

## SELECTION CRITERIA

### 1. General information

By way of the selection criteria set out below the Contracting entity has set the minimum admissibility requirements regarding the Candidates in the procedure in view of establishing their capacity for implementation of the procurement.

The Candidates shall declare their compliance with the selection criteria through submission of information in the European Single Procurement Document (ESPD) in the manner set out below. Upon submission of a Request for participation the Candidates do not present other documents proving compatibility with the selection criteria.

In the course of the procedure the Contracting entity may require from the Candidates at any time to present all or part of the documents proving the information set out in the ESPD, when it is necessary for the lawful carrying out of the procedure, except for documents of which it is aware ex officio. In these cases the Candidates are obliged to submit the documents and the information set out in column 6 of the table below.

No	Criteria	Minimum requirements	Clarification	Declaration in ESPD	Documents to serve for evidence
1	2	3	4	5	6
1.	<b>Suitability (capacity) to pursue professional activity</b>	The Candidate shall be registered with the Central Professional Constructors Register (CPCR) under art. 3, para. 2 of the Construction Chamber Act (CCA) for constructions of first category for all of the following groups: a) first group pursuant to art.		The Candidate should provide information regarding registration in the respective professional register in Part IV, Section A of the ESPD	1. Copy of the document for registration in the CPCR at the Bulgarian Construction Chamber for the Bulgarian Participants; 2. Regarding non-Bulgarian residents – a

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		<p>5, para. 6, p. 1.1 of the Rules on the procedure for registration and keeping of the Central Professional Constructors Register (the Rules) in conjunction with art. 137, para. 1, p. 1 of the Spatial Development Act (SDA) and art. 2, para. 4, p. 1, letter "e" of Ordinance No 1 dated 30 July 2003 on the nomenclature of the types of constructions (Ordinance No 1/2003);</p> <p>b) second group pursuant to art. 5, para. 6, p. 2.1 of the Rules, in conjunction with art. 137, para. 1, p. 1, letter "a" of the SDA and art. 2, para. 1, p. 2 of Ordinance No 1/2003;</p> <p>c) third group pursuant to art. 5, para. 6, pt. 3.1 of the Rules in conjunction with art. 137, para. 1, pt. 1, letter "b" of the SDA and art. 2, para. 2, pt. 3 of Ordinance No 1/2003;</p> <p>d) fourth group pursuant to art. 5, para. 6, p. 4.1 of the Rules in conjunction with art. 137, para. 1, p. 1, letter "b" of the SDA and art. 2, para. 2, p. 4 of Ordinance No 1/2003;</p>			<p>document proving such registration in a similar register if such registration is required under the laws of the country of establishment</p>
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**Documentation for public procurement with subject matter: "Design, procurement and construction of the natural gas Interconnector Greece-Bulgaria (IGB Project)"**

<p><b>2.</b></p>	<p><b>Financial and economic standing</b></p>	<p>2.1. Minimum total turnover<sup>1</sup> in the amount of EUR 300 000 000 (three hundred million) for the last three financial years (2015, 2016 and 2017) depending on the date on which the Candidate was incorporated or commenced its activity<sup>2</sup>.</p>	<p>The Candidate shall have minimum total turnover, exceeding the double amount of the estimated value of the Public procurement.</p> <p>The contracting entity has set a requirement for a minimum turnover exceeding twice the estimated value of the public procurement due to the fact that the nature of the project - a technical infrastructure located on the territory of two countries, the complexity of the activities and the need to strictly adhere to the commissioning schedule, require a contractor who has successfully built such projects.</p>	<p>The Candidate shall provide the information in Part IV, Section B of the ESPD for its annual turnover for the last three completed financial years (2015, 2016 and 2017) depending on the date on which the Candidate was incorporated or commenced its activity.</p>	<p>One or some of the following documents:</p> <ul style="list-style-type: none"> <li>a) certificates issued by banks;</li> <li>b) the annual financial statements or their constituent parts when their publication is required;</li> <li>c) a check for the total turnover and turnover in the field falling within the scope of the procurement.</li> </ul>
		<p>2.2. Minimum turnover in the field, falling within the scope of the procurement, for the last three financial years (2015, 2016 and 2017) depending on the date on which the Candidate was incorporated or commenced its activity, calculated on the basis of the annual turnovers in the amount of EUR 150 000 000 (one hundred and fifty million).</p>	<p>A "turnover in the field, falling within the scope of the procurement" is a sum equal to the part of the net revenues from sales, realized from activity falling within the scope of the Public procurement.</p> <p>Activities falling within the scope of the Public procurement are all of the following activities:</p> <ul style="list-style-type: none"> <li>a) engineering, procurement of equipment and materials, construction, staff training and commissioning of an onshore gas</li> </ul>		<p>When, due to a legitimate ground, the Candidate is not able to provide the stated documents, it may prove its economic and financial standing with the help of any other document which the Contracting entity deems appropriate.</p>

