

OPEN CALL FOR EXPRESSION OF INTEREST
FOR THE PROVISION OF STEVEDORING SERVICES
IN ORDER TO COVER THE NEEDS OF ThPA SA - PORT WORKS

Economic Operator	THESSALONIKI PORT AUTHORITY SA (ThPA SA) Main activity: Port works Address: Within the Port of Thessaloniki PC: 54012, Thessaloniki Tel.: 2310593121, Fax: 2310510500 Email: secretariat@thpa.gr Website: http://www.thpa.gr
Deadline for the Submission of Offers	5/8/2024
Deadline for the Submission of Requests for clarification	29/7/2024
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Definitions

"Call for Expression of Interest": this document, through which a tender procedure is announced in two phases for the provision of stevedoring services. In the first phase (Phase A) of the tender process, legal entities or consortia or unions or associations of economic operators are invited to express their interest in the provision of stevedoring services to meet the needs of ThPA SA, by submitting a relevant non-binding written letter, hereinafter referred to as "Letter of Expression of Interest". ThPA SA will evaluate the Expressions of Interest and invite all interested parties who meet the pre-selection criteria to participate in Phase II which will be governed by the terms and conditions to be determined in detail in a subsequent Call for Binding Offers.

"Contractor": the legal entity or consortium or union or association of economic operators, which, after the completion of the procedure, will conclude a contract with ThPA SA to provide the stevedoring services.

"Shift": Means any shift schedule applied by ThPA SA, as applicable each time

"Services": the services that the Contractor must provide to ThPA SA, as described in detail herein.

"Participation dossier": the electronic folder, which includes the Letter of Expression of Interest and supporting documents for participation, and is submitted by the interested parties in the context of this Call.

"Candidate" or "Participant" or "Interested party": the legal person or the consortium or union or association of economic operators that submits a Participation dossier.

"Formal Statement": A Formal Statement of Law 1599/1986 or, in the case of a foreign candidate, a text of similar evidentiary value, in accordance with the provisions of their country of origin. In the case of a legal person, it is signed by its legal representative or by a representative specially authorized for this purpose (in this case, a certified copy of the relevant authorization document is provided).

Article 1: Object of the Call for Expression of Interest

1.1. The object of this Call is the Expression of Interest for the provision of specialized workforce for the performance of cargo handling and stevedoring operations at the port of Thessaloniki, to cover the daily needs of ThPA SA. In particular:

- The workforce must be available for **8-hour work in alternating shifts (A, B, C) any day of the week not excluding Sundays and holidays.**
- ThPA SA will inform the Contractor of its needs, twelve (12) hours before starting work **with the possibility of cancellation six (6) hours before starting work.** ThPA SA may vary the working hours, depending on its operational needs.
- The Contractor's staff will be employed alongside ThPA SA's dock workers forming joint or independent workgangs to carry out stevedoring and other related operations for the servicing of vessels and cargos, according to ThPA SA's needs.

1.2. Stevedoring operations mean:

- The guidance of container loading and unloading operations with the aim of fast, orderly and safe loading and unloading to / from the vessel and informing the foreman or the bridge operator in case of any problem.
- Works related to the loading and unloading of bulk and general cargo on vessels, barges, trucks and trains (guidance, installation of lifting equipment, etc.).
- The guidance to drivers and machine operators for parking and maneuvering of containers and static cargo inside vessels (deckman).
- Performance of additional stevedoring tasks related to the totality of ThPA SA's activities upon request.
- Pinning / unpinning of containers onboard or on the quay
- Holds' cleaning of bulk carrier vessels

1.3 The above works will be provided according to the needs of ThPA SA, which will carry out planning of the required works and inform the Contractor by fax or e-mail, so that the Contractor can take all necessary measures for the smooth provision of the appropriate workforce.

Article 2: Parties eligible to submit an Expression of Interest

2.1 The right to submit a Letter of Expression of Interest is open to legal entities, consortia, unions or associations of economic operators that carry out an activity related to the subject of this Call.

2.2 Associations of economic operators, including temporary partnerships, are not required to have a specific legal form for the expression of interest.

