

CONCESSION AWARD NOTICE

SECTION I: CONTRACTING AUTHORITY/ENTITY

I.1) NAME AND ADDRESSES

Železnice Slovenskej republiky, Bratislava in abbreviated form "ŽSR"

National registration number: 31364501

Klemensova 8, 813 61 Bratislava – town section Staré Mesto

NUTS Code: SK010

Slovensko

Contact person: Ján Oravík

E-mail: koncesia.zilina@r-c.sk

Web Site (Internet address)

Main address of the buyer profile (URL): <http://www.zsr.sk>

I.3) COMMUNICATION

Access to tender documents: Tender documents are available directly and completely without limitations or fees

Enter address (URL): <http://www.uvo.gov.sk/vyhľadavanie-profilov/zakazky/2583>

More details

Further information may be obtained at: other address (specify additional address)

NAME AND ADDRESSES

Ružička Csekes s.r.o.

Vysoká 2/B, 811 06 Bratislava

NUTS Code: SK010

Slovensko

Contact person: Ján Oravík

Telephone: +421 232333444

E-mail: koncesia.zilina@r-c.sk

Main address of the buyer profile (URL): <http://www.zsr.sk>

Tenders or requests to participate must be sent electronically: No.

Tenders or requests to participate must be submitted to: the above address

Electronic communication requires the use of tools and devices that are not universally available: No

I.4) TYPE OF THE CONTRACTING AUTHORITY

Others (Indicate)

Other type: Usually it acts pursuant to § 9 par. 6, but in this case it will act pursuant to § 7 par. 2 of Act no. 343/2015 of Codex on Public Procurement

I.5) MAIN ACTIVITY

Others (Indicate)

Other activity: Providing network access

SECTION II: OBJECT

II.1) SCOPE OF THE PROCUREMENT

II.1.1) Title

Operation of the Intermodal Transport Terminal Žilina

Reference number: ŽSR_TIP ZA

II.1.2) Main CPV code

63100000-0

II.1.3) Type of contract

Services

II.1.4) Short description

Provision of services in the field of combined transport, i.e. handling of intermodal transport units (hereafter only "ITU") between different modes of transport. The services provided include handling, storage, repairing, repackaging, ITU rental. The service is provided on storage, communication and access areas of TIP Žilina. ITU handling is provided by two bridge cranes (main and backup) with a lifting capacity of 46 tons.

II.1.5) Estimated total value

25 000 000.00 EUR without VAT

II.1.6) Information about lots

This contract is divided into lots: No

II.2) DESCRIPTION

II.2.2) Additional CPV codes

42414140-4

42418000-9

42418940-0

50531400-0

63111000-0

63121000-3

II.2.3) Place of performance

NUTS Code:

SK0

SK031

Main site of delivery or performance: Intermodal Transport Terminal Žilina, village Teplička nad Váhom, the cadastral territory of Teplička nad Váhom.

II.2.4) Description of the procurement

The subject of the contract is the selection of the Concessionaire for the operation and maintenance of the Intermodal Transport Terminal Žilina (hereinafter referred to as "TIP Žilina"). Operation and maintenance of TIP Žilina is based on ensuring (i) the basic terminal services, (ii) other terminal services, and (iii) maintenance and repair of TIP Žilina.

The detailed definition of the subject matter of the contract, including the elaborate technical specifications, is stated in File 3 Concession documentation subject description.

II.2.5) Award criteria

Concession is awarded on the basis of: the criteria described below (award criteria should be given in descending order of importance)

Criterion: Total cost for the 30-year provision of contract subject stated in EUR without VAT.

II.2.6) Estimated value

II.2.7) Duration of the concession

Duration: in months (from contract letting)

Value: 366

II.2.13) Information about European Union fund

The procurement is related to a project and/or programme financed by European Union funds: Yes

Identification of the project or reference number: ITMS Project Code: 23130110005

II.2.14) Additional information:

The concessionaire will provide the operation of TIP Žilina which was built using The European Union Funds.

SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

III.1) TERMS FOR PARTICIPATION

III.1.1) Suitability to perform a professional activity, including requirements related to registration in Small Business or Trade registers

List and brief description of the terms, indication of required information and documentation:

1.1 The tenderer must comply with the terms of participation mentioned in § 32 of the Public Procurement Act. Their fulfilment must be proved according to § 32 par. 2, par. 4, par. 5, § 152 par. 1 (registration to the list of economic entities) or according to § 152 par. 3 of Public Procurement Act.

