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**Greece-Herakleion of Attica: Gas compressors
2018/S 127-290287**

Contract notice – utilities

Supplies

Legal Basis:

Directive 2014/25/EU

Section I: Contracting entity

I.1) Name and addresses

The Public Gas Corporation of Greece (DEPA) SA
92 Marinou Antypa Street
Herakleion of Attica
GR14121
Greece
Contact person: Mrs. I. Kombotiati, Procurement Head
Telephone: +30 2102701118
E-mail: procurement@depa.gr
Fax: +30 2102751731
NUTS code: EL301

Internet address(es):

Main address: <http://www.depa.gr>
Address of the buyer profile: <http://www.depa.gr>

I.2) Information about joint procurement

I.3) Communication

Access to the procurement documents is restricted. Further information can be obtained at: <http://www.depa.gr>
Additional information can be obtained from the abovementioned address
Tenders or requests to participate must be submitted to the abovementioned address

I.6) Main activity

Production, transport and distribution of gas and heat

Section II: Object

II.1) Scope of the procurement

II.1.1) Title:

Procurement of 23 Compressor and Dispenser Units for CNG Filling Stations
Reference number: DEPA Inquiry No. 854/18

II.1.2) Main CPV code

42123100 - KA06

II.1.3) Type of contract

Supplies

II.1.4) Short description:

The Supply consists of 23 CNG Filling Stations Equipment (compressor / dispenser units) of various capacities (100-250 Nm³/h, 150-400 Nm³/h, 600 Nm³/h, 1000 Nm³/h, 1500 Nm³/h) and daughter stations of capacity 2500 Nm³/h equipped with NGV1/NGV2 nozzles.

II.1.5) **Estimated total value**

Value excluding VAT: 3 830 000.00 EUR

II.1.6) **Information about lots**

This contract is divided into lots: no

II.2) **Description**

II.2.1) **Title:**

II.2.2) **Additional CPV code(s)**

II.2.3) **Place of performance**

NUTS code: EL3

NUTS code: EL5

NUTS code: EL61

NUTS code: EL63

NUTS code: EL64

NUTS code: EL65

Main site or place of performance:

The Supply will be delivered to the Contracting Entity's warehouse at Anthoussa, Attiki and/or at a delivery point in mainland Greece according to instructions to be given prior to shipment.

II.2.4) **Description of the procurement:**

Procurement of 23 CNG Filling Stations Equipment (the Supply) as described here below:

— five (5) Gas compressor units, quick filling CNG stations of capacity 600 Nm³/h, inlet pressure 10 barg with 2 dispensers each,

— one (1) Gas compressor unit, quick filling CNG stations of capacity 1000 Nm³/h, inlet pressure 10 barg with 2 dispensers each (nozzles NGV1 or NGV2). The UNIT will be equipped with Priority Panel,

— one (1) Gas compressor unit, quick filling CNG stations of capacity 1500 Nm³/h, inlet pressure 10 barg with 2 dispensers each (nozzles NGV1 or NGV2). The UNIT will be equipped with Priority Panel,

— four (4) Small size gas compressor units, quick filling CNG stations of capacity 150-400 Nm³/h, inlet pressure 10 barg with dispenser,

— three (3) Small size gas compressor units, quick filling CNG stations of capacity 100-250 Nm³/h, inlet pressure 2 barg with dispenser,

— nine (9) Gas compressor units (daughter station), quick filling CNG stations of capacity 2500 Nm³/h, inlet pressure 250 barg with 2 dispensers each (nozzles NGV1 or NGV2)

— the delivery of the Supply will be completed in partial deliveries within twelve (12) months from date of issue of Letter of Award,

— offered Unit Prices and Contract Price for the Supply are valid for delivery DDP, Insurance paid by the Supplier (in accordance with the INCOTERMS 2000), up to the Delivery Point according to the Contracting Entity's instructions. Offloading will be arranged and paid for by the Contracting Entity,

— the Contract Price as well as the Unit Prices, are firm and not subject to any cost escalation for any reason whatsoever,

— the Liability / Guarantee Period shall expire forty eight (48) months from the date on which the Supply has been actually delivered to the Contracting Entity at the Delivery Point and as per conditions stated in Contract.

