



***CALL FOR EXPRESSIONS OF INTEREST
TO PREPARE A POOL OF PROSPECTIVE CONTRACTORS FOR EACH
PROJECT CATEGORY***

Piraeus, Greece

March , 2021

1. INTRODUCTION

Foreword

Piraeus Port Authority S.A.

2. CALL ISSUER - SCOPE OF CALL FOR EXPRESSIONS OF INTEREST

(i) The Call Issuer

(ii) Background and purpose of the Call for Expressions of Interest

(iii) Deadline for obtaining supporting documents for the Call for Expressions of Interest - Provision of clarifications

3. DEFINITIONS 8

4. SUBMISSION OF SUPPORTING DOCUMENTS

Submission of applications 10Supporting documents

Grounds on which applications may be rejected

Sub-folder A - ON/OFF Documents

Sub-folderBEvaluationDocuments

5. LANGUAGE OF PROCEDURE

6. EVALUATION OF APPLICANTS

7. LEGAL FRAMEWORK.....

ANNEX I

ANNEX II

1. INTRODUCTION

1.1. Foreword

The Port of Piraeus is Greece's largest port. It has a coastline of over 24 km and the area on land covers over 5 million m². Given its geographical location, the port of Piraeus is a vital hub for transport, trade and supplies, tourism and communications, since it links the Greek islands with the mainland, and is also an international centre for cruise ships and the commercial transport of goods. The Port of Piraeus' location favours it operating as a port for both the wider region of Greece and for the Balkans and Black Sea countries.

The Port of Piraeus lies at the confluence of sea routes connecting the Mediterranean with Northern Europe, and thanks to its geographical location (south of the 38th parallel), large ships of the line can reach it without significantly deviating from the route that trade from the Far East follows. The Port of Piraeus is home to a complex, unique range of activities, including transport using RO/RO and passenger ferries (it is Europe's largest passenger port), serving all types of cargo, cruise liners, ship repair services, and the Port of Piraeus Free Zone (a type I customs control free zone) which operates in accordance with the tax and customs laws applicable to the area (Piraeus Free Zone).

1.2. Piraeus Port Authority S.A. (PPA)

PPA is the legal entity which is responsible for managing and running the Port of Piraeus. It was set up as a body governed by public law by Law 4748/1930, which was then recast by Emergency Law 1559/1950 and ratified by Law 1630/1951 and then subsequently amended and supplemented. In 1999 PPA was transformed into a societe anonyme.

In April 2016, after an open public tender procedure, the Hellenic Republic

Asset Development Fund (HRADF) as the main shareholder in PPA, and COSCO HK Ltd entered into a Share Purchase Agreement for it to acquire the majority stake in PPA's share capital. In August 2016 PPA stopped being a publicly-owned company and since then has been a private company whose purpose is to perform its obligations, conduct its business and exercise its powers in accordance with the amended concession agreement between the Greek State and PPA, which was ratified by Law 4404/2016.

2. THE CALL ISSUER - SCOPE OF CALL FOR EXPRESSIONS OF INTEREST

2.1. The Call Issuer

PPA is the **call issuer**.

Applications should be submitted to the following address:

Piraeus Port Authority S.A.

10 Akti Miaouli St., Procurement Department Secretariat

Office 212, 1st floor

Piraeus Greece GR-18538

2.2. Scope of the Call for Expressions of Interest

Piraeus Port Authority S.A. is interested in preparing a register of prospective contractors for various categories of projects, in accordance with the PPA S.A. Contracts and Sub-Concessions Assignment Regulations, which are currently in effect.

That list will be a register of candidates from which contractors will be chosen for maintenance, improvement and upgrade works to PPA S.A.'s port infrastructure and building facilities, in accordance with the company's Contracts and Sub-Concessions Assignment Regulations.

