



**TITLE OF THE PROJECT: "EXTENSION OF METRO LINE 2 TO
ILION, EXPANSION OF ELEONAS DEPOT
AND UPGRADING OF THE E/M SYSTEMS"**

RFP-421/22 (Α.Σ. 192682)

**INVITATION TO EXPRESS INTEREST
STAGE A' OF THE TENDER BASED ON THE
RESTRICTED PROCEDURE VIA THE NATIONAL
ELECTRONIC PROCUREMENT SYSTEM (ESIDIS)**


	<p style="text-align: center;">“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS”</p> <p style="text-align: center;">INVITATION TO EXPRESS INTEREST STAGE A' OF THE TENDER BASED ON THE RESTRICTED PROCEDURE</p>	<p style="text-align: center;">RFP-421/22 Α.Σ. 192682</p>
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CHAPTER A'

ARTICLE 1 INTRODUCTION – AWARDING AUTHORITY INFORMATION – CONTACT INFORMATION

1.1 ATTIKO METRO a SINGLE-MEMBER S.A. Company, trading as ATTIKO METRO S.A. was established via Article First of Law 1955/91 (FEK 112/18.07.91, Volume A'). ATTIKO METRO S.A. purpose, which is determined via Article 2 of Law 1955/91, as this is amended through article 35 of L. 3202/03 and articles 121 and 145 of Law 4070/12 is the design, construction, organization, administration, running, operation and development of the Urban Railway Network of Attica and Thessaloniki Region and, in general, of the Electric Railway of Attica and Thessaloniki Region (with the exception of OSE Railway Network, with or without electrification) as well as of the TRAMWAY network in whole Greece.

ATTIKO METRO S.A. is hereby announcing an electronic international Tender, based on the restricted procedure, over the limits of Law 4412/16, via the National Electronic Procurement System (ESIDIS) and invites the interested economic operators (physical or legal entities, either individually or in associations) to submit their participation application for pre-qualification (Stage A') in line with the stipulations of this Invitation and its accompanying documents, so that those selected in Stage A' may submit their Technical and Financial Offer in Stage B' of the Tender for the selection of the Contractor, for the execution of the Project contract under the title: “Extension of Metro Line 2 “Anthoupoli – Ilion, Expansion of Eleonas Depot and Upgrading of the E/M Systems of the Athens Metro”.

The Technical and Financial Offer that will be submitted at Stage B of the Tender by those selected at Stage A, shall be based on the Preliminary Design, which shall be made available to them by ATTIKO METRO A.E. along with the Invitation and the remaining Tender documents accompanying same.


The contract shall be concluded between ATTIKO METRO S.A. and the economic operator to be appointed as the Contractor further Stage B' of the Tender.

1.2 The Awarding Authority, Owner of the contract and Employer of the contract to be compiled is ATTIKO METRO S.A..

The **Administrative Authority** is the body of ATTIKO METRO S.A. that supervises the construction of the Project and is vested with the responsibilities determined by Law 4412/2016.

1.3 **Contact Information:**

Title	ATTIKO METRO, a SINGLE-MEMBER S.A. Company, trading as ATTIKO
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	METRO S.A.
Tax No. / Tax Authority	094325955/FAE ATHENS
Postal Address	191-193 Messogion Avenue,
City	Athens
Postal Code	11525
Contact Person	Aikaterini Saiti
Tel. No.	210 – 6792473, 210 - 6792351
Fax No.	210-6726126
e-mail	ksaiti@ametro.gr
Geographical area of the agency (Nuts)	EL30
Geographical area of the place where the Contract will be executed (Nuts)	EL30

ARTICLE 2 DOCUMENTS RELATED TO THIS PROCEDURE FOR THE CONTRACT CONCLUSION – PROVISION OF CLARIFICATIONS

2.1 The Documents concerning this procedure are as follows:

- a) the Contract Notice, as published in the Official Journal of the European Union
- b) the present Invitation to Express Interest, along with its Appendices, and the Clarifications Document, that may be issued,
- c) The European Single Procurement Document (ESPD),
- d) The Information Document, along with its attachments.


The aforesaid documents shall be posted on ESIDIS web portal (www.promitheus.gov.gr) as well as and on ATTIKO METRO S.A.'s website (www.ametro.gr).

2.2 Any information regarding the subject procedure shall be provided by Mrs. Aik. Saiti, Tel. No. 210-6792351, 210-6792473, during working hours from 09.00 to 15:00h.

2.3 Interested economic operators are given the option, prior to the submission of the application for participation, to electronically submit questions and request clarifications regarding the documents of this procedure at the web page for this specific tender, via ESIDIS web portal www.promitheus.gov.gr by **27/01/2023, at 11:00**.

It is stressed that for submitting a request for the provision of supplementary information – clarifications, economic operators must be registered in the system; in other words, they must possess the required credentials for Login (username and password) granted to them. The electronic file containing the questions related text must bear a digital signature.

2.4 ATTIKO METRO S.A. shall collect all questions that will be submitted through the web page and shall proceed to the issuance of a **Clarifications Document**, which shall be posted on ESIDIS web site as well as and on

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ATTIKO METRO S.A.'s website (www.ametro.gr) **by 22/02/2023**, at **11:00h** at the latest. It is stressed that responses shall be provided only to those questions that have been submitted electronically, in line with paragraph 2.3 herein.

2.5 The Clarifications Document may also include clarifications on the terms of the contract conclusion procedure documents, as it might be required. The Clarifications Document complements this procedure documents and it is integrated therein constituting an integral part of this Invitation.

2.6 It is stressed that any information, views, etc., which may be given or expressed by any member, executive or employee of ATTIKO METRO S.A. shall not be binding for ATTIKO METRO S.A.. The interested economic operators should take into consideration only the content of the tender documents, the content of the Clarifications Document that may be issued by ATTIKO METRO S.A. and the related official correspondence.


ARTICLE 3 ELECTRONIC SUBMISSION OF THE APPLICATION FOR PARTICIPATION

3.1 The applications for participation and the documents accompanying same shall be filed electronically, via www.promitheus.gov.gr, the web portal of ESIDIS Integrated Information System, based on the open procedure, in line with article 264 of L. 4412/16, until the ending date and time as determined in article 13 herein, in an electronic folder of the sub-system “ESIDIS – Public Works” and shall be signed by an advanced digital signature supported, as a minimum, by a recognized (approved) certificate in line with paragraph 2, article 37 Law 4412/2016.

For participation in the present procedure, interested economic operators shall follow the registration process specified in article 5 paragraphs 1.2 up to 1.4 of Joint Ministerial Decision (JMD) 166278/25.06.2021 (FEK B' 2813/30.06.2021) about “Regulating technical issues related to the award and execution of Public Contracts for works, designs, and provision of technical and other similar scientific services, with the use of individual tools and procedures of the National Electronic Public Procurement System (E.S.I.DI.S.)” (hereinafter called JMD ESIDIS - Public Works).

The association of economic operators shall submit a common application for participation, which, as per the above, shall mandatorily be digitally signed either by all economic operators forming the association or by their representative, duly authorized. The offer shall necessarily indicate the extent and the kind of participation of each member of the association, the fee's allocation among them as well as the representative/coordinator of the association. The subject statement shall be included either in the ESPD (Part II, Unit A) or in the accompanying legal statement that the members of the association may submit.

3.2 The application for participation electronic folder contains a (sub)folder bearing the indication “Backup Documentation for Participation”, including the information and backup documents of article 19 herein.

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3.3 The candidate shall mark – through the appropriate field of the system, the confidential information contained in his offer, in line with the stipulations of article 257, Law 4412/2016.


In this case, in the pertinent (sub)folder, the candidate shall submit a justification in the form of a digitally signed .pdf file and shall explicitly refer to all relevant law provisions or administrative acts imposing the confidentiality of the specific information, attaching same (justification) to his electronic offer. Information regarding unit prices, offered quantities and financial offer and the technical offer related information that shall be used for its evaluation are not characterized as confidential.

In case information is submitted in compressed computer files folder format (e.g. ZIP files), the candidate must submit the part of information that he wishes to indicate as confidential, in line with the above, in separate electronic files in portable document format (.pdf) of or in separate ZIP files containing same.

3.4 The user – economic operator shall submit the aforementioned (sub)folder through the system, as described below:

- i) The data and back-up documentation included in the (sub)folder bearing the indication “Backup Documentation for Participation” shall be electronically filed by the economic operator in Portable Document Format (.pdf) files and shall be accepted, on a per case basis, in line with the following provisions, namely:
 - a) either of articles 13, 14 and 28 of Law 4727/2020 (A' 184) concerning electronic public documents bearing an electronic signature or stamp and, in case of foreign electronic public documents, if they have e-Apostille;
 - b) or of articles 15 and 27 of Law 4727/2020 (A' 184) concerning electronic private documents bearing electronic signature or stamp;
 - c) or of article 11 of Law 2690/1999 (A' 45), as valid about the authentication of the signature – ratification of the copies;
 - d) or of paragraph 2, article 259 of Law 4412/2016 concerning the use of electronic signatures in electronic procedures of public contracts;
 - e) or of paragraph 8, article 92 of Law 4412/2016 concerning the submission of a legal statement as well, in case of a simple photocopy of private documents, in which their accuracy shall be certified, and which bears a signature following the commencement of the contract conclusion procedure (namely after the Invitation has been sent for publication at the Official Journal of the European Union).

Moreover, the Government Gazette Issues (FEKs), the information and technical leaflets and other printouts, either of the company or not, with special technical content, i.e. documents with purely technical characteristics, such as numbers, presentations in international units, mathematic formulas and drawings.

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- II) Subsequently, through the relevant sub-system, candidates shall produce - in a Portable Document Format (.pdf) file - the electronic file (“Reports”) of the information provided by the Participation Back up Documentation, as registered in the Sub-system. This file shall be acceptable on condition it bears, as a minimum, an advanced electronic signature backed upon by an acknowledged (approved) certification and it is attached by the economic operator to the respective (sub)folder of his application for participation.

Once the application for participation is filed to the system, the sub-system makes automated checks for the verification of the electronic application in relation to the produced electronic file (Participation Back up Documentation) and, on condition that these checks are successful, the application is filed to the sub-system. Otherwise, the application is not filed and the sub-system will generate an error message on the user interface of the candidates for the candidates to undertake the necessary actions for correction thereof.

- III) The sub-system generates an electronic confirmation that the application for participation has been filed; this confirmation is transmitted to the economic operator via an e-mail.


3.5

At the latest, prior to the date and time of the unsealing process of the applications for participation, as set out in term 13 herein, economic operators must submit to ATTIKO METRO S.A., in printed form and in a sealed envelope the information data contained in the electronic application, which (data) must be submitted in originals or true copies.

Such information, data and back up documentation are, by example, the following:

- a) information, data and back up documentation not falling under the provisions of article 11, paragraph 2 of Law 2690/1999;
- b) private documents, which have not been ratified by an attorney or are not attested by services and authorities falling under item a, paragraph 2, of article 11, of Law 2690/1999, or are not accompanied by a legal statement verifying their accuracy, as well as
- c) foreign public printouts and documents, bearing the Hague stamp (Apostille) or attestation by consulate and have not been ratified by an attorney.

As concerns foreign public documents and back up documentation, applicable shall be the Treaty of Hague dated 05/10/1961, ratified by Law 1497/1984 (A' 188), should the aforesaid documents are compiled in countries entered into the above Treaty; otherwise, they shall be attested by consulate. Exempted from the ratification requirement (Apostille or Attestation By Consulate) are foreign public documents, in case they are covered by bi-lateral or multi-lateral agreements concluded by Greece (for example “Legal Cooperation Agreement between Greece and Cyprus – 05.03.1984” (Ratifying Law 1548/1985 “Convention abolishing ratification of certain acts and documents – 15.09.1977” (Ratifying Law 4231/2014)). Moreover, exempted from the ratification requirement or similar wording are public documents issued by the authorities of a member-state subject to the Regulation EU 2016/1191 about

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the simplification of the requirements concerning the submission of certain public documents to the European Union, as indicatively, the absence of any criminal record, on condition that the relevant public documents are issued for an EU citizen by the authorities of the member-state of his/her citizenship.

In addition, acceptable shall necessarily be clear photocopies of documents that have been issued by foreign authorities and have been ratified by an attorney, in line with paragraph 2, case b, of article 11 Law 2690/1999 “Code of Administrative Procedure”, as replaced – as above – by article 1, paragraph 2, Law 4250/2014.

The aforementioned supporting documents and data are deposited to the Document Control Centre (DCC) of ATTIKO METRO S.A. by **15:00hrs** and shall be accompanied by a document drafted by the candidate listing in detail the relevant supporting documents. This relevant sealed envelope shall bear the indication **“Individual Backup Documentation for Participation in Printed Form”** and shall necessarily bear the following label and be accompanied by **the cover letter outside the envelope** in order to receive a protocol number upon its delivery.

<p>INDIVIDUAL BACKUP DOCUMENTATION FOR PARTICIPATION IN PRINTED FORM</p> <p><i>(Title – postal address – telephone number – fax number of the bidder, and, in case of an association, details of all its members)</i></p> <p>FOR THE TENDER:</p> <p>“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”</p> <p>(Reference Code: RFP - 421/22)</p> <p>To: ATTIKO METRO S.A. 191-193 Messogion Avenue Athens - 115 25</p> <p>Attention: TENDER COMMITTEE</p> <hr/> <p>#NOT TO BE OPENED BY THE DOCUMENT CONTROL OFFICE#</p>
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It is stressed that, in any case, economic operators shall be exclusively liable for the timely delivery of the envelope bearing the label “Individual Backup Documentation for Participation” by ATTIKO METRO S.A. until the deadline mentioned above. Any overdue submission of the envelope containing the backup documentation and information in printed form, in line with the above, shall result in the disqualification of the economic operators, even in case the subject delay is due to force majeure. Overdue envelopes shall be returned without being unsealed.

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3.6 In case one or more of the aforementioned data and backup documentation submitted in print outs are not submitted, the awarding authority can request their supplementation and submission, in line with article 310 of Law 4412/2016.

3.7 The applications for participation shall be submitted in Greek, which shall be the official language of this procedure, in line with article 6 herein.