Article 3: Reasons for exclusion

3.1 Participants shall:

- Not be in a state of bankruptcy, liquidation or compulsory receivership, insolvency, arrangement with creditors, suspension of operations and no bankruptcy, liquidation, receivership or other similar procedure shall have been initiated against them and they shall not be subject to any other legal operating restrictions.
- Not have been irrevocably convicted (the administrators for the case of limited partnerships, limited liability companies, private companies, and the legal representative for the case of SAs and the natural persons performing management duties in other cases) for:
 1. participation in a criminal organization, pursuant to article 2(1) of Joint Action No. 98/733/JHA of the Council of the European Union;
 2. corruption, as it is respectively defined in Article 3 of the Council Act dated 26th May 1997 and in Article 3, paragraph 1 of Joint Action No. 98/742/CFSP of the Council;
 3. fraud within the meaning of article 1 of the Convention on the protection of financial interests of the European Communities;
 4. Terrorist crimes or offenses related to terrorist activities as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA of 13 June 2002 (OJ L 164), respectively, or incitement, complicity or attempted crime, as referred to in Article 4 of the same Framework Decision;
 5. money laundering, as defined in article 1 of Council Directive 91/308/EEC of 10 June 1991 on the prevention of the use of the financial system for the purpose of money laundering;
 6. child labor and other forms of trafficking, 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 the protection of victims replacing Council Framework Decision 2002/629/JHA (OJ L 101 of 15.4.2011, pg 1), and the crimes of article 323A of the Criminal Code (trafficking in human beings);
 7. embezzlement (Criminal Code 375);
 8. fraud (Criminal Code 386-388);
 9. extortion (Criminal Code 385);
 10. forgery (Criminal Code 216-218);
 11. perjury (Criminal Code 224);
 12. corruption (Criminal Code 235-237);
 13. bankruptcy (Bankruptcy Code 197 - Law 4738/2020 Official Gazette A207/27.10.2020).

In case the interested Economic Operators participate as an association or consortium, the above shall be met by each member of the association or consortium.

Article 4: Professional Capacity Criteria

4.1 For their participation in this process, the interested parties should cumulatively meet the following minimum requirements of professional capacity:

- i. They shall have specific professional experience of at least one (1) year within the last three (3) years (2021 – 2023) in carrying out stevedoring and other logistics works (in ports, warehouse facilities, airports etc).
- ii. They shall be able to provide ThPA SA with a workforce of at least twenty (20) port loaders
- iii. They shall be certified, or have initiated a certification process, according to the ISO 9001:2015 management system or another equivalent by a reputable certification body.

4.2 In the case of a consortium or association of economic operators, the above criteria of professional capacity shall be met in their entirety by at least one (1) member of the consortium or association.

Article 5: Deadline for Submission of the Participation Dossier

5.1 The Participation Dossier shall be submitted by the interested parties in electronic format (file folder) to the e-mail addresses: isamaras@thpa.gr, kkelidis@thpa.gr, copied at gpapageorgiou@thpa.gr at the latest by August 5th, 2024, 17.00 CET and include the Letter of Expression of Interest and the Participation Documents, as detailed in article 6.

5.2 In the event that the volume of the file to be sent exceeds the permitted sending volume in e-mail, the submission of the electronic file can be carried out by a large-volume file transfer platform (e.g. wetransfer, googledrive, etc.).

5.3 After the expiry of this date and time, the dossier cannot be submitted. Dossiers submitted late will be disregarded.

Article 6: Content of the dossier

The following documents must be submitted in Greek or English or in another language accompanied by a lawful Greek or English translation.

- Letter of Expression of Interest according to the template attached in Annex II.
- Brief presentation of the interested party (manpower, equipment, etc.), in order to demonstrate the capacity for the timely and efficient implementation of the services to be commissioned.
- To prove compliance with the eligibility criteria for participation (par. 2.1.) a certificate of registration in the relevant chamber or a relevant document/certificate from a competent authority (national economic operators) and a corresponding certificate/approval/authorization from the relevant authority of their country of origin (foreign economic operators) shall be submitted.
- In order to prove the legal representation, the relevant legalizing documents of incorporation and legal representation depending on the legal form of the participant shall be submitted (such as articles of association, certificates of changes, representation as depicted in the Official Gazette, GEMI registration, formation of the Board of Directors in the case of a SA, etc.). The legalization documents must prove the legal establishment, the person(s) legally binding the interested person on the date of submission of the Expression of Interest (legal representative, right to sign, etc.), as well as his/her term of office, decision of a competent body on the expression of interest and its authorization in case of granting the power of representation to a third party.
- A Formal Statement of the legal representative of the participating legal entity/economic operator that the reasons for exclusion defined in article 3 do not occur in their person and/or in the person of the company/economic operator they represent, as well as those exercising its management, as these persons are defined in 3.1, and that there are no reasons to believe that these obstacles will occur during the validity of the concession.
- For the certification of professional experience, certificates of good performance are submitted, from which it shall appear that during the last three years (2021-2023) the interested party has carried out operations as set out in Article 4.1.i. Certificates of good performance are issued by the contracting authority/body and, among other things, state the contact details of the contracting authority/body, a brief description of the service, the period and duration of service provision.
- A copy of the personnel statement (Staff Table) of the previous year, submitted annually to the Labor Inspection Body. In case the interested body is a union, a formal statement of the legal representative is submitted, in which the number of active members of the union is declared.
- Certification of the competent authority for the establishment of the legal conditions for the exercise of the profession of loader and unloader for twenty (20) people from the workforce of the interested party.
- Copy of ISO 9001:2015 series quality management certificate (or equivalent), or any other certificate and / or document that proves the initiation of the certification process.
- The attachment in Annex I, i.e. the Information Document on the processing of personal data, signed by the legal representative of the interested party.