Interested parties may apply to be included in the lists which will be prepared for one or more of the following categories of projects, provided that they meet the criteria set out in the call. The project categories are:

- A. Port works*
- B. building works*
- C. Road works*
- D. E/M works*
- E. Industrial works*
- F. Hydraulic works*

2.3. Eligible participants Natural and legal persons who meet the following criteria are eligible to participate in the procedure:

- i. Persons entered in the Greek Register of Contracting Enterprises (MEEP) in the above categories of works in Class 1 and above or
- ii. Persons entered in the registers cited in Annex XI of appendix A to Law 4412/2016, in a Member State of the European Union, in similar categories of works and classes or
- iii. Persons with experience in construction projects in the said categories, similar to that deriving from registration in the categories and classes in the Greek Register of Contracting Enterprises requested here.

Note:

Interested parties may submit their Application (see Annex I) in a dossier for one or more of the above categories. To that end, Applicants must clearly indicate which category(s) they are submitting the relevant supporting documents

Due to the major importance of this call, and to meet PPA's criteria relating to the technical / financial capacity and the skill of prospective contractors, PPA will evaluate the capacity and skill of the applicants in accordance with the provisions of this Call for Expressions of Interest.

N.B:

1. This Call for Expressions of Interest does not constitute a procurement process stage on its own.
2. ~~The choice of contractors to be entered in the Register of Approved Project Contractors will be made based on evaluation, as stated in detail in Article 6 of this document.~~
3. Candidates who meet the required criteria will be entered in the PPA Register of Approved Project Contractors and will thereafter be considered to have the qualifications needed to provide work/services in those categories. Eligible project contractors will be subject to periodic re-

evaluation relating (but not limited) to the following:

- i) The quality of project construction*
- ii) The quality of services/work after completion of the project(s)*
- iii) The agreed delivery times*
- iv) The validity/ effect of the supporting documents*

PPA reserves the right to exclude eligible project contractors from the Register of Approved Project Contractors if they do not meet the periodic re-evaluation criteria.

4. This Call for Expression of Interest has been prepared in accordance with the principles of transparency, equal treatment and non-discrimination.

2.3. Deadline for obtaining supporting documents for the Call for Expressions of Interest - Provision of clarifications

Interested parties may obtain additional information or clarifications about this procedure / the Call for Expressions of Interest by submitting their questions in writing up to 5 working days before the deadline for submitting applications to the PPA Procurement Department, by email to: procurement@olp.gr, projectspool-tender@olp.gr. After that deadline expires, no other communication or request for clarifications about any terms will be accepted. PPA will send written responses to all interested parties up to 3 working days prior to the deadline for submitting applications. Applicants are not permitted to request oral responses or clarifications from PPA.

The deadline for submitting applications ends on 10th May 2021, 16:00).

NB:

After that deadline elapses, PPA will not accept applications for inclusion in the

Register of Approved Project Contractors. The Register will be updated in accordance with the provisions of paragraph 11.3 of the Regulations for the Award of Contracts and Sub-Concessions of PPA SA, by decision of the competent PPA body and a call will be issued.

3. DEFINITIONS

To ensure the terms used in this Call for Expression of Interest are understandable, definitions are given below for those terms:

- 1. **The Call Issuer:** The company with the corporate name Piraeus Port Authority S.A.*
- 2. **Authorised Representative:** The applicant's legal representative (according to the applicant's Articles of Association or deed of incorporation) or specially authorised representative (by decision of the applicant's competent body) as appropriate, with the power to bind the applicant and to sign and submit the applicant's application.*
- 3. **Solemn Declaration:** A solemn declaration as per Law 1599/1986 or in the case of a foreign Applicant, a document in similar form, in accordance with the provisions of his/its country of origin, signed by the Authorised Representative. In that case the term "solemn declaration" shall mean that it bears attestation of the authenticity of the signatory's signature.*
- 4. **Call for Expressions of Interest:** This document.*
- 5. **Applicant:** The person who owns a private company which participates, or the legal persons/companies which participate in the process of creating the project contractors' pool by submitting an application in the context of this Call for Expression of Interest.*
- 6. **Project Contractor** or simply **Contractor:** An eligible applicant accepted into the pool of eligible project contractors.*
- 7. **Application:** The application submitted by applicants in the context of this Call for Expressions of Interest which must be accompanied by the*

documents dossier.

