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**CONTRACT NOTICE – UTILITIES  
DIRECTIVE 2004/17/EC**

**SECTION I.: CONTRACTING ENTITY**

**I.1) Name, addresses and contact point(s)**

<b>Official name:</b> Budapesti Közlekedési Zártkörűen Működő Részvénytársaság		<b>National ID:(if known)</b>
<b>Postal address:</b> Akácfa u. 15.		
<b>Town:</b> Budapest	<b>Postal code:</b> 1072	<b>Country:</b> HU
<b>Contact point(s):</b> Gazdasági Igazgatóság Beszerzési Főosztály <b>For the attention of:</b> Schifner Marianna		<b>Telephone:</b> +36 13226438
<b>E-mail:</b> kozbeszerzes@bkv.hu		<b>Fax:</b> +36 14616524
<b>Internet address(es) (if applicable)</b> General address of the contracting entity ( <i>URL</i> ): <a href="http://www.bkv.hu">www.bkv.hu</a> Address of the buyer profile ( <i>URL</i> ): <a href="http://www.bkv.hu/hu/kozbeszerzes">www.bkv.hu/hu/kozbeszerzes</a> Electronic access to information ( <i>URL</i> ): Electronic submission of tenders and requests to participate ( <i>URL</i> ): <i>Please use Annex A to provide more detailed information.</i>		

Further information can be obtained from <input checked="" type="checkbox"/> The above mentioned contact point(s) <input type="checkbox"/> Other (please complete Annex A.I)
Specifications and additional documents (including documents for a dynamic purchasing system) can be obtained from <input checked="" type="checkbox"/> The above mentioned contact point(s) <input type="checkbox"/> Other (please complete Annex A.II)

Tenders or request to participate must be sent to

The above mentioned contact point(s)

Other (please complete Annex A.III)

## I.2) Main activity

<input type="checkbox"/> Production, transport and distribution of gas and heat	<input type="checkbox"/> Railway services
<input type="checkbox"/> Electricity	<input checked="" type="checkbox"/> Urban railway, tramway, trolleybus or bus services
<input type="checkbox"/> Exploration and extraction of gas and oil	<input type="checkbox"/> Port-related activities
<input type="checkbox"/> Exploration and extraction of coal and other solid fuels	<input type="checkbox"/> Airport-related activities
<input type="checkbox"/> Water	<input type="checkbox"/> Other: (please specify)
<input type="checkbox"/> Postal services	

## I.3) Contract award on behalf of other contracting entities

The contracting entity is purchasing on behalf of other contracting entities:

yes  no

(if yes, information on those contracting entities can be provided in Annex A)

## Section II: Object of the contract

### II.1) Description

**II.1.1) Title attributed to the contract by the contracting entity:**

**Procurement of new solo low-floor bus within the framework supply contract**

**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 or purchase(s))

<input type="checkbox"/> Works	<input checked="" type="checkbox"/> Supplies	<input type="checkbox"/> Services
<input type="checkbox"/> Execution	<input checked="" type="checkbox"/> Purchase	Service category No: ... <i>Please see Annex C2 for service categories</i>
<input type="checkbox"/> Design and execution	<input type="checkbox"/> Lease	
<input type="checkbox"/> Realisation, by whatever means of work, corresponding to the requirements specified by the contracting entities	<input type="checkbox"/> Rental	
	<input type="checkbox"/> Hire purchase	
	<input type="checkbox"/> A combination of these	

Main site or location of works, place of delivery or of performance: Budapest

NUTS-code: HU 101

**II.1.3) Information about a public contract, a framework agreement or a dynamic purchasing system (DPS)**

The notice involves a public contract

The notice involves the setting up of a dynamic purchasing system (DPS)

The notice involves the establishment of a framework agreement

**II.1.4) Information on framework agreement (if appropriate)**

Framework agreement with several operators

Number

or

(if applicable) maximum number of participants to the framework agreement envisaged

Framework agreement with a single operator

**Duration of framework agreement**

Duration in years:     or in months:

**Estimated total value of purchases for the entire duration of the framework agreement (if applicable, give figures only)**

Estimated value excluding VAT:     Currency:

or

Range: between     and     Currency:

Frequency and value of the contracts to be awarded: (if known)

**II.1.5) Short description of the contract or purchase(s):**

Procurement of new, solo, low-floor diesel/diesel-hybrid/electric buses.

