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**Turkey-Ankara: IPA - Construction of Removal Centres for the
Effective Implementation of the EU – Turkey Readmission Agreement
2018/S 193-435433**

Location — Turkey

Works Contract Notice

Please note that the awarding of the contract is subject to the condition of: the prior conclusion of a financing agreement, which does not modify the elements of the procurement procedure (this will be the case, for instance, if the budget initially foreseen is different or if the timeframe, the nature or the condition of the implementation are altered). If the precedent condition is not met, the Contracting Authority will either abandon the procurement or cancel the award procedure without the candidates or Tenderers being entitled to claim any compensation.

1. **Publication reference**

EuropeAid/139322/IH/WKS/TR

2. **Procedure**

Open

3. **Programme title**

Annual Action Programme for Turkey for the year 2015 under the Instrument for Pre-accession Assistance (IPA II)

4. **Financing**

IPA budget item 22.02 03 01 of the general budget of the EU (85 %) and national contribution (15 %)

5. **Contracting authority**

Central Finance and Contracts Unit - CFCU, T.C. Hazine ve Maliye Bakanlığı Kampüsü, E Blok, İnönü Bulvarı, No:36, 06510 Emek / Ankara, TURKEY.

Clarifications may be sought from the Contracting Authority at the following email address pao@cfcu.gov.tr at the latest 21 days before the deadline for submission of applications stated at the point 19 below.

Clarifications will be published on the website of DG International Cooperation and Development and the CFCU at the latest 11 days before the deadline.

Contract specifications

6. **Description of the contract**

The overall objective of this project is to advance implementation of visa liberalisation road map by improving Turkey's legal and administrative framework in Home Affairs in line with the EU acquis and EU standards. Within the scope of this contract, 6 reinforced concrete removal centres are planned to be constructed in Adana, Kütahya, Malatya, Niğde with 400 persons accommodation capacity; in Şanlıurfa with 600 persons accommodation capacity and in Balıkesir with 200 persons accommodation capacity. The works involve structural, architectural, electrical, mechanical, infrastructural and landscaping disciplines. The design of each centre varies according to the plot of each land allocated.

The contract will be implemented as per FIDIC Conditions of Contract for Construction (Red FIDIC Book, First Edition, 1999).

All works will be supervised throughout the contract period by a dedicated Supervision Company.

The signature of this contract is subject to successful completion of the related supervision tender. In case of cancellation, termination, delay or suspension of the related supervision tender procedure(s) or the contract, the Contracting Authority has the right to cancel the procedure entirely or terminate the contract.

7. **Number and titles of lots**

6 (six) lots:

- Lot 1: Construction of one Removal Centre in Adana,
- Lot 2: Construction of one Removal Centre in Kütahya,
- Lot 3: Construction of one Removal Centre in Malatya,
- Lot 4: Construction of one Removal Centre in Niğde,
- Lot 5: Construction of one Removal Centre in Şanlıurfa,
- Lot 6: Construction of one Removal Centre in Balıkesir.

Terms of participation

8. **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 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 23 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 100 000 EUR per purchased.

Please be aware that after the United Kingdom's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries and of goods originating from third countries(1) will apply to candidates or Tenderers from the United Kingdom, and to all candidates or Tenderers proposing goods originating from the United Kingdom(1) depending on the outcome of negotiations. In case such access is not provided by legal provisions in force at the time of the contract award, candidates or Tenderers from the United Kingdom, and candidates or Tenderers proposing goods originating from the United Kingdom could be rejected from the procurement procedure.

(1) However, they may originate from any country when the amount of the supplies to be purchased is below 100 000 EUR.

9. **Grounds for exclusion**

Tenderers must submit a signed declaration, included in the tender form for a works contract, to the effect that they are not in any of the situations listed in Section 2.6.10.1 of the practical Guide.

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.

