



KORPORATA ENERGJETIKE E KOSOVËS Sh. a.
KOSOVO ENERGY CORPORATION J.S.C.
ENERGETSKA KORPORACIJA KOSOVA D. B.

KORPORATA ENERGJETIKE E KOSOVËS sh.a.
KOSOVO ENERGY CORPORATION J.S.C.
KOSOVSKA ENERGETSKA KORPORACIJA d.d.

I Nr. 228 Dt. 11/05/2012
PRISHTINË A

Për: Mimoza Kusari Lila
Deputy PM/Minister

**Ministry of Trade and
Industry**

KEK Ref:

Ref juaj: 2421/10/05/2012

Arben Gjukaj
Drejtor Menaxhues

**Korporata Energjetike e
Kosovës**

**Nr. 36 Rr. Nënë Tereze
Prishtinë 10000**

Kosovë

<http://www.kek-energy.com/>

**PËRMES POSTËS
ELEKTRONIKE**

Datë: 11 maj 2012

RE: QUANTUM RISK ENGINEERING

Dear Deputy PM/Minister,

Thank you for your letter dated 10th May 2012, which encloses a copy of a letter from Quantum Risk Engineering.

KEK appreciates the interest shown by this company in the current and future status of Kosova A TPP. However, any future works that will be undertaken on this power plant – as long as it is owned and operated by KEK – must be contracted in accordance with the public procurement law. Accordingly, KEK's interaction with this company - and other companies that may participate in future procurements related to Kosova A TPP - is rightfully restricted under the public procurement law framework. In this context, KEK is anxious to ensure that all potential bidders are treated equally and afforded the same level of access to information and data.

Turning to the specific requests made in their letter.

- Unit A1: In line with the commitments made by the Government of Kosovo to the EU and other stakeholders, KEK intends to decommission/dismantle Unit A1 in the near future and based on a timetable agreed with EU funded consultants.
- Unit A2: As you may know, KEK has recently initiated a competitive procurement activity for the reactivation of Unit A2 of Kosova A TPP - a copy of the public notice is attached. Please feel free to forward this notice to Quantum Risk Engineering. KEK welcomes participation in this procurement activity from all qualified contractors.
- Units A3, A4 and A5: Future works on these units will be limited to scheduled maintenance and overhauls, which will be procured in the usual manner through public competitive tender. Again, KEK welcomes participation in these procurement activities from all qualified contractors. The Units will be operated until the end of 2017 or until new generation capacity (in the form of KRPP) is commissioned.

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If you require any further information please do not hesitate to contact me.

Yours sincerely,



Arben Çukaj
Managing Director

Preportr.com

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KOSOVSKA ENERGETSKA KORPORACIJA

I Nr. 228 Dt. 11/05/2012
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Për: Mimoza Kusari Lila
Zv/kryeministre
Ministre

Ministria e Tregtisë dhe
Industrië

KEK Ref:

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Nr. 36 Rr. Nëna Tereze
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<http://www.kek-energy.com/>

PËRMES POSTËS
ELEKTRONIKE

Datë: 11 maj 2012

RE: QUANTUM RISK ENGINEERING

E nderuara Zv.kryeministre/Ministre,

Ju faleminderit për letrën tuaj të datës 10 maj 2012, e cila e përfshin edhe një kopje të letrës nga Quantum Risk Engineering.

KEK-u e vlerëson interesin e treguar nga kjo kompani për statusin aktual dhe të ardhshëm të TC Kosova A. Megjithatë, punimet tjera që do të ndërmerren në të ardhmen në këtë termocentral – për aq kohë sa është në pronësi dhe e drejtuar nga KEK-u- duhet të kontraktohet në përputhje me ligjin mbi prokurimin publik. Prandaj, bashkëveprimi i KEK-ut me këtë kompani- dhe kompanitë tjera që mund të marrin pjesë në të ardhmen në proceset e prokurimit lidhur me TC Kosova A-është i kufizuar me të drejtë sipas kornizës së ligjit mbi prokurimin publik. Në kuptim të kësaj, KEK-u dëshiron që të siguroj trajtimin në mënyrë të barabartë për të gjithë ofertuesit e mundshëm si dhe të ofroj nivelin e njëjtë të qasjes në informata dhe të dhëna. Duke ju referuar kërkesave specifike të bëra në letrën e tyre .

- Njësia A1: Në përputhje me zotimet e bëra nga Qeveria e Kosovës me BE dhe aktorët e tjerë, KEK-u synon ta nxjerr nga puna/ zbërthej Njësinë A1 në një të ardhme të afërt dhe në bazë të një plani të rënë dakord me konsulentët e financuar nga BE.
- Njësia A2: Siç jeni në dijeni, KEK-u ka nisur një aktivitet të prokurimit konkurrues për riaktivizimin e Njësisë A2 të TC Kosova A- e bashkangjitur një kopje e njoftimit publik. Ju lutem të mos ngurroni ta përcjellni këtë njoftim tek Quantum Risk Engineering. KEK-u e mirëpret pjesëmarrjen në këtë aktivitet të prokurimit nga të gjithë kontraktorët e kualifikuar.
- Njësit A3, A4 dhe A5: Punimet e ardhshme në këto njësi do të jenë të kufizuara me një mirëmbajtje të planifikuar dhe riparime kapitale, që do të kalojnë në prokurim në mënyrë të zakonshme përmes tenderit publik konkurrues.

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Edhe njëherë, KEK-u e mirëpret pjesëmarrjen në këto aktivitete të prokurimit nga të gjithë kontraktorët e kualifikuar. Njësitë do të drejtohen deri kah fundi i viti 2017 apo deri derisa të lëshohet në punë kapaciteti i ri gjenerues (në formë të KRPP-Termocentrali Kosova e RE). Nëse keni nevojë për informata shtesë ju lutem mos hezitoni të më kontaktoni.



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REPUBLIC OF KOSOVA
KOSOVO ENERGY CORPORATION

CONTRACT NOTICE

WORKS

According to Section 40 of Law No. 04/L-042 on Public Procurement in Kosov

Date: 07.05.2012

Procurement No	KEKC	1	2	1	9	7	5	1	1
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This notice has been prepared in the LANGUAGES:

Albanian

Serbian

English

(The English language version, if one has been prepared, shall control).

SECTION I: CONTRACTING AUTHORITY

I.1 NAME AND ADDRESS OF THE CONTRACTING AUTHORITY (CA)

Official name: Kosovo Energy Corporation j.s.c.	
Postal address: Street "Nëna Tereza" no. 36	
Town: Prishtina	Postal code: 10 000
Internet address (if applicable): www.kek-energy.com	
Responsible Officer: Driton Pruthi	Email: driton.pruthi@kek-energy.com
Telephone:	Fax: +381 38 501 701 1156

The contracting authority is purchasing on behalf of other contracting authorities

Yes

No

SECTION II: OBJECT OF THE CONTRACT

II.1 DESCRIPTION

Rehabilitation of Unit A2 of Kosova A Power Plant, for the Kosovo Energy Corporation J.S.C ("KEK")

II.1.2 Type of contract and location of works, place of delivery or of performance

(Choose one category only - works, supplies or services - which corresponds most to the specific object of your contract)

<input checked="" type="checkbox"/>	Works		
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and the failure materially impacts the availability of the Unit, the Contractor shall not be responsible or held liable for corresponding unavailability of the Unit.

3. Liquidated damages – If the Unit does not meet the warranted performance parameters prior to taking over – liquidated damages shall apply (as outlined in the Tender Dossier). Thereafter, in any given month of the five year warranty period – failure to comply with the abovementioned warranted performance and emission parameters will also result in application of liquidated damages – as detailed in the Tender Dossier.
- 4.

II.3 DURATION OF THE CONTRACT OR TIME LIMITS FOR COMPLETION

Maximum of 365 days from effective date of contract.

SECTION III: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

III.1 CONDITIONS RELATING TO THE CONTRACT

III.1.1 Performance security required Yes No

If yes, amount of performance security 10 % of contract value.

III.2 CONDITIONS FOR PARTICIPATION

- a. A written declaration under Oath signed by the tenderer by using the form in Annex 2.

Proofs regarding the eligibility requirements shall be submitted by the tenderer whom the contracting authority intends to award the contract. These documents must be submitted by the tenderer prior to the contract award. Failure to submit such documents, its tender will be rejected

Documentary evidence which shall be required to be submitted as proof of eligibility requirement is the following:

- a. For situations referred to point 6.2 [a, c, d and e] and point 6.3 [a, b and d], a proof issued by a competent judicial or administrative authority of the Tenderer's country of establishment.
- b. for situation referred to in point 6.3 [h (social security contribution), i and k] a certificate issued by the competent authority or public operator attesting that such situation does not exist..
- c. for situation referred to in point 6.3 [h (taxes)] a proof issued by Tax administration of place of establishment of economic operator, that the mentioned economic operator is not delinquent in the payment of taxes at least until the last quarter of the year [prior to the publication date of Contract Notice].
- d. A confirmation signed by KEK - Supply Division stating that the economic operator concerned is not delinquent in paying electricity bills, at least up to two months prior to tender submission (for local companies only)

As regards all other provisions set forth in Section 6 as well as in case where the issue of documents and certificates referred to above is not obtainable for objective reasons, or where these documents do not cover all cases for which the evidence has been produced, a declaration under oath made by the tenderer may be accepted as sufficient evidence..

III.2.1 Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers

Documentary evidence required

- a. Proof of registration as an economic operator in a professional, commercial and/or corporate register in

the country of establishment; and

- b. Copies of any licenses issued by the Ministry of Trade & Industry, which are required for the performance of the economic operator's business (only for local (Kosovo) companies)
- c. VAT registration certificate (for local companies only);
- d. Fiscal number certificate (for local companies only)

TENDERERS THAT ARE PART OF A CONSORTIUM, THE REQUIREMENTS UNDER ARTICLES 6.1 AND 7.1 ABOVE, MUST BE SATISFIED BY ALL MEMBERS OF THE CONSORTIUM, TO INCLUDE PROVIDING REGISTRATION DOCUMENTATION.

III.2.2 Economic and financial capacity

Documentary evidence required

- a. Certified evidence of an annual turnover in the amount of € 50,000,000 (fifty million Euros) in related activities for each of the two (2) prior financial years. This may be provided by way of certified balance sheets or bank statements. In this context, the term 'related activities' shall mean activities concerned with power plants.
- b. Audited Financial statements for the past two years. Auditing should be performed by a reputable licensed auditing firm.
- c. Proof that it possesses sufficient funding from in hand (firm) funds¹ and/or funding from non-firm funding² to self-finance the performance of the Works. This may be in the form of bank letters, or other banking facility agreements or simply the balance sheet of the economic operator, duly certified by a reputable auditor.

With respect to the documentary evidence required under point (a) above (turnover), if the letter of request is being submitted by a consortium, this financial pre-condition may be satisfied by combining the joint turnover of all consortium members. Provided that: (i) all consortium members submitting evidence of turnover must be signatories to any contract awarded by the contracting authority; and (ii) the turnover of the lead contractor within the consortium must represent at least **45%** of the combined turnover of the consortium, and the remaining consortium partners must each represent at least **15%** of the combined turnover of the consortium

III.2.3 Technical and professional capacity

A qualified tenderer must have prior experience in the performance of refurbishing thermal power plants. The tenderer must also demonstrate that it has the technical and managerial resources required to successfully complete the contract according to the requisite timeline.

In order to prove that the economic operator is eligible to participate in the procurement procedure, the economic operator that will be performing the Works must submit the following documentary evidence:

- a. *Prior experience:* The economic operator must provide three references in the past 10 years documenting successful completion of projects with a similar scope of work and with a similar value to this procurement activity. In this respect, 'similar work' shall mean the rehabilitation of coal fired power plants of 50 MW or larger, where rehabilitation involved the major overhaul of large turbine generators; replacing water walls, economizers, super-heaters, and air heaters of large steam generators; repair of lignite grinding mills; reconditioning of forced draft and induced draft fans; overhaul of electrostatic precipitators, ash and coal handling systems and rehabilitation of control systems.

Such references should be accompanied with documents, such as a summary of the work performed under the contracts, the price, location and a report on final acceptance of works, signed by the client.

¹ Firm funding shall include cash in hand, and also debt financing or other forms of funding that has already been secured by the bidder on an **unconditional** basis for the performance of the rehabilitation and operation of A2 Unit. The Contracting Authority may request further clarification or information on the bidder's funding sources.

² Non-firm funding shall include debt financing that has **not** yet been secured by the bidder. The Contracting Authority may request further clarification or information on the bidder's prospective funding sources.

The references should also contain the contact details of the client, as KEK may wish to contact the client in order to verify the reference.

If the bid is being submitted by a consortium, and each member of the consortium is responsible for a particular section or sections of the Works, he should present three references for that section (or sections) of the Works (e.g. three references each for boiler, turbine/generator, ESPs etc.). In this respect, the combined references of the consortium members should cover the work areas mentioned in the first paragraph (above).

b. *Key project staff:* The economic operator must present information on the following key personnel, who will oversee the management of the project:

Team leader: Must have at least 10 years in project management of similar scope of works (e.g. rehabilitation of coal fired power plants larger than 50MW). A working knowledge of both written and spoken English or Albanian is also desirable.

Technical Supervisor on Site for the turbine generator and their auxiliaries works, with at least 10 years experience in overhaul of turbine generators

Technical Supervisor on Site for steam generator and their auxiliaries works, with at least 10 years experience in major repairs of steam generators

Technical Supervisor on Site for instruments and controls works, with at least 10 years experience in repair and modernization of power plant control and instrument systems.

Prospective tenderers must submit credentials for the proposed key project staff (e.g. CVs/resumes) in sufficient detail to allow the contacting authority to confirm whether they satisfy the minimum professional requirements (outlined above). In addition, each CV should contain the following signed certification:

"I, the undersigned certify that to the best of my knowledge and belief, this CV correctly described myself, my qualifications, and my experience. I understand that any willful misstatement described herein may lead to my disqualification or dismissal, if engaged"

The evaluation committee of the contracting authority shall review the credentials and reserves the right to request additional information if necessary to confirm compliance with the criteria established herein.

The contracting authority will not accept substitutions of the Team Leader during the execution of the contract, unless both parties agree that such substitution is unavoidable. In this event, the proposed substitute shall have equivalent or better qualifications and experience than the original candidate.

PLEASE NOTE THAT IF AN ECONOMIC OPERATOR DESIRES ANY INFORMATION PROVIDED IN CONNECTION WITH ARTICLES 8.1 AND 9.1 TO BE CLASSIFIED AND/OR TREATED BY THE CONTRACTING AUTHORITY AS CONFIDENTIAL BUSINESS INFORMATION, A WRITTEN REQUEST MUST BE SUBMITTED BY USING THE FORM IN ANNEX 3 OF THIS TENDER DOSSIER.

SECTION IV: PROCEDURE

IV.1 TYPE OF PROCEDURE

X Open	
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IV.2 AWARD CRITERIA

X The lowest price responsive tender			
Sub-criteria	Weighting in %	Sub-criteria	Weighting in %
		4)	
2)		5)	
3)		6)	

IV.3 ADMINISTRATIVE INFORMATION

IV.3.1. Previous publications concerning the same contract

Prior Indicative Notice _____

Other publications (if applicable) _____

IV.3.2 Conditions for obtaining tender dossier /

Time limit for receipt of requests for tender dossier

date 14.05.2012 at 9:00 to 08.06.2012 at 16:00 place Prishtina

e-mail: driton.pruthi@kek-energyv.com

ymer.dragusha@kek-energyv.com

Payable documents Yes No

IV.3.3 Time limit for receipt of tenders

date 20.06.2012 time 12:00 place Prishtina Street "Nëna Tereza" no. 36, Archive Toskana Building

IV.3.5 Is tender security needed (by all tenderers/ candidates) Yes No

If yes, the value of tender security €600,000.00 (six hundred thousand euros)

Validity of tender security in days 90

IV.3.6 Tender validity period

90 days

IV.3.7 Tender opening meeting

date 20.06.2012 time 12:30 place Prishtina Street "Nëna Tereza" no. 36, Archive Toskana Building

SECTION V: COMPLEMENTARY INFORMATION

V.1 COMPLAINTS

Any interested party may file a complaint with the Procurement Review Body, according to the provisions of Title IXf Law No. 04/L-042, Law on Public Procurement in Kosovo

V.1.1 ADDRESS OF THE PROCUREMENT REVIEW BODY (PRB)

Official name : Hysni Hoxha

Address of the PRB: Street "Garibaldi"

Town: Prishtina

Postal code: 10 000

Electronic address (if applicable):

Contact person:

E-mail:

Telephone:

Fax:

V.2 ADDITIONAL INFORMATION

Note: economic operators will be entitled to submit a tender, request to participate and other documents required or permitted to be files during the conduct of a procurement activity in Albanian, Serbian or English. Add other information:

To facilitate a comprehensive assessment of the performance of the Works, a three day site visit to Kosovo A TPP has been arranged for all interested economic operators on xxxxxxxxxxxx. Additional details will be provided closer to the time. It is highly recommended that the Bidder participate in the site visit so that the

Bidders understand the scope of this project.

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