II.2.5) **Award criteria**

Criteria below

Price

II.2.6) **Estimated value**

Value excluding VAT: 3 830 000.00 EUR

II.2.7) **Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 12

This contract is subject to renewal: no

II.2.10) **Information about variants**

Variants will be accepted: no

II.2.11) **Information about options**

Options: yes

Description of options:

Contracting Entity's option to reduce or increase the total quantities to be delivered, within a margin of thirty per cent (30%) of the Contract Price, with no obligation for compensation to the Supplier or for readjustment of unit prices for any such reduction or increase.

II.2.12) **Information about electronic catalogues**

II.2.13) **Information about European Union funds**

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

Identification of the project:

Programme TEN-T

II.2.14) **Additional information**

1) This Tender is governed by the Laws of Greece, EU Directive 2014/25/EC, Law 4412/2016 applicable to all relations between the Contracting Entity and Tenderers.

2) The Inquiry Documents can be obtained at the Contact Point stated in Section I.1. here above not later than 23.7.2018.

3) Questions concerning this Tender can be submitted in writing at the Contact Point not later than 27.7.2018.

Section III: Legal, economic, financial and technical information

III.1) **Conditions for participation**

III.1.1) **Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

Bidders have to be experienced and reputable manufacturers of CNG Filling Stations Equipment for commercial purposes or authorized representatives-agents of such manufacturers, or Joint Ventures of the abovementioned.

Each tender shall include the following documents:

— a solemn declaration that the Tenderer (or in case of a J/V each of its members) is not an offshore company according to the provisions of case a. Par.4 of article 4 of the Greek Law 3310/2005, the Presidential Decree 82/1996 as amended by Law 3414/2005,

— a solemn declaration that the Tenderer has studied all the terms of the Inquiry and that he accepts them with no reservations whatsoever,

— subject to rejection of the Tender the Tenderer shall complete all relevant sections of the European Single Procurement Document (ESPD) by electronic means, at <https://ec.europa.eu/growth/tools-databases/espd> with the corresponding EU Inquiry Number as stated in the Inquiry Documents,

— subject to rejection of the Tender, the Tenderer, or in the case of a J/V, each of its members undertakes the obligation to submit to the Contracting Entity within reasonable time and at any stage of the bidding / evaluation period of this Inquiry, all or part of the documents that are stated in their submitted ESPD.

Documents to be submitted only by the successful tenderer:

- 1) company Statutes and Company's decision taking body / person according to the legislation of the country the Tenderer is registered;
- 2) a certified copy of the Minutes of Meeting of the BoD, or other competent decision-taking body or duly authorised person of the Successful Tenderer;
- 3) in the case of a J/V, the J/V Agreement, or other legal document to that effect;
- 4) documents proving the registration in a professional register and that he has the essential qualifications in order to execute the Supply in accordance with the legislation of the country where he is established;
- 5) extracts from Judicial records, or failing this, equivalent documents issued by competent judicial or administrative authorities in the country of origin and/or the country where the Successful Tenderer is registered, proving that:
 - A) he is not bankrupt, under liquidation, bankruptcy, obligatory management, compromise;
 - B) no procedure has been instigated against him for declaration in bankruptcy, obligatory management, compromise or any other similar situation or resulting from any other similar procedure as provided by national legislation;
 - C) he has not been convicted for anything related to its professional integrity and behaviour;
 - D) he has not committed a serious professional misdeed, which can be verified by any means by Purchaser;
- 6) certificates issued by competent Authorities in the country where he is registered, stating that he:
 - A) has fulfilled its obligations, concerning the payments of social security contributions;
 - B) has fulfilled its obligations related to payment of taxes;
- 7) the Contracting Entity ascertains and the National Radio and Television (NRT) Council verifies, pursuant to Art. 5 of the Greek Law 3310/2005 currently in force, the concurrence of incompatibility and/or exclusion criteria on the part of the Successful Tenderer (Supplier), within the meaning and under the prerequisites of Articles 3 and 4 of the foregoing Law.