10. **Number of tenders**

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

11. **Tender guarantee**

Tenderers must provide a tender guarantee of:

- Lot 1: Construction of one Removal Centre in Adana: 100 000 EUR,
- Lot 2: Construction of one Removal Centre in Kütahya: 100 000 EUR,

- Lot 3: Construction of one Removal Centre in Malatya: 80 000 EUR,
- Lot 4: Construction of one Removal Centre in Niğde: 100 000 EUR,
- Lot 5: Construction of one Removal Centre in Şanlıurfa: 160 000 EUR,
- Lot 6: Construction of one Removal Centre in Balıkesir: 80 000 EUR.

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. If the tenderer is bidding for more than 1 lot, it has to provide either a tender guarantee with a total amount of the relative lots he is bidding for or separate tender guarantees for each lot.

12. **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.

13. **Information meeting and/or site visit**

An optional information meeting will be held on 20.12.2018, 10.00 a.m. at “Central Finance and Contracts Unit (CFCU), T.C. Başbakanlık Hazine Müsteşarlığı Kampüsü E Blok, İnönü Bulvarı No.: 36, 06510 Emek/Ankara, Turkey”.

— Lot 1: Construction of one Removal Centre in Adana

An optional site visit will be held on 24.12.2018, 11.00 a.m. at “Provincial Migration Directorate of Adana, Atakent Mahallesi, Selahattin Çolak Bulvarı, No:88, Yüreğir / Adana, Turkey”.

— Lot 2: Construction of one Removal Centre in Kütahya

An optional site visit will be held on 27.12.2018, 2.00 p.m. at “Provincial Migration Directorate of Kütahya, Kütahya - Eskişehir Karayolu 7.Km., Yenibosna Mah., Kestaş Yanı, No:64, Kütahya, Turkey”.

— Lot 3: Construction of one Removal Centre in Malatya

An optional site visit will be held on 25.12.2018, 3.00 p.m. at “Provincial Migration Directorate of Malatya, İnönü Caddesi, No:1, Hükümet Konağı Zemin Kat, Merkez / Malatya, Turkey”.

— Lot 4: Construction of one Removal Centre in Niğde

An optional site visit will be held on 24.12.2018, 4.00 p.m. at “Provincial Migration Directorate of Niğde, Yukarı Kayabaşı Mahallesi, Öğretmenler Caddesi, Toprak Su Laboratuvarı Üstü, Sosyal Yardımlaşma Vakfi Yanı, No:2/3, Merkez / Niğde, Turkey”.

— Lot 5: Construction of one Removal Centre in Şanlıurfa

An optional site visit will be held on 26.12.2018, 2.00 p.m. at “Provincial Migration Directorate of Şanlıurfa, Karşıyaka Mahallesi, 583. Sokak Caddesi, No:3, Haliliye / Şanlıurfa, Turkey”.

— Lot 6: Construction of one Removal Centre in Balıkesir

An optional site visit will be held on 28.12.2018, 2.00 p.m. at “Provincial Migration Directorate of Balıkesir, Atatürk Mahallesi, Doğan Caddesi, No: 5, (Eski Mit Binası), Karesi/ Balıkesir, Turkey”.

14. **Tender validity**

Tenders must remain valid for a period of 90 days 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.

15. **Period of implementation of tasks**

The Time for Completion shall be 630 calendar days for all lots from the commencement date until the date of completion stated in the Taking-Over Certificate. Defects notification period shall be 365 calendar days following the date of completion stated in the Taking-Over Certificate to be issued by the Engineer.

Selection and award criteria

16. Selection criteria

16.1. General

The Tenderer shall be a registered firm or natural person capable of carrying out the specified works.

16.2. Economic and financial capacity of candidate:

a) Annual Turnover (the amount of business done in a year, incomes generated from ongoing works and incomes generated from works undertaken as Joint Venture shall be considered as part of the turnover):

The average annual turnover in the last 3 (three) financial years must be at least:

- Lot 1: Construction of one Removal Centre in Adana: 3 000 000 EUR,
- Lot 2: Construction of one Removal Centre in Kütahya: 3 000 000 EUR,
- Lot 3: Construction of one Removal Centre in Malatya: 2 500 000 EUR,
- Lot 4: Construction of one Removal Centre in Niğde: 3 000 000 EUR,
- Lot 5: Construction of one Removal Centre in Şanlıurfa: 4 600 000 EUR,
- Lot 6: Construction of one Removal Centre in Balıkesir: 2 500 000 EUR.

