

Fisa de date

Notice type: Simplified participation notice

Legislation: Law no. 98/23.05.2016

SECTION I: CONTRACTING AUTHORITY

I.1) NAME, ADDRESS AND CONTACT POINT(S)

NATIONAL RESEARCH AND DEVELOPMENT INSTITUTE FOR GEOLOGY AND MARINE GEOECOLOGY - GEOECOMAR

Address: 23-25 Dimitrie Onciu, Sector 2, City: Bucharest, Postal code: 024053, Romania, Contact point: MARINELA RACHITA,
Tel. +40 2522594, Email: gianina.rachita@geoecomar.ro, Fax: +40 2522594, Internet address (URL): www.geoecomar.ro, Address of buyer profile
(URL): www.e-licitatie.ro

Number of days up to which clarifications may be requested before the closing date for submission of bids applications: 4

I.2) TYPE OF CONTRACTING AUTHORITY AND MAIN ACTIVITY/ACTIVITIES

National Research and Development Institute

Activity/Activities

Other: research and development in other natural and engineering sciences

THE CONTRACTING AUTHORITY IS PURCHASING ON BEHALF OF OTHER CONTRACTING AUTHORITIES

NO

SECTION II: OBJECT OF THE CONTRACT

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II.1) DESCRIPTION

II.1.1) Title attributed to the contract/contest/project t by the contracting authority/contracting entity
Supply contract - Greenhouse Gases Monitor - photoacoustic method

II.1.2) Type of contract and location of works, place of delivery or of performance
Supply
Purchase
Delivery place: NIRD GeoEcoMar, Constanta branch, Mamaia Blvd., 304, Constanta, Romania
NUTS Code: RO223 - Constanta

II.1.3) The notice involves
A public procurement contract

II.1.5) Short description of the contract or purchase(s)
The Greenhouse gases monitor–photoacoustic method, subject of the contract, is a portable equipment capable of simultaneous monitoring/measuring of up to five component gases.

II.1.6) Common procurement vocabulary (CPV)
38432100-3 Gas Analyzers (Rev.2)

II.1.7) The contract is covered by the Government Procurement Agreement (GPA)
No

II.1.8) Division into lots
No

II.1.9) Variants will be accepted
No

II.2) QUANTITY OR SCOPE OF THE CONTRACT

II.2.1) Total quantity or scope
Greenhouse gases monitor–photoacoustic method - 1 pc
Estimated value excluding VAT: 35,000.00 EUR

II.2.2) Options
No

II.3) DURATION OF THE CONTRACT / AGREEMENT OR TIME LIMIT FOR COMPLETION

30 days from the date of the signing of the contract by the parties

II.4) ADJUSTING THE CONTRACT PRICE

II.4.1) Adjusting the contract price
No

SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

III.1) CONDITIONS RELATING TO THE CONTRACT

III.1.1) Deposits and guarantees required (if applicable)

III.1.1.a) Tender guarantee

Yes

The bidder must provide the tender guarantee for the amount of EUR 350.

Validity: 30 days from the date stated for receipt the offers.

Leu / foreign currency equivalent will be made at the NBR exchange rate from the date of publication of the participation announcement.

Tender guarantee is established by bank transfer to the account of NIRD GeoEcoMar, IBAN code RO56 BRDE 426S V159 7588 4450 BRD SECTOR 2 or

a guarantee instrument issued, under the law, by a bank or an insurance company. The guarantee instrument must include the provisions of art. 36 par. 1, 2, 3, 4, 5 and 7 and Art. 37 paragraph 1) of the Decision no. 395/2016 for the approval of the Methodological Norms for the application of the provisions related to the award of the public procurement contract to the framework agreement of Law 98/2016 on public procurement.

Proof of participation guarantee, regardless of how is established, will be submitted in SEAP to the date and time for submission of bids, scanned and signed with electronic signature.

The guarantee instrument must expressly provide that the payment of the participation guarantee will be executed unconditionally, at the first request of the beneficiary, on the basis of his/her statement regarding the guilt of the guarantor.

The guarantee of participation shall be returned or retained, as the case may be, according to art. 37 and 38 of the Decision no. 395 / 2016.

III.1.1.b) Performance guarantee

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Yes

Performance guarantee shall be established no later than 5 working days from the date of signing contract by parties. The performance guarantee represents 10% of the contract value, excluding VAT. The performance guarantee is established by bank transfer or guarantee instrument issued by a bank or an insurance company, which becomes annex to the contract according to the art 36, paragraph 3, 4, 5 of the Decision no. 395 / 201

III.1.2) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

State budget

III.1.3) Legal form to be taken by the group of economic operators to whom the contract is to be awarded

Association according to art. 53. of Law no. 98/2016 on public procurement; Association according to art. 66. of the Law no. 99/2016 on sectorial procurement; Association according to art. 39. of Law no. 100/2016 on work concessions and services concessions.

