

PL-Szczecin: Commercial RealEstate Management Services

2009/S 86-124560

PROCUREMENT ANNOUNCEMENT

Services

SECTION I: CONTRACTING PARTY

I.1) NAME ADDRESSES AND CONTACT POINTS:

The Szczecin City Commune, the Office of Public Procurement of the Szczecin City Hall, Pl. Armii Krajowej 1, Contact: the Szczecin City Commune, the Office of Public Procurement of the Szczecin City Hall , room 397, for the attention of: Wojciech Krysztofik, PL-70-456 Szczecin. Tel. +48 914245440. E-mail wkrysz@um.szczecin.pl. Fax +48 914245104.

Internet addresses:

The main address of the awarding institution: **www.szczecin.pl**

More information at: as stated above for the contact point.

Specifications and supplementary documents (including documents relating to the competitive dialogue and the Dynamic Purchasing System) can be obtained at the following address: as stated above for the contact point.

Tenders or requests to participate in contract award procedures should be sent to the following address: as stated above for the contact point.

I.2) TYPE OF AWARDING INSTITUTION AND MAIN AREA(S) OF ACTIVITY:

Regional or local authority.

General public services.

The awarding institution is performing a purchase in the name of other awarding institutions: no.

SECTION II: THE OBJECT OF THE CONTRACT

II.1) DESCRIPTION

II.1.1) Name given to the contract by the awarding institution:

The choice of the economic operator as well as designing and obtaining permission for building a sports and recreational facility – the Water Park and accompanying facilities.

II.1.2) Type of the contract and location of the construction works, place of delivery of the shipment or the performance of services:

Services.

Services category: no. 11.

The main place of performing services: Szczecin.

NUTS code: PL424.

II.1.3) The announcement pertains to:

Public procurement.

II.1.4) Information on the framework agreement:

II.1.5) A short description of the contract or purchase(s):

The object of the contract is the choice of the economic operator of the Water Park, who will design the facility, obtain the construction permit and will perform originator's supervision during implementation as well as provide services in the area of long-term management and operation of the Water Park facility in Szczecin, consisting of comprehensive technical, operational and commercial management of the Water Park facility in Szczecin, including the organisation of sport and recreational events, as well as making the Water Park available under commercial rules to the organisers of events, for a period of at least 10 years from the date of commissioning the Water Park.

II.1.6) Common Procurement Vocabulary (CPV):

70332200, 71220000.

II.1.7) The contract is subject to a Government Procurement Agreement (GPA): Yes.

II.1.8) Division into parts:

No.

II.1.9) The possibility of submitting variants:

No.

II.2) SIZE OR SCOPE OF THE CONTRACT

II.2.1) The total size and scope:

The object of the contract is the choice of the Economic Operator of the Water Park, who will design the facility, obtain the construction permit and will perform originator's supervision during the implementation as well as provide services in the area of long-term management and operation of the Water Park facility in Szczecin consisting of comprehensive technical, operational and commercial management of the Water Park facility in Szczecin, including the organisation of sport and recreational events, as well as making the Water Park available under commercial rules to the organisers of events, for a period of at least 10 years from the date of commissioning the Water Park.

II.2.2) Options:

No.

II.3) CONTRACT DURATION PERIOD OR EXECUTION DATE:

Period in months: 138 (starting from the date of).

SECION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

III.1) CONDITIONS OF THE CONTRACT

III.1.1) Required deposits and guarantees:

100 000 PLN (deposit is to be provided at the stage of submission of tenders).

III.1.2) Main conditions for financing and payments and/or reference to valid provisions:

not applicable.

III.1.3) Legal form, which is to be assumed by the group of economic operators, which will be awarded the contract:

III.1.3)1. Economic operators intending to submit the tender jointly shall appoint a plenipotentiary to represent them in the contract award procedure or in the procedure and conclusion of a public procurement contract.

III.1.3)2. Letter of authority, referred to in point 1, is to be included in the request to participate in the procedure by economic operators. A letter of authority, or a copy certified by the notary public is to be submitted as the original document.

III.1.3)3. The plenipotentiary shall maintain contact with the awarding entity during the contract award procedure and shall address the awarding entity in respect of all matters and send information, correspondence, etc.