The check of conformity with article 5 of the Greek Law 3310/2005 is continuous, from Contract signing up to its completion:

- a declaration on oath that the Successful Tenderer is not an offshore company,
- a detailed list of the company's shareholders and the number of shares each shareholder (individual, Limited or personal company) has in his possession as per official entries in the Company's Shares Book.

There is no obligation for companies to render their shares personal, as per Par. 14.23.7.2. here above, if the company shares are registered in the Stock Exchange of either a European Union (EU) country or in a country member of the Organisation for Economic Cooperation and Development (OECD).

III.1.2) **Economic and financial standing**

List and brief description of selection criteria:

- published or certified copies of Tenderer's, or in case of a J/V of each of its members, Statements of Accounts for the last three (3) years,
- references from Banking Institutions concerning the financial status and credit of the Tenderer, or in case of a J/V of each of its members.

III.1.3) **Technical and professional ability**

List and brief description of selection criteria:

- documents indicating the profile, structure and organization of the tenderer (in case of J/V, of all its members),
- list of purchase orders for the same or similar material to the Supply, executed successfully within E.U. countries, during the last five (5) years,
- list of all purchase orders currently under execution with material description and quantity of items to be delivered with expected delivery dates,
- the Tenderer shall submit a commitment in writing with a Maintenance Service Provider in Greece. Such a Provider shall be assigned the responsibility for the after sale maintenance and repair of the Supply as this is specified in the Contract Documents. The Service Provider's response time following Contracting Entity's call, not exceeding twelve (12) hours, shall be clearly stated,
- submission of a copy of the Quality Management certificate ISO 9001:2015 or equivalent with scope covering all the activities and/or products offered in this Inquiry. The certificate should be valid and issued by an accredited Certification Organisation.

Minimum level(s) of standards possibly required:

- subject to rejection of the Tender, the Tenderer or in the case of a J/V, the leader of the J/V must have executed at least 50 Units of > 100 Nm³ capacity within the last three (3) years within the European Union (EU) or the European Economic Area (EEA),
- subject to rejection of the Tender, the Tenderer or in the case of a J/V, the leader of the J/V must provide in his tender the full range of the CNG compressor / dispenser units as these are listed in the Inquiry Documents.

III.1.4) **Objective rules and criteria for participation**

List and brief description of rules and criteria:

Without prejudice to any other relevant provision of the Inquiry documents, tenders shall be rejected if:

- it appears that the Tenderer does not have the know-how or the experience and generally the technical and/or the financial capacity for executing the Supply,
- the Tenderer has committed any serious professional misdeed which can be verified by any means by the Contracting Entity,
- the Tenderer has provided, at any stage of the Tender, any information required, in order to comply with the terms and conditions of the Tender, which is false,
- the Tender is not precise enough to the point that it is impossible to establish with certainty what is offered against which price, or if it is not responsive or if it is in any other way unsatisfactory to the Contracting entity, including unfair competition,
- non-fulfilment of the subject to Rejection criteria of the Tender.

III.1.5) **Information about reserved contracts**

III.1.6) **Deposits and guarantees required:**

- subject to rejection of the Tender, each tenderer must deposit, at the time of tender submittal, a Participation Guarantee Letter equal to Seventy Six thousand (76 000,00) EUR, valid for at least 1 month more than the validity period of the tender, stated in Section IV.2.6 herein,
- prior to Contract signing, a Performance Guarantee Letter of five per cent (5%) of the Contract Price shall be required from the tenderer to whom a Contract will be awarded.

