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**L-Luxembourg: Lenders' engineer for Itezhi-Tezhi hydro project
(ITT) and transmission line Kafue-Livingstone Project (KL) (EIB)
2012/S 196-321477**

SERVICE PROCUREMENT NOTICE

Location: Zambia

**Lenders' Engineer for Itezhi-Tezhi Hydro Project (ITT) and Transmission Line Kafue-
Livingstone Project (KL)**

1. **Reference code**
TA2012020 ZM ITF
2. **Procedure**
International restricted tender
3. **Programme**
EU - Africa Infrastructure Trust Fund
4. **Financing**
10th EDF
5. **Contracting Authority**
European Investment Bank, 98-100, boulevard Konrad Adenauer, L-2950Luxembourg, Grand Duchy of Luxembourg.

CONTRACT SPECIFICATION

6. **Nature of contract**
Fee-based
7. **Contract description**
The overall objective of the project of which this contract will be a part is to contribute to project implementation and monitoring of both for Itezhi-Tezhi Hydro Project (ITT) and Transmission Line Kafue-Livingstone Project (KL). As both ITT and KL projects' implementations include the same promoter - Zambia Electricity Supply Corporation Limited (ZESCO) within roughly the same timeframe and for very similar projects (principally the two transmission lines), it was considered by the lenders to have one joint Lenders' Engineer (LE) for both projects. It is expected that this support will also increase ZESCO's capacity and skills with regards to implementation of transmission projects. The hydro power plant of ITT project is implemented through a joint venture, Itezhi-Tezhi Power Corporation Ltd, (ITPC), co-owned by ZESCO and TATA,Group (India) on a 50%-50% basis.
The principal results to be achieved by the LE for both ITT and KL projects will include the following:
 - Verification of procurement decisions;
 - Verification of disbursements requests including certifying eligible cost certificates;
 - Support to, monitoring and reporting of project implementation, including environmental issues;
 - Examination of the occupational safety and health plan of the projects, support to and monitoring of their implementation
 - Implementation of ITT and KL projects according to best industry practices, without procurement / safety / fire / flood / community relationship / labour relationship incidents, in line with budget, timetable and technical description.

Additionally, for the KL project only:

— Verification of the disposal plan for, and actual disposal of, old Kafue Town substation transformers.

8. **Number and titles of lots**

Not applicable.

9. **Maximum budget**

EUR 850 000

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 is open to all legal or natural persons participating either individually or in a grouping (consortium) of candidates. 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 (ie, 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 and 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**

November 2012

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

February 2013

20. **Initial period of implementation of tasks and possible extension of the contract**

The initial period of execution of the contract shall be of 37 months. This period may be extended, with the prior approval of the Contracting Authority. See also 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 (if the candidate is an individual company) or the total annual turnover (if the candidate is a consortium) of the candidate must be of at least EUR 1 000 000 (one million euros) 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 (as they are described in item 7 - "Contract Description" above), must be at least 10 for each of the last two years (2010; 2011). Note to candidates: In the application form, please make sure to include the actual year for which the data is provided

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

(a) The candidate (individual company or consortium altogether) has implemented, during the last 3 years (2009 up to the deadline for the receipt of applications indicated under item 23 below), at least 3 project(s) providing services of Lenders Engineer outside the European Union of a minimum value of EUR 300 000 equivalent, with activities similar to those described under item 7 - "Contract description" above, and should demonstrate that it had a participation of minimum 50% 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.

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 requirements of criterion 3(a) above

22. **Award criteria**

Best value for money.

APPLICATION

23. **Deadline for receipt of applications**

The applications must be received by the Contracting Authority no later than 12/11/2012. 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 at the following EIB web page: <http://www.eib.org/projects/regions/med/instruments/technical-assistance/procurement/index.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 in English exclusively to the Contracting Authority:

— EITHER by recorded delivery (official postal service) to:

European Investment Bank (EIB)

Mr Stefan Kerpen, Head of Technical Assistance Unit

OPS A/ASD/Technical Assistance Unit (TAU)

100 boulevard Konrad Adenauer, L-2950 Luxembourg

— OR hand delivered (including courier services) to:

European Investment Bank (EIB)

Mr Stefan Kerpen, Head of Technical Assistance Unit

OPS A/ASD/Technical Assistance Unit (TAU)

100 boulevard Konrad Adenauer, L-2950 Luxembourg

The Contract title and the Reference code (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 applications. 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 if used) 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**

None.

29. **Date of publication of contract forecast**

30/08/2012

30. **Legal basis**

ACP-EC Partnership Agreement signed at Cotonou on 23 June 2000 as amended on 25 June 2005 and in 2008 (Annex II), the Council Regulation (EC)617/2007 of 14th of May 2007 on the implementation of the 10th EDF under the ACP-CE Partnership Agreement, the Financial Regulation applicable to the 10th EDF, adopted by the Council Regulation no. 215/2008 and the EU - Africa Infrastructure Trust Fund agreement signed on 23.04.2007