



Republic of Serbia

MINISTRY OF FINANCE

Department for Contracting and Financing of EU Funded Programmes (CFCU)

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CONTRACTING AUTHORITY'S CLARIFICATIONS № 3

Water supply, waste water collection and treatment construction project for the city of Raška

Publication ref.: EuropeAid/135632/IH/WKS/RS

No	Question	Answer
1.	Does the same Company can participate as a member of JV in the Bid for Lot1, and Lot2 to be offered independently?	Tenderers may submit one tender per lot.
2.	Should the supporting documentation in Serbian Language, which is submitted in the Bid, be translated by a Court Translator or it may be translated by the Bidder in a free form?	In accordance with Article 10 of Tender Dossier, Volume 1, Section 1, Instruction to Tenderers, please note that: "If supporting documents are not written in one of the official languages of the European Union, a translation into the language of the call for tender must be attached. Where the documents are in an official language of the European Union other than English, it is strongly recommended to provide a translation into the language of the call for tenders, in order to facilitate the evaluation of the documents". Verification by the court certified translator is not mandatory.
3.	Please clarify, what do You refer to under" employers certificates". Is it a statement of the Employer or Contracting Authority for whom he worked the required reference works?	Please see Contracting Authority's Clarifications No.2, the answer no. 4
4.	Does the Bidder meet the requirement "Tenderer must have 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 exceed the equivalent of 1 million EUR. The statement shall	As stated in Article 16 Selection criteria of the Contract Notice: The tenderer must have 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 exceed the equivalent of 1,000,000 EUR. The credit

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	clearly demonstrate that the financing is available for the concerned contract". If the Bidder submits the Letter of Intent of a Bank in which the bank is declared their principal readiness to approve loan/credit line for this project in the amount of 1 million EUR ?	amounts in euro must be provided by recognized banks and must be designated specifically for the project. Evidence may take different forms, including Letter of Intent. Please note that, in accordance with Section 3.3.5 of the Practical guide, the Contracting Authority cannot give a prior opinion on the assessment of the tender.
5.	Does the Bidder meet the requirement "Tenderer must have 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 exceed the equivalent of 1 million EUR. The statement shall clearly demonstrate that the financing is available for the concerned contract". If the Bidder demonstrate that it has access to liquid assets (bidder submit confirmation from the bank on the current account balance) or unencumbered real assets (bidder submit the transcript of the real estate certificate in which stated that their is norestriction and abstract of the book value of unencumbered real assets) in the amount of min 1 milion EUR ?	Please see the answer no. 4.
6.	Can the Bidder submit so called PRAG contracting rules for the experience of required personnel instead of experience in FIDIC Conditions of Contract experience?	Please note that in accordance with the applicable PRAG - Practical Guide, section 5.3.4, when providing answers to Tenderers questions during the tender preparation period, "the Contracting Authority cannot give a prior opinion on the assessment of the tender".
7.	"The average annual turnover of the tenderer in the last 3 years (2013, 2014 and 2015) must be at least 2,3 Million EUR. The audited financial statements (Balance Sheet, Profit and Loss Account, Cash Flow statement and the Statement of changes in the equity) over the last 3 years shall be submitted and must demonstrate the soundness of the applicant's financial position, showing long-term profitability. The Contracting authority reserves the right to carry out such any further inquiry on the Tenderer's financial standing as the Evaluation Committee may deem	Please note that in accordance with the applicable Procurement and Grants for European Union External Actions – A Practical Guide, section 5.3.4, when providing answers to Tenderers questions during the tender preparation period, "the Contracting Authority cannot give a prior opinion on the assessment of the tender". Please refer to article 12 of the Tender Dossier, Volume I, Instructions to Tenderers: Information/documents to be supplied by the tenderer

