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DIRECTORATE OF FINANCIAL AND ADMINISTRATIVE SERVICES

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**OPEN TENDER FOR THE DEVELOPMENT
OF THE MASTER PLAN STUDY FOR HERAKLION PORT**

The Heraklion Port Authority S.A. (HPA S.A.), taking into account:

1. Law 5126/2024 (Government Gazette Α' 115/26.07.2024) "Ratification of the Concession Agreement regarding the use and exploitation of certain areas and assets within Heraklion Port."
2. The Articles of Association of HPA S.A., particularly Article 9 (Protocol No. 3363005/13-9-2024, Registration Announcement in the General Commercial Registry - GEMI).
3. The minutes of the Extraordinary Self-Convened General Assembly dated 18.09.2024.
4. Decision No. 1/15th Board of Directors (BoD) of HPA S.A./18.09.2024 concerning the composition of the Board of Directors.
5. Decision No. 2/15th BoD of HPA S.A./18.09.2024 regarding the representation of the company and delegation of powers by the Board of Directors to the CEO of HPA S.A.

Invites

all economic operators engaged in professional activities relevant to the subject of the tender to submit a proposal for the:

"Development of the Master Plan Study for Heraklion Port"

in accordance with Article 6 and Annexes 6.1(B) & 6.2(B) of the 2024 Concession Agreement, with a budget of €95,000.00 (ninety-five thousand euros), excluding VAT.

The initial Development Program and Management Study, as well as any Updated Development Program and Management Study, constitutes a comprehensive plan that addresses the operational needs and requirements of Heraklion Port and complies in all material respects:

- (A) With all generally applicable laws and regulations, as well as all applicable Regulatory Rules.
- (B) With the specifications outlined in the document titled **"Specifications for Port Development Master Plans of International Interest,"** dated March 2013 and published by the General Secretariat of Shipping and Ports of the Ministry of Shipping and Island Policy, or any subsequent guidelines issued by the competent Government Authority of the Hellenic Republic.
- (C) With the rules and guidelines for preparing development master plans as set out in **Annex 6.2(b).**

The process for submitting, reviewing, and approving the Development Master Plan by the competent government authorities shall be conducted in accordance with the provisions of Article

6 of the Concession Agreement, as ratified by Law 5126/2024 (Government Gazette A' 115/2024), the provisions of which are universally applicable throughout the tender process.

The draft Development Master Plan shall be submitted to Port Planning and Development Committee (ESAL) or, as applicable, to any successor competent Government Authority of the Hellenic Republic. In the event of objections or requests for clarifications regarding the submitted draft Development Master Plan, the Contractor is required to submit a revised plan in accordance with the instructions of the competent Government Authority of the Hellenic Republic (without additional charges). ESAL (or the competent Government Authority, as applicable) shall not be entitled to request new or supplementary changes, provided that the revised Development Master Plan complies fully with the initial requirements and instructions of the relevant Government Authority and the applicable law. Typographical or numerical errors shall not constitute grounds for rejection of a submitted Development Master Plan and may be corrected by HPA without such correction being considered a new submission.

During the review and revision of each Development Master Plan, the competent Government Authority of the Hellenic Republic shall aim to determine its compliance (or non-compliance) with the requirements and criteria outlined in the applicable law and the Concession Agreement, but shall not be entitled to evaluate the underlying commercial feasibility or business advantages of the plan.

In the preparation of the Development Master Plan, consideration shall be given to:
(A) The extent to which the implementation of the Development Master Plan is expected to meet the current and reasonably anticipated future needs of Heraklion Port users for quality services and facilities associated with the port; and/or

(B) The impact that the implementation of the Development Master Plan is expected to have on the Port Land Zone and the surrounding areas; and/or

(C) The views of the Regulatory Authority for Ports (RAL), the Hellenic Navy General Staff, the Hellenic Coast Guard, and/or any other competent successor agency, insofar as they relate to the protection, safety, and operational aspects of the corresponding Development Master Plan.

The criterion for awarding the Contract shall be the most economically advantageous offer based on the best price-quality ratio. The total timeframe for completing the Contract's subject matter is set at five (5) months from the date of signing the agreement.