III.1.4) The performance of the contract is subject to particular conditions

No

III.1.5) Applicable legislation

- a) Law no. 98/2016 on public procurement; Law no. 99/2016 on sectorial procurement; Law no. 100/2016 on work concessions and services concessions;
- b) Law no. 101/2016 on remedies and appeals concerning the award of public procurement contracts, the sector contracts, works concession contracts and service concession contracts, and on the establishment and functioning of the Nation Council of Appeals Settlement;
- c) www.anap.gov.ro

Emergency Ordinance no. 58 / 2016 for amending and completing some normative acts with impact on the field of public procurement; Law no. 101/2016 on remedies and appeals concerning the award of public procurement contracts, the sector contracts, works concession contracts and service concession contracts, and on the establishment and functioning of the Nation Council of Appeals Settlement;

III.2) CONDITIONS FOR PARTICIPATION

III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers

III.2.1.a) Personal situation of candidate or tenderer

The supporting documents proving the fulfillment of the undertaken by completing the DUAE are to be submitted, at the request of the contracting authority, only by the first ranked bidder, in the interim ranking made at the completion of the tender evaluation, as follows:

- a) certificates proving the lack of overdue debts related to the payment of taxes, duties or contributions to the consolidated general budget (local budget, state budget, etc.) at the moment of presentation;
- b) criminal record of the economic operator and of the members of the administrative, management or supervisory body of the economic operator, or of those who have the power of representation, decision or control within the economic operator;
- c) where appropriate, documents demonstrating that the economic operator may benefit from the derogations provided for in art. 166 par. (2), art. 167 par. (2), art. 171 of the Law no. 98/2016 on public procurement;
- d) Conflict of Interest Declaration for the tenderer / candidate / the associated tenderer / the subcontractor / the supporting party "- Statement regarding the failure to comply with the provisions of Article 60 of the Law no.98 / 2016 - Form 1

Persons holding decision-making positions in the contracting authority regarding the organization, performance and completion of the awarding procedure:

Adrian Stanica - General Manager, Ana Olteanu - Economic Director, Dan Vasiliu – Project responsible, Balan Sorin - Technical Responsible, Florentina Gheorghita-Legal Advisor, Gianina Rachita-Procurement Office.

The tenderers, third parties and subcontractors shall not be in the situations provided for in Articles 164, 165, 167 of Law No. 98 / 2016.

The way in which the requirement can be demonstrated: the economic operators (including associations/ subcontractors/ third parties) participating in the award procedure will complete information related to their situation. The supporting documents proving the compliance with requirements undertaken by completing DUAE will be submitted, at the request of the contracting authority, only by the first ranked bidder, in the intermediate ranking drawn up at the completion of the evaluation of the tenders.

The failure of DUAE with the offer (including associate / third party) raises rejection as unacceptable

The failure to submit with the offer, the firm commitment of the third party showing the actual manner in which its support or, as the case may be, the subcontracting agreement and / or the association agreement will materialize, can be a reason for requesting clarification of any inaccurate related to the information contained in the DUAE sections of both the tenderer and the subcontractor / third party.

III.2.1.b) Capacity regarding the development of professional activity

Completion of DUAE by economic operators participating in the award procedure with information related to their situation.

The supporting documents proving the compliance with requirements undertaken by completing DUAE, respectively the registration certificate issued by the Register of Commerce Office, shall be submitted, at the request of the contracting authority, only by the first ranked tenderer in the intermediate ranking drawn up at the completion of the evaluation of the tenders.

The economic operators submitting a tender must prove a form of registration under the law of the country of residence, thus showing that they are legally constituted, are not in any of the situations of cancellation of the establishment and have the professional capacity to perform the activities which are the object of the contract.

The tenderers will complete all DUAE editable format fields requested by the contracting authority. The economic operators will submit mandatory DUAE with the SEAP offer, signed with an extended electronic signature based on a qualified certificate, issued by an accredited certification service provider.

