

Notice of invitation to tender under Article 70¹ – 70⁵ of the Polish Civil Code

Tender ID	04/EU/T2/CESTS – Fulfilment of the function of the Contract Engineer for the investment “01/EU/T2/STS – Purchase and delivery of five ship to shore quay container gantry cranes”
Estimated value	More than EUR 30,000
Type of contract	Services
Date of placing the Notice at the Ordering Party's website	01 / 10 / 2014

I. Ordering Party

I.1. Name

- address	DCT Gdańsk S.A. ul. Kontenerowa 7, 80-601 Gdańsk, Poland
- phone no.	(+48 58) 737 9000
- fax. no.	(+48 58) 737 6350
- website	http://www.dctgdansk.com

I.2. Contact person

- address	Cezary Osipuk, Purchasing Coordinator ul. Kontenerowa 7, 80-601 Gdańsk, Poland
- phone no.	(+48 58) 737 91 67
- e-mail	t2-sts-tender@dctgdansk.com

II. Subject of the Contract

II.1. Description of the Contract

- A. The subject of the Contract is to fulfil the role of Contract Engineer/Third Party Inspection which encompasses in particular:
- exercise of supervision over a contractor selected by the Ordering Party to design, manufacture, deliver and commission five ship to shore quay container gantry cranes (Liebherr Container Cranes Limited, Killarney, Co. Kerry, Ireland);
 - realization of Engineer’s obligations specified in the STS Supply Contract draft of which

constitutes Annexe no. 3 to this Notice

- verification whether all Employer's requirements are met and followed by the Contractor;
- review and approval of Contractor's documents;
- issuance of instructions to the Contractor, progress and approval reports in relation to time schedule as well as certificates for each stage or milestone

B. Detailed description of the subject of the Contract is presented in Annexe No. 4 to this Notice (CESTS Detailed Scope of Work), constitutes an integral part of the Tender Documentation and is available in the registered office of the Ordering Party and, at Bidder's written request, shall be sent to the Bidder by post or e-mail by the expiry of the bids' submission date set out in point 6.12 of the Terms of Tender.

II.2. Place of Contract performance Ordering Party's address (I.1)

II.3. Is submission of a partial bid No permitted?

II.4. Is submission of a variant bid No permitted?

II.5. Time limits for Contract completion Aligned with STS Supply Contract completion

III. Information about the Bidder and Tender entry criteria

III.1. Required Tender guarantee EUR 0.00

III.2. Information about the Bidder and Tender entry criteria A. Bidder meeting the following conditions may apply for the award of the Contract:

- a) Bidder possessing required licenses to perform defined activities or activity, if the legal provisions in force impose an obligation to possess the said license
- b) Bidder possessing knowledge and experience in the subject of the Contract

c) Bidder having at their disposal relevant technical potential and persons able to perform and complete the Contract

B. In order to prove the fulfilment of the conditions set out in III.2.A.a-c) above Bidder is obliged to submit with the bid the following documents:

- a) Copy or copies of required licenses to perform defined activities or activity
- b) Documents confirming experience in providing Contract Engineer/Third Party Inspection services from the design stage through manufacturing, erection and testing of minimum 30 STS cranes within the last 5 years since the issuance of the Notice (or if the Bidder has operated for a shorter period, then within this period). Ordering Party accepts the situation in which services related to those 30 STS cranes have been performed within one or more contracts realized by the Bidder
- c) Documents (CVs, reference letters, other relevant documents) confirming having at Bidder's disposal at least twenty crane inspectors qualified in Contract Engineer/Third Party Inspection works on container quay cranes, dedicated for the performance of the Contract able to perform and complete the Contract including:
 - Structural Engineers with minimum ten years of experience in Contract Engineer/Third Party Inspection services on structural works (three persons), and
 - Welding Engineers with minimum seven years of experience in Contract Engineer/Third Party Inspection services within their specialty (five persons), and
 - Mechanical Engineers with minimum five years of experience in Contract Engineer/Third Party Inspection services (five persons), and
 - Electrical Engineers with minimum five years of experience in Contract Engineer/Third Party Inspection services (five persons)

Apart from the employment potential presented above, the ordering Party requires that the Contract

shall be realized by a minimum five persons provided by Bidder that jointly possess relevant knowledge and experience fulfilling or exceeding requirements set out above for each speciality.

All documents set out in III.2.B.a-c) above must be included in the bid submitted by Bidder.

Points 8.3 and 8.4 of the Terms of Tender shall apply however the Ordering Party reserves the right to reject the bid that fails to meet any of the above presented requirements.

C. Bid must meet the following entry criteria:

- a) Scope of work – detailed description of the subject of the Contract presented in Annexe No. 4 to this Notice (CESTS Detailed Scope of Work) is an inherent part of the Documentation. CESTS Detailed Scope of Work must be priced with accordingly filled Bid's value calculation constituting Annexe No. 5 to this Notice. To find the submitted bid valid, it must be adjusted to the contents of the CESTS Detailed Scope of Work and encompass all necessary visits and cover or exceed all requirements placed thereof.

All the elements set out in III.2.C.a) above must be included in the bid submitted by Bidder.

Points 8.3 and 8.4 of the Terms of Tender shall apply however the Ordering Party reserves the right to reject the bid that fails to meet the above presented Tender entry criteria.

IV. Bid evaluation criteria

IV.1. Bid evaluation criteria

A. Price

- a) Ordering Party intends to engage a Bidder fulfilling or exceeding requirements set out in CESTS Detailed Scope of Work (Annexe No. 4 to this Notice).
- b) The entire set of activities presented in CESTS Detailed Scope of Work constituting Annexe No. 4 to this Notice as well as all necessary visits must be

included in the price presented in Bid's value calculation constituting Annexe No. 5 to this Notice **the bid may be rejected by the Ordering Party.**

- c) Price presented by the Bidder for the CESTS Detailed Scope of Work (Annexe No. 4 to this Notice) and all necessary visits presented in Bid's value calculation (Annexe No. 5 to this Notice) shall constitute **Total Contract Value** used for the purpose of bid's assessment taking into account the following formula:

$$P = (P_{low} / P_o) \times 100 \text{ pts.}$$

where:

- P – number of points to be granted
- P_{low} – lowest Total Contract Value among all valid bids
- P_o – Total Contract Value of the assessing bid

The bid will receive number of points rounded to two decimal points arising from the above presented equation.

IV.2. Bid's final assessment

Each of valid bids shall be granted points after assessment in accordance to IV.1.A and IV.1.B.

In accordance with point 8.7 of the Terms of Tender the best bid shall be deemed as the bid that received the highest total of points.

V. Other information

For details regarding the Tender procedure please refer to Terms of Tender applicable to this Tender that constitute an integral part of the Documentation, were published with this Notice at DCT's website, are available in the registered office of DCT and at the written request of the Bidder will be sent by post or e-mail.

VI. Annexes

1. Annexe No. 1 – Terms of Tender
2. Annexe No. 2 – CESTS Draft Contract
3. Annexe No. 3 – STS Supply Contract
4. Annexe No. 4 – CESTS Detailed Scope of Work
5. Annexe No. 5 – Bid's value calculation