

Contracting Entity: *Odvoz a likvidácia odpadu, a.s.*

Title of the contract: **ENGINEERING AND CONSTRUCTION & TECHNOLOGICAL SUPERVISION OF MODERNISATION AND GREENING OF WtEP**

Annex 3 to the Competitive Documents

Criteria for bid evaluation

- 1.1.** The bids of the tenderers will be evaluated on the basis of **“best value for money” principle, with price being one of the evaluated criteria and quality being the other evaluated criterion:**
- Criterion **K1** shall be the total price of the tenderer for the provision of the service in the scope of the implementation of Stage 1 to Stage 7 expressed in EUR, excluding VAT, rounded to two decimal places.
 - Criterion **K2** is the recognised quality of the persons designated to perform the contract.
- 1.2.** The tenderer shall fill in his proposal for the fulfilment of the criteria on the form provided - Annex 2 (Price offer) to this Tender Dossier.
- 1.3.** The tenderer with the highest total number of points for the specified criteria (**Total number of points = K1+K2**) will be the successful tenderer. The maximum number of points is 300 points. If two or more tenderers acquired the same total number of points, the successful tenderer will be the tenderer who acquired more points for the Quality criterion (K2).
- 1.4.** **Criterion K1 - total price of the tenderer for providing the service in the scope of implementation of Stage 1 to Stage 7**

The tenderer shall indicate in Annex 2 to these tender documents the total price for the provision of the service in the scope of Stage 1 and Stage 2 (task remuneration for the completion of the respective stages) and the unit prices for the deployment of individual experts in Stages 3 to 7 expressed in EUR excluding VAT. The tenderer may not change the specified deployment of individual experts in stages 3 to 7. The total price of the tenderer (denoted as “P” in the formula below), which is subject to criterion K1, is expressed as the sum of the task remuneration for the implementation of E1 and E2 and the sum of the total prices for the implementation of E3 to E7 (the total price for the implementation of E3 to E7 is calculated as the product of the offered unit prices (man-hour) for the deployment of experts x the specified deployment of experts in each phase). The prices proposed must include all costs incurred by the tenderer in connection with the performance of the contract.

Evaluation of K1 criterion: Candidates will be awarded points for criterion K1 according to the following formula (parabolic formula):

$$K1 = mpb [1 - (P/max)^4]$$

where

“K1” is the number of points awarded for this criterion

“mpb” is the maximum number of points for the criterion evaluated (100 points),

“max” is the maximum allowable price

“P” represents element of evaluation - the total price of the tenderer for the provision of the service in the scope of implementation of E1 to E7 (i.e. P= price for E1+ price for E2+ price for E3+ price for E4+ price for E5+ price for E6+ price for E7)

- 1.5. K2 criterion**

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The K2 criterion consists of 2 sub-criteria: $K2 = Ks + Kv$

where:

Ks represents the "Recognised quality of previous experience of the persons designated to perform the contract" (maximum possible number of points - 190)

Kv represents the "Qualities and skills of the Project's Principal Engineer" (maximum possible number of points - 10)

Rules for the application of the Ks sub-criterion: Recognised quality of previous experience of the persons designated to perform the contract

The subject of this qualitative assessment shall be the experience of the following persons/key experts designated to perform the contract (the tenderer shall identify only 1 person for the position in the bid):

- 1. Project's Principal Engineer - 5 proofs of experience evaluated**
- 2. Project's Deputy Principal Engineer - 5 proofs of experience evaluated**
- 3. Expert in boiler technology - 3 proofs of experience evaluated**
- 4. Expert in flue gas cleaning technology processes- 3 proofs of experience evaluated**
- 5. Expert in mechanical engineering and technological processes- 3 proofs of experience evaluated**

(collectively referred to as "Qualitatively Evaluated Key Experts")

For each Qualitatively Evaluated Key Expert in the Basic Bid, the Bidder shall **submit**:

- 1. Project's Principal Engineer - reference letters for up to five (5) proofs of experiences for evaluation**
- 2. Project's Deputy Principal Engineer - reference letters for up to five (5) proofs of experiences for evaluation**
- 3. Expert in boiler technology - reference letters for up to three (3) proofs of experiences for evaluation**
- 4. Expert in flue gas cleaning processes - reference letters for a maximum of three (3) proofs of experiences for evaluation**
- 5. Expert on machinery and process technology - reference letters for up to three (3) proofs of experiences for evaluation**

in which he will describe in detail the experience/project of the key expert in question in which he/she was personally involved. **For the evaluation of the experience, it is required that the key expert has satisfactorily completed the assignment for which he/she was responsible (satisfactory completion of the assignment will be confirmed by the customer by whom the assignment was taken over).** It is also necessary that the evaluated experience of the Boiler Technology Expert, the Flue Gas Cleaning Process Expert, and the Machinery and Process Expert be in the area of specialization of the expert (i.e., the Boiler Technology Expert must submit the experience in which he/she held the position that was responsible for the boiler technology, etc.). For the evaluated

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experience, it is not relevant who the contractor was (it is not the reference project of the tenderer), but that the key expert has demonstrably participated in it. The project or work on which the evaluated experience has been gained **must be** in operation or in the post-functional test/completion phase. Experience on a project/work that is currently permanently on hold (already decommissioned / switched off energy facilities due to cessation of operation (e.g. Vojany power plant, nuclear power plants in Germany, coal-fired power plants in the Czech Republic or Poland, etc.)) shall be accepted too.

The Contracting Entity emphasises that the qualitatively assessed key experts, as the persons designated for the performance of the contract, whom the tenderer indicates in its bid and whose previous experience is the subject of the qualitative evaluation of the bid, **will also be indicated in the contract and these persons will subsequently have to participate in the performance of the contract** as key experts in the field in which they have demonstrated their competence. They may be replaced during the performance of the contract only with due justification and only by a person who has acquired at least the same number of points in the evaluation of his experience as the key expert he is to replace. In case of replacement of a qualitatively evaluated key expert by a person / expert of lesser quality (lower number of points acquired in the experience evaluation than the tendered expert), a contractual mechanism maintaining economic and qualitative balance during the performance of the contract will be applied.

The evaluated experience of the qualitatively evaluated key experts described in the Letters of Reference **must meet all of the following requirements** (these are minimum qualitative requirements - if they are not met, the expert will not be admitted to qualitative evaluation and the tenderer will be awarded 0 points for his experience):

- a) In the case of the experience of the Project's Principal Engineer and the Project's Deputy Principal Engineer, both must demonstrate the following (individually, not collectively):
 - i. In at least 2 of the projects/works on which the evaluated experience has been gained, the amount of the investment cost has been demonstrably higher than EUR 5.000.000 excluding VAT (for other currency see the EUR conversion rules below);
- b) In the case of the expert in boiler technology, expert in flue gas cleaning processes and the expert in machinery and technological processes, each expert must demonstrate:
 - i. In at least 1 of the projects/works on which the evaluated experience has been gained, the amount of the investment cost has been demonstrably higher than EUR 5.000.000 excluding VAT (for other currency see the EUR conversion rules below);

The evaluated experience of the qualitatively assessed key experts may be awarded with:

- for the experience of the Project's Principal Engineer - a maximum of 50 points in total for all 5 evaluated proofs of experiences,
- for the experience of the Project's Deputy Principal Engineer - a maximum of 50 points in total for all 5 evaluated proofs of experiences ,
- for the experience of the expert in boiler technology - a maximum of 30 points in total for all 3 evaluated proofs of experiences

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- for the experience of the expert in flue gas cleaning processes - a maximum of 30 points in total for all 3 evaluated proofs of experiences
- for the experience of the expert in the mechanical part and technological processes - a maximum of 30 points in total for all 3 evaluated proofs of experiences,

i.e. **190 points** for all five (5) experts **in total**. The committee will award as many points to the experience under consideration as the number of evaluated / observed elements recognised by the committee (i.e. if the experience submitted demonstrably/verifiably included the aspect under consideration, the tenderer will receive the specified number of points for that aspect (i.e. binary allocation of points)).

A table for the allocation of points for the evaluated experience (Bid Evaluation Checklist) forms a separate annex to the Tender Dossier.