III.1.3)4. A joint request to participate in the procedure submitted by two or more economic operators should meet the following requirements: 1) the request shall be prepared according to the current notice; 2) a description of how documents included in the joint request to participate in the contract award procedure shall be submitted: a) documents concerning own company, for example: excerpt from appropriate register or certificate of entry into the register of economic activity, certificate of the competent head of tax office and relevant branch of ZUS [*Social Insurance Institution*], information from KRK [*National Criminal Record*] – shall be submitted by each economic operator submitting the request on the behalf of his own company; provided that the entity appearing jointly (civil law partnership) on the basis of separate provisions for the purposes of tax settlement or related to insurance, is regarded as one entity (one organisational unit) – documents shall be submitted by this entity. b) joint documents, for example: request to participate in the contract award procedure, schedules, etc. shall be submitted by the plenipotentiary of the economic operators on the behalf of all economic operators submitting the request,

III.1.3)5. Partners in a civil law partnership shall be treated as economic operators submitting the request to participate in the contract award procedure jointly and provisions specified in points 1-4 shall apply,

III.1.3)6. Prior to the conclusion of a public procurement contract (if the tender is won) economic operators submitting the tender jointly shall be obliged to present the awarding entity a consortium agreement including but not restricted to: 1) commitment to jointly execute the economic project including in its scope the execution of the object of the contract, 2) determination of the scope of activities of individual parties to the contract, 3) term of the contract, which shall not be shorter than the period of execution of the contract and the duration of quality guarantee and warranty.

III.1.4) Other specific conditions, which apply to the execution of the contract:

No

III.2) CONDITIONS OF PARTICIPATION

III.2.1) Subjective status of economic operators, including requirements concerning entry into the professional and trade register:

Information and formalities necessary to confirm the fulfilment of the conditions:

III.2.1)1. Economic operators, which may compete for a contract, are those who are authorised to perform specific activities or actions, if such authorisations are required by the law, and are not liable to exclusion from the award procedure on the basis of article 24, paragraph 1 and 2 of the Act.

III.2.1)2. For the purpose of confirmation, economic operators shall submit, along with a request to participate in the contract award procedure, the following declarations and documents:

III.2.1)2.1) A statement about the fulfilment of the conditions referred to in article 22, paragraph 1, point 1 and 4 of the Act, according to a standard form provided in appendix no. 2 to the Description of Needs; In the case of a request being submitted jointly, the aforementioned statement is submitted jointly by the plenipotentiary on behalf of economic operators participating in the procedure.

III.2.1)2.2) A valid certificate of the competent head of the tax office and competent branch of ZUS or KRUS [*Agricultural Social Insurance Fund*] confirming respectively that the economic operator is not in arrears with payment of taxes, charges or social insurance or health insurance premiums or certificate that he has been legally exempted, his outstanding payments have been deferred or divided into instalments or the execution of a decision of a competent authority has been stopped in its entirety – issued not earlier than 3 months prior to the time limit for the submission of the request to participate in the contract award procedure;

In the case of a request submitted jointly, the aforementioned certificates are presented by each economic operator submitting the request jointly.

III.2.1)2.3) A valid excerpt from the appropriate register or certificate of entry in the register of economic activity, if separate provisions require the entry into register or the register of economic activity, issued not earlier than 6 months prior to the time limit for the submission of request to participate in the contract award procedure;

In the case of a request submitted jointly, the aforementioned documents are presented by each economic operator submitting the request jointly.

III.2.1)2.4) Valid information from the National Criminal Record within the scope specified in article 24, paragraph 1, point 4-8 of the Act, issued not earlier than 6 months prior to the time limit for the submission of request to participate in the contract award procedure;

In the case of a request submitted jointly, the aforementioned documents are presented by each economic operator submitting the request jointly.

III.2.1)2.5) Valid information from the National Criminal Record within the scope specified in article 24, paragraph 1, point 9 of the Act, issued not earlier than 6 months prior to the time limit for the submission of request to participate in the contract award procedure.

In the case of a request submitted jointly, the aforementioned documents are presented by each economic operator submitting the request jointly.

Evaluation shall be carried out on the basis of submitted documents and statements on the principle assessing economic operators as fulfils/not fulfils.

III.2.2) Economic and financial capacity:

Information and formalities necessary to confirm the fulfilment of the conditions: Economic operators which may compete for a contract are those who are in a financial and economic situation ensuring the performance of the contract, and in particular their average annual revenue from the sale of goods and service for the last 3 financial years amounts to at least PLN 5 milion.

Evaluation shall be carried out on the basis of submitted documents and statements on the principle assessing economic operators as fulfils/not fulfils.

