

To

GASTECH BG AD

To the attention of **Valentin Stanchev**

Executive officer

ICGB AD

Ref.No. P-04/10.04.2017

REQUEST

For performing services on second approvals of the Technical design for project Gas Interconnector Greece-Bulgaria (IGB) for the purposes of approving the design pursuant to art. 144 SDA (Spatial Development Act) and for issuing Construction permit and preparation of additional documents to the technical documentation.

DEAR MR. STANCHEV,

In view of the fact that Gastek BG AD is an entity that has prepared the Technical design for project Gas Interconnector Greece-Bulgaria and pursuant to art. 191, par.1, item 2 PPA and art. 162, par. 4 of the Spatial Development Act, we are addressing a request to you for performing services related to coordination and approval of the Technical design and submission of additional documents to it, described in detail in this request.

1. Contracting entity

Contracting entity of this public procurement are the representatives of ICGB AD - a company, pursuant to art.5, par. 4, item 1 PPA.

ICGB AD, having its seat and contact address: 13 Veslets Street, 2nd floor, 1000 Sofia, Bulgaria, telephone: +359 2 92 63 803, fax: +359 2 92 50 392, e-mail: dimitar.spassov@icgb.eu,

Main address of the assigning authority/contracting entity: <http://www.icgb.eu/>,

Buyer's profile address: <http://www.icgb.bg/profil-na-kupuvacha/proceduri-za-vuzlagane-na-op>

Contact Person: Dimitar Spassov.

2. Subject of the public procurement:

Services on obtaining second approvals of the Technical design for project Gas Interconnector Greece-Bulgaria (IGB) for the purposes of approving the design pursuant to art. 144 SDA and for issuing Construction permit and preparation of additional documents to the technical documentation.

3. Estimated value

The estimated value of the public procurement is up to BGN 70 000 VAT excluded.

4. Legal grounds

This procurement is awarded pursuant to art. 191, par. 1, item 2 PPA - through a request to particular persons.

Grounds: The person to which a request is addressed to submit an offer is the author of the Technical design under Contract C-74 2013. The services that need to be additionally performed are directly related to the contents of the Technical design, they comprise coordination, approval activities, possible corrections and drafting additional appendices/documents. The nature of services is such that only the engineer that has prepared the Technical design can perform them.

5. General information

The Technical design for project Gas Interconnector Greece-Bulgaria was approved by the Ministry of Regional Development and Public Works of which the Engineer was notified on 21.01.2016. The Technical design was approved pursuant to art. 143 SDA.

In order for them to be valid grounds for a Construction permit to be issued, it is necessary for the approval opinions and preliminary connection agreements to be updated as of the time of filing the request for Construction permit, as required pursuant to art. 144 of the Spatial Development Act.

As per the indicative project implementation term, issuing a Construction permit is planned for Q3 2017.

As of the time of sending this request the Contracting entity has completed the administrative part of the expropriation procedure and for 23 properties there is Decision №1089 dated 28.12.2016 pursuant to which parts of properties - private property required for construction of the technological sites are expropriated. A process is ongoing for notification of the owners affected and expiry of the terms for appeal of the expropriation decision.

For the linear part of the gas pipeline the process of establishing easement has almost been completed / except for one property for which there is an ownership dispute/, compensations have been paid to the municipalities where the properties affected are located.

The Contracting entity has also submitted a file on issuing a decision for changing the purpose of agricultural lands for non-agricultural needs pursuant to the Agricultural Lands Preservation Act. The decision is expected by the end of March 2017.