III.2.2) Financial and economic capacity

III.2.3.a) Technical and/or professional capacity

Minimum information needed to assess the compliance with the above mentioned requirements	Accomplishment modality
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<p>The list of the main deliveries of similar products in the last 3 years, containing contract values, delivery periods, beneficiaries (regardless of they were contracting authorities or private clients, showing that the tenderer has delivered one or more similar products, whose aggregate value was at least 35,000 euros (excluding VAT). For the calculation of the equivalence, the average annual lei / foreign exchange rate communicated by the National Bank of Romania will be applied for each year. The provision of similar products is confirmed by the presentation of certificates / documents issued or countersigned by an authority or by the beneficiary customer</p>	<p>Completion of DUAE by economic operators participating in the award procedure with related information. The supporting documents proving the fulfillment of the undertaken by completing the DUAE, respectively relevant parts of the contracts or recommendations or certificates or minutes or other documents. These are to be submitted, at the request of the contracting authority, only by the first ranked tenderer in the intermediate ranking drawn up at the completion of the evaluation of the tenders. Information on the number and periods of the contracts invoked as similar experience, the contracts' values, the beneficiaries, the date and the number of the reception document, as well as the weight and / or the activities for which he / she was responsible shall be completed in DUAE</p>
<p>Information on subcontractors</p>	<p>The bidders will submit the subcontracting agreement, together with the offer and DUAE, by the deadline for submitting bids. The subcontractors shall complete DUAE with required information. The supporting documents, namely the Subcontracting Agreement and related documents, indicated in the Subcontracting Agreement, showing the actual manner by which the subcontractor will ensure the fulfillment of the assumed obligations, will be submitted, at the request of the contracting authority, only by the first ranked tenderer in the intermediate ranking drawn up at the completion of the evaluation of the tenders. There will be a separate DUAE form for each of the subcontractors concerned, duly completed and signed by each of them. Subcontractors will specify in DUAE the information related to the qualification criteria they fulfill, by mentioning the number and date of the subcontract / subcontracting agreement for the part proposed for subcontracting. If a subcontractor eill not meet a qualification requirement, then he will present DUAE only for the purpose of demonstrating non-compliance with the grounds for exclusion. The supporting documents proving the fulfillment of the undertaken by completing the DUAE will be submitted, at the request of the contracting authority, only by the first ranked tenderer in the intermediate ranking drawn up at the completion of the evaluation of the tenders.</p>

III.2.3.b) Quality assurance and environmental protection standards

III.2.4) Reserved contracts

No

III.3) SPECIFIC CONDITIONS TO SERVICES CONTRACTS

III.3.1) Execution of the service is reserved to a particular profession

No

III.3.2) Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service

No

SECTION IV: PROCEDURE

IV.1) PROCEDURE

IV.1.1) Type of procedure and modality of proceeding

IV.1.1.a) Modality of proceeding the award procedure

Online

IV.1.1.b) Type of procedure

Offer request / Simplified procedure – one stage

IV.2) AWARD CRITERIA

IV.2.1) Award criteria

The lowest price

IV.2.2) An electronic auction will be organized

No

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IV.3) ADMINISTRATIVE INFORMATION

IV.3.1) File reference number attributed by the contracting authority

IV.3.6) Language(s) in which tenders or requests to participate may be drawn up

The currency in which the price offer is expressed: EUR

Romanian

IV.3.7) Minimum time frame during which the tenderer must maintain the tender (from the date stated for receipt of tender)

30 days

IV.4) PRESENTATION OF THE OFFER

IV.4.1) Technical proposal presentation

The technical proposal will be firm and binding in terms of content throughout the period of validity of the tender established by the contracting authority.

The tenderer will elaborate the technical proposal so that it fully complies with the requirements set out in the Tender Book, ensuring the possibility of verifying the correspondence of the technical proposal with the specifications given in the Tender Book.

The technical proposal will include a detailed description of how to meet the technical specifications set out in the Tender Book.

IV.4.2) Financial proposal presentation

The financial proposal shall include:

The unit price and total value for: Greenhouse Gas Monitor - PhotoAcoustic Method - 1 piece will be expressed in EUR, (excluding VAT).

The total price in the offer will be expressed in EUR (excluding VAT), with a maximum of two decimal places.

The prices will include all taxes due, according to the legislation in force.

The offer will be presented according to the Form 2.

IV.4.3) Offer presentation

DUAE can be accessed by the economic operators interesting in at: <https://ec.europa.eu/growth/toolsdatabases/espdp/filter>.

The economic operators will submit the offer and DUAE only in electronic form and no later the date and time set out in the tender notice, as deadline for submission the offers.

These documents will be signed with an extended electronic signature, based on a qualified certificate issued by a certification service accredited provider and uploaded to SEAP, only by the registered economic operators.

The tenderer shall prepare the offer in accordance with the provisions of the awarding documentation and indicate, in its contents, the information in the technical proposal and/or the financial proposal that is confidential, classified or protected by an intellectual property right under the applicable law.

The economic operator shall submit the offer and answers to the clarification requested only electronically when participating in an award procedure that takes place through SEAP.

The contracting authority has the right to request any special-purpose document, in original form, whose validity is subject to presentation in this form.