3.8 Withdrawal of the Offer

Economic operators are entitled to request withdrawal of the submitted application for participation prior to the final deadline for the submission of applications for participation by addressing to ATTIKO METRO S.A. a written request in a .pdf file, which is filed by action “On Line Discussions” of the sub-system, in line with cases (b) or (d) of paragraph 3.4.1 herein. A certified user of ATTIKO METRO S.A. – the latter not being required to issue a pertinent resolution - proceeds to the rejection of the relevant electronic application for participation in the sub-system prior to the final deadline for the application’s submission. Subsequently, the economic operator is entitled to file anew an application for participation, via the sub-system, until the final deadline for the submission of applications for participation.


ARTICLE 4 ELECTRONIC UNSEALING AND EVALUATION OF THE APPLICATIONS FOR PARTICIPATION - SUPPLEMENTATION – CLARIFICATION OF INFORMATION AND BACKUP DOCUMENTATION - PRELIMINARY APPEALS/ PRELIMINARY COURT PROTECTION

4.1 Electronic Unsealing and evaluation of offers

Through its pertinent Resolution, ATTIKO METRO S.A.’s BoD shall set a five (5)-member Tender Committee, which shall be responsible for the conduct of Stage A’ of the Tender, including the required opinions on issues that may derive during the examination of any appeals before the Hellenic Single Public Procurement Authority (HSPPA).

After the final deadline for the submission of the applications for participation, as determined in article 13.1 herein, and prior to the electronic unsealing, the certified user of ATTIKO METRO S.A. shall delegate the power of the electronic tender administration to a certified user of the Tender Committee. On the date and at the time specified in article 13.2 herein, the Tender Committee shall proceed to the electronic unsealing of the (sub)folder “Participation Back Documentation”, granting candidates no access to the participation back documentation submitted by the remaining economic operators.

ATTIKO METRO S.A. shall transmit to the Chairperson of the Tender Committee the closed envelopes that have been submitted prior to the date and time of unsealing the applications for participation, in line with article 3.5 herein.

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After the aforesaid unsealing, the Tender Committee shall proceed to the following actions, namely:


- a) it posts the relevant candidates' list, as produced by the sub-system, in the area “Attachments of the Electronic Tender”, providing access rights only to the candidates;
- b) it reviews the backup documents for participation to check fulfillment of the minimum participation requirements and proceeds to the disqualification of the candidates, whose submitted data do not meet the relevant terms and the minimum requirements for participation;
- c) only in case the number of candidates fulfilling the minimum requirements for participation is greater than seven (7), the Tender Committee shall proceed to the evaluation – scoring, in line with the criteria provided for in article 20 herein, and shall compile a table classifying the candidates in descending order, demonstrating the seven (7) most successful candidates;
- d) Finally, the Tender Committee shall compile a relevant Proceedings whereby it shall recommend the disqualification of the candidates whose the information submitted does not fulfill the relevant terms and the minimum requirements for participation of this Invitation; the subject Proceedings to which the aforesaid table of classification is attached shall also include the results of the pertinent evaluation - scoring.
- e) The Tender Committee shall submit the subject Proceedings to ATTIKO METRO S.A.'s BoD for approval, delegating anew the power of the electronic tender administration to a certified user of ATTIKO METRO S.A..

Further to the issuance of the resolution approving the aforesaid Proceedings by ATTIKO METRO S.A.'s BoD, ATTIKO METRO S.A. shall communicate the aforesaid Resolution to all candidates and provide access to the submitted information of the remaining candidates.

Preliminary appeals can be filed against the aforesaid ATTIKO METRO S.A. BoD Resolution, in line with paragraph 4.6 of this article.

4.2 Supplementation - Clarifications on information and documentation

In the course of the applications for participation evaluation period, ATTIKO METRO S.A., adhering to the principles of equal treatment and transparency, reserves the right to request the economic operators electronically through the system - when the information or supporting documentation that must be submitted is or appears to be incomplete or incorrect, including the one in the ESIDIS system, or whenever specific documents are missing - to submit, supplement, clarify or complete the pertinent information or documentation within a deadline not shorter than ten (10) days and not longer than twenty (20) days as of the date on which they were copied on the relevant invitation,

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by action “On Line Discussions” of the sub-system, in line with article 310 of L. 4412/16.

The supplementary information data or clarification shall be requested and shall be acceptable on condition that no modification is made to the application of the economic operator, and that it concerns information or data, whose prior nature is objectively demonstrable in relation to the expiry of the end date of the acceptance of the applications for participation. The aforementioned shall be valid by analogy for any statements that might be missing, on condition they verify facts objectively demonstrable.

The candidates who shall submit, either electronically through the system, or in a printed form, incomplete data for which ATTIKO METRO S.A. shall request additions /clarifications and they are not provided within the aforementioned deadline, or are provided incomplete, shall be disqualified from participating in this procedure.

4.3 Preliminary Appeals / Provisional Court Protection

Any disputes that may arise due to actions or omissions on the part of ATTIKO METRO S.A. shall be governed by the stipulations of Book IV “LEGAL PROTECTION IN THE EXECUTION OF PUBLIC CONTRACTS” (articles 345-374) of Law 4412/2016, as amended and applicable.


ARTICLE 5 ANNULMENT OF THE TENDERING PROCESS

5.1 Through its BoD especially justified resolution and further to the Tender Committee’s relevant opinion, ATTIKO METRO S.A. can annul the contract awarding process in the following cases:

- a) if the procedure proved to be fruitless, either due to the non-submission of offers or due to the rejection of all offers or due to the disqualification of all bidders, in line with the contract documents and the provisions of Law 4412/16, or
- b) if none of the Bidders arrives to sign the contract.

5.2 The contract awarding process can also be annulled through ATTIKO METRO S.A.’s BoD especially justified resolution and further to the Tender Committee’s relevant opinion in the following cases:

- a) Due to irregular conduct of the awarding procedure, subject to the provisions of paragraph 3, article 317 of Law 4412/16;
- b) If the financial and technical parameters related to the awarding process have essentially changed and the execution of the contractual scope no longer interests ATTIKO METRO S.A.;
- c) If the contract cannot be executed due to force majeure;
- d) The offer is considered disadvantageous – in terms of finance;
- e) If the case of paragraphs 3 and 4, article 97 of Law 4412/16 about the validity period of offers applies;

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f) For any other reasons pertaining to public interest.


- 5.3** If errors or omissions are ascertained at any phase of the awarding procedure, ATTIKO METRO S.A.'s BoD, further to the opinion expressed by the Tender Committee, may partially cancel the procedure or reform its result accordingly or make a resolution on repeating the subject procedure from the point where the error or the omission occurred.
- 5.4** As to the remaining issues, applicable shall be the provisions of article 317 of Law 4412/16.
- 5.4** In case of cancellation or annulment of the procedure, the participants do not have any right of compensation for any reason whatsoever.

ARTICLE 6 LANGUAGE OF THE TENDER PROCEDURE

- 6.1** The contract documents shall be necessarily drafted in the Greek language and, optionally, in other languages too, either in their entirety or in part. In case of discrepancies among the parts of the documents of the contract that have been compiled in more languages, then the Greek version shall prevail.
- 6.2** The applications for participation and the information contained therein, as well as the proving documentation shall be either compiled in Greek or accompanied by their official translation into Greek.
Any preliminary appeals shall be filed in the Greek language.
- 6.3** As regards public and private foreign documents, they can be accompanied by their translation in Greek authenticated either by the person in charge, in line with the provisions of the national legislation, or by a person in charge of the country in which the subject documents have been compiled..
- 6.4** Information and technical leaflets and other print outs – either corporate or not – with special technical content, i.e. print outs containing technical characteristics, such as numeric figures, conversions into international units, mathematic formulae and drawings, that can be read in any language and their translation is not necessary, can be submitted in another language and may not necessarily be accompanied by a translation into Greek.
- 6.5** Any kind of communication with ATTIKO METRO S.A. and the communication between ATTIKO METRO S.A. and the Contractor shall be necessarily in Greek. The Contractor is obliged to facilitate the communication of his foreign employees with ATTIKO METRO S.A. by making arrangements for the presence of interpreters.

ARTICLE 7 APPLICABLE LEGISLATION

With regard to the contract's conclusion and execution process, the following provisions are mainly in force, as these are valid:

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- a) the provisions of Book II (articles 222 to 338), Law 4412/16,
- b) articles 134 to 181 of Law 4412/16 shall apply for the execution of the Contract
- c) the terms of the Contract and
- d) the Greek Civil Code shall additionally apply..

ARTICLE 8 PRESUMPTION ENSUING FROM THE PARTICIPATION IN THE TENDER PROCEDURE

The participation in the subject procedure for contract conclusion of the , i.e. the submission of an application for participation, constitutes proof that the candidate economic operator has studied and has taken full cognizance of the terms and the documents of the (bidding) procedure and that he has checked and is fully aware of all information about the local and special conditions that may affect the works for the construction of the project and that he has taken all this information into account in the formulation of his offer.

ARTICLE 9 PRINCIPLES APPLICABLE TO THE PROCEDURE FOR THE CONCLUSION OF THE CONTRACT


Economic operators shall commit themselves to:

- a) adhere and continue to adhere during the execution of the Contract, if selected, to their obligations, as these ensue from the provisions of the environmental, social-security and labour legislation, established in line with the European Union Law, the Greek legislation, collective labour agreements or international provisions of environmental, social-security and labour law, listed in Annex XIV, Appendix B, of Law 4412/2016. Adherence to the subject obligations shall be checked and verified by the bodies supervising the execution of public contracts and by the public authorities in charge and the services acting within the limits of their responsibility and competence.
- b) refrain from acting in a fraudulent, illegal or undue manner throughout the awarding procedure but also during the Contract execution stage, in case of being selected, and to
- c) introduce all appropriate measures to ensure the confidentiality of the information designated as such.

ARTICLE 10 NOTIFICATION ON PERSONAL DATA PROCESSING


ATTIKO METRO S.A., in its capacity as head of processing, hereby notifies the physical entity signing the offer as a Bidder or as the Legal Representative of the Bidder, that ATTIKO METRO S.A. and/or third parties, by order and on behalf of it, shall process the following data as follows:

- I. The scope of processing is personal data included in the participation application envelopes and the proof of evidence, which are submitted to ATTIKO METRO S.A. in the framework of this Tender by the physical entity being the Bidder or his Legal Representative.
- II. The aim of processing is the evaluation of the Envelope of the application for participation, the Contract award, the protection of ATTIKO METRO S.A. interests, the fulfilment of ATTIKO METRO S.A. obligations, deriving from the pertinent legislation and, in general, the security and protection of

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transactions. Information on personal data and communication shall be used by ATTIKO METRO S.A. to inform the Candidates about the evaluation of the applications.

- III. The recipients, to whom the aforementioned are copied, are as follows:
- (a) Entities to whom ATTIKO METRO S.A. awards the execution of specific activities on its behalf, i.e. Consultants, company executives, members of Evaluation Committees, operators of the electronic tender and, in general, other assignees of ATTIKO METRO S.A., on condition that confidentiality is ensured in all cases.
 - (b) The State, other Public Entities or Judicial Authorities, or other Entities, or Bodies of Jurisdiction, in the framework of their duties.
 - (c) Other participants in the Tender, in the framework of the principle of transparency and of the right of legal protection of the participants in the Tender, according to the Law.
- IV. The information shall be kept for a period equal to the duration of the contract execution and for a time period of five (5) years upon expiry of the contract for any future tax-economic inspections or financing entities checks or other checks foreseen by the applicable legislation, unless the pertinent legislation provides for a different time period in which the subject information must be kept. In case of a pending legal action, as regards a Public Contract, the information shall be kept until the completion of the pending legal action. Upon expiry of the aforementioned periods, personal data shall be destroyed.
- V. The physical entity, i.e. either the bidder or the legal representative of the bidder, may exercise all his legal rights for the personal data relating to him, by addressing himself to the person responsible for the protection of personal data of ATTIKO METRO S.A.
- VI. ATTIKO METRO S.A. has the obligation to introduce all reasonable measures to ensure confidentiality and security of data processing and protection thereof against any accidental or unauthorized destruction, accidental loss, alteration, forbidden propagation or access by any entity whatsoever, and against any other form of unauthorized processing.

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CHAPTER B'

ARTICLE 11 SCOPE OF THE CONTRACT – CONTRACT CPV – ESTIMATED CONTRACT VALUE - FUNDING – CONTRACT DURATION – PARTICIPATION LETTER OF GUARANTEE FOR STAGE B'

11.1 The scope of the Contract shall include the design and construction of three (3) individual scopes, namely: (a) the Extension of Line 2 to Ilion, including one Transfer Station, (b) the expansion of Eleonas Depot and (c) the upgrading and replacement of the Existing E/M Systems of Lines 2 & 3 of the Athens Metro.

11.1.1 Extension of Line 2 to Ilion

The Project of the Extension of Line 2 to Ilion shall include the compilation of the Final Design (FD) & the Detailed Final Design (DFD), the construction of Civil Works, the procurement, installation, testing and commissioning of the electromechanical and railway equipment, the maintenance of the Project, the training of the personnel and the procurement of the main spare parts for the systems to be installed.

The extension shall be approximately 4km and shall include three (3) new Stations and their respective Ventilation Shafts. The scope of the Project shall also include the construction of a Transfer Station, which shall accommodate three (3) underground levels, whose access shall be ensured through ramps; their overall capacity shall be approximately 150 parking places for private vehicles, while direct interconnection with the Metro network shall be provided. The description of the Extension project is included in detail in the Information Document.

11.1.2 Expansion of Eleonas Depot


The Project of the Expansion of Eleonas Depot shall include the compilation of the Final Design (FD) & the Detailed Final Design (DFD), the construction of the expansion of Eleonas Depot to an area in contact with the existing depot, at the intersection of Aghias Annis and Pierias Streets. The basic works related to the expansion of the Depot are included in the Information Document.

11.1.3 Upgrading – Replacement of the Current Systems of Lines 2 and 3

In the framework of this contract, the digital data transmission system shall be upgraded/replaced in all stations of the Metro Lines 2 and 3; moreover, the public announcement system shall be upgraded/replaced in all stations of the Base Project and of the extensions (except the extension to Piraeus) and shall be connected with the respective systems of the extension to Piraeus.

11.2 The CPV Codes for the Contract are the following:

- 45234111-7: Urban Railway Work
- 45221242-0: Railway Tunnel Construction Work
- 45248000-7: Construction Work for Hydro-Mechanical Structures
- 34632300-9: Electrical Installations for Railways

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11.3 Indicatively and without this amount being binding, the estimated value of the contract amounts to **five hundred and fifty million EURO (550,000,000.00 €)** not including VAT, while this amount concerns the execution of the entire scope of the contract.

