

## INVITATION FOR TENDERS

### UKRAINE

#### PAN EUROPEAN CORRIDORS PROJECT / EUROPEAN ROADS UKRAINE II

##### REPAIR OF THE SECTION OF M-05 KYIV-ODESA ROAD, LOTS 1-3: LOT 1, KM 87+442 – KM 98+400; LOT 2, KM 98+400 – KM 113+400; LOT 3, KM 113+400 – KM 128+028

This Invitation for Tenders follows the General Procurement Notice for this project which was published on the EBRD and OJEU websites, Procurement Notices ([www.ebrd.com](http://www.ebrd.com)) on April 16, 2019.

The State Road Agency of Ukraine, hereinafter referred to as “the Employer”, intends using part of the proceeds of a loan from the European Bank for Reconstruction and Development and European Investment Bank<sup>1</sup> (the Banks) towards the cost of Repair of the Section of M-05 Kyiv-Odesa Road, Lots 1-3: Lot 1, km 87+442 – km 98+400; Lot 2, km 98+400 – km 113+400; Lot 3, km 113+400 – km 128+028.

The Employer now invites sealed tenders from contractors for the following lots to be funded from part of the proceeds of the loan:

- **Lot 1 – km 87+442 – km 98+400 (the section begins with the access road to the town of Bila Tserkva, crosses the river Ros and ends near the village of Bykova Hreblia). Repair of about 11 km of the road including roads, bridges, drainage and ancillary works;**
- **Lot 2 – km 98+400 – km 113+400 (the section begins near the village of Bykova Hreblia and ends at the boundary of the Bila Tserkva and Stavvshche districts). Repair of about 15 km of the road including roads, bridges, drainage and ancillary works;**
- **Lot 3 – km 113+400 – km 128+028 (the section begins at the border of the Bila Tserkva and Stavvshche districts and ends near the town of Stavvshche). Repair of about 15 km of the road including roads, bridges, drainage and ancillary works.**

Time for Completion – 730 days.

Defects Notification Period – 365 days.

Tenders are invited for one or more lots. Each lot must be priced separately. Tenders for more than one lot may offer discounts and such discounts will be considered in the comparison of tenders.

Tendering for lots to be financed with the proceeds of a loan from the Banks is open to firms from any country.

To be qualified for the award of lots, tenderers must satisfy minimum qualification criteria, including:

- A consistent history of historical non-performance and/or litigation awards against the Tenderer or any partner of a joint venture may result in rejection of the tender.
- The Tenderer shall have an average annual construction turnover as prime contractor (defined as billing for works in progress and completed) over the last five years (2014-2018) must be:
  - **Lot 1: EUR 18 000 000 equivalent;**
  - **Lot 2: EUR 21 000 000 equivalent;**
  - **Lot 3: EUR 23 000 000 equivalent.**
- The tenderer shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means sufficient to meet the construction cash flow for the lot for a period of four months, estimated as not less than **EUR 4 000 000** equivalent for Lot 1; **EUR 4 500 000** equivalent for Lot 2; **EUR 5 000 000** equivalent for Lot 3, taking into account the tenderer’s commitments for other contracts. The audited balance sheets for **the last 5 (five) years (2014-2018)**, as well as forecasted data for years **2019-2020** based on the current project commitments and planned scope of work shall be submitted and must demonstrate the soundness of the Tenderer’s financial position, showing long-term profitability. Where necessary, the Employer will make inquiries with the Tenderer’s bankers.

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<sup>1</sup> Currently this section of road (M05, km 87+442 – km 128+028) is not included in the Project’s Technical Description approved by EIB, however at the moment the State Road Agency of Ukraine and European Investment Bank are involved in the process of negotiations related to the required Amendment to the abovementioned Technical Description.

- The tenderer shall have the resources free of ongoing obligations and/or pending contract awards. If there is a significant delay in Contractor's performance under the ongoing contracts the Employer reserves the right to request the detailed information in order to determine a tenderer's capacity to perform the contracts satisfactorily. The tenderer shall provide information on the ongoing contractual obligations and pending contract awards. The Client may reject the tender if the level of the confirmed commitments to be carried out in parallel with the Contract exceeds the tenderer's average annual construction turnover for **the last 5 (five) years (2014-2018) by a factor of 1.2.**
- The Tenderer shall demonstrate experience under contracts in the role of contractor, subcontractor, or management contractor for at least the last **five [5] years (2014-2018)** prior to the applications submission deadline, and with activity in at least **9 (nine)** months in each year.
- The Tenderer shall demonstrate that it has successful experience as a contractor (prime or subcontractor) in the execution of contracts of a magnitude comparable to the proposed contract within **the last 5 (five) years (2014-2018)** as detailed below for **Option 1** or **Option 2**. For assessment purposes, the values of the referred contracts shall be not less than the equivalent of:

**OPTION 1– at least 3 (three) contracts for each lot:**

- **Lot 1 – EUR 20 000 000 each contract;**
- **Lot 2 – EUR 22 000 000 each contract;**
- **Lot 3 – EUR 24 000 000 each contract;**

or

**OPTION 2 – less than 3 (three) contracts for each lot::**

- **Lot 1 – EUR 60 000 000 cumulative value;**
- **Lot 2 – EUR 66 000 000 cumulative value;**
- **Lot 3 – EUR 72 000 000 cumulative value.**

In case of a tender for more than one lot, Tenderers shall meet cumulative Specific Experience requirements for respective lots.

- In addition the Tenderer shall demonstrate specific experience in the following key operations relating to general works output over **the last 5 (five) years (2014-2018):**

- **Lot 1 (in any one year):**

1. laying of crushed stone base course	130 000 m <sup>2</sup>
2. laying of base course according to "cold recycling" method	125 000 m <sup>2</sup>
3. milling existing road surface	220 000 m <sup>2</sup>
4. laying of asphalt-concrete course	600 000 m <sup>2</sup>
5. construction and/or repair of bridges	4 500 m <sup>2</sup>
6. earthworks	270 000 m <sup>3</sup>

- **Lot 2 (in any one year):**

1. laying of crushed stone base course	100 000 m <sup>2</sup>
2. laying of base course according to "cold recycling" method	375 000 m <sup>2</sup>
3. milling existing road surface	260 000 m <sup>2</sup>
4. laying of asphalt-concrete course	800 000 m <sup>2</sup>
5. construction and/or repair of bridges	1 800 m <sup>2</sup>
6. earthworks	100 000 m <sup>3</sup>

- **Lot 3 (in any one year):**

1. laying of crushed stone base course	140 000 m <sup>2</sup>
2. laying of base course according to "cold recycling" method	210 000 m <sup>2</sup>

3. milling existing road surface	270 000 m <sup>2</sup>
4. laying of asphalt-concrete course	770 000 m <sup>2</sup>
5. construction and/or repair of bridges	1 000 m <sup>2</sup>
6. earthworks	310 000 m <sup>3</sup>

- The Tenderer shall provide suitably qualified personnel in line with Tender Documents requirements.
- The Tenderer shall provide substantially equipment capabilities as per Tender Documents requirements, etc.

A complete set of Tender Documents is free of charge and available in the PDF format in English upon request to the Employer. You may obtain the Tender Documents through the official request to the following e-mail address: [mail@ukrdorinvest.gov.ua](mailto:mail@ukrdorinvest.gov.ua).

**The form of official request can be downloaded through the link below:**

<https://drive.google.com/file/d/1hrrouiCJfoJHd29E8Dpa4DRBjE-AJEms/view?usp=sharing>

All tenders must be accompanied by a **Tender Security** of:

- **LOT 1: EUR 500 000;**
- **LOT 2: EUR 550 000;**
- **LOT 3: EUR 600 000**

or its equivalent in another convertible currency.

The tender security should be issued by a reputable bank acceptable to the Employer with a credit rating of no worse than [BB-] (Standard & Poor's and/or Fitch) or [Ba3] (Moody's).

The absence of Tender Security will result in disqualification of Tender Proposal.

The applicable procurement rules are the Bank's Procurement Policies and Rules (PP&R) available at: <https://www.ebrd.com/work-with-us/procurement/policies-and-rules.html>.

Tender Proposal should be delivered **before 14:00 (Kyiv time) on October 30, 2019** to the address below:

Attn: Slawomir Nowak, Acting Head  
 Address: 9 Fizkultury Str., Assembly Hall  
 City: Kyiv, Code: 03150  
 Country: Ukraine  
 Tel: +38 044 287-60-00;  
 Fax: +38 044 287-41-18;  
 E-mail: [forec@ukravtodor.gov.ua](mailto:forec@ukravtodor.gov.ua), [loans@ukravtodor.gov.ua](mailto:loans@ukravtodor.gov.ua)

Following the submission deadline, your Tender Proposal will be opened in the presence of your representative(s).

For further information about Tender Documents, please contact address below:

Attn: Olena Kryvoruchko, Head of PIU  
 Address: Antonovycha Str., 51, Office 706  
 City: Kyiv, Code: 03680  
 Country: Ukraine  
 Tel/Fax I: +38 044 287 70 60  
 E-mail: [mail@ukrdorinvest.gov.ua](mailto:mail@ukrdorinvest.gov.ua)