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# **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
Preparatory session	1 November 2011	9:30	EUD Tirana
Deadline for submission of tenders	31 October 2011	16:00	
Tender opening session	1 November 2011	10:00	EUD Tirana
Meeting 1	1 November 2011	14:00	EUD Tirana
Meeting 2	2 November 2011	9:00	EUD Tirana
Meeting 3	3 November 2011	9:00	EUD Tirana
Meeting 4	4 November 2011	9:00	EUD Tirana
Meeting 5	7 November 2011	9:00	EUD Tirana

Meeting 6	8 November 2011	9:00	EUD Tirana
Meeting 7	9 November 2011	9:00	EUD Tirana
Meeting 8	10 November 2011	9:00	EUD Tirana
Meeting 9	11 November 2011	9:00	EUD Tirana
Meeting 10	14 November 2011	9:00	EUD Tirana
Meeting 11	15 November 2011	9:00	EUD Tirana
Meeting 12	16 November 2011	9:00	EUD Tirana
Meeting 13	17 November 2011	9:00	EUD Tirana
Meeting 14	18 November 2011	9:00	EUD Tirana
Meeting 15	21 November 2011	9:00	EUD Tirana
Meeting 16	22 November 2011	9:00	EUD Tirana
Meeting 17	23 November 2011	14:00	EUD Tirana
Meeting 13  Meeting 14  Meeting 15  Meeting 16	17 November 2011 18 November 2011 21 November 2011 22 November 2011	9:00 9:00 9:00 9:00	EUD Tirana EUD Tirana EUD Tirana 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 Kuweit. According to the eligibility rules under IPA Council Regulation (EC) No 1085/2006 of 17 July 2006 (OJ L 210/82 of 31.7.2006), Kuweit 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:

Tender envelope number	Tenderer name	Reason(s)
9		The company is established in Kuwait. According to the eligibility rules under IPA Council Regulation (EC) No 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):

Tender envelope number	Tenderer name		Summa	ry of exc	hange o	f cori	responder	ice
4	PRIMORJE D.D. (SI) in consortium with ALBA KONSTRUKSION Shpk (AL)							
andrick — I farmen of the second which we control to the second of the s		The	tenderer	replied	within	the	deadline	and the

answer	enderer was	deemed				
evalua	tion com	mittee.				
The to	enderer	renlied	within	the des	dline s	nd

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

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). 11 GENER 2 Ltd (AL) in consortium with KIROS SA (GR) 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).

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

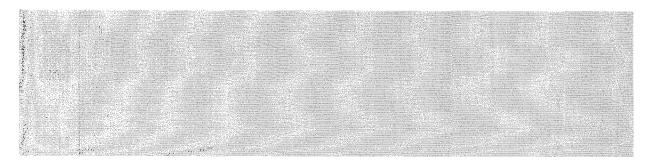
Offer n.4 submitted by PRIMORJE D.D. (SI) in consortium with ALBA KONSTRUKSION Shpk (AL)

Professional capacity ITT Clause 12.2.2

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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



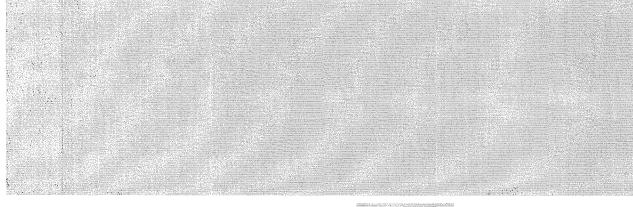
Professional capacity

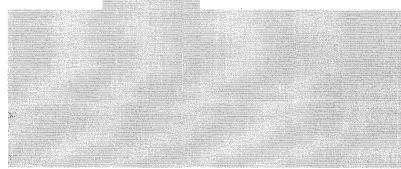
ITT Clause 12.2.2

Site Engineer for Lot 2 - Kavaja



<u>Technical capacity</u> 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
	Ludwig Pfeiffer Hoch und Tiefbau GmbH & Co.KG (DE) in consortium with:	ITT, Clause 12.2.2 - Professional capacity
	Gintas Construction Contracting and Trade Inc. (TR)	
	MASS Arıtma Sistemleri İnş. Sanayi ve Ticaret	Therefore the consortium does not meet the professiona
	A.Ş.(TR)	capacity requirements.
	Agricultural of the control of the c	