6. Scope of services

This procurement comprises performance of the following services:

6.1. Coordination of the technical design and preparation for approval as grounds for issuing a Construction permit which comprises at least the following:

- 6.1.1. Updating all coordination, approvals and preliminary connection agreements whose terms are not up-to-date and are grounds for approval of the Technical design pursuant to the procedure in art. 143 SDA. Delivering to the Contracting entity in an electronic copy a full package of coordination, approvals and preliminary agreements (available and newly-obtained ones) where each document is on a separate file with a name of its own and preparing contents where the documents refer to the names of the respective files;
- 6.1.2. Preparation and compilation of the Technical design for approval pursuant to art. 144 and filing a request for issuing a Construction permit, including approval of stages, if required. Compiling the documents for real rights established and compensation paid for establishment of easement is an obligation of the Contracting entity. After obtaining a Construction permit, it is to submit to the Contracting entity as per the sample in item 6.1.1 a scanned copy of the design documentation with seals placed by MRDPW evidencing effectiveness of the construction permit.

6.2. Analysis and new revision of Design Basis Memorandum

- 6.2.1. Analysis and review of the latest revision of Design Basis Memorandum (DBM, 10760-PHL-EN-00-001, Rev2), taking into account the differences with the Technical design and updated hydraulic calculations for IGB project which are currently ongoing.
- 6.2.2. Drafting a preliminary report which identifies the differences with the Technical design and which proposes changes to DBM. The proposals for changes should aim alignment of DBM's contents with the two packages of technical documentation for the IGB project - FEED for Greek territory and the Technical design for Bulgarian territory.
- 6.2.3. Following approval of the preliminary report by ICGB, drafting an initial version of the new revision of DBM, which will include also the updated references to the SCADA and Telecommunication System as per para. 6.3 of this document.
- 6.2.4. Submitting the initial version of the new revision of DBM for approval to ICGB and integrating comments by ICGB, if any, and final approval of the new revision of DBM by ICGB.

6.3. Analysis of the technical documentation concerning control and management system of IGB pipe line (SCADA)

- 6.3.1. Analysis of the information on the management and control system (SCADA) of IGB project for the two sections – on Greek and on Bulgarian territory. The information from the Technical design and from FEED related to construction of the optical fiber cable and automation of the management and control processes needs to be analyzed. Aim of analysis is the check for consistency and identification of discrepancies that can thread the unified approach of SCADA system for the whole project and can lead to budget increase in the upcoming EPC tender. Moreover, the communication systems and the optical fiber cables, as described in the Engineering documents for the Greek and Bulgarian sections shall be checked for compatibility. Among others, the compatibility of the communication systems of the Dispatch Center of IGB with the AGI

- (i.e. the GMS of Stara Zagora and Komotini, the AGRS of Dimitrovgrad and Kardzhali, as well as the valve blocks in the Bulgarian and Greek sections) shall be checked.
- 6.3.2. Elaboration of preliminary report with identification of discrepancies and suggestions how to deal with existing documentation - amendments to existing documents, drafting new ones or a combined approach.
- 6.3.3. After approval of the report by ICGB, implementation of all measures proposed for change of the technical documentation relevant to FEED and Technical Design and production of a new dedicated document which will cover the SCADA and Telecommunication Philosophy for the whole IGB system.
- 6.3.4. Submitting the initial results from revision of the documentation to ICGB and introducing changes if there are comments by ICGB and final approval of the changed documentation by ICGB.
- 6.4. Drafting documentation for the needs of rescue archeological excavations along the gas pipeline IGB.**
- 6.4.1. The documentation should contain a graphic part, an extract from the DSP-PP approved by MRDPW with archeological sites marked, illustrating the area affected by them and the extent of affecting the easement of the gas pipeline and above-ground facilities.
- 6.4.2. Preparing a register in the form of a table which provides information on the properties archeological sites affected within the easement of the gas pipeline by above-ground facilities as well as the area of the archeological site which is affected by an element of the gas pipeline. The graphic and textual part are delivered to the Contracting entity in PDF format and in their original with the option to process data, report coordinates and use them to localize archeological sites on the field with the help of geodesic instruments.
- 6.4.3. Each document shall be on a separate file with a name of its own as well as contents shall be prepared where the documents refer to the names of the respective files.

