# **INVITATION TO TENDER**

# **FOR PERFORMING**

# **at the following addresses:**

# **Ukraine, 65014, Odesa region, Odessa, Nakhimova lane, 8 (Repair of educational space)**

# **Ukraine, 69035, Zaporizhia region, Zaporizhia city, Nezalezhnoi Ukrainy str., 57-A (Repair of educational center in the municipal institution "Zaporizhzhya Regional Institute of Postgraduate Pedagogical Education")**

# **Ukraine, 36014, Poltava region, Poltava city, Sobornosti str., 64-zh (Repair of educational center in the "Poltava Academy of Continuing Education named after M.V. Ostrogradsky")**

# **Ukraine, 40007, Sumy region, Sumy city, Mykola Sumtsova str., 5 (Repair of educational center in the municipal institution "Sumy Regional Institute of Postgraduate Pedagogical Education")**

# **Ukraine, 49006, Dnipropetrovsk region, Dnipro city, Volodymyr Antonovych, 70 (Renovation of the educational center at the Municipal Institution of Higher Education "Dnipro Academy of Continuing Education of the Dnipropetrovsk Regional Council")**

*Dear Sir/Madam,*

Further to your enquiry regarding the publication of the above-mentioned Invitation to Tender, please see below and enclosed the list of documents which constitute the procurement documents. Electronic copy of these documents will be downloaded into tender platform **playtender.com.ua**

**A – Tender Information table**

**B – Instructions to tenderers**

**C – Annexes:**

**Annex 1: Example of contract (attached)**

*(Sign the “Annex” - the appendix attached to this tender dossier).*

**Annex 2: Tender offer form with accompanying documents (Copy of valid registration certificate, Certificate of no criminal record of the director, Copy of valid tax certificate, document confirming the authority of the director). (For filling out the template, pdf files are also attached).**

(Download the completed Ukrainian version of “*Annex* 2”, download the Extract from the Unified State Register, the certificate of no criminal record of the director can be made using Playtender.com.ua, Extract from the tax service, legal document for the company director - power of attorney, notarized order).

**Annex 3: Technical specification (List of works - Annex 3, Technical requirements - Annex 3.1).**

(List of some works (*Annex* 3) and technical requirements (*Annex* 3.1), according to which to make a Commercial Offer (download the Ukrainian version from the platform for calculations).

**Annex 4: Compliance with eligibility criteria.**

# **Tender Information Table**

|  | **General Information** |
| --- | --- |
|  | Contracting Authority | NGO «Development of Citizenship Competences in Ukraine» |
|  | Invitation to tender reference no | https://playtender.com.ua/zak/tender/view?id=2056 |
|  | Procurement Method | Open Tender |
|  | Contract Title | Repair work, at the following addresses:1. Ukraine, 65014, Odesa region, Odessa, Nakhimova lane, 8
2. Ukraine, 69035, Zaporizhia region, Zaporizhia, Nezalezhnoi Ukrainy str., 57-A
3. Ukraine, 36014, Poltava region, Poltava, Sobornosti str., 64-zh
4. Ukraine, 40007, Sumy region, Sumy, Mykola Sumtsova str., 5
5. Ukraine, 49006, Dnipropetrovsk region, Dnipro, Volodymyr Antonovych str., 70
 |
|  | Contact Info |

| Name/Position: | Herashchenko Vita / Procurement manager |
| --- | --- |
| Email: |  |
| Physical Address: | Kyiv, Sichovykh Striltsiv St., 77 |