Eligibility for Participation in the Tender

Eligible to participate in the tender are natural or legal persons (companies) established in:

- a) Member States of the European Union,
- b) Member States of the European Economic Area (EEA),
- c) Third countries that have signed and ratified the GPA (Government Procurement Agreement),
- d) Third countries not falling under case (c) above and having entered into bilateral or multilateral agreements with the European Union regarding public procurement procedures.

An economic operator is excluded from participating in this contract award procedure if any of its members meets one or more of the following criteria:

Grounds for Exclusion

The economic operator is subject to an irrevocable conviction for any of the following reasons:

a) Participation in a criminal organization, as defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on combating organized crime (OJ L 300, 11.11.2008, pp. 42-45).

b) Corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States (OJ C 195, 25.6.1997, pp. 1-11) and Article 2(1) of Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector (OJ L 192, 31.7.2003, pp. 54-56), as well as under the applicable national laws of the economic operator's country.

c) Fraud, as defined in Articles 2 and 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on combating fraud affecting the financial interests of the Union by means of criminal law (OJ L 198, 28.07.2017, pp. 29-41).

d) Terrorist offenses or offenses linked to terrorist activities, as defined in Articles 2 and 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 (OJ L 88, 31.03.2017, pp. 6-21), including instigation, aiding, abetting, or attempting to commit such offenses as defined in Article 14 of the same Directive.

e) Money laundering or terrorist financing, as defined in Article 1 of Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC and Directive 2006/70/EC (OJ L 141, 05.06.2015, pp. 73-117), as incorporated into Greek law by Law 4557/2018 (A' 139).

f) Child labor and other forms of trafficking in human beings, as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, pp. 1-11), as incorporated into Greek law by Law 4198/2013 (A' 215).

g) Violation of applicable obligations in the fields of environmental, social, and labor law established by EU law, national law, collective agreements, or international conventions in environmental, social, and labor law as referenced in Part II of Annex 12.2 of the Concession Agreement (Law 5048/8-9-2023).

The candidate shall be excluded from the current procedure if they have violated their obligations concerning the payment of taxes and social security contributions, as certified by a final and binding court decision or an administrative decision with binding effect, in accordance with the legal provisions of the country where the candidate is established or with the provisions of Greek legislation.

The candidate shall also be excluded from the current procedure if a person who has been convicted by a final judgment is a member of the management, executive, or supervisory body of the candidate, or holds powers of representation, decision-making, or control over the candidate.

Technical and Professional Competence Criteria

The candidate economic operator must possess the following qualifications and meet the criteria below:

1. A Study License for Port Works (Category 11), Class D.

2. A Study License for Environmental Studies (Category 27), Class C.
3. A Study License for Spatial and Regulatory Studies (Category 1), Class C.
4. Completion of a Port Works Study or Spatial Study for the Port of Heraklion within the last three years.
5. Completion of a General Development Master Plan (Master Plan) for a Port of International Interest (Category K1), with at least an initial positive opinion from ESAL, within the last three years.
6. An average revenue exceeding €1,000,000.00 (one million euros) for the last three fiscal years (2021, 2022, 2023).

Participation of Joint Ventures

Joint ventures between two or more natural or legal persons (companies) are also eligible to participate. In the case of joint ventures, the criteria must be met by the entities comprising the joint venture. The criteria described must be satisfied by the company holding at least 51% participation in the joint venture (the lead member). The criteria for eligibility to engage in professional activities must be met by at least one of the companies in the joint venture.

Participation Guarantee

For valid participation in the contract award procedure, participating economic operators (bidders) must submit a participation guarantee of €1,900.00 (one thousand nine hundred euros).

The participation guarantee, addressed to "Heraklion Port Authority S.A. (HPA S.A.)," must be issued in accordance with applicable legislation or a deposit certificate from the Deposits and Loans Fund. The guarantee must remain valid for 90 days from the day following the tender date and will be returned to unsuccessful bidders within 20 working days of the award decision.

Alternatively, instead of a participation guarantee, bidders may deposit the equivalent amount in cash at the treasury of HPA S.A., which will be refunded after the award of the contract.

In the case of a joint venture, the participation guarantee must explicitly include a term that it covers the obligations of all economic operators participating in the joint venture.

