-going only the portion satisfactorily completed during the reference period (although started earlier) will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value.

The proof of completion of respective detailed designs is: Reference Letter signed by contracting authority with information on all part of the design, accompanied with the confirmation that the detail design was successfully completed.

|  |  |  |
| --- | --- | --- |
| **Ref no (maximum 15)** | **Project title** |  |
| **Name of legal entity** | **Country** | **Overall contract value (EUR)[[16]](#endnote-16)** | **Proportion carried out by legal entity (%)[[17]](#endnote-17)** | **No of staff provided** | **Name of client** | **Origin of funding** | **Dates (start/end)[[18]](#endnote-18)** | **Name of consortium members, if any** |
| … | … | … | … | … | … | … | … | … |
| **Detailed description of project** | **Type and scope of services provided[[19]](#endnote-19)** |
| … | … |

**7 DECLARATIONS**

As part of their application, each legal entity identified under point 1 of this application, including every consortium member, must submit a signed declaration using the attached format. The declaration may be in original or in copy. If copies are submitted, the originals must be sent to the contracting authority upon request.

Moreover, each legal entity identified under point 1 of this application, including every consortium member, and capacity-providing entities (if any) must submit a signed Annex I -Covenant of Integrity using the attached format.

**8 STATEMENT**

I, the undersigned, the authorised signatory of the above candidate (for a consortium, this includes all consortium members), hereby declare that we have examined the contract notice for the restricted tender procedure referred to above. If our application is short-listed, we fully intend to submit a tender to provide the services requested in the tender dossier.

We understand that our tender may be excluded if we propose key experts who have been involved in preparing this project or employ them as advisers in the preparation of our tender. We also understand that this may mean exclusion from other tender procedures and contracts funded by the EIB.

We are fully aware that, for a consortium, the composition of the consortium cannot be changed in the course of the tender procedure, unless the contracting authority has given its prior approval in writing. We are also aware that the consortium members have joint and several liability towards the contracting authority concerning participation in the above tender procedure and any contract awarded to us as a result of it.

We understand that entities upon whose capacity we rely with regard to economic and financial criteria, become jointly and severally liable for the performance of the contract.

Signed on behalf of the candidate

|  |  |
| --- | --- |
| **Name** |  |
| **Signature** |  |
| **Date** |  |

FORMAT FOR THE DECLARATION REFERRED TO IN POINT 7
OF THE APPLICATION FORM
To be submitted on the headed notepaper of the legal entity concerned

<Date>

The Ministry of Health of the Republic of Serbia, Nemanjina 22-26, 11000 Belgrade, Republic of Serbia

**Your ref: MOH/EIBPIU/021/SE/04**

Dear Sir/Madam

In response to your contract notice MOH/EIBPIU/021/SE/04, we, < name(s) of legal entity or entities>, confirm that we intend to submit a tender for the above contract if we are invited to do so.

We hereby declare that we:

1. are making this application [on an individual basis]\* [as member of the consortium led by [< name of the leader>] [ourselves]]\* for this contract. We confirm that we are not involved in any other application for the same contract, in any form (as a member, leader, in a consortium or as an individual candidate);
2. agree to abide by the ethics clauses in Section 1.4. of the EIB Guide to Procurement, have not been involved in the preparation of the project which is the subject of this tender procedure unless it is proved that the involvement in previous stages of the project does not constitute unfair competition, and have no professional conflicting interests and/or any relation with other candidates or other parties in the tender procedure or behaviour which may distort competition at the time of submission of this application according to Section 1.5 of the EIB Guide to Procurement;
3. [have attached a current list of the enterprises in the same group or network as ourselves ] [ are not part of a group or network ]\* and have only included data in the application form concerning the resources and experience of [our legal entity] [our legal entity and the entities for which we attach a written undertaking]\*;
4. will inform the contracting authority immediately if there is any change in the above circumstances at any stage during the implementation of the tasks.;
5. fully recognise and accept that if the above-mentioned persons participate in spite of being in any of the situations of Prohibited Conduct as defined in Section 1.4. of the EIB’s Guide to Procurement or if the declarations or information provided prove to be false they may be subject to rejection from this procedure and the Bank will act as stated in the Section 1.4 of the EIB’s Guide to Procurement;
6. are aware that, for the purposes of safeguarding the EIB’s financial interests, our personal data may be transferred to internal audit services and to the third parties in accordance with EIB’s Guide to Procurement.

We also provide evidence of our financial and economic standing and our technical and professional capacity according to the selection criteria for this invitation for prequalification specified in the contract notice, point 21. The list of documents required is given in point 21 of the contract notice.

