

## **NOTICE OF THE INITIATION OF THE PRELIMINARY MARKET CONSULTATION AND PRELIMINARY INVOLVEMENT OF INTERESTED PARTIES ON THE PLANNED TENDER:**

### **"Modernisation and ecologization of the OLO ERF - lines K3 and K2"**

pursuant to Section 25(3) of Act No. 343/2015 Coll. on Public Procurement and on Amendments and Additions to Certain Acts, as amended (hereinafter referred to as the "**Act on Public Procurement**")

(Unofficial translation)

## 1 Identification of the contracting authority

Name of the organisation: Odvoz a likvidácia odpadu a. s.

Address of the organisation: Ivanská cesta 22, 821 04 Bratislava

State: Slovak Republic

Represented by: Ing. Marek Horváth

ID: 00 681 300

Internet address of the contracting authority's profile: <https://www.olo.sk/>

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## 2 Proposal for the description of the subject of the contract:

The subject of the planned public procurement is the selection of the general contractor for the construction "Modernisation and ecologization of the OLO ERF - lines K3 and K2". The objective of this investment is the construction of a new boiler ('K3') and the modernisation of the existing boilers ('K1+K2') and related infrastructure at the Energy Recovery Facility ('ERF') in Bratislava.

Modernization and ecologization ("**MaE**") includes the installation of a new K3 boiler, two separate flue gas cleaning systems (one common for boilers K1 and K2 and the other for the new K3 boiler), the installation of a new common condensing turbo-generator for boilers K2 (K1) and K3, the installation of other auxiliary equipment, as well as the construction of new and modification of existing construction and engineering facilities. The MaE will be carried out on the site of the existing ERF.

A draft description of the subject-matter of the contract, which is the subject of the preliminary market consultation and the preliminary involvement of interested parties, is set out in Annex 4 to this notice.

## 3 Identification of the subject of the procurement by CPV codes

Main subject:

45252300-1 : Refuse-incineration plant construction work

45252000-8 : Construction works for sewage treatment plants, purification plants and refuse incineration plant

51135110-1 : Installation services of waste incinerators

#### **4 Purpose of the preliminary market consultation**

Odvoz a likvidácia odpadu a. s. (hereinafter referred to as the "**Contracting Authority**") as the contracting authority pursuant to Section 7(1)(d) of the Public Procurement Act is conducting a preliminary market consultation pursuant to Section 25 of the Public Procurement Act for the above-mentioned planned subject of the contract.

The purpose of the Preliminary Market Consultation and Preliminary Involvement of Interested Parties Involvement (hereinafter referred to as "**PMC**") is to:

- preparing and informing potential tenderers about the planned procurement procedure for the above-mentioned contract,
- verification of the realism, objectivity and adequacy of the requirements for the performance of the subject-matter of the contract,
- obtaining and incorporating feedback from economic operators involved in the subject of the contract in order to refine the description of the subject of the contract, to modify the conditions of participation or the criteria for evaluating tenders,
- to support the refinement of the draft description of the subject of the contract, including the identification of appropriate deadlines for the performance of the contract, in order to define a clear, complete and impartial description of the subject of the contract,
- The PMC will also include the determination of the estimated contract value (hereinafter referred to as the '**ECV**').

The contracting authority shall publish a notice of the PMC in the Official Journal of the European Union and in the Official Journal of the Public Procurement Office (in the form of an advance notice). Participation in the PMC is voluntary and the interested party approached is free to decide whether or not to take up the opportunity to participate in the PMC. An interested party participating in the PMC must be aware of the legal regulation of the PMC, and in particular of the consequences resulting from the participation of an economic operator in the PMC, having regard to Articles 25 and 40(7) of the Public Procurement Act; economic operators participating in the PMC may participate in the forthcoming procurement and submit a tender.

#### **5 The course of the preliminary market consultations**

5.1 PMC will probably be split into 2 rounds. The contracting authority also reserves the right to terminate the PMC at any time during its duration, i.e. after or during the first round.

##### **5.2 General instruction common to all rounds**

5.2.1 The contracting authority reserves the right to invite the participant to an individual consultation if necessary to clarify the answers to the questions of the participant (see *definition of 'participant' in point 5.3.4*). In the context of a individual consultation, the

contracting authority may request the tenderer to clarify its answers or to provide further justification.