In case the tenderer applies to multiple lots, the tenderer should meet the cumulative amount of average annual turnover required for the related lots.

The annual turnover of a tenderer (A) equals to the sum of the whole sales realized by the tenderer in that year (B) + share of sales realized in a JV (joint venture) with third parties in that year (C).

Following formula will be used to calculate the annual turnover of a tenderer:

$$A = B + C$$

B = + net sales (income statement)

+ income of contracts in progress for each requested year (balance sheet/ liabilities)

— income of contracts in progress for previous year of each requested year (balance sheet/ liabilities)

C = (% share of the tenderer in other JVs) x (sales realized by those JVs in that year)

The Financial Statements (balance sheet and statement of income approved by the relevant tax offices or certified public accountant) for the last 4 financial years shall be submitted in the attachment of Form 4.4 (Financial Statement).

For converting annual turnovers to Euro, the Conversion rates of June of each year, published in the Official Journal of European Communities shall be used, which can be found at:

http://ec.europa.eu/budget/contracts_grants/info_contracts/inforeuro/index_en.cfm

An audit report approved by a certified accountant must be submitted as a supporting document for item C. The above mentioned audit must clearly show that the sales figures reflected in item C are not included in item B. If the tenderer fails to submit such an audit item C will not be taken into consideration.

b) Financial Position:

The financial statements must demonstrate positive profit account at least 2 of the last 3 financial years.

The Contracting Authority reserves the right to carry out such any further inquiry on the Tenderer's financial standing as the Evaluation Committee may deem appropriate.

c) Financial Resources:

The Tenderer must have access to liquid assets, credit and/or other financial facilities adequate to assure the required cash flow for the duration of the Contract. In any case the amounts should be at least:

- Lot 1: Construction of one Removal Centre in Adana: 1 750 000 EUR,
- Lot 2: Construction of one Removal Centre in Kütahya: 1 750 000 EUR,
- Lot 3: Construction of one Removal Centre in Malatya: 1 450 000 EUR,
- Lot 4: Construction of one Removal Centre in Niğde: 1 750 000 EUR,
- Lot 5: Construction of one Removal Centre in Şanlıurfa: 2 650 000 EUR,

— Lot 6: Construction of one Removal Centre in Balıkesir: 1 450 000 EUR.

In case the Tenderer applies to multiple lots, the Tenderer should meet the cumulative amount of financial resources required for the related lots.

The Tenderer should provide evidence of secured financing in form of cash, secured irrevocable credit line granted by a bank or other acceptable form of funds.

16.3. Technical and professional capacity of candidate:

The Tenderer must have completed at least a single contract with a budget of at least (proportion carried out by the candidate):

- Lot 1: Construction of one Removal Centre in Adana: 3 500 000 EUR,
- Lot 2: Construction of one Removal Centre in Kütahya: 3 500 000 EUR,
- Lot 3: Construction of one Removal Centre in Malatya: 2 900 000 EUR,
- Lot 4: Construction of one Removal Centre in Niğde: 3 500 000 EUR,
- Lot 5: Construction of one Removal Centre in Şanlıurfa: 5 400 000 EUR,
- Lot 6: Construction of one Removal Centre in Balıkesir: 2 900 000 EUR.

As prime contractor in the execution of similar works (i.e works of similar nature, complexity, and requiring similar construction technology as the tendered works such as new construction of public/housing buildings, detention centres/prisons, dormitories, hospitals, hotels, shopping centers etc.) in the last 8 years prior to the submission deadline (provisional acceptance/taking over certificate should have been issued in the last eight years prior to the submission deadline).