Article 7: Provision of clarifications

Requests for clarifications are submitted electronically to the Investment the Procurement Division of ThPA SA at the following e-mail addresses: isamaras@thpa.gr and kkelidis@thpa.gr, no later than July 29th, 2024. Clarification requests submitted in other forms will not be considered. The clarifications are posted electronically on the website of ThPA SA www.thpa.gr.

Article 8: Extension, amendment, addition or cancellation of the Call

8.1 ThPA SA, without liability, penalty or compensation of any kind, reserves the right to extend the time for submission of applications, to modify or complete the call's documents or to cancel the call, in accordance with the provisions of ThPA SA's Procurement Regulation. It also reserves the right to modify the terms of the procedure with transparency. It also reserves the right to abort or decide to repeat the process at any stage, without liability and cost.

8.2 Each participant is solely responsible for informing themselves of all the terms of the call. Participants are responsible for, accept and bear the risk of any event, including force majeure, that may result in untimely or incomplete or improper submission of the dossier.

8.3 It is expressly clarified that:

- This is not an invitation to conclude a contract.
- This is not a binding document for ThPA SA, which has no obligation towards the interested parties who express their interest.
- Compensation claims cannot be established from this call on behalf of the participants who will express their interest.
- The submission of an expression of interest does not in any way bind the interested parties.
- Participants participate in the process at their own risk and are not entitled to any compensation for expenses related to their participation in the process and the preparation and submission of their dossier.

The CEO

Arie Koppelaar

ANNEX I - Information document for the Processing of personal data as per Article 13 of the GDPR 679/2016

UPDATE ON THE PROCESSING OF PERSONAL DATA, pursuant to Article 13 of the GDPR 679/2016 (accompanies the **Application Forms** in Tenders-Calls-Offers etc. of the Procurement and Investment Division of "ThPA SA").

The Société Anonyme under the name "Thessaloniki Port Authority" (ThPA SA, Law 2688/99, GG 40A'/1-3-99), having its registered office in Thessaloniki (Pier 1, inside the Port PC: 54625, tel.: 2310 593 118-121), as legally represented, hereby **informs** and, in conformity with the provisions of the applicable legislation on the protection of personal data, and, the General Regulation EU 679/2016 in particular, **in its capacity as a "Data Controller"**, the natural person (*hereinafter the "Data Subject"*), who signs the Application Form, the Offer or other similar form of the Procurement and Investment Division of "ThPA SA" and submits the necessary supporting documents, **either** on its behalf, as a representative of a private company **or** as a natural person -legal representative of the participant in the legal person procedure, **or** in another similar legitimizing capacity, that ThPA SA and its competent Services-Divisions-Departments (*such as its employees, acting under its supervision, by order and on its behalf and within the framework of their powers and, possibly with others, jointly referred to as "Controllers" and "Processors", third parties or recipients: other participants in the procedure, Ministries, public authorities, Tax Offices, Judicial Authorities etc. based on the compliance with the legal obligation of the "Processor" or in fulfillment of his duty or for performance of a contract*), **collects, processes and retains** the personal data included in the Application Form, Offer or any other document of the Procurement and Investment Division of "ThPA SA" and in its accompanying documents, which are voluntarily submitted to "ThPA SA" by the "Data Subject" either on his behalf (*private company*) or on behalf of the legal person representing it.

This data will be used for the purposes of handling the Application Form, the Offer or any other similar document of the Procurement and Investment Division of "ThPA SA". The purpose of processing may be: The evaluation of the Application/Offer etc., the verification of the details of the «Data Subject» or the company that it represents, required by the procedure, the evaluation of the suitability of the «Data Subject» or the company it represents, as a candidate counter-party towards the conclusion of a contract with "ThPA SA" or with a view to concluding a contract (Article 6, par.1b GDPR Expl.44). Furthermore, "ThPA SA" processes such data in order to communicate with the "Data Subject" whenever it considers it to be necessary, on issues relating to the procedure and for reconciling "ThPA SA" with the requirements of the Regulation and law (*compliance with his legal obligation, Article 6, par 1c GDPR*). This data is kept at the competent Procurement Department for **as long as it is necessary to check the Application/Offer etc. and the data submitted therein, throughout the period needed to complete the procedure, throughout the period of submission of any objections and lodging an appeal that may be provided for internally or by law, throughout the period of fulfillment of both parties' obligations and the period of limitation for bringing claims and, generally, for as long as it is required from the letter and the spirit of the Subcontracting and Procurement Regulation and the relevant law and contracts governing the operation of ThPA SA, as applicable.** Then, they are filed, either on paper or electronically in such a way that access is not authorized to non-authorized employees. After the elapse of the necessary time period, they will be safely destroyed, as provided for by the relevant legislation (*the provisions of Article 191 §2 of Law 4610/2019 (A '70) apply for the period up to 23- 3- 2018, while, the maximum limitation period laid down in the Civil Code shall apply from then on and for the conversion of the Processor into a SA*). The provision of such data is necessary for this procedure and, failure of the "Data Subject" to provide them will lead to the inability of the Data Subject to participate in the procedure and the impossibility of providing such service.

