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**Greece-Herakleion of Attica: Industrial machinery
2022/S 192-545329**

CONTRACT NOTICE – UTILITIES
(Directive 2014/25/EU)

SECTION I: CONTRACTING ENTITY

I.1) NAME, ADDRESS, CONTACT POINT(S) AND CONTACT PERSON(S):

DEPA COMMERCIAL (DEPA) S.A. 92, Marinou Antypa Str. GR14121, Herakleion of Attica, Greece. Procurement Department/ Mrs. I. Kombotiati, Procurement Head/**Telephone:** + 30 210 2701118, **Email:** procurement@depa.gr **Web Site:** <http://www.depa.gr>.

NUTS code: EL301

I.3) COMMUNICATION:

Access to the procurement documents is restricted. Further information can be obtained at: <http://www.depa.gr>

Additional information can be obtained from the abovementioned address.

Tenders or requests to participate must be submitted to the abovementioned address. **MAIN ACTIVITY:**

Production, transportation and distribution of gas and heat.

SECTION II: OBJECT

II.1) SCOPE OF THE PROCUREMENT

II.1.1) Title: Procurement of 21 Dispensers HELIX 6000 CNG for CNG Filling Stations

Reference number: DEPA Inquiry No. 1004/22

II.1.2) Main CPV code:

42000000 Industrial machinery - KA06

Supplementary CPV code:

KA06 for the Gas industry

II.1.3) Type of contract: Supplies

II.1.4) Short description: The Supply consists of 21 Dispensers HELIX 6000 CNG for CNG Filling Stations.

II.1.5) Estimated total value:

€462,000.00

II.1.6) Information about lots:

This contract is not divided into lots

II.2) DESCRIPTION

II.2.2) Additional CPV code(s):

II.2.3) Place of performance:

NUTS code:

EL Ελλάδα / Elláda

Main site or place of performance:

The Supply will be delivered to the Contracting Entity's warehouse at Anthousa, Attica and/or at a delivery point in mainland Greece according to instructions to be given prior to shipment.

II.2.4) Description of the procurement:

Procurement of 21 Dispensers HELIX 6000 CNG (the Supply) as described here below:

Eighteen (18) Dispensers: Two sides, two filling levels (medium and high), NGV1 nozzles type OPW (self service), twin hose diameter DN10 (3/8") Parker Parflex 5CNG-6 red & 520N-4 black with separate start / stop buttons.

Three (3) Dispensers:

One side, one filling level, NGV1 nozzle OPW (self service), twin hose diameter DN12 (1/2") Parker Parflex 5CNG-8 red & 520N-4 black with separate start / stop buttons.

-The delivery of the Supply will be completed within six(6) months from date of issue of Letter of Award.

-Offered Unit Prices and Contract Price for the Supply are valid for delivery DDP, Insurance paid by the Supplier (in accordance with the INCOTERMS 2000), up to the Delivery Point

according to the Contracting Entity's instructions. Offloading will be arranged and paid for by the Contracting Entity.

-The Contract Price as well as the Unit Prices, are firm and not subject to any cost escalation for any reason whatsoever.

-The Liability/Guarantee Period shall expire forty-eight (48) months from the date on which the Supply has been actually delivered to the Contracting Entity at the Delivery Point and as per conditions stated in Contract

II.2.5) Award criteria:

Criteria below

Price

II.2.6) Estimated value: Value excluding VAT: 462, 000.00 EUR

II.2.7) Duration of the contract:Duration in months: 6

This contract is subject to renewal: no

II.2.10) Information about variants:

Variants will not be accepted

II.2.11) Information about options: Yes

Description of options:

Contracting Entity's option to reduce or increase the total quantities to be delivered, within a margin of thirty percent (30%) of the Contract Price, with no obligation for compensation to the Supplier or for readjustment of unit prices for any such reduction or increase.

II.2.13) Information about European Union funds: No

II.2.14) Additional information:

1)This Tender is governed by the Laws of Greece, EU Directive 2014/25/EU, Law 4412/2016 applicable to all relations between the Contracting Entity and Tenderers.

2)The CONTRACT to be signed is governed by the current DEPA Procurement Regulation (BoD Decision.No1261/2/25.10.16)

3) The Inquiry Documents can be obtained at the Contact Point stated in section I.1. here above not later than 14/10/2022.

SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

III.1) CONDITIONS FOR PARTICIPATION

III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers:

List and brief description of conditions: Tenderers have to be experienced and reputable manufacturers of CNG Filling Stations Equipment for commercial purposes or authorized representatives-agents of such manufacturers, or Joint Ventures of the above mentioned.

Each tender shall include the following documents:

-Participation Guarantee Letter

-Subject to rejection of the Bid, a duly completed Participation Guarantee letter, issued by a Bank or a Financial Institution, legally operating in Greece or in any other member-state of the European Union (EU) or the European Economic Area (EEA).

- Subject to rejection of the Bid Solemn declaration that the Bidder has studied all the terms of the Inquiry and that he accepts all terms contained in the Inquiry Documents with no reservations whatsoever.

- Subject to rejection of the Tender the Tenderer shall complete all relevant sections of the European Single Procurement Document (ESPD) by electronic means, at <https://espd.eprocurement.gov.gr>, , as stated in the Inquiry Documents.

- Personal Data Statements

Participants shall accompany any document thereof containing personal data (e.g. solemn declaration, resumés, criminal records) with an explicit statement by the Data Subject, as the case may be, in compliance with the attached Annex of the Tender Documents.**DOCUMENTS TO BE SUBMITTED ONLY BY THE SUCCESSFUL TENDERER**

1) Company Statutes and Company's decision taking body/person according to the legislation of the country the Tenderer is registered.

2) A certified copy of the Minutes of Meeting of the BoD, or other competent decision-taking body or duly authorised person of the Successful Tenderer,

3) In the case of a J/V, the J/V Agreement, or other legal document to that effect.

4) Documents proving the registration in a professional register and that he has the essential qualifications in order to execute the Supply in accordance with the legislation of the country where he is established.

5) Extracts from Judicial records, or failing this, equivalent documents issued by competent judicial or administrative authorities in the country of origin and/or the country where the Successful Tenderer is registered, proving that:

- A) He is not bankrupt, under liquidation, bankruptcy, obligatory management, compromise;
- B) No procedure has been instigated against him for declaration in bankruptcy, obligatory management, compromise or any other similar situation or resulting from any other similar procedure as provided by national legislation.
- C) He has not been convicted for anything related to its professional integrity and behaviour.
- D) He has not committed a serious professional misdeed, which can be verified by any means by the Contracting Entity.

6) Certificates issued by competent Authorities in the country where he is registered, stating that he:

- A) Has fulfilled its obligations, concerning the payments of social security contributions
- B) Has fulfilled its obligations related to payment of taxes.

III.1.2) Economic and financial standing:

Selection criteria as stated in the procurement documents

- Published or certified copies of Tenderer's, or in case of a J/V of each of its members, Statements of Accounts for the last three (3) years.
- References from Banking Institutions concerning the financial status and credit of the Tenderer, or in case of a J/V of each of its members.

III.1.3) Technical and professional ability:

List and brief description of selection criteria:

- Documents indicating the profile, structure and organization of the Bidder (in case of J/V, of all its members).

-List of purchase orders for the same or similar material to the SUPPLY, executed successfully within E.U. countries, during the last five (5) years, stating analytically:

-List of all purchase orders currently under execution with material description and quantity of items to be delivered with expected delivery dates.

-Subject to rejection of the Bid, the Bidder or in the case of a J/V, the leader of the J/V must provide in his Bid the full range of the Dispenser units as these are listed in the Inquiry Documents.

-Subject to rejection of the Bid, the Bidder or in the case of a J/V, the leader of the J/V must have executed successfully the supply of at least one unit same with the SUPPLY, during the last five (5) years.

-Subject to rejection of the Bid, the Bidder will propose a Maintenance Service Provider for Greece bound with an after Sales Level Agreement (SLA) between the SUPPLIER (the BIDDER) and the SERVICES PROVIDER; for the Liability/Warranty Period for the SUPPLY as this is defined in the CONTRACT (article 13 of the Terms & Conditions), where will be explicitly stated and described his obligation, to be accepted by DEPA. Such a Provider shall be assigned the responsibility for the after sales maintenance and repair of the SUPPLY as specified by the manufacturer and stated in the CONTRACT Document. The Bidder shall submit a commitment in writing with a Maintenance Service Provider in Greece. Such a Provider shall be assigned the responsibility for the after sales maintenance and repair of the SUPPLY as this is specified in the CONTRACT Documents.

The Service Provider's response time following PURCHASER'S call, NOT exceeding four (4) hours, shall be clearly stated.

-Copy of the Quality Management certificate ISO 9001:2015 or equivalent with scope covering all the activities and/or products offered in this Inquiry. The certificate should be valid and issued by an accredited Certification Organisation.

Subject to rejection of the Bid, the Bidder or in the case of a J/V, the leader of the J/V must provide in his Bid the full range of the Dispenser units as these are listed in the Inquiry Documents.

-Subject to rejection of the Bid, the Bidder shall submit a commitment in writing with a Maintenance Service Provider in Greece. Such a Provider shall be assigned the responsibility for the after sale maintenance and repair of the SUPPLY as this is specified in the CONTRACT Documents.

The Service Provider's response time following PURCHASER'S call, NOT exceeding four (4) hours, shall be clearly stated.

III.1.4) Objective rules and criteria for participation:

List and brief description of rules and criteria:

Without prejudice to any other relevant provision of the Instructions to Bidders, bids shall be rejected if:

- The Bidder fails to submit: - a participation Guarantee according to the Instructions to Bidders.
- a solemn declaration that he has studied all the terms of the Inquiry and that he accepts all terms contained in the Inquiry Documents with no reservations whatsoever.
- a duly completed and signed copy of the ESPD
- The Bidder does not meet the minimum technical requirements set out in Inquiry Documents.
- It appears that the Bidder does not have the know-how or the experience and generally the technical and/or the financial capacity for executing the CONTRACT.
- The Bidder has committed any serious professional misdeed which can be verified by any means by the PURCHASER.
- The Bidder has provided, at any stage, any information required, which is false.
- The Bid is not precise enough to the point that it is impossible to establish with certainty what is offered against which price, or if it is not responsive or if it is in any other way unsatisfactory to the Contracting entity, including unfair competition.
- Non-fulfilment of the subject to Rejection criteria of the Tender

III.1.6) Deposits and guarantees required:

-Subject to rejection of the Tender, each tenderer must deposit, at the time of tender submittal, a Participation Guarantee Letter equal to Fourteen thousand (14.000,00€) EUROS, valid for at least one month more than the validity period of the tender stated in section IV.2.6 herein.

- Prior to Contract signing, a Performance Guarantee Letter of four percent (4%) of the Contract Price shall be required from the tenderer to whom a Contract will be awarded.

-Both Letters of Guarantee must be issued by a Bank or a Financial Institution, legally operating in Greece or in any other member-state of the European Union (EU) or the European Economic Area (EEA).

III.1.7) Main financing conditions and payment agreements and/or reference to the relevant provisions governing them:

The Contract Price will be paid as follows:

-Payment of eighty percent (80%) of each delivery value against related invoice, forty-five (45) days after the receipt of the contractual items and the submission of relevant documentation according to the Contract.

-Final payment of the twenty percent (20%) of the Contract Price shall be paid after delivery of the last item of the Supply in the following manner: In four (4) instalments of five percent (5%) at the end of each year of the forty eight (48) months Liability/Guarantee Period from the date on which the Supply has been actually delivered to the Purchaser.

III.1.8) Legal form to be taken by the group of economic operators to whom the contract is to be awarded:

A preliminary Joint Venture/Consortium (J/V) Agreement. Upon signing of the Contract, submission of a final Joint Venture/Consortium (J/V) Agreement signed by all members of the J/V, or other legal document to that effect.

III.2) CONDITIONS RELATED TO THE CONTRACT

III.2.2) Contract performance conditions:

The Contract to be signed is governed by the current DEPA Procurement Regulation (BoD Decision No 1261/2/25.10.2016) posted on DEPA's site (URL): [http:// www.depa.gr](http://www.depa.gr).

For matters not explicitly provided in the Contract, relevant provisions of the Greek Civil Law shall apply.

SECTION IV: PROCEDURE

IV.1) DESCRIPTION

IV.1.1) Type of Procedure: Open

IV.1.8) Information about the Government Procurement Agreement (GPA):

The procurement is not covered by the GPA.

IV.2) ADMINISTRATIVE INFORMATION

IV.2.1) Previous publication concerning this procedure: No

IV.2.2) Time limit for receipt of tenders or requests to participate:

Date: 31/10. /2022

Local Time: 14:00

IV.2.4) Language(s) in which tenders or requests to participate may be drawn up:
English, Greek.

IV.2.6) Minimum Time frame during which the tenderer must maintain the tender:

Four (4) months from the date stated for receipt of tender in section IV2.2 herein.

IV.2.7) Conditions for opening tenders:

Date: 31. /10. /2022

Local Time: 14:30

Place: At the Contact Point stated in section I.1 herein.

SECTION VI: COMPLEMENTARY INFORMATION

VI.1) THIS IS A RECURRENT PROCUREMENT:

No

VI.3) ADDITIONAL INFORMATION:-

VI.4) PROCEDURES FOR REVIEW

VI.4.1) Review Body:

DEPA COMMERCIAL (DEPA) S.A.

92, Marinou Antypa Street, GR14121, Herakleion of Attica, Greece.

Telephone: + 30 210 2701118,

Email: procurement@depa.gr,

Web Site: <http://www.depa.gr>.

VI.4.2) Body responsible for mediation procedures:

Any dispute shall be subject to the jurisdiction of the Law Courts of Athens, Athens, Greece.

VI.4.3) Review procedure:

Precise information on deadline(s) for review procedures:

This tender is governed by the Laws of Greece and the European Union Legislation (Directive 2014/25/EU, Law 4412/2016 and DEPA's Regulation on the procurement of goods and services uploaded on www.depa.gr) which will be applicable in general to all relations between the Contracting Entity and the Tenderers, regardless of their nationality.

Any dispute shall be subject to the jurisdiction of the Law Courts of Athens.

VI.4.4) Service from which information about the review procedure may be obtained:

DEPA COMMERCIAL (DEPA) S.A. /Procurement Dept.

92, Marinou Antypa Street, GR14121, Herakleion of Attica, Greece.

Procurement Department,

Mrs. I. Kombotiati, Procurement Director

Telephone: + 30 210 2701118,

Fax: + 30 210 2751731,

Email: procurement@depa.gr,

Web Site: <http://www.depa.gr>.

VI.5) DATE OF DISPATCH OF THIS NOTICE:

30/09/2022