Tender envelope number	Tenderer name	Reasons for rejection
2	COSTRUZIONI DONDI S.p.A. (IT) in consortium with CONSORZIO STABILE COSEAM ITALIA SpA (IT)	
	And the state of t	
		Therefore, the consortium does not meet the Professional capacity criteria

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

capacity criteria.	Tender envelope number	Tenderer name	Reasons for rejection
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capacity criteria.  In addition:  ITT. Clause 12.1.9	ere parameter control		
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		Solver to the so	
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5 Giovanni ITT, 12,2,2 - Professional capacity:	e remembrando e remando alcanesa a acresimente e la consecución alcanesa.	Giovanni	ITT, 12,2,2 - Professional capacity:
Putignano & Figli S.r.l. (IT) in consortium with:		<b>S.r.l.</b> (1T) in	
Impresa Edile Stradale Artifoni		•	

Tender envelope number	Tenderer name	Reasons for rejection	
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	Avea all all and a second		v.5.05464
		Site Engineer for Lot 2 – Kavaja	
		Therefore the consortium does not meet the Profess capacity criteria.	iona
	Section of the sectio		
	•	In addition:	75000

Tender envelope number	Tenderer name	Reasons for rejection
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	Compagnie Générale de	Excecutive project manager:
	Travaux d'Hydraulique (FR)	
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	And the second s	
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Tender envelope number	Tenderer name		Reasons for rejection	
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			company does not meet	the Technical
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Tender envelope number Tenderer name Reasons for rejection Therefore the company does not meet the Professional capacity criteria.

Tender envelope number	Tenderer name	Reasons for rejection
10	CEA Cooperativa Edile Appennino Scarl (IT) in consortium with:	
	GRAZZINI Cav. Fortunato Spa (IT)	
	TM.E. Spa Termomeccanica Ecologia (IT)	
	The second state of the se	
		Therefore the consortium does not meet the Professional
You control of a familiar and a fami		capacity criterion.
		Therefore the consortium does not meet the Technical capacity criterion.

Tender envelope number	Tenderer name		Reasons for rejection
		In addition:	
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	GENER 2 Ltd (AL) in consortium with KIROS SA		
	(GR)		
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Tender envelope number	Tenderer name	Reasons for rejection	
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		The company confirmed the receipt of the	
		clarification, but however did not provide any clarifications requested by the Evaluation Therefore, the consortium does not meet the capacity criterion for the above-described rea	committee. Professional
		For this reason as well, the consortium does Professional capacity criterion.	
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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	Tenderer name	Stated financial offer	Corrected financial
envelope number		<b>©</b>	offer (€)
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<b>U</b>			

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 enalvation was of follows in and a final control of the tenders which were not excluded during the enalvation was of follows in and a final control of the tenders which were not excluded during the enalvation was of follows in and a final control of the tenders which were not excluded during the enalvation was of follows in and a final control of the tenders which were not excluded during the enalvation was of follows.

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

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

# 5. Signatures

2 TALVAT	Name	Signature
Chairperson		
Secretary		
Evaluators		
Approved by the Contrac	cting Authority:	
The second second		
Alternative control		
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 Konstruksion Sh.p.k.', the Contracting Authority
. 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.'  This request was done in accordance with Art. 27 of the Financial Regulation applicable to the General budget of the European Communities (Council Regulation Nº 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'.
, confirmed that the company Primorje d.d.
In the respect of the principle of proportionality, the Contracting Authority requested the tenderer to clarify  The tenderer confirmed that
which confirms that the company is in the exclusion situation provided by PRAG 2.3.3.

Therefore, the Contracting Authority decided, by letter D(2012)00185 dated 23/02/2012, to exclude the consortium 'Primorje d.d – Alba Konstruksion 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.

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)			«Бенной объекторовой» и в водине можения мерен по по об то об	14,191,516.95