In the case of economic operators participating jointly, the aforementioned conditions may be fulfilled jointly.

A minimum level of required standards: For the purpose of confirmation, economic operators shall submit, along with a request to participate in the contract award procedure, the following declarations and documents:

III.2.2)1) A statement on the fulfilment of the conditions referred to in article 22, paragraph 1, point 3 of the Act, according to standard form provided in appendix no. 2 to the Description of Needs; In case the request is submitted jointly, the aforementioned statement is submitted by the plenipotentiary on behalf of economic operators participating in the procedure jointly.

III.2.2)2) A part of the financial statement (Profit and loss account), and, if it is subject to the evaluation of the statutory auditor pursuant to the provisions on accounting along with the opinion about its evaluated part, and in the case of economic operators not being obliged to prepare a financial statement, other documents specifying turnover, liabilities and receivables – for the period not longer than last three financial years, and if the period of conducting the economic activity is shorter – for this period;

In the case of a request submitted jointly, the aforementioned documents shall be submitted by each economic operator submitting the request jointly.

III.2.3) Technical capacity:

Information and formalities necessary to confirm the fulfilment of the conditions:

Economic operators which may compete for a contract are those who have the necessary knowledge and experience, and have at their disposal the technical potential and personnel capable of performing the contract, or who submit a written declaration of other entities, which shall make available the technical potential and personnel capable of performing the contract, including in particular those who:

III.2.3)1) for the last 3 years prior to the start of the contract award procedure, and if the period of conducting the economic activity is shorter – during this period, are or were Operators (i.e. entities who have comprehensively managed technically, operationally and commercially) of at least two recreational, sports or multifunctional facilities of usable area of at least 10 000 m², including at least one Aquapark;

III.2.3)2) prepared design documentation (including at least building and executive project) for at least one recreational facility with swimming pool(s) of water surface area inside the building of at least 1 000 m² during the 3 years prior to the start of the contract award procedure and if the period of conducting the economic activity is shorter – during this period.

Evaluation shall be carried out on the basis of submitted documents and statements on the principle assessing economic operators as fulfils/not fulfils.

In the case of economic operators participating jointly, the aforementioned conditions may be fulfilled jointly.

The minimum level of possibly required standards:

For the purpose of confirmation, economic operators shall submit, along with a request to participate in the contract award procedure, the following declarations and documents:

III.2.3)1) A statement about the fulfilment of the conditions, referred to in article 22, paragraph 1, point 2 of the Act, according to a standard form provided in appendix no. 2 to the Description of Needs; in the case of a request submitted jointly, the aforementioned statement is submitted by the plenipotentiary on behalf of economic operators participating in the procedure jointly.

III.2.3)2) A list of provided services, and in the case of a periodical or permanent services being provided, during the last three years prior to the start of the contract award procedure and if the period of conducting the economic activity is shorter – during this period, corresponding by their type and value to supplies or services being the object of the contract, with the delivery of their value, object, dates of execution and receivers according to the standard form provided in appendix no. 3 to the Description of Needs, and enclosed documents confirming that those supplies and services have been performed properly;

In the case of a request submitted jointly, economic operators submitting a tender jointly shall present the aforementioned list jointly.

III.2.4) Reserved contract:

No.

III.3) SPECIFIC CONDITIONS FOR CONTRACTS FOR SERVICES

III.3.1) Services provided are reserved to the specific occupation:

No.

III.3.2) Legal persons should indicate surnames and professional qualifications of persons responsible for providing the service:

No.

SECTION IV: PROCEDURE

IV.1) TYPE OF PROCEDURE

IV.1.1) Type of procedure:

Competitive dialogue.

IV.1.2) Limitation of number of economic operators who are to be invited to submit their tenders or to participate in the procedure:

Intended number of economic operators: 5

Objective criteria for selection of limited number of candidates: Each economic operator is obliged to fulfill jointly all the conditions for participation in the procedure; each condition is equally important and its fulfillment is not awarded with points, with the exception of the conditions provided in point III.2.3)1) Information and formalities necessary to confirm the fulfillment of the conditions. For the fulfillment of this condition, points will be awarded in the following manner: for each facility fulfilling criterion specified above, which Operator is or was economic operator for the last 3 years prior to the start of the contract award procedure, and if the period of conducting the economic activity is shorter – during this period, the awarding entity shall award one point' however, such points shall be awarded only if the number of economic operators who met the conditions of participation in the procedure exceeds 5.