Both Letters of Guarantee must be issued by a Bank or a Financial Institution, legally operating in Greece or in any other member-state of the European Union (EU) or the European Economic Area (EEA).

III.1.7) **Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them:**

The Procurement is co-financed by both DEPA and Programme TEN-T at a percentage of 50% each.

The Contract Price will be paid as follows:

- payment of eighty per cent (80%) of each delivery value against related invoice, forty five (45) days after the receipt of the contractual items and the submission of relevant documentation according to the Contract,
- final payment of the twenty per cent (20%) of the Contract Price shall be paid after delivery of the last item of the Supply in the following manner: in four (4) instalments of five per cent (5 %) at the end of each year of the forty eight (48) months Liability / Guarantee Period from the date on which the Supply has been actually delivered to the Purchaser.

III.1.8) Legal form to be taken by the group of economic operators to whom the contract is to be awarded:

A preliminary Joint Venture / Consortium (J/V) Agreement Upon signing of the Contract, submission of a final Joint Venture / Consortium (J/V) Agreement signed by all members of the J/V, or other legal document to that effect.

III.2) Conditions related to the contract

III.2.2) Contract performance conditions:

The Contract to be signed is governed by the current DEPA Procurement Regulation (BoD Decision n° 1261/2/25.10.2016) posted on DEPA's site (URL): [http:// www.depa.gr](http://www.depa.gr).

For matters not explicitly provided in the Contract, relevant provisions of the Greek Civil Law shall apply.

In case of delay in the delivery which is not attributable to "Force Majeure" or attributable to the Contracting Entity, the Supplier will pay to the Contracting Entity, as penalty one per cent (1%) of the value of the delayed contractual items per complete week of delay starting from the day after contractual delivery date(s), up to a maximum of five per cent (5 %) of the Contract Price.

III.2.3) Information about staff responsible for the performance of the contract

Section IV: Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

IV.1.3) Information about a framework agreement or a dynamic purchasing system

IV.1.4) Information about reduction of the number of solutions or tenders during negotiation or dialogue

IV.1.6) Information about electronic auction

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

IV.2.2) Time limit for receipt of tenders or requests to participate

Date: 07/08/2018

Local time: 12:00

IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.2.4) Languages in which tenders or requests to participate may be submitted:

English, Greek

IV.2.6) Minimum time frame during which the tenderer must maintain the tender

Duration in months: 4 (from the date stated for receipt of tender)

IV.2.7) Conditions for opening of tenders

Date: 07/08/2018
Local time: 12:30
Place:
At the Contact Point stated in Section I.1 herein.
Information about authorised persons and opening procedure:
Duly authorized Tenderer representatives may be present.

Section VI: Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: no

VI.2) Information about electronic workflows

VI.3) Additional information:

VI.4) Procedures for review

VI.4.1) Review body

The Public Gas Corporation of Greece (DEPA) SA
92, Marinou Antypa Street
Herakleion of Attica
GR14121
Greece
Telephone: +30 2102701118
E-mail: procurement@depa.gr
Fax: +30 2102751731
Internet address: <http://www.depa.gr>

VI.4.2) Body responsible for mediation procedures

The Law Courts of Athens
Athens
Greece

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures:
This tender is governed by the Laws of Greece and the European Union Legislation (Directive 2014/25/EC, Law 4412/2016 and DEPA's Regulation on the procurement of goods and services uploaded on www.depa.gr) which will be applicable in general to all relations between the Contracting Entity and the Tenderers, regardless of their nationality.
Any dispute shall be subject to the jurisdiction of the Law Courts of Athens.

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

The Public Gas Corporation of Greece (DEPA) SA
92, Marinou Antypa Street
Herakleion of Attica
GR14121
Greece
Telephone: +30 2102701118
E-mail: procurement@depa.gr
Fax: +30 2102751731
Internet address: <http://www.depa.gr>

VI.5) Date of dispatch of this notice:

03/07/2018