<sup>1</sup> "Annual total turnover" is the sum of the net revenues from sales (§2, pt. 66 of the Additional provisions of the PPA).

<sup>2</sup> Candidates which have commenced activity later (after 1 January 2015) shall meet the requirement for a total and special turnover as of commencement of the activity.

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			pipeline, and b) engineering, procurement and construction of gas metering station(s) and gas regulating station(s), commissioned or accepted by the client.		
<b>3.</b>	<b>Technical and professional capabilities</b>	3.1. Implemented activities with a subject matter and volume identical or similar to those of the procurement for the last 8 (eight) years as of the date of submission of the Request for participation.	<p>"Activities with subject matter and volume identical or similar to those of the procurement" are all of the following implemented activities:</p> <ul style="list-style-type: none"> <li><b>a)</b> Construction of an onshore gas pipeline and block valve stations, with diameter of the gas pipeline not less than DN 600, operating pressure not lower than 5,4 MPa and length not shorter than 100 km, commissioned or accepted by the client,</li> <li><b>b)</b> engineering, procurement and construction of gas metering station(s) and gas regulating station(s) at capacity more or equal to 150 000 Nm<sup>3</sup> /h commissioned or accepted by the client,</li> <li><b>c)</b> construction of crossing(s) for steel pipeline with diameter of the pipe at least DN 600 using horizontal directional drilling (HDD) technology with a length of the crossing/at least one of the crossings not less than 1000 m, which pipeline has been</li> </ul>	The Candidate shall provide information in Part IV, Section C of the ESPD for construction works with subject matter and volume identical or similar to those of the procurement, with stating the construction works carried out for the last 8 (eight) years as of the date of submission of the Request.	List of the construction, identical or similar to the subject matter of the procurement accompanied with certificates of good performance containing the value, data on which performance is completed, the place, type and volume, and whether performance was rendered in accordance with statutory requirements (e.g. length of the constructed onshore gas pipeline(s) under letter a), number of gas metering and gas regulating stations under letter b)

			<p>commissioned or accepted by the client, and</p> <p><b>d)</b> engineering and construction of at least one automated system for supervisory control and data acquisition (SCADA) relating to a gas pipeline with the parameters specified in letter a) and commissioned or accepted by the client.</p> <p>By "construction of an onshore gas pipeline" is meant construction of a gas pipeline made of steel pipes of welding with underground installation, including crossings. Within the scope of the activities fall all of the activities specified herein, namely: engineering, procurement of equipment and materials, construction, training of staff and commissioning of the gas pipeline.</p> <p>In view of the specific subject matter and the large volume of the Public procurement the Contracting entity envisages a period of 8 years (which exceeds the statutory 5-year period) within which the Candidate should have implemented activities with subject matter and volume, identical or similar to those of the</p>		
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			Public procurement.		
		3.2. Technical personnel responsible for the performance of the construction	<p>a) The Candidate needs to dispose of at least the following operators of construction equipment when performing the Public procurement:</p> <ul style="list-style-type: none"> <li>aa) 24 qualified operators of pipe-laying machines;</li> <li>bb) 10 auto crane operators;</li> <li>cc) 3 operators of wheel excavators/ filling-up machines;</li> <li>dd) 14 digger operators;</li> <li>ee) 12 bulldozer operators;</li> <li>ff) 24 lorry drivers.</li> </ul> <p>b) The Candidate needs to dispose of at least the following personnel for arc welding:</p> <ul style="list-style-type: none"> <li>aa) 30 pipe welders certified as per EN ISO 9606-1 standard: (Qualification testing of welders - Fusion welding - Part 1: Steels (ISO EN 9606-1 including Cor 1) or an equivalent standard;</li> <li>bb) 30 mechanic fitters.</li> </ul> <p>c) The Candidate needs to dispose of at least 2 persons certified in accordance with art. 14 of the Rules on blasting safety for engineering and performance of blasting works.</p> <p>d) The Candidate needs to dispose of at least 2 persons enrolled in the respective register under art. 12, pt. 8 of the Cadaster and Property Register Act for geodesy activities.</p>	The Candidate shall provide the required information in Part IV, Section C of the ESPD.	List of the technical personnel included or not included in Candidate's structure which will carry out the construction.