It is stressed that the subject amount includes the expenses for the execution of archaeological works, contingencies and revision.

The final estimated value of the contract shall be determined in the documents pertaining to Stage B'.

11.4 The Project has been integrated into the INFRASTRUCTURES AND TRANSPORT Sectoral Development Plans of the National Program of Public Investments (Project No.: 2022NA47100061) and, subsequently, it will be integrated into the Operational Program “TRANSPORT” of the new Programming Period “NSRF 2021-2027”.

11.5 The overall deadline for the execution of the Project is set to **fifty seven (57) months** as of the Contract signing date.

The precise overall deadline for the completion of the project and the partial deadlines shall be determined in the documents of Stage B'.

11.6 In order to participate in Stage B' of the Tender, the selected candidate economic operators shall submit, along with their Offer, in line with the terms of para. 1a, article 302, law 4412/2016, a Participation Letter of Guarantee against an amount corresponding to two percent (2%) of the estimated value of the contract, VAT excluded, by rounding up the second decimal.

ARTICLE 12 PROCEDURE FOR THE SELECTION OF THE CONTRACTOR – CRITERION FOR THE AWARD OF THE CONTRACT


12.1 This Tender shall be conducted based on the restricted procedure (pre-qualification), in line with article 265, Law 4412/16 at two stages, namely:.

Stage A': Pre-qualification – Invitation to express interest by submitting the application for participation.

It is noted that this Document along with its attachments concerns Stage A' of the procedure related to the selection of the Candidates. At this stage, the submission of Applications for Participation and not of offers is requested. The candidates, who, through the submission of Applications for Participation, reveal data concerning their Financial Offer, shall be disqualified from the subsequent tender procedure.

Stage B': Award – Invitation to submit offers

This invitation concerns Stage A' – Pre-qualification. The Invitation to Submit Offers shall be transmitted, after the completion of the pre-qualification

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procedure, only to those candidates who will have been pre-qualified on the basis of the procedure specified in this invitation.

- 12.2** The criterion for the Contract award shall be the most advantageous offer, in financial terms, on the basis of the quality - price ratio, in line with article 311, Law 4412/2016.

ARTICLE 13 ENDING DATE AND TIME OF THE DEADLINE FOR THE SUBMISSION OF APPLICATIONS FOR PARTICIPATION AND OF THE ELECTRONIC UNSEALING

- 13.1** The date and time of the deadline for the submission of the applications for participation is set on **Tuesday 28/02/2023, at 11:00h.**

- 13.2** The date and time for the electronic unsealing of the (Sub) folder “Backup Documentation for Participation” is set on **Monday 06/03/2023, at 11:00h.**

If due to incidents of force majeure or if for technical reasons, the unsealing is not conducted on the date set or if until that date no application for participation has been submitted, then the unsealing procedure and the final deadline shall be shifted to any date, upon ATTIKO METRO S.A.’s resolution. This resolution shall be notified to the candidates by action “On Line Discussions” at least five (5) days prior to the new date and shall be posted on the Official Journal of the European Union, KIMDIS and on ATTIKO METRO S.A.’s web page, as well as on “Tenders Electronic” ESIDIS portal www.promitheus.gov.gr. If the unsealing of the applications for participation is not feasible on that date too or if no applications for participation are submitted until that date, then a new date can be set, adhering to the provisions stipulated in the two previous clauses herein.

ARTICLE 14 PUBLICITY – PUBLICATION EXPENSES

- 14.1** **Publication in the Official Journal of the European Union**


The Contract Notice, i.e. the relevant standard form “Contract Notice” **was transmitted**, via simap.europa.eu, for publication to the Publications Office of the European Union on **30/12/2022**.

- 14.2** **Publication in Greece**

The Contract Notice mentioned in the aforementioned paragraph and this document of the Invitation to Express interest were published in the Central Electronic Public Procurement Registry (KIMDIS).

A summary of this Invitation shall be published in the Greek Press, it shall be posted on the web page <http://et.diavgeia.gov.gr> (DIAVGEIA PROGRAMME) and on the website of ATTIKO METRO S.A. (www.ametro.gr).


The Documents of this procedure concerning the conclusion of the Contract were registered in the relevant electronic space in ESIDIS Public Works, under the Systemic Number: **192682**, and were posted on the web portal of ESIDIS Integrated Information System (www.promitheus.gov.gr) and on the

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website of ΑΤΤΙΚΟ ΜΕΤΡΟ S.A. (www.ametro.gr).

- 14.3** The fees deriving from the applicable legislation and concerning the necessary publications shall be borne by the Contractor and shall be collected through the first payment account of the contract. The subject fees must not exceed the amount of € 3,000.00.

The fees for the publication of the contract notice in the Official Journal of the European Union shall be borne by the budget of the Union.

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CHAPTER C'

ARTICLE 15 ELIGIBLE TO PARTICIPATE IN THE TENDER

15.1 Eligible to participate in this contract conclusion procedure are economic operators physical or legal entities or their associations, whose business activities involve **Building, Hydraulic and Electromechanical Works** and which are established:

- a) in a member – state of the European Union, or
- b) in a member – state of the European Financial Area (EFA), or
- c) in third countries that have signed and ratified the Public Procurement Agreement (PPA), to the extent that the contract under award is covered by Annexes 1, 2, 4 and 5 and the general notes of Appendix I related to the EU of the aforesaid PPA, or
- d) in third countries that do not fall under case (c) above and have concluded a bilateral or multilateral agreement with the European Union.

AND, additionally,


the economic operators have to prove that they fulfill the terms and conditions of this Invitation.

15.2 Each economic operator shall be eligible to participate in the Tender either individually or as a member of only one association. **In any other case, all associations, in which the common member participates, shall be disqualified from the tendering procedure.**

15.3 In order to participate in the tender, the economic operators' associations shall not be obliged to be vested with a specific legal form, for them to submit an offer or an application for participation, as per paragraph 2, article 254 of Law 4412/2016. Associations of economic operators shall participate under the terms of paragraphs 1(e) and 3(b) of article 76, Law 4412/16. However, the association to be selected - if the Contract is awarded to it - shall be obliged to submit to ATTIKO METRO S.A. a decision made by the statutory body of each of its members about the establishment of a Joint Venture or a notary act for the establishment of the consortium.

In case an application for participation is submitted by an economic operators' association, all members of the subject association shall be jointly and severally liable before ATTIKO METRO S.A.


If the contract is awarded to the association, the association's relevant responsibility shall stand until the contract is executed in full and shall be proved by the legalizing documents related to its establishment.

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ARTICLE 16 REASONS FOR DISQUALIFICATION OF THE ECONOMIC OPERATOR

An Economic Operator shall be disqualified from participating in this procedure related to the conclusion of the contract, if it is proven that one or more of the reasons mentioned below is in effect as concerns an entity (for individual physical or legal entities) or for any of the members of economic operators' associations (for economic operators' associations) included in this article, namely:


- 16.1** If there is a final decision against the economic operator for any of the offences stipulated in paragraphs 16.1.1 up to 16.1.6.
- 16.1.1** **Participation in a criminal organization**, as this is defined in article 2 of the Council Framework Decision 2008/841/JHA dated October 24th 2008, on the fight against organized crime and the offences stipulated in article 187 of Penal Code (criminal organization).
- 16.1.2** **Active bribery**, as this is defined in article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union (EE C 195 dated 25.06.1997 page 1) and in para. 1, article 2 the Council Framework Decision 2003/568/JHA dated July 22nd 2003 on combating corruption in the private sector (EE L 192 dated 31.07.2003, page 54), and as stipulated in the national law of the economic operator, and the offences stipulated in articles 159A (bribery of politicians), 236 (bribery of public officials), 237 para. 2-4 (bribery of court officials), 237A para. 2 (trading in influence), 396 para. 2 (bribery in the private sector) of the Penal Code.
- 16.1.3** **Fraud** affecting the Union's financial interests, in the sense of articles 3 and 4 of Directive (EU) 2017/1371 of the European Parliament and the Council of the European Union of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (L 198/28.07.2017), and the offences stipulated in articles 159A (bribery of politicians), 216 (forgery), 236 (bribery of public official), 237 para. 2-4 (bribery of court officials), 242 (false statement, distortion, etc.), 374 (aggravated theft), 375 (embezzlement), 386 (fraud), 386A (computer fraud), 386B (subsidy fraud), 390 (malpractice) of the Penal Code and of articles 155 et seq. of the National Customs Code (L. 2960/2001, A 265), when these are targeted against the financial interests of the European Union or violate them, as well as the offences specified under articles 23 (cross-border VAT fraud) and 24 (subsidiary provisions on the protection of the financial interests of the European Union by criminal law) of Law 4689/2020 (A 103).
- 16.1.4** **Terrorist offences or offences linked with terrorist activities**, as respectively defined in articles 3-4 and 5-12 of Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA (EU L 88/31.03.2017) or inciting or aiding or attempting to commit an offence, as specified in article 14 of the Directive, and the offences stipulated in articles 187A and 187B of Penal Code, and the offences of articles 32-35 of Law 4689/202 (A 103).

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- 16.1.5 **Money laundering or terrorist financing**, as defined in article 1, Directive 2015/849 of the European Parliament and European Council dated May 20th 2015, on the prevention of the use of the financial system for the purpose of money laundering or terrorist financing, the amendment of EU Regulation No. 648/2012 of the European Parliament and European Council, and repealing Directive 2005/60/EC of the European Parliament and European Council and Commission Directive 2006/70/EC (EE L 141/05.06.2015) and the crimes mentioned in articles 2 and 39 of Law 4557/2018 (A' 139).
- 16.1.6 **Child labour and trafficking in human beings**, as defined in article 2, Directive 2011/36/EU of the European Parliament and European Council dated April 5th 2011, on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA of the European Council (EE L 101 dated 15.04.2011, page 1), and the crimes mentioned in article 323A of the Penal Code (human trafficking).
- 16.1.7 Especially, in cases 16.1.1 up to 16.1.6 the obligation for the economic operator to be disqualified from the subject procedure shall be also in effect when the person convicted by a final judgment is a member of the administrative, management or supervisory body of that economic operator or has powers of representation, decision or control therein. The aforesaid obligation is in effect as follows:
- (a) In the case of Limited Liability Companies (Ltds), General Partnership (GP) and Limited Partnership (LP) Companies, and Private Capital Companies, the subject obligation applies to the Administrators, or
 - (b) In cases of Societe Anonymes (SAs), the subject obligation applies to the Managing Director, the members of the Board of Directors, as well as to the persons assigned by virtue of decision of the BoD with the entire management and representation of the company, or
 - (c) In case of cooperations, the subject obligation concerns the members of the Board of Directors, or
 - (d) In the remaining cases of legal entities, the obligation applies to the legal representative on a per case basis.
- 16.1.8 If the aforementioned disqualification period – as provided for in articles 16.1.1 up to 16.1.6 – has not been determined through a final decision, this period equals **to five (5) years** as of the date when a conviction by a final judgment was made.
- 16.2** Any Economic Operator **shall be disqualified** from participating in this procedure related to the contract conclusion in the following cases:
- 16.2.1 If the subject economic operator has not fulfilled his obligations concerning the payment of taxes or social security contributions and that he has been the subject of a final binding judgment or administrative decision, in line with the legal provisions of the country in which he is established or in line with the legislation of the country of the awarding authority.

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- 16.2.2 If ATTIKO METRO S.A. can prove - using the appropriate means - that the economic operator has not fulfilled his obligations regarding the payment of taxes or social security contributions.
- 16.2.3 With regard to items 16.2.1 and 16.2.2 above, if the economic operator is a Greek citizen or if his seat is in Greece, then his obligations regarding the social security contributions shall cover both main and auxiliary social security.
- 16.2.4 The obligations deriving from items 16.2.1 and 16.2.2 above are considered as not defaulted if they are not due, or if they have been subjected to a binding settlement, which is adhered to. In this case, the economic operator is not obligated to give an affirmative response to the question posed by of the European Single Procurement Document (ESPD), article 79, or by another respective document or statement, whereby the economic operator is asked whether he has obligations he has not fulfilled as regards payment of taxes or social security contributions or, on a per case basis, whether he has breached his aforementioned obligations.
- Items 16.2.1 and 16.2.2 above shall cease to apply when the economic operator fulfils his obligations either by paying all due taxes or social security contributions, including – on a per case basis – the accrued interests or fines, or by being subjected to a binding settlement for their payment to the extent that he fulfils the terms of the binding settlement.
- 16.3** Any economic operator shall be **disqualified** from participating in the subject contract conclusion procedure in any of the following conditions, namely:
- 16.3.1 If the economic operator has breached the obligations, as these ensue from para. 2, article 18 of Law 4412/16 concerning principles applied in the public contract conclusion procedures,
- 16.3.2 If the economic operator is under bankruptcy, or is under a liquidation process, or is under coercive administration by a receiver or by the court, or has entered into an agreement with creditors or has postponed his business activities or is under a consolidation and does not meet the relevant conditions or if he is in any similar situation deriving from similar processes foreseen in national law provisions.
- 16.3.3 If, under the reservation of paragraph 3b, article 44 of Law 3959/2011 (A'93) related to penalties and other administrative consequences, ATTIKO METRO S.A. provides sufficient reasonable proof leading to the conclusion that the economic operator has concluded agreements with other economic operators with the aim to cause distortion of competition.
- 16.3.4 If there is a conflict of interests in the sense of article 24, Law 4412/16 concerning conflict of interests, that cannot be addressed through less intrusive means.
- 16.3.5 If in the framework of previous participation of the economic operator in the preparation of the contract conclusion procedure there had been distortion of


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competition, in line with the provisions of article 48, Law 4412/16, as applicable, concerning previous involvement of candidates or bidders, that cannot be addressed through less intrusive means.