Delivery and entry into service of buses which fulfil the following requirements:

modern; single-decker; with two axles; 100% low-floor area for the standing passengers; suitable for wheelchair passengers transportation, urban design and passenger-friendly construction, fit to the environmental standards (valid at the time of delivery) for diesel, diesel-hybrid, electric engine

The offered fleet shall be fully homogeneous i.e. all the bus (including the quantity difference) should be of the same type.

The vehicle type-approval certificate must be available for bidding.

**II.1.6) Common procurement vocabulary (CPV) 34121100-2**

**II.1.7) Information about Government Procurement Agreement (GPA)**

The contract is covered by the Government Procurement Agreement (GPA):

yes  no

**II.1.8) Information about lots** (*for information about lots, use Annex B as many times as there are lots*)

This contract is divided into lots:  yes  no

(*if yes*) Tenders may be submitted for

one lot only

one or more lots

all lots

**II.1.9) Information about variants**

Variants will be accepted  yes  no

**II.2) Quantity or scope of the contract**

**II.2.1) Total quantity or scope:** (*including all lots, renewals and options, if applicable*)

15 units of low-floor, solo (M3/I.) diesel/diesel-hybrid/electric buses plus 400 % option

The contract winning Tenderer shall deliver the 15 units of buses within 6 months from the award of the contract.

(*if known, give figures only*) Estimated value excluding VAT:      Currency:

or

Range: between      and      Currency:

**II.2.2) Information about options** (*if applicable*)

Options  yes  no

(*if yes*) Description of these options:

(*if known*) Provisional timetable for recourse to these options:

in months:      or on days:      (*from the award of the contract*)

**II.2.3) Information about renewals** (*if applicable*)

This contract is subject to renewal  yes  no

Number of possible renewals: (*if any*) or range: between      and

(*if known*) In the case of renewable contracts, estimated time time-frame for subsequent calls for competition:

in months:      or in days:      (*from the award of the contract*)

### II.3) Duration of the contract or time limit for completion

Duration in months: 48 *or* in days: (from the award of the contract)

or

Starting:        / / (dd/mm/yyyy)

Completion:     / / (dd/mm/yyyy)

### Section III: Legal, economic, financial and technical information

#### III.1) Conditions relating to the contract

##### III.1.1) Deposit and guarantees required: *(if applicable)*

In case of delayed or deficient performance Tender Announcer may impose a penalty. The extent of the penalty is indicated in the Draft Contract which is part of the tender documentation.

##### III.1.2) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them:

The consideration is fulfilled by the Tender Announcer in line with Article 292/B Section (1) of Civil Code.

The Tender Announcer does not pay deposit.

##### III.1.3) Legal form to be taken by the group of economic operators to whom the contract is to be awarded: *(if applicable)*

In case Joint Tenderers win the contract, Tender Announcer will allow them to form a business organisation or a legal entity as defined in the supplementary documentation.

##### III.1.4) Other particular conditions: *(if applicable)*

The performance of the contract is subject to particular conditions [ ] yes [x] no

*(if yes)* Description of particular conditions:

#### III.2) Conditions for participation

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

Information and formalities necessary for evaluating if the requirements are met:

Grounds for exclusion:

- The following Candidates (joint Candidates), subcontractors and organisations taking part in verifying suitability shall be excluded from participation in the

procedure and may not contribute to the certification of suitability in whose case ground for exclusion listed under Article 56 Section (1) Points a)-f) h)-k) and Article 57, Section (1) Points a)-c) of PPA are present.

- The following Candidates (joint Candidates) shall be excluded from participation in the procedure in whose case grounds for exclusion listed under Article 56 Section (2) of PPA are present.

Required method of certification:

- Candidates (joint Candidates) established in Hungary shall certify that they do not fall within the scope of Article 56 Section (1) a)-f) and h)-k), nor Article 56 Section (2) of PPA pursuant to Article 2 of Government Decree 310/2011 (XII.23) in their Application.
- in their Application Candidates (joint Candidates) established in Hungary shall certify that they do not fall within the scope of Article 57 Section (1) a)-c) of PPA pursuant to Article 3 of Government Decree 310/2011 (XII.23).
- Candidates (joint Candidates) established not in Hungary shall certify pursuant to Article 4 of Government Decree 310/2011 (XII.23) in their Application that they do not fall within the scope of Article 56 Section (1) a)-k), nor Article 56 Section (2), nor Article 57 Section (1) a)-c) of PPA.
- Candidates (joint Candidates) shall make a statement pursuant to Article 58 Section (3) of PPA in their Application as their subcontractors or organisations taking part in verifying suitability do not fall under the scope of grounds for exclusion listed in Article 56 Section (1) a)-f) and h)-k) of PPA.
- Candidates (joint Candidates) can choose between the following two possibilities (in respect of their subcontractors or organisations taking part in verifying suitability):
  - they can make a statement in their Application as their subcontractors or organisations taking part in verifying suitability do not fall under the scope of grounds for exclusion listed in Article 57 Section (1) a)-c) **or**
  - their subcontractors or organisations taking part in verifying suitability make statements that they do not fall within the scope of Article 57 Section (1) a)-c)