		<p>3.3. Technical tools and facilities for ensuring quality, including for study and research, as well as implemented specific measures for ensuring quality.</p>	<p>3.3.1. The Candidate needs to dispose of:</p> <ul style="list-style-type: none"> <li>a) mobile laboratory for non-destructive control, applying control methods and quality criteria in regard to the welded points as per the requirements of БДС EN 473 and Directive 97/23/EC (ISO/IEC 17020) or equivalent;</li> <li>b) hydraulic tests equipment.</li> </ul> <p>3.3.2. The Candidate shall apply the following quality assurance measures:</p> <ul style="list-style-type: none"> <li>a) optical cable parameters control according to IEC 60793-1-40, БДС EN61280-4-2; БДС EN61280-1-1; БДС EN61753-1-1 and БДС EN61300-3-6, or equivalent standards.</li> <li>b) Control over: underground metal equipment - coating and cathodic protection; electric appliances up to 1000 V for resistance of grounding, the resistance of the grounding and lightning protection systems, for impedance of the phase-protective conductor contour, resistance of the coating (in accordance with БДС EN 45004 (ISO/IEC</li> </ul>	<p>The Candidate shall provide the required information in Part IV, Section C of the ESPD.</p>	<p>List of the technical tools and facilities for ensuring quality, including for study and research, as well as description of the measures used by the Candidate for ensuring quality.</p>
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			17020 or equivalent standard).		
		3.4. Quality management system certified in accordance with standard ISO EN 9001 (or equivalent) with a scope construction of gas pipelines and the facilities relating thereto		The Candidate shall provide the required information in Part IV, Section D of the ESPD.	Copies of the certificates <sup>3</sup> certifying compliance with the required standards.
		3.5. Environmental protection system certified in accordance with standard ISO EN 14001 (or equivalent) with a scope construction of transmission gas pipelines and the facilities relating thereto.			
		3.6. Machinery and technical equipment necessary for implementation of the Public procurement	<p>The Candidate needs to dispose of at least the following machines and equipment to perform the procurement:</p> <ul style="list-style-type: none"> <li>a) 4 pipe-laying machines;</li> <li>b) 4 auto cranes with lifting capacity of at least 10 t;</li> <li>c) 4 lifting machines equipped with pipe lifters with lifting capacity of at least 10 t;</li> </ul>	The Candidate shall provide the required information in Part IV, Section C of the ESPD.	Declaration for the machinery and technical equipment necessary for implementation of the Public procurement.

<sup>3</sup> The certificates shall be issued by independent persons who are accredited under the respective series of European standards by the Executive agency “Bulgarian Accreditation Service” or by another national accreditation body which is a party to Multilateral agreement on mutual recognition of the European Accreditation Organization for the respective field or to meet the recognition requirements pursuant to art. 5a, para. 2 of the National Accreditation Act of bodies for assessment of compliance. The Contracting entity shall accept equivalent certificates issued by bodies established in other member states.

The Contracting entity shall accept also other pieces of evidence for equivalent measures for ensuring the quality or for environmental protection when the Candidate has not had access to such certificates or has not had the possibility to receive them within the respective time limits due to reasons for out of its control. In such cases the Candidate shall be capable of proving that the proposed measures are equivalent to the required ones.