- 5.2.2 In the case of individual consultations with participants in a PMC, an audio recording (which will not be made public) and written minutes will be made of each such meeting, summarising the contracting authority's questions and the answers provided by the participant in the PMC, in order to ensure that appropriate measures are taken to ensure that competition is not distorted by participation in the PMC. Within the minutes, the identity of the participant in the PMC will be anonymised.
- 5.2.3 The contracting authority shall take appropriate measures to ensure the protection of confidential information that may be disclosed in the framework of the PMC. The economic operator shall identify the information which it considers to be confidential and which it requires appropriate treatment.
- 5.2.4 The contracting authority reserves the right to modify the information concerning the conduct and content of the PMC at any time during the duration of the PMC. The contracting authority will inform the tenderer sufficiently in advance of any changes.
- 5.2.5 Communication during the PMC will be in Slovak and English; the Contracting Authority will accept Czech as a communication language.

### **5.3 First round of PMC**

- 5.3.1 The Interested Party shall confirm its interest in participating in the PMC no later than 31.01.2025 by sending (i) a completed form (Annex 1 to this notice) and (ii) demonstrating experience in the subject matter of the PMC by submitting a reference as specified in clause 5.3.3 of this notice (Annex 2 to this notice). The above documents must be submitted electronically via the JOSEPHINE web application.
- 5.3.2 At the same time, the interested party should submit answers to the questions in Annex 3 of this notice by the same deadline. If the interested party wishes to make further comments or raise questions in relation to the subject-matter of the intended contract, these should be sent electronically via the JOSEPHINE web application within the deadline for submitting an expression of interest for participation in the PMC.

#### **5.3.3 Demonstration of experience in the subject matter of the PMC**

- (i) The interested party shall demonstrate experience in the subject matter of the PMC by submitting a reference which must show that the interested party has carried out (directly or as a subcontractor or member of a consortium) at least one(1) reference awarded in a Member State of the European Economic Area, the United Kingdom or Switzerland, in the last 15 years, the value of the contract carried out (contracted) being more than EUR 10,000,000, the subject matter of which was :
  - (a) the design, supply, assembly/installation/construction and commissioning of a new ERF/new ERF line, or
  - (b) the design, supply, assembly/installation/construction and commissioning of a key technological part of the ERF (combustion plant, steam boiler and/or flue gas cleaning technology), or

- (c) Design, supply, assembly/installation/construction and commissioning of a ERF energy recovery facility (turbogenerator, condenser and heat exchanger) facility with a capacity of at least 80 000 tonnes of waste per year, or
- (d) Major refurbishment and upgrading of the ERF including design, supply, installation/installation/construction and commissioning of a facility with a capacity of at least 80,000 tonnes of waste per year.

Extensive reconstruction means the reconstruction and modernisation of the technology of the combustion plant, steam boiler and/or flue gas cleaning, in which the technology has been replaced to an overall extent of at least 50%.

- (ii) The following information must be included in the reference: (i) the title of the contract, (ii) the total value of the contract and the value of the part of the contract that the interested party has performed (*in case the interested party has not performed the whole contract - for example, performing only the key technological part of the ERF or only the ERF energy recovery equipment (as defined above)*), (iii) the period of the provision of the service, (iv) identification of the client, (v) a description of the subject matter of the contract and a detailed description of the subject matter of the part of the contract performed by the interested party (*in case the interested party did not perform the whole contract*), and (vi) contact details of a specific person of the client who can confirm the proper provision of the services (see Annex No. 2).
- (iii) The interested party may also demonstrate experience with the subject matter of the PMC through a subcontractor. In this case, he must submit to the Contracting Authority, in addition to the reference of the subcontractor, a contract for the provision of technical competence with the subcontractor in question.
- (iv) The Contracting Authority states that it is entitled to contact the contact person indicated by the tenderer for the relevant major contract in order to verify the facts stated in the reference.

#### **5.3.4 PMC participants**

- (i) After the expiry of the period within which it is possible to apply for the PMC, the Contracting Authority shall draw up a list of participants in the PMC on the basis of an evaluation of the demonstration of experience in the subject matter of the PMC (hereinafter referred to as '**PMC participant**').
- (ii) The individual participants in the PMC will be invited to participate in the negotiations, which will take place at the premises of the Contracting Authority. The negotiations will include a site visit. The time and exact location of the negotiations will be communicated once the list of participants in the PMC has been drawn up. The Contracting Authority reserves the right to invite to this part of the PMC only those participants in the PMC who have provided relevant answers to the questions set out in Annex 3.