If the number of economic operators who fulfill conditions for participation in the procedure exceeds 5, the awarding entity shall invite to the dialogue the 5 economic operators who received the highest evaluation for the fulfilment of the condition specified above. If several economic operators have received the same amount of points (if economic operators who came fifth ex aequo), all shall be invited. If the number of economic operators, who fulfill conditions for participation in the procedure, is less than 5 or equals 5, the awarding entity shall invite to the dialogue all economic operators fulfilling conditions for participation in the procedure.

IV.1.3) Reduction of the number of economic operators during negotiations or dialogue:

Application of stepwise procedure in order to gradually reduce the number of discussed solutions or negotiated tenders: No

IV.2) CONTRACT AWARD CRITERIA

IV.2.1) Contract award criteria:

The economically most favourable tender including criteria specified below:

1. Evaluation of the preliminary conceptual project for urban planning and architecture of Aquapark. Weight: 40

2. Formula and conditions for remuneration for management of Aquapark. Weight: 25.

3. Principles of operation and providing services of the Operator of Aquapark. Weight: 20

4. Price for preparation of design documentation together with required permits.

Weight: 15.

IV.2.2) An electronic auction will be used:

No.

IV.3) ADMINISTRATIVE INFORMATION

IV.3.1) File reference number attributed by the awarding institution:

BZP/22/09.

IV.3.2) Previous publication concerning the same contract:

No.

IV.3.3) Conditions for obtaining specifications and additional documents or description document:

Time limit for submission of requests to obtain documents or access to the documents:
8.7.2009 - 10:00.

Payable documents: no.

IV.3.4) Time limit for the submission of tenders or requests to participate in the procedure:

8.7.2009 - 11:00.

IV.3.5) Date of sending invitations to submit tenders or to participate of qualified candidates:

IV.3.6) Language(s), in which tenders or requests to participate in the procedure may be prepared:

Polish.

IV.3.7) Minimum period, in which the tenderer must maintain his tender:

IV.3.8) Conditions of opening of tenders:

SECTION VI: COMPLEMENTARY INFORMATION

VI.1) THIS IS A RECURRENT CONTRACT:

No.

VI.2) CONTRACT IS RELATED TO A PROJECT AND/OR PROGRAMME FINANCED FROM COMMUNITY FUNDS:

No.

VI.3) ADDITIONAL INFORMATION:

VI.3)1. Request to participate in the procedure shall include a declaration of intent to participate in the procedure and shall be prepared according to the standard form provided in appendix No. 1 to the Description of Needs.

The Description of Needs is available at website

http://bip.um.szczecin.pl/UMSzczecinBIP/chapter_11710.asp.

VI.3)2. The request shall be signed by persons authorised to represent the economic operator.VI.3)3. In the case of the economic operators competing jointly for the award of a contract, they shall appoint a plenipotentiary to represent them in the contract award procedure or in the procedure and conclusion of a public procurement contract. The letter of authority for the plenipotentiary appointed by all economic operators submitting the request jointly shall be enclosed with the request. The letter of authority is to be submitted as the original document or the copy certified by the notary public. Partners in a civil law partnership shall be treated as economic operators submitting jointly the request to participate in the contract award procedure.

VI.3)4. The request to participate in the procedure shall be prepared in the Polish language, on a typewriter or computer or handwritten with a pen. Illegible requests shall be rejected,

VI.3)5. The request and all required declarations and documents shall be signed by persons authorised to make a declaration of will on behalf of the economic operator. The letter of authority to sign the request and all required declarations and documents shall be enclosed with the request, unless it results from other documents enclosed by the economic operator. The letter of authority shall be submitted as the original document or the copy certified by the notary public.

VI.3)6. In the case of the economic operator submitting a copy of any document (subject to point 3 and 5), it shall be certified by the economic operator (the economic operator shall appose his signature on the photocopy preceded by the annotation: certified copy of the original). If two or more persons are jointly authorised to sign the request, copies of documents shall be certified by all the persons. VI.3)7. All documents and declarations prepared in a foreign language shall be submitted along with their translations into the Polish language certified by the economic operator.

VI.3)8. Declarations, requests, notifications and information shall be supplied by the awarding entity and economic operator in written form subject to point 9.