The tenderer shall provide in the bid a detailed description of the experience (**designated Letter of Reference of the Key Expert for the purpose of assessing the qualitative criterion (hereinafter referred to as the “Letter of Reference”)**) that is the subject of the evaluation. After the submission of his bid, the tenderer is neither allowed to change the expert who is the qualitatively evaluated key expert, nor add or replace the Letters of Reference submitted in the bid describing the experience evaluated.

If, for any reason during the course of the public procurement, it is found that the designated expert who is the qualitatively evaluated key expert will not be involved in the performance of the contract, the tenderer shall be awarded 0 points for the experience of that expert.

The tenderer shall indicate in the Letter of Reference the contact person(s) who can confirm the veracity of the information provided. If the evaluated/observed aspect cannot be verified reliably or is not clear/obvious from the description of the project/experience given in the Letter of Reference, the tenderer will be awarded 0 points for the evaluated aspect.

In order to evaluate the bids according to the specified criteria, the tenderer shall fill in (and submit in the Final Bid) the designated Letters of Reference (for each experience separately). The Tenderer shall not fill in the Bid Evaluation Checklist (this will be filled in by the committee following the assessment of the Letters of Reference).

Rules for conversion of other currency into EUR:

In the case of projects the investment value of which is expressed in a currency other than Euro, the exchange rate of the National Bank of Slovakia (NBS), current on the date of publication of the tender notice in the Official Journal of the EU, shall be used to convert this currency into Euro. In the Letter of Reference, the tenderer shall indicate the investment value of the project in the original currency as well as converted at the appropriate exchange rate in Euro.

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Rules for the application of the Kv sub-criteria: Qualities and skills of the Project's Principal Engineer

Under the **sub-criterion “Qualities and skills of the Project's Principal Engineer”**, the Project's Principal Engineer will be evaluated, based on a direct interview between the Contracting Entity and the Project's Principal Engineer, as to whether the Project's Principal Engineer possesses the essential qualifications and individual characteristics and abilities listed in the checklist for this sub-criterion.

The interview shall be attended solely by the Project's Principal Engineer (“PPI”), no other person will be present at the interview. The interview will be conducted in person, at the Contracting Entity's office at a time to be specified by the Contracting Entity. The Contracting Entity reserves the right to conduct the interview with the PPI remotely by video conferencing, if necessary, using commonly available software facilities (MS Teams, Zoom, Google view, etc.). Candidates will be informed well in advance of the date and format of the interview via the Josephine system.

The person nominated by the tenderer for the position of PPI may be excused from attending the interview in good time (at least 24 hours before the interview). In that case, the Contracting Entity will propose another date within the next 10 working days. If the PPI does not attend the interview on the alternative date, the tenderer's bid will not be evaluated in that sub-criterion and the tenderer will receive 0 points for that sub-criterion.

The questions will be the same for all PPI candidates and will consist of the following topics:

- a) A basic overview of the subject of the contract;
- b) the PPI's motivation in relation to the subject of the contract, his/her workload and responsibilities in relation to other contracts, if any, during the period of performance of the contract;
- c) the PPI's objective in performing the contract;
- d) the control and evaluation of the timeliness and quality of the PPI's performance of the contract;
- e) the PPI's perception of personal responsibility for the contractor's performance of the contract and his/her ability to influence the performance;
- f) the contract risks and contract specificities that need to be addressed according to the PPI;
- g) the supply chain that can be anticipated in the performance of the contract..

The specific wording of the questions will be presented to the PPI during the interview. The interview will not deal with the technical details of the subject of the contract or the supplier's bid. The Contracting Entity assumes a time allocation per interview of max. 30 minutes.

An audiovisual record will be made of the interview with each PPI (the interview will be recorded).

A maximum of 10 points may be awarded for this sub-criterion. The method of point allocation is described in the checklist for the sub-criterion “Checklist for the qualities and skills of the Project's Principal Engineer - subcriterion “Kv””.

Facts that may arise during the public procurement procedure, which are not regulated in this Tender Dossier, shall be governed by the relevant provisions of Act No 343/2015 Coll. on Public Procurement and on Amendments and Supplements to Certain Acts.