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## Public works concession

(Directive 2004/18/EC)

### Section I: Contracting authority

#### I.1) Name, addresses and contact point(s):

Official name: Government of the Republic of Macedonia

National ID: *(if known)*

Postal address: Buld. Ilinden 2

Town: skopje

Postal code: 1000

Country: Macedonia,  
Republic of (MK)

Contact point(s):

Telephone: +389 23117857

For the attention of:

E-mail: [aneta.stevkovska@gs.gov.mk](mailto:aneta.stevkovska@gs.gov.mk)

Fax: +389 23212773

#### Internet address(es): *(if applicable)*

General address of the contracting authority/entity: *(URL)* <http://vlada.mk>

Address of the buyer profile: *(URL)*

Electronic access to information: *(URL)*

Electronic submission of tenders and requests to participate: *(URL)*

#### Further information can be obtained from

- The above mentioned contact point(s)  Other (please complete Annex A.I)

#### Specific documentation can be obtained from

- The above mentioned contact point(s)  Other (please complete Annex A.II)

#### Applications must be sent to

- The above mentioned contact point(s)  Other (please complete Annex A.III)

#### I.2) Type of the contracting authority

- Ministry or any other national or federal authority, including their regional or local sub-divisions
- National or federal agency/office
- Regional or local authority
- Regional or local agency/office
- Body governed by public law
- European institution/agency or international organisation
- Other: *(please specify)*

#### I.3) Main activity

- General public services

- Defence
- Public order and safety
- Environment
- Economic and financial affairs
- Health
- Housing and community amenities
- Social protection
- Recreation, culture and religion
- Education
- Other: *(please specify)*

**I.4) Contract award on behalf of other contracting authorities**

The contracting authority is purchasing on behalf of other contracting authorities:

yes  no

*information on those contracting authorities can be provided in Annex A*

## Section II: Object of the concession

### II.1) Description of the concession:

#### II.1.1) Title attributed to the contract by the contracting authority:

COMPETITIVE DIALOGUE FOR AWARDING PUBLIC - PRIVATE PARTNERSHIP FOR FINANCING, DESIGNING, CONSTRUCTING, OPERATING, MAINTAINING AND DEVELOPING NATURAL GAS DISTRIBUTION SYSTEM FOR REGION I SKOPJE REGION

#### II.1.2) Type of contract and location of works:

- Execution  
 Design and execution  
 Realisation, by whatever means of work, corresponding to the requirements specified by the contracting authorities

Main site or location of works :

Object of the contract for public-private partnership is Region 1 (Skopje region) consisted of Aerodrom Municipality, Butel Municipality, Gazi Baba Municipality, Gjorche Petrov Municipality, Karposh Municipality, Kisela Voda Municipality, Saraj Municipality, Chair Municipality, Centar Municipality, Shuto Orizari Municipality, Sopište Municipality, Studenichani Municipality, Zelenikovo Municipality, Petrovec Municipality, Arachinovo Municipality, Ilinden Municipality and Chucher-Sandevo Municipality

NUTS code:

#### II.1.3) Short description of the contract:

The object of the contract for public-private partnership covers the following components (elements): designing, investing (financing), constructing, maintaining, operating (managing) and developing natural gas distribution system in Region 1 – Skopje region.

#### II.1.4) Common procurement vocabulary (CPV) :

	Main vocabulary	Supplementary vocabulary (if applicable)
Main object	76100000	

### II.2) Quantity or scope of the contract :

#### II.2.1) Total quantity or scope : (including all lots, renewals and options, if applicable)

(if applicable, give figures only)

Estimated value excluding VAT : 98399894.00 Currency : EUR

or

Range: between                      and :                      Currency :

#### II.2.2) Minimum percentage of the works to be awarded to third parties : (if applicable)



## Section III: Legal, economic, financial and technical information

### III.1) Conditions for participation:

#### III.1.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers:

Information and formalities necessary for evaluating if the requirements are met:

- a statement by the economic operator that it has not been imposed an effective court decision for participation in criminal organization, corruption, fraud or money laundering in the last 5 years;
- certificate by a competent authority that a bankruptcy procedure has not been initiated issued by a competent authority from the country where that economic operator is registered;
- certificate by a competent authority that a liquidation procedure has not been initiated issued by a competent authority from the country where that economic operator is registered;
- certificate for paid taxes, contributions and other public charges, issued by a competent authority from the country where that economic operator is registered;
- certificate by the Register of penalties for committed crimes of legal entities that a secondary penalty prohibition on participation in open call procedures, awarding public procurement contracts and contracts for public private partnership, has not been imposed;
- certificate by the Register of penalties for committed crimes of legal entities that a secondary penalty - temporary or permanent prohibition on performing a certain activity, has not been imposed, and
- certificate that a misdemeanor sanction - prohibition for practicing profession, performing activity or duty, i.e. temporary prohibition for performing a particular activity has not been imposed by a legally effective court decision.

