



## EUROPEAN UNION - BASHKIMI EVROPIAN

DELEGATION TO ALBANIA  
DELEGACIONI NE SHQIPERI

### EVALUATION REPORT

#### "CONSTRUCTION OF THE SEWERAGE SYSTEMS IN VLORA, KSAMIL, KAVAJA AND SHENGJIN, ALBANIA"

PUBLICATION REF: EuropeAid/130985/C/WKS/AL

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#### 1. Timetable

	DATE	TIME	VENUE
<b>Preparatory session</b>	1 November 2011	9:30	EUD Tirana
<b>Deadline for submission of tenders</b>	31 October 2011	16:00	
<b>Tender opening session</b>	1 November 2011	10:00	EUD Tirana
<b>Meeting 1</b>	1 November 2011	14:00	EUD Tirana
<b>Meeting 2</b>	2 November 2011	9:00	EUD Tirana
<b>Meeting 3</b>	3 November 2011	9:00	EUD Tirana
<b>Meeting 4</b>	4 November 2011	9:00	EUD Tirana
<b>Meeting 5</b>	7 November 2011	9:00	EUD Tirana

<b>Meeting 6</b>	8 November 2011	9:00	EUD Tirana
<b>Meeting 7</b>	9 November 2011	9:00	EUD Tirana
<b>Meeting 8</b>	10 November 2011	9:00	EUD Tirana
<b>Meeting 9</b>	11 November 2011	9:00	EUD Tirana
<b>Meeting 10</b>	14 November 2011	9:00	EUD Tirana
<b>Meeting 11</b>	15 November 2011	9:00	EUD Tirana
<b>Meeting 12</b>	16 November 2011	9:00	EUD Tirana
<b>Meeting 13</b>	17 November 2011	9:00	EUD Tirana
<b>Meeting 14</b>	18 November 2011	9:00	EUD Tirana
<b>Meeting 15</b>	21 November 2011	9:00	EUD Tirana
<b>Meeting 16</b>	22 November 2011	9:00	EUD Tirana
<b>Meeting 17</b>	23 November 2011	14:00	EUD Tirana

## 2. Observers

None

## 3. Evaluation

### *Preparatory session*

The Chairperson informed the Evaluation Committee of the scope of the proposed contract, identified the organisations responsible for preparing the tender dossier, and summarised the essential features of the tender procedure to date, including the evaluation grid.

The minutes of the preparatory session are enclosed to the report.

### *Tender opening session*

The tender opening report is attached to this report. The Evaluation Committee only considered those tenders which were found to be suitable for further evaluation following the tender opening session.

### *Administrative compliance*

The Evaluation Committee used the administrative compliance grid included in the tender dossier to assess the compliance of each of the tenders with the administrative requirements of the tender dossier.

One tender was submitted by Copri Construction Enterprise W.L.L. from Kuwait. According to the eligibility rules under IPA Council Regulation (EC) N° 1085/2006 of 17 July 2006 (OJ L 210/82 of 31.7.2006), Kuwait is not an eligible country.

The completed administrative compliance grid is attached. On the basis of this, the Evaluation Committee decided that the following tenders were administratively non-compliant and should not be considered further:

<b>Tender envelope number</b>	<b>Tenderer name</b>	<b>Reason(s)</b>
9	Copri Construction Enterprise W.L.L. (Kuwait)	The company is established in Kuwait. According to the eligibility rules under IPA Council Regulation (EC) N° 1085/2006 of 17 July 2006 (OJ L 210/82 of 31.7.2006), Kuwait is not an eligible country.

As regard the forms and supporting documentation as requested in the Instructions to Tenderers, Art. 12, attachments however not related directly to the selection criteria, were in some cases missing. Nevertheless overall all remaining offers could be considered administratively compliant as the main administrative documents were included.