In case the Tenderer applies to multiple lots, the Tenderer should at least meet the technical and professional capacity requirements of the lot with the highest budget amount requirement among the lots the Tenderer applied.

Regarding the calculation of the contract amounts for the completed works of the Tenderers, the Euro equivalent of the contract amounts at the month of contract signature will be considered. For purposes of converting another currency to Euro, the Conversion rates, published in the Official Journal of European Communities shall be used, which can be found at:

http://ec.europa.eu/budget/contracts_grants/info_contracts/infoeuro/index_en.cfm

Previous experience of the Tenderer must be proved by notary approved copy of taking over or provisional acceptance certificates. On-going works of the Tenderer will not be taken into consideration.

The Contracting Authority reserves the right to ask for originals of the respective certificates of taking over/provisional acceptance signed by the Project Managers/Contracting Authority of the concerned projects.

If a Tenderer has implemented the project in a JV/Consortium, it should be clear from the documentary evidence (provisional acceptance/taking over certificate) the percentage the Tenderer has successfully completed. Should the submitted documents not provide clear information on the percentage of the works, it will be clarified by further documents.

In the case of a tender submitted by a Joint Venture/Consortium, the following selection criteria will be applied to the Joint Venture/Consortium:

A Joint Venture/Consortium shall meet the following particular qualification criteria:

- each individual member must satisfy the legal status criterion (16.1),
- the leading member must meet not less than 50 % of the turnover criterion (16.2.a) and financial resources criterion (16.2.c),
- each member must meet not less than 25 % of the turnover criterion (16.2.a) and financial resources criterion (16.2.c),
- each individual member must satisfy the financial position criterion (16.2.b),

— the leading member must meet not less than 50 % of the technical and professional capacity criterion (16.3),

— the Joint Venture/consortium must satisfy collectively the technical and professional capacity (16.3), the turnover (16.2.a) and financial resources (16.2.c) criteria.

If the Tenderer does not meet the required selection criteria for all the lots applied, the tender will only be taken into consideration for the lot(s) the Tenderer is qualified for. In this case, the Contracting Authority will choose the most favourable overall solution taking into account the financial offers and the discounts granted. In this respect, the Tenderers have no preferences on the lots.

An economic operator may, where appropriate and for a particular contract, rely on the capacity of other entities, regardless of the legal nature of the links which it has with them. Some examples of when it may not be considered appropriate by the Contracting Authority are when the Tenderer relies mostly on the capacity of other entities or when it relies on key criteria. If the tenderer relies on other entities, it must prove to the Contracting Authority that it will have at its disposal the resources necessary to perform the contract, for example by producing a commitment on the part of those entities to place 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 relying on them and must comply with the selection criteria for which the economic operator relies on them. Furthermore, the tender should include a separate document providing data on this third entity for the relevant selection criterion. Proof of capacity must be furnished at the request of the Contracting Authority.

With regard to technical and professional criteria, a Tenderer may only rely on the capacities of other entities where the latter will perform the works for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the Tenderer relies, become jointly and severally liable for the performance of the contract.

17. **Award criteria**

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

Tendering

18. **How to obtain the tender dossier**

The tender dossier is available from Central Finance and Contracts Unit — CFCU, T.C. Hazine ve Maliye Bakanlığı Kampüsü, E Blok, İnönü Bulvarı, No.: 36, 06510 Emek / Ankara, Turkey upon payment of 100 EUR, which excludes courier delivery. It is also available for inspection at the premises of the Contracting Authority, address as in point 5 above.

The tender dossier (excluding drawings) is available at the following websites:

<https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>

<http://www.cfcu.gov.tr>

Interested Tenderers, upon submitting their company information, power of attorney of the person who receives the tender dossier and a copy of the receipt for the payment of €100 to the belowmentioned bank account, can receive the tender dossier CD including drawings from the CFCU.

