

SUBJECT

SUPPLY AND WARRANTY MAINTENANCE OF UP TO 16 NEW ELECTRIC MULTIPLE-UNIT SETS FOR "BDZ-PASSENGERS" EOOD

CPV: 34600000

Concise description:

The contract shall include two activities: Activity 1 - Supply, and Activity 2 - Full technical maintenance, which the Contracting Authority considers as a single subject. The contractor should fully execute the contract by offering a total price for all activities. Activity 1: The Contractor shall deliver up to 16 new electric multiple-unit trains in accordance with the Technical Specification and requirements of the Contracting Authority and under the terms and conditions specified in the draft treaty for the public contract;

Activity 2: The Contractor shall provide full technical maintenance of the delivered electric multiple-unit sets for the proposed warranty period so that they are serviceable for the purposes of the Contracting Authority.

Value excluding VAT : 246787878.93 BGN

Main venue:

The territory of the Contracting Authority in the Republic of Bulgaria, Sofia

Description of the procurement:

The contract shall include two activities: Activity 1 - Supply, and Activity 2 - Full technical maintenance, which the Contracting Authority considers as a single subject.

The contractor should fully execute the contract by offering a total price for all activities. Activity 1: The Contractor shall deliver up to 16 new electric multiple-unit trains in accordance with the Technical Specification and requirements of the Contracting Authority and under the terms and conditions specified in the draft treaty for the public contract in accordance with the Contractor's final offer, as follows: multiple units' type – Electric multiple units (EMU) with high comfort level for fast trains.

Delivery time for the first electric multiple unit shall not exceed 24 (twenty-four) months as of the signing of the public contract. The delivery of the rest of the electric multiple units shall be within 36 (thirty-six) months from the date of signature of the contract. Delivery of each electric multiple-unit set will be considered as duly accomplished when the multiple unit is delivered to the Republic of Bulgaria, Sofia, Sofia Locomotive depot, 1 Zavodska Street and handed over, respectively accepted by the Contracting Authority together with: 1) complete set of technical documents for each electric multiple unit representing the vehicle file; 2) authorisation for placing in service for each multiple-unit set. The Contractor undertakes to put into operation the electric multiple units at his own expense. The final acceptance of the multiple-unit sets will be after stationary functional tests of the mechanical and electrical equipment, devices and systems of the multiple-unit sets have been performed. The multiple units shall be transmitted with a unique identification number containing country code „52" on the body of the multiple-unit set.

Activity 2: The Contractor shall provide full technical maintenance of the delivered electric multiple-unit sets for the proposed warranty period so that they are serviceable for the purposes of the Contracting Authority.

The technical maintenance to be provided by the Contractor shall consist of the following types: 1. warranty maintenance; 2. scheduled technical maintenance; 3. unscheduled

technical support. These are detailed in the documentation for participation in terms of volume and content.

Spare parts, technical documentation and software requirements

1) Spare parts, materials and supplies

Within the proposed warranty technical maintenance period, the Contractor undertakes to provide at its own expense all the necessary spare parts, materials and consumables necessary for performing the warranty and unscheduled maintenance, these costs being included in the value of the contract.

2) Technical documentation and software

The Contractor shall provide a complete set of technical documentation containing full description of the maintenance and scheduled warning system (repair cycle) activities (year-based and mileage-based) in paper and electronic form in accordance with the Locomotives and Passenger Rolling Stock **TCOC** (REGULATION) (EU) No 1302/2014).

Rolling stock operational availability – after delivery and entry into service of all electric multiple-unit sets at least 90% of the delivered multiple units should be serviceable on each day of the term of the contract.

Training of operation and maintenance staff of the Contracting Authority - The Contractor shall ensure at his own expense the training of the Contracting Authority's staff for the operation, maintenance and repair of electric multiple units under the conditions of the participation documentation.

EC Quality criteria

Index – “Delivery time for the first multiple-unit 15 points set”

Index -“Delivery time of the rest of the multiple-unit 15 points sets under the contract”

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More information:

Addendum to Section

Price indicators of the tender evaluation methodology:

Index – “Price for one new electric multi-unit set” – 35 points;

Index – “Cost of scheduled technical maintenance of one EMU” - 20 points;

Index - Operating cost for carriage of one passenger per 100 km. mileage”- 15 points.

LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

Conditions for participation:

The Contracting Authority does not impose requirements on participants' efficiency.

Economic and financial situation

The applicant must have achieved a minimum total turnover, including a minimum turnover in the area covered by the contract, calculated on the basis of annual turnover, for the total of the last three financial years / 2016, 2017. and 2018 /, depending on the date the applicant was established or started business.

Proof: For proving compliance with the selection criterion under item 4.2.1 of the documentation regarding the total turnover, the rule of art. 62, para 1, item 3 of the PPA, according to which the fulfillment of this selection criterion is certified by presentation of the annual financial statements or their constituent parts when their publication is required according to the legislation of the country in which the applicant is established.