 |
|  | Link for tenderers | **https://playtender.com.ua/** |
|  | **Timeline, tender submission & opening**(dates & hours are as per contracting authority time zone) |
|  | Date of issue of the Invitation to tender  | 12.05.2025 17:00  |
|  | Deadline for submission of tenders (Date & Hour**)** | 16.06.2025 18:00 |
|  | Deadline for sending questions to contracting authority | Three days before the submission deadline |
|  | How to send questions to the contracting authority | Questions should be sent through the electronic supplier portal using the link above. |
|  | Last date on which clarifications are issued by the Contracting Authority | Three days before the submission deadline |
|  | The date for site visit | The bidders are responsible for visiting the sites on their own. |
|  | Tender submission procedure | Tenders must be submitted via the link in section 1.6.If you encounter technical difficulties, do not hesitate to contact the Contracting Authority |
|  | Tender opening session date, hour & location | 12.05.2025 17:00  |
|  | **Content** |
|  | Category of procurement | Works |
|  | Scope of related works | Addresses:1. Ukraine, 65014, Odesa region, Odessa, Nakhimova lane, 8
2. Ukraine, 69035, Zaporizhia region, Zaporizhia, Nezalezhnoi Ukrainy str., 57-A
3. Ukraine, 36014, Poltava region, Poltava, Sobornosti str., 64-zh
4. Ukraine, 40007, Sumy region, Sumy, Mykola Sumtsova str., 5
5. Ukraine, 49006, Dnipropetrovsk region, Dnipro, Volodymyr Antonovych str., 70
 |
| a. | Is the tender divided into lots? | Yes |
| b. | Can the tenderer bid against single lot, multiple lots or all lots of the tender? | Yes |
| c. | Lots | Scope of work according to Annex 3 (BoQ), Annex 3.1 |
| d. | Delivery Location | Addresses:1. Ukraine, 65014, Odesa region, Odessa, Nakhimova lane, 8
2. Ukraine, 69035, Zaporizhia region, Zaporizhia, Nezalezhnoi Ukrainy str., 57-A
3. Ukraine, 36014, Poltava region, Poltava, Sobornosti str., 64-zh
4. Ukraine, 40007, Sumy region, Sumy, Mykola Sumtsova str., 5
5. Ukraine, 49006, Dnipropetrovsk region, Dnipro, Volodymyr Antonovych str., 70.
 |
| e. | Delivery Deadline | Until June 30, 2025 |
|  | **Price and Validity of Tenders** |
|  | Currency of Price UAH equivalent to EUR | UAH |
|  | Validity period of the tender (offer) | 21 Days |
|  | **Eligibility Criteria** (imposed on the tenderer) |
|

| # | Description | Means of verification and required documentation |
| --- | --- | --- |
| 1  | The participant is an officially registered legal entity or individual entrepreneur. | Copies of documents confirming the registration of a legal entity or individual entrepreneur (Copy of a current extract from the Unified State Register of Legal Entities and Individual Entrepreneurs) |
| 2 | Bank details | Bank certificate of an open current account with details and a certificate of no debts |
| 3 | Construction work license | A valid license to perform the relevant works |
| 4 | Degree of Civil Engineers | Degree in Civil Engineering or Construction Management including a minimum of two (2) years of experience |
| 5 | Tax Compliance Certificate | Copy of valid Tax Compliance Certificate |
| 6 | Extract from Ministry of Internal Affairs of Ukraine | Certificate of non-conviction (director) (can be provided by Tender platform playtender.com.ua) |
| 7 | Completeness and clarity of tender submission form | All Tender Bid Documents must be signed and stamped.**All information given in the tender submission form must be consistent throughout the documents.** |
| 8 | Proof of similar work | Must attach copies of minimum **two (2),** similar contracts from the **past 3 years.** |
| 9 | Power of Attorney/order for Director’s authority | Power of attorney/order for Director’s authority Notarized. |
| 10 | Filled Consent form provided by DOCCU | Consent to company screening for terrorism and money-laundering. |
| 11 | **Site visit** | **Tenderers must visit the site for the lot they are bidding for. As evidence of the visit, tenderer must attach a photo from the site.** **Tenderers without proof of visiting the site are excluded from the tender evaluation.** |

