



CONTRACT NOTICE
for public procurement of a value, as envisaged in Article 20, paragraph 3 of
the Public Procurement Act (PPA)

Contract notice number: []

55-18 -135/12.11.2019r.

Contracting Authority: ["Supply and installation of a new air conditioning unit for the administrative building of the Embassy of the Republic of Bulgaria in the Republic of Greece, Athens"]

Unit (where applicable): [.....]

Publication in the Public Procurement Register: [2119]

Address: [Athens 15452, 33a Stratigou Kallari Street, Psichiko quarter]

Contact person (more than one person may be listed): Danail Drazhev and Tsvetelina Dolumdzhiyska

Telephone: [0030 2106748105/6/7]

E-mail: [embassy.athens@mfa.bg]

Access to the procurement documentation is restricted: Yes No

For more information please contact:

The contact point(s) indicated above:

Other address: (please indicate another address)

Submission of documents and tenders via electronic means accepted: Yes No

Object of the procurement:

Works

Supply

Services

Subject of the public procurement: ["Supply and installation of a new air conditioning unit for the administrative building of the Embassy of the Republic of Bulgaria in the Republic of Greece, Athens"]

Brief description: [The public procurement refers to the selection of a contractor who will supply and install a new air conditioning unit for the administrative building of the Embassy of the Republic of Bulgaria in the Republic of Greece in Athens.

Each tenderer shall make a visual examination on the spot on any business day from 10.00 a.m. to 4.00 p.m., following a submission of an application for visual examination according to standard form at the e-mail address of the contact person, indicated in this contract notice. Bilateral records shall be drawn up in regard to the visual examinations performed.]

A visual examination of the property is mandatory and such may be performed upon prior written request in a standard form to the contracting authority, not later than a day prior to the specified deadline for the submission of tenders.

Place of performance: [The address of the Embassy – Athens 15452, 33a Stratigou Kallari Street, Psichiko quarter]

Total estimated value of the public procurement (in EUR, excluding VAT): [EUR 65,000.00 (sixty-five thousand euro) excluding VAT.]

Lots (where applicable): Yes No

Lot Number: []

Name: [.....]

Projected value (in EUR, excluding VAT): []

Note: Use this section, as many times as there are lots.

Conditions, which the tenderers must meet (where applicable):
incl.:

1. Requirements regarding personal status:

General

1.1. Any Bulgarian or foreign natural person or legal entity, or any combination thereof, as well as any other entity entitled to perform the procurement contracts, subject of the public procurement procedure under the law of the country in which it is established, may be a participant in this public procurement procedure.

1.2. If the participant is a combination, which is not registered as a separate legal entity, it shall submit a copy of a document showing the legal grounds for establishing the combination, as well as the following information of the specific public procurement procedure:

- the rights and obligations of the participants in the combination;
- the allocation of responsibility among the members of the combination;
- the activities to be performed by each member of the combination;
- designating a partner to represent the combination for the purposes of the public

procurement.

No changes are allowed in the composition of the combination after the deadline for submission of tenders.

1.3. The participant in the public procurement procedure shall state in its tender whether it will use subcontractors for the performance of the contract. If any subcontractor(s) is/are to be used, Art. 66 of PPA shall apply. The participant shall indicate the subcontractor and the part of the procurement, which will be awarded to him/her. Where a participant intends to use subcontractors, relevant selection criteria shall apply to them, depending on the type and part of the procurement contract, which they will perform. Pursuant to Art. 66, paragraph 1, the second sentence of PPA, the participant should submit in its tender evidence of the obligations undertaken by the subcontractors, which should unequivocally express the agreement thereof to participate as subcontractors in the performance of the public procurement contract. Subcontractors should have no relatedness with any other participant, and shall fulfil the relevant selection criteria depending on the type and part of the procurement they will perform, and there should be no grounds for their exclusion from the procedure.

1.4. The tenderer may rely on the capacity of third parties, regardless of the legal relation between them, with regard to criteria relating to technical ability and professional competence.

1.4.1. The third parties must meet the relevant selection criteria, for the proving of which the tenderer relies on their capacities, and there should be no grounds for their exclusion from the procedure.

1.4.2. Where the participant relies on the capacities of third parties, the said participant should be in a position to prove that it will have at its disposal the resources of the said third parties by

producing documents of the obligations assumed by the third parties, as well as a Statement of Commitment in free text, completed and undersigned by the respective third party/parties

2. Conditions for tenderers' eligibility

2.1. The circumstances set out in Article 54, paragraph 1 of PPA shall be absent in respect of the tenderers, and prohibited from taking part in the public procurement award procedure shall be a tenderer:

1. who has been convicted by an enforceable sentence for a criminal offence referred to in Article 108a, Articles 159a through 159d, Article 172, Article 192a, Articles 194 through 217, Articles 219 through 252, Articles 253 through 260, Articles 301 through 307, Articles 321, 321a and Articles 352 through 353f of the Criminal Code;

2. who has been convicted by a sentence currently in force for a criminal offence similar to those referred to in item 1 in another Member State or in a third country;

3. who has any obligations for taxes and mandatory social security contributions within the meaning of Article 162, paragraph 2, item 1 of the Tax and Social Insurance Procedure Code and interest thereon, to the State or to the municipality where the contracting authority and the participant or the tenderer have their registered offices, or any similar obligations, under the law of the State where the participant or the tenderer is established, proven by an instrument in force, issued by any competent authority;