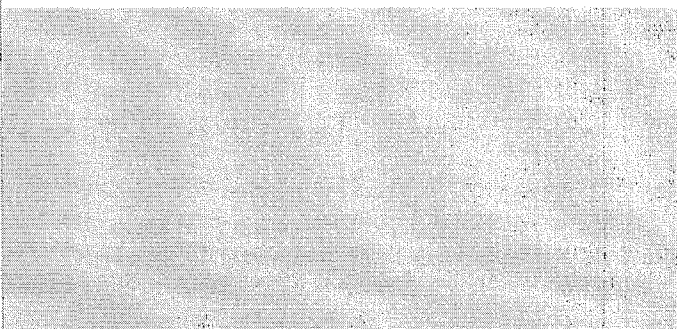
With in mind the objective to conduct the evaluation in the most efficient way, the Evaluation Committee agreed to refrain from asking clarifications at this stage and to proceed instead with the technical assessment of the offers, in order to identify those offers that would pass the technical compliance stage of the evaluation, and would ask for the missing annexes or forms after checking the compliance with the selection criteria. Eventual additional administrative requests as described above are recorded in this report, under the technical compliance check.

#### ***Technical compliance***

Each evaluator on the Evaluation Committee used the technical evaluation grid included in the tender dossier to assess the compliance of each of the tenders with the technical requirements of the tender dossier. The completed technical evaluation grids are attached.

As soon as all evaluators had completed their assessment of one offer against all given criterion in the evaluation grid, they compared and commented on their assessment before checking the next offer.

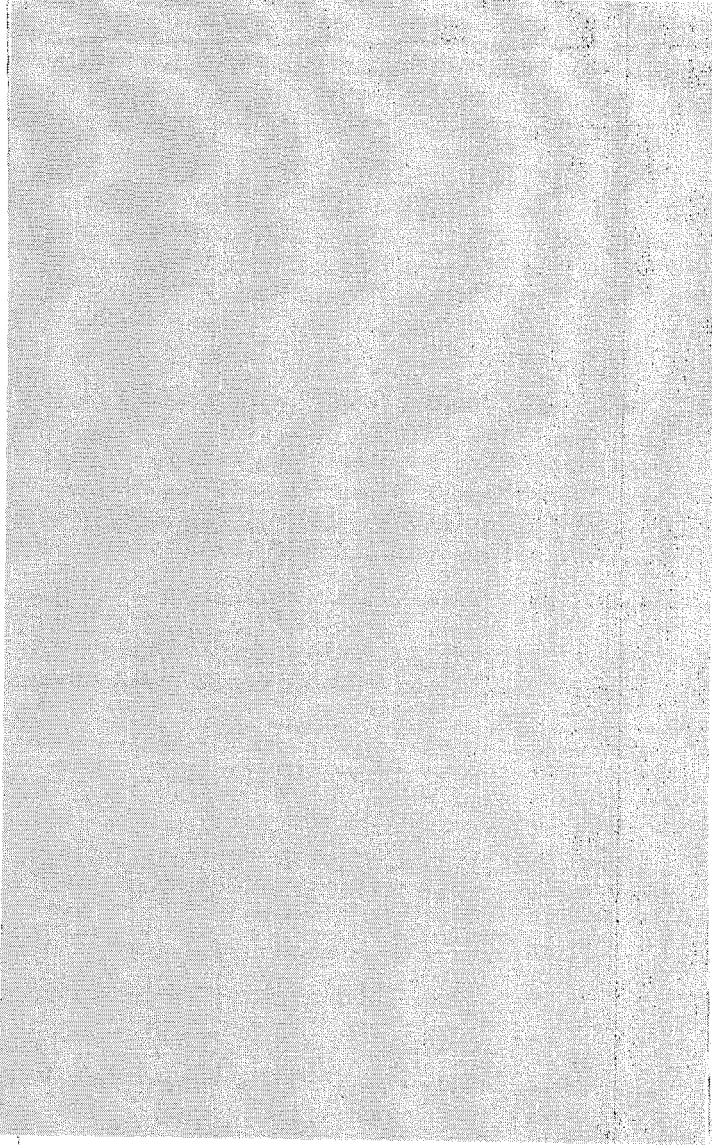

With the agreement of the other Evaluation Committee members, the Chairperson wrote to the following tenderers whose tenders required clarification, offering them the possibility to respond by fax within a reasonable time limit fixed by the evaluation committee (all correspondence is attached in the Annex indicated):

<b>Tender envelope number</b>	<b>Tenderer name</b>	<b>Summary of exchange of correspondence</b>
4	PRIMORJE D.D. (SI) in consortium with ALBA KONSTRUKSION Shpk (AL)	 The tenderer replied within the deadline and the