8. **Register of Approved Project Contractors:** *The pool of candidates who have been assessed by PPA S.A under the procedures set out in this Call for Expressions of Interest, and declared eligible project contractors, who offer high quality work and services, who have a good professional reputation, sound accounting system, use cutting-edge technology and have the highest professional integrity.*

4. SUBMISSION OF SUPPORTING DOCUMENTS

PPA is entitled at its unfettered discretion to cancel or repeat this process in any stage as it sees fit.

4.1. Supporting documents

The supporting documents must be submitted in one (1) sealed dossier (the expression of interest dossier) accompanied by the Application form.

The application must clearly state:

- *The phrase “Expression of interest application”*
- *The name of the call for expressions of interest: PREPARATION OF POOL OF PROSPECTIVE CANDIDATES FOR PROJECTS IN EACH CATEGORY*
- *The particulars of the Applicant and the Authorised Representative (name/surname, corporate name and title, a) phone number, b) fax number, c) corporate email address).*
- *The category (s) in the Call for Expression of Interest which the Applicant is submitting an application for.*

By submitting the application, the Applicant declares that the information submitted is correct and true.

4.2. Submission of Applications

4.2.1. Applicants are responsible for sending the application and sealed dossier to PPA. The application dossier must be submitted by the applicant himself or his/its authorised representative. Applicants are responsible for -and assume the risk of- any event occurring, including force majeure, which could result in late or improper submission of the application and dossier.

*4.2.2. The applicant and supporting documents dossiers will be received by or sent to the PPA Procurement Department Secretariat by recorded deliver **no later than 10 May 2021,16:00.***

Applications submitted after that date and time will not be taken into consideration.

4.2.3. Documents in the application dossier must be submitted in Greek or accompanied by a lawful translation into the Greek language.

4.3 Grounds for disqualification

Any enterprise which wishes to participate in the process must meet the following criteria:

1. Certificates which show that the Contractor is not bankrupt, in liquidation, has not suspended operations, is not in compulsory receivership, or bankruptcy compromise, that the Contractor's operations have not been suspended or that it is not in any similar situation under any similar proceedings, is not in proceedings to be declared bankrupt or in proceedings to be placed in compulsory liquidation or compromise with creditors and is not in any similar situation (restructuring, etc.).

2. The managing partners in the case of a limited or general partnership or limited liability company, and the Chairman and Managing Director in the case of a Societe Anonyme or the natural persons exercising management functions in all other cases must not have been convicted on the basis of a final judgement for:

a) participation in criminal organisations within the meaning of Article 2(1) of Council Joint Action No. 98/773/JHA.

b) bribery within the meaning of Article 3 of Council Decision of 26 May 1997 (21) and Article 3(1) of Council Joint Action No. 98/742/CFSP.

c) fraud within the meaning of Article 1 of the Convention to protect the financial interests of the European Communities.

d) money laundering within the meaning of Article 1 of Council Directive 91/308/EEC on prevention of use of the financial system for the purpose of money laundering.

e) embezzlement

fraud

Extortion

Forgery

Perjury

Bribery

Fraudulent deliberate bankruptcy

according to Penal Code or crimes similar in their specific aspects to the above, provided for in foreign legal orders.

3. They must have fulfilled obligations relating to the payment of social security contributions in accordance with applicable Greek law (in the case of a Greek or foreigner engaged in activity in Greece) or in accordance with the law of country of establishment.

4. They must have fulfilled tax obligations in accordance with applicable Greek law (in the case of a Greek or foreigner engaged in activity in Greece) or in accordance with the law of country of establishment.