VI.3)9. The awarding entity allows fax communication for transferring the following documents:

1) an application for clarification relating to statements and documents referred to in art. 25 paragraph 1 of the Act, 2) a summons for economic operators pursuant to art. 26 paragraph 3 of the Act, 3) a notice on correcting obvious typing mistakes, as well as information and notices for economic operators pursuant to art. 181 of the Act, 4) notice on nullification of the proceedings. 5) information referred to in art. 60d paragraph 1 of the Act, 6) invitation to the dialogue.

VI.3)10. If the Awarding Entity or the Economic Operator transfers statements, applications, notices or information by fax, each of the parties upon the other party's request promptly confirms the fact of obtaining them.

VI.3)11. The correspondence transferred by fax outside office hours will be recorded on the next day of work of the Awarding Party and regarded as filed on that day. The Awarding Party's office hours are Monday to Friday from 7:30 am to 3:30 pm.

VI.3)12. The Awarding Party shall summon economic operators who in a given period will not file statements or documents referred to in art. 25 paragraph 1 of the Act, or who filed the documents referred to in art. 25 paragraph 1 containing mistakes for their correction within a given time limit, unless despite correcting them the request to participate in a contract award procedure of the economic operator is subject to rejection or the nullification of the proceedings is necessary.

VI.3)13. Foreign economic operators:

VI.3)13.1) If the Economic Operator's Head Office or place of residence is outside the territory of the Republic of Poland, instead of the documents referred to in section III.2.1)2. subsection 2), 3), 5) he files the document or documents issued in the country of his HQ or

place of residence, confirming respectively that: a) his liquidation has not been initiated or his bankruptcy declared, b) he is not in arrears in relation to the payment of taxes, social security or health insurance contributions or that he has an exemption, deferment or spreading into instalments of the due payments or the suspension in total of the execution of the decision of the competent authority, c) no warrant for applying for a contract.

VI.3)13.2) If the economic operator has his HQ or place of residence outside the territory of the Republic of Poland, instead of the documents referred to in section III.2.1)2. subsection 4) he files the certificate of the competent judicial or administrative body of the country of origin or residence of the person whom the documents concern in the scope defined in art. 24 paragraph 1 point 4-8 of the Act.

VI.3)13.3) The documents referred to in section VI.3)13.1) letter a) and c) as well as VI.3)13.2) should be issued no sooner than 6 months before the expiry date for filing requests to participate in a contract award procedure. The document referred to in section VI.3)13.1) letter b should be issued no sooner than 3 months before the expiry date of filing requests to participate in a contract award procedure.

VI.3)13.4) If in the country of origin of the person or in the country in which the economic operator or place of residence the documents referred to in section VI.3)13. subsection 1 i 2 cannot be issued, they are replaced with a document containing a statement issued before a notary public, the competent judicial, administrative body or a body of professional or economic self-governing organisation of the country of origin of a given person or country in which the economic operator has his HQ or place of residence. The regulation from section VI.3)13. subsection 3) applies mutatis mutandi. VI.3)14. If in the documents filed by the economic operator for the purpose of confirming the fulfilment of conditions of participation in the procedure the financial information will be given in a currency other than PLN, in the assessment of the compliance with the requirements, they will be converted into PLN according to the table of average currency rates of the National Polish Bank on the day of publication of the announcement of the tender.

VI.4) APPEAL PROCEEDINGS

VI.4.1) The body responsible for appeal proceedings:

The National Appeal Chamber at the Public Procurement Office, Al. Jana Christiana Szucha 2/4, PL-00-582 Warsaw. E-mail odwolania@uzp.gov.pl Tel. +48 224587801 URL: www.uzp.gov.pl Fax +48 224587700

Body responsible for mediation procedures:

PL-00-582.

VI.4.2) Filing appeals:

Detailed information on the terms of filing appeals: Appeals shall be issued to the Chairman of the Office within 10 days from the day of receiving the decision concerning the protest, at the same time transferring the copy of the appeal to the awarding party. Filing an appeal at

the post office of the public operator is equivalent to submitting it to the Chairman of the Office.

VI.4.3) The source where information on filing appeals can be obtained:

The National Appeal Chamber at the Public Procurement Office, Al. Jana Christiana Szucha 2/4, PL-00-582 Warsaw. E-mail odwolania@uzp.gov.pl Tel. +48 224587801 URL: www.uzp.gov.pl. Fax +48 224587700

VI.5) DATE OF SENDING THE PRESENT ANNOUNCEMENT:

4.5.2009.

The announcement has been published in the Official Journal of European Communities on 6 May 2009.

The Polish language version is the only valid and legally binding version.