**answer was deemed to be satisfactory for the evaluation committee.**

**The tenderer replied within the deadline and the answer was deemed to be satisfactory for the evaluation committee.**

**The tenderer replied within the deadline and the answer was deemed to be satisfactory for the evaluation committee.**

6	<b>FRIULANA BITUMI s.r.l. (IT)</b> in consortium with <b>ATZWANGER S.p.A. (IT)</b>	
		<p>The tenderer replied within the deadline and the answer was deemed to be satisfactory for the evaluation committee.</p>
7	<b>SADE – Compagnie Générale de Travaux d'Hydraulique (FR)</b>	



		<p>The tenderer replied within the deadline and the answer was not deemed to be satisfactory for the evaluation committee (the reasons for rejection are explained below, in the table of non-compliant offers).</p>
11	<b>GENER 2 Ltd (AL)</b> in consortium with <b>KIROS SA (GR)</b>	<p>The company confirmed the receipt of the request for clarification, but however did not provide any reply to the clarifications requested by the Evaluation committee (the reasons for rejection are explained below, in the table of non-compliant offers).</p>

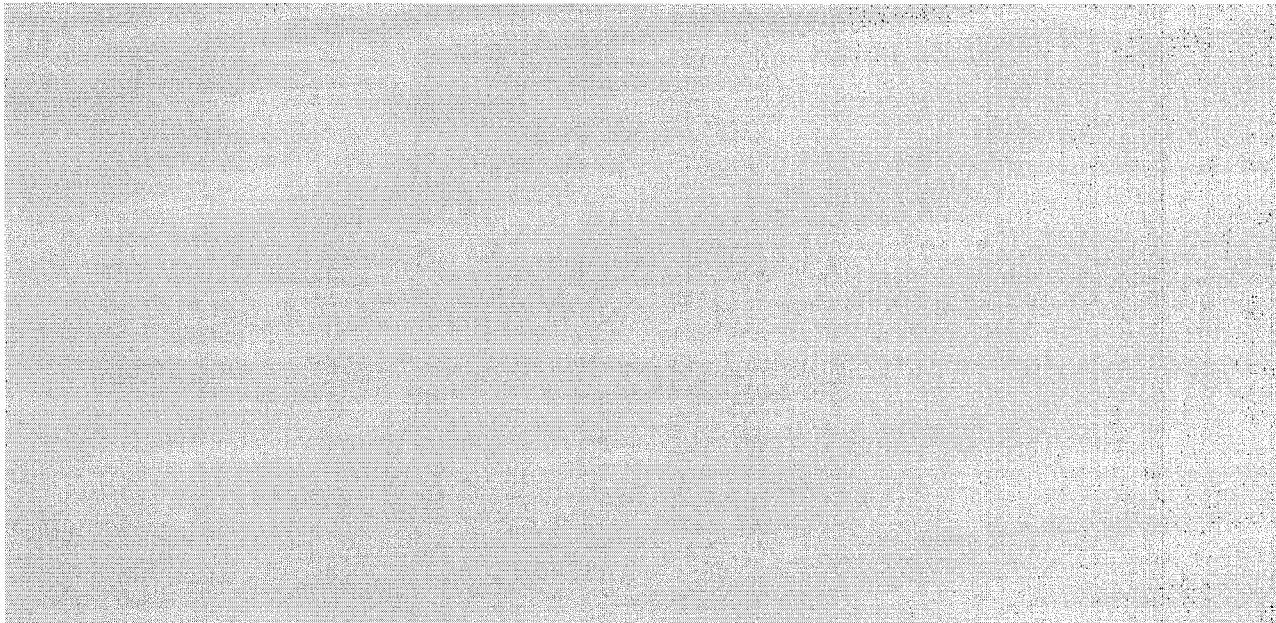
The following tenders were found to be technically compliant, after clarification obtained from the tenderers on the following issues:

Offer n.4 submitted by **PRIMORJE D.D. (SI)** in consortium with **ALBA KONSTRUKSION Shpk (AL)**

