

Additional information about the Contract Notice

Construction for the “Establishment of Common Use Ateliers in TRB2 Region” Project Location – Van, Muş, Bitlis/TURKEY

1. Nature of contract

Unit price

2. Programme title

Multi-annual Operational Programme “Competitiveness and Innovation Sector” for Community Assistance from the Instrument for Pre-Accession Assistance (IPA II) for the Socioeconomic and Regional Development Policy Area in Turkey

3. Financing

IPA budget item 22.02 03 02 of the General Budget of the EU and National Contribution

4. Eligibility and rules of origin

Participation is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping – consortium – of candidates/tenderers) which are effectively established in a Member State of the European Union or in a eligible country or territory as defined under the Regulation (EU) No 236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable instrument under which the contract is financed (see also heading ‘Legal basis’ below). Participation is also open to international organisations.

All supplies under this contract must originate in one or more of these countries. However, they may originate from any country when the amount of the supplies to be purchased is below EUR 100 000.

For UK candidates or tenderers: Please be aware that following the entry into force of the EU-UK Withdrawal Agreement* on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union and to goods originating from an eligible country, as defined under Regulation (EU) No 236/2014** and Annex IV of the ACP-EU Partnership Agreement***, are to be understood as including natural or legal persons residing or established in, and to goods originating from, the United Kingdom ****. Those persons and goods are therefore eligible under this call.

* Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

** Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action.

*** Annex IV to the ACP-EU Partnership Agreement, as revised by Decision 1/2014 of the ACP-EU Council of Ministers (OJ L196/40, 3.7.2014)

**** including the Overseas Countries and Territories having special relations with the United Kingdom, as laid down in Part Four and Annex II of the TFEU.

5. Candidature

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All eligible natural and legal persons (as per item 4 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 partners of a consortium (i.e., the leader and all other partners) are jointly and severally liable to the contracting authority.

The participation of an ineligible natural or legal person 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.

6. Number of applications or tenders

No more than one application or tender can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or partner of a consortium submitting an application/tender). In the event that a natural or legal person submits more than one application or tender, all applications or tenders in which that person has participated will be excluded.

In case of lots, the candidates or tenderers may submit only one application or tender per lot. Contracts will be awarded lot by lot and each lot will form a separate contract.

Tenders for parts of a lot will not be considered. Tenderers may not submit a tender for a variant solution in addition to their tender for the works or supplies required in the tender dossier.

Any tenderer may state in its tender that it would offer a discount in the event that its tender is accepted for more than one lot.

7. Tender guarantee

Tenderers must provide a tender guarantee of **EUR 30,000** when submitting their tender. This guarantee will be released to unsuccessful tenderers once the tender procedure has been completed and to the successful tenderer[s] upon signature of the contract by all parties.

8. Performance guarantee

The successful tenderer will be asked to provide a performance guarantee of **10%** of the amount of the contract at the signing of the contract. This guarantee must be provided together with the return of the countersigned contract no later than 30 days after the tenderer receives the contract signed by the contracting authority. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next cheapest compliant tender.

9. Information meeting and/or site visit

No information meeting is planned.

10. Tender validity

Tenders must remain valid for a period of 3 months after the deadline for submission of tenders. In exceptional circumstances, the contracting authority may, before the validity period expires, request that tenderers extend the validity of tenders for a specific period.

11. Shortlist alliances prohibited

N/A

12. Grounds for exclusion

Candidates or tenderers must submit a signed declaration, included in the application form or tender form, to the effect that they are not in any of the situations listed in Section 2.6.10.1. of the **practical guide (PRAG)**.

Candidates or tenderers included in the lists of EU restrictive measures (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract.

13. Sub-contracting

Sub-contracting is allowed.

14. Number of candidates to be short-listed

N/A

15. Provisional date of invitation to tender

N/A

16. Provisional commencement date of the contract

N/A

17. Period of implementation of tasks

Time for completion of works is 450 days, starting from the date notified in the notice of the Commencement date and ending on the date of Taking Over notified in the Taking-Over Certificate.