The "Data Subject" can submit a request to the "Data Controller" on: Access-information, correction, limitation of the processing of data regarding it, objection to processing, erasure of data and data portability **subject to the conditions and limits laid down by the applicable legislation** (*e.g. 17 par.3, 20 par.3, 23 GDPR*). These rights are exercised either by filling in the relevant application form available **on the Protocol and the Investment and Procurement Division** of "ThPA SA", or by sending a letter to the address: "ThPA SA", Pier 1, within the port, PC: 546, Thessaloniki, tel: 2310 593118-121, or by sending an email to the address:

dpo@thpa.gr. The "Data Controller" provides to the "Data Subjects" will all relevant information on the action taken upon request, pursuant to Articles 15 to 22 of the GDPR without delay and in any case **within one month** from receipt of the request. This deadline may be extended by a further period of two months, if necessary, taking into account the complexity of the request and the number of requests (*see for more details: article 12 par. 3* of the GDPR). Also, for any complaint, the "Data Subject" has the right to notify the **Data Protection Authority** either in writing (address: *Kifisias 1 - 3, P.C. 115 23, Athens*) or via email (www.dpa.gr).

Thessaloniki, ___ / ___ /20___

ISSUED ON: 7/2020

I have become aware of this Update (*signature and in full letters*):

ANNEX II: Expression of Interest Form



Expression of Interest form for the provision of stevedoring services to meet the needs of ThPA SA.

Section A - Contact information of Interested Party

General Participant Information

Name of Company/Association/ Organization/Consortium	<input type="text"/>	Address / City	<input type="text"/>
Tax Office	<input type="text"/>	Country	<input type="text"/>
VAT num.:	<input type="text"/>	P.C.	<input type="text"/>
Telephone	<input type="text"/>	Fax	<input type="text"/>
Email	<input type="text"/>	Website	<input type="text"/>
Contact Person	<input type="text"/>	Contact information	Tel. E-mail

Section B - Participation Dossier Details

Participation documents

The interested party submits a certificate of registration in the relevant chamber or a relevant document/certificate from a competent authority (national economic operators) or a corresponding certificate/approval/authorization from the relevant authority of their country of origin (foreign economic operators)?	YES	NO
Is a brief presentation of the interested party (manpower, equipment, etc.) presented, in order to demonstrate the capacity for the timely and efficient implementation of the services to be commissioned?	YES	NO
Does the Interested Party present the relevant legalizing documents of legal representation?	YES	NO
Does the Interested Party provide a Formal Statement of the legal representative (or in the case of a Consortium or Union or Association of the legal representatives of its members) that the obstacles to participation referred to in article 3 hereof do not apply?	YES	NO
Is Annex I, Information Document on the processing of personal data, signed by the legal representative of the Interested Party (or in the case of a Consortium or Union or Association by the legal representatives of its members) provided?	YES	NO

Technical Capacity Criteria (ON / OFF)

During the reference period (2021-2023), the Interested Party has the following professional experience in carrying out stevedoring operations, as evidenced by the relevant certificates of good performance:

Contracting Entity	Duration

The Interested Party may make available to ThPA SA the following specialized workforce to carry out stevedoring operations.	
Does the Interested Party provide a staff list or, in the case of an Association, a Formal Statement stating the number of members?	YES	NO
Does the Interested party provide a certification of the competent authority for the establishment of the legal conditions for the exercise of the profession of loader and unloader for twenty (20) people from its workforce?	YES	NO
Does the Interested party hold an ISO 9001:2015 series quality Assurance certificate (or equivalent), or any other relative document, as per Article 6?	YES	NO

The undersigned certifies that the Expression of Interest Form and the Formal Statements included in the Participation Dossier are signed by the legal representative or by a duly authorized representative of the participant and that all the information stated in the aforementioned documents is true.

Legal Representative Contact Information

Name:	
Location:	
Date:	
Seal & Signature:	