 |
|  | **Contract Award Criteria** |
|

| **#** | **Description** | **Weight %** | **Scoring methodology, means of verification and required documentation** |
| --- | --- | --- | --- |
| 1 | Experience in similar works | 20% | Tenderers may receive additional scoring by attaching proof of additional experience in similar rehabilitation works exceeding the minimum requirements in Section 3.8. The additional contracts presented must not be older than three (3) years and must include invoices, delivery notes and completion certificates.Each tenderer may submit a maximum of 10 additional contracts. The combined value of the additional contracts is used to determine the scoring.Scoring is done accordingly based on the **combined contract value**:The evaluation is based on the combined value of the contracts. The points are awarded as follows: 180,000 EURO and above = 20 points 150,000-179,999 EURO = 7 points120,000-149,999 EURO = 5 points60,000-119,999 EURO = 3 pointsLess than 60,000 EURO = 0 points |
| 2 | Qualifications and experience of key site management (Attach Certificates) | 10% | Tenderers may receive additional scoring by attaching additional degrees or diplomas in Civil Engineering or Construction Management for Technical Personnel. Certificates must be provided with the tender submission.* 5 or more diplomas - 10 points
* 4 diplomas - 6 points
* 3 diplomas - 4 points
* 2 diplomas – 2 points
* Less than 2 diplomas – 0 points
 |
| 3 | Duration of the project for1. Ukraine, 65014, Odesa region, Odessa, Nakhimova lane, 8
2. Ukraine, 69035, Zaporizhia region, Zaporizhia, Nezalezhnoi Ukrainy str., 57-A
3. Ukraine, 36014, Poltava region, Poltava, Sobornosti str., 64-zh
4. Ukraine, 40007, Sumy region, Sumy, Mykola Sumtsova str., 5
5. Ukraine, 49006, Dnipropetrovsk region, Dnipro, Volodymyr Antonovych str., 70.
 | 20 % | **Lot 1**Project duration 3-4 months – receive 20 pointsProject duration 4.5-5 months – receive 10 pointsProject duration 5.5-6 months – receive 5 pointsMore than 6 months – receive 0 points**Lot 2**Project duration 3-4 months – receive 20 pointsProject duration 4.5-5 months – receive 10 pointsProject duration 5.5-6 months – receive 5 pointsMore than 6 months – receive 0 points**Lot 3**Project duration 3-4 months – receive 20 pointsProject duration 4.5-5 months – receive 10 pointsProject duration 5.5-6 months – receive 5 pointsMore than 6 months – receive 0 points**Lot 4**Project duration 3-4 months – receive 20 pointsProject duration 4.5-5 months– receive 10 pointsProject duration 5.5-6 months - receive 5 pointsMore than 6 months- receive 0 points**Lot 5**Project duration 3-4 months – receive 20 pointsProject duration 4.5-5 months– receive 10 pointsProject duration 5.5-6 months - receive 5 pointsMore than 6 months- receive 0 points |
| 4 | Financial | 40% | Lowest bid receives highest score. Other candidates’ scores are calculated proportionally based on the lowest bid. |
| 5 | Payment conditions | 10% | * Companies with payment conditions of the contract 30% or less in advance - 10 points
* Companies with payment conditions of the contract between 31% and 40% in advance - 8 points
* Companies with payment conditions of the contract between 41% and 50% in advance - 6 points
* Companies with payment conditions of the contract between 51% and 60% in advance - 4 points
* Companies with payment conditions of the contract between 61% and 70% in advance - 2 points
* Companies with payment conditions of the contract between 71% and more in advance - 0 points
 |

 |
|  | **Legal** |
|  | Language of the offers | Ukrainian |
|  | The law of the country governing the contract | - Civil Code of Ukraine;- Law of Ukraine "On Charitable Activities and Charitable Organizations". |
|  | **Contract Awarding** |
|  | Type of contract | One-off |
|  | Contract start date (estimate) | As soon as possible |
|  | Contract end date (estimate) | As soon as possible |
|  | Language of the contract | English/Ukrainian |

# **INSTRUCTIONS TO TENDERERS**

In submitting a tender, the tenderer accepts in full and without restriction the special and general conditions governing the procurement contract as the sole basis of this tendering procedure, whatever his own conditions of sale may be, which he hereby waives.

Tenderers are expected to examine carefully and comply with all instructions, forms, contract provisions and specifications contained in this tender dossier.

Failure to submit a tender containing all the required information and documentation within the deadline specified will lead to the rejection of the tender.

No account can be taken of any reservation in the tender as regards the tender dossier; any reservation will result in the immediate rejection of the tender without further evaluation.

1. **Scope works**

The Contracting Authority kindly requests proposals for the construction of the Works as described in the Annex 3, 3.1: ToR and BoQ in Ukraine.

Construction Companies bear sole liability for examining with appropriate care the tender, including those design documents available for inspection, and for obtaining reliable information with respect to any and all conditions and obligations that may in any way affect the amount or nature of the proposal or the execution of the Works. In the event that the Construction Company is successful, no claim for alteration of the proposal amount will be accepted on the grounds of errors or omissions in the obligations of the Construction Company described above.

1. **General**

The works to be executed are for use by the Contracting Authority in its programme country as listed in **A. Tender Information Table / Section 1.**

1. **Cost of Tender**

The tenderer shall bear all costs associated with the preparation and submission of his tender and the Contracting Authority will in no case be responsible or liable for these costs, regardless of the conduct or outcome of the tender process.

1. **Questions, clarification of tender documents and additional information**

Tenderers may submit questions in writing to the Contracting Authority as per instructions and deadlines listed in **A – Tender Information Table / Section 2.**

Any clarification of the Invitation to Tender documents given by the Contracting Authority will be submitted to all tenderers at the same time (and prospective tenderers) at the latest on the date specified in the time table in **A – Tender Information Table / Section 2.**

Tenderers are not allowed to approach the Contracting Authority for oral clarification. Any (prospective) tenderer seeking to arrange individual meetings during the tender period with either the Contracting Authority and/or associated organisation may be excluded from the tender procedure.

1. **Planned time table**

The Contracting Authority reserves the right to alter the dates and time, in which case all tenderers will be informed in writing and a new timetable will be provided.