The Defects Notification Period will last 365 days, starting from the date of Taking Over notified in the Taking-Over Certificate.

SELECTION AND AWARD CRITERIA

18. Selection criteria

The selection criteria are described in section 12.2 of the instruction to tenderers.

19. Award criteria

The most economically advantageous tender is the technically compliant tender with the lowest price.

APPLICATION AND TENDERING

20. How to obtain the tender dossier

The tender dossier is available from

**Ministry of Industry and Technology, DG for European Union and Foreign Affairs,
Directorate of EU Financial Programmes (MoIT/DoEUFP)**

Mustafa Kemal Mahallesi, Dumlupınar Bulvarı, (Eskişehir Yolu 7.Km), 2151.Cadde, No:154/A,
Kat:7, Oda No:714-A 06530 Çankaya/Ankara, Turkey

upon payment of **EUR 200**, which excludes courier delivery. It is also available for inspection at the premises of the contracting authority, address as in the contract notice.

Interested tenderers, upon registering their company information and power of attorney of the person who receives the tender dossier and submitting a copy of the receipt for the payment of 200 euros to the below-mentioned bank account, can receive the tender dossier including drawings and technical specifications, from MoIT/DoEUFP.

Bank Account for the payment for the Tender Dossier:

Türkiye Vakıflar Bankası T.A.O.

Sanayi ve Teknoloji Bakanlığı Bağlı Şubesi (0933)

IBAN: TR78 0001 5001 5804 8013 5929 11

The MoIT/DoEUFP will send the tender dossier by courier if an interested company wants to

receive it and declares its interest in written form to the MoIT/DoEUFP, by considering enough time and recommending the appropriate courier service for the specific location. MoIT/DoEUFP does not accept any responsibility for late delivery of the tender dossier by the courier service. The recipient will do payment for the courier service. The payment for the tender dossier EUR 200 will be provided to the bank account and the receipt for that amount will be submitted in the tenders as usual procedure for all interested companies.

Tenders must be submitted using the standard tender form included in the tender dossier, whose format and instructions must be strictly observed.

Tenderers with questions regarding this tender should send them in writing to

Att.: Mr. Mustafa Erdoğan

Ministry of Industry and Technology - DG for EU and Foreign Affairs - Directorate of EU Financial Programmes, (MoIT/ DoEUFP)

**Mustafa Kemal Mahallesi, Dumlupınar Bulvarı, (Eskişehir Yolu 7.Km), 2151.Cadde, No:154/A, Kat:7, Oda No:714-A 06530 Çankaya/Ankara, Turkey
Fax: 90 312 201 69 54**

E-mail: rsp.ihale@sanayi.gov.tr, rsp.tender@sanayi.gov.tr

(mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 'Deadline for submission of applications or tenders'. The contracting authority must reply to all tenderers' questions at least 11 days before the deadline for submission of tenders. Possible clarifications or minor changes to the tender dossier shall be published at the latest 11 days before the submission deadline on the F&T portal at <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home> and Contracting Authority website at <https://rekabetcisectorler.sanayi.gov.tr/en/>.

21. Tender opening session

2:00 p.m. (Local Time – Turkey) on 15.02.2021 in the premises of Ministry of Industry and Technology - DG for EU and Foreign Affairs - Directorate of EU Financial Programmes (MoIT/ DoEUFP),

Mustafa Kemal Mahallesi, Dumlupınar Bulvarı, (Eskişehir Yolu 7.Km), 2151.Cadde, No:154/A, Kat:7 06530 Çankaya/Ankara, Turkey

In the case that at the date of the opening session some tenders have not been delivered to the contracting authority but their representatives can show evidence that they have been sent on time, the contracting authority will allow them to participate in the first opening session and inform all representatives of the tenderers that a second opening session will be organised.