Submission of Bids

Bids must be submitted electronically to **protokolo@porthera.klion.gr**, with a copy sent to **kkampana@porthera.klion.gr**. Participants must follow the procedure outlined below:

Contents of the Offer Folder

A. Participation Documents

1. **Recent Printout of Business Registry Information**
A recent printout of the company's registry details from the electronic platform of the Independent Authority for Public Revenue (IAPR), as displayed on Taxisnet, confirming that business activity has not been suspended.
2. **Solemn Declaration (Law 1599/1986)**
A solemn declaration including the following statements:
 - i) The offer is valid for one hundred and twenty (120) days from the submission date.
 - ii) Unconditional acceptance of all terms of participation in the relevant invitation for

expression of interest.

iii) No irrevocable conviction has been issued for reasons of exclusion under the present procedure.

iv) Acknowledgment that participation in the procedure is at the sole risk and expense of the participant and does not establish any right to compensation from Heraklion Port Authority S.A. (HPA S.A.).

v) Acknowledgment that exclusion from the procedure or failure to secure the contract does not create a right to compensation.

vi) Waiver of any claims or rights to compensation for any decision by HPA S.A. regarding the postponement, cancellation, or termination of this procedure.

3. **Tax Clearance Certificate**

A valid tax clearance certificate.

4. **Social Security Clearance Certificate**

A valid social security clearance certificate for primary and supplementary insurance.

5. **ISO Certifications**

- Environmental Management System Certification under ISO 14001:2015, valid at the date of submission, specifying the relevant subject matter.
- Quality Management System Certification under ISO 9001:2015, valid at the date of submission, specifying the relevant subject matter.

6. **Legal Entity Documents** (for legal persons)

Evidence of legal authorization and representation of the legal entity.

7. **Criminal Record Extract**

A criminal record extract issued within three (3) months prior to the deadline for submission of offers.

- For Limited Liability Companies (E.P.E.), Private Companies (I.K.E.), and partnerships (O.E. and E.E.), this requirement applies to the company's managers.
- For Corporations (A.E.), it applies to the CEO and all members of the Board of Directors.

In cases where the criminal record extract cannot be submitted in time, a solemn declaration must be provided stating either:

- That the conditions for issuance of a criminal record are met and an application has been submitted for its issuance, or
- That a criminal record certificate exists and will be submitted if selected.

B. Technical Offer

(i) Methodology and Work Plan

A detailed description of the methodology and work plan for preparing the studies, demonstrating that the candidate:

- Has the capacity to complete the work within the required timeframe.
- Possesses adequate and appropriate personnel for the project.
- Understands the project and the critical issues related to achieving the goals of the Contracting Authority.
- Has demonstrated an understanding of the key elements of the project.
- Has identified and acknowledged the specific conditions of the project.

(ii) Proposed Project Team

A list of the proposed Project Team by specialty, including the organization of the team, the tasks assigned to each member, and the corresponding timeline. The list should be accompanied by:

- Detailed CVs of team members.
- Certificates of experience.

(iii) Study Licenses

Submission of relevant study licenses.

(iv) Evidence of Completed Port Works or Spatial Study

Proof of at least one completed Port Works Study or Spatial Study for the Port of Heraklion within the last three years.

(v) Evidence of General Development Master Plan (Master Plan)

Proof of at least one completed General Development Master Plan for a Port of International Interest (Category K1) with at least an initial positive opinion from ESAL within the last three years.

(vi) Financial Statements

Financial statements for the fiscal years 2021, 2022, and 2023.

C. Financial Offer

A financial proposal containing the financial details for the entire scope of services, in accordance with Appendix I.

Submission Procedure

- All documents must be submitted as attached files (PDF) in a single email. The offer folder must be encrypted with a password, as per the instructions in the Appendix.
- The password for the encrypted folder must be sent to **protokolo@porthera.klion.gr** after the deadline for submission of offers.

Deadlines

- **Submission of Offers:** By Friday, January 3, 2025, at 15:00.
- **Submission of Questions:** By Friday, December 27, 2024, at 15:00.

Important Instructions

- Offers submitted after the deadline or without the required password will not be considered.
- Participants are solely responsible for ensuring the correct and timely submission of their offers.