1.2 Registration to the list of economic entities is effective for each contracting authority and the information mentioned therein do not need to be verified in public procurement procedures. The Public Procurement Authority in the evaluation of fulfilment of personal status terms for the participation shall verify the registration of the economic entity in the economic entity register, if the tenderer has not submitted the documents according to § 32 par. 2, 4 and 5 or any other equivalent register or certificate of registration pursuant to § 152 par. 3 of the Act on Public Procurement.

1.3 Registration to the list of entrepreneurs carried out under the Public Procurement Act effective until April 17th, 2016 (Act no. 25/2006 of Codex.) is registration into the list of economic entities within the scope of the recorded facts.

1.4 The tenderer may provisionally replace the documents to prove compliance with the terms of participation fixed by the Public Procurement Authority by a Single European Procurement Document pursuant to § 39 of the Public Procurement Act. The Public Procurement Authority declares that the information required as terms of participation (solely regarding part IV: Selection criteria, section A to D) by a Single European Procurement Document is limited to one question, to be answered yes or no: Global indication for all selection criteria, i.e. interested person may fill in only the section: Global indication for all selection criteria, found in part IV of Single European Procurement Document, without the need to fill in other sections of part IV, regarding the economic and financial standing and technical and professional ability.

The Public Procurement Authority shall publish a completed Section I. of the Single European Procurement Document in .pdf format in his profile on the www.uvo.gov.sk.

Summary material containing a summary of the basic information on the Single European Procurement Document may be found on <http://www.uvo.gov.sk/legislativametodika-dohlad/jednotny-europsky-dokument-pre-verejne-obstaravanie-553.html>

1.5 A group of suppliers prove compliance with the personal status terms for participation in a public procurement for each member of the group separately. Authorization to supply goods, to carry out construction works or to provide the service is proved by the member of the group only in relation to that part of the concession subject which is supposed to provide.

III.1.2) Economic and financial status

Selection criteria set out in the procurement documents: No

List and brief description of selection criteria, identification of required information and documentation: The tenderer submits within the proposal the following documents proving its economic and financial status pursuant to § 33 par. 1 of the Public Procurement Act (original or officially certified copy of the documents):

2.1 pursuant to § 33 par. (1) letter a) of the Act - by a bank statement or a branch office of a foreign bank.

Justification of adequacy to point 2.1:

With regard to the estimated value of the contract, the complexity of the contract subject, the necessity of financial independence and the concessionaire's creditworthiness is necessary for the tenderer to prove his ability to meet the financial liabilities without difficulty.

2.2 pursuant to § 33 par. (1) letter d) of the Act - an overview of the turnover achieved in the area covered by the contract subject for the last three business years for which they are available depending on the origin or commencement of operations.

Justification for the adequacy to point 2.2:

The requirement to provide an overview of the achieved turnover results from the concept the contract subject is executed, when the tenderer must have the necessary volume of financial resources throughout the whole period of the contract subject execution. The Public Procurement Authority needs to verify the economic situation of the tenderer and its financial stability, especially with regard to the fact that the tenderer will be responsible for the operation and maintenance of assets under the administration of the Public Procurement Authority. The Public Procurement Authority has set this condition in accordance with law.

GENERAL INFORMATION:

The economic entity may provisionally replace the documents to prove compliance with the terms of participation fixed by the Public Procurement Authority by a Single European Procurement Document pursuant to § 39 of the Public Procurement Act. The Public Procurement Authority declares that the information required as terms of participation (solely regarding part IV: Selection criteria, section A to D) by a Single European Procurement Document is limited to one question, to be answered yes or no: Global indication for all selection criteria, i.e. interested person may fill in only the section: Global indication for all selection criteria, found in part IV of Single European Procurement Document, without the need to fill in other sections of part IV, regarding the economic and financial standing and technical and professional ability. The Public Procurement Authority shall publish a completed Section I. of the Single European Procurement Document in .pdf format in his profile on the www.uvo.gov.sk. Summary material containing a summary of the basic information on the Single European Procurement Document may be found on <http://www.uvo.gov.sk/legislativametodika-dohlad/jednotny-europsky-dokument-pre-verejne-obstaravanie-553.html>

The tenderer to prove the financial and economic status may use the financial resources of another person pursuant to § 33 par. 2 of the Public Procurement Act.