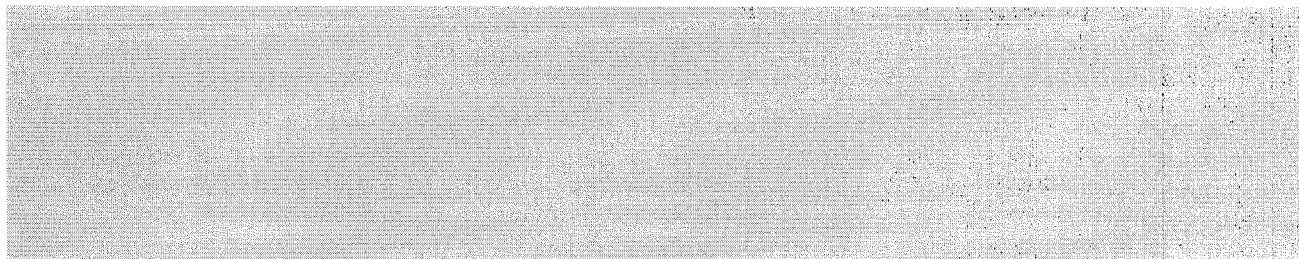
Professional capacity

ITT Clause 12.2.2

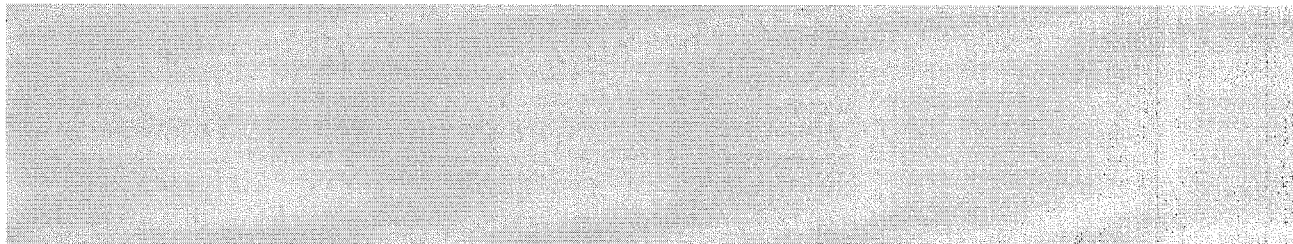
- Site engineer for lot 1 (Vlora) and lot 3 (Shengiin) – Education:



- Site engineer for lot 1 (Vlora) – Professional experience:

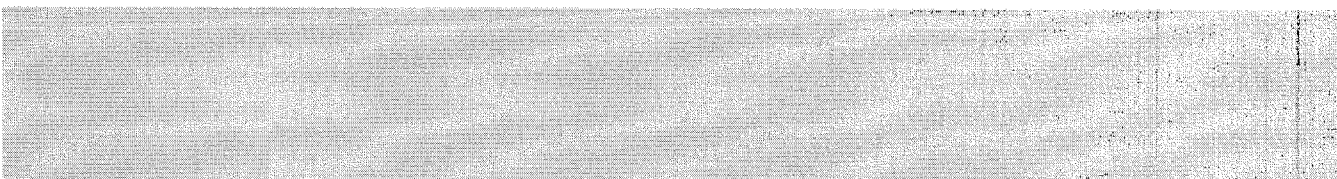


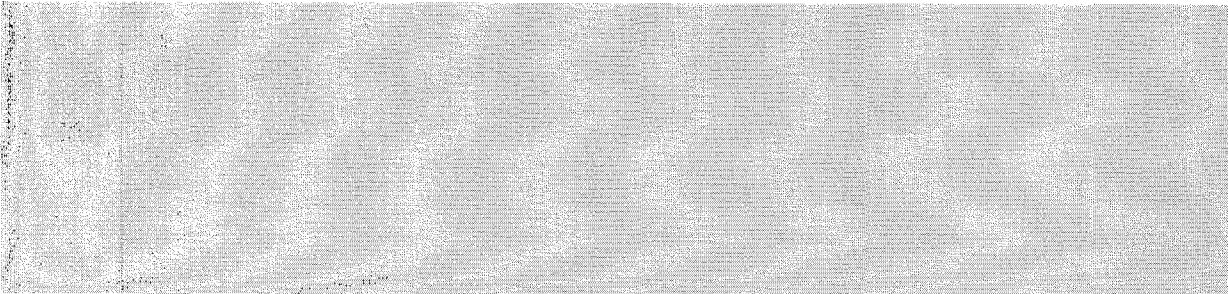
- Site engineer for lot 3 (Shengiin) – Professional experience:



Technical capacity


ITT, Clause 12.2.3






Offer n.6 submitted by **FRIULANA BITUMI s.r.l. (IT)** in consortium with ATZWANGER S.p.A. (IT)

