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PUBLIC CALL TO PROMOTERS

TO SUBMIT AN EXPRESSION OF INTEREST:

OPERATING A PUBLIC-PRIVATE PARTNERSHIP THROUGH ENERGY
PERFORMANCE CONTRACTING

FOR ENERGY RETROFIT OF PUBLIC BUILDINGS OF THE CITY OF LJUBLJANA (EOL 2)



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1. Invitation to submit a tender

On the basis of Article 32 of the Public-Private Partnership Act (OG RS, No. 127/06; *hereinafter: ZJZP*), the City of Ljubljana, Mestni trg 1, 1000 Ljubljana, Slovenia (*hereinafter: MOL*), issues this public call to promoters, calling on potential promoters to submit applications detailing their interest to operate a public-private partnership project for a comprehensible energy retrofit and energy management of buildings owned by the City of Ljubljana through energy performance contracting.

Interested promoters are invited to submit an expression of interest to operate a public-private partnership. The application is to be prepared in accordance with the present call to promoters, ZJZP, the Rules on the content of the eligibility of execution of a project according to the model of public-private partnership (OG RS, No. 32/07), and the Decree on the uniform methodology for the preparation and treatment of investment documentation in the field of public finance (OG RS, Nos. 60/06 and 54/10 and 27/16).

Through ELENA technical assistance for the Energy retrofit programme for the public buildings in Ljubljana (EOL), the City of Ljubljana (public partner) has received an EIB grant to implement the foreseen measures within the scope of EOL on buildings owned by MOL, that shall be partly implemented through energy performance contracting services.

2. Preparation and submission of applications

2.1. Public partner

Title: THE CITY OF LJUBLJANA

Address: Mestni trg 1, 1000 Ljubljana, Slovenia

Telephone: 00 386 1 306 4152

Fax: 00 386 1 306 1100

Website: www.ljubljana.si

Legal representative: Zoran Janković, the Mayor

2.2. General information

Name of project: **Public-Private Partnership for the Implementation of Energy Retrofitting of Public Buildings Owned by the City of Ljubljana**

Public call no.: 430-2110/2016-1

Type of procedure: Public call to promoters on the basis of Articles 33 and 34 ZJZP in the context of the preliminary public-private partnership procedure based on Chapter 1, Part III, ZJZP.

Short description of the subject matter: The City of Ljubljana issues an invitation to all interested legal and natural persons (*hereinafter: promoters*) to submit expressions of interest to operate a public-private partnership project for energy retrofit and energy management of buildings owned by the City of Ljubljana through energy performance contracting.

In its proposal of measures to achieve energy savings and reduction of energy use in the buildings owned by the public partner, the private partner must comply with all legislative and regulatory acts which define the conditions, norms of conduct, and performance of activities that are foreseen to be implemented at each building. Proposed measures and services shall be based on analyses and assessments of the promoter, and shall result in savings provided to the public partner in the light of buildings featured in Attachment 1.

Variants: Variants of applications are permissible. Application can be submitted for any building owned by City of Ljubljana (MOL).

Publication: public call is issued through a special form at the Official Gazette – Public Tenders Portal (www.enarocanje.si), where the present invitation to tender is published.

2.3. Legal framework

The public call to promoters is implemented within the following legal framework:

- Public-Private Partnership Act (OG RS, No. 127/06),
- Rules on the content of the eligibility of execution of a project according to the model of public-private partnership (OG RS, No. 32/07),
- Decree on the uniform methodology for the preparation and treatment of investment documentation in the field of public finance (OG RS, Nos. 54/10 and 27/16),
- Energy Act (OG RS, No. 17/14 and 81/15), and other current legislation in the field of public-private partnerships,
- Operational Programme for the Implementation of the EU Cohesion Policy in the period 2014 – 2020, and other current legislation in the field of public-private partnerships,
- Decree on Public-Private Partnership for Implementation of Energy Performance Contracting with an Aim of Energy Retrofitting of Public Buildings owned by the City of Ljubljana (OG RS, No. 74/15).

The promoter shall take the above mentioned legislation into account when preparing its application.

2.4. Forms of public-private partnership

With this call to promoters and in accordance with Article 33, point 2 ZJZP, the public partner does not prejudice forms of public-private partnership or the substance of decisions and documents on public-private partnership.