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	appropriate. Is it sufficient that the Bidder submit the Form BON-JN for the Years 2012, 2013 and 2014 and the Financial Report for 2015 which had been submitted to the Serbian Business Registers Agency with the Confirmation Receipt that it had been registered as evidence for above mentioned condition considering that Financial Report for 2015 will not be processed by the Serbian Business Registers Agency by the time of Bid submission?	
8.	Can the required engineers be engaged by temporary service contract?	It's up to the tenderer to make its own arrangements for the engagement of the staff.
9.	Can the Bidder submit the Minutes of works handover where can be clearly seen who was representatives along with the licence stamp instead of employers certificate?	Please see Contracting Authority's Clarifications No.2, the answer no.4
10.	Regarding contract which should include construction of new waste water treatment plant. Please confirm that project that included a construction of elements of WWTP would be counted as satisfactory for this criteria. And/or specify what necessary elements of WWTP should have been constructed to satisfy this criteria, and if during execution of works old constructions were remade to serve new propose as part of WWTP would this be counted as qualifying experience.	Please note that in accordance with the applicable PRAG - Practical Guide, section 5.3.4, when providing answers to Tenderers questions during the tender preparation period, "the Contracting Authority cannot give a prior opinion on the assessment of the tender".
11.	Please clarify may the site be visited by representative after the SITE VISIT AND CLARIFICATION MEETING to assess scope, risk and factors of works and receive a 4.6.9.4 Certificate of attendance.	In accordance with the Contract Notice, Article 13, the mandatory information meeting and site visit were hold on 08/02/2016. The Certificates of Attendance was issued to the companies that attended the meeting.
12.	In accordance to Vol.3, chapter 2.3.2, clause "Final Sedimentation Tanks (FST)", table 17, basic design criteria, please confirm that the sludge index shall be at minimum 120 ml/g.	Indicative sludge volume index shall be 120 ml/g (it has to be in range 100-150 ml/g).
13.	In accordance to Vol.3, chapter 2.3.2, clause "Storm water retention tank", table 11, the retention time shall be 2 h for max flow. But the table shows a max flow of 367 m ³ /h (2 x 367 = 734 m ³) but a minimum required	Hydraulic capacity of connection pipeline between Inlet/distribution chamber and Storm water Detention Tank should be 102 l/s (367 m ³ /h). At the other hand, minimum volume of the Detention Tank should be 650 m ³ .

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No	Question	Answer
	volume of 650 m ³ . Please clarify.	
14.	Please confirm that the tanks/structures can be adjusted in shape and volume in accordance to the Bidder's design.	<p>Yes. In accordance with Employer's Requirements (ER), each Bidder shall prepare his own Tender Design / Contractor's Proposal based on requirements of ER.</p> <p>Volumes of tanks/structures, if they are given within ER, are minimum required.</p>
15.	<p>Vol 3 Section 1 Employers Requirements CFCU ver.2/ 2.6.3 Supply Voltage</p> <p>There is a requirement of 30% spare power capacity for the Switchgear and 20% spare power capacity for the MCCs. We understand that the Transformer Rated power also needs to provide 30% extra power as well.</p> <p>Please confirm.</p>	It is not requested to provide 30% extra transformer power, but reasonable power for normal duty of WWTP.
16.	<p>Vol 3 - Section 2C WWTP Raska - GTS Electrical Works CFCU ver.2 /Item 2.8 Electrical Motors</p> <p>Please confirm if all electrical motors need to be S4 type.</p>	For all motor is requested motor duty S4, Intermittent periodic duty with starting.
17.	<p>Vol 3 - Section 2B WWTP Raska - GTS Mechanical Works-CFCU ver.2 /Overall</p> <p>Please confirm if motors for submersible mixers if applied to sludge, septage and raw sewage, and for the screening plant are required.</p>	The question is not understandable and therefore it is not possible to give an answer.
18.	<p>Vol 3 - Section 2B WWTP Raska - GTS Mechanical Works-CFCU ver.2 /8.2 Pump Motor</p> <p>Please confirm if pump motors need to comply with the reserve capacities shown in table of Chapter 8.2 Section 2B Volume 3, in order to avoid blocking of the impeller.</p> <p>Please confirm if the Left Bank River Ibar Pumping Station (Inlet pumping station) has to be electrically supplied from the WWTP substation?</p>	<p>Yes. Reserve capacities should be in accordance with Chapter 8.2 of Volume 3, Section 2B.</p> <p>Yes. Inlet Pumping Station shall be connected to the WWTP's transformer station.</p>

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No	Question	Answer
19.	<p>Vol 3 Section 1 Employers Requirements CFCU ver.2/ 2.6.14 Switchboards</p> <p>Please clarify Switchboard & MCC's segregation forms, (form 1, 3a or 4)</p>	<p>Forms of electrical boards are defined in cl.2.6.14. Vol.3, Sec.1. and in accordance with the listed IEC standard.</p>
20.	<p>Vol 3 Section 1 Employers Requirements CFCU ver.2/ 2.6.14 Switchboards. Main Distribution: IP44 MCC IP54 Vol 3 - Section 2C WWTP Raska - GTS Electrical Works CFCU ver.2 /Item Distribution boards IP 43 (indoors) and IP 55 (outdoors).</p> <p>Please clarify the Switchboard, Distribution Board and MCC's ingress protection between those specified in Volume 3 Section 1 Chapter 2.6.14 (IP44 and IP54) and Volume 3 Section 2C Chapter 2.22.1. (IP43 for indoors and IP55 for outdoors)</p>	<p>For Main Distribution Board IP44, as a minimum, is requested, and for MCC IP54 (Cl.2.6.14, Vol.3, Sec.1) For Small Power and Lighting Installation IP43, as a minimum, is required, and for outdoor installation IP55, as a minimum (Cl.2.22.1, Vol.3, Sec.2C)</p>
21.	<p>As per Tender document 6-3 Technical Conditions and Permits / 05-Technical requirements PD Elektrosrbija -10-2013</p> <p>Vol 3 Section 1 Employers. Requirements CFCU ver.2/ 2.6.3</p> <p>Shall the MV electrical connection point will remain the same if the power demand is higher than the tender expectations of Volume 6-3 Document 5 and Volume 3 Section 1 Chapter 2.6.3 (250 kVA)?</p>	<p>Yes, the connection point shall remain the same.</p>
22.	<p>Lot 1: In Volume 3 Section 1 "Employer's requirements"-2.3.2 Process Operation and Units» Inlet Pumping Station (PS "Rvati") is mentioned: "For mounting/dismantling of pumps in Wastewater Inlet pumping station one manually operated swiveling crane (lifting davit) is foreseen. Capacity of lifting davit-will be sufficient to lift most heavy part of equipment"</p> <p>In Volume 3 Section 2B Clause 9.9 Crane is mentioned:</p> <p>"Monorail crane with electric hoist with geared hand travel, with four-wheel trolley</p>	<p>Yes, the interpretation is correct.</p>