The Public Procurement Authority, in accordance with § 33 par. 3 of the Act requires that the tenderer and the person whose resources are to be used for demonstration of financial and economic status in accordance with § 33 par. 2 shall be responsible for the execution of the concession agreement communally. For this purpose, the tenderer shall submit a joint responsibility agreement signed by the tenderer and by the person through whom the tenderer proves compliance with the financial and economic status terms for participation. The explicit, precise and specific commitment in joint responsibility on concession agreement pursuance shall accrue from the wording of the joint responsibility agreement.

In the case when the tenderer fails to provide for objective reasons the document specified by the Public Procurement Authority to prove economic and financial status, the tenderer shall proceed according to § 33 par. 4 of the Public Procurement Act.

A group of suppliers proves compliance with the terms of participation in public procurement procedure related to financial and economic status communally.

For the purpose of conversion of the other currencies, prices shall be converted into EUR on the basis of the average annual exchange rate of ECB (European Central Bank) for the respective calendar year. For the year 2017, the ECB's exchange rate on the day of the announcement of the concession notice in the Official Journal of the European Union.

Minimum level of standards required: To point 2.1:

The tenderer shall submit a statement from the bank or branch office of a foreign bank in which the tenderer holds an account on solvency and ability to meet financial liabilities - not older than 3 months from the public procurement announcement in the Official Journal of EU. The bank's statement must include information on the ability of the tenderer to meet its financial liabilities. In case that the tenderer holds accounts in multiple banks, the tenderer shall submit information from each of them. At the same time, the tenderer must submit a declaration on word of honour in the original form signed by a person authorized to act on behalf of the tenderer that the tenderer have no cash accounts maintained in any other bank institutions.

To point 2.2:

The tenderer shall submit a declaration on word of honour signed by a person authorized to act on behalf of the tenderer, stating the turnover achieved for activities in the area covered by the contract subject for the previous three business years, or the years for which they are available depending on the origin or commencement of the operation. The minimum turnover in the area of the contract subject must be (cumulatively) amounting to 1 000 000 EUR.

For the purpose of this public procurement, the turnover in the area covered by the contract subject shall be considered as a turnover for ITU transloading, ITU handling, and ITU storage.

III.1.3) Technical and professional capacity

Selection criteria set out in the procurement documents: No

List and brief description of selection criteria, identification of required information and documentation: The tenderer shall submit within the proposal the following documents proving his technical or professional capacity in the public procurement (original or officially certified copy of the documents):

3.1. pursuant to § 34 par. 1 letter a) of the Act - a list of the provided services for the previous three years from the notice of public procurement with prices, delivery times and customers, the document is a reference if the customer was an public procurement authority or procurement authority according to law.

Justification for the adequacy to point 3.1:

With regard to the estimated value of the contract, the complexity of the contract, the duration of the contract and the requirements arising from the EC decision, it is necessary for the tenderer to have sufficient experience in providing similar services in the concerned area.

3.2. pursuant to § 34 par. 1 letter d) in conjunction with § 35 of the Act - a description of technical equipment, study and research facilities and measures used by tenderers or interested parties to ensure quality.

Justification for the adequacy to point 3.2:

With regard to the fact that, during the concession period, the successful tenderer will have in use the property belonging to the contracting authority's administration of assets, the contracting authority is required to ensure that the tenderers are entities able to guarantee the ability to execute the subject of the contract in accordance with the relevant quality management standards.

3.3 pursuant to § 34 par.1 letter g) of the Act - in the case of construction works or services, the information on education and professional experience or on the professional qualification of persons assigned to perform the contract or the concession contract or of the managerial staff, if they are not the criterion for evaluating of the proposals.

Justification for the adequacy to point 3.3:

With regard to the estimated value of the contract, the scope and the specificity of the subject of the contract, it is necessary for the tenderer to have at the disposal the persons with the necessary qualifications and professional experience in managing of equipment of the same or similar nature as the subject of the contract.