### **III.2.2) Economic and financial ability** (*if applicable*)

Information and formalities necessary for evaluating if the requirements are met:

The Candidate (joint Candidate) will be qualified as suitable for fulfilling the agreement if its total net turnover at least in one of the previous three years before this notice exceeded HUF 780 000 000.

Required method of certification:

Statement of the Candidates (joint Candidates) about the total net turnover of at least one year from the previous three years before this notice (depending on the time when Candidate came into existence or respectively when Candidate started his operation) pursuant to Article 14 Section (1) c) of Government Decree 310/2011

(XII.23) has to be attached to the Application if these data are available.

### **III.2.3) Technical capacity** *(if applicable)*

Information and formalities necessary for evaluating if the requirements are met:

The Candidate (joint Candidates) will be qualified as suitable for fulfilling the agreement if he possesses reference about manufacturing and/or selling 15 units (the same technical content) of new, 100% low-floor, solo bus - the transport and the entry into service of these buses shall be according to the regulations of member states of EU or of EFTA - at least in one of previous 72 months before this notice.

Required method of certification:

The Candidates (joint Candidates) shall describe the more remarkable fulfilments at least in one previous 72 months before this notice. The Tender Announcer's request Candidate has to certify its authenticity pursuant to Article 16 Section (1)-(2) of Government Decree 310/2011 (XII.23) In the Certificate or statement at least the following data have to be indicated: time and place of performance, subject matter and quantity of the purchase, sum of the compensation, statement on the suitable performance.

### **III.2.4) Information about reserved contracts** *(if applicable)*

The contract is restricted to sheltered workshops

The execution of the contract is restricted to the framework of sheltered employment programmes

## **III.3) Conditions specific to services contracts**

### **III.3.1) Information about a particular profession**

Execution of the service is reserved to a particular profession

yes  no

*(if yes)* Reference to the relevant law, regulation or administrative provision:

### **III.3.2) Staff responsible for the execution of service**

Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service  yes  no

## **Section IV: PROCEDURE**

#### IV.1) Type of procedure

<b>IV.1.1) Type of procedure</b>	
<input type="checkbox"/> Open  <input type="checkbox"/> Restricted	<input checked="" type="checkbox"/> Negotiated Some candidates have already been selected (if appropriate under certain types of negotiated procedures)  <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <i>(if yes, provide names and addresses of economic operators already selected under Section VI.3 Additional information)</i>

#### IV. 2) Award criteria

<b>IV.2.1) Award criteria</b> <i>(please tick the relevant box(es))</i> <i>(if appropriate, please give additional information about specific award criteria for lots in Annex B)</i>	
<input type="checkbox"/> <b>Lowest price</b> or <input checked="" type="checkbox"/> <b>The most economically advantageous tender in terms of</b> <input checked="" type="checkbox"/> the criteria stated below <i>(the award criteria should be given with their weighting or in descending order of importance where weighting is not possible for demonstrable reasons)</i> <input type="checkbox"/> the criteria stated in the specifications or in the invitation to tender or to negotiate	
<b>Criteria</b>	<b>Weighting</b>
1. Tender Price in all rounds (price/unit – unit price)	80
2. Full additional warranty	5
3. Extended liability for corrosion resistance of the vehicle body and for any repairs arising out of static reasons (chassis breakage).	5
4. Environmental impact, offered drive system	5
5. Specific energy consumption (MJ/100km)	5

<b>IV.2.2) Information about electronic auction</b> An electronic auction will be used <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <i>(if yes, if appropriate)</i> Additional information about electronic auction:
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### IV.3) Administrative information

<b>IV.3.1) File reference number attributed by the contracting entity (if applicable)</b> BKV Zrt. TB-321/13.
<b>IV.3.2) Previous publication(s) concerning the same contract</b> <input type="checkbox"/> yes <input checked="" type="checkbox"/> no (if yes) <input type="checkbox"/> Periodic indicative notice <input type="checkbox"/> Notice on a buyer profile Notice number in the OJEU:        /S            of            (dd/mm/yy) <input type="checkbox"/> Other previous publications (if applicable) Notice number in the OJEU:        /S            of            (dd/mm/yy) Notice number in the OJEU:        /S            of            (dd/mm/yy)
<b>IV.3.3) Conditions for obtaining specifications and additional documents (except for a DPS)</b> Time limit for receipt of requests for documents or for accessing documents Date: : 07 / 01 / 2014 (dd/mm/yy) Time: 10:00 AM
Payable documents <input type="checkbox"/> yes <input checked="" type="checkbox"/> no (if yes, give figures only) Price:            Currency: Terms and method of payment:
<b>IV.3.4) Time limit for receipt of tenders or request to participate</b> Date: 07 / 01 / 2014 (dd/mm/yy) Time: 10:00 AM
<b>IV.3.5) Language(s) in which tender or request to participate may be drawn up</b>
<input type="checkbox"/> Any EU official language <input checked="" type="checkbox"/> Official EU language(s): English. Hungarian. <input type="checkbox"/> Other:
<b>IV.3.6) Minimum time frame during which the tenderer must maintain the tender (open procedure)</b> until :        /        /        (dd/mm/yy) or Duration in months:        or in days:        (from the date started for receipt of tender)

#### **IV.3.7) Conditions for opening tenders**

Date :     /     /     (dd/mm/yy) Time: ...:...

(if applicable) Place:

Persons authorised to be present at the opening tenders (if applicable)

yes  no

(if yes) Additional information about authorised persons and opening procedure:

### **SECTION VI: COMPLEMENTARY INFORMATION**

#### **VI.1) Information about recurrence (if applicable)**

This is a recurrent procurement  yes  no

(if yes) Estimated timing for further notices to be published:

#### **VI.2) Information about European Union funds**

The contract is related to a project and/or programme financed by European Union funds  yes  no

(if yes) Reference to project(s) and/or programme(s):

#### **VI.3) Additional information: (if applicable)**

1. Date and location of opening the Application:

Date: 07 / 01 / 2014 (dd/mm/yy) Time: 10:00 AM

Location: BKV Head Office, 1072 Budapest, Akácfa u. 15. 2<sup>nd</sup> floor, room 252.

Persons entitled to attend the opening of the Applications in line with the Article 62 Section (2): the Tender Announcer, the Candidates of participation and the persons entitled to be present, representatives and persons are specified by special legislation.

2. In line with the Article 77 of PPA upon completing the evaluation of the Applications the Tender Announcer shall prepare a written summary of the results or lack of success of the participation stage. The Tender Announcer shall provide the information by sending the written summary by fax or electronic means to all Candidates at the same time.

3. The planned sending time of Call for proposals: 06 / 02 / 2014 (dd/mm/yy)

4. The Tender Announcer has determined financial, economic, technical and professional suitability conditions and their certifications in the points III.2.2. and III.2.3. of the notice stricter than the list of approved contractors.

5. In case of a current process for change in the register, Candidates shall attach the request handed in for the Registry Court and the certificate on its receipt

sent by the Registry Court.

6. In line with Article 40 Section (1) of PPA Candidate shall indicate in his Application:
  - a) the part (parts) of the public procurement for the performance of which the Candidate intends to employ a subcontractor
  - b) the subcontractors intended to be employed by the Candidate in parts for more than ten per cent of the value of the public procurement contract and the percentage of the public procurement for the performance of which the indicated subcontractor will contribute.
7. The Applications may be submitted via post or personally on weekdays from Monday to Friday from 8.00 am to 14.00 pm at office no.256, 2nd floor, Head Office of BKV Zrt. (1072 Budapest, Akácfa u. 15.). The Application may be submitted personally before the time determined in the point IV.3.4) of notice. Posted Applications are considered submitted before deadline only if they arrive before deadline in the office determined by the Tender Announcer in the notice and are received by the entitled person. Risks arising from losing the Application to Participate and the related mails will be taken by the Candidate. [The Tender Announcer draws the attention to his Headoffice will be closed from 22/12/2013 to 1/1/2014 so the Applications cannot be submitted in this period.](#)
8. The Tender Announcer makes the complete documentation of the procurement available electronically at his site ([www.bkv.hu/hu/kozbeszerzesek](http://www.bkv.hu/hu/kozbeszerzesek)). Loading the documentation is the condition of participation in the tender. The documentation shall be downloaded by the Candidate or his subcontractor at least once per Application. Supplementary information will be sent to persons/companies downloading the documentation. Candidates can prove the receipt of the electronic documentation by sending the totally filled in Confirmation Data Sheet to the fax number or e-mail address indicated in point I.1. of this notice.
9. The Tender Announcer ensures the possibility of supplying all missing information according to Article 67 of PPA.
10. When assessing the evaluation criteria points between 0 and 10 can be given. The first evaluation criterion will be assessed by proportion to the deviation from the best scaling value method (reverse scaling) and the second, third, fourth evaluation criterion by absolute rating method and fifth evaluation criterion by relative rating method. The scores calculated at all award criterions will be multiplied by criteria weighing and than added together. The Tenderer reaching the highest score is considered the most economically advantageous Tenderer. The Tender Announcer rounds two decimals according to the rules of mathematical rounding. The detailed information of the evaluation method can be found in the bidding documentation. The

Tender Announcer draws the attention to the fourth evaluation criterion (offered drive system): for diesel buses the minimum requirement is EURO6, for diesel-hybrid buses the minimum requirement is EEV hybrid.

11. The Tender Announcer draws the attention of the Tenderers to the application of Article 3 Section (1) of the 289/2011 (XII.22) Government Regulation. The Tender Announcer may exclude Tenderers from the procedure who offer products which are not eligible for national treatment due to their place of origin in respect of more than 50 % of their total value.
12. The Tenderer shall ensure the prescribed compulsory service free of charge in the warranty period. To fulfil this requirement the Candidate shall have his own or a contractual Service Center within a 50 km circle around Budapest. In the Application the Candidate shall declare the existence of the Service Center.
13. The quantitative difference may be ordered in portions. The detailed terms of the order of up to 400% quantitative difference will be fixed during the negotiations at the bidding phase.
14. Prior to the technical handover of the buses the Tenderer shall undertake a free training program in Hungarian to the drivers, maintenance staff and trainers of the Tender Announcer (total maximum 45 persons). The scope of the training is presentation of bus, controls, driving techniques, economical operation and daily maintenance.
15. The contract winning Tenderer shall take 24 months full warranty for the vehicle and regardless of km and hours of operation Tenderer shall take at least 10 years extended liability for corrosion of chassis structure from the day of hand-over of vehicle quota.  
Manufacturer shall undertake extended liability which covers any repairs arising out of static reasons (chassis breakage) during the planned life span of the bus.  
The extent of the warranty exceeding expected duration will be valued as award criterion.

#### **VI.4) Procedure for appeal**

##### **VI.4.1) Body responsible for appeal procedures**

**Official name:** Közbeszerzési Hatóság Közbeszerzési Döntőbizottság

**Postal address:** Riadó u. 5.

**Town:** Budapest

**Postal code:** 1026

**Country:** Magyarország

**E-mail:** dontobizottsag@kt.hu

**Telephone:** +36 18828594

<b>Internet address (URL):</b> www.kozbeszerzes.hu		<b>Fax:</b> + 36 18828593
<b>Body responsible for mediation procedures</b> <i>(if applicable)</i>		
<b>Official name:</b>		
<b>Postal address:</b>		
<b>Town:</b>	<b>Postal code:</b>	<b>Country:</b>
<b>E-mail:</b>		<b>Telephone:</b>
<b>Internet address (URL):</b>		<b>Fax:</b>
<b>VI.4.2) Lodging of appeals</b> <i>(please fill in heading VI.4.2 or if need be, heading VI.4.3)</i> Precise information on deadline(s) for lodging appeals: in line with Article 137 Section (2)-(7) of PPA.		
<b>VI.4.3) Service from which information about the lodging of appeals may be obtained</b>		
<b>Official name:</b> Közbeszerzési Hatóság Közbeszerzési Döntőbizottság		
<b>Postal address:</b> Riadó u. 5.		
<b>Town:</b> Budapest	<b>Postal code:</b> 1026	<b>Country:</b> Magyarország
<b>E-mail:</b> dontobizottsag@kt.hu		<b>Telephone:</b> +36 18828594
<b>Internet address (URL):</b> www.kozbeszerzes.hu		<b>Fax:</b> +36 18828593
<b>VI.5) Date of dispatch of this notice:</b> 29 / 11 / 2013 <i>(dd/mm/yy)</i>		