- 16.3.6 If during the execution of a public contract, the economic operator has exhibited a grave or continuous deficiency in fulfilling an essential requirement in the framework of a previous public contract, a previous contract with an awarding authority or a previous concession contract that he has undertaken, a fact that resulted in the early termination of the previous contract, payment of compensation or other similar penalties.
- 16.3.7 If the economic operator has been found guilty by intent of serious deceptive statements in providing the information required for ascertaining that there were no reasons for his disqualification or for fulfilling the selection criteria, if he has concealed this information or if he is not in a position to submit the back-up documentation required by virtue of article 79 of Law 4412/16 concerning the European Single Procurement Document (ESPD).
- 16.3.8 If the economic operator attempts to affect in an unlawful manner the decision making process of ATTIKO METRO S.A., to obtain confidential information that may grant him an unfair advantage in the public contract conclusion provision or to provide in a deceptive manner misleading information that may effectively affect the decisions related to the disqualification, the selection of the Contractor or the award of the tender.
- 16.3.9 If ATTIKO METRO S.A. can prove through the appropriate means that the economic operator has committed a grave professional misconduct which questions his integrity.
- 16.3.10 If the disqualification period has not been determined through a final decision, in cases falling under paragraphs 16.3.1 up to 16.3.9, this period rises to **three (3) years** as of the date of issuance of an act certifying the relevant incident.
- 16.4** An economic operator shall be disqualified from the subject contract signing procedure if the preconditions to implement paragraph 4, article 8 Law 3310/2005, as in effect, apply to the subject Economic Operator (**national reason for disqualification**).

The related obligations concern Societes Anonymes that submit an offer individually or as members of an association, or that participate in the share capital of another legal entity submitting an offer, or other foreign legal entities corresponding to a Societe Anonyme.

Exempted from the above are the following: a) companies registered in the Stock Exchange of member-states of the European Union or the Organization for Economic Cooperation and Development (OECD), b) companies whose voting rights are controlled by one or more investment firms, asset/fund managers, or private equity firms, on condition that these last companies control in total a percentage exceeding seventy five per cent (75%) of the voting rights and are supervised by Securities and Exchange Commissions

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(SEC) or other competent financial authorities of member-states of the European Union or OECD.

- 16.5** An economic operator to whom, the **horizontal penalty clause for disqualification** has been imposed - in line with the applicable legislation and for the time period it determines - shall be disqualified from the subject contract conclusion procedure.
- 16.6** ATTIKO METRO S.A. shall disqualify any Economic Operator, at any given time during the contract conclusion procedure, if it is proven that the subject economic operator falls under one of the cases stipulated in the above paragraphs, due to his acts or omissions, either prior or during the pertinent procedure.
- 16.7** Any economic operator falling under the cases referred to in paragraphs 16.1 and 16.3, except for case 16.3.2, can submit information in order to prove that the measures he has introduced suffice for him to demonstrate his reliability, despite the fact that he is subject to disqualification (self-cleaning measures). If this information is deemed to be sufficient, then the subject economic operator shall not be disqualified from the contract conclusion procedure.


To this effect, the economic operator proves that he has paid or has committed himself to pay compensation for damage caused due to penal offence or misconduct, has clarified the facts and conditions in a comprehensive manner via active cooperation with the investigating authorities, and has introduced specific technical and organizational measures, as well as suitable measures -at personnel level- in order to avoid any further penal offences or misconducts.

The measures to be introduced by the economic operators shall be evaluated in combination with the graveness and the special occasions of the penal offence or breach. If the measures are deemed to be insufficient, the rationale for this decision shall be notified to the economic operator.

Any economic operator who is disqualified from the contract conclusion procedure or concession award procedure by virtue of an irrevocable decision cannot make use of the option provided based on the above during the disqualification period specified in the aforesaid decision in the member-state in which this decision applies.

The decision made by ATTIKO METRO S.A. for ascertaining the sufficiency or not of the recovery measures, in line with this paragraph, shall be issued in line with the stipulations of paragraphs 8 and 9 of article 73, Law 4412/2016.

- 16.8** Excluded from the participation in the procedure for the conclusion of this contract shall be:
- a) Russian nationals or physical or legal entities, bodies or operators established in Russia;
 - b) legal entities, bodies or operators whose ownership rights are directly or indirectly held by more than 50% by entities stated under item (a) above;

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c) physical or legal entities, bodies or operators acting in the name of or by instruction of an entity stated under items (a) and (b) above.

ARTICLE 17 SELECTION CRITERIA RELATED TO THE PROFESSIONAL, FINANCIAL AND TECHNICAL COMPETENCE

In order to participate in the procedure related to the conclusion of the present contract, further to the requirements stipulated in article 16 herein, economic operators, at the penalty of disqualification, should also fulfil the selection criteria of this article.

17.1 Competence for exercising professional activities

As regards the competence for exercising professional activities, the candidate economic operators must be registered in the relevant Professional or Commercial Registry kept in the country where they are established.

More specifically,

- the candidates established in Greece must be registered in the Register of Contracting Companies (M.E.EP.) for the time period that the transitory provisions of article 65, P.D. 71/2019 apply or in the Register of Public Works Contracting Companies (MH.E.E.D.E.) as from the date of entry into force of the latter, in the work categories stipulated in article 15.1 herein;
- the candidates established in a member-state of the European Union must be registered in the Registries set forth in Annex XI of Appendix A, Law 4412/2016.

In case of an association of economic operators, each member of the association must be registered in the relevant Professional Registry, in at least one of the categories of works stipulated in article 18.1 herein. Additionally, all project categories must be cumulatively covered.


17.2 Credit and Financial Competence

17.2.1 Each candidate economic operator must possess:

- i. Equities, whose minimum value amounts to EURO 44,000,000.00.
- ii. Fixed Assets with a minimum value of EURO 15,000,000.00.
- iii. A minimum Turnover of EURO 88,000,000.00, for the three (3) last year.
- iv. Mechanical equipment with a minimum value of EURO 15,000,000.00.

In the event of an association, the aforesaid requirements shall be met by **each member** of the association.

The aforementioned requirements should be in accordance with the detailed stipulations of articles 51 and 52 of P.D. 71/2019, as in effect.

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17.2.2 **Further to the requirements stipulated in the aforesaid paragraph**, the candidate economic operators must possess sufficient financial resources to cope with the cash flow of the obligations of the contract and to prove the current robustness/reliability of his financial status and his eventual long-term profitability. He/she must possess - as a minimum – creditworthiness whose limit must reach the minimum amount of **three hundred and fifty million EURO (€ 350,000,000.00)**, out of which the amount of at least **one hundred and thirty million EURO (€ 130,000,000.00)** must be available for loans and at least **one hundred and thirty million EURO (€130,000,000.00)** for Letters of Guarantee, out of which an amount at least **one hundred million EURO (€ 100,000,000.00)** must be available for each of the above two cases for this Project.


In case of an **association of economic operators**, the aforesaid minimum requirements shall be covered by at least one member of the subject association.

17.2.3 In particular with regard to the contracting firms registered in the Register of Contracting Companies (M.E.EP.) and for the time period that the transitory provisions of article 65, P.D. 71/2019 apply, they should not exceed the maximum permissible limits of non-executed parts of contracting agreements, according to the special provisions of article 20, paragraph 4 of Law 3669/2008, as applicable.

17.3 Technical and professional competence

17.3.1 For **individual candidate economic operators**, the following are required, namely:

- For category: **Building Works**, he/she must be manned– as a minimum– with:
 - 7 engineers each one possessing at least 12 years of experience (in building works) **or**
 - 6 engineer possessing at least 12 years of experience (in building works) and 2 engineers each one possessing at least 9 years of experience (in building works) **or**
 - 6 engineers each one possessing at least 12 years of experience (in building works) and 1 engineer possessing at least 9 years of experience (in building works) and 2 engineers each one possessing at least 6 years of experience (in building works).
- For category: **Hydraulic Works**, he/she must be manned – as a minimum – with:
 - 7 engineers each one possessing at least 12 years of experience (in hydraulic works) **or**
 - 6 engineer possessing at least 12 years of experience (in hydraulic works) and 2 engineers each one possessing at least 9 years of experience (in hydraulic works) **or**

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- 6 engineers each one possessing at least 12 years of experience (in hydraulic works) and 1 engineer possessing at least 9 years of experience (in hydraulic works) and 2 engineers each one possessing at least 6 years of experience (in hydraulic works).
- For category: **Electromechanical**, he/she must be manned – as a minimum – with:
 - 7 engineers each one possessing at least 12 years of experience (in electrical/mechanical works) **or**
 - 6 engineer possessing at least 12 years of experience (in electrical/mechanical works) and 2 engineers each one possessing at least 9 years of experience (in electrical/mechanical works) **or**
 - 6 engineers each one possessing at least 12 years of experience (in electrical/mechanical works) and 1 engineer possessing at least 9 years of experience (in electrical/mechanical works) and 2 engineers each one possessing at least 6 years of experience (in electrical/mechanical works).


In case of an **association**, through the application of paragraph 1e of article 76 Law 4412/2016, the economic operator, who fulfils the prerequisites for **Building Works**, shall be manned – as a minimum – with the aforesaid personnel for category building works, the economic operator, who fulfils the prerequisites for **Hydraulic Works**, shall be manned – as a minimum – with the aforesaid personnel for category hydraulic works and the economic operator, who fulfils the prerequisites for **Electromechanical Works**, shall be manned – as a minimum – with the aforesaid personnel for category electromechanical works.

The aforesaid requirements shall be in line with the stipulations as detailed in Article 52 of P.D. 71/2019, as they have been amended and are in effect.

17.3.2 Experience in similar projects

Individual candidates or associations of economic operators must have executed projects similar to the projects under award, which have been performed through contracts concluded by the bidding physical or legal entity during the time period 2000-2023 and which relate to the following scope of works namely:

- a. Boring of an underground tunnel in urban environment using a Tunnel Boring Machine (TBM), boring of tunnel minimum overall volume: 140,000m³, cross section: double-track, as a minimum
- b. Boring of an underground tunnel in urban environment using conventional mechanical means, boring of tunnel minimum overall volume: 30,000m³, cross section: 100m² as a minimum.
- c. Construction of underground Metro stations or other urban underground works (such as car park facilities) at a minimum depth of 12m., using

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the Cut and Cover or the Cover and Cut method, minimum overall excavation volume of 50,000m³.

- d. Installation and commissioning of Metro ventilation systems, 1,200 KVA of installed power, as a minimum.
- e. Construction of Trackwork, 4,000m, as a minimum, of single track.
- f. Installation and commissioning of Metro traction power systems, 6,000 KVA of installed power, as a minimum.

In case of an **association**, the subject experience can be covered **cumulatively** by the members of the association.

17.4 Quality assurance standards

Candidate economic operators must have and implement certified systems, namely:

- ISO 9001:2008 - Quality Assurance System;
- EN ISO 14001:2015 - Environmental Management System;
- OHSAS 18001:2007 - Health and Safety Management System at Work;

In case of an **association**, the aforesaid requirements must be met by **each member** of the association.


17.5 Design Team

The candidate economic operators must cooperate – at the penalty of disqualification - with the designers (Design Team) who fulfil the selection criteria stipulated in this article.

The cooperation between all members of the design team and each economic operator shall be on an exclusive basis, i.e. it will be forbidden for the same designer to be selected and proposed by more than one candidate. **Breaching of this term concerning the exclusive nature of the cooperation shall lead to the disqualification of the candidate economic operators.**

It is stressed that the staff of the Design Team must be capable to respond to the compilation of the especially large volume of the designs within a specific tight time schedule, in order to avoid any delays in the Project. Therefore, the candidates must take into account the need for further staffing their Design Team during the execution of the Contract, apart from the minimum requirements that have to be met.

The terms of cooperation between the Design Team and the economic operator concerns these two parties alone, while in case there is a dispute

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between them, the designers shall not be entitled to raise any claim whatsoever against ATTIKO METRO S.A.

Moreover, eligible to participate in this procedure for the conclusion of a contract, economic operators who have not declared that they have established a cooperation with a design team only if, in line with the law governing their operation, the capacity of the Contracting Company is not irreconcilable with the capacity of the designer. In this case, the subject economic operators must meet, apart from the preconditions of article 15, the selection criteria stipulated in this article.

The engineering companies/firms must fall under cases a to d of article 15.1 herein and must fulfil the following preconditions.

17.5.1 **Competence to exercise professional activities**

The engineering companies/firms must be registered in the relevant professional registry kept in the country where they are established.

More specifically:

- The engineering companies/firms established in Greece, must be registered in the Registers of Designers or Engineering Firms for the time period that the transitory deadlines of article 39, PD. 71/2019, still apply or in the Registry of Public Works Engineering Companies (MHMEDE) from the date of its entry into force, in the following design category (-ies):

Design category 6 – “Architectural Designs for Building Structures”
Design category 8 – “Structural Designs” Design category 9 –
“Mechanical, Electrical and Electronic Designs”
Design category (10) – “Transport Projects Designs”
Design category 16 – “Topographical Designs”
Design category 21 – “Geotechnical Designs and Surveys”


- The engineering companies/firms established in other member – states of the European Union must be registered in one of the respective Professional or Commercial Registries stipulated in **Annex XI of Appendix A of Law 4412/2016**.

In case of **association of engineering companies/firms**, each member of the association should be registered in the relevant professional registry for at least one of the aforesaid design categories. Furthermore, all design categories must be covered **cumulatively**.

17.5.2 **Credit and financial competence**

Engineering companies/firms bidder must have:

An average annual turnover during the last three (3) fiscal years equal to four hundred thousand EURO (EURO 400,000.00).

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In the case of an **association of engineering companies/firms**, the aforesaid requirement must be met by **each member** of the association.

17.5.3 **Technical and Professional Competence**

17.5.3.1 **Staffing**


As far as the **engineering companies/firms** are concerned, their minimum number of their **executives** must be as described below. More specifically:

- For design category 6 “Architectural Design of Building Works” at least two (2) executives of twelve (12) years of experience, one (1) executive of eight (8) years of experience and four (4) executives of three (3) years of experience in the subject category;
- For design category 8 “Structural Designs”, at least two (2) executives of twelve (12) years of experience and one (1) executive of eight (8) years of experience and four (4) executives of three (3) years of experience in the subject category;
- For design category 9 “Mechanical, Electrical and Electronic Designs”, at least two (2) executives of twelve (12) years of experience and one (1) executive of eight (8) years of experience and four (4) executives of three (3) years of experience in the subject category;
- For design category 10 “Transportation Works and Traffic Designs”, at least two (2) executives of twelve (12) years of experience and one (1) executive of eight (8) years of experience and four (4) executives of three (3) years of experience in the subject category;
- For design category 16 “Topographical Designs”, at least two (2) executive of twelve (12) years of experience and one (1) executive of eight (8) years of experience and four (4) executives of three (3) years of experience in the subject category;
- For design category 21 “Geotechnical Designs and Surveys”, at least two (2) executive of twelve (12) years of experience and one (1) executive of eight (8) years of experience and four (4) executives of three (3) years of experience in the subject category;

Whenever more designers of more extensive experience are available, the requirements pertaining to the inferior categories are reduced respectively. The total resulting equivalent personnel must correspond to the stipulations of paragraph 2e article 25 of PD 71/2019.