GENERAL INFORMATION:

An economic entity may provisionally replace the documents to prove compliance with the terms of participation set by the contracting authority with a Single European Procurement Document pursuant to § 39 of the Public

Procurement Act. The summary material containing a summary of the basic information on the Single European Procurement Document may be found at <http://www.uvo.gov.sk/legislativametodika-dohlad/jednotny-europsky-dokument-pre-verejne-obstaravanie-553.html> The Public Procurement Authority declares that the information required as terms of participation (solely regarding part IV: Selection criteria, section A to D) by a Single European Procurement Document is limited to one question, to be answered yes or no: Global indication for all selection criteria, i.e. interested person may fill in only the section: Global indication for all selection criteria, found in part IV of Single European Procurement Document, without the need to fill in other sections of part IV, regarding the economic and financial standing and technical and professional ability.

The Public Procurement Authority shall publish a completed Section I. of the Single European Procurement Document in .pdf format in his profile on the www.uvo.gov.sk.

In order to prove its technical and professional capacity tenderer may use the technical or professional competence of another person pursuant to § 34 par.3 of the Public Procurement Act.

The contracting authority, in accordance with § 34 par. 4 of the Act requires that the tenderer and the person whose capacity is to be used to prove technical or professional competence in accordance with the procedure of § 34 par. 3 shall be responsible for the performance of the concession contract communally. To this end, the tenderer shall submit a signed joint responsibility agreement signed by the tenderer and the person through whom the tenderer proves that the conditions for participation of the technical or professional competence have been met. The wording of the joint responsibility agreement must emerge into unambiguous, precise and specific commitment of joint responsibility for the performance of the concession contract.

A group of suppliers proves compliance with the terms of participation in a public procurement procedure related to the technical or professional competence communally.

For the purpose of conversion of the other currencies, prices shall be converted into EUR on the basis of the average annual exchange rate of ECB (European Central Bank) for the respective calendar year. For the year 2017, the ECB's exchange rate on the day of the announcement of the concession notice in the Official Journal of the European Union.

Minimum level of standards required: To point 3.1:

The tenderer shall submit at least 1 operation reference (the operation shall include at least management, administration and maintenance) of at least one facility of "road - rail" or "water - rail" combined transport within previous three years from the date of the announcement of the public procurement, while the number of ITU transloads over the last three years must be a cumulative minimum of 12 000 transloads in the operating facility in question. The contracting authority requires the reference in question to contain:

- identification data of the facility being operated,
- customer identification data (if applicable),
- the date of commencement of service provision in the facility concerned,
- the date of termination of service in the facility concerned,
- contact details of the manager of the facility (name and surname of contact person, phone number, e-mail),
- performance data of the facility, i.e. the number of transloads made in the facility in question over the last three years.

In the case where the facility concerned is operated under a contract with a third party (public contracting authority, contracting entity or other entity), the reference shall be acknowledged by its signature by the relevant contracting party. In the cases of privately operated terminals (i.e. without a third-party contract), the tenderer shall acknowledge the reference by its signature, or the person providing the capacity (as the case may be) and the tenderer for the reference shall also include additional evidence of operating of the facility in question, such as photographic documentation, a detailed description of the facility, operating rules, and so on.

To point 3.2:

Tenderers will be able to meet the terms of participation by submitting a valid Quality Management System Certificate issued by an independent institution confirming compliance with the quality standards according to the requirements of EN ISO 9001 for the area of subject of the contract. The contracting authority shall recognize, in accordance with § 35 of the Act, as equivalent certificates issued by the competent authorities of the member states, as well as shall accept other evidence submitted by the tenderer which is equivalent to the measures for ensuring quality according to the requirements for issuing the relevant certificate.

To point 3.3:

The tenderer shall prove personal assurance through a key expert with professional experience:

Terminal manager (1 person)

- at least 5 years of experience in the management of the combined transport terminal "road - rail" or "water - rail"

- at least at the level of the chief of shift/head of shift (supplying the terminal manager in operational matters in time of his absence, shall have experience of direct management of terminal operation and management of operational staff (dispatchers, crane operator, customs agents, service workers, etc.)).

The tenderer shall prove compliance of the term of participation pursuant to the point 3.3 by documents from which, minimally, the professional experience of a key expert must appear as an evidence, which the tenderer shall prove by the submission of professional CVs or by equivalent documents.

From each of the professional CVs of the relevant key expert or of the equivalent document must accrue the following information/facts:

- the name and surname of the relevant key expert,
- the employment history/professional experience of the relevant expert in relation to the subject of the contract (employer/customer, duration of employment/duration of professional experience / year and month from - to, position which the relevant key expert held)
- the practical experience of the relevant key expert (identification of the combined transport terminal which is managed by the key expert, customer/employer, job description, position held in the combined transport terminal, period of year and month from - to, name and surname of at least one contact person and phone number and e-mail contact of customer/employer where the contracting authority will be able to verify the information).

III.1.5) Information on reserved concession

The concession is reserved for sheltered workshops and business entities specialized in social and professional integration of disabled or disadvantaged people: No

Performing of concession is restricted within protected jobs programs: No

III.2) TERMS RELATING TO THE CONCESSION

III.2.1) Information about a particular profession

The providing of service is reserved for a particular profession: No

III.2.2) Terms for performing a concession

III.2.3) Information about employees responsible for the performing of the concession

Obligation to indicate the names and professional qualifications of the staff responsible for the concession: No

SECTION IV: PROCEDURE

IV.2) ADMINISTRATIVE INFORMATION

IV.2.2) Time limit for submission of tenders or receipt of tenders

Date and time: 22.01.2018 10:00 a.m.

IV.2.4) Language (s) in which tenders or requests to participate may be submitted

SK

SECTION VI: ADDITIONAL INFORMATION

VI.1) INFORMATION ON THE RENEWAL OF THE PROCUREMENT

This procurement will be repeated: No

VI.2) INFORMATION ON THE ELECTRONIC OPERATIONS MANAGING

An electronic layout will be used: No

An electronic order will be used: No

Electronic payments will be used: No

VI.3) SUPPLEMENTARY INFORMATION

1. Interested person may also retire the tender documents personally upon written request. Personal receipt of the tender documents shall be set in writing or by telephone with the contact person mentioned in point I.1). Delivery, receipt of the tender documents shall take place on working days from 8:00 a.m. until 4:30 p.m.

2. The request for an explanation in time of the interested party shall be deemed the request delivered to the contracting authority in the document form within such a time limit as to ensure that the contracting authority ensures the delivery of explanations no later than six days in advance to the deadline for submission of tenders pursuant to § 48 of the Public Procurement Act.

3. The entire tender and other documents and documents in the public procurement shall be submitted in the state (Slovak) language.

If a paper or document is made in a foreign language, it shall be submitted together with its official translation into the state (Slovak) language; this does not apply to tenders, papers and documents made in the Czech language. If a difference is found between them in their content, the official translation into the state language prevails.

4. The contracting authority, in respect of the subject of the contract, recommends to all interested persons to carry out a visit of terminal providing the subject of the contract and to test the functionality of the TIP Žilina

devices in order to acquire all information that may be needed to prepare the tender and sign the contract for the subject of contract in question. Detailed information on the visit of the terminal are specified in the concession documentation.

5. The contracting authority shall provide the interested parties with comprehensive data and documents on the TIP Žilina project on a DVD disk, based upon a written request of the interested party delivered to the contact point of the contracting authority. The term of personal receipt of DVD disk shall be agreed in writing or by telephone with the contact person mentioned in point I.1). The receipt of the DVD disk in question will take place on working days from 8:00 a.m. until 4:30 p.m.

6. A successful tenderer shall be required to provide the contracting authority with all due diligence necessary to conclude the contract, so that it may be concluded within 25 working days from the day when the tenderer was called upon in writing to conclude it.

7. The duration of the concession period will be 30 years (360 months). The concession period begins on the first day of the month following the month in which the Day of start of operation occurred. The duration of the concession period will be 30 years.

8. The documents required to be published by the contracting authority pursuant to § 64 of the Public Procurement Act shall be published in the Contracting Authority Profile at the website of the Public Procurement Authority.

VI.4) PROCEDURES FOR REVIEW

VI.4.1) Review body

Úrad pre verejné obstarávanie
Ružová dolina 10, P.O.BOX 98, 820 05 Bratislava
Phone: +421 250264176
Fax: +421 250264219

VI.4.3) Review procedure

VI.4.4) Service from which information about the review procedure may be obtained

Úrad pre verejné obstarávanie (Public Procurement Office)
National registration number: 31797903
Ružová dolina 10, P.O.BOX 98, 820 05 Bratislava
Phone: +421 250264176
Fax: +421 250264219

VI.5) DATE OF DISPATCH OF THIS NOTICE

22/11/2017