CONTRACTOR SELECTION PROCEDURE

Evaluation and Selection Criteria

The evaluation committee appointed by the Heraklion Port Authority S.A. (HPA S.A.) will evaluate the proposals based on their compliance with the requirements outlined in this tender, applying the following evaluation criteria:

Technical Proposal/Technical Score Evaluation

1. **Methodology:** Up to 30 points.
2. **Experience in Port Works or Spatial Studies for the Port of Heraklion:** Up to 20 points.
3. **Experience in General Development Master Plans (Master Plans) for Ports of International Interest (Category K1), with at least an initial positive opinion from ESAL:** Up to 20 points.
4. **Description of the organization and qualifications of the proposed Project Team with relevant experience:** Up to 30 points.

Technical Score (St): Maximum total points = 100

Economic Score Formula (Sf)

The formula for calculating the economic score (Sf) is:

$$Sf = 100 \times FM/F$$

Where:

- **Sf** is the economic score.
- **FM** is the lowest financial proposal.
- **F** is the financial proposal under consideration.

Combined Technical and Economic Score (S)

Proposals will be ranked based on their combined technical (St) and economic (Sf) scores, using the following weighting factors:

- **T = 70%** (weight given to the technical proposal).
- **P = 30%** (weight given to the financial proposal).

The combined score (S) is calculated as follows:

$$S = (St \times T\%) + (Sf \times P\%)$$

The candidate with the highest combined technical and economic score (S) will rank first and will be declared the provisional contractor.

In the case of a tie, the candidate with the highest technical score (St) will rank first and be declared the contractor.

Final Decision

The tender result is final and binding for all candidates, who acknowledge and accept (by their unconditional participation in the tender) that it cannot be challenged or disputed in any way. Any objections will be rejected immediately and without further justification by HPA S.A.

Contract Signing and Performance Guarantee

Following the award notification, the contractor must proceed to sign the relevant contract and submit a performance guarantee equal to 5% of the estimated contract value, amounting to **€4,750.00**.

Personal Data Protection

HPA S.A. informs the individual signing the proposal as the Bidder or as the Legal Representative of the Bidder that it, or third parties acting on its behalf, will process personal data contained in the bid documents and supporting evidence submitted within the framework of this tender. The data processing will be carried out for the purpose of evaluating the bids and informing other participants in the tender, taking all reasonable measures to ensure confidentiality, security of processing, and protection of the data against any unlawful processing, in accordance with the applicable legislation on personal data protection. Detailed information on this matter is provided in the attached notice.

Appendix I: Financial Proposal Form

	Offered Amount (In Words)	Offered Amount (In Numbers)
General Development Master Plan for the Port of Heraklion		
VAT 24%		
Total Study Cost (Including VAT)		

Appendix II: Instructions for Creating a Password-Protected Compressed File

To create a file locked with a password (requiring the recipient to enter a password to open it), follow the steps below:

1. Software Installation

Notes:

- Any software that provides password-protected compression functionality can be used. For example, the free software 7-Zip is described here.
 - This step only needs to be performed once. If the software is already installed on your computer, you can skip this step.
1. Open a browser (e.g., Mozilla Firefox, Google Chrome, Edge) and go to: <https://www.7-zip.org/download.html>
 2. Select the version appropriate for your operating system. For example, for a Windows 10 computer, click **Download** for the 64-bit x64 version.
 3. A confirmation window will appear for downloading and/or executing the file (this may vary depending on the browser).
 4. After saving and executing the file, the software installation process will begin.
 5. Once installed, the 7-Zip functionality will appear when you right-click on a file or folder in Windows.

2. Selecting Files for Compression

1. Select one or more files and right-click on them. After installing 7-Zip, the following options will appear. Choose **"Add to Archive..."**

3. Configuring the Compressed File

1. In the window that appears, configure the following settings:
 - Specify (or confirm) the name of the output file.
 - Check the **"Show Password"** checkbox (if not already checked).
 - Enter the desired password in the **"Password"** field.
2. Click **"OK."**

4. Output File

The compressed file will be created with the name you specified. To open it, the recipient must enter the password you set.

5. File Size Considerations

If the password-protected file exceeds **20 MB**, you must send it via **WeTransfer**. In this case, send the generated download link to the designated email addresses.