2.5. Provision of information regarding the public call

All documentation necessary to prepare the expression of interest (basic data about the buildings and reference values of current energy use by energy products and by buildings for 2015) can be reviewed at the person responsible (Petra Šeme) by a prior arrangement via telephone no. 00 386 1 306 41 52, or via email sent to Petra.Seme@ljubljana.si.

All inquiries and questions shall be made in writing via the Official Gazette – Public Tenders Portal (www.enarocanje.si), where the present invitation to tender is published.

Deadline for questions: 29 November 2016. Upon request, the person responsible shall forward all relevant documentation for the project that the public partner has at its disposal.

The answers to questions shall be published at the Public Tenders Portal no later than 02 December 2016.

2.6. Cursory inspections

Cursory inspections of buildings featured in Attachment 1 are possible by prior arrangements, which must be submitted to Petra.Seme@ljubljana.si no later than 28 November 2016.

2.7. Public call: Basic requirements

The subject of the public call is the search for promoters (potential private partners) who shall finance by principle of public-private partnership and implement measures of energy efficiency and provide maximum savings to the public partner through public-private partnership.

Basic requirements of the public call include:

- public-private partnership duration: max. 15 years;
- comprehensive retrofitting of buildings, and – where possible – use of renewable energies;
- implementation of energy management services in buildings (providing operation of energy equipment and systems, energy consumption and savings analysis, proposing and implementing the agreed upon measures to reduce energy consumption, regular major maintenance measures in building management, managing energy accounting, etc.) for the entire duration of the public-private partnership;
- measures to improve energy efficiency are to be implemented exclusively through the financial contribution of the private partner and the grant awarded to implement the energy retrofitting of public buildings in the context of “Operational Programme for the Implementation of the EU Cohesion Policy in the period 2014 – 2020”.

Estimated investments of the private partner:

- costs of implementing measures to achieve savings (water and energy) in buildings, which shall be defined by individual measures;
- costs of necessary permits and consents for the implementation of anticipated measures for energy savings;
- costs for providing smooth operation of installed equipment and devices for the whole duration of the public-private partnership and at least 12 months after the expiry of the partnership.

These basic requirements are for informational purposes only and can be adapted to the promoter’s project vision.

2.8. Miscellaneous

All documentation and information received by promoters is confidential and may only be used for the purposes of applications. Values are mere estimates; therefore, the public partner advises that the promoters produce their own analyses.

Special cursory inspections will be available for buildings for which the public partner does not have simplified energy audits at its disposal.

After the public opening of applications, the public partner may organise meetings with promoters, where the promoters will have the opportunity to present and elaborate on the content of their expression of interest. The meetings shall be held individually. The dates for the meetings shall be coordinated appropriately.

This public call reflects the purpose of the public partner and represents a non-binding document. The final layout of the public-private partnership model, its scope, content, schedule for the implementation of the project and the partners' obligations shall be defined in the public tendering procedure for the selection of the private partner.

3. Application

3.1. Content and form

The expression of interest shall clearly present all information on the person submitting the application for the public-private partnership which influence or may influence the public partner's judgement.

Proposed measures and services shall be based on analyses and assessments of the promoter, and shall result in savings provided to the public partner in the context of buildings listed in Attachment 1.

The documentation submitted to the public partner is to be prepared in accordance with Article 2 of the Rules on the content of the eligibility of execution of a project according to the model of public-private partnership (OG RS, No. 32/07).

The documentation should include the following content elements:

- (1) promoter presentation, which should at least address the following:
 - a. a description of developmental and organisational capabilities and the promoter's skills (i.e., an analysis of developmental capabilities and skills of the promoter),*
 - b. the promoter's financial capabilities,*
 - c. the promoter's technical capabilities and skills (e.g. references from similar projects),*
 - d. the promoter's staff capabilities,*
 - e. contact person and appropriate contact information;*
- (2) conceptual solutions for achieving the set objectives and technical specifications, which should at least include the following:
 - a. proposal of public-private partnership model,*
 - b. proposal of measures to improve energy efficiency;*
- (3) the estimated value of the investment and the financing structure displaying risks that the promoter is willing to bear, and an assessment of the value of each individual risk borne, which should at least include the following:
 - a. proposal of financing model for the public-private partnership,*
 - b. definition and breakdown of the private partner's investments and commitments,*
 - c. definition and breakdown of the public partner's investments and commitments,*
 - d. risk assessment of the proposed public-private partnership model with allocation of risks (definition of risks borne individually and jointly);*

