

INVITATION FOR TENDERS

Ukraine – city of Lviv

Ukraine Urban Public Transport Project

Supply of 10 new low-floor multi-section articulated tram vehicles 29-33 metres length, including a set of spare parts and consumables, a set of equipment and tools for maintenance, repair and related services

Lviv Municipal Enterprise “Lvivelectrotrans” (hereinafter referred to as “the Purchaser”) intends to use part of the proceeds of a loan from the European Investment Bank (hereinafter referred to as “the Bank”) towards the cost of its Urban Public Transport Project (hereinafter referred to as “the Project”). VAT and, if relevant, customs duties on finished goods are not eligible to the Bank financing and will be paid by the Purchaser.

Contract No. **328426/1**:

The Purchaser now invites sealed tenders from eligible suppliers for the following contract to be funded from part of the proceeds of the loan.

“Supply of 10 new low-floor multi-section articulated tram vehicles 29-33 metres length, including a set of spare parts and consumables, a set of equipment and tools for maintenance, repair and related services, including:

- Supply, delivery and commissioning of 10 new low-floor multi-section articulated tram vehicles and related services (The trams vehicles shall be built for 1,000 mm gauge, 100% low floor, multi-section, 2.3 metres wide and 29-33 metres long, 1 place for wheelchair). The number of seats must be not less than the number of m² of the passenger compartment area designated for passengers (DSTU 4070). The number of seats for standing passengers shall be specified for the EL 8 load (eight passengers per 1 m² of the area designated for standing passengers);
 - Supply, delivery of a set of mandatory spare parts and consumables;
 - Supply, delivery of a set of equipment tools for maintenance and repair;
 - Supply, delivery of technical documentation (design, operational and maintenance manuals);
 - Supply of related services (training, commissioning and warranty activities).
- Incoterms Delivery conditions: EXW for goods from within the Purchaser country; CIP (border or port) for goods from outside the Purchaser country. The tenderers should quote the price for inland transportation and insurance from the EXW or CIP place of destination to the final destination place: 185, Horodotska Str., Lviv, Ukraine.
 - Delivery and Completion Schedule: The required date of arrival of the first delivery on the Project Site is no later than: 18 months from the date of the advance payment receipt by the Supplier. The required completion date is no later than: 24 months from the date of the advance payment receipt by the Supplier.
 - Tenders are invited for one lot.

- Tendering for contracts that are to be financed with the proceeds of a loan from the Bank is open to firms from any country.
- The tender procedure will be carried out in line with the EIB Guide to Procurement (<https://www.eib.org/en/infocentre/publications/all/guide-to-procurement.htm>).
- The national remedy mechanism is applicable to the tender procedure.
- The criteria to be used in the tender evaluation by the Purchaser are, in decreasing order of importance:

The Purchaser will award the Contract to the Tenderer whose offer has been determined to be the lowest evaluated Tender for the goods and services proposed and is substantially responsive to the Tender Document, provided further that the Tenderer is determined to be qualified to perform the Contract satisfactorily.

In evaluating each tender, the Purchaser will determine for each tender the evaluated tender price by adjusting the tender price using the following factors and methodology:

- cost of inland transportation and insurance to the final place of destination;
- delivery schedule offered in the tender;
- deviations in payment schedule from that specified in the Particular Conditions of Contract (PCC);
- the cost of specific maintenance tools, mandatory spare parts and services;
- the availability in the Purchaser's country of spare parts and after sales service services for the equipment offered in the tender;
- the cost of Projected Operating and Maintenance Costs (O&M);
- the reliability of the tramways and associated goods offered;
- other specific criteria indicated in the Technical Specification.

To be qualified for the award of a contract, tenderers must satisfy the following minimum criteria:

- Tenderers shall meet the eligibility requirements: no conflicts of interests, not having been declared ineligible by the Bank, not being registered in a country or being representatives of such foreign companies, subject to financial sanctions imposed by the EU, either autonomously or pursuant to the financial sanctions decided by the United Nations Security Council on the basis of article 41 of the UN Charter;
- Tenderers shall not have a consistent history of contractual non-performance within the last 5 (five) years. All pending litigation shall in total not represent more than 10% of the Tenderer net worth;
- The audited balance sheets or if not required by the law of the Tenderer's country, official financial statements acceptable to the Purchaser, for the last three (3) years to demonstrate the current soundness of the Tenderer's financial position and its prospective long-term profitability;
- The tenderer must have an average annual turnover of EUR 6,000,000 (six million euro) or equivalent calculated as total certified payments received for contracts in progress or completed, within the last 3 (three) years;