The time table can be found in **A. Tender Information Table / Section 2.**

The hours in the time table are as per time-zone of the country where the Contracting Authority is located.

1. **Language of Tenders**

The tenders, all correspondence and documents related to the tender exchanged by the tenderer and the Contracting Authority must be written in English/Ukrainian. Supporting documents and printed literature furnished by the tenderer may be in local language.

1. **Evaluation Process**

Prior to the tenderer eligibility verification (as specified in B.8Exclusion from award of contracts & B.9Eligibility Criteria imposed on the Eligibility Criteria) and detailed evaluation (as specified in B.10Contract Award Criteria of the tenders, the procurement committee, (established by the Contracting Authority for the purposes of this tender procedure), shall ascertain whether the tenders;

* were submitted prior to tender submission deadline (Closing Date);
* have been properly signed;
* have been submitted according to the submission procedure in **A. Tender Information Table / Section 2**;
* and are otherwise generally in order.

If a tender is not substantially responsive i.e. it contains more than irrelevant deviations from or reservations to the terms, conditions and specifications in the tender dossier, it shall not be considered further.

Then the procurement committee will examine the technical admissibility of each tender, classifying it as technically compliant or non-compliant.

Tenders determined to be substantially responsive and technically compliant will be checked by the procurement committee for any arithmetic errors. Where there is a discrepancy between the amounts in the figures and words, the amount in words will govern. Where there are discrepancies between the unit price and the line item total, derived from multiplying the unit rate by the quantity, the unit rate as quoted will govern. If a tenderer refuses to accept the correction, his tender will be rejected.

1. **Exclusion from award of contracts**

Tenderers are excluded if they are in one of the situations listed in article 16. of the **Annex 1: General Terms & Conditions for Work Contracts**.

Tenderers shall also comply with article 57. “Child Labour & Forced Labour” and article 58. “Mines” and article 59. “Anti-money laundering and combating the financing of terrorism” and article 21. Corrupt practices of the General Terms and Conditions for Work Contracts.

Tenderers are also excluded if any of the exclusion criteria here below applies to them:

1. participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA ( 1 );
2. corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union ( 2 ) and Article 2(1) of Council Framework Decision 2003/568/JHA ( 3 ) as well as corruption as defined in the national law of the contracting authority or the economic operator;
3. fraud within the meaning of Article 1 of the Convention on the protection of the European Communities’ financial interests ( 4 );
4. terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA ( 5 ) respectively, or inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision;
5. money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council ( 6 );
6. child labour and other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;
7. Also a tenderer shall be excluded from participation in a procurement procedure where the contracting authority is aware that the tenderer is in breach of its obligations relating to the payment of taxes or social security contributions and where this has been established by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of the country in which it is established or with those of the contracting authority.

Tenderers shall, in the **Annex 2: Tender Submission Form,** attest that they meet the above requirements. If required by the Contracting Authority, the Tenderer whose tender is accepted shall further provide evidence satisfactory to the Contracting Authority of its eligibility through certificates issued by competent authorities in its country of establishment or operation, or, if such certificates are not available, through a sworn statement.

If the tenderer was selected through prequalification, the tenderer must only declare that he still conforms with the eligibility and qualification (selection) criteria applied in the course of that prequalification.

**Contracts may not be awarded to tenderers who:**

1. are subject to conflict of interest
2. Are guilty of misrepresentation in supplying the information required as a condition of participation and eligibility in the tender procedure or fail to supply this information.
3. Perform, condone or tolerate corrupt, fraudulent, collusive or coercive practices, regardless of whether such practices can be attributed to this tender procedure.
4. Attempt to influence the evaluation committee in the process of examination, clarification, evaluation and comparison of tenders, to obtain information on how the procedure is progressing or to influence the Contracting Authority in its decision concerning the award of the contract.
5. **Eligibility Criteria imposed on the tenderer.**

Tenderers will initially be verified for eligiblity according to eligibility criteria in **A. Tender Information Table / Section 5.** The listed documents must be submitted with the bid.

Tenderers which do not fulfill the eligibility criteria and/or do not provide the required documents will not be qualified for the tender evaluation.

1. **Contract Award Criteria**

The tenders which have qualified the eligibility criteria will be evaluated according to the contract award criteria in **A. Tender Information Table / Section 6**.

1. **Documents comprising the Tender:**

 **Annex 1: Example of contract (attached)**

*(Sign the “Appendix” - the appendix attached to this tender dossier).*

**Annex 2: Tender offer form with accompanying documents (Copy of valid registration certificate, Certificate of no criminal record of the director, Copy of valid tax certificate, document confirming the authority of the director). (For filling out the template, pdf files are also attached).**

(Download the completed Ukrainian version of “Appendix 2”, download the Extract from the Unified State Register, the certificate of no criminal record of the director can be made using Playtender.com.ua, Extract from the tax service, legal document for the company director - power of attorney, notarized order).

