

To  
The Chairman of the Management Board of  
Road Infrastructure Agency  
Sofia, 3 Macedonia Blvd

[*name of the Tenderer*],  
registered [*registration data of the Tenderer*]  
represented by [*full name*] in its capacity of [*job position or other capacity*]  
with BULSTAT / unique identification code (UIC) [...] registered in [...] with headquarters [...] and registered address [...]  
mailing address [...]  
bank accounts [...]

## TECHNICAL BID

For participation in an open tender procedure for the award of public procurement under the title  
Selection of contractor for additional design and construction of site:  
**“HEMUS” motorway /A2/ “Sofia ring road (SRR) – YANA road junction”, from km  
0+000 to km 8+460**

I. Having received and considered the bidding documentation, with this technical bid we submit the following binding proposals for the implementation of the public procurement contract, inclusive as follows:

### **Term for implementation of the additional design and the construction and assembly works (CAW) under the contract**

Hereby we offer, in accordance with the Construction Schedule under the contract, a **term for implementation of the additional design and CAW under the contract – [months (in figures and in words)]** as from the signing of Protocol form № 2a for the opening of construction site and the determination of construction line and level for the construction of technical infrastructure<sup>1</sup> until drafting of a Statement of Findings (SOF) form №15 for verification of construction site acceptability<sup>2</sup>.

### **II. Organisation and execution of construction works:**

**II.1.** In executing the construction works we shall use equipment, including testing and examination equipment, thereby ensuring quality control of completed construction and assembly works as described in the list enclosed as Appendix № 9 to the bidding documentation.

**II.2.** We shall implement the public procurement contract under the technical supervision of persons engaged in carrying out the technical supervision of construction works, including the provision of quality control (management staff) listed by name in Appendix № 11 to the bidding

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<sup>1</sup> Appendix № 2a to Article 7, paragraph 3, item 2 of Ordinance № 3 of 31.07.2003 on the drafting of statements and protocols during construction works issued by the Minister of Regional Development and Public Works (promulgated in the State Gazette, issue 72 of 15.08.2003, amended issue 37 of 04.05.2004, effective since 05.11.2004, amended and supplemented issue 29 of 7.04.2006, effective since 7.04.2006)

<sup>2</sup> Appendix № 15 to art. 7, para. 3, i 15 of Ordinance № 3 / 31.07.2003

documentation and workers (professionals and technically qualified staff) in number and with qualifications in accordance with Appendix № 12 to the bidding documentation

**II.3.** We shall make any change in the equipment as per section II.1 hereinabove, in the management staff and in the number and qualifications of the workers and employees under section II.2 hereinabove at our own risk regarding the quality and the term for execution of the construction and assembly works (CAW) according to the procedure as provided for in the contract for award of public procurement.

**II.4.** We shall implement the awarded public procurement in accordance with the Construction Schedule<sup>3</sup> under the contract, which is submitted as enclosure to our tender bid as Appendix № 5.1 to the bidding documentation, with duration and sequence as follows

**Stage I**, comprising ... .., shall have a duration of (in figures and in words) ..... days from signing Protocol form № 2a for the opening of the construction site and determination of construction line and levels for building of technical infrastructure<sup>4</sup>.

**Stage II**, comprising ... .., shall have a duration of (in figures and in words) ..... days from signing Protocol form № 2a

**Stage III**, comprising ... .., shall have a duration of (in figures and in words) ..... days from signing Protocol form № 2a

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<sup>3</sup> Construction Schedule of various types of Construction and Assembly Works (linear), including by separate stages, shall describe the sequence and the time duration of all activities covered by the additional design and construction and assembly works required for the full completion of construction, while indicating clearly the critical path. The Schedule shall be prepared in the form of Appendix 5.1. The critical path is described in written as text in Appendix 5.1. In case of contradiction between the schedule's separate parts, the Contracting Authority shall assume as prevailing the information, stated in columns „Starting of stage in days, taken from Protocol 2a” and „Ending of stage in days, taken from Protocol 2a. The construction works shall be divided into stages as proposed in the tender bid of the Contractor, which should meet the following requirements:

- a separate stage for implementation of information and publicity measures shall be indicated in compliance with XVII from the contract for award of public procurement, amounting exactly 100 000 (one hundred thousand) BGN, VAT excluded

- the value of each stage, except the stage for implementation of information and publicity measures and the last four, shall be not less than two (2) % and more than 5 (five) % of the total price of the contract;

- the value of each of the last four stages can not be less than 10 (ten) % of the total price of the contract;

- the stages shall be stated as consecutive in time, whereas the stage referred to with a previous number shall end before the stage indicated with a subsequent number. This requirement does not apply to the stage for implementation of information and publicity measures.