- (e) The tenderer shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means, different from advanced payments on contracts, sufficient to meet the following criteria: (i) 2,000,000 (two million) EUR per 4 months and (ii) the overall cash flow requirements for this Contract and its current commitments;
 - (f) The tenderer must have successful experience of deliveries of new passenger tramcars in the amount of at least 10 pieces for the last 5 (five) years;
 - (g) Tenderer shall be capable of the fulfilment of commitments regarding maintenance, the repair and supply of spare parts, described in the tender documents;
 - (h) In the case of a tenderer offering to supply goods under the Contract which the tenderer does not manufacture or otherwise produce, the tenderer has been duly authorised by the goods' manufacturer to supply the goods in the Purchaser's country;
 - (j) Manufacturer of Tramways proposed by the tenderer in its tender must have a certificate of quality management system (9001 or its equivalent).
- Joint venture, consortium, or association (JVCA) shall satisfy the following minimum qualification criteria:
 - (a) At least one partner of JVCA shall meet 60% of all the above referred qualification criteria on average annual turnover and financial resources.
 - (b) Each partner of JVCA shall meet at least 20% of all the above referred qualification criteria on average annual turnover and financial resources.
 - (c) JVCA shall meet in whole criteria for experience, as well as the eligibility and financial situation referred to above, the corresponding data that defines the overall capacity of the JVCA, shall be specified for each partner. Each JVCA partner shall meet the requirements for historical financial performance, eligibility and trials.
 - A complete set of Tender Documents may be purchased on the submission of an application at the address below upon payment of a non-refundable fee of € 200 EUR (two hundred euro), including VAT, or equivalent in Ukrainian Hryvnia (UAH) at the National Bank of Ukraine exchange rate the day of transfer.
 - Payment of this non-refundable fee is to be made by bank transfer:
 - 1) For participants from Ukraine, payment is made in Ukrainian Hryvnia (UAH) at the National Bank of Ukraine exchange rate the day of transfer to bank account:

Payee:	Lviv Municipal Enterprise "Lvivelectrotrans"
Payee's identification code:	03328406
Payee's Account no.:	UA82322313000002600700002857
Payee's Bank:	JSC "THE STATE EXPORT-IMPORT BANK OF UKRAINE, Lviv branch
Bank Code (MFO):	322313
 - 2) For participants outside of Ukraine, payment is made in Euro to the following bank account:

Payee:	Lviv Municipal Enterprise "Lvivelectrotrans"
Borrower's Account Name:	Current Account

Borrower's Account Number: UA823223130000026007000028576
Borrower's Bank Name: JSC "THE STATE EXPORT-IMPORT BANK OF
UKRAINE, Lviv branch
SWIFT: EXBSUAUXLVI
Borrower's Bank Address: 4, A. Mitskevich sq., Lviv, 79000, Ukraine
Correspondent account: 949876710
Intermediary: DEUTSCHE BANK AG
SWIFT: DEUTDEFF
Intermediary Address: Frankfurt Am Main

- On request, against a faxed copy of the evidence of the remittance bearing the name of the project, the Tender Documents may be sent by courier service if the transport is previously ordered by the Tenderer in his country. The Purchaser bears no responsibility for the delivery in such a case. A register of potential tenderers who have purchased the tender documents may be inspected at the address below.
- All tenders must be accompanied by a tender security of EUR 200 000.00 (two hundred thousand) or equivalent in Ukrainian Hryvnia at the official rate established by the National Bank of Ukraine as of the date of the tender security issue and must be submitted at the address indicated below no later than the time and date of the deadline for tender submission.
- All Tenders must be delivered in closed envelopes bearing the mention "Supply of 10 new low-floor multi-section articulated tram vehicles 29-33 metres length, including a set of spare parts and consumables, a set of equipment and tools for maintenance, repair and related services" to the office at the address below on or before *24th of March 2020 at 13:00 local Lviv time*. Tenders will be opened in the presence of Tenderers' representatives who choose to attend.
- Prospective tenderers may obtain further information from, and also inspect and acquire the tender documents at the following office:

Contact person: Iryna Ivanyshyn, Head of IFIs projects implementation unit of Lviv Municipal Enterprise "Lvivelectrotrans"
2 Sakharova Str., 79012 Lviv, Ukraine
Tel.: +38 032 238 6851
Fax: +38 032 238 2845
E-mail: ivanyshyn.i@ukr.net with CC to: secretary.let@gmail.com

Date: 10/02/2020