17.5.3.2 **Experience**

The **engineering companies/firms** are required to prove that they possess **experience** during the time period 2000 - 2023 in the following design scopes (General Final Design and/or Detailed Final Design level) cumulatively:

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- a. Design for the boring of underground tunnels in urban environment using a Tunnel Boring Machine (TBM), cross section: double-track, as a minimum.
- b. Design for the boring of underground tunnels in urban environment using conventional mechanical means, cross section: 100m² as a minimum.
- c. Design for the construction of underground METRO stations or other urban underground works (such as car park facilities) at a depth of 12m as a minimum, using the cut & cover or the cover & cut method.
- d. Design of ventilation systems for underground METRO projects.
- e. Design of Trackwork.
- f. Design of Metro traction power systems.

ARTICLE 18 RELYING ON THE CAPACITY OF OTHER OPERATORS - SUBCONTRACTING WORK

18.1 Relying on the capacity of other operators


As regards the criteria related to the economic and financial standing as well as the criteria related to the technical and professional capacity, the candidates in this procedure can rely on the capacity of other operators, in line with article 307 Law 4412/16, regardless of the legal nature of the existing relationships between the participants and the subject operators. In this case, they must prove that they shall have the necessary resources available, by submitting the relevant document proving the commitment undertaken by the operators whom they rely on.

In this case, the invocation of third party resources must be available by the candidate for the execution of the Contract, if he is appointed as the Contractor at Stage B' of the Tender.

The candidates can invoke and make use of the technical and professional capacity of other operators, only if the third party operators are to execute the works or to provide the services for which the specific capacities are required.

If the candidates rely on the capacities of other operators – as far as the criteria related to the economic and financial – credit standing are concerned - the subject economic operators and those on whom they rely shall be liable jointly and severally before ATTIKO METRO S.A. for the execution of the contract.

Under the same terms, a association of economic operators can rely on the capacities of those participating in the association or on other economic operators.

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If an economic operator relies on the capacities of other operators, the operators, on the capacities of whose he relies, shall be required to demonstrate that the grounds for disqualification referred to in article 16 herein are not applicable and that they fulfil the relevant selection criteria, where applicable. In the subfolder "Backup documentation for participation", the candidates should submit, for the operators whose qualifications they invoke, the ESPD and the Legal Statement of articles 19.1 and 19.2 stipulated herein.

The above shall be submitted for any other operator, whose economic and financial (credibility), or technical and professional capacity shall be utilized, even if these operators constitute subsidiaries of the third party operator.

ATTIKO METRO S.A. shall require the candidate to replace an operator who does not fulfil the relevant selection criterion stipulated herein, or who is subject to any of the disqualification cases stipulated in article 2.2.4 herein. The operator shall be replaced following ATTIKO METRO S.A.'s invitation to the economic operator, by action "On Line Discussions" of ESIDIS, within thirty (30) days as of the date that the subject invitation has been notified to the economic operator, for any third party operator on whose capacities it relies, in the framework of the same contract award procedure. It shall not be allowed for the operator who replaces the operator mentioned in the previous clause to be replaced anew.

In case the candidate does not respond to the determined deadline or if the second proposed operator does not fulfil the aforesaid requirements, then the offer of the Candidate shall be rejected.

The statements and documentation of the candidate and of the third party operators relating to the invocation of third party resources shall constitute the content of the Contract.


18.2 Sub-contracting work

The candidate shall state in his application for participation the part of the contract that he intends to award - in the form of sub-contracting work - to third party operators, as well as the sub-contractors that he proposes, in case he is aware of it in the current phase.

Adherence to the obligations specified in paragraph 2, Article 253, Law 4412/2016 of the Subcontractors does not release the main contractor from his responsibility.

In any case, ATTIKO METRO S.A. shall examine the professional capacity of the subcontractor in the sense of article 17.1 to execute his works and whether he possesses – or not - the respective qualifications required for the execution of the scope of the contract he undertakes.

ATTIKO METRO S.A. shall verify that the reasons for disqualification mentioned in article 16 herein are not applicable, with the exception of

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paragraph 16.4, as far as the sub-contractors are concerned, as stated in the ESPD, in case the part of the contract that the candidate intends to award to third parties, in the form of subcontracting work, exceeds 30% of the overall value of the contract.

ATTIKO METRO S.A. shall verify that the reasons for disqualification mentioned in paragraphs 16.1, 16.2 and 16.5 herein are not applicable as far as the sub-contractors are concerned, **as stated in the ESPD**, in case the part of the contract that the candidate intends to award to third parties, in the form of subcontracting work, does not exceed 30% of the overall value of the contract.

ATTIKO METRO S.A. requires the candidate to replace a sub-contractor if, further to the examination and verification of the above cases, it is ascertained that the terms related to the professional capacity of the subcontractor are not met or that the subcontractor does not fulfil the respective qualifications for the execution of the scope of the Contract he undertakes or if there are reasons for disqualifying him, as the case may be. .

ARTICLE 19 CONTENT OF THE APPLICATIONS FOR PARTICIPATION

The application for participation includes an electronic folder with the indication “**Participation back-up documentation**” which shall include:


19.1 **The European Single Procurement Document (ESPD)**, of article 79, Law 4412/2016.

The European Standard Procurement Document (ESPD) is prepared based on the standardized document of Annex 2 of the Commission Implementing Regulation (EU) 2016/7 of 5 January 2016 establishing the standard form for the ESPD (L 3) and is provided exclusively in electronic format.

At the time of submitting their application, economic operators shall submit the ESPD, as a back-up document for participation, stipulated in article 79 of Law 4412/2016, which is equivalent to an updated Legal Statement bearing the consequences of L. 1599/1986 (A' 75), as a **preliminary proof of evidence** in replacement of the certificates issued by public authorities or third parties, confirming that the subject economic operator fulfils the following preconditions:

- a) he is not in one of the situations described in article 16 herein;
- b) he fulfils the relevant selection criteria, that have been specified as per article 17 herein.

The ESPD shall be filled in via Promitheus ESPDint sub-system, which is accessible through the portal site (www.promitheus.gov.gr) of the Integrated Information System - ESIDIS, or via another relevant compatible platform of services for the management of electronic ESPDs. To that effect, Economic Operators can evaluate the respective electronic file in XML format, which is an assisting item to the contractual documents.

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The ESPD that has been filled in, as well as its accompanying Legal Statement, if any, shall be submitted in a digitally signed electronic folder in PDF format.

ATTIKO METRO S.A. may request the candidate economic operators at any point throughout the procedure, to submit all or a part of the back-up documentation for the operator to prove that he satisfies the preconditions of articles 16 and 17 of this document, on an as-required basis, for the correct conduct of the tendering process.

ATTIKO METRO S.A. is entitled, at any point throughout the subject procedure, to disqualify an economic operator if it is proven that, due to his actions or omissions, which have taken place either before or during the tendering procedure, the economic operator has fallen or falls under the following cases:

- a) he is not in one of the situations described in article 16 herein;
- b) he fulfils the relevant selection criteria, that have been specified as per article 17 herein.


The economic operator is especially obligated to declare – via the ESPD – his status, as related to the reasons foreseen in article 73 of Law 4412/2016 and, at the same time, to invoke any measures that have been introduced, in order to restore his reliability.

The ESPD shall specify the public authority or the third party responsible for the issuance of the relevant back up documentation and shall include a Legal Statement that the economic operator shall be in a position, upon request and without any delay, to provide the relevant back up documentation.

It is particularly stressed that in the response provided by the economic operator in the relevant field of the ESPD regarding any agreements which have eventually been concluded with other economic operators aiming at distorting competition, the occurrence of circumstances, such as the three-year limitation specified in para. 10, article 73, Law 4412/2016 or the implementation of the provisions of para. 3b, article 44, Law 3959/2011 (A' 93), shall be described in detail in the relevant field which appears if “yes” is filled in, while with regard to the submission of the back-up documentation the content of the previous item applies.

A negative statement of the economic operator to the relevant ESPD question neither constitutes an inaccurate statement, nor results in disqualification, provided that the circumstances presented in paragraph 2A of article 73 concerning the reasons for disqualification are applicable.

The economic operator may provide clarifications to the statements and information included in the ESPD in an accompanying legal statement submitted along with the ESPD. The accompanying legal statement is signed in accordance with the provisions of this article concerning the signing of the ESPD.

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During the submission of the ESPD and the Legal Statement, only the signature of the representative –on a per case basis- of the economic operator can consist the preliminary proof of the reasons of disqualification mentioned in paragraph 1 of article 73 of Law 4412/2016 for all natural entities who are members of his administrative, managerial or supervisory body or are vested with the authority to represent, take decisions or control this body.

The representative of the economic operator for the implementation of the above is the operator’s legal representative - as it derives from the statutes in effect or the proceedings for his representation at the time the offer is submitted or the application for participation - or the natural entity duly authorized to represent the subject economic operator in procedures related to the conclusion of contracts or in this specific procedure for the contract conclusion.

If an offer is submitted by an economic operator **association**, the ESPD shall be submitted separately for each member of the association.

In the event that the economic operator relies on the competence of other entities (**borrowed experience**), the ESPD is submitted by the economic operator lending the experience.


In case at the current phase of the procedure the economic operator is aware of the fact that he will assign a part of the contract **on a sub-contracting basis** to third parties, the ESPD is submitted by the sub-contractor.

The ESPD signing date shall fall within the offers submission time period. If, in the time period between the ESPD signing and the deadline for the submission of the applications for participation, changes are made by the economic operator in the data stated in the ESPD, the economic operator shall withdraw his application for participation without requiring any resolution on the part of ATTIKO METRO S.A., in line with paragraph 3.7 herein. Subsequently, he can resubmit his application via an updated ESPD.

As regards the cases that are foreseen in the ESPD and concern article 16 herein, at the current Tender stage, the submission of the relevant back-up documentation is not required, since these will be required to be submitted by the provisional contractor to arise from Stage B of the Tender during the review of the Awarding Documentation. In addition, in the framework of the review of the awarding backup documentation during Stage B of the Tender, the provisional contractor shall be required to submit all necessary back-up documentation for the purpose of reviewing his legalization and representation.

The required backup documentation to be submitted by the provisional contractor shall be determined in the Invitation to Submit Offers (Stage B’ of the Tender).

ATTIKO METRO S.A. may request the candidates at any point throughout the procedure, to submit all or a part of the back-up documentation, if so required, for the correct conduct of the procedure.

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19.2 The **Legal Statement** certifying that the bidding economic operator agrees with the terms of this Invitation and the provisions of the applicable legislation. The Legal Statement shall be signed by the legal representative of the economic operator and, in case of an association, by each member-economic operator separately.

If the economic operator invokes **third party resources or sub-contractors**, he shall be called upon to submit the aforesaid Legal Statement of the third parties and the sub-contractors he proposes respectively.

19.3 Back up documentation for the review stipulated in article 17

The eligibility for participation and the terms and conditions of participation, as specified in articles 19 and 20 of this Document, are assessed:

- a) at the time the application for participation is submitted through the submission of the ESPD
- b) at the time the Technical and Financial Offer is submitted at Stage B' of the Tender
- c) at the time the back-up documentation for the award is submitted at Stage B' of the Tender and
- d) at the time when the Legal Declaration is examined in line with stipulations of case d, para. 3, article 105, Law 4412/16 on the award and conclusion of a contract.


Economic operators are strongly urged to see to the timely issuance of the required back up documents (especially those that cannot be ensured at a later stage) in order to fulfil the aforesaid requirements.

If changes occur to the preconditions that the candidates have declared to meet, in line with article 79, Law 4412/16, which (changes) occur or which the candidates will be aware of after the filling in of the ESPD, candidates must advise ATTIKO METRO S.A. accordingly without any delay whatsoever.

Means of evidence shall be made acceptable as follows:

- a) **the backup documentation concerning paragraph 19.3.1, should they have been issued up to thirty (30) working days prior to their submission, unless the special provisions related to their issuance foresee a specific validity period and the subject documentation is valid on the date it are submitted;**
- b) **affidavits, should they have been compiled up to three (3) months prior to their submission, and;**
- c) **legal statements, should they have been compiled after the notification of the invitation for the submission of back up documentation. It is not required for Legal Statements to bear an authentication of the signature.**

Where in the required back-up documentation for the award of the Tender reference is made to the submission of a Legal Statement, as regards Greek companies, this means the “Legal Statement as per L. 1599/86”, while, as

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regards foreign companies, this means a statement of equivalent proving validity, i.e. an affidavit, or if there is no such provision, a Legal Statement before a court or administrative authority, a notary or the professional agency concerned of the country of origin of the Bidder. It is clarified that in case the legal representative of the Bidder is or resides in Greece and does not speak Greek, he/she may submit a Legal Statement of Law 1599/86, duly noted on the body of the statement that the undersigned fully understands the content of the statement having read its translation into a language he understands.

The documents stipulated herein shall be submitted in electronic and printed format in line with the provisions particularly specified in paragraphs 3.4 and 3.5 herein. Especially, as regards the means of evidence which are private documents, these can be accepted either by virtue of the provisions of Law 2690/1999 (A' 45) or as simple photocopies, on condition they are accompanied by a legal statement verifying their accuracy, which (legal statement) must have been compiled after the communication of the subject invitation for the submission of the backup documents.


In case of an association of economic operators, the obligation for the submission of all aforementioned documentation, certificates and legal statements stands separately for each economic operator participating in the association.

ATTIKO METRO S.A. reserves its right to request any other document deemed necessary upon reading of the documents and data to be submitted. In addition, and if there are any doubts whatsoever, ATTIKO METRO S.A. is entitled to address itself directly to the responsible authorities in order to take delivery of the necessary information about the personal status of the candidates. When the necessary information concerns a candidate established in another member state, then ATTIKO METRO S.A. is entitled to seek the cooperation of the responsible authorities. The request for the provision of information may concern legal and/or physical entities, possibly including the managers of companies or any other individual with the power to represent, to make resolutions or to control, as determined by the national legislation of the member-state of establishment.