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No	Question	Answer
	<p>and rolled steel joist to be installed above pumps, screens and others."</p> <p>The tenderer interpretation is as follows: For all pumps and mixers to install sufficient number of Swiveling cranes. For screens, sludge dewatering and blowers to install monorail cranes Please confirm that the interpretation above is correct.</p>	
23.	<p>Lot 1: Please confirm that the specifications stated in the Appendix to Tender have priority over the specification in both Particular and General Contract Conditions. In addition please confirm that the clarifications during tender process shall have priority over any of the documents to which the clarification refers to.</p>	<p>Order of precedence of documents constituting contract is specified under Clause 2, Volume 1, Section 2, Draft Contract.</p>
24.	<p>Lot 1: Please confirm that the approval period for the Contractor Documents as per 5.2 of the GCC by the Engineer and as per 3.1 of the PCC by the Employer shall be received by the Contractor from both the Engineer and the Employer in 21 days.</p>	<p>Unless otherwise stated in the Employer's Requirements, each review period shall not exceed 21 days, calculated from the date on which the Engineer receives a Contractor's Document and the Contractor's notice.</p>
25.	<p>Lot 1: The Particular Conditions, clause 4.1 state: "The Contractor shall take the necessary measures to ensure the visibility of the EU financing or co-financing as laid down in the rules published by the Commission on the visibility of external operations." Please clarify which measures have to be calculated for this requirement.</p>	<p>The visibility measures must comply with the rules laid down in the Communication and Visibility Manual for EU External Actions published by the European Commission: https://ec.europa.eu/europeaid/sites/devco/files/communication_and_visibility_manual_en_0.pdf</p>
26.	<p>Lot 1: Related to clause 12.3 PCC, please confirm which parameters of the operational costs must be guaranteed within the bid. What is the maximum amount of penalties in case of failure to achieve guaranteed Process Guarantees?</p>	<p>The request for Process Guarantees is cancelled.</p>
27.	<p>Lot 1: Please clarify in the understanding of PCC Clause 20.2 and 20.6 what is the definition of "Serbian Contractor". What about Consortia between Serbian and foreign countries?</p>	<p>"Serbian Contractor" is a company that has seat and registered office in Serbia. A Consortia between Serbian and foreign countries' companies will not be considered as a "Serbian Contractor"</p>

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No	Question	Answer
28.	Lot 1: The PCC, Clause 14.7 IPCs, FPC payment due date is within 84 days after submission. According of Serbian <i>Law on Terms of Settlement cash Obligations in Commercial Transactions</i> due date is maximum 60 days. Please clarify this discrepancy between tender and local Law.	The Contract shall take precedence.
29.	Lot 1: Volume 1, Section 1 - Instruction to Tenderers: The tender documents do not clearly specify which documents shall be submitted as original, certified or regular copies. Please advise.	Please refer to PRAG Annex d4c_Tender Form: "The attachments to this form (i.e. declarations, statements, proofs) may be in original or copy. If copies are submitted, the originals must be sent to the Contracting Authority upon request."
30.	Lot 1: Volume 1, Section 1 - Form 4.4. The Form 4.4 requires Financial Statements taken for each of the last 3 years (2013-2015). The balance of 2015 is under preparation and will be published in April 2016 due to the law of the national stock market, so it cannot be submitted with the tender documents. Please clarify if it is possible to submit Financial Statements for the years 2012-2014.	<p>Please note that in accordance with the applicable Procurement and Grants for European Union External Actions – A Practical Guide, section 2.4.11.1.2: "Proof of economic and financial capacity