

**GENERAL INVESTMENTS DIVISION
PROCUREMENT DEPARTMENT**

CALL FOR TENDER

**FOR THE DESIGNATION OF A CONTRACTOR WHO WILL IMPLEMENT THE DECISION ON THE APPROVAL
OF ENVIRONMENTAL TERMS (DAET) FOR THE OPERATION OF THESSALONIKI PORT**

1. Description of the Material & Financial object of the Contract

1.1. Object description

The object of this Tender is the implementation of the Decision on the Approval of Environmental Terms for the Operation of the Port of Thessaloniki (Prot. No. 203978/21-12-2012) and in particular those provided in Par. 5,17,23,24,26,27,29 of the above DAET, attached hereto.

1.2. Duration

The service concerned shall have a three (3) year duration

1.3. Award Criterion

The tender award criterion is the lowest price. The tender will be awarded to the tenderer with the lowest price of all tenderers with acceptable bids based on the technical specifications and the tender terms.

2. Participation Right-Qualitative Selection Criteria

2.1 Entitled to participate

Eligible to participate in the tender are the natural or legal entities and, in case of associations of economic entities, the members thereof, exercising a major activity which is relevant to the subject of the existing tender.

2.2. Participants shall:

- Not be under bankruptcy, liquidation or administration;
- Not have been irrevocably convicted (the administrators for the case of limited partnerships or limited liability companies, the Chairman and the CEO for the case of SAs and the natural persons performing management duties in other cases) for:
 - a) participation in a criminal organization, pursuant to article 2(1) of Joint Action No. 98/733/JHA of the Council of the European Union;
 - b) corruption, as it is respectively defined in Article 3 of the Council Act dated 26th May 1997 and in Article 3, paragraph 1 of Joint Action No. 98/742/CFSP of the Council;
 - c) fraud within the meaning of article 1 of the Convention on the protection of financial interests of the European Communities;
 - d) money laundering, according to article 1 of the Council Directive 91/308/EEC of 10 June 1991 on the prevention of the use of the financial system for the purpose of money laundering;
 - e) embezzlement (Criminal Code 375);
 - f) fraud (Criminal Code 386-388);

- g) extortion (Criminal Code 385);
- h) forgery (Criminal Code 216-218);
- i) perjury (Criminal Code 224);
- j) corruption (Criminal Code 235-237);
- k) fraudulent bankruptcy (Criminal Code 398).

2.3. Associations of economic operators, including temporary partnerships, are not required to have a specific legal form for bidding. The selected Consortium or Association of Suppliers may be required to have a specific legal form insofar as the inclusion of such a legal form is necessary for the proper performance of the contract.

In the case of a bid by an association of economic operators, all its members are jointly and wholly liable to the contracting entity.

2.4. Professional Ability

Eligible to participate are the companies who fulfil the minimum levels of professional ability as follows:

- 2.4.1.** As regards the sea, air and noise measurements, they need to have performed at least one project in each category in the last five years 2015-2019.
- 2.4.2.** Shall have an ISO 9001 Quality Assurance Certificate or an equivalent certificate of international standing and acceptance.

If the candidate is a Union or Joint Venture, the candidate's members meet the above requirements collectively. It suffices that one member has a Quality Assurance Certificate.

3. Description of Procedure

3.1. Time for offer submission

The offers shall be submitted by **17.2.2020**, at the latest, to the Procurement Department of THPA by e-mail at the e-mail address cathanasiou@thpa.gr, with a copy to ptheologou@thpa.gr.

3.2 Clarifications

Requests to provide additional information or clarifications are submitted at the email: cathanasiou@thpa.gr with a copy to ptheologou@thpa.gr, and for technical issues at the email: evafaki@thpa.gr no later than five days prior to the bid submission deadline, thus by **13.2.2020**. The answers are uploaded on ThPA S.A. webpage.

3.3 Cancellation-modification procedure

ThPA S.A. reserves the right to cancel the procedure of assignment or may decide to repeat it at any stage. It also reserves the right to modify the terms of the procedure with transparency.

4. Content on the Tender

The content on the tender are designated as follows:

- A) Participation supporting documents
- B) Technical offer and
- C) Financial offer

For all other matters, variant offers, counteroffers or amendments of offers or any proposals which may be regarded as counteroffers shall not be taken into account. Offers shall bear the signature and seal of the company and will include the following information:

4.1. Participation Documents

To demonstrate that they meet the selection criteria of article 2 participants must submit the following participation documents:

- Solemn declaration, with which the Candidate declares that he has taken cognizance of the special requirements and particularities of the Subject of this Tender and fully and unconditionally accepts the terms of this Tender.
- A solemn statement by the tenderers that the participation impairments defined in paragraph 2.2 do not apply for them and that they have no reason to believe that these impairments shall apply during the offer validity period or any of its extensions.
- In order to establish lawful incorporation and representation, in cases where the economic operator is a legal entity, the economic operator shall produce the legitimizing incorporation and lawful representation document per case applicable (such as the Articles of Incorporation and Association, certificates of changes, corresponding issues of the Official Government Gazette (OGG), formation of the BoD into body in the case of SA companies, etc., depending on the legal status of the participant). The above documents shall specify the lawful establishment, all relevant amendments to the statute, the person(s) legally binding the company on the date of the tender (legal representative, right of signature, etc.), any third parties authorized to represent the contractor, as well as the term of office of the person(s) and/or the members of the management body/legal representative.
- Solemn Declaration of its registration to the relevant Chamber of either Commerce or Trade record and that they exercise the specific profession.
- Copy of the Quality Assurance Certificate.
- Guarantee Letter of participation in this Tender, according to the relevant article of this Call.
- A table recording their experience in projects of par. 2.4.1, a brief description of the project, the body that assigned the project, the project duration (start-end), other participants (if any)
- An evidence of a successful completion of each project on the table laid down in par. 2.4.1. Such evidence are the contract copies, a good performance certificate from the body that assigned the project, copies of service provision invoices - receipts.

4.2. Technical Offer

Participants in the technical offer shall present:

4.2.1. Project Management Plan

The candidate shall briefly describe the project management plan that will allow him to perform his services successfully focusing on the responsibilities of the Contractor's project team, the processes

to ensure the quality assurance of the deliverables and the measurement methods he will use. In particular, with regard to measurements, he shall describe inter alia the sampling and analysis methodology, the units of measurement of the results based on the applicable legislation and the requirements of the Decision on the Approval of Environmental Terms for the port's operation.

4.2.2. Project Teams - Leaders

A project team and a scientific leader will be appointed for each category of measurements. Each of the above natural persons will submit their detailed CVs and copies of their diplomas/degrees showing the professional experience and the specialized knowledge that the project team has on this subject.

For the scientific partner to be appointed as an environmental expert, he or she will already be an employee, whereupon he/she will be named in the offer and his/her CV, copies of qualifications and evidence of experience will be attached, as detailed in its technical terms, hereby, either the Bidder shall submit with the participating documents a solemn statement that in case of being awarded a contract the project will hire a qualified scientific partner. The contractor must be hired before the contract is signed, so the above documents will be produced.

4.2.3. Technical Equipment

To perform measurements, it is necessary to have equipment and laboratories. The candidate shall describe in detail the equipment he will use per category of measurements. This equipment must fulfill the specifications of this tender, the national and EU standards and the relevant national legislation. The equipment must have a CE type approval and be certified according to EN/ELOT for samplings and measurements. The labs that will be used for physico-chemical trials, samplings, lab analyses and noise measurements must be accredited according to EN 17025 from the Hellenic Accreditation System (ESYD) or have an equivalent EU-recognized accreditation from another country. For the equipment, they shall submit copies of the acquisition, lease and certification titles while for the labs, they shall submit a contract or cooperation statement and accreditation copies. If the candidate does not have part of the equipment or a contract - cooperation statement with a lab, he shall submit a solemn declaration stating that if he is selected as the project contractor, he shall buy or lease the equipment and will sign a contract or cooperated with an accredited lab before the signing of the Contract between us and then submit copies of the accreditation.

Note that:

- The project management plan binds the candidate in the case he is selected as the Contractor. ThPA S.A. may ask to put the project management plan as an annex of the Contract. ThPA S.A. holds the right to make modifications or additions to the above plan to improve its execution.
- The project teams and the scientific leaders bind the candidate if he is selected as a Contractor. ThPA S.A. may ask the project teams and the scientific leaders to be annexes of the Contract.

5. Financial Offer

The participants in the tender will submit a financial offer for the total project for three years of the contract by completing the following table.

S/N	Requirements of the Decision on the Approval of Environmental Terms for the Operation of the Port	Offer price in euro for the three years of the contract
1	Environmental Expert (par.5,17,29 Decision on the Approval of Environmental Terms)	
2	Sea measurements (par. 23 Decision on the Approval of Environmental Terms)	
3	Air measurements (par. 24 Decision on the Approval of Environmental Terms)	
4	Noise measurements (par. 26,27 Decision on the Approval of Environmental Terms)	
	TOTAL PRICE	

Its validity period will be indicated on the financial offer.

The bidder shall sign the financial offer.

6. Time of offers validity

The submitted offers must be valid for ninety (90) days after the closing date for the submission of offers for the Tender. Any offers valid for shorter period of time shall be rejected as inadmissible.

The validity of the tender offer may be extended if ThPA S.A. requires so, before their expiration, for a maximum period equal to the initial period of validity of the tenders provided by the Call for Tender.

7. Guarantee of Participation in the Tender

To validly participate in the process for the drafting of this contract, participants must deposit a guarantee participation, amounting to **three thousand euro (3.000€)**.

In case of an association of economic operators, the guarantee of participation shall also include the term that the guarantee covers the liabilities and obligations of all economic operators participating in the association.

The guarantee of participation must be valid for at least thirty (30) days after the end of the term of validity of the offer established by the contract documents.

The awarding body may, before the end of the offer, request from the offeror to extend the term of validity for both the offer and the guarantee, before such lapse.

The participation deposit shall be returned to the contractor upon the submission of the good performance guarantee.

The guarantee of participation shall be returned to the other participants, after the award.

Instead of a letter of guarantee, participants can deposit the corresponding amount at the Cashier's Desk/Bank Account of Th.P.A. SA. A copy of the receipt/proof of deposit must be included in the supporting documents file.

8. Counteroffers

Counteroffers, or offer modifications, or any proposals that may be construed as counteroffers shall not be considered and shall be rejected following the recommendation of the Tender Committee.

9. Special terms of the procurement execution

9.1. Good Performance Guarantee

Before signing the relevant contract, the Contractor must submit a Good Performance Guarantee, the amount of which is defined as 5% of the contract value (not including VAT) which will be valid until its return to the Credit Institution that issued it.

The Good Performance Guarantee shall cover the implementation of all contractual terms and requirements of ThPA SA against the Contractor and shall be forfeited in the case where the terms of the contract are violated and shall be returned in total after the completion of the works and the acceptance of the deliverables. The amount of the Good Performance Guarantee shall correspond to 5%.

9.2. Payment method

9.2.1 The Contractor shall be paid after issuing an invoice, as follows:

- For the environmental expert the payment will be made on a monthly basis, providing the relevant evidence of his payment.
- For sea measurements, twice a year (once every six months), after the delivery of the relevant measurements - reports. The delivery of measurements-reports must be done within 30 days from sampling.
- Regarding air measurements, at equal three-month instalments. The delivery of measurements-reports must be done within 45 days from the end of the trimester.
- For noise measurements, in equal yearly instalments, provided that the measurements-reports have been delivered.

The certification of expenses will be made by ThPA SA' S Environment Health and Safety Department. The Contractor shall provide the services described in his offer and based on the price set therein. Should the Contractor fail to fulfil his obligations according to the submitted offer, ThPA SA reserves the right to ask for the forfeiture of the Good performance Guarantee, in all or in part.

9.2.2. For the payment, the Contractor must submit:

- Invoice
- Tax Clearance Certificate
- Insurance Clearance Certificate

The CONTRACTOR's payment will be made, within sixty (60) days of the submission of the invoice and the certification on this invoice by the competent body of ThPA S.A. of the proper execution of the work. The invoice will be issued and submitted to ThPA SA within the first fortnight of the month following the provision of services.

10. Evaluation of offers

The tender will be awarded to the service provider at the lowest price of the service providers whose offers have been accepted on the basis of the technical specifications and the terms of the call.

The evaluation of the Technical Offer will be based on the following (pass/fail) criteria: submission of Technical Offer file, clearness based on the admissible science rules, the project management plan and the compliance with the minimum requirements for the project management team and the persons and the equipment in charge for the implementation of measurements.

TECHNICAL TERMS

TENDER OBJECT

The object of this Tender is the implementation of the Decision on the Approval of Environmental Terms for the Operation of the Port of Thessaloniki (Prot. No. 203978/21-12-2012) and in particular those provided in Par. 5,17,23,24,26,27,29 of the above DAET, attached hereto.

CONTRACTOR OBLIGATIONS

The contractor shall:

1. Perform regular sea water samplings and analyses twice a year at three fixed points in the Port of Thessaloniki and at one located outside the harbor basin. The analyses results will be entered in a logbook. Sampling and measurements will be performed by an accredited lab using the standard methods according to ELOT, ISO or DIN. Measurements of the following parameters will be performed:
 - Temperature
 - pH
 - Dissolved oxygen
 - SS (suspended solids)
 - Oil
 - Heavy metals (As, Bb, Zn, Cd, Cr, Mn, Cu, Co, Ni, Ba)

Within one month from the sampling, the Contractor shall submit a report to present and evaluate the results.

2. Within one month from the signing of the contract, he shall install a system to monitor air pollution in the central port area. The station shall record the concentrations of substances:
 - Carbon monoxide
 - Carbon dioxide
 - Nitrogen dioxide and nitrogen oxides
 - Suspended particles with an aerodynamic diameter of 10 μ m and 2,5 μ m (SP₁₀ and SP_{2,5}).
 - Benzene
 - Polycyclic hydrocarbons
 - Nickel
 - Cadmium
 - Manganese

To install the equipment, the accessories and the calibration bottles, the contractor shall place a conditioned prefabricated cabin of adequate size to a place indicated by ThPA SA. The cabin shall have a reinforced roof and a door with safety lock.

To measure the concentrations, the methods that need to be used according to the applicable legislation and the results will be entered (in terms of the time period and the measurement unit) at values comparable with the ones set by the said provisions. For the measurement of the nickel, the cadmium, the manganese, a reference method described in Annex V of the Joint Ministerial Decision 22306/1075/E103/29-5-2007 (Official Gazette 920B) will be used. It is based on sampling of SP₁₀ and analysis using the proper spectrometric method. All the pollutant measurement instruments will have a **certification based on equivalence** as to the respective standard method according to EN by a recognized accredited type-approval and analyst certification e.g. From TUB or MCERTS. The samplers whose measurements will be used to determine the heavy metals must have certification based on equivalence according to EN 12341 and the measurements will take place 24/24 according to the European standard EN 12341.

The Contractor must install a full data recording system to enter the measurement data in the proper data logging configuration and a software to allow on-line real time monitoring of measurement data at a central point (office of technical service building), filing, data processing and reporting. The connection with the network will be made by ThPA S.A.

Within 45 days from the end of each quarter of measurements, the Contractor shall submit a report to present and evaluate the results.

3. He shall apply a program to monitor the noise levels within the limits of the Port of Thessaloniki area in order to ensure compliance of the port's noise emissions with the maximum limit. The maximum allowed noise level emitted from the port activities, measured at height is 4,0+-0,2m at the limits of the port zone is 70dB_(A), of index L_{den} as defined in the Joint Ministerial Decision 211773/27-4-2012 (Official Gazette 1367B). Measurements will be performed in a dense point network around the limit of the port zone (consisting of at least 10 points), every year. For the points where the L_{den} index values are over 67dB_(A), the contractor will plan and propose additional anti-noise protection measures. The measurement data will be used to update the noise maps.

Within one month from the measurements, the Contractor shall submit a report to present and evaluate the results.

For the sampling and the measurements (sea, air, noise), the Contractor shall use his own equipment and shall bear the full responsibility for the proper operation of the instruments (samplers and analysts), for the maintenance and the waste management (if any). In case of failure of any of the instruments affecting the uninterrupted flow of valid measurement values, the maximum time available to restore the measurements flow is 15 calendar days. If the Contractor admits that the value flow restoration will last over 15 days, he shall replace the instrument. In the case of sea measurements, the transfer to the sampling points will be made using ThPA S.A. means.

The Contractor shall have:

- An Environmental Expert who must hold a University Degree on Environmental Science (Presid. Decree 50/2001, Article 8) with at least a Master's Degree on Environmental management and/or Sustainability issues and at least ten (10) years of proved working experience, of which

at least three (3) in port environmental management. The Expert must be a proficient user of English language (C2 level) and must have a proved competency (scientific publications, corporate reports, EU projects deliverables etc.) in writing scientific text in English and Greek. The knowledge of a second, port stakeholder related, language will be taken into account. The Expert will be responsible for the compliance with the approved imposed environmental terms (Terms 5, 17, 29) for the operation of the Port facility and will also be responsible for the timely compilation of the required obligatory periodic reports. In specific, the Expert will also be responsible among others for:

- The control and the compliance with the terms imposed by the “Ship waste and cargo residues management plan” approved by the Ministerial Decision 3122.3-1.8/37503/17 as applicable.
- The control and compliance with the terms imposed by ThPA S.A. contracts to the contractors responsible for the collection and management of all kinds of waste (municipal, dangerous, waste oils etc.).
- Maintaining and keeping the port waste registry and archive.
- The implementation and operation of anti-pollution systems and mitigation measures of impacts of all environmental means and parameters.
- The update of the Port’s Waste Management Plan and the Environmental Monitoring Mechanism.
- The implementation of the environmental monitoring program.
- The compilation of the Annual Environmental Monitoring Report submitted until the 20th of March every year to the authority of the Region of Central Macedonia, Department of Environment and water management. This annual report will at least contain the following:
 - The results of the ThPA’ s Environmental Monitoring Program.
 - An informative summary of the results of the waste management plan (waste types, quantities etc.).
 - Other actions taken to comply with environmental terms.
 - Any difficulties or problems that occurred during the port operations in relation with the environmental monitoring program and the imposed environmental terms for the operation of the Port of Thessaloniki.

In addition, the Environmental Expert will assist the ThPA’ s Environment, Health and Safety department of ThPA S.A. with any daily topic or need occurred, according to the instructions given by the Head of the Department.

Attached: A.D. 203978/21-12-2012

THE CHIEF EXECUTIVE OFFICER OF THPA S.A.

FRANCO NICOLA CUPOLO