5. They must not have committed a disciplinary offence the penalty for which was deprivation of the right to participate in tender procedures (tender procedures for public works).

6. The company (or any other legal person or natural person associated directly or indirectly with it in a manner which, at the Project Owner's unfettered discretion, reveals a real connection to it which could negatively affect implementation of the project) must not have been expelled in any manner, or no such similar penalty must have been imposed on it (such as seizure of a bond, declaration of the party as in forfeit of the contract, termination of the contract) from a construction or other type of project, and in particular (but not limited to) a PPA project or one belonging to another company in the same group to which PPA belongs.

Candidates must submit an ordinary solemn declaration stating whether they are or are not in one of the situations of 4.3 listed above. This solemn declaration must be signed by the company's legal representative or a person authorised by the legal representative and be accompanied by evidence of lawful representation and authorisation.

4.4 Selection criteria

To be included in the list of prospective contractors, interested parties must meet the following technical and financial criteria:

- i. They must have general experience in construction in accordance with the provisions of paragraph 2.3 of this call.*
- ii. They must, in the last 10 years, have carried out works similar to those to be awarded, worth at least € 500,000.*

4.5 Content of the expressions of interest dossier:

Interested parties shall submit an expression of interest dossier containing the following information:

- i. The certificate of classification for the relevant categories in the Greek Register of Contracting Enterprises or supporting documents that demonstrate the candidate's general experience in accordance with the provisions of Article 2 hereof.*
- ii. A solemn declaration from the enterprise's competent representative in accordance with Article 4.3 of this call.*
- iii. A presentation of the enterprise (staff, facilities, equipment) showing it is able to implement the projects assigned effectively and in time.*
- iv. Official documents demonstrating the establishment and legal status of the enterprise and its financial statements for the years 2017, 2018 and 2019 (duly published for all tenderers - legal persons whom the law requires to public financial statements. Candidates who are not under such an obligation must submit a copy of the E3 form for the last 3 years for inspection), the enterprise's management team and legal representatives.*
- v. A list of similar works per category they are participating in, carried out by the candidate in the last 10 years (2010 to 2019). "Similar works" means works for the construction, maintenance, upgrading and extension of port facilities, infrastructure works and large-scale buildings and industrial facilities. Each list of works shall be accompanied by the corresponding certificates of implementation from the bodies which commissioned the construction work. Those certificates must state the amount, time and place where work was carried out, and state that works were completed normally (e.g. completion certificates, acceptance reports, proper performance certificates, etc.).*
- vi. Certificates of compliance with quality assurance standards and environmental and energy management systems, if they have such (this is not a ground for disqualification).*

5. LANGUAGE OF PROCEDURE

The language of the procedure is Greek and all information and all documents sent by Candidates to PPA S.A. shall be drawn up in Greek or accompanied by a lawful Greek translation.

Moreover, all written exchanges between the candidates and PPA shall be in Greek.

PPA S.A. will provide an unofficial English translation of the call for reference purposes only. The Greek text takes precedence and is binding should there be any dispute.

6. EVALUATION OF APPLICANTS

6.1. *The dossier and application expressing interest in inclusion in the Register of Approved Project Contractors shall be submitted in a single stage, as outlined in Article 4 of this document.*

6.2. *The evaluation criteria are as follows:*

- *A contracting certificate or corresponding general experience in construction works in accordance with the provisions of Article 4 hereof.*
- *Suitable means, facilities and staff to immediately and flawlessly carry out the works assigned.*
- *Specialist experience in carrying out works similar to those to be assigned.*

Candidates will be included in the lists of approved project contractors for each category of works if they meet the criteria of parag.4.3 and all the above criteria in the view of the evaluation committee.

7. Legal Framework

The execution of the procedure, the execution of the contracts in total and the obligations of the candidate contractors are governed by Law 4404/2016 (Government Gazette A126) “ between the Greek State and the Piraeus Port Authority SA and other provisions ”.