7. Implementation term

The total implementation term is **up to three months** as of the date of assigning. Intermediate implementation terms as well as the terms for acceptance of the work shall be settled in the public procurement award contract.

The term for coordination of the Technical Design is **up to two months** as of date of assigning if service. The term includes the time required for approval of the technical design by the respective stakeholders as well as reflecting notes and revisions if such have been requested.

8. Term of validity of the offer

The offer shall have a validity term of 90 calendar days as of the date it is submitted to the Contracting entity.

9. Deadline for submitting the offer

The offer along with the appendices shall have to be submitted by 18th April 2017, 18:00 in the office of ICGB AD, Sofia, 13 Veslets Street, floor 2.

10. Requirements to the contents of the offer

The offer and the appendices to it shall be submitted as per the samples attached herein. The offer and the appendices to it shall be submitted in Bulgarian and in English language.

The offer shall be submitted as a hard copy and shall contain:

- A list of the documents;
- An offer containing a technical and a price offer;
- 2 Declarations under art. 97, par. 5 PPA;
- A declaration for non-existence of circumstances pursuant to art. 3, item 8 of Economic and Financial Relations with Companies Registered in Preferential Tax Regime Jurisdictions, the Persons Related to Them and Their Beneficial Owners Act.

The declaration for non-existence of circumstances under art. 54, par. 1, item 1, 2 and 7 PPA shall be signed by the persons representing the applicant. When the applicant is represented by more than one person, the declaration for the circumstances under art. 54, par. 1, item 3-5 PPA shall be signed by the person that can represent it individually.

The price offered shall have to include a total lump sum for performing the service, all costs included, as well as prices for each of the activities separately.

The offer shall be submitted personally, through an authorized person or by courier, at the office of the Contracting entity.

11. Considering the offer. Concluding a contract.

The offer of the applicant invited shall be considered in accordance with the requirements of the Rulebook for application of PPA.

Before concluding the contract the applicant invited shall have to submit documents evidencing the non-existence of the circumstances under art. 54, par. 1, item 1-5 PPA, namely:

- A conviction certificate of the person representing the applicant invited;
- A certificate by the revenue authorities and by the municipality as per the seat of the contracting entity and the applicant invited for non-existence of liabilities for taxes and mandatory social security contributions pursuant to art. 162, par. 2, item 1 TIPC and interest on them to the state or to the municipality as per the seat of the Contracting entity and the applicant invited.

12. Appendices to the request

Appendix № 1 – sample Offer;

Appendix № 2 – sample of a declaration under art. 97, par. 5 RAPPА- for the circumstances under art. 54, par. 1, item 1, 2 and 7 PPA;

Appendix № 3 – sample of a declaration under art. 97, par. 5 RAPPА- for the circumstances under art. 54, par. 1, item 3-5 PPA;

Appendix № 4 – sample of a declaration under the Economic and Financial Relations with Companies Registered in Preferential Tax Regime Jurisdictions, the Persons Related to Them and Their Beneficial Owners Act

FOR THE CONTRACTING ENTITY:

Teodora Georgieva-Mileva

Executive officer

Konstantinos Karayannakos

Executive officer

APPENDIX № 1

Name of the applicant:	
Legal form of the applicant:	<i>(the commercial company or alliances or another legal form)</i>
Registered seat	
UIC/Bulstat:	
Correct correspondence address:	<i>(country, city, postcode, street, №)</i>
Telephone number:	
Fax number:	
e-mail:	
Representative:	<i>(names, position or another capacity)</i>

OFFER

For awarding public procurement through a request to particular persons pursuant to art. 191, par. 1, item 2 PPA for Services on second approvals of the Technical design for project Gas Interconnector Greece-Bulgaria (IGB) for the purposes of approving the design pursuant to art. 144 SDA and for issuing Construction permit and preparation of additional documents to the technical documentation.