- (4) implementation schedule, which should at least include the following:
 - a. *the anticipated duration of the public-private partnership,*
 - b. *schedule for implementation of individual measures (adapted to the fact that some of the buildings are educational infrastructure);*
- (5) financial assessment and economic evaluation of the project;
- (6) feasibility assessment of the proposed project, which should at least address the following:
 - a. *feasibility assessment of the proposed model,*
 - b. *SWOT analysis of the proposed PPP model compared to implementation by the public partner alone;*
 - c. *proposal of project methodology for the realisation of the proposed solution.*

Due to the fact that this is an investment project, the application must also include appropriate minimum content consistent with the value of the proposed investment, which is defined by the **Decree on the uniform methodology for the preparation and treatment of investment documentation in the field of public finance (OG RS, Nos. 60/06, 54/10, and 27/16).**

3.2. Deadline and submission

The applications defining the expression of interest must be submitted by 06 December 2016, sent to the address of the public partner or personally submitted at the premises of the City of Ljubljana.

An expression of interest shall be submitted in a sealed envelope which is addressed to:

Mestna občina Ljubljana
Služba za javna naročila
Dalmatinova 1
1000 Ljubljana, Slovenia

The envelope must be properly sealed and bear the following wording: **»Vloga o zainteresiranosti za izvedbo projekta celovite energetske obnove in storitev energetskega upravljanja javnih objektov, po principu energetskega pogodbeništva 430-2110/2016-1«.**

The application must consist of one (1) original printed copy and one (1) digital copy of the document (CD or USB).

The application and the documents must be written **in Slovene or English**. In the event that the promoter submits its application in another language, the public partner may demand that the promoter provides a translation in Slovene. Technical documentation may be submitted in Slovene or English, whereby the public partner reserves the right to demand that the promoter provides a translation in Slovene.

The costs arising from the preparation of applications are fully covered by the promoters.

4. Rights of promoters

The promoters who submit an application expressing interest to conclude a public-private partnership with the public partner shall have the same rights as other candidates in the further procedure.

A mere submission of an application does not imply that the applicant is regarded as a candidate in the further procedure for the selection of the contractor.

Insofar as the expression of interest for the conclusion of a public-private partnership includes documents that clearly and comprehensively present the legal, economic, technical, environmental or other conditions regarding the implementation of the procedure, or represent another innovative conceptual solutions, the public partner may, in accordance with public procurement rules, decide to purchase these solutions (e.g. by negotiations without prior notice) regardless of the fact if it decides to continue the procedure to conclude a public-private partnership.

If the public partner shall not initiate the above procedure or if an agreement with the promoter regarding the purchase is not reached, the public partner will return the documents to the promoter. In this case, the promoter retains all rights to the documents accompanying the application.

5. Further procedure

On grounds of submitted applications and meetings with potential promoters, the public partner shall produce an eligibility assessment of the PPP project by comparing the documentation prepared by the public partner in accordance with the Decree on the uniform methodology for the preparation and treatment of investment documentation in the field of public finance (OG RS, Nos. 54/10 and 27/16), and the documentation prepared and submitted by the potential promoters.