This procedure is performed according to:

i. The Law 4404/2016 (Government Gazette A '126 / 8.7.2016) "On the ratification of the amendment and codification from 24 June 2016 in a single text of the Concession Agreement from 13 February 2002 between the Greek State and the Piraeus Port Authority and other provisions" .

ii. The Regulation on the Award of Contracts and Sub-Concessions of PPA SA, which is posted on the website of PPA

iii. The general Legislative Framework (national and EU) for the processing of personal data and in particular the new European Regulation on personal data protection GDPR 2016/679 and Law 4624/2019.

iv. The terms of this Call for Expressions of Interest.

ANNEX 1 (FOR THE EXPRESSION OF INTEREST)

TO: PPA SA

APPLICATION

ΘΕΜΑ: " Αίτηση Εκδήλωσης

Ενδιαφέροντος "

COMPANY:

.....

.....

.....

Address:

.....

Phone:.....

e-mail:

Name of Legal Representative:

.....

Capacity:.....

Υποβάλλουμε συνημμένα σε κλειστό φάκελο τα

δικαιολογητικά για το "Μητρώο

και ενδιαφερόμαστε για την κατηγορία/τις

κατηγορίες

.....

της Πρόσκλησης Εκδήλωσης Ενδιαφέροντος:

We declare that we fully and unreservedly accept the terms of this invitation

Piraeus, / /2021

The applicant

Attached: One (1) sealed envelop «Expression of Interest».

TABLE A (PERIODIC EVALUATION)**TABLE A. EVALUATION FOR THE COMPANIES WHI HAVE BEEN INCUDED TO THE CONTRACTORS REGISTER WHO ARE CARRYING OUT OR HAVE CARRRIED OUT PROJECTS FOR PPA**

Criteria for evaluation of register members for the implementation of category
..... projects with the PPA during the last two years.

No	CRITERIA	YES	NO	PARTIALLY	REMARKS
A.1	Submission of registration to a chamber that was declared during the registration in the Register.				
A.2	Submission of a certificate of the active status of the company as recorded by the Taxisnet Register.				
A.3	Submission of Solemn Declaration of Law 1599/86 article 8 par. 2 with which the Candidate confirms that there has been no change in the obstacles of article 4.3. of the initially submitted Responsible Declaration during the registration in the Register.				
A.4	Submission of proof of proper execution of projects from relevant acceptance protocols.				
A.5	Compliance with Health and Safety				
A.6	Adequate professional behavior and integrity of contractors				
A.7	Adherence to project execution schedule				
A.8	Not to have been declared insolvent under a relevant contract with the PPA				
A.9	Not to have interrupted the relevant works on his own initiative / responsibility				
A10	Communication - Collaborative Behavior.				

TABLE B . EVALUATION OF COMPANIES WHO HAVE BEEN INCLUDED TO THE CONTRACTORS REGISTER BUT HAVE NOT IMPLEMENTED CONTRACTS

Evaluation criteria for members of the register for the implementation of construction projects of the PPA who have not been awarded a contract during the evaluation period.

No	ΚΡΙΤΗΡΙΑ	ΝΑΙ	ΟΧΙ	ΑΡΙΘΜΟΣ ΠΡΟΣΚΛΗΣΕΩΝ ΑΠΟ ΟΛΠ	ΠΛΗΘΟΣ ΣΥΜΜΕΤΟΧΩΝ ΤΟΥ ΕΝΤΑΓΜΕΝΟΥ ΣΤΟ ΜΗΤΡΩΟ	Π
B.1	Submission of registration to a chamber that was declared during the registration in the Register.					
B.2	Submission of a certificate of the active status of the company as recorded by the Taxisnet Register.					
B.3	Submission of Solemn Declaration of Law 1599/86 article 8 par. 2 with which the Candidate confirms that there has been no change in the obstacles of article 4.3. of the initially submitted Responsible Declaration during the registration in the Register.					
B.4	Number of participations in the call for tenders during the period during the last two years.					