The statement referred to in line 1, sub-item 3.2.2 shall be prepared by the economic operator itself and does not have to be certified by a competent authority. The Commission reserves the right to verify the data provided in the statement.

In order to prove its ability/capacity to perform a professional activity, the economic operator shall submit the following:

- a document for registered activity in order to prove it is registered as a legal entity to pursue the activity related to the subject-matter of the public procurement contract or a proof that it belongs to a relevant professional association in accordance with the regulations of the country where it is registered.
- Diagram of the management structure.

#### III.1.2) Economic and financial ability: (if applicable)

Information and formalities necessary for evaluating if the requirements are met:

- Minimum total annual revenue in amount of 40 (fourty) million Euros for the last 3 years (2010, 2011, 2012), separately for each year (Annex II.10);
- Capability to close the entire financial construction for the realization of the contract.

The economic operator proves the fulfillment of the minimum condition by submitting the following documents:

- balance sheet certified by a competent authority, i.e. audited balance sheet or extracts from the balance sheet, in cases when the announcement of the balance sheet is prescribed by law in the country wherein the economic operator is registered, for the last three years (2010, 2011 and 2012);
- statement regarding the overall turnover of the enterprise (data on the profit and loss account issued by a competent authority, i.e. audited profit and loss account) and, where applicable, statement from the turnover in the field covered by the public procurement contract, for the last three financial years (2010, 2011 and 2012);

- statement issued by a financial institution or a bank with headquarters in the Republic of Macedonia or by a foreign bank with at least BBB long-term credit rating according to the Moody's Investor Service, Standard and Poor's or Fitch Ratings for the last year, or equivalent to this rating.

**III.1.3) Technical capacity: (if applicable)**

Information and formalities necessary for evaluating if the requirements are met:

- To be experienced in construction and operation of natural gas distribution systems in urban areas in the last 5 years, continuously.
- The natural gas distribution systems operated by the economic operator shall be used by at least 40,000 users.

The economic operator proves the fulfillment of the minimum conditions by submitting the following documents and proofs:

- List of works executed in the last five (5) years in urban areas (see the application forms for participation, annex II.5);
- Excerpt from a list of the number of users served in the last five (5) years or a report by a regulatory body or other institution in the country that performs the distribution of natural gas to a minimum of 40,000 users, which confirms that it served a minimum of 40,000 users within the last five (5) years. The Commission reserves the right to verify the submitted data.

The statements and lists are part of the application form for participation, to be filled in and signed by the economic operator, unless they are issued by a regulatory body or other institution in the country where the natural gas distribution is performed and these documents do not have to be certified by a competent authority.

## Section IV: Procedure

### IV.1) Award criteria:

-amount of the concession fee;  
The concession fee to be paid by the private partner shall be at least 1% of the annual revenue, generated by the private partner from operating the natural gas distribution system.

### IV.2) Administrative information:

IV.2.1) File reference number attributed by the contracting authority: *(if applicable)*

02/2014

IV.2.2) Time-limit for the submission of applications:

26/05/2014 *(dd/mm/yyyy)* Time: 12:00

IV.2.3) Language(s) in which applications may be submitted

Any EU official language

Official EU language(s):

Other:

The application for participation as well as all the correspondence related to the application for participation shall be submitted in Macedonian language. The applications submitted in English language shall have compulsory translation in Macedonian language, certified by an authorised court translator.



## Section VI: Complementary information

### VI.1) Information about European Union funds:

The contract is related to a project and/or programme financed by European Union funds:  yes  no  
(if yes) Estimated timing for further notices to be published:

### VI.2) Additional information: (if applicable)

Object of the contract for public-private partnership is Region 1 (Skopje region) consisted of Aerodrom Municipality, Butel Municipality, Gazi Baba Municipality, Gjorche Petrov Municipality, Karposh Municipality, Kisela Voda Municipality, Saraj Municipality, Chair Municipality, Centar Municipality, Shuto Orizari Municipality, Sopište Municipality, Studenichani Municipality, Zelenikovo Municipality, Petrovec Municipality, Arachinovo Municipality, Ilinden Municipality and Chucher-Sandevno Municipality and it covers:

- construction of natural gas distribution network pursuant to the Law on Energy and Law on Construction,
- investment in connections to the end users (public institutions, residential and commercial users) including the equipment for measurement and regulation system (MRS),
- natural gas distribution,
- operating the natural gas distribution system,
- maintaining and developing the distribution system and
- investing in adaptation/purchase of equipment for production of thermal energy in the existing facilities.