The requirement for turnover in the area covered by the order shall be certified by a statement of turnover within the scope of the order, in accordance with Art. 62, para. 1, item 4 of the Public Procurement Act.

The above mentioned documents or a part thereof shall be submitted by the applicant upon request by the Contracting Authority at any time after the opening of the applications for participation, when this is necessary in order to pursue the procedure in conformity with the law (in accordance with Article 67, paragraph 5 of the Public Procurement Law). When, for valid reason, an applicant is unable to present the documents requested by the Contracting Authority, he may prove his economic and financial status by any other document that the Contracting Authority considers appropriate (Article 62, paragraph 2 of the PPA).

It is admissible to specify and prove the criterion with foreign currency values, which should be calculated at the official exchange rate of the BNB of the currency at the time of opening of the procedure.

The information under Article 62, Paragraphs 1, 3 and 4 covers the last three financial years. The information may also cover a shorter period, depending on the date on which the applicant was established or started business.

Minimum level(s) required a:

The applicant should have realized a total turnover of at least BGN 493 575 757.86 (four hundred ninety-three million five hundred seventy-five thousand seven hundred fifty-seven and eighty-six hundred) in total for the previous three completed financial years. The applicant should have generated turnover in the area covered by the contract for the manufacture and delivery of new electric multiple units, amounting to a minimum of BGN 200,000,000 (two hundred million) of the total turnover for the previous three financial years.

According to §2, p.66 of the Additional Provisions of the Public Procurement Act, "Total Annual Turnover" is the amount of the net sales revenues within the meaning of the Accounting Act

According to §2, p.67 of the Additional Provisions of the Public Procurement Act, "Turnover in the scope of the contract" is an amount equal to the part of the net sales revenue from activities within the scope of the public procurement.

Turnover in the scope of the contract" refers to turnover of activities of manufacture and supply of electric multiple units. When submitting documents applicants shall declare in Section B: "Economic and financial status" in Part IV: "Selection criteria" of the Single European Procurement Document /ЕЕДОН/, compliance with the selection criterion c under item 4.2.1., filling in "total annual turnover" and "specific annual turnover" for the previous three financial years (2016,2017 and 2019)

Technical and professional capabilities

1. The applicant must have made deliveries with a subject and volume identical or similar * to the subject and volume of the contract, in the last 3 (three) years from the date of submission of the application.

Proof: The requirement under item 4.3.1. of the documentation shall be proved by a list of deliveries under Art. 64, para. 1, item 2 of the Public Procurement Act identical or similar to the subject of the public procurement, accomplished in the last three years from the date of submission of the application, indicating the values, dates and recipients and the number and parameters of the rail vehicles (multiple-unit sets), together with proof of at least 1 (one) completed delivery with a subject and volume identical or similar to the subject and volume of the contract.

The proof of fulfillment of the criterion may be submitted to certify services/activities performed under different contracts assigned by one or more contracting entities.

The contracting authority will consider "Completed delivery" any delivery for which the applicant has provided proof, as required above, from which the contracting authority (authorities) of the delivery (deliveries), the type of EMUs delivered, their parameters and their number shall be identified. The documents proving the delivery (deliveries) and declared in the Single European Procurement Document shall be submitted by the applicant upon request by the Contracting Authority at any time after the opening of the applications for participation, when this is necessary in order to pursue the procedure in conformity with the law in accordance with Article 67, paragraph 5 of the Public Procurement Act.

In cases where the applicant has participated as a partner in a corporation or as a subcontractor, the share and the part of the delivery that the applicant has independently performed shall be described. In the case of participation of associations non-legal entities, compliance with this selection criterion shall be demonstrated by the applicant association and not by each of the persons included in it.

In the case of subcontractors, the requirements shall apply to the subcontractor in view of the share and type of deliveries he will provide.

2. The applicant must have successfully implemented a quality management system according to BDS EN ISO 9001: 2015 or equivalent.

Proof: Compliance with that requirement shall be demonstrated by a copy of a valid certificate for the implemented quality management system

according to BDS EN ISO 9001: 2015 or equivalent with the scope of the subject of the contract. The certificate should be issued by independent authorized persons in accordance with Art. 64, para 5 of the Public Procurement Act. The contracting authority shall accept equivalent certificates issued by bodies established in other Member States. The contracting authority shall also accept other proof of equivalent quality assurance measures where the applicant did not have access to such certificates or was unable to obtain them within the relevant timeframe for reasons beyond his control. In such cases, the applicant must be able to demonstrate that the measures proposed are equivalent to those required. Documents or part thereof shall be submitted by the applicant upon request at any time after the opening of the applications for participation, when this is necessary in order to pursue the procedure in conformity with the law in accordance with Art. 67, para. 5 of the Public Procurement Act.

In the case of corporations other than legal entities, compliance with the selection criteria shall be demonstrated by each member of the corporation, in accordance with the distribution of the persons' participation in the activities provided for in the agreement establishing the corporation, pursuant to Article 59, para. b of the PPA.

Minimum level (s) required :

Minimum requirement of the Contracting Authority under item 1: The applicant must have completed at least 1 (one) delivery identical or similar to the subject and volume of the contract in the last three years from the date of submission of the application.