DEAR LADIES AND GENTLEMEN,

Hereby we are submitting our offer for participation in the Public procurement announced by you through a request to particular persons pursuant to art. 191, par. 1, item 2 PPA for Services on second approvals of the Technical design for project Gas Interconnector Greece-Bulgaria (IGB) for the purposes of approving the design pursuant to art. 144 SDA and for issuing Construction permit and preparation of additional documents to the technical documentation.

We hereby declare that we are aware of the guidelines and terms for participation in the public procurement announced by you, the requirements of PPA and RAPP. We agree with the conditions set by you and we accept them without objections.

We agree to stick to this offer for a term not shorter than 90 (in words: ninety) calendar days after the date set as a deadline for receiving the application offers.

We will perform the procurement in accordance with this offer and the conditions of the Contracting entity and in accordance with the implementation term(s) set.

Our price offer is:

1. For performing the public procurement in its full volume as per the terms of the Request for application we are offering a price as follows:

....., /in numbers and in words/ BGN , VAT excluded,
out of which:

- 1.1. For the services of Coordination of the technical design and preparation for approval as grounds for issuing a Construction permit:..... / in numbers and in words / BGN , VAT excluded;
- 1.2. For preparation of Design Base Memorandum..... / in numbers and in words / BGN , VAT excluded;
- 1.3. For Analysis of the technical documentation in terms of SCADA parameters:...../ in numbers and in words / BGN , VAT excluded;
- 1.4. For drafting documentation for the needs of rescue archeological excavations along the gas pipeline IGB route:...../ in numbers and in words / BGN , VAT excluded;

The prices offered are final and are not subject to escalation and they include all costs on implementation of the procurement, including transportation, etc.

Payment of the price for performance of the contract shall be made pursuant to the terms of the contract for awarding public procurement.

Date :

SIGNATURE and SEAL

[name and surname]

[capacity of the applicant's representative]

APPENDIX №2

DECLARATION

under art. 97, par. 5 of RAPPА

(for the circumstances under art. 54, par. 1, item 1, 2 and 7 PPA ¹)

The undersigned:, ID №
....., issued by, on, permanent residence: town/village
of, municipality,
district..... Street, block, floor, apartment, in
my capacity of, representing,

(position)

Having its seat and management address

Tel./fax:, UIC/BULSTAT

An applicant in a public procurement through a request to particular persons pursuant to art. 191, par. 1, item 2 PPA for Services on second approvals of the Technical design for project Gas Interconnector Greece-Bulgaria (IGB) for the purposes of approving the design pursuant to art. 144 SDA and for issuing Construction permit and preparation of additional documents to the technical documentation.

I HEREBY DECLARE THAT:

1. I have not been:

- *convicted with an enforced verdict/ I have been rehabilitated²* for a crime under Art. 108a, Art. 159a – 159d, Art. 172, Art. 192a, Art. 194 - 217, Art. 219 - 252, Art. 253 - 260, Art. 301 - 307, Art. 321, 321a and Art. 352 – 353f of the Penal Code;

¹ The declaration for non-existence of the circumstances under art. 54, par. 1, item 1, 2 and 7 PPA shall be signed by the persons representing the applicant (the persons under art. 40 RAPPА). When the applicant is an alliance, the declaration is filled in also for the natural and/or legal persons members of the alliance.

- *convicted with an enforced verdict/ I have been rehabilitated³* for a crime analogical to the ones under item 1 in another Member State or a third state;

2. There is no conflict of interests which cannot be removed.

I have been informed that for declaring false data in this declaration I shall be liable pursuant to art. 313 of the Penal Code.