- The schedule should be conformed to the decision under EIA of the Ministry of Environment and Waters of 29.11.2010r

- stages' distribution shall be made in a way to show and ensure the following:

- a. by the end of the 50th day following the date of drafting and signing of Protocol form № 2a under Ordinance № 3 for permit to begin construction works and determining the level for either part of construction site, earthworks shall be commenced;

- b. by the end of the 8th month following the date of drafting and signing of Protocol form № 2a, 30% of earthworks and 25% of concrete works shall be completed, 15% of loose mineral materials shall be laid and compacted; they comprise finishing of zone A – 50 cm to the earth bed and a foundation of crumbled stones with permanent grain size from the road surface construction;

- c. by the end of the 15th month following the date of drafting and signing of Protocol form № 2a, 90% of earthworks and 80% of concrete works, 60% of crumbled stone with permanent grain size and 40% of bituminized ballast layer shall be completed, 70% of loose mineral materials shall be laid and compacted; they comprise finishing of zone A – 50 cm to the earth bed and a foundation of crumbled stones with permanent grain size from the road surface construction;

- the organization and preparation of activities, falling within the scope of additional design and construction and assembly works may not be defined in a separate stage

<sup>4</sup> The stages including design processes, may start within the design part earlier than drafting and signing of Protocol form № 2a for the opening of the construction site and the determination of construction line and levels.

**Etc.**

**III.** In order to secure the implementation of contract for award of public procurement, we shall submit to the Contracting Authority, prior the contract signing, a performance guarantee amounting to 5 (five) percent of the contract price, excluding VAT, as indicated in the price bid. We shall provide for guarantee validity of 60 (sixty) months after the commissioning of the entire construction site by issuing a Use Permit.

**IV Warranty periods<sup>5</sup>** for guaranteeing the normal functioning and use of the completed construction site and removal of any hidden defects that may appear after the commissioning of the construction site.

Hereby we acknowledge the following warranty periods

**IV.1. Warranty period for the completed Construction and Assembly Works on the site, with the exception of facilities<sup>6</sup> – 60 months (sixty months).**

**IV.2. Warranty period for the completed facilities<sup>7</sup> – 120 months (one hundred and twenty months).**

**V.** Within the warranty periods as set in this offer for the maintenance of the construction site we acknowledge our liability, in accordance with the proposed draft contract, to perform the repair of all and any faults and defects that may appear in the completed Construction and Assembly Works on the site, including the facilities, to maintain the quality and the continuous operation of the site in accordance technical specifications, submitted with the bidding documentation. Our warranty liability shall be waived off whenever the detected faults and defects are the result of "force majeure" circumstances ("irresistible force") as set forth in the contract for award the public procurement.

**VI.** Hereby we declare that we want / do not want<sup>8</sup> to receive a down payment amounting to 5 (five) percent of the contract price in return of providing a guarantee to provide for the down payment under the terms and conditions of the draft contract.

In case of discrepancy in the numeric figures and their wording in this offer, we shall consider the spelled in wording as binding one.

[date]

**SIGNATURE**

**STAMP**

[name and surname]

[capacity of the Tenderer's representative]

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<sup>5</sup> Article 20, paragraph 1, paragraph 2 and paragraph 3 of Ordinance № 2 of 31.07.2003 on the commissioning of construction sites in the Republic of Bulgaria and the minimum warranty periods for completed construction and assembly works, facilities and construction sites (promulgated in the State Gazette, issue 72/2003, amended and supplemented issue 49/2005)

<sup>6</sup> It shall be determined for the specific site under Ordinance № 2 of 31.07.2003 on the commissioning of construction sites in the Republic of Bulgaria and the minimum warranty periods for completed construction and assembly works, facilities and construction sites (promulgated in the State Gazette, issue 72/2003, amended and supplemented issue 49/2005)

<sup>7</sup> It shall be determined for the specific site under Ordinance № 2 of 31.07.2003 on the commissioning of construction sites in the Republic of Bulgaria and the minimum warranty periods for completed construction and assembly works, facilities and construction sites (promulgated in the State Gazette, issue 72/2003, amended and supplemented issue 49/2005)

<sup>8</sup> Delete as appropriate.