Economic and Financial capacity  
*ITT, Clause 12.2.1*



Professional capacity  
*ITT Clause 12.2.2*

Site Engineer for Lot 2 – Kavaja



Technical capacity  
*ITT, Clause 12.2.3*



After discussing the individual conclusions of the evaluators, the Evaluation Committee concluded that the following tenders were **technically non-compliant** and should not be considered further:

Tender envelope number	Tenderer name	Reasons for rejection
1	<p>Ludwig Pfeiffer Hoch und Tiefbau GmbH &amp; Co.KG (DE) in consortium with:</p> <p>Gintas Construction Contracting and Trade Inc. (TR)</p> <p>MASS Arıtma Sistemleri İnş. Sanayi ve Ticaret A.Ş.(TR)</p>	<p><u>ITT, Clause 12.2.2 – Professional capacity</u></p> <p>Therefore the consortium does not meet the professional capacity requirements.</p> <p>In addition:</p>

Tender envelope number	Tenderer name	Reasons for rejection
2	<b>COSTRUZIONI DONDI S.p.A. (IT)</b> in consortium with <b>CONSORZIO STABILE COSEAM ITALIA SpA (IT)</b>	<div data-bbox="716 1703 1435 1778" data-label="Text"> <p><b>Therefore, the consortium does not meet the Professional capacity criteria</b></p> </div>

Tender envelope number	Tenderer name	Reasons for rejection
3	<p><b>STEFANIDIS S. &amp; CO PARTNERSHIP</b> (GR) in consortium with:</p> <p>Markoudis LTD (GR)</p> <p>Salvaridis Constructions Limited Partnership LTD (GR)</p>	<p>Therefore the consortium does not meet the Economic and Financial capacity criteria.</p>



Tender envelope number	Tenderer name	Reasons for rejection
		<p data-bbox="710 932 1404 993"><b>Therefore the consortium does not meet the Professional capacity criteria.</b></p> <p data-bbox="710 1174 1404 1236"><b>Therefore the consortium does not meet the Technical capacity criteria.</b></p> <p data-bbox="710 1254 858 1283"><b><u>In addition:</u></b></p> <p data-bbox="710 1301 927 1331"><b><u>ITT, Clause 12.1.9</u></b></p> <p data-bbox="710 1483 927 1512"><b><u>ITT, Clause 12.1.4</u></b></p>
5	<p data-bbox="459 1775 687 1900"><b>Giovanni Putignano &amp; Figli S.r.l. (IT) in consortium with:</b></p> <p data-bbox="459 1934 687 1995"><b>Impresa Edile Stradale Artifoni</b></p>	<p data-bbox="710 1759 1123 1789"><b><u>ITT, 12.2.2 – Professional capacity:</u></b></p>



Tender envelope number	Tenderer name	Reasons for rejection
	S.r.l. (IT)  Edil Putignano S.r.l. (IT)	<div></div> <div>Site Engineer for Lot 1 – Vlora and Ksamil.</div> <div></div> <div>Site Engineer for Lot 2 – Kavaja</div> <div></div> <div>Site Engineer for Lot 3 – Shengjin</div> <div></div> <div>Therefore the consortium does not meet the Professional capacity criteria.</div> <div>In addition:</div> <div></div>

Tender envelope number	Tenderer name	Reasons for rejection
7	SADE Compagnie Générale de Travaux d'Hydraulique (FR)	<p data-bbox="727 569 1133 603"><u>ITT, 12.2.2 – Professional capacity:</u></p> <p data-bbox="727 614 1052 648"><u>Excecutive project manager:</u></p> <p data-bbox="727 1635 1435 1703">Therefore the company does not meet the Professional capacity criteria.</p>

Tender envelope number	Tenderer name	Reasons for rejection
		<p>Therefore the company does not meet the Technical capacity criteria.</p> <p>In addition:</p>
8	STRABAG AG (AT)	<p><u>ITT, 12.2.2 – Professional capacity:</u></p> <p><u>Executive project manager:</u></p>



Tender envelope number	Tenderer name	Reasons for rejection
		<p data-bbox="715 817 1417 884"><b>Therefore the company does not meet the Professional capacity criteria.</b></p>