**Annex 3: Technical specification (List of works - Appendix 3, Technical requirements - Appendix 3.1).**

(List of some works (Appendix 3) and technical requirements (Appendix 3.1), according to which to make a Commercial Offer (download the Ukrainian version from the platform for calculations).

 **Annex 4: Compliance with eligibility criteria.**

1. **Financial Proposal and Price:**

The price must be quoted in the currency as indicated in **A. Tender Information Table / Section 4**.

The final total price must be quoted in Annex 2: Tender Submission Form by the tenderer and it shall not be subject to adjustments on any account except as otherwise provided in the conditions of the contract.

The Price must include all costs related to the execution of the works and no supplementary invoicing or other costs are accepted.

The remuneration of the Contractor under the Contract will be on a lump-sum/global basis. The Financial Proposal must be presented as a global price and breakdown of the overall price and be submitted using the Annex 4: Financial Proposal Form and Breakdown of Overall Price.

All items must be priced in **UAH.**

The global price must not include VAT, taxes, customs and import duties that are levied in accordance with the laws and regulations of the state of the Contracting Authority or the country of the execution of the works on the production, manufacture, sale and transport of the Contractor's plant, machinery, materials and supplies to be used on or furnished under the Contract.

The amounts entered in the Breakdown of Overall Price will be used for calculating payments and interim payments and for valuing variations.

The Construction Companies will be deemed to have taken full account of all requirements and obligations covered by all parts of this tender and to have priced the items in the Breakdown of Overall Price accordingly. The amount must include for all incidental and contingent expenses and risks of every kind necessary to construct, complete and maintain the whole of the works in accordance with the Contract. Unless separate items are provided in the breakdown, rates and sums include all costs involved in the various items in the breakdown. The item descriptions given in the breakdown will in no way limit the Contractor's obligations under the Contract to provide all the works described in the tender as a whole. Notwithstanding any limits which may be implied by the wording of individual items, the amounts entered will be deemed to be works that are complete in every respect.

1. **Validity period of the tenders**

Tenders shall remain valid and open for acceptance for the period as indicated in **A. Tender Information Table / Section 4** after the Closing Date for the submission of tenders.

Prior to the expiry of the original tender validity period, the Contracting Authority may ask for objective reasons tenderers in writing to extend this period. Tenderers that agree to do so will not be permitted to modify their tenders. If they refuse, their participation in the tender procedure will be terminated.

1. **Sub-Contractors**

If the Construction Company intends to use Sub-Contractors, he shall state in the Construction Company’s Annex 6: Technical Qualifications Form **their names, qualifications, role and duties** in the performance of the Contract. The Construction Company shall have the liability to ensure that Sub-Contractors satisfy the eligibility requirements of the tender.

1. **Joint ventures or consortia**

If a Construction Company is a joint venture or consortium of two or more persons, the proposal must be single with the object of securing a single Contract, each person must sign the proposal, and all such persons shall be jointly and severally liable and bound by the proposal and any resulting Contract. Only one of such persons shall be designated in the Annex 2: Tender Submission form to act as leader with authority to bind the joint venture or consortium. For the purposes of the performance of the Contract, the joint venture or consortium shall act in accordance with the provisions of the Annex 1 - General Terms and Conditions for Works Contracts and the tender as a whole.

1. **Site visit**

The Construction Company shall visit and examine the Site of the works and its surroundings for the purpose of assessing, at his own responsibility, expense and risk, factors necessary for the preparation of his proposal. The Construction Company shall contact and arrange with the Contracting Authority the granting of permission to enter upon the Site, for the Construction Company’s individual inspections.

Construction Companies are invited to a joint Site visit as stated in the A. Tender Information Table.

1. **Laws of country of Works’ execution**

By submitting their proposals, Construction Companies are deemed to have knowledge of and to have taken into consideration all relevant laws, acts and regulations of Ukraine that may in any way affect or govern the operations and activities covered by the proposal and the resulting Contract.

In completing the section on personnel to be employed on the Contract in Annex 6: General and Financial Information Form, the Construction Company shall pay special attention to article 57 of General Terms and Conditions for Works Contracts (Child Labour and Forced Labour). The Construction Company shall further have the obligation to comply with all regulations, rules or instructions concerning the conditions of employment of any class of employee according to the laws of Ukraine.