19.3.1

Back up documentation proving the competence to exercise the professional activity stipulated in article 17.1 herein

- (a) Regarding the competence to exercise the professional activity, the economic operators installed in Greece shall submit a certificate that they are registered in the Register of Contracting Companies (M.E.EP.) until the expiry of the transitory period validity, in line with article 65, P.D. 71/2019, and as of the date of entry into force of the latter, a registration certificate in Part I of the Register of Public Works Contracting Companies (MH.E.E.D.E.) in the design categories stipulated in article 15.1 herein.
- (b) The economic operators established in other member-states of the European Union, shall submit the statements and certificates listed in

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Annex XI of Appendix A, Law 4412/2016, proving the competence of the economic operator for work execution, as concerns the design categories stipulated in article 15.1 herein.

- (c) Economic operators established in a member – state of the European Financial Area (EFA) or in third countries that have signed and ratified the Public Procurement Agreement (PPA), to the extent that the contract under award is covered by Annexes 1, 2, 4 and 5 and the general notes of Appendix I related to the EU of the aforesaid PPA, or in in third countries that do not fall under the previous case and have concluded a bilateral or multilateral agreement with the European Union shall submit a certificate issued by the respective professional or commercial registry. If such Registries are not kept in these countries, this document or certificate may be replaced by an affidavit or, in member-states or in countries where an affidavit is not foreseen, the interested party shall submit an official statement before an official judicial or administrative authority, notary public or the responsible professional or commercial institution in the economic operator’s country of origin or establishment, that such registry is not kept and that he exercises the activities indicated in the design categories mentioned in article 15.1 herein.

19.3.2 Back up documentation concerning the credit and financial competence requirements stipulated in article 17.2 herein

19.3.2.1 The credit and financial competence for each economic operator, as stipulated in article **17.2.1** herein, shall be proven as follows:

- (a) Economic operators established in Greece must submit their certificate for registration in MEEP, which constitutes a proof of the information it contains, i.e. a certificate for registration in MEEP, until the expiry of the transitory period validity, in line with article 65, P.D. 71/2019, and as of the date of entry into force of the latter, a registration certificate in Part II of the Register of Public Works Contracting Companies (MH.E.E.D.E.).
- (b) Foreign economic operators that are registered in the official registries or possess a certificate issued by a certification organization that they comply with the European Certification Standards, in the sense of Annex VII of Appendix A, L. 4412/2016, can submit to the awarding authorities a registration certificate issued by the responsible authority or the certificate issued by the competent Certification Organization, as per the stipulations of article 83, L. 4412/2016, which demonstrates the economic operators capacity and competence, in relation to the requirements of article 17.2.1 herein.
- (c) More specifically:
- Economic operators established in Greece but the registration certificate, stipulated in paragraph (a) above, does not prove that the requirements of article 17.2.1 are fulfilled,
 - Foreign economic operators that are registered in official lists (as for example, from member-states of the EU or the EFA or the Public

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Procurement Agreement - PPA) or are certified by Certification Organizations, but the registration certificate, as stipulated in above paragraph (b) does not prove that the requirements of article 17.2.1 are fulfilled;

- Foreign economic operators who are not registered in official lists or do not possess a certificate issued by a Certification Organization, as per the above,


must submit the following back up documentation, namely:

1. The most recent financial statements of the economic operator, approved by the competent body of the Administration (General Assembly, Board of Directors or other) – in line with the legislation in force of the country of origin of the Candidate – certified by the Chartered Accountant. The aforesaid financial statements must be compiled in accordance with the accounting standards stipulated in the legislation of the country of origin.
2. A certificate issued by the aforesaid Chartered Accountant about the amount of the **Equities** (Net Position) – in line with the financial statements stipulated in paragraph 1 – along with the relevant adjustments, based on the remarks that the Chartered Accountant has written in his pertinent report.
3. A certificate issued by the aforesaid Chartered Accountant about the **non-amortized value of the fixed assets**, included in the financial statements stipulated in paragraph 1 above.
4. A certificate issued by the aforesaid Chartered Accountant about the **overall amount of the turnover during the last three-year period**, which is included in the financial statements stipulated in paragraph 1.
5. A certificate issued by the aforesaid Chartered Accountant about the non-amortized value of the **mechanical** equipment directly related to the construction project activities, which (equipment) is included in the financial statements stipulated in paragraph 1.

19.3.2.2 Backup documentation proving the preconditions of article 17.2.2 herein

To prove the creditworthiness of the Bidders, as stipulated in article 17.2.2 herein, the following back-up documentation shall be submitted:

Certificates issued by Banks or similar Credit Institutions, lawfully operating in the member-states of the EU or the EFA or in the member-states that have ratified the Public Procurement Agreement (PPA), proving the Candidate's creditworthiness for an amount of at least **three hundred and fifty million EURO (€ 350,000,000.00)**, out of which the amount of at least **one hundred and thirty million EURO (€ 130,000,000.00)** must be available for loans and at least **one hundred and thirty million EURO (€130,000,000.00)** for Letters of Guarantee, out of which an amount at least **one hundred million EURO (€ 100,000,000.00)** must be available for each out of the above two cases for this project, as per **Sample A.1, Annex A** herein.

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In case the aforementioned certificates cannot be issued in the Greek language because the issuing Bank does not operate in Greece, this shall be issued in the English language in accordance with **Sample A.2, Annex A** herein and shall be accompanied by an official translation into Greek.

Along with the above supporting documents, Candidates shall submit **Table A.1, Annex A**, herein, duly filled in and signed.

19.3.2.3 Backup documentation proving the preconditions of article 17.2.3

Non-exceeding the maximum permissible limits of non-executed part of contracting agreements shall be proven through the submission of the following documentation, namely:

- A license validity certificate, accompanied, as the case may be, by a table to contain all projects under execution (either as an individual contractor or in the framework of a joint venture or a subcontracting work) and a reference to the non-executed part per project and to the overall non-executed parts for the projects which are in progress and are not included in the license validity certificate, or
- A legal statement, submitted by the candidate, accompanied by a table to contain all projects under execution (either as an individual contractor or in the framework of a joint venture or a subcontracting work) and a reference to the non-executed part per project and to the overall non-executed parts for the projects for the contracting firms that do not possess license validity certificates, per the applicable legislation.

19.3.3 Backup Documentation proving the Technical and Professional Competence, in line with article 17.3

19.3.3.1 The Technical and Professional Competence for each economic operator, in line with paragraph **17.3.1**, shall be proved as follows:

- (a) Economic operators established in Greece must submit their certificate for registration in MEEP, which constitutes a proof of the information it contains, until the expiry of the transitory period validity, in line with article 65, P.D. 71/2019, and as of the date of entry into force of the latter, a registration certificate in Part II of the Register of Public Works Contracting Companies (MH.E.E.D.E.).
- (b) Foreign economic operators that are registered in the official registries or possess a certificate issued by a certification organization that they comply with the European Certification Standards, in the sense of Annex VII of Appendix A, L. 4412/2016, can submit to the awarding authorities a registration certificate issued by the responsible authority or the certificate issued by the competent Certification Organization, as per the stipulations of article 83, L. 4412/2016 which proves the economic operators capacity and competence as regards the requirements of article 17.3.1 herein.

(c) More specifically:



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- Economic operators established in Greece but the registration certificate, stipulated in paragraph (a) above, does not prove that the requirements of article 17.3.1 are fulfilled,
- Foreign economic operators that are registered in official lists (as for example, from member-states of the EU or the EFTA or the Public Procurement Agreement - PPA) or are certified by Certification Organizations, but the registration certificate, as stipulated in above paragraph (b) does not prove that the requirements of article 17.3.1 are fulfilled;
- Foreign economic operators who are not registered in official lists or do not possess a certificate issued by a Certification Organization, as per the above,

must submit the following back up documentation, namely:

- A List of the Company's Executives, integrating the degrees and professional skills of those persons and mainly of the persons in charge of the execution of the projects, their CVs (digitally signed by the executives whom they concern) and the position they hold in the organization chart of the company, in order to prove that they fulfill the requirements of article 17.3.1.

19.3.3.2

Back Up Documentation to prove experience in similar projects


In order to prove the experience in projects similar to those stipulated in article **17.3.2**, candidate economic operators shall submit the following data:

- a. Tables **B.1 to B.6 inclusive, of Annex B** herein, signed and duly filled in with the required data for similar projects or completed parts thereof that have been executed **during the time period 2000-2023**, for the required E/M systems commissioned during the same aforementioned time period.

In case (cases a, b, c and e of article 17.3.2 herein) the projects do not fall within the time period 2000-2023, the relevant column of the Table shall make reference to the part of the project (from a technical and time point of view) falling only within this period.

The said tables shall be accompanied by the Candidate's statement, in accordance with the respective note in the Tables, for those items for which no justification exists in the certificates.

- b. Certificates issued by the authorities concerned proving good and timely execution of the required projects or completed parts thereof, as well as their successful, reliable and safe commissioning of the requested E/M systems. More particularly, with regard to the cases (a), (b) and (c) specified under paragraph 17.3.2 of this article, these certificates must show the place (in case the whole project is not constructed in an urban environment, then a clarification should be made as to the extent and the part of the Project that has been constructed in an urban environment) and the time of their execution and must confirm that the works were executed in accordance with the rules of technology and

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that they were normally finished. In case the Candidate executed these projects as a member of a Joint Venture, the certificate shall indicate the Candidate's participation or the participation of the Candidate's members, in the execution of the projects, as well as the specific scope of this participation.

If certain of the details requested in tables B.1 to B.5 inclusive are not included in the certificates in question, these shall be given in a Legal Statement of the Candidate, which shall accompany the tables. However, the Legal Statement cannot substitute the required certificates for the execution of the projects. The Legal Statement shall be submitted only in view of supplementing certain data of the Project not mentioned in the certificates (e.g. time duration, etc.).

Given that the candidates' evaluation criteria shall be applied to the above, as per article 20 herein, the relevant information should be as detailed and as documented as possible, so as to give a clear picture of their status and experience relating to the scope of this Invitation.

19.3.4 **Back Up Documentation related to the Quality Assurance Standards stipulated in article 17.4 herein**

In order to prove fulfilment of the requirements of article 20.4 herein, candidate economic operators shall submit the following certificates:

- ISO 9001:2008 - Quality Assurance System;
- EN ISO 14001:2015 - Environmental Management System;
- OHSAS 18001:2007 - Health and Safety Management System at Work;


ATTIKO METRO S.A. recognises equivalent certificates issued by agencies accredited by equivalent accrediting Organizations, established in other member-states as well. In addition, ATTIKO METRO S.A. also accepts other proving documentation relating to equivalent quality assurance measures, in the event that the candidate could not acquire the subject certificates within the relevant deadlines for reasons beyond his control, on condition that the candidate proves that the recommended quality assurance or environmental management measures do satisfy the required standards.

19.3.5 **Design Team Back Up Documentation of article 17.5 herein**

19.3.5.1 **Back up Documentation for the Acceptance of Cooperation**

Candidates opting to cooperate with engineering firms/companies as per the provisions of article 17.5, must submit the following back-up documentation:

- Resolution made by the Board of Directors in case of Greek Societe Anonymes (S.A.s) or by the competent body of Administration in case of foreign Candidate approving the cooperation with the engineering company/firm.


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- Legal Statement of the Candidate’s appointed legal representative stating that in case the Candidate is appointed as the Contractor:
 - a) he shall utilize human resources, namely engineering companies/firms, beyond the resources indicated at this Stage that corresponds to the minimum requirements, if requested by the Project Owner for adhering to the time schedule, and
 - b) that he undertakes the obligation to pay to the engineering company/firm its fee corresponding to the preparation of the designs.
- Legal Statement of the legal representative of each engineering company/firm that participates in the Design Team of the Candidate proving its cooperation with the Candidate. The subject Legal Statement should state the following:
 - a) the composition of the engineering company/firm and the engineering works that each team member is responsible to execute,
 - b) that the engineering company/firm accepts to cooperate with the subject Candidate,
 - c) that if the Candidate is selected and/or is nominated Contractor of the Project, the cooperation shall be continued in the field of the preparation of the technical offer, the General Final Design and the Detailed Final Design, as well as for any eventual amendment required during the construction of the project,
 - d) that the designers of the engineering company/firm shall attend, whenever required (e.g. amendments to the initial design, redrafting based on measurement data, etc.), meetings or shall visit the project worksite throughout the design and execution phases of the Project, and, finally,
 - e) that the fee of the engineering company/firm shall be paid by the Candidate and that the engineering company/firm shall raise no claims whatsoever before ATTIKO METRO S.A..

19.3.5.2 Back up documentation proving the competence to exercise the professional activity stipulated in article 17.5.1 herein

In order to prove the competence to exercise the professional activity, engineering companies/firms with whom the Candidate will cooperate shall submit the following:

- (a) Engineering companies/firms established in Greece shall submit a Designer’s/ Engineering Firm License by the expiry date of the transitory period of validity of P.D. 71/2019, as per article 39 therein, and a registration certificate of the Registry of Public Works Engineering Companies (MHMEDE) from the date of its entry into force, in the design category (-ies) specified in article 17.5.1 herein.


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- (b) Engineering companies/firms established in other member-states of the European Union, shall submit the statements and certificates listed in Annex XI of Appendix A, Law 4412/2016, proving the competence of the economic operator to provide services as concerns the design categories stipulated in article 17.5.1 herein.
- (c) Engineering companies/firms established in a member – state of the European Financial Area (EFA) or in third countries that have signed and ratified the Public Procurement Agreement (PPA), to the extent that the contract under award is covered by Annexes 1, 2, 4 and 5 and the general notes of Appendix I related to the EU of the aforesaid PPA, or in in third countries that do not fall under the previous case and have concluded a bilateral or multilateral agreement with the European Union shall submit a certificate issued by the respective professional or commercial registry. If such Registries are not kept in these countries, this document or certificate may be replaced by an affidavit or, in member-states or in countries where an affidavit is not foreseen, the interested party shall submit an official statement before an official judicial or administrative authority, notary public or the responsible professional or commercial institution in the economic operator’s country of origin or establishment, that such registry is not kept and that he exercises the activities indicated in the design categories mentioned in article 17.5.1 herein.