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			<ul style="list-style-type: none"> <li>d) 12 diggers with volume of the bucket at least 1 cubic meter;</li> <li>e) 4 hydraulic hammers;</li> <li>f) 5 bulldozers with capacity of at least 70 kW;</li> <li>g) 2 filling up machines for trenches;</li> <li>h) 10 welding workstations with 2-4 persons or automatic welding machines;</li> <li>i) 2 field pipe bending stations for pipes with diameter DN 800;</li> <li>j) 1 station for horizontal directional drilling (HDD) suitable for pipes with diameter DN 800 and 1600 m minimum length of the drill;</li> <li>k) 10 electric generators with capacity 200 kW</li> <li>l) 2 units for filling and hydraulic tests</li> <li>m) 2 compressor stations with capacity 10.5 m<sup>3</sup>/min.</li> </ul>		
		3.7. Personnel and/or managing staff with a specific professional competence for the implementation of the Public procurement	<ul style="list-style-type: none"> <li>a) <u>Project manager</u>: <ul style="list-style-type: none"> <li>(i) Higher engineering education;</li> <li>(ii) Minimum total professional experience in this specialization of 15 (fifteen) years;</li> </ul> </li> </ul>	The Candidate shall provide the required information in Part IV, Section C of the ESPD.	List of the personnel which will implement the procurement and/or the members of the management who are responsible for implementation in which the professional

			<p>(iii) Minimum specific professional experience (experience on a similar position) in construction of onshore gas pipeline and/or the facilities relating thereto of 10 (ten) years;</p> <p>(iv) English language proficiency – level B1 or higher in accordance with the Common European Framework of Reference for Languages or equivalent;</p> <p>b) <u>Technical manager</u> (Manager of the constructions site) for the Bulgarian part of the pipe route in accordance with art. 163a of the SDA:</p> <p>(i) Higher engineering education;</p> <p>(ii) Minimum total professional experience in this specialization of 10 (ten) years;</p> <p>(iii) Minimum specific professional experience (experience on a similar position) in construction of onshore gas pipeline and/or the facilities</p>		<p>competence of the persons is stated.</p>
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			<p>relating thereto of 8 (eight) years;</p> <p><b>(iv)</b> English language proficiency – level B1 or higher in accordance with the Common European Framework of Reference for Languages or equivalent.</p> <p><b>c) <u>Manager of health and safety work conditions (HSSE):</u></b></p> <p><b>(i)</b> Higher engineering education;</p> <p><b>(ii)</b> Minimum total professional experience in this specialization of 10 (ten) years;</p> <p><b>(iii)</b> Specific professional experience on a similar position in construction of onshore gas pipeline and/or the facilities relating thereto of 5 (five) years;</p> <p><b>(iv)</b> English language proficiency – level B1 or higher in accordance with the Common European Framework of Reference for Languages or equivalent.</p> <p><b>d) <u>Procurement Manager:</u></b></p>		
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			<p>(i) Higher engineering education;</p> <p>(ii) Minimum total professional experience of 10 (ten) years;</p> <p>(iii) Specific professional experience (experience on a similar position) in construction of minimum 5 (five) years;</p> <p>(iv) English language proficiency – level B1 or higher in accordance with the Common European Framework of Reference for Languages or equivalent.</p> <p>e) <u>Quality manager:</u></p> <p>(i) Higher engineering education;</p> <p>(ii) Minimum total professional experience of 10 (ten) years;</p> <p>(iii) Specific professional experience (experience on a similar position) in construction of onshore gas pipeline and/or the facilities relating thereto of 5 (five) years;</p> <p>(iv) English language</p>		
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			<p>proficiency – level B1 or higher in accordance with the Common European Framework of Reference for Languages or equivalent.</p> <p>f) For the territory of Republic of Bulgaria - <u>Designers with a full designer capacity under Chapter three of the Chambers of Architects and Engineers in Investment Design Act</u> for Part Technology (linear gas pipelines; facilities; fiber-optic communication line); Part Geodesy; Part Hydrology; Part Re-cultivation; Part Architecture; Part Constructive; Part Electro technical – part Electro chemical protection (ECP), part Automation of Technological Processes (ATP); Part Water supply and sewerage; Part Heat technology, heating, ventilation and air conditioning (THVC) and Part Energy effectiveness; Part Road; Health and safety plan; Plan regarding the organization and implementation of construction; Part Fire Safety.</p>		
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			Each designer shall have taken part in the preparation of at least 2 (two) approved designs. An approved design means a design accepted by the client.		
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## 2. Reliance of the capacity of third parties