4. unequal treatment is present in the cases referred to in Article 44, paragraph 5 herein;

5. who is found:

a) to have produced a document with false content, related to attesting the absence of grounds for exclusion or fulfilment of the selection criteria;

b) who has failed to provide information required in connection with attesting the absence of grounds for exclusion or the fulfilment of the selection criteria;

6. No infringement of Article 61, paragraph 1, Article 62, paragraphs 1 or 3, Article 63, paragraphs 1 or 2, Article 118, Article 128, Article 228, paragraph 3, Article 245 and Articles 301 through 305 of the Labour Code or of Article 13, paragraph 1 of the Labour Migration and Labour Mobility Act, or of similar obligations, stipulated by an instrument of a competent authority pursuant to the legislation of the State where the participant or tenderer is established, was found by an enforceable penal decree or by a court decision;

7. who is in a conflict of interest that cannot be remedied.

✓ **The tenderers shall attest the absence of the circumstances under Article 54, paragraph 1 of PPA with a declaration according to standard forms No. 3 and No. 4**

Important! The grounds pursuant to Article 54, paragraph 1, items 1, 2, and 7 shall refer to the persons, who represent the participant or the tenderer and the members of its management or supervisory bodies according to the register in which the tenderer or candidate, if any, is entered, or the documents certifying its legal personality. When the composition of these bodies includes a legal person, the grounds shall refer to the natural persons who represent it according to the register, in which the legal person is entered, if any, or the documents attesting to its legal personality. Where the

tenderer is represented by multiple persons, the declaration of the circumstances under Article 54, paragraph 1, items 3-6 of PPA shall be signed by the person who is competent to represent the tenderer individually.

2.2. Other grounds for exclusion:

2.2.1. A tenderer in respect whereof the circumstances under Article 3, item 8 apply, in conjunction with Article 5, paragraph 1, item 3 of the Economic and Financial Relations with Companies Registered in Preferential Tax Regime Jurisdictions, the Persons Controlled Thereby and Their Beneficial Owners Act, unless the conditions of Article 4 of the Act do not apply.

✓ **To attest to this circumstance the tenderer shall submit a declaration in Standard form No. 5.**

2.2.2. A tenderer who does not meet the defined selection criteria or fails to fulfil another condition specified in the public procurement documentation.

2.2.3. A tenderer who has submitted a tender which does not meet the conditions of the procurement announced in advance.

2.2.4. A tenderer who, after invitation by the Contracting Authority and within the deadline defined therein, fails to extend the validity of the tender or submits a tender with shorter validity.

2.2.5. A tenderer whose Price Proposal exceeds the estimated public procurement value.

2.2.6. A tenderer who has not submitted within the deadline the justification referred to in Article 72(1) PPA and whose tender has been rejected in accordance with Article 72(3)-(5) PPA;

2.3. The tenderers should accurately adhere to the conditions announced by the Contracting Authority.

Suitability to pursue the professional activity: [Not applicable]

Economic and financial standing: [Not applicable]

Technical and professional ability: [Any participant should have completed, in the 3 (three) years prior to the date of submission of the tender, at least two supplies with subject and volume identical or similar to the subject and volume of this public procurement.

“Identical or similar” to the subject of this order shall be understood to mean:
“supply and installation of air conditioning equipment”

To certify compliance with this requirement, the tenderer shall submit a List of Supplies with subject and volume identical or similar to the subject and volume of the public procurement.

Upon the signing of the contract, the tenderer selected as a contractor shall submit a list of supplies with subject and volume identical or similar to the subject and volume of the public procurement in the 3 (three) years prior to the date of submission of the tender, also stating the volume, values, dates and beneficiaries, together with evidence of their performance.]

Information concerning reserved procurements (where applicable):

The procurement is reserved for specialized enterprises or co-operatives of handicapped individuals or for persons, whose main goal is social integration of handicapped individuals or of disadvantaged individuals

The fulfilment of the procurement is limited to the framework of programs for

sheltered employment

Award criterion:

Optimal quality/price ratio based on:

Price and quality indicators

Costs and quality indicators

Level of costs

Lowest price

Evaluation indicators: (please repeat as many times as necessary)

Name:

Deadline for receipt of the tenders:

Date: (dd/mm/yyyy) [25.11.19c.

Hour: (hh:mm) [14.30c.

Validity term of the tenders:

Date: (dd/mm/yyyy) [2.....]

Hour: (hh:mm) [.....]

Date and hour of opening of the tenders:

Date: (dd/mm/yyyy) [26.11.2019c. 10:30c.

Place of opening of the tenders: [The tenders shall be opened in the Embassy of the Republic of Bulgaria in Athens with address: Athens 15452, 33a Stratigou Kallari Street, Psichiko quarter. Representatives of the tenderers may attend the opening of the tenders.]

Information concerning European Union resources:

The public procurement is in connection with a project and/or program, financed by resources from European funds and programs: Yes No

Identification of the project, where applicable: [.....]

Other information (where applicable): [The deadline for the performance of the public procurement shall be up to 40 calendar days from the conclusion of the public procurement contract.]

Date of this notice

Date: (dd/mm/yyyy) [.....]

Contracting Authority

Full name: (Signature and stamp) [Valentin Delchev Poriazov]

Position: [Ambassador Extraordinary and Plenipotentiary]