19.3.5.3 Back up documentation concerning the credit and financial competence requirements stipulated in article 17.5.2

The financial and credit competence for each economic operator, as stipulated in article 17.5. 2 herein, shall be proven via the submission of the following documentation, namely:

- (a) Engineering Companies / Firms established in Greece shall submit a Designer’s/ Engineering Firm License, which constitutes a proof of the information it contains, until the expiry of the transitory period validity, in line with article 65, P.D. 71/2019, and as of the date of entry into force of the latter, a registration certificate of the Register of Public Works Contracting Companies (MH.E.E.D.E.).
- (b) Engineering Companies / Firms that are registered in the official registries or possess a certificate issued by a certification organization that they comply with the European Certification Standards, in the sense of Annex VII of Appendix A, L. 4412/2016, can submit to ΑΤΤΙΚΟ ΜΕΤΡΟ S.A. a registration certificate issued by the responsible authority or the certificate issued by the competent Certification Organization, as per the stipulations of article 83, L. 4412/2016 which proves fulfilment of the requirements of article 17.5.2 herein.
- (c) More specifically:

	<p align="center">“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”</p> <p align="center">INVITATION TO EXPRESS INTEREST STAGE A' OF THE TENDER BASED ON THE RESTRICTED PROCEDURE</p>	<p align="center">RFP-421/22 Α.Σ. 192682</p>
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- Engineering Companies / Firms established in Greece but the registration certificate, stipulated in paragraph (a) above, does not prove that the requirements of article 17.5.2 are fulfilled,
- Foreign Engineering Companies / Firms that are registered in official lists (as for example, from member-states of the EU or the EFTA or the Public Procurement Agreement - PPA) or are certified by Certification Organizations, but the registration certificate, as stipulated in above paragraph (b) does not prove that the requirements of article 17.5.2 are fulfilled;
- Foreign Engineering Companies / Firms that are not registered in official lists or do not possess a certificate issued by a Certification Organization, as per the above,

must submit the following back up documentation, namely:


- A Legal Statement about the overall turnover during the three (3) previous fiscal years or during the respective operation period – if this is less than three years;
- The Balance Sheets and the Financial Statements (Profit and Loss) for the last three (3) fiscal years or for the respective operation period – if this is less than three years.

19.3.5.4 Documentation related to the technical and professional competence, stipulated in article 17.3.5.3 herein

In order to prove the technical and professional competence requested by article 17.5.3 herein, the bidders must submit the following supporting documents.

19.3.5.4.1 In order to prove adherence to the requirements of article 17.5.3.1 herein

- Engineering Companies / Firms established in Greece shall submit a Designer's/ Engineering Firm License, which constitutes a proof of the information it contains, until the expiry of the transitory period validity, in line with article 65, P.D. 71/2019, in line with article 39 therein, and as of the date of entry into force of the latter, a registration certificate of the Register of Public Works Contracting Companies (MH.E.E.D.E.).
- Engineering Companies / Firms that are registered in the official registries or possess a certificate issued by a certification organization that they comply with the European Certification Standards, in the sense of Annex VII of Appendix A, L. 4412/2016, can submit to ATTIKO METRO S.A. a registration certificate issued by the responsible authority or the certificate issued by the competent Certification Organization, as per the stipulations of article 83, L. 4412/2016 which proves fulfilment of the requirements of article 17.5.2 herein.
- More specifically, the following economic operators:

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- Engineering Companies / Firms established in Greece but the registration certificate, stipulated in paragraph (a) above, does not prove that the requirements of article 17.5.3.1 are fulfilled,
- Foreign Engineering Companies / Firms that are registered in official lists (as for example, from member-states of the EU or the EFA or the Public Procurement Agreement - PPA) or are certified by Certification Organizations, but the registration certificate, as stipulated in above paragraph (b) does not prove that the requirements of article 17.5.3.1 are fulfilled;
- Foreign Engineering Companies / Firms that are not registered in official lists or do not possess a certificate issued by a Certification Organization, as per the above,

must submit **Curriculum Vitae**, proving fulfilment of the requirements of paragraph 17.5.3.1, as regards the required staffing. The Curriculum Vitae shall necessarily refer to the decrees and experience of the executives they concern and shall be signed by the aforesaid executives.

19.3.5.4.2 In order to prove the required experience stipulated in article 17.5.3.2 herein


- Tables C.1 to C.6 of Appendix C** herein duly signed and filled in with the information required to prove the experience of the engineering firms with which the Candidate shall cooperate and/or of the Candidate himself, in case he does not cooperate with the Design Team, as per the provisions of article 17.5 herein.
- Certificates issued by the authorities concerned proving good and timely execution of the designs.

If certain of the details requested in Tables C.1 to C.5 inclusive are not included in the certificates in question, these shall be provided in a formal statement of the representative of each engineering firm or of the Candidate, in case the latter does not cooperate with the Design Team, according to the provisions of article 17.5 herein, which shall accompany the tables. However, the legal statement cannot substitute the required certificates. The legal statement shall be submitted only in view of supplementing certain data of the designs not mentioned in the certificates (e.g. time duration, etc.).

19.3.6 Back up Documentation to demonstrate the “borrowed experience” mentioned in article 18.1 herein

If the economic operators invoke and utilize the financial and credit capacity or the technical and professional capacity of other operators, as per article 307 of Law 4412/16, then the third parties shall submit the backup documentation stipulated in article 19.3 for the review of the provisions of article 17 (concerning the invocation).

Moreover, the back-up documentation shall also include the BoD’s resolution or the decision of the agency’s statutory instrument concerned, approving the

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granting of the operator’s financial, credit capacity or technical and professional capacity (experience) to the Candidate, so that this capacity is available to the Candidate for the execution of the Contract.

This presentation must be detailed and itemize the specific resources that will be made available in the framework of the Agreement, in such a way so that ATTIKO METRO S.A. may proceed to the evaluation, assess the importance of the relevant resources and ascertain the implementation of such a commitment during the execution of the Agreement. Additionally, the Candidate must also submit the pertinent decision of its statutory body for the acceptance of the said invocation.

19.3.7 **Back-up documentation in case of Sub-contracting work stipulated in article 18.2 herein**

In case at this phase the candidate is aware of the fact that he will award a part of the contract – under the form of **sub-contracting work** to third parties, the provisional contractor should indicate the section of the contract he intends to award in the form of a sub-contracting work to third parties and submit all information concerning the Subcontractors that he proposes.

In any case, sub-contractors ought to submit the back-up documentation in order to prove the professional competence required for the execution of the sections to be awarded to them, in the sense of articles 19.3.1, 19.3.2.1 and 19.3.3.1, as well as the documentation related to the similar experience stipulated in article 19.3.3.2 (in case they undertake the execution of specific scopes) or those related to the similar experience as regards the scope of works they will undertake.


In addition, it is required to submit the Resolution of the BoD or the decision of the competent statutory instrument of the economic operator concerned, whereby approval will be granted for the award of the sub-contracting work and the respective resolution on the part of the sub-contractor on accepting the award of the sub-contracting work. These resolutions shall state in detail the sections which will be assigned to a subcontractor as well as the relevant percentage corresponding to the total of the contract.

ARTICLE 20 SCORING CRITERIA AND METHOD

20.1 General Information

At the penalty of disqualification, the experience of the Candidates must fulfil the minimum requirements, determined in article 17.3.2 herein.

Only in the event that the number of candidates fulfilling the minimum requirements for participation is over seven (7), the Tender Committee shall proceed with the evaluation – scoring on the basis of the following criteria:

	<p align="center">“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”</p> <p align="center">INVITATION TO EXPRESS INTEREST STAGE A' OF THE TENDER BASED ON THE RESTRICTED PROCEDURE</p>	<p align="center">RFP-421/22 A.Σ. 192682</p>
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Criterion 1: Experience in Civil Works

Criterion 2: Experience in E/M systems and Rolling Stock

At the penalty of disqualification, the Candidates' experience must satisfy the minimum requirements specified in article 17.5.3.2 herein. The Tender Committee shall evaluate the above two criteria as per the stipulations in this article.

The Candidate's experience is demonstrated from the tables listing similar projects executed during the time period 2000-2023, as well as from the corresponding good execution certificates, according to paragraph 19.3.3.2 herein.

20.2

Criterion 1: Experience in Civil Works

The experience in the construction of Civil Works, as per the following Table, is evaluated with this criterion:

	<u>Criterion 1: Experience in Civil Works</u>	<u>Weight (%)</u>
1.a	Construction of an underground tunnel in urban environment using a Tunnel Boring Machine, with a minimum cross-section of a double-track.	45%
1.b	Construction of an underground tunnel in urban environment using conventional mechanical means, with a minimum cross-section of 100m ² .	15%
1.c	Construction of underground Metro stations or other urban underground Projects (such as car parking facilities) at a minimum depth of 12m., using the Cut and Cover or the Cover and Cut Method.	40%
	Total	100%


Explanation of the scoring method

The above sub-criteria 1.a, 1.b and 1.c – which are incorporated in Criterion 1 – receive from 50 to 100 points, the minimum acceptable score being 50 points. Then, the scoring of each sub-criterion is multiplied by its respective weight, as shown on the above Table, and the overall total scoring for Criterion 1 results as the sum of the above.

Scoring – C1

The minimum requirements for sub-criteria 1.a and 1.b that yield a score of 50 points are the following:

- (1.a) Construction of an underground tunnel in an urban environment using a Tunnel Boring Machine, boring of tunnel minimum overall volume: 140,000m³, cross section: a double-track as a minimum.

	<p align="center">“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”</p> <p align="center">INVITATION TO EXPRESS INTEREST STAGE A' OF THE TENDER BASED ON THE RESTRICTED PROCEDURE</p>	<p align="center">RFP-421/22 A.Σ. 192682</p>
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- (1.b) Construction of an underground tunnel in an urban environment using conventional mechanical means, boring of tunnel overall minimum volume 30,000m³, cross section: 100m² as a minimum.
- (1.c) Construction of underground Metro stations or other urban underground works (such as car park facilities) at a minimum depth of 12m, using the Cut and Cover or the Cover and Cut method, minimum overall excavation volume of 50,000m³.

The candidate with the most extensive experience shall receive 100 points. The other candidates shall receive a proportional score between the maximum (100) and the minimum (50) points.

More specifically, the experience of the Candidates (Aexamined) shall be allocated in line with the following formula:

$$P = 50 + 50 * (A_{examined} - A_{min}) / (A_{best} - A_{min})$$

Where:

P: The scoring of the Candidate (rounded in two decimals)

Aexamined: The experience of the Candidate

Amin: The minimum required experience

Abest: The maximum experience of the Candidate.

20.3 Criterion 2 - Experience in E/M Systems

The experience in the installation and commissioning of E/M Systems as per the following Table, is evaluated with this criterion:


	<u>Criterion 2: Experience in E/M Systems</u>	Weight (%)
2.a	Installation and commissioning of Metro ventilation systems	35%
2.b	Construction of trackwork, of single-track	35%
2.c	Installation and commissioning of Metro traction power systems	30%
	Total	100%

Explanation of the scoring method

The above sub-criteria 2.a, 2.b and 2.c receive from 50 to 100 points, the minimum acceptable score being 50 points. Then, the scoring of each sub-criterion is multiplied by its respective weight, in line with the aforesaid table, and the overall total scoring for Criterion 2 results as the sum of the above.

Scoring – C2

The minimum requirements for sub-criteria 2.a, 2.b and 2.c that yield a score of 50 points are the following:

	<p style="text-align: center;">“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”</p> <p style="text-align: center;">INVITATION TO EXPRESS INTEREST STAGE A' OF THE TENDER BASED ON THE RESTRICTED PROCEDURE</p>	<p style="text-align: center;">RFP-421/22 A.Σ. 192682</p>
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- (2.a) Installation and commissioning of Metro ventilation systems, 1,200 KVA of installed power, as a minimum.
- (2.b) Construction of Trackwork, 4,000m of single track, as a minimum.
- (2.c) Installation and commissioning of Metro traction power systems, 6,000 KVA of installed power as a minimum.

The Candidate with the most extensive experience shall receive 100 points. The other Candidates shall receive a proportional score between the maximum (100) and the minimum (50) points.

More specifically, the experience of the Candidates (Aexamined) shall be allocated in line with the following formula:

$$P = 50 + 50 * (A_{examined} - A_{min}) / (A_{best} - A_{min})$$

Where:

P: The scoring of the Candidate (rounded in two decimals)

Aexamined: The experience of the Candidate

Amin: The minimum required experience

Abest: The maximum experience of the Candidate

20.4 Total Score


The total score of the candidates shall come as the sum of both Criteria 1 and 2, multiplied by the respective coefficients as follows:

$$\text{Total Score} = (C1 \times 0.65) + (C2 \times 0.35)$$

Where C1: score for Criterion 1 and
C2: score for Criterion 2

This score ranges between the maximum of 100 and the minimum acceptable of 50 points.

The Tender Committee shall compile a Candidate Classification Table, in descending order, wherefrom the seven (7) prevailing candidates will arise. In the event of equal scoring between two or more Candidates in the 7th position of the Classification Table, a draw will be held among those Candidates before the Tender Committee and in their presence, on a date and at a time to be notified to them by action “On line discussion” of the sub-system.

	<p align="center">“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”</p> <p align="center">INVITATION TO EXPRESS INTEREST STAGE A' OF THE TENDER BASED ON THE RESTRICTED PROCEDURE</p>	<p align="center">RFP-421/22 Α.Σ. 192682</p>
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ΠΡΟΣΑΡΤΗΜΑ (Α)

ΥΠΟΔΕΙΓΜΑ Α.1


ΒΕΒΑΙΩΣΗ ΠΙΣΤΟΛΗΠΤΙΚΗΣ ΙΚΑΝΟΤΗΤΑΣ

Προς την
ΑΤΤΙΚΟ ΜΕΤΡΟ ΑΕ
Μεσογείων 191-193
115 25, Αθήνα

Κύριοι,

Σε συνέχεια αιτήματος που μας υπέβαλε η εταιρεία «ΕΠΩΝΥΜΙΑ ΕΤΑΙΡΕΙΑΣ», «ΔΙΕΥΘΥΝΣΗ ΕΤΑΙΡΕΙΑΣ», η οποία όπως δήλωσε, πρόκειται να συμμετάσχει στο Διαγωνισμό που πρόκειται να διενεργηθεί στις (ή οποιαδήποτε άλλη ημερομηνία λόγω παράτασης της ημερομηνίας υποβολής των Προσφορών) για την ανάδειξη αναδόχου προς εκτέλεση του Έργου: «.....» (RFP-421/22), σας γνωρίζουμε τα εξής:

1. Η ως άνω εταιρεία συνεργάζεται με την Τράπεζά μας και η μέχρι σήμερα συναλλακτική συμπεριφορά της κρίνεται ικανοποιητική.
2. Με βάση τη σημερινή οικονομική της κατάσταση μπορεί να πιστοδοτηθεί από την Τράπεζά μας υπό συγκεκριμένους όρους και προϋποθέσεις, μέχρι του ποσού των Ευρώ το οποίο να χρησιμοποιηθεί:
 - Για χρηματοδοτήσεις μέχρι ποσού Ευρώ (.....)
(Να συμπληρωθεί ολογράφως και αριθμητικώς)
 - Για εγγυητικές επιστολές μέχρι ποσού Ευρώ (.....)
(Να συμπληρωθεί ολογράφως και αριθμητικώς)
3. Σε περίπτωση που η εταιρεία αναδειχθεί ανάδοχος του ως άνω Έργου, η Τράπεζα προτίθεται να εξετάσει οποιοδήποτε συγκεκριμένο αίτημα πιστοδοτήσεως υποβληθεί για το Έργο αυτό:
 - Για χρηματοδοτήσεις μέχρι ποσού Ευρώ (.....)
(Να συμπληρωθεί ολογράφως και αριθμητικώς)
 - Για εγγυητικές επιστολές μέχρι ποσού Ευρώ (.....)
(Να συμπληρωθεί ολογράφως και αριθμητικώς)
4. Η Τράπεζα, σε κάθε περίπτωση πιστοδοτήσεως, εξετάζει, με τραπεζικά κριτήρια, τους ειδικούς όρους και τις προϋποθέσεις πιστοδοτήσεων που εφαρμόζει, τους ισχύοντες νομισματικούς κανόνες και την οικονομική κατάσταση και τις προοπτικές της εταιρείας κατά τον χρόνο της χρηματοδοτήσεως.
5. Η παρούσα δεν επέχει θέση εγγυητικής επιστολής ή συμβουλής ή συστάσεως κατά τη διάταξη του άρθρου 729 του Αστικού Κώδικα.