Date :

Declarer:

SIGNATURE and SEAL

[name and surname]

[capacity of the applicant's representative]

² The invalid is crossed or the valid is underlined

³ The invalid is crossed or the valid is underlined

APPENDIX № 3

DECLARATION

under art. 97, par. 5 of RAPPА(for the circumstances under art. 54, par. 1, item 3-5 PPA ⁴)

The undersigned:, ID №
....., issued by, on, permanent residence: town/village
of, municipality, district.....
..... Street, block, floor, apartment, in my capacity of
....., representing,

(position)

Having its seat and management address

Tel./fax:, UIC/BULSTAT

An applicant in a public procurement through a request to particular persons pursuant to art. 191, par. 1, item 2 PPA for Services on second approvals of the Technical design for project Gas Interconnector Greece-Bulgaria (IGB) for the purposes of approving the design pursuant to art. 144 SDA and for issuing Construction permit and preparation of additional documents to the technical documentation.

I HEREBY DECLARE THAT:

1.⁵ There are payables for taxes and obligatory security contributions in the meaning of art. 162, par. 2, item 1 of the Tax-Insurance Procedure Code and interests on them, to the state or to the municipality where the central office of the contracting authority is and of the applicant or applicant, or analogical payables, established by an act of a competent body, under the legislation of the state, in which the applicant or applicant has been established:

a) none

⁴ The declaration for non-existence of the circumstances under art. 54, par. 1, item 3-5 PPA shall be signed by the person/s who can represent the applicant individually (the persons under art. 40 RAPPА). When the applicant is an alliance the declaration is filled in also for the natural and/or legal persons members of the alliance.

⁵ The valid hypothesis from the sub-items is underlined or the invalid hypotheses from the sub-items are crossed

- b) there are but rescheduling, delay or security has been admitted
- c) there are but the payable is under a deed which has not been enforced.
- d) The amount ** of the unpaid taxes or social-security contributions due is not more than 1% of the amount of the annual total turnover for the last completed financial year

2. For the applicant I represent there is no inequality in the cases under art. 44, par. 5 PPA;

3. For the applicant I represent it has not been established that:

a) it has submitted a document with untrue contents, related to certification of the non-existence of grounds for exclusion or compliance with the selection criteria;

b) it has not submitted information required related to certifying non-existence of grounds for exclusion or compliance with the selection criteria;

I am aware of the liability pursuant to art. 313 of the Penal Code for declaring false data.

Date:

Declarer:

SIGNATURE and SEAL

[name and surname]

[capacity of the applicant's representative]

APPENDIX № 4

DECLARATION

For non-existence of circumstances

pursuant to art. 3, item 8 of the Economic and Financial Relations with Companies Registered in Preferential Tax Regime Jurisdictions, the Persons Related to Them and Their Beneficial Owners Act

By[*applicant's name*].....,

BULSTAT/UIC/Registration number in the respective country [.....],

Represented by:

[*names*]

Acting as

[*position or another capacity*]

An applicant in a public procurement through a request to particular persons pursuant to art. 191, par. 1, item 2 PPA for Services on second approvals of the Technical design for project Gas Interconnector Greece-Bulgaria (IGB) for the purposes of approving the design pursuant to art. 144 SDA and for issuing Construction permit and preparation of additional documents to the technical documentation.

I HEREBY DECLARE THAT:

1. The applicant represented by me is registered in a preferential tax regime jurisdiction, namely:
2. The company represented by me is/ is not related to persons registered in a preferential tax regime jurisdiction/ *delete the invalid*/, namely to:
3. The applicant represented by me falls within the scope of the exceptions under art. 4, item of the Economic and Financial Relations with Companies Registered in Preferential Tax Regime Jurisdictions, Persons Related to them and Their Beneficial Owners Act.

4. I am familiar with the rights of the Contracting Authority under art. 6, par. 4 of the Economic and Financial Relations with Companies Registered in Preferential Tax Regime Jurisdictions, Persons Related to them and Their Beneficial Owners Act, §7, par. 2 of the Final provisions of the latter.

I have been informed that for false data I am liable pursuant to art. 313 of the Penal Code.

** item 3 is filled in if the company is registered in a jurisdiction with preferential tax regime or is related to persons registered in jurisdictions with preferential tax regime.*

Date:2017

Declarer:

(signature)