Bank Account for the payment for the Tender Dossier:

T.C. Ziraat Bankası

Ankara Kamu Kurumsal Bankacılık Şubesi

1745-37712157-5045 numbered account

IBAN No: TR28 0001 0017 4537 7121 57 5045

The CFCU will send the tender dossier by courier if a company located outside Ankara wants to receive it and declares its interest in written form to the CFCU, by considering enough time and also recommending the appropriate courier service for the specific location. CFCU does not accept any responsibility for late delivery

of the tender dossier by the courier service. Payment for the courier service will be done by the recipient. The payment for the tender dossier 100 EUR will be provided to the bank account above and the receipt for that amount will be submitted with 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 pao@cfcu.gov.tr

And

Central Finance and Contracts Unit — CFCU

T.C. Hazine ve Maliye Bakanlığı Kampüsü, E Blok, İnönü Bulvarı, No.: 36,
06510 Emek / Ankara, Turkey

Tel: +90 312 295 49 00

Fax: +90 312 286 70 72

(mentioning the publication reference shown in item 1) at least 21 days before the deadline for submission of tenders given in item 19. The Contracting Authority must reply to all Tenderers' questions at least 11 days before the deadline for submission of tenders. Eventual clarifications or minor changes to the tender dossier will be published at the latest 11 days before the submission deadline on the websites of DG International Cooperation and Development and CFCU at:

<https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>

<http://www.cfcu.gov.tr>

19. **Deadline for submission of tenders**

The Candidate/Tenderer's attention is drawn to the fact that there are 2 different systems for sending applications/tenders, either by post or private mail service, or by hand delivery.

In the first case, the application/tender must be sent before the date and time limit for submission, as evidenced by the postmark or deposit slip(1), but in the second case it is the acknowledgment of receipt given at the time of the delivery of the application/tender which will serve as proof.

The address of the Contracting Authority:

Central Finance and Contracts Unit — CFCU

T.C. Hazine ve Maliye Bakanlığı Kampüsü, E Blok, İnönü Bulvarı, No.: 36,
06510 Emek / Ankara, Turkey

The deadline for submission of tenders:

12:00 noon (local time- Turkey) on 21.1.2019

The opening hours of the Contracting Authority are 9:00–18:00 (local time).

Any tender submitted to the Contracting Authority after this deadline will not be considered.

The Contracting Authority may, for reasons of administrative efficiency, reject any application or tender submitted on time to the postal service but received, for any reason beyond the Contracting Authority's control, after the effective date of approval of the short-list report or of the evaluation report, if accepting applications or tenders that were submitted on time but arrived late would considerably delay the evaluation procedure (for instance when applications or tenders are received after the evaluation committee has finished its works and evaluating them would imply re-calling the evaluation committee) or jeopardise decisions already taken and notified.

How tenders may be submitted

Tenders 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:

Mr. M. Selim Uslu

Central Finance and Contracts Unit - CFCU

T.C. Hazine ve Maliye Bakanlığı Kampüsü, E Blok, İnönü Bulvarı, No.: 36,
06510 Emek / 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:

Mr. M. Selim Uslu

Central Finance and Contracts Unit - CFCU

TC Hazine ve Maliye Bakanlığı Kampüsü, E Blok, İnönü Bulvarı, No.: 36,
06510 Emek / Ankara, Turkey

Tel: +90 312 295 49 00

The opening hours of the Contracting Authority are 9:00–18:00 (local time)

The contract title and the publication reference (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.

Tenders submitted by any other means will not be considered.

By submitting a tender 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.

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

20. **Tender opening session**

2:30 p.m. (local time- Turkey) on 24.1.2019 at CFCU premises at the address:

T.C. Hazine ve Maliye Bakanlığı Kampüsü, E Blok, İnönü Bulvarı, No.: 36, 06510 Emek / Ankara, Turkey

21. **Language of the procedure**

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

22. **Repetition of similar works**

Not Applicable.

23. **Legal basis**

Regulation (EU) No. 236/2014 of the European Parliament and of the Council of 11.3.2014 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), OJ L 77, 15.3.2014. p.11. — See Annex A2 of the practical guide.