- (iii) Information other than that set out in this notice and its annexes may be provided to the Participants in the negotiations insofar as it is relevant to the subject matter of the PMC. Participants in the PMC may request such information at any time during the duration of the PMC. If the Contracting Authority decides to provide it, it shall make the information provided available to each Participant in the PMC. Should sensitive information be provided to the Participants in the PMC, its disclosure may be made subject to the signature of a confidentiality agreement.
- (iv) The purpose of the first round of the PMC is to consult, at a minimum, the extent of the PMC participant's responses to the questions set out in Annex 3 of this notice and his or her experience with the subject matter of the PMC. During the PMC, the Contracting Authority expects the participants in the PMC to participate actively and to make suggestions, comments and recommendations in relation to the planned procurement.

### **5.3.5 Inspection of the place of performance**

- (i) During the first round of the PMC, the Contracting Authority shall conduct a site visit during which the participants in the PMC shall familiarise themselves with the basic parameters of the site.
- (ii) The site visit will take place at the premises of the Contracting Authority at Vlčie hrdlo 72, 821 07 Bratislava, Slovak Republic.

### **5.4 Next PTK rounds**

- (i) Depending on the results of the first PMC round, the Contracting Authority plans to conduct a second PMC round to discuss in more detail the main issues and comments from the first PMC round in order to properly establish the basis for the procurement as well as the PMC.
- (ii) Further subsequent rounds of the PMC may be conducted by the Contracting Authority based on the results of the second round of the PMC.

## **6 Submission of answers to questions and documents during the PMC**

- 6.1 Further information on the subject matter of the PMC can be found in a separate Annex 4 to this notice, which describes the requirements for all parts of the subject matter of the contract.
- 6.2 During the time limits set for the submission of responses in each individual round of these PMCs, all candidates/participants in the PMCs may request the Contracting Authority to supplement the information or clarify any part of the documents published by the Contracting Authority.
- 6.3 The contracting authority shall publish the question (without identifying the candidate/participant of the PMC who asked it) as well as the answer it provides to it in the interface of these PMCs in the JOSEPHINE system at <https://josephine.proebiz.com/sk/tender/62878/summary>.
- 6.4 The contracting authority reserves the right not to answer any question submitted after the deadline for the submission of questions set in the relevant PTQ round.

## **7 Instructions on how to participate in the PMC through the JOSEPHINE system**

- 7.1 If you are interested in participating in the PMC, you will register on the JOSEPHINE web application (hereinafter referred to as the "**JOSEPHINE** system") at the domain: <https://josephine.proebiz.com/en/register>. In order to use the JOSEPHINE system smoothly, you must use one of the following supported web browsers: Microsoft Internet Explorer version 11.0 and higher, Mozilla Firefox version 13.0 and higher or Google Chrome Microsoft Edge.
- 7.2 Any interested party in participating in the PMC registers in the JOSEPHINE system using an email address and password or using an ID card with an electronic chip and a personal security code (eID).
- 7.3 The interested party in participating in the PMC shall download the documents to be completed and submit them via the JOSEPHINE system no later than the deadline specified in point 5.3.1.
- 7.4 The contracting authority recommends that those interested in participating in the PMC read the Manual for working with the JOSEPHINE system, which is available in Slovak language at the following link: [https://store.proebiz.com/docs/josephine/sk/Skrateny\\_navod\\_ucastnik.pdf](https://store.proebiz.com/docs/josephine/sk/Skrateny_navod_ucastnik.pdf) and in English language available at the following link: [https://store.proebiz.com/docs/josephine/en/Participants\\_manual.pdf](https://store.proebiz.com/docs/josephine/en/Participants_manual.pdf).

## **8 Costs associated with PMC**

- 8.1 All costs and expenses associated with participation in the PMC shall be borne by the candidate/participant in the PMC without any financial claim against the Contracting Authority.

## **9 Additional information**

- 9.1 This document contains information that is preliminary/indicative and may be subject to change. For this reason, the information contained in this document cannot be considered as (i) a description of the subject of the procurement or (ii) tender documents for the purpose of submitting a tender.
- 9.2 The annexes to this document represent initial drafts of these documents and, depending on the outcome of the PMC, may be subject to change pending the announcement of the forthcoming procurement.

### **Attachments**

- Annex 1 Form for preliminary market consultations
- Annex 2 List of significant services
- Annex 3 Scope of questions for the preliminary market consultation
- Annex 4 The description of the subject of the contract of the planned contract
- Annex 5 Schedule for the implementation of the MaE ERF OLO

## NOTICE OF THE INITIATION OF A PMC ON THE PLANNED CONTRACT

- Annex 6 Requirements for guaranteed parameters
- Annex 7 Selected key commercial terms
- Annex 8 Conceptual design of the architectural and technical solution of the work