Attachment 1

No	Building Title	Address	Type	EP C	Heated area	Energy produced
1	Vrtec H.C. Andersen enota H.C.A.	Rašiška ulica 7	KINDERG.	Yes	1,590	DH
2	Vrtec Miškolin enota Rjava cesta I	Rjava cesta 1	KINDERG.	Yes	1,209	DH
3	Vrtec Jelka enota Palčki	Lavričeva ulica 5a	KINDERG.	Yes	720	DH
4	Vrtec Otona Župančiča enota Čurimuri	Novosadska ulica 1	KINDERG.	Yes	1,127	DH
5	Vrtec Otona Župančiča enota Živ žav	Na peči 20	KINDERG.	Yes	1,243	DH
6	Vrtec Viški vrtci enota Na jamovi	Jamova cesta 23	KINDERG.	Yes	1,172	NG
7	Vrtec Ciciban enota Ajda	Ulica prvoborcev 16	KINDERG.	Yes	2,147	DH
8	Vrtec Najdihojca enota Biba	Ljubeljska ulica 16	KINDERG.	Yes	1,733	DH
9	Vrtec Pod gradom oddelek Stara Ljubljana	Ulica na grad 2a	KINDERG.	Yes	831	NG
10	MKL Ljubljana/Knjžnica Bežigrad - Enota Glinškova ploščad and Vrtec Ciciban enota Pastirčki	Glinškova ploščad 11a	LIBRARY, KINDERG.	Yes	1,692	DH
11	MKL Ljubljana/Knjžnica Jožeta Mazovca - Enota Fužine and četrtna skupnost Moste	Preglov trg 15	CITY ADMINISTRATION, LIBRARY	Yes	1,522	DH
12	MKL Ljubljana/Knjžnica Jožeta Mazovca and Center kulture Španski borci	Zaloška cesta 61	LIBRARY	Yes	1,951	DH
13	MU MOL	Prušnikova ulica 99	CITY ADMINISTRATION	Yes	822	NG
14	MU MOL	Savije 101	CITY ADMINISTRATION	Yes	770	NG
15	MU MOL	Dravejska ulica 44	CITY ADMINISTRATION	Yes	577	NG
16	MU MOL and MKL	Dunajska cesta 367	CITY ADMINISTRATION, LIBRARY	Yes	1,031	ELKO + storage heaters
17	MU MOL	Bratovševa ploščad 30	CITY ADMINISTRATION	Yes	494	DH
18	MU MOL and Cene Štupar	Vojkova cesta 1	CITY ADMINISTRATION	Yes	627	DH
19	MU MOL	Zarnikova ulica 3	CITY ADMINISTRATION	Yes	2,587	DH
20	MU MOL and MKL	Srednje gamejine 50	CITY ADMINISTRATION	Yes	388	ELKO
21	Osnovna šola Hinka Smrekarja	Gorazdova ulica 16	SCHOOL	Yes	5,227	DH
22	Osnovna šola Mirana Jarca	Ipavčeva ulica 1	SCHOOL	Yes	4,884	DH
23	Osnovna šola Vodmat	Potrčeva ulica 1	SCHOOL	Yes	3,611	DH
24	Osnovna šola Prežihovega Voranca	Prežihova ulica 8	SCHOOL	Yes	4,801	DH

25	Osnovna šola Prule		Prule 13	SCHOOL	Yes	5,390	NG
26	Osnovna šola Oskarja Kovačiča-Rudnik		Rudnik 16	SCHOOL	Yes	811	NG
27	Osnovna šola dr. Vita Kraigherja		Trg 9. maja 1	SCHOOL	Yes	5,053	DH
28	Osnovna šola Poljane		Zemljemska 7	SCHOOL	Yes	5,044	DH
29	Osnovna šola Vič		Abramova ulica 26	SCHOOL	Yes	4,793	NG
30	Osnovna šola Valentina Vodnika Ljubljana		Adamičeva ulica 16	SCHOOL	Yes	5,414	DH
31	Osnovna šola Martina Krpana		Gašperšičeva ulica 10	SCHOOL	Yes	4,793	DH
32	Osnovna šola Majde Vrhovnik		Gregorčičeva ulica 16	SCHOOL	Yes	4,998	DH
33	Osnovna šola Karla Destovnika Kajuha		Jakčeva ulica 42	SCHOOL	Yes	3,839	DH
34	Osnovna šola Bičevje		Gašperšičeva ulica 13	SCHOOL	Yes	6,650	NG
35	Osnovna šola Milana Šuštaršiča		Štembalova ulica 2a	SCHOOL	Yes	5,091	DH
36	Osnovna šola Livada		Ulica Dušana Kraigherja 2	SCHOOL	Yes	3,585	NG
37	Osnovna šola Valentina Vodnika Ljubljana -stara šola		Vodnikova 162	SCHOOL	Yes	3,549	DH
38	Mestni muzej Ljubljana		Gospodka ulica 15	CULTURE	Yes	4,058	DH
39	Lutkovno gledališče Ljubljana		Krekov trg 2	CULTURE	Yes	5,026	DH
40	Večnamenska dvorana Kodeljevo		Poljanska cesta 99	SPORT	Yes	4819	NG
41	ŠD Krim		Ob dolenjski železnici 50	SPORT	Yes	2,645	NG
42	Vrtec Galjevica enota Galjevica		Galjevica 35	KINDERG.	Yes	1,253	NG
43	OŠ Oskar Kovačiča		Ob dolenjski železnici 48	SCHOOL	Yes	2,552	NG
44	OŠ Ledina		Komenskega ulica 19	SCHOOL	Yes	3,738	DH
45	Bivša podružnična šola Šentjakob		Zajčeva pot 34	CULTURE	Yes	303	NG