* "Similar delivery" refers to delivery with a subject and a specified volume, as follows: Delivery to the customer of a minimum of 12 electric multiple units with a minimum capacity of 250 seats and which have been approved for compliance with the requirements of the Technical Specifications for Interoperability (TSI) within the meaning of Directive 2008/57 / EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community and Commission Regulation (EU) No 1302/2014 of 18 November 2014 on the technical specification for interoperability relating to the subsystem "rolling stock - locomotives and passenger rolling stock" of the rail system in the European Union.

Minimum requirement of the Contracting Authority under item 2: The applicant must have successfully implemented a quality management system

according to BDS EN ISO 9001: 2015 or equivalent with a scope identical or similar to the subject matter of the contract - in the field of manufacture and / or maintenance of rail vehicles issued in the name of the applicant. When submitting the applications, the applicants shall declare their compliance with the selection criterion under 4.3.2. of the

documentation by completing the information in Section D: Quality Assurance Standards and Environmental Management Standards, in Part IV: Selection Criteria of the Single European Procurement Document.

List and concise description of rules and criteria:

Circumstances that lead to the removal of participants from the procedure:

1. In the presence of the grounds under Art. 107 in connection with Art. 144, para. 2 of the Public Procurement Act.

2. In the presence of the grounds under Art. 54, para. 1, items 1-7 of the Public Procurement Act and Art. 55, para. 1 of the Public Procurement Act.

2.1 Participant for whom there are grounds under Article 54 (1) and Article 55 (1)(1) of the Public Procurement Act has the right to present proof that he or she has taken measures that guarantee its reliability under Article 56 (1) of the Public Procurement Act.

3. When the participant is a person who is registered in jurisdiction with preferential tax regime or is controlled by a person registered in jurisdiction with preferential tax regime, persons under Article 8, item 8 of the Act on the Economic and Financial Relations with Companies Registered in Preferential Tax Regime Jurisdictions, their controlled entities and their actual owners (Title Amended, SG No 48/2016, effective 01.07.2016).

4. In the presence of the circumstances under Art. 69 of the Anti-Corruption and Confiscation of Illegal Acquisition Act.

performance guarantee of 5% of the total price of the contract without VAT. The guarantee shall be presented in one of the following forms:

- Unconditional and irrevocable original bank guarantee with a validity of not less than 30 (thirty) days after the expiry of the contract or

- Cash amount (deposit) deposited into the bank account of the Contracting Authority:

Deposits and guarantees required

1. The designated contractor shall submit to the Contracting Authority
BDZ – PASSENGERS EOOD – CCB AD, Sofia, IBAN: BG04 CECB 9790 33G1 3736 03,
BIC: CECBBGSF

or

- original insurance with a validity of not less than 30 (thirty) days after the expiry of the contract.

1.1. The guarantee presented as a cash amount or unconditional and irrevocable bank guarantee may be provided on behalf of the contractor for others – the guarantor. To be continued in Section VI.3.

Basic financial terms and conditions of payment and / or reference to the provisions governing them

These are set out in Section V of the draft contract of the documentation for participation.

Legal form

The participant in the procedure may be any Bulgarian or foreign natural or legal person or their corporations, as well as any other entity entitled to perform supplies and services in accordance with the legislation of the country in which it is established. The Contracting Authority does not require the establishment of a legal entity for the execution of the public procurement.

Where the designated contractor is an unincorporated corporation of natural and / or legal persons, the public procurement contract shall be concluded after the submission to the Contracting Authority of certified copy of a tax registration certificate and registration in the BULSTAT Register (UIC) of the corporation or equivalent documents in accordance with the legislation of the country in which the corporation is established, pursuant to Article 70 of the Public Procurement Act Implementing Regulations.

More information:

1.2. When the participant is a foreign natural or legal person and the performance guarantee is provided in a foreign bank and foreign currency, its value must correspond to

the equivalent in BGN calculated at the official exchange rate of the BNB on the day the guarantee is provided. It must be with officially translated into Bulgarian.

1.3. Where the performance guarantee is in the form of insurance or bank guarantee, it must be unconditional and irrevocable and in a form agreed in advance with the Contracting Authority.

1.4. The conditions for withholding and release of the performance guarantee are set out in the draft contract of the participation documentation.

2. The designated contractor shall provide an advance payment guarantee covering 100% of the value of the advance payment under the contract, which shall be presented in one of the forms applicable to the performance guarantee. The conditions for withholding and release of the advance payment guarantee are set out in the draft contract of the participation documentation. **CONDITIONS FOR OPENING THE APPLICATIONS FOR PARTICIPATION: Date: 11/02/2020; Time: 14:00 Place: 3 Ivan Vazov Street, Sofia**

The applications received shall be opened at a public meeting, which may be attended by the candidates or their authorized representatives, as well as representatives of the media.

The opening of the applications shall be carried out pursuant to Art. 54, para. 1 of the Public Procurement Act Implementing Regulations.