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**L-Luxembourg: Technical assistance support for Great East
Road rehabilitation project (Zambia) – Nacala road corridor (EIB)**

2010/S 164-251387

European Investment Bank (EIB)

SERVICE PROCUREMENT NOTICE

**Technical Assistance support for the Great East Road Rehabilitation Project -
Nacala Road Corridor Zambia**

1. **Publication reference:**
[2010/S 138-211236](#), TA2010038 ZM ITF
2. **Procedure:**
Restricted
3. **Programme:**
EU-Africa Partnership on Infrastructure
4. **Financing**
EU-Africa Infrastructure Trust Fund
5. **Contracting Authority:**
European Investment Bank (EIB), 98-100, boulevard Konrad Adenauer, L-2950, Luxembourg, Grand Duchy of Luxembourg.

CONTRACT SPECIFICATION

6. **Nature of contract:**
Fee based
7. **Contract description:**
The Zambia Transport Policy of May 2002 established a new organisational structure for the road sector, clarifying policy, planning and regulatory functions and reducing the fragmentation among key Government agencies involved in the sector. Three agencies were established in December 2002 to implement the Policy (the National Road Fund Agency (NRFA), the Road Development Agency (RDA), and the Road Traffic and Safety Agency (RTSA)). These agencies are thus relatively new within the Government structure and a number of lessons relevant to enhancing sector efficiency have been learned. A recent audit of the sector by the Auditor General for the years 2006 - 2009 covering technical, procurement and financial aspects has been undertaken and was made available in mid-May 2010. An action plan to address the issues emerging from the Auditor General's findings is being developed by the Government in close cooperation with Development Partners (DPs).
This TA service contract relates to the rehabilitation of the Great East Road (T4) in Zambia from Luangwa Bridge to Mwami on the border with Malawi, and also to capacity building for the RDA more generally to implement this and other major road projects. The Great East Road forms part of the Nacala Development Corridor linking Zambia to Malawi and Nacala Port in Mozambique and will assist in establishing consistent road conditions and safety standards on this section of this regional corridor. This TA contract relates to the

sections of the road to be co-financed by the European Investment Bank (EIB) and the European Development Fund (EDF), and will contribute to ensuring completion of the works within time and budget and to the quality specified. For this purpose, a team of consultants with experience in major road projects, procurement, road safety and quality control will be recruited.

The Consultant will undertake: 1) the provision of assistance prior to award and during contract administration of the main EU funded works contracts (162.8 km in total), 2) the provision of assistance to RDA in planning sustainable major road projects and 3) the provision of assistance to RDA in quality control and assurance. The working language shall be English.

8. **Number and titles of lots:**

NA.

9. **Maximum budget**

EUR 1 000 000

10. **Scope for additional services:**

The Contracting Authority may, at its own discretion and subject to the availability of funding, extend the scope and duration of the project to cover complementary and/or additional services.

In case of complementary services, the extension shall be up to a maximum not exceeding 50% of the initial contract value. In case of additional services, such extension shall be up to a maximum not exceeding the length and value of the initial contract.

Any extension of the contract would be subject to satisfactory performance by the Contractor.

CONDITIONS OF PARTICIPATION

11. **Eligibility:**

Participation in tendering is open on equal terms to natural and legal persons (participating either individually or in a grouping (consortium) of candidates) to nationals of all countries. Participation is also open to international organisations. There are no nationality restrictions.

12. **Candidature:**

All eligible natural and legal persons (as per item 11 above) or groupings of such persons (consortia) may apply. A consortium may be a permanent, legally established grouping or a grouping which has been constituted informally for a specific tender procedure. All members of a consortium (i.e., the leader and all other members) are jointly and severally liable to the Contracting Authority. The participation of an ineligible natural or legal person (as per item 11) will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

13. **Number of applications:**

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

14. **Shortlist alliances prohibited:**

Any tenders received from tenderers comprising firms other than those mentioned in the short-listed application forms will be excluded from this restricted tender procedure. Short-listed candidates may not form alliances or subcontract to each other for the contract in question.

15. **Grounds for exclusion:**

As part of the application form, candidates must submit a signed declaration, included in the standard application 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 EC external actions.

16. **Sub-contracting:**

Sub-contracting is allowed, up to a maximum of 30% of the initial contract value.

17. **Number of candidates to be short-listed:**

On the basis of the applications received, between 4 to 8 candidates will be invited to submit detailed tenders for this contract. If the number of eligible candidates meeting the selection criteria is less than the minimum of 4, the Contracting Authority may invite the candidates who satisfy the criteria to submit a tender.