\* Delete as applicable

**ANNEX 1: Covenant of Integrity**

 “We declare and covenant that neither we nor anyone, including any of our directors, employees, agents, joint venture partners or sub-contractors, where these exist, acting on our behalf with due authority or with our knowledge or consent, or facilitated by us, has engaged, or will engage, in any Prohibited Conduct (as defined below) in connection with the tendering process or in the execution or supply of any works, goods or services for Design for Construction and Reconstruction of Clinical Centre Kragujevac (the “**Contract**”) and covenant to so inform you if any instance of any such Prohibited Conduct shall come to the attention of any person in our organisation having responsibility for ensuring compliance with this Covenant.

We shall, for the duration of the tender process and, if we are successful in our tender, for the duration of the Contract, appoint and maintain in office an officer, who shall be a person reasonably satisfactory to you and to whom you shall have full and immediate access, having the duty, and the necessary powers, to ensure compliance with this Covenant.

We declare and covenant that neither we nor anyone, including any of our directors, employees, agents, joint venture partners or sub-contractors, where these exist, acting on our behalf with due authority or with our knowledge or consent, or facilitated by us, (i) is listed or otherwise subject to EU/UN Sanctions and (ii) in connection with the execution or supply of any works, goods or services for the Contract, will act in contravention of EU/UN Sanctions. We covenant to so inform you if any instance shall come to the attention of any person in our organisation having responsibility for ensuring compliance with this Covenant.

If (i) we have been, or any such director, employee, agent or joint venture partner, where this exists, acting as aforesaid has been, convicted in any court or sanctioned by any authority of any offence involving a Prohibited Conduct in connection with any tendering process or provision of works, goods or services during the five years immediately preceding the date of this Covenant, or (ii) any such director, employee, agent or a representative of a joint venture partner, where this exists, has been dismissed or has resigned from any employment on the grounds of being implicated in any Prohibited Conduct, or (iii) we have been, or any of our directors, employees, agents or joint venture partners, where these exist, acting as aforesaid has been excluded or otherwise sanctioned by the EU Institutions or any major Multi-lateral Development Bank (including World Bank Group, African Development Bank, Asian Development Bank, European Bank for Reconstruction and Development, European Investment Bank or Inter-American Development Bank) from participation in a tendering procedure on the grounds of Prohibited Conduct, we give details of that conviction, dismissal or resignation, or exclusion below, together with details of the measures that we have taken, or shall take, to ensure that neither this company nor any of our directors, employees or agents commits any Prohibited Conduct in connection with the Contract.

We acknowledge that if we are subject to an exclusion decision by the European Investment Bank (EIB), we will not be eligible to be awarded a contract to be financed by the EIB.

We grant the Ministry of Health of the Republic of Serbia, the European Investment Bank and auditors appointed by either of them, as well as any authority or European Union institution or body having competence under European Union law, the right to inspect and copy our books and records and those of all our sub-contractors under the Contract. We accept to preserve these books and records generally in accordance with applicable law but in any case for at least six years from the date of tender submission and in the event we are awarded the Contract, at least six years from the date of substantial performance of the Contract.”

For the purpose of this Covenant, Prohibited Conduct has the meaning provided in the EIB’s Anti - Fraud Policy[[20]](#footnote-1).

**FORM 1**

**ELIGIBILITY**

The candidate must demonstrate the following:

• That it is registered with the competent authority, i.e. inscribed in respective register;

• That itself and its legal representative have not been convicted for some of the criminal acts as a member of organised criminal group, criminal acts against economy, criminal acts against environment, criminal acts of bribery, criminal acts of fraud;

• That it has settled due tax obligations, contributions and other public charges in accordance with the regulations of the Republic of Serbia or foreign state where it has the seat;

• The candidate must also prove that it is not bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under national legislation or regulations.

Please attach all evidence of compliance with the above requirements in accordance with the laws of the country where the candidate is established, including:

1) Certificate from a register kept by a competent authority;

2) Certificate of the competent court, i.e. competent police administration;

3) A certificate issued by a competent authority proving that the candidate has paid its taxes and social and health insurance contributions due in accordance with the laws of the Republic of Serbia or a foreign country in which it is established;

4) A certificate issued by a competent authority proving that no liquidation or bankruptcy proceedings have not been instituted against the candidate’s firm.

If the authorities of a country do not issue the type of certificates requested in this form, the candidate, its partners should make a declaration to that effect under threat of perjury or fraud.

Signature .................................................

(person(s) authorised to sign on behalf of the candidate)

Date: ............. .....................

If this declaration is completed by a consortium member:

The following table contains our financial data as included in the consortium’s application form. These data are based on our annual closed accounts and our latest projections. Estimated figures (i.e., those not included in annual closed accounts) are given in the columns marked with \*\*. Figures in all columns are calculated on the same basis to allow a direct, year-on-year comparison to be made (or, if the basis has changed, an explanation of the change must be provided as a footnote to the table). When the current ratio is set as selection criterion, for non-for-profit organisations the ratio has to be calculated without taking into account within the current liabilities the pre-financing received from donors for ongoing projects. Any clarification or explanation which is judged necessary may also be provided.