Tender envelope number	Tenderer name	Reasons for rejection
10	<p data-bbox="448 342 683 471"><b>CEA Cooperativa Edile Appennino Scarl (IT)</b> in consortium with:</p> <p data-bbox="448 505 683 573"><b>GRAZZINI Cav. Fortunato Spa (IT)</b></p> <p data-bbox="448 603 683 698"><b>TM.E. Spa Termomeccanica Ecologia (IT)</b></p>	<div data-bbox="715 1662 1410 1730">Therefore the consortium does not meet the Professional capacity criterion.</div> <div data-bbox="715 1911 1410 1979">Therefore the consortium does not meet the Technical capacity criterion.</div>

Tender envelope number	Tenderer name	Reasons for rejection
		<p><b>In addition:</b></p>
11	<b>GENER 2 Ltd</b> (AL) in consortium with KIROS SA (GR)	

Tender envelope number	Tenderer name	Reasons for rejection
		<p data-bbox="707 879 1410 1038"><b>The company confirmed the receipt of the request for clarification, but however did not provide any reply to the clarifications requested by the Evaluation committee. Therefore, the consortium does not meet the Professional capacity criterion for the above-described reasons.</b></p> <p data-bbox="707 1401 1410 1469"><b>For this reason as well, the consortium does not meet the Professional capacity criterion.</b></p>



Tender envelope number	Tenderer name	Reasons for rejection
		The company confirmed the receipt of the request for clarification, but however did not provide any reply to the clarifications requested by the Evaluation committee. Therefore the consortium does not meet the Technical capacity criterion.

#### Financial evaluation

As stated in the instructions to tenderers, arithmetical errors were corrected on the following basis:

- where there was a discrepancy between amounts in figures and in words, the amount in words prevailed;
- except for lump-sum contracts, where there was a discrepancy between a unit price and the total amount derived from the multiplication of the unit price and the quantity, the unit price as quoted prevailed, except where the Evaluation Committee agreed that there was an obvious error in the unit price, in which case the total amount as quoted prevailed;
- where unconditional discounts applied to financial offers for individual lots, the discount was applied to the financial offer as a whole.

The following arithmetical corrections were made as well as deduction of items and change of quantities mentioned by mistake in the offer:

Tender envelope number	Tenderer name	Stated financial offer (€)	Corrected financial offer (€)
4			
6			

The arithmetically corrected financial offers were compared to identify the technically compliant tender with the lowest price.

The Evaluation committee also checked if the prices of the technically compliant offers were eventually abnormally low. It appeared that at least 3 companies submitted financial offers in the same price range. Also, when going through the check of the Bill of Quantities, the Evaluation committee did not identify any abnormally low item, which would hamper a qualitative implementation of the project.

The final ranking of the tenders which were not excluded during the evaluation was as follows in order of



<b>Tender envelope number</b>	<b>Tenderer name</b>	<b>Financial offer [after arithmetical correction] (€NC)</b>	<b>Discount applicable (€)</b>	<b>Financial offer after discount (€)</b>	<b>Final ranking</b>
4	<b>PRIMORJE D.D.</b> (SI) in consortium with <b>ALBA KONSTRUKSION Shpk (AL)</b>				1
6	<b>FRIULANA BITUMI s.r.l. (IT)</b> in consortium with <b>ATZWANGER S.p.A. (IT)</b>				2

The evaluation committee forwarded to the lowest compliant tenderer, for its information, the version of the BoQ after deletion of the added units, and correction of arithmetical errors.

#### 4. Conclusion

The evaluation committee has ensured that there is no detection of the recommended tenderer or members in their consortium in the early warning system (W5).

According to clause 7 of the Procurement notice and chapter 13.2 of the Instructions To Tenderers, "The execution of the Optional scope of works for Vlora in Lot 1 will be subject to the financial offer for the three lots, taking account of the discount offered, not exceeding the maximum available budget for this contract. The price of the optional works under Lot 1 will not be considered for the determination of the cheapest compliant offer." In this case the available budget allows the award of the Optional scope of works for Vlora in Lot 1.