	<p align="center"> “EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO” </p> <p align="center"> INVITATION TO EXPRESS INTEREST STAGE A' OF THE TENDER BASED ON THE RESTRICTED PROCEDURE </p>	<p align="center"> RFP-421/22 A.Σ. 192682 </p>
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SAMPLE A.2

CERTIFICATE CONCERNING THE CREDITWORTHINESS

To
ATTIKO METRO A.E.
191-193 Messogion Av.
115 25, Athens

Dear Sirs,

Following the request submitted by”NAME OF COMPANY”, “ADDRESS OF COMPANY” which, in line with its statements, shall participate in the tender), to be conducted on (or on any other new date due to extension to the submission date of the Offers), concerning the project: “.....” (**RFP-421/22**) we hereby affirm the following:

1. The aforesaid Company cooperates with our Bank and its transactional behavior until the present date is deemed to be satisfactory.

2. Based on its current financial status, this Company may be credited by our Bank under specific terms and conditions up to the amount of which can be used as follows:
 - For financing, the limit of EURO..... (.....)
(To be filled in full and in numbers)

 - For letters of guarantee, the limit of EURO..... (.....)
(To be filled in full and in numbers)

.....

3. In case this Company is appointed as the Contractor of the Project, our Bank is willing to examine any specific request for crediting that may be submitted in the framework of this Project:
 - For financing, the limit of EURO..... (.....)
(To be filled in full and in numbers)

 - For letters of guarantee, the limit of EURO..... (.....)
(To be filled in full and in numbers)

4. In any case of crediting, the Bank shall examine - based on banking criteria - the special crediting terms and conditions that it implements, the applicable monetary regulations, as well as the financial status and the perspectives of the Company during the financing period.

5. This certificate shall not serve as letter of guarantee or advice or suggestion, in line with the provisions of article 729 of the Civil Code.



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**APPENDIX (B)
TABLE B.1**

EXPERIENCE IN TUNNELING WORKS USING TUNNEL BORING MACHINES (TBM)

S/N	Name of the member of the Association or of the Individual Candidate	Project Title/ Country	Employer	Duration of Execution			Tunnel Cross-Section	Tunnel Length	Tunnel Volume	General Technical Characteristics of the relevant section of the Project	S/N of the Good Performance Certificate	S/N of the Official Statement
				Commencement	Completion	Duration of execution during the time period 2000-2023 (months)						
1	2	3	4	5	6	7	8	9	10	11	12	13

Date :
.....
THE CANDIDATE

NOTES:

- 1 Columns need to be filled in based on the corresponding formal documents to the extent that these include the relevant information. In relation to the items of the table which are not documented in the certificates, candidates must submit a relevant statement (with reference to column 13)
- 2 Submitted certificates should be numbered so that they may be indicated in column 12
- 3 Fill in the cross-sections and lengths and the volume calculation in columns 8, 9 and 10 respectively
- 4 All certificates and Official Statements for each project must accompany each individual table

TABLE B.2



“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”

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**INVITATION TO EXPRESS INTEREST
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EXPERIENCE IN TUNNELING WORKS USING CONVENTIONAL MECHANICAL MEANS

S/ N	Name of the member of the Association or of the Individual Candidate	Project Title/ Country	Employer	Duration of Execution			Tunnel Cross-Section	Tunnel Length	Tunnel Volume	General Technical Characteristics of the relevant section of the Project	S/N of the Good Performance Certificate	S/N of the Official Statement
				Commencement	Completion	Duration of execution during the time period 2000-2023 (months)						
1	2	3	4	5	6	7	8	9	10	11	12	13

Date :
.....

THE CANDIDATE

NOTES:

- 1 Columns need to be filled in based on the corresponding formal documents to the extent that these include the relevant information. In relation to the items of the table which are not documented in the certificates, candidates must submit a relevant statement (with reference to column 13)
- 2 Submitted certificates should be numbered so that they may be indicated in column 12
- 3 Fill in the cross-sections and lengths and the volume calculation in columns 8, 9 and 10 respectively
- 4 All certificates and Official Statements for each project must accompany each individual table



“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”

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**INVITATION TO EXPRESS INTEREST
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TABLE B.3
EXPERIENCE IN UNDERGROUND METRO STATION PROJECTS OR OTHER UNDERGROUND PROJECTS IN URBAN ENVIRONMENT

S/N	Name of the member of the Association or of the Individual Candidate	Project Title/ Country	Employer	Duration of Execution			Tunnel Volume	General Technical Characteristics of the relevant section of the Project	S/N of the Good Performance Certificate	S/N of the Official Statement
				Commencement	Completion	Duration of execution during the time period 2000-2023 (months)				
1	2	3	4	5	6	7	8	9	10	11

Date :
.....

THE CANDIDATE

NOTES:

- 1 Columns need to be filled in based on the corresponding formal documents to the extent that these include the relevant information. In relation to the items of the table which are not documented in the certificates, candidates must submit a relevant statement (with reference to column 11)
- 2 Submitted certificates should be numbered so that they may be indicated in column 10
- 3 All certificates and Official Statements for each project must accompany each individual table



“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”

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TABLE B.4

EXPERIENCE IN METRO VENTILATION SYSTEMS

S/N	Name of the member of the Association or of the Individual Candidate	Project Title/ Country	Employer	Duration of Execution		Installed Power (KVA)	General Technical Characteristics of the relevant system of the Project	S/N of the Good Performance Certificate	S/N of the Official Statement
				Commencement	Completion Time of the system's commissioning				
1	2	3	4	5	6	7	8	9	10

Date :

THE CANDIDATE

NOTES:

- 1 Columns need to be filled in based on the corresponding formal documents to the extent that these include the relevant information. In relation to the items of the table which are not documented in the certificates, candidates must submit a relevant statement (with reference to column 10)
- 2 Submitted certificates should be numbered so that they may be indicated in column 9
- 3 All certificates and Official Statements for each project must accompany each individual table

TABLE B.5



“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”

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**INVITATION TO EXPRESS INTEREST
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EXPERIENCE IN TRACKWORK

S/N	Name of the member of the Association or of the Individual Candidate	Project Title/ Country	Employer	Duration of Execution			Length	General Technical Characteristics of the relevant section of the Project	S/N of the Good Performance Certificate	S/N of the Official Statement
				Commencement	Completion	Duration of execution during the time period 2000-2023 (months)				
1	2	3	4	5	6	7	8	9	10	11

Date :

THE CANDIDATE

NOTES:

- 1 Columns need to be filled in based on the corresponding formal documents to the extent that these include the relevant information. In relation to the items of the table which are not documented in the certificates, candidates must submit a relevant statement (with reference to column 11)
- 2 Submitted certificates should be numbered so that they may be indicated in column 10
- 3 All certificates and Official Statements for each project must accompany each individual table



“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”

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TABLE B.6
EXPERIENCE IN METRO TRACTION SYSTEMS

S/N	Name of the member of the Association or of the Individual Candidate	Project Title/ Country	Employer	Duration of Execution		Installed Power (KVA)	General Technical Characteristics of the relevant system of the Project	S/N of the Good Performance Certificate	S/N of the Official Statement
				Commencement	Completion Time of the system's commissioning				
1	2	3	4	5	6	7	8	9	10

Date :

THE CANDIDATE

NOTES:

- 1 Columns need to be filled in based on the corresponding formal documents to the extent that these include the relevant information. In relation to the items of the table which are not documented in the certificates, candidates must submit a relevant statement (with reference to column 10)
- 2 Submitted certificates should be numbered so that they may be indicated in column 9
- 3 All certificates and Official Statements for each project must accompany each individual table



“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”

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APPENDIX C

TABLE C.1

EXPERIENCE IN DESIGNS OF TUNNELS DESIGNS USING A TUNNEL BORING MACHINE (TBM)

S/N	Name of the member of the Design Team or of the Individual Candidate	Title of Design / Country	Employer	Duration of the Preparation			Scope of the Design	S/N of the Certificate	S/N of the Official Statement
				Commencement	Completion	Duration of preparation during the time period 2000-2023 (months)			
1	2	3	4	5	6	7	8	9	10

NOTES:

- 1 Columns need to be filled in based on the corresponding formal documents to the extent that these include the relevant information. In relation to the items of the table which are not documented in the certificates, candidates must submit a relevant statement (with reference to column 10)
- 2 Submitted certificates should be numbered so that they may be indicated in column 9
- 3 All certificates and Official Statements for each project must accompany each individual table



“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”

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TABLE C.2

EXPERIENCE IN DESIGNS OF TUNNELS USING CONVENTIONAL MECHANICAL MEANS

S/N	Name of the member of the Design Team or of the Individual Candidate	Title of Design / Country	Employer	Duration of the Preparation			Scope of the Design	S/N of the Certificate	S/N of the Official Statement
				Commencement	Completion	Duration of preparation during the time period 2000-2023 (months)			
1	2	3	4	5	6	7	8	9	10

Date :

THE DESIGNER / CANDIDATE

NOTES:

- Columns need to be filled in based on the corresponding formal documents to the extent that these include the relevant information. In relation to the items of the table which are not documented in the certificates, candidates must submit a relevant statement (with reference to column 10)
- Submitted certificates should be numbered so that they may be indicated in column 9
- All certificates and Official Statements for each project must accompany each individual table



“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”

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TABLE C.3
EXPERIENCE IN DESIGNS OF UNDERGROUND METRO STATIONS OR OTHER UNDERGROUND PROJECTS IN URBAN ENVIRONMENT

S/N	Name of the member of the Design Team or of the Individual Candidate	Title of Design / Country	Project Owner	Duration of the Preparation			Scope of the Design	S/N of the Certificate	S/N of the Official Statement
				Commencement	Completion	Duration of preparation during the time period 2000-2023 (months)			
1	2	3	4	5	6	7	8	9	10

Date :

THE DESIGNER / CANDIDATE

NOTES:

- Columns need to be filled in based on the corresponding formal documents to the extent that these include the relevant information. In relation to the items of the table which are not documented in the certificates, candidates must submit a relevant statement (with reference to column 10)
- Submitted certificates should be numbered so that they may be indicated in column 9
- All certificates and Official Statements for each project must accompany each individual table

TABLE C.4



“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”

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EXPERIENCE IN DESIGNS OF METRO VENTILATION SYSTEMS

S/N	Name of the member of the Design Team or of the Individual Candidate	Title of Design / Country	Project Owner	Duration of the Preparation			Scope of the Design	S/N of the Certificate	S/N of the Official Statement
				Commencement	Completion	Duration of preparation during the time period 2000-2023 (months)			
1	2	3	4	5	6	7	8	9	10

Date :

THE DESIGNER / CANDIDATE

NOTES:

- 1 Columns need to be filled in based on the corresponding formal documents to the extent that these include the relevant information. In relation to the items of the table which are not documented in the certificates, candidates must submit a relevant statement (with reference to column 10)
- 2 Submitted certificates should be numbered so that they may be indicated in column 9
- 3 All certificates and Official Statements for each project must accompany each individual table



“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”

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TABLE C.5

EXPERIENCE IN DESIGNS OF TRACKWORK

S/N	Name of the member of the Design Team or of the Individual Candidate	Title of Design / Country	Project Owner	Duration of the Preparation			Scope of the Design	S/N of the Certificate	S/N of the Official Statement
				Commencement	Completion	Duration of preparation during the time period 2000-2023 (months)			
1	2	3	4	5	6	7	8	9	10

Date :

THE DESIGNER / CANDIDATE

NOTES:

- 1 Columns need to be filled in based on the corresponding formal documents to the extent that these include the relevant information. In relation to the items of the table which are not documented in the certificates, candidates must submit a relevant statement (with reference to column 10)
- 2 Submitted certificates should be numbered so that they may be indicated in column 9
- 3 All certificates and Official Statements for each project must accompany each individual table



“EXTENSION OF METRO LINE 2 TO ILION, EXPANSION OF ELEONAS DEPOT AND UPGRADING OF THE E/M SYSTEMS OF THE ATHENS METRO”

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TABLE C.6
EXPERIENCE IN DESIGNS OF METRO TRACTION SYSTEMS

S/N	Name of the member of the Design Team or of the Individual Candidate	Title of Design / Country	Project Owner	Duration of the Preparation			Scope of the Design	S/N of the Certificate	S/N of the Official Statement
				Commencement	Completion	Duration of preparation during the time period 2000-2023 (months)			
1	2	3	4	5	6	7	8	9	10

Date :

THE DESIGNER / CANDIDATE

NOTES:

- 1 Columns need to be filled in based on the corresponding formal documents to the extent that these include the relevant information. In relation to the items of the table which are not documented in the certificates, candidates must submit a relevant statement (with reference to column 10)
- 2 Submitted certificates should be numbered so that they may be indicated in column 9
- 3 All certificates and Official Statements for each project must accompany each individual table