

To “RAP Systems” OOD

To the attention of Mr. Ramon Harps

Managing director

## INVITATION

For performing services for update of the Technical scope as part of the public procurement documentation for award of detailed design – phase working project, supply of equipment, construction, service staff training and commissioning of gas interconnector Greece – Bulgaria.

**DEAR MR. HARPS,**

In view of the fact that “**RAP Systems**” OOD is an entity that prepared the Technical scope as part of the public procurement documentation for award of detailed design – phase working project, supply of equipment, construction, service staff training and commissioning of gas interconnector Greece – Bulgaria and pursuant to art. 191, par.1, item 2 PPA, we are addressing an invitation to you for performing services related to update of the Technical scope and submission of the supplementary information as listed below in that invitation.

### 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, 2<sup>nd</sup> floor, 1000 Sofia, Bulgaria, telephone: +359 2 92 63 803, fax: +359 2 92 50 392, e-mail: [dimitar.spasov@icgb.eu](mailto:dimitar.spasov@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 Spasov.

## 2. Subject of the public procurement:

Performing services for update of the Technical scope as part of the public procurement documentation for award of detailed design – phase working project, supply of equipment, construction, service staff training and commissioning of gas interconnector Greece – Bulgaria.

## 3. Estimated value

The estimated value of the public procurement is up to BGN 20 000 VAT excluded.

## 4. Legal grounds

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

**Grounds:** The person invited by the Contracting Authority to submit an offer is the author of the Technical Scope as part of the tender documentation for award of detailed design – phase working project, supply of equipment, construction, service staff training and commissioning of gas interconnector Greece – Bulgaria in accordance with Contract as of 15.08.2016 concluded with the invited. As a result of the execution of the contract, a Technical Scope was prepared, but additional documents such as the Hydraulic Report, the Design Basis Memorandum, the SCADA Report were also elaborated afterwards and therefore it is required that the Technical Scope is updated.

The prepared Technical Scope is subject to copyright under Art. 3, para 1, item 1 of the Copyright and Related Rights Act (CRRA). Any modification and updating of the Technical Scope by a person other than the one who elaborated the original document conflicts with the provision of Art. 18, para. 1 of the CRRA, according to which the author has the exclusive right to use the work he has created and to authorize his use by other persons, for use in the meaning of para. 1 determines the processing and synchronization of the work. Recasting is also the adaptation and introduction of any kind of changes to the work, i.e. its updating or upgrade in the sense of Art. 18, para. 2, item 8 of the CRRA.

In this sense, the services that need to be performed in addition to the updating of the Technical Scope include actions for updating, agreeing, approving, possibly correcting and can only be performed by the person who prepared it.

## 5. General information.

At the beginning of 2016 investment planning of both sections of the Site (Bulgarian and Greek) was practically completed for the purposes of permitting construction and the Project has obtained for the Bulgarian section Construction Permit No48 dated 12.09.2017 published in the State Gazette No76/2017.

EU grant financing up to EUR 45 million under European Energy Program for Recovery (EEPR) has been extended until 2018. The recommendation of EC to Bulgarian and Greek authorities has been considered to investigate the options for additional grant financing of the Project through access to funds under European structural funds (ESIF in both countries). As of today, the process for being included into the ESIF financed program is launched.

The IGB project has the status of a Project of Common interest under Regulation 347/2013 and it is a main priority project under the CESEC initiative for gas interconnectivity in Central and Southern Europe. In this context, the European Investment Bank and other international credit institutions have expressed active interest in financing the Project, including through instruments from the new European Fund for Strategic Investments (EFSI).

The Bulgarian government in turn has included in the state budget for 2018 access to an increased amount of state financial guarantee when negotiating loan facilities for the project of up to EUR 110 million.

According to the current schedule for realization of the Project, the construction is expected to be commenced at the end of first half of 2018 and the public procurements for selection of Line Pipe Supplier and for Owner Engineer have already been started.

## **6. Scope of services.**

**This procurement comprises performance of the following services:**

1. Update of the Technical scope for award of detailed design – phase working project, supply of equipment, construction, service staff training and commissioning of gas interconnector Greece – Bulgaria based on analysis of the new version of the Design Basis Memorandum;
2. Update of the Technical scope for award of detailed design – phase working project, supply of equipment, construction, service staff training and commissioning of gas interconnector Greece – Bulgaria based on the Report for hydraulic investigation of IGB project showing possible scenarios for gas transportation in Greece-Bulgaria direction alongside with new amendments of hydraulic calculations based on the requirements of update of hydraulic study prepared for IGB Project.
3. Update of the Technical scope for award of detailed design – phase working project, supply of equipment, construction, service staff training and commissioning of gas interconnector Greece – Bulgaria based on SCADA report aiming at analyzing the sequence and establishment of differences of the Technical project and the documentation for engineering - Front End Engineering Design (FEED) developed for Bulgarian and Greek territory for gas interconnector Greece – Bulgaria. The analysis and the update must comprise all documents related to the documents for the

Integrated automated system for control and management system of IGB pipe line (SCADA).

## 7. Implementation term

The total implementation term is **20 days** as of the date of submission of the additional documents required for performing of the services as the Hydraulic Report, the Design Basis Memorandum, the SCADA Report by virtue of hand-over delivery protocol signed between the Parties.

## 8. Term of validity of the offer

The offer shall have a validity term of 60 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 **23.02.2018, 18:00** in the premises 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;

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;

### **FOR THE CONTRACTING ENTITY:**

**Teodora Georgieva-Mileva**

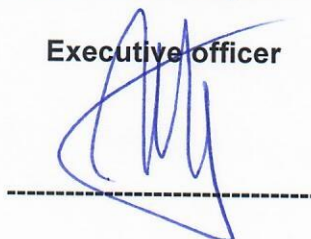
**Executive officer**



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**Konstantinos Karayannakos**

**Executive officer**



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## APPENDIX № 1

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

### OFFER

***For awarding public procurement through an invitation to particular persons pursuant to art. 191, par. 1, item 2 PPA for “Performing services for update of the Technical scope as part of the public procurement documentation for award of detailed design – phase working project, supply of equipment, construction, service staff training and commissioning of gas interconnector Greece – Bulgaria”.***

**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 “Performing services for update of the Technical scope as part of the public procurement documentation for award of detailed design – phase working project, supply of equipment,

construction, service staff training and commissioning of gas interconnector Greece – Bulgaria”.

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 60 (in words: sixty) 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:**

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:

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 <sup>1</sup>)

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 an invitation to particular persons pursuant to art. 191, par. 1, item 2 PPA for “Performing services for update of the Technical scope as part of the public procurement documentation for award of detailed design – phase working project, supply of equipment, construction, service staff training and commissioning of gas interconnector Greece – Bulgaria”.***

### I HEREBY DECLARE THAT:

1. I have not been:

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<sup>1</sup> 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 rehabilitated<sup>2</sup>* 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;

- *convicted with an enforced verdict/ I have been rehabilitated<sup>3</sup>* 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]

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<sup>2</sup> The invalid is crossed or the valid is underlined

<sup>3</sup> 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 <sup>4</sup>)

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 an invitation to particular persons pursuant to art. 191, par. 1, item 2 PPA for “Performing services for update of the Technical scope as part of the public procurement documentation for award of detailed design – phase working project, supply of equipment, construction, service staff training and commissioning of gas interconnector Greece – Bulgaria”.***

#### I HEREBY DECLARE THAT:

1.<sup>5</sup> 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

<sup>4</sup> 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.

<sup>5</sup> 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]