Note: In the event that there are uncertainties or uncertainties regarding certain documents submitted, the contracting authority reserves the right to request additional details, clarifications or confirmations both from the tenderer concerned and from the competent authorities which may provide information in this respect.

The proof of tender guarantee establishment, scanned and signed with an extended electronic signature, based on a qualified certificate issued by a certification service accredited provider, will be uploaded to SEAP, no later the date and time set out in the tender notice, as deadline for submission the offer.

In the case of the issuance of the tender guarantee by an insurance bank/insurance company abroad, the guarantee instrument shall be drafted in a form equivalent to a generally accepted Romanian model, accompanied by the authorized translation into Romanian.

The following documents will also be submitted:

1. The description containing the index of the submitted documents, specifying the number of the page where each document is found;
2. Legal empowerment - signed by the legal representative or other equivalent legal document, if the bidder is someone other than the company's legal representative;
3. Statement regarding the acceptance of the contractual clauses mentioned in the contract attached to the awarding documentation or the contract model, with the mention "We have read and agree to the terms and conditions stipulated in the" Contract Model "in the awarding documentation and we agree that, in the case in which our offer is established as winning, to sign the contract in accordance with the provisions of the Awarding Documentation".

The economic operator is solely responsible for submitting the offer.

The economic operator does not have the right to withdraw or modify its offer after the expiry of the deadline set for the submission of tenders. In this case he will be subject to the exclusion from the awarding procedure.

The offer is binding, as content, for the entire period of validity set by the contracting authority and assumed by the bidder.

The price is encrypted, and the documents containing price elements are signaled accordingly.

The documents mentioned above, namely the files to be uploaded in SEAP by the bidder, will be signed with the extended electronic signature of the legal/empowered representative of the economic operator, depending on his quality - associate/third party/subcontractor.

SECTION VI: COMPLEMENTARY INFORMATION

VI.1) CONTRACT IS RECURRENT

No

Estimated publishing period for future notices:

VI.2) THE CONTRACT/CONTENT IS RELATED TO A PROJECT/PROGRAMME FINANCED BY EUROPEAN UNION FUNDS/OPERATIONAL PROGRAMME/NATIONAL PROGRAMME FOR RURAL DEVELOPMENT

No

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References to projects and/or programmes:

Financing type: Budget funds

VI.3) ADDITIONAL INFORMATION

DUAE can be accessed by the economic operators interesting in at: <https://ec.europa.eu/growth/toolsdatabases/espd/filter>.

Concerning clarifications:

The clarification requests will be addressed in Romanian, through the SEAP, at "Questions" section of the award procedure conducted by electronic means, and the answers will be published in Romanian, in SEAP at "Documentation, clarifications and decisions" section, within the notice of participation.

In order to submit clarification, the economic operators must register in SEAP (www.e-licitatie.ro): - as an economic operator and as a participant in the award procedure.

The evaluation committee will forward the clarification requests regarding the tender, in Romanian, by using the technical facilities available in SEAP (Section "Questions"). The economic operators will send the answers to the clarifications and submit electronically possible documents requested during the evaluation of the offers through SEAP (Section "Questions"), in the section corresponding to the respective request, in the form of one or more separate documents / files electronically signed according to the provisions of Law no. 455/2001 on electronic signature.

All the documents related to the award procedure, submitted by the bidders (offer, requests for clarification, answers to the clarification requests) will be drafted in Romanian or accompanied by an authorized translation in Romanian.

All requirements are required.

Deadline for sending the response to clarifications is according to art. 160 and 161 of Law no. 98/2016.

Tenderers of nationality other than Romanian, will submit the documents in the language of origin, accompanied by a certified translation in Romanian.

If two or more offers with equal price, will be on the first place in the ranking of the offers, the tenderers will be requested for new financial offers. The request will only be addressed to tenderers offering the same price, as declared admissible. The lowest price bid is declared winner.

VI.4) PROCEDURES FOR APPEAL

VI.4.1) Body responsible for appeal procedures

Consiliul National de Solutionare a Contestatiilor

Address: Str. Stavropoleos, nr. 6, Sector 3, Bucharest, Postal code: 030084, Romania, Tel. +40 213104641, Email: office@cnsr.ro, Fax: +40 213104642 / +40 218900745, Internet address (URL): <http://www.cnsr.ro>

Body responsible for mediation procedures

VI.4.2) Lodging of appeals

Specification of the deadline (s) for appeals

Terms for notification and enforcement of appeals are those provided in art. 6 and art. 8 of Law 101/2016

VI.4.3) Service providing information on the lodging of appeals

NIRD GeoEcoMar

Address: Str. Dimitrie Onciul, nr. 23-25, sector 2, Bucharest, Postal code: 024053, Romania, Tel. +40 212525512, Fax: +40 212523039