### 2.1. Conditions for reliance on the capacity of third parties

2.1.1. The Candidate may rely on the capacity of third parties regardless of the legal relation between them except for the following criteria set out in the table above:

- a) construction of an onshore gas pipeline and block valve stations, with diameter of the gas pipeline not less than DN 600, operating pressure not lower than 5,4 MPa and length not shorter than 100 km, commissioned or accepted by the client;
- b) technical personnel responsible for the performance of the construction, as follows:
  - qualified operators of pipe-laying machines;
  - auto crane operators;
  - wheel excavators/filling-up machines;
  - pipe welders certified as per EN ISO 9606-1 standard: (Qualification testing of welders - Fusion welding - Part 1: Steels (ISO EN 9606-1 including Cor 1) or an equivalent standard;
  - mechanic fitters;
- c) hydraulic tests equipment.

2.1.2. The Candidate is not allowed to rely on the capacity of a third party for the purpose of proving its compliance with the minimum requirements specified in pt. 2.1.1 of this section. Upon violation of this condition the Candidate shall be excluded from the Procedure.

2.1.3. Regarding the criteria related to the professional capabilities under pt. 3 of the table above, except for those listed in pt. 2.1.1 of this section, the Candidate may rely on the capacity of a third party only when the parties whose education, qualification or experience are used to prove compliance with the requirements of the Contracting entity, shall participate in implementation of a part of the public procurement for which this capacity is required.

2.1.4. When the Candidate relies on the capacity of third parties it shall be able to prove that it will have at its disposal their resources by providing documents for the obligations assumed by the third parties.

### 2.2. Lack/availability of grounds for exclusion and compliance of the third parties with the selection criteria

**2.2.1.** The third parties shall meet these selection criteria under pt. 2 and 3 of the table for proving of which the Candidate shall refer to their capacity, and there are no grounds under pt. 3.1.1 of Section II. Guidelines regarding preparation and submission of Requests for participation of Part Two of the Documentation regarding the Public procurement for the third party's exclusion from the procedure.

**2.2.2.** The Contracting entity shall require from the Candidate to replace the proposed third party if it does not meet some of the selection criteria under pt. 2 and 3 of the table for proving of which the Candidate shall refer to the third party's capacity or there are grounds under pt. 3.1.1 of Section II. Guidelines on preparation and submission of Requests for participation of Part Two of the Documentation regarding the Public procurement for its exclusion from the procedure.

### **2.3. Joint and several liability**

In the event that the Candidate uses the capacity of a third party for proving compliance with the criteria related to the economic and financial standing under pt. 2 of the table above, the Contracting entity requires joint and several liability for implementation of the procurement by the Candidate and by the third party.

When the Candidate is a consortium of physical and/or legal entities, it may prove compliance with the selection criteria with the capacity of the third parties upon meeting the conditions under pt. 2.1 – 2.3 of this section.

## **3. Subcontractors**

### **3.1. Conditions on the use of subcontractors**

**3.1.1.** The Contracting entity does not allow the Candidates to envisage Subcontractors for the implementation of activities of particular importance – activities relating to the installation of the main gas pipeline (installation, welding, pipe-laying), hydraulic tests, cleaning and drying of the gas pipeline and inspection of the pipe geometry after installation. Upon violation of this condition the Candidates shall be excluded from the Procedure.

**3.1.2.** If it envisages a Subcontractor/s for the implementation of activities which do not constitute activities of particular importance, within the meaning of pt. 3.1.1 of this section, the Candidate shall state in the Request for participation the Subcontractor/s and the part of the procurement which the Candidate will delegate to it/them. In this case the Candidate shall provide to the Contracting entity evidence for the obligations undertaken by the Subcontractor/s.

### **3.2. Lack/availability of conditions for exclusion and compliance of the Subcontractors with the selection criteria**

**3.2.1.** The Subcontractors shall meet the respective selection criteria under pt. 2 and 3 of the table above in accordance with the type and part of the procurement which they will implement and there should be no grounds for exclusion from the procedure applicable to them related to the personal situation under pt. 3.1.1. of Section II. Guidelines on preparation and submission of Requests for participation of Part Two of the Documentation regarding the Public procurement.

**3.2.2.** The Contracting entity shall require replacement of a subcontractor which does not meet the conditions under pt. 3.2.1 of the present point.