



Belgrade, 26 September 2012 D - 3965

**CONTRACTING AUTHORITY'S CLARIFICATIONS No. 3**

**Construction and commissioning of the new Waste Water Treatment Plant at TPP  
Nikola Tesla B, Obrenovac**

**Publication ref.: EuropeAid/132476/C/WKS/RS**

**Our reference no: 11SER01/16/12**

No	Question	Answer
1	As regards the article 12.2 Economic and financial capacity of candidate (a), is there any minimum the bid leader has to fulfill as regards the annual turnover, or is it just necessary for the consortium to comply with an 8 million euro average turnover?	In the case of a tender submitted by a consortium, unless specified, these selection criteria will be applied to the consortium as a whole. As regards the criterion on Economic and financial capacity of candidate (a), there is no minimum requirement concerning the bid leader. This selection criterion will be applied to the consortium as a whole.
2	As regards the article 12.2 Economic and financial capacity of candidate (b), - Do credit lines for bank guarantees (performance bonds, advance payment guarantees, letters of credit) count as proof of sufficient credit and other financial facilities to cover the required cash flow for the duration of the contract?  - Does the 4 million euro requirement refer to the consortium as a whole or is it per bidder in the consortium?  Do only available funds within the credit line apply to the 4 million euro requirement or does the whole credit line (including funds already being used) apply to the 4 million euro requirement?	As per Procurement Notice provisions, the tenderer must prove the access to sufficient credit and other financial facilities to cover the required cash flow for the duration of the contract. In any case, the amount of credit available must be at least EUR 4,000,000.  The requirement is referring to the consortium as a whole.  The amount of credit available must be at least EUR 4,000,000, excluding funds that have been already used.
3	As regards the article 12.2 Professional capacity of candidate, (c) The lead partner in a consortium must carry out at least 50% of the contract works by his own means. The question is, can the equipment be rented (contract for the rental of equipment) or must the equipment be solely owned by the leader?	The lead partner in a consortium must perform at least 50% of the contract works by his own means. The equipment necessary for performing this part of at least 50% of the contract works can be either rented, hired or owned.

### CONTRACTING AUTHORITY'S CLARIFICATIONS No. 3

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4	<p>As regards the article 12.2 Technical capacity of candidate (Pages 11 and 12 of 21). Can the lead bidder supply a main reference that is from the auto (car) manufacturing industry (waste water treatment plant for the paint and body shop)?</p>	<p>Following PRAG section 5.3.4, the Contracting Authority cannot give a prior opinion on the assessment of the tender.</p>
5	<p>As regards the Section 4, Additional Notice to tenderers Point 4. Do we have to number only the form pages, or all documents within the tender? Point 7. Do members of the consortium have to stamp and sign their forms or can that be stamped and signed by the leader according to the power of attorney signed by all consortium members?</p>	<p>It is good practice to number all documents forming part of the tender.</p> <p>Each member of the consortium has to stamp and sign their forms.</p>
6.	<p>Due to the complexity of the project and the current workload, is it possible to extend the deadline for submission by four weeks until 11/12/2012?</p>	<p>The Contracting Authority considers that there is no need for extension of the deadline for submission of tenders.</p>

Encl. Minutes of the Clarification meeting held at the Contracting Authority's premises



EUROPEAN UNION

Delegation of the European Union to the Republic of Serbia  
Operations

## **Minutes of CLARIFICATIONS MEETING**

### **Construction and commissioning of the new Waste Water Treatment Plant at TPP Nikola Tesla B, Obrenovac**

**REPUBLIC OF SERBIA**

**IPA 2011, Contract N° 11SER01/16/12**

Belgrade, 18<sup>th</sup> September 2012, 15<sup>00</sup>, premises of the Delegation of the European Union to the Republic of Serbia

## **AGENDA**

### **1. Introduction by the Delegation of the European Commission to the Republic of Serbia**

- a. Objectives: civil and electromechanical design and works, including supply and installation of equipment and materials as per the functional technical specifications in the Tender Dossier and clarifications.
- b. Scope of works has been defined by the Tender Dossier.
- c. Procurement and Implementation arrangements:
  - The construction works will be procured through PRAG procedure and implemented through a FIDIC Design and Build works contract approach.
  - EUD engaged Supervising Engineer to monitor the construction,
  - Special Conditions of the Contract are Design & Build based on FIDIC (Yellow Book).
- d. Time schedule: as per the Tender Dossier
  - Access to site; immediately after signature of the contract.
  - Implementation duration: 24 months.

### **2. Presentation of the procurement procedure (EUD):**

- Procurement is per PRAG procedure,
- Timing is per Instructions to tenderers,
- The submission date is 13/11/2012 at 12h, and EUD keeps right to decide whether some extension would be granted,
- Tender opening session will be held **13/11/2012 at 14.30h**,
- Tender Dossier should be respected, all forms filled in, all requested information provided to the reasonable volume,
- Proof of completion of previous projects should be submitted,
- Proposed personnel should satisfy tender requirements,
- Key personnel should be on site over the whole period of implementation,

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- Bidders should use evaluation grids to check their offers before submission, but not to submit them filled in,
- Clarifications are part of the Evaluation procedure; whenever possible, the answers will be sent out as soon as possible. The last date for request of any clarifications is **23/10/2012** and the last date on which clarifications are issued by the Contracting Authority is **02/11/2012**,
- Questions are welcome at this meeting, but answers will be given in writing, as part of clarifications.

**3. Presentation of the scope of work and the timetable and major milestones of the project: done by the beneficiary (EMS).** It was stressed that the implementation period has to be respected. There is no possibility for extension of it.

**4. Results of the Site visit:** Beneficiary (EPS) reported that 6 companies visited the site (17/09/2012 and 18/09/2012).

### **5. Miscellaneous – Questions and answers**

#### **Questions asked:**

Q1: There are some drawings missing in annex 5. How can we obtain the missing drawings?

A1: Please address in writing which drawings are missing and we will publish them.

Q2: There are some discrepancies in TD in terms of if variant solutions for some part of the works are allowed.

A2: Please address in writing the discrepancies and we will clarify it.

#### **Tenderers were advised to pay special attention to the following:**

- Selection criteria will be strictly respected, so bidders should thoroughly check whether they met all criteria before submission of the bid.
- Project references listed in the bid have to fully meet the criteria listed in the Procurement Notice.
- Bidders should make sure that Performance certificates, issued by supervisors or end users of the plants named in the bid as project references, are submitted as part of bid.
- Bidders should use the evaluation grids to make sure, before submission of their bids, that all questions are positively answered. This might reduce the number of clarification questions during the evaluation.

#### **Questions not asked, but could give some guidance**

- Are the proposed technical solutions going to be evaluated and to which criterion?
- Technical solutions are not to be evaluated or compared. The criterion of awarding the contract is the price should the offer be found technically acceptable according to the Evaluation grids presented in the Tender Dossier. The contract is based on the Design & Build approach, so the contractor will be responsible for his own design.

- How detailed should be the requested Time Schedule?
  - Time Schedule should fit into the requested period of implementation, should give sufficient information, showing clearly the milestones, duration of all activities, links between conditionally linked activities, etc.

The meeting ended at 16<sup>00</sup>.

Belgrade, 19/09/2012

  
Dejan Rebric  
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