22. Applications format and details to be provided

N/A

23. How applications may be submitted

Applications must be submitted in English exclusively to the contracting authority in a sealed envelope.

- Either by post or by courier service, in which case the evidence shall be constituted by the postmark or the date of the deposit slip, to:

- **Att.: Mr. Mustafa Erdoğan**

- **Ministry of Industry and Technology - DG for EU and Foreign Affairs – Directorate of EU Financial Programmes, (MoIT/ DoEUFP)**

- **Mustafa Kemal Mahallesi, Dumlupınar Bulvarı,**

- **(Eskişehir Yolu 7. Km), 2151.Cadde, No:154/A, Kat:7, Oda No:714-A**

- **06510 Çankaya/Ankara, Turkey**

- OR hand delivered by the participant in person or by an agent directly to the premises of the contracting authority in return for a signed and dated receipt, in which case the evidence shall be constituted by this acknowledgement of receipt, to:
 - **Att.: Mr. Mustafa Erdoğan**
- **Ministry of Industry and Technology - DG for EU and Foreign Affairs – Directorate of EU Financial Programmes, (MoIT/ DoEUFP)**
 - **Mustafa Kemal Mahallesi, Dumlupınar Bulvarı,**
 - **(Eskişehir Yolu 7. Km), 2151.Cadde, No:154/A, Kat:7, Oda No:714-A**
 - **06510 Çankaya/Ankara, Turkey**
- **Working hours of the Contracting Authority: 9:00 a.m. – 5:00 p.m. (Local Time)**
- **In the premises where MoIT/DoEUFP is located, there is one security point to pass through, and only two elevators operating to reach 7th floor. Please consider these physical conditions not to miss the deadline for receipt of applications.**

The contract title and publication reference (see contract notice) 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.

By submitting an application candidates accept to receive notification of the outcome of the procedure by electronic means. Such notification shall be deemed to have been received on the date upon which the contracting authority sends it to the electronic address referred to in the application form.

24. Deadline for submission of applications

The candidate's attention is drawn to the fact that there are two different systems for sending applications: one is by post or private mail service, the other is by hand delivery.

In the first case, the application must be sent before the date and time limit for submission, as evidenced by the postmark or deposit slip¹, but in the second case it is the acknowledgment of receipt given at the time of the delivery of the application that will serve as proof.

The deadline for submission of applications can be found in the Contract Notice under IV.2.2.

Any application sent to the contracting authority after this deadline will not be considered.

The contracting authority may, for reasons of administrative efficiency, reject any application submitted on time but received, for any reason beyond the contracting authority's control, after the effective date of approval of the short-list report, if accepting applications that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.

In the premises where MoIT/DoEUFP is located, there is one security point to pass through, and only two elevators operating to reach 7th floor. Please consider these physical conditions not to miss the deadline for receipt of applications.

25. Clarifications on the contract notice

Clarifications may be sought from the contracting authority at the following email address rsp.ihale@sanayi.gov.tr, rsp.tender@sanayi.gov.tr at the latest 21 days before the deadline for submission of applications stated at section **IV.2.2) of the contract notice**.

Clarifications will be published on TED eTendering accessible from the F&T portal at <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home>

¹ It is recommended to use registered mail in case the postmark would not be readable.

at the latest 11 days before the deadline for the submission of applications.

26. Alteration or withdrawal of applications

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

Any such notification of alteration or withdrawal shall be prepared and submitted in accordance with precedent item. The outer envelope (and the relevant inner envelope if used) must be marked 'Alteration' or 'Withdrawal' as appropriate.

27. Language of the procedure

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

28. Legal basis

Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action and Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11.3.2014 establishing an Instrument for Pre-Accession Assistance (IPA II). See Annex A2 of the practical guide.

29. Additional information

Financial data to be provided by the tenderer in the standard tender form must be expressed in EUR. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to EUR shall be made in accordance with the InforEuro exchange rate of **December 2020**, which can be found at the following address:
<http://ec.europa.eu/budget/graphs/inforeuro.html>.