The validity period of the contract for public-private partnership for designing, financing, constructing, operating, maintaining and developing natural gas distribution system in Skopje region is 20 years as of the day the contract for public-private partnership becomes effective

The tender documentation can be obtained, in hard copy, following the submission of a written request by the economic operator with a submitted proof for paid irreversible fee in the amount of 5,000 Euros in Denar equivalent, according to the middle rate of the National Bank of the Republic of Macedonia, calculated on the day of obtaining the tender documentation.

The economic operators shall perform the payment in the following manner and account:

Name of recipient: Budget of the Republic of Macedonia  
Recipient bank: National Bank of the Republic of Macedonia  
Account of the recipient: 100000000063095  
Incoming payments account: 840\*\*\*06163  
Revenue code: 724125 program 00

The public-private partnership contract shall be awarded by application of a competitive dialogue procedure which will be implemented in three phases. The validity period of the contract for public-private partnership for designing, financing, constructing, operating, maintaining and developing natural gas distribution system in Skopje region is 20 years as of the day the contract for public-private partnership becomes effective

### VI.3) Procedures for appeal:

#### VI.3.1) Body responsible for appeal procedures:

Official name: <http://dkzjn.mk/>

Postal address: Bul. „Ilinden“ бр.63а, 1000 Скопје

Town: Скопје

Postal code: 1000

Country: Macedonia,  
Republic of (MK)

Telephone: +389 23251262

E-mail: dkzjn@gs.gov.mk

Fax: +389 23251250

Internet address: (URL)

**Body responsible for mediation procedures (if applicable)**

Official name:

Postal address:

Town:

Postal code:

Country:

Telephone:

E-mail:

Fax:

Internet address: (URL)

**VI.3.2) Lodging of appeals:** (please fill in heading VI.3.2 or, if need be, heading VI.3.3)

Precise information on deadline(s) for lodging appeals : 8 days since day of notice of election

**VI.3.3) Service from which information about the lodging of appeals may be obtained:**

Official name:

Postal address:

Town:

Postal code:

Country:

Telephone:

E-mail:

Fax:

Internet address: (URL)

**VI.4) Date of dispatch of this notice:**

30/01/2014 (dd/mm/yyyy) - ID:2014-014251



**Annex A**  
**Additional addresses and contact points**

**I) Addresses and contact points from which further information can be obtained**

Official name: Government of the Republic of Macedonia      National ID: *(if known)*  
Postal address: Buld. Ilinden 2  
Town: Skopje      Postal code: 1000      Country: Macedonia, Republic of (MK)  
Contact point(s): Ana Vitkova      Telephone: +389 23119301  
For the attention of:  
E-mail: gasifikacija@gs.gov.mk      Fax: +389 2123425  
Internet address: (URL) <http://vlada.mk>

**II) Addresses and contact points from which specifications and additional documents can be obtained**

Official name: Government of the Republic of Macedonia      National ID: *(if known)*  
Postal address: Buld. Ilinden 2  
Town: Skopje      Postal code: 1000      Country: Macedonia, Republic of (MK)  
Contact point(s): Ana Vitkova      Telephone: +389 23119301  
For the attention of: awarding a Contract for Establishment of Public-Private Partnership for Financing, Designing, Constructing, Operating, Maintaining and Developing the Natural Gas Distribution System in the Republic of Macedonia - Region 1 (Skopje region)  
E-mail: gasifikacija@gs.gov.mk      Fax: +389 2123425  
Internet address: (URL)

**III) Addresses and contact points to which tenders/requests to participate must be sent**

Official name: Government of the Republic of Macedonia      National ID: *(if known)*  
Postal address: Buld. Ilinden 2  
Town: Skopje      Postal code: 1000      Country: Macedonia, Republic of (MK)  
Contact point(s): Ana Vitkova      Telephone: +389 23119301  
For the attention of: awarding a Contract for Establishment of Public-Private Partnership for Financing, Designing, Constructing, Operating, Maintaining and Developing the Natural Gas Distribution System in the Republic of Macedonia - Region 1 (Skopje region)  
E-mail: gasifikacija@gs.gov.mk      Fax: +389 2123425  
Internet address: (URL) <http://vlada.mk>

**IV) Address of the other contracting authority on behalf of which the contracting authority is purchasing**

Official name      National ID (if known):  
Postal address:  
Town      Postal code

Country

----- (Use Annex A Section IV as many times as needed) -----