PROVISIONAL TIMETABLE

18. **Provisional date of invitation to tender:**

October 2010

19. **Provisional commencement date of the contract:**

January 2011

20. **Initial period of execution and possible extension of the contract:**

The initial period of execution of the contract shall be of 42 months. This period may be extended, with the prior approval of the Contracting Authority. See in addition item 10 above.

SELECTION AND AWARD CRITERIA

21. **Selection criteria:**

The following selection criteria will be applied to candidates. In the case of applications submitted by a consortium, these selection criteria will be applied to the consortium as a whole:

1) Economic and financial capacity of candidate (based on item 3 of the application form). In case of applicant being a public body, equivalent information should be provided.

(a) The annual turnover of the candidate must be of at least twice the maximum budget of the contract (see item 9 above) for each of the last two years for which accounts have been closed. Note to candidates: In the application form, please make sure to include the actual year for which the data is provided

2) Professional capacity of candidate (based on items 4 and 5 of the application form)

(a) The number of the permanent staff of the candidate (individual company or consortium overall) currently working in fields related to this contract (see item 7 - contract description above) must be at least 10 and represent at least 15% of the total number of permanent staff for each of the last two years (2008, 2009). Note to candidates: In the application form, please make sure to include the actual year for which the data is provided
(b) The number of permanent staff of the candidate must represent at least 60% of total staff for each of the last two years (2008, 2009).

3) Technical capacity of candidate (based on items 5 and 6 of the application form)

(a) The candidate (individual company or consortium altogether) has completed, during the last 5 years (2005 up to the deadline for the receipt of applications indicated under item 23 below), at least 2 projects of a minimum value of 500 000 euro each, with activities similar to those described under item 7, and should demonstrate that it had a participation of minimum 60% in each of the project(s) brought as reference. Note to candidates: the projects referenced must have been completed before the deadline for the submission of applications. Where the projects referenced have been implemented by consortia comprising two or more of the members now associated as a consortium for this tender procedure, their respective percentages shall be added together, in order for the application to be assessed on the basis of the consortium as a whole

(b) The candidate (individual company or consortium altogether) has completed, during the last 5 years (2005 up to the deadline for the receipt of applications indicated under item 23 below), at least 2 projects in sub-Saharan Africa in the field of road construction supervision and/or road design. Note to candidates: the projects referenced must have been completed before the deadline for the submission of applications.

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. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking 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 notably that of nationality, as the economic operator.

If more than 8 eligible candidates meet the above selection criteria, the relative strengths and weaknesses of the applications of these candidates must be reexamined to identify the eight best applications for the tender procedure. The only factors which will be taken into consideration during this re-examination are (in order of precedence):

- 1) The number of projects brought as reference which comply with the criteria 3(a) and 3(b) above; if one project responds to both criteria 3(a) and 3(b), it will only be counted once for the purpose of this additional criterion.
- 2) In case of competition between two or more applicants having the same number of relevant reference projects (as per additional criterion 1 above), the corresponding value of the contracts will prevail.

22. **Award criteria:**

Best value for money.

APPLICATION

23. **Deadline for receipt of applications:**

17.00 Central European Time on 1 October 2010.

Any application received after this deadline will not be considered.

24. **Application format and details to be provided:**

Applications must be submitted using the standard application form (available from the following Internet address: http://ec.europa.eu/europeaid/work/procedures/implementation/services/index_en.htm), whose format and instructions must be strictly observed.

Any additional documentation (brochure, letter, etc) sent with an application will not be taken into consideration.

25. **How applications may be submitted:**

Applications must be submitted exclusively to the Contracting Authority:

— EITHER by recorded delivery (official postal service) to: Mr Stefan Kerpen, Head of Technical Assistance Unit, European Investment Bank (EIB), OPS B/DEAS/Technical Assistance Unit (TAU), 100 boulevard Konrad Adenauer, L-2950 Luxembourg,

— OR hand delivered (including courier services) to: Mr Stefan Kerpen, Head of Technical Assistance Unit, European Investment Bank (EIB), OPS B/DEAS/Technical Assistance Unit (TAU), 100 boulevard Konrad Adenauer, L-2950 Luxembourg.

The Contract title and the Publication reference (see item 1 above) must be clearly marked on the envelope containing the application and must always be mentioned in all subsequent correspondence with the Contracting Authority.

Applications submitted by any other means will not be considered.

26. **Alteration or withdrawal of applications:**

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

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with item 25.

The outer envelope (and the relevant inner envelope) must be marked 'Alteration' or 'Withdrawal' as appropriate.

27. **Operational language:**

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

28. **Additional information:**