Evidence such as audited financial statements for relevant years with an independent audit report have to be attached.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Financial data** | **2 years** **before last year[[21]](#endnote-20)****EUR** | **Year before last year5EUR** | **Last year5EUR** | **Average[[22]](#endnote-21)EUR** | **Pastyear****EUR\*\***  | **Current****Year****EUR\*\*** |
| Annual turnover7, excluding this contract |  |  |  |  |  |  |
| Current assets8  |  |  |  |  |  |  |
| Current liabilities9  |  |  |  |  |  |  |
| Current ratio (current assets/current liabilities) |  |  |  |  |  |  |

The following table contains statistics on our permanently employees or sub-consultants or freelancers which are working for us on different projects as included in the consortium’s application form:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Average manpower** | **Year before past year**  | **Past year**  | **Current year**  | **Period average** |
|  | **Overall** | **Relevant fields**11 | **Overall** | **Relevant fields**11 | **Overall** | **Relevant fields**11 | **Overall** | **Relevant fields**11 |
| Permanent staff12 |  |  |  |  |  |  |  |  |
| Design engineers |  |  |  |  |  |  |  |  |
| Other staff13 |  |  |  |  |  |  |  |  |

Yours faithfully,

<Signature of authorised representative>

<Name and position of authorised representative>

1. Country in which the legal entity is registered. [↑](#endnote-ref-1)
2. Add / delete additional lines for consortium members as appropriate. **Note** that a subcontractor is not considered to be a consortium member for the purposes of this application form. Subsequently, data on subcontractors must not appear in the data related to the economic, financial and professional capacity. If this application is submitted by an individual legal entity, the name of that legal entity should be entered as ‘leader’ (and all other lines should be deleted). Any change in the identity of the leader and/or any consortium members between the deadline for receipt of applications indicated in the contract notice and the award of the contract is not permitted without the prior written consent of the contracting authority. [↑](#endnote-ref-2)
3. Natural persons must prove their capacity in accordance with the selection criteria and by the appropriate means. [↑](#endnote-ref-3)
4. If this application is submitted by a consortium, the data in the table must be the sum of the data in the corresponding tables in the declarations provided by the consortium members — see point 7 of this application form. Consolidated data are not requested for financial ratios. [↑](#endnote-ref-4)
5. Last year = last accounting year for which the entity's accounts have been closed. [↑](#endnote-ref-5)
6. Amounts entered in the ‘Average’ column must be the mathematical average of the amounts entered in the three preceding columns of the same row. [↑](#endnote-ref-6)
7. The gross inflow of economic benefits (cash, receivables, other assets) generated from the ordinary operating activities of the enterprise (such as sales of goods, sales of services, interest, royalties, and dividends) during the year. [↑](#endnote-ref-7)
8. A balance sheet account that represents the value of all assets that are reasonably expected to be converted into cash within one year in the normal course of business. Current assets include cash, accounts receivable, inventory, marketable securities, prepaid expenses and other liquid assets that can be readily converted to cash. [↑](#endnote-ref-8)
9. A company's debts or obligations that are due within one year. Current liabilities appear on the company's balance sheet and include short term debt, accounts payable, accrued liabilities and other debts. [↑](#endnote-ref-9)
10. If this application is submitted by a consortium, the data in the table above must be the sum of the data in the corresponding tables in the declarations provided by the consortium members — see point 7 of this application form. [↑](#endnote-ref-10)
11. Manpower in fields related to this contract, corresponding to the specialisations identified in point 5. [↑](#endnote-ref-11)
12. Staff directly employed by the candidate on a permanent basis (i.e. under indefinite contracts). [↑](#endnote-ref-12)
13. Other staff not directly employed by the candidate on a permanent basis (i.e. under fixed-term contracts). [↑](#endnote-ref-13)
14. Add /delete additional lines and/or rows as appropriate. If this application is submitted by an individual legal entity, the name of the legal entity should be entered as ‘Leader’ (and all other columns should be deleted). [↑](#endnote-ref-14)
15. For framework contracts, only specific contracts corresponding to assignments implemented under such framework contracts shall be considered. [↑](#endnote-ref-15)
16. The effect of inflation will not be taken into account. [↑](#endnote-ref-16)
17. Only the proportion carried out by the legal entity may be used as reference. [↑](#endnote-ref-17)
18. If the reference contract is only partially completed, please quote the percentage and value which has been completed. [↑](#endnote-ref-18)
19. Please also indicate the function of key experts provided, whether belonging or not to permanent staff, and the number of months each of them worked on the project. [↑](#endnote-ref-19)
20. EIB’s Anti-Fraud Policy for definitions (<http://www.eib.org/infocentre/publications/all/anti-fraud-policy.htm>). [↑](#footnote-ref-1)
21. Last year = last accounting year for which the entity's accounts have been closed. [↑](#endnote-ref-20)
22. Amounts entered in the ‘Average’ column must be the mathematical average of the amounts entered in the three preceding columns of the same row. [↑](#endnote-ref-21)