Consequently, the Evaluation Committee recommends that the contract is awarded as follows:

<b>Tender envelope number</b>	<b>Tenderer name</b>	<b>Financial offer [after arithmetical correction] (€)</b>	<b>Optional BoQ for Vlora in Lot 1 (€)</b>	<b>Discount applicable (€)</b>	<b>Contract value (€)</b>
4	<b>PRIMORJE D.D.</b> (SI) in consortium with <b>ALBA KONSTRUKSION Shpk (AL)</b>				12,796,824.89

**5. Signatures**

	<b>Name</b>	<b>Signature</b>
<b>Chairperson</b>		
<b>Secretary</b>		
<b>Evaluators</b>		

**Approved by the Contracting Authority:**

**Name & Signature:**

**Date:**

6/3/12



## EUROPEAN UNION - BASHKIMI EVROPIAN

DELEGATION TO ALBANIA  
DELEGACIONI NE SHQIPERI

### ANNEX TO EVALUATION REPORT

"Construction of the sewerage systems in Vlora, Ksamil, Kavaja and Shengjin, Albania"

Publication ref.: EuropeAid/130985/C/WKS/AL

The evaluation for the project in subject was carried out in November 2011. Two companies were found to be technically compliant. Regarding the lowest compliant offer however, submitted by consortium 'Primorje d.d. – Alba Konstruktion Sh.p.k.', the Contracting Authority

[REDACTED]. Therefore, the company would potentially be in one or several of the exclusion situations described in PRAG 2.3.3. In case of open international tenders, supporting documents regarding the exclusion criteria do not need to be provided with the offer, but have to be provided to the Contracting Authority by the lowest compliant tenderer before being awarded the contract.

It was therefore requested by the Head of OPS II section to the Contracts and Finance unit to verify the situation of the aforementioned company with regard to the exclusion situations described in PRAG 2.3.3 (see routing slip). The Contracting Authority, in view of safeguarding the financial interests of the EU, decided to request additional information about 'Primorje d.d.' [REDACTED], before awarding the contract. This request was done in accordance with Art. 27 of the Financial Regulation applicable to the General budget of the European Communities (Council Regulation N° 1605/2002) related to the principle of sound financial management of the General Budget of the European Union, and Art. 48 of the aforesaid Financial Regulation which provides that Member States shall co-operate with the Commission so that the appropriations are used in accordance with the principle of sound financial management. This procedure is also compliant with Art. 134, §7, of the Implementing rules to the Financial Regulation, which foresees that *'where they have doubts as to whether [...] tenderers are in one of the situations of exclusion, contracting authorities may themselves apply to the competent authorities referred to in paragraph 3 to obtain any information they consider necessary about that situation'*.

[REDACTED], confirmed that the company Primorje d.d. [REDACTED]

[REDACTED] In the respect of the principle of proportionality, the Contracting Authority requested the tenderer to clarify [REDACTED]

The tenderer confirmed that [REDACTED]

[REDACTED] which confirms that the company is in the exclusion situation provided by PRAG 2.3.3, [REDACTED]

Therefore, the Contracting Authority decided, by letter D(2012)00185 dated 23/02/2012, to exclude the consortium 'Primorje d.d – Alba Konstruktion Sh.p.k' from the tender. In accordance with PRAG 2.3.3, a contradictory exchange of letters was done with the lowest compliant tenderer before excluding it from the tender.

[REDACTED]

As a consequence, the contract should be awarded to the second technically compliant offer, submitted by consortium 'Friulana Bitumi Srl – Atzwanger Spa'.

As mentioned in the evaluation report, the following arithmetical corrections were made as well as deduction of items and change of quantities mentioned by mistake in the offer:

Tender envelope number	Tenderer name	Stated financial offer (€)	Corrected financial offer (€)
6	FRIULANA BITUMI s.r.l. (IT) in consortium with ATZWANGER S.p.A. (IT)		

According to clause 7 of the Procurement notice and chapter 13.2 of the Instructions To Tenderers, "The execution of the Optional scope of works for Vlora in Lot 1 will be subject to the financial offer for the three lots, taking account of the discount offered, not exceeding the maximum available budget for this contract. The price of the optional works under Lot 1 will not be considered for the determination of the cheapest compliant offer." In this case the available budget allows the award of the Optional scope of works for Vlora in Lot 1.

Consequently, the contract should be awarded as follows:

Tender envelope number	Tenderer name	Financial offer [after arithmetical correction] (€)	Optional BoQ for Vlora in Lot 1 (€)	Discount applicable (€)	Contract value (€)
6	FRIULANA BITUMI s.r.l. (IT) in consortium with ATZWANGER S.p.A. (IT)				14,191,516.95

	Name	Signature
Chairperson of Evaluation Committee		
Head of Contracts and Finance		

Approved by the Contracting Authority:

Name & Signature:

Date: 6/3/2012