1. **Negotiations**

The Contracting Authority reserves the right to contact those Construction Companies who **fulfil the tenderer eligibility requirements and respond to the requirements of the tender** to negotiate the terms of the tender. Negotiations will not entail any substantial deviation to the terms and conditions of the tender, but they may have the purpose of reducing the scope of the Works or revising other terms of the Contract in order to bring the proposed price down, when the proposed prices exceed the limits of the funds made available to the Contracting Authority by its donor/funding agency.

**All the tenderers are treated equally under the negotiations phase and all of them have the same possibility and time to amend their proposals in relation to and in accordance with the amended terms and conditions of the tender during the negotiation phase.**

1. **Submission of tenders and Closing Date**

Tenders must be submitted as indicated in **A. Tender Information Table / Section 2**.

No tender may be changed or withdrawn after the deadline has passed.

1. **Tender opening session**

Tender opening information is indicated in **A. Tender Information Table / Section 2.**

If the tenderers are invited to the tender opening session, tenderers are requested to contact the contact person, at least one day in advance of the tender opening if they will attend.

Tenderer’s representatives who are present shall sign a register indicating their attendance.

At the tender opening, only the tenderers’ names and the total amount of the tenders will be read aloud and recorded.

1. **Award of Contract**

The Contracting Authority will award the contract to the tenderer whose tender has been determined to be substantially responsive to the tender dossier and technically compliant, and who has received the highest scoring in the tender evaluation.

1. **Signature of Contract**

The Contracting Authority and the Contractor shall in cooperation prepare all documents listed in the Draft Contract Agreement, to include therein all details of the successful proposal. Within 5 days of notification of the award of the Contract, the successful Construction Company shall submit to the Contracting Authority, for its consent, a final implementation programme.

Within 5 days of receipt of the Contract already signed by the Contracting Authority, the successful Construction Company must sign and date the Contract and return it to the Contracting Authority. On signing the Contract the successful Construction Company will become the Contractor and the Contract will enter into force (option, if performance guarantee is required: subject however to the provision by the successful Construction Company of the Performance Guarantee provided for in article 23 of the draft Contract Agreement.

If the successful Construction Company fails to sign and return the Contract (option: and/or the Performance Guarantee) within 5 days after receipt of the Contract signed by the Contracting Authority, the Contracting Authority may consider the acceptance of the proposal to be cancelled without prejudice to the Contracting Authority's right to claim compensation or pursue any other remedy in respect of such failure, and the successful Construction Company will have no claim whatsoever on the Contracting Authority.

1. **Cancellation for convenience**

The Contracting authority may for its own convenience and without charge or liability cancel the tender process at any stage.

# **Annex 2: Tender submission form**

| Submitted by (the name of the tendering company): |  |
| --- | --- |
| *Contact Person:* |  |

**PRICE SCHEDULE (Price and currency to be inserted by tenderer)**

| **Lots** | **Description of works** | **Qty** | **Currency:** | **UAH** |
| --- | --- | --- | --- | --- |
| **Unit Price** | **Total Price**  |
|  | Carrying out repair work at the following addresses: |  |  |  |
| Lot 1 | Ukraine, 65014, Odesa region, Odessa, Nakhimova lane, 8 |  |  |  |
| Lot 2 | Ukraine, 69035, Zaporizhia region, Zaporizhia city, Nezalezhnoi Ukrainy str., 57-A |  |  |  |
| Lot 3 | Ukraine, 36014, Poltava region, Poltava city, Sobornosti str., 64-zh |  |  |  |
| Lot 4 | Ukraine, 40007, Sumy region, Sumy city, Mykola Sumtsova st., 5 |  |  |  |
| Lot 5 | Ukraine, 49006, Dnipropetrovsk region, Dnipro city, Volodymyr Antonovych st., 70 |  |  |  |
| **Total price to be used as an evaluation price DOCCU** |  |

**ELIGIBILITY REQUIREMENTS:**

| 1  | The participant is an officially registered legal entity or individual entrepreneur. | Copies of documents confirming the registration of a legal entity or individual entrepreneur (Copy of a current extract from the Unified State Register of Legal Entities and Individual Entrepreneurs) |
| --- | --- | --- |
| 2 | Bank details | Bank certificate of an open current account with details and a certificate of no debts |
| 3 | Construction work license | A valid license to perform the relevant works |
| 4 | Degree of Civil Engineers | Degree in Civil Engineering or Construction Management including a minimum of two (2) years of experience |
| 5 | Tax Compliance Certificate | Copy of valid Tax Compliance Certificate |
| 6 | Extract from Ministry of Internal Affairs of Ukraine | Certificate of non-conviction (director) (can be provided by Tender platform playtender.com.ua) |
| 7 | Completeness and clarity of tender submission form | All Tender Bid Documents must be signed and stamped.**All information given in the tender submission form must be consistent throughout the documents.** |
| 8 | Proof of similar work | Must attach copies of minimum **two (2),** similar contracts from the **past 3 years.** |
| 9 | Power of Attorney/order for Director’s authority | Power of attorney/order for Director’s authority Notarized. |
| 10 | Filled Consent form provided by DOCCU | Consent to company screening for terrorism and money-laundering. |
| 11 | **Site visit** | **Tenderers must visit the site for the lot they are bidding for. As evidence of the visit, tenderer must attach a photo from the site.** **Tenderers without proof of visiting the site are excluded from the tender evaluation.** |

**CONTRACT AWARD CRITERIA:**

| **#** | **Description** | **Weight %** | **Scoring methodology, means of verification and required documentation** |
| --- | --- | --- | --- |
| 1 | Experience in similar works | 20% | Tenderers may receive additional scoring by attaching proof of additional experience in similar rehabilitation works exceeding the minimum requirements in Section 3.8. The additional contracts presented must not be older than three (3) years and must include invoices, delivery notes and completion certificates.Each tenderer may submit a maximum of 10 additional contracts. The combined value of the additional contracts is used to determine the scoring.Scoring is done accordingly based on the **combined contract value**:Scoring is done accordingly based on the contract value:180,000 EURO and above = 20 points 150,000-179,999 EURO = 7 points120,000-149,999 EURO = 5 points60,000-119,999 EURO = 3 pointsLess than 60,000 EURO = 0 points  |
| 2 | Qualifications and experience of key site management (Attach Certificates) | 10% | Tenderers may receive additional scoring by attaching additional degrees or diplomas in Civil Engineering or Construction Management for Technical Personnel. Certificates must be provided with the tender submission.* 5 and more diplomas- 10 points
* 4 diplomas- 6 points
* 3 diplomas- 4 points
* 2 diplomas – 2 points
* Less than 2 diplomas – 0 points
 |
| 3 | Duration of the project for1. Ukraine, 65014, Odesa region, Odessa, Nakhimova lane, 8
2. Ukraine, 69035, Zaporizhia region, Zaporizhia, Nezalezhnoi Ukrainy str., 57-A
3. Ukraine, 36014, Poltava region, Poltava, Sobornosti str., 64-zh
4. Ukraine, 40007, Sumy region, Sumy, Mykola Sumtsova str., 5
5. Ukraine, 49006, Dnipropetrovsk region, Dnipro, Volodymyr Antonovych str., 70
 | 20 % | **Lot 1*** Project duration 3-4 months – receive 20 points
* Project duration 4.5-5 months – receive 10 points
* Project duration 5.5-6 months – receive 5 points
* More than 6 months – receive 0 points

**Lot 2*** Project duration 3-4 months – receive 20 points
* Project duration 4.5-5 months – receive 10 points
* Project duration 5.5-6 months – receive 5 points
* More than 6 months – receive 0 points

**Lot 3*** Project duration 3-4 months – receive 20 points
* Project duration 4.5-5 months – receive 10 points
* Project duration 5.5-6 months – receive 5 points
* More than 6 months – receive 0 points

**Lot 4*** Project duration 3-4 months – receive 20 points
* Project duration 4.5-5 months– receive 10 points
* Project duration 5.5-6 months - receive 5 points
* More than 6 months- receive 0 points

**Lot 5*** Project duration 3-4 months – receive 20 points
* Project duration 4.5-5 months– receive 10 points
* Project duration 5.5-6 months - receive 5 points
* More than 6 months- receive 0 points
 |
| 4 | Financial | 40% | Lowest bid receives highest score. Other candidates’ scores are calculated proportionally based on the lowest bid. |
| 5 | Payment conditions | 10% | * Companies with payment conditions of the contract 30% or less in advance - 10 points
* Companies with payment conditions of the contract between 31% and 40% in advance - 8 points
* Companies with payment conditions of the contract between 41% and 50% in advance - 6 points
* Companies with payment conditions of the contract between 51% and 60% in advance - 4 points
* Companies with payment conditions of the contract between 61% and 70% in advance - 2 points
* Companies with payment conditions of the contract between 71% and more in advance - 0 points
 |

| **Tenderer information** |
| --- |
| Tenderer legal name: |  |
| Street name and no. |  |
| City  |  |
| Postal code |  |
| Country of registration: |  |
|  |  |
| Phone no.: |  |
| Fax. no.: |  |
| E-mail:  |  |
| web-site: |  |
|  |  |
| Sales Manager (name) |  |
| Director (Name) |  |
| Other contact (Title & Name) |  |

| **General tenderer information** |
| --- |
| Nature of business – please enclose complete product information in English. |  |
| Year of Establishment |  |
| Number of full-time employees |  |
| Licensing Authority |  |
| Licence number (VAT no./TAX I.D.) |  |
| Does your company have a written statement of its environmental policy? |  |
| Please state in which languages technical documents are available: |  |
| Working language: |  |

| **Subsidiaries, Associates and/or Overseas Representative of the tenderer** |
| --- |
| Countries with registered office: |  |
| Countries with representation (agent): |  |
| List of International quality assurance certification held by your company: |  |
| List of local and national quality assurance certification held by your company |  |
| International trade / professional organisations of which your company is a member: |  |
| Local trade / professional organisations of which your company is a member: |  |

# After having read your letter of Invitation to Tender no \_\_\_\_\_\_\_\_\_ for works of

***Performing current repairs of the institutions by the ADRESES:***

# **Ukraine, 65014, Odesa region, Odessa, Nakhimova lane, 8 (Repair of educational space)**

# **Ukraine, 69035, Zaporizhia region, Zaporizhia city, Nezalezhnoi Ukrainy str., 57-A (Repair of educational center in the municipal institution "Zaporizhzhya Regional Institute of Postgraduate Pedagogical Education")**

# **Ukraine, 36014, Poltava region, Poltava city, Sobornosti str., 64-zh (Repair of educational center in the "Poltava Academy of Continuing Education named after M.V. Ostrogradsky")**

# **Ukraine, 40007, Sumy region, Sumy city, Mykola Sumtsova str., 5 (Repair of educational center in the municipal institution "Sumy Regional Institute of Postgraduate Pedagogical Education")**

# **Ukraine, 49006, Dnipropetrovsk region, Dnipro city, Volodymyr Antonovych, 70 (Renovation of the educational center at the Municipal Institution of Higher Education "Dnipro Academy of Continuing Education of the Dnipropetrovsk Regional Council")**

 Dated on \_\_\_\_\_\_\_\_\_\_ behalf of my company/business, we are hereby.

* Accept, without restrictions, all the provisions in the Invitation to Tender including General terms and Conditions for Supply contracts –with annexes.
* Provided that a contract is issued by the Contracting Authority we hereby commit to execute the works at the price offered and deliver and provide the same to the designated points within the delivery time stated above.
* We hereby certify and attest that we meet the eligibility criteria of article stated in the Instructions to Tenderers.
* We hereby certify and attest that none of the below listed exclusion grounds are applicable:
	+ - * 1. participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA ( 1 );
				2. corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union ( 2 ) and Article 2(1) of Council Framework Decision 2003/568/JHA ( 3 ) as well as corruption as defined in the national law of the contracting authority or the economic operator;
				3. fraud within the meaning of Article 1 of the Convention on the protection of the European Communities’ financial interests ( 4 );
				4. terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA ( 5 ) respectively, or inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision;
				5. money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council ( 6 );
				6. child labour and other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council
				7. the tenderer is in breach of its obligations relating to the payment of taxes or social security contributions and where this has been established by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of the country in which it is established or with those of the contracting authority.
* We further certify and attest that we, and/or our affiliates,
* comply with the UN *Convention on the Rights of the Child* - UNGA Doc A/RES/44/25 (12 December 1989) with Annex
* have not made or will not make use of forced or compulsory labor as described in the *Forced Labor Convention* and in *the Abolition of Forced Labor Convention 105* of the International Labor Organization.
* respect and uphold basic social rights and working conditions for our employees.
* are not engaged in any development, sale or manufacture of anti-personnel mines and/or cluster bombs or components utilized in the manufacture of anti-personnel mines and/or cluster bombs.
* comply with articles 13. Child Labour and Forced Labour, 14. Mines, 15. “Anti-money laundering and combating the financing of terrorism” and 17. Corrupt Practices of the General Terms and Conditions for Supply Contracts.

The above declarations will become an integrated part of the contract and misrepresentation will be regarded as grounds for termination.

* Our company/business has the following **nationality** [ insert ], as evidenced in the enclosed Company Registration Certificate.
* We certify that the goods have the **origin** stated above.
* In the event the contract is awarded to us, we request that payments under the contract be made to the following **account:** [insert all necessary references].
* Our tender is valid for a period of <insert no> days after the closing date in accordance with instructions to tenders.

Signature & stamp:

Signed by:

| **The Tenderer** | **:** |
| --- | --- |
| Name of the company | **:** |
| Address  | **:** |
| Telephone no.  | **:** |
| Fax no. | **:** |
| E-mail: | **:** |
| Name of contact person | **:** |
| Date:  | **:** |

**NB. Attachments – Please check carefully before submitting your tender that you have prepared all the documents required in the instructions to Tenders article “Documents comprising the tender”**