

Pursuant to the Law on Waste Management (Official Gazette of Montenegro, no. 34/2024), Decision on the Appointment of the Committee, no. 10-00-11399 dated 13 March, 2024, Elektroprivreda Crne Gore AD Nikšić hereby launches

INVITATION
for the collection of written bids,
for the permanent disposal of waste

1. Subject of the procedure:

The subject is waste, according to the volume, quantity and type, as indicated in the specification:

No.	Waste material and code	Waste type	Location	Estimated waste value excluding VAT (€/t)	Unit of measure	Estimated quantity (t)	Price/t excl. VAT	Total excl. VAT
1	10 02 07* - Solid waste containing hazardous substances arose as a result of gas treatment	Electric arc furnace dust. In EPCG-Željezara Nikšić, electric arc furnace dust, in the estimated quantity of about 3800 tons, is stored in the Steel Drawing Plant, mostly packed in jumbo bags of 2 tons.	EPCG-Željezara Nikšić	1.500.000 €	t	3.800		
Total excluding VAT:								€
VAT:								€
Total including VAT:								€

Note:

- Bid validity period 60 days.
- Bidders may not offer the price exceeding the estimated value of the waste.

2. Payment Terms and Conditions

The Contracting authority shall make payment as follows:

- € 200,000.00 shall be paid in advance within 15 days after the following conditions are met:
 - a) signed Waste disposal Agreement between EPCG AD and the selected bidder;
 - b) signed Agreement between the selected bidder and the waste disposal company/waste importer.
 - c) issued Advance payment invoice approved by the Contracting Authority and
 - d) submitted Advance payment guarantee;
- Payment for disposed waste shall be successively effected for each disposed quantity of waste of at least 300 tons within 15 days following issuance of invoice and upon submission of confirmation that the waste has been permanently disposed of. Each payment for the disposed waste shall be reduced by corresponding part of the advance payment until the full amount of the advance is repaid.

The exact quantity and value of the waste shall be determined by measurement-weighing at an authorized institution at the time of waste takeover, based on weight certificates signed by authorized representatives of the Contracting authority and Waste operator with whom the Contract is signed. Unit prices per ton indicated in the bid shall not be modified. The total price includes all dependent costs of packing/repacking, loading, transport, measurement – weighing of waste.

3. Requirements and eligibility of bidders

A bidder is eligible to participate in the procedure only if:

- 1) it has been registered to carry out the activity. Proof of registration with the authority competent for registration;
- 2) it possesses the permit (license or another document) for carrying out the activity which is subject of the invitation, in line with the Law,
 - Decision on registration in the Register of Waste Traders and Brokers of waste subject to disposal, issued by the Environmental Protection Agency of Montenegro;

Bidders who do not possess Decision on entry in the register of traders and brokers of waste subject to disposal on the day of bids' public opening, issued by Environmental Protection Agency of Montenegro, shall have the option to provide the concerned Decision issued by the competent authority of their home country, in which case, if selected as the most favourable bidder, they are obliged to submit the Decision on entry in the register of traders and brokers of waste subject to disposal issued by the Environmental Protection Agency of Montenegro within 30 days following the day of making the Decision on selection of the best bid. In case the selected bidder fails to provide the concerned Decision, the Contracting authority shall consider that such bidder has withdrawn the bid and activate the Performance Guarantee, i.e. retain the paid deposit;

- 3) it provides evidence that the waste disposal company/waste importer possesses a minimum of experience in high-quality and successful execution of tasks related to the permanent disposal of the same or similar types of waste, which shall be proved by submitting three certificates issued by the Contracting Authorities or the competent authorities in the last 5 years including the year in which the Public invitation was announced. These certificates shall contain description and value of the contract subject, contract implementation period and confirmation that the same or similar waste was permanently disposed of, whereof at least one must have a minimum value of € 1,500,000.00 per concluded Contract;
- 4) it has not been convicted of a criminal offence in the period of two years prior to the invitation submission and no measure of prohibition of carrying out the activity related to a criminal offence has been imposed on it;
- 5) it has settled all due obligations for taxes and contributions for pension and health insurance.
- 6) it has paid the deposit in the amount of 10% of the bid value or provided the Bid Bond in the amount of 10% of the bid value;
- 7) it submits a Letter of intent issued by the waste disposal company/waste importer, confirming that it shall accept and permanently dispose of the waste within the stipulated timeframe of 6 months after obtaining all necessary permits for waste export and transboundary movement of waste.

The following is required to be provided with the bid:

- 1) name and seat of the legal entity;
- 2) registration number of the legal entity;
- 3) name and surname of the person in charge of communication with the Contracting authority, phone number, e-mail;
- 4) account number and name of the bank;
- 5) financial part of the bid;
- 6) bid validity period;
- 7) Proof of registration;
- 8) Decision on registration in the Register of Waste Traders and Brokers of waste subject to disposal, issued by the Environmental Protection Agency of Montenegro;
- 9) Proof of deposit payment or Bid Bond;
- 10) Certificates/references as a proof of experience in high-quality and successful performance of tasks related to permanent waste disposal;
- 11) Proof of non-conviction;
- 12) Proof of settled tax liabilities;
- 13) Letter of intent issued by the waste disposal company/waste importer.

All documents, submitted with the bid, shall be bound together with a continuous strip (cord) into one unit and sealed in such a way that individual sheets, i.e. attachments, cannot be subsequently inserted, removed or replaced without visibly damaging the sheets or the seal.

All documents submitted in the bid must be in the form of originals or certified copies and translated by a certified court interpreter into the official language of Montenegro.

Submission of alternative bids shall not be allowed.

The Bidder with whom the Agreement shall be signed undertakes to:

- a) secure export permits within 6 months following the date of signing the Agreement and
- b) submit Certificates that the waste has been permanently disposed of within 6 months from the date of obtaining the export permits.

The obligation of the selected waste operator is to provide EPCG AD with the written proof that the waste has been permanently disposed of, which shall be defined by the Agreement. The waste is accepted in its as-is condition without the right to subsequent complaints.

The bidder shall assume full responsibility for safe operation and environmental protection, during packing/repacking, take over, i.e. loading and transport, as well as permanent disposal of the concerned waste.

4. Deposit Payment/Bid Bond

Bidders undertake to pay the deposit in the amount of 10% of the bid value to the account number 535-55-11 or to provide unconditional and at first demand payable bid guarantee in the amount of 10% of the bid value as a guarantee of commitment to the bid during its validity period and 5 days following expiry of the bid validity.

Proof of deposit payment or bid bond shall be provided in the bid.

The paid deposit shall not be refunded/the Bid bond shall be activated if the bidder:

- 1) withdraws the bid during its validity period and/or
- 2) refuses to sign the Agreement.

The deposit amount shall be refunded to the bidders whose bid is not accepted out of certain deficiencies within 10 (ten) days following passing of the Decision on selection of the best bid. The deposit amount shall be refunded to another bidders whose bids are ranked behind the selected bidder within 5 days following the day of the Agreement signature or passing of the Decision on the procedure cancellation.

5. Criterion for selection of the best bid shall be »the lowest offered price for waste disposal«.

6. Clarification of the Public invitation, time and place of having insight into the waste

During Invitation to submit bids for permanent waste disposal, interested bidders may obtain all necessary clarifications from the contact person.

Interested bidders may have insight into the waste during Invitation to tender, on working days from 9 – 14h by scheduling a visit with the contact person.

Contact person:

Ljiljana Bajović, phone: 382 68 092 113, 382 67 419 357; mail: ljiljana.bajovic@epcg-znk.com

7. Time and place for bid submission

Bids should be submitted in a sealed envelope with the indications »FOR INVITATION FOR SUBMISSION OF BIDS RELATED TO PERMANENT WASTE DISPOSAL« AND »**DO NOT OPEN before official meeting of the Committee for bids opening**«. The envelope must also include the basic bidder's information (name and address).

Bids shall be submitted to the following address:

EPCG AD Nikšić, Vuka Karadžića br. 2 Street, Nikšić or directly to the archive of EPCG AD Nikšić by **July 01, 2024, 09:30^h** in a sealed envelope.

8. Time and place of the public bid opening

Public bid opening, which may be attended by the bidder's authorized representatives having the written power of attorney, shall be held following expiry of the final deadline for bids receipt, namely **July 01, 2024 at 10:00^h** in the premises of EPCG, Vuka Karadžića 2 Street, Nikšić.

Bids submitted after the concerned deadline, as well as incomplete or unsealed bids, shall not be analysed.

If two or more bidders offer the same price, the bid shall be auctioned on the spot.

9. Deadline for decision making: 20 days following bids opening.

10. Additional information

The selected bidder, with whom Agreement on Waste disposal is to be signed, shall comply, i.e. fully act in line with provisions of the Law on Waste Management (Official Gazette of Montenegro, no. 34/2024), and the Rulebook on more detailed content of documents submitted in support of the application for the permit for import, export and transit of waste, as well as list of waste classification and the content and method of keeping a register of issued permits (Official Gazette of Montenegro, no. 83/2016 and 76/2017) and Basel Convention on the control of transboundary movements of hazardous wastes and their disposal.

The selected bidder shall sign the Agreement on Waste Disposal within 10 days following the day of having been submitted the Agreement for signature by the side of the Contracting authority and after signing the Decision on selection of the best bid.

The bidder whose bid is selected as the best one shall provide the Contracting authority with the following, in addition to the signed Agreement:

- a) unconditional and at first demand payable advance payment guarantee, in the amount of contracted advance, which shall be effective until repayment of the paid advance, whereat its amount shall be reduced by the repaid amount;
- b) unconditional and at first demand payable performance guarantee in case of violation of contractual obligations in the amount of 15% of the Agreement value.
- c) signed contract between the chosen bidder and the waste disposal company/waste importer.

The Contracting authority shall be entitled to suspend the procedure if it deems that the final bid does not meet the requirements stipulated by EPCG AD Nikšić. Also, the Contracting authority shall be entitled to withdraw the Agreement up until the moment of its signature, whereat neither applicants nor any legal or physical entity shall be entitled to request any compensation for damages and costs, either direct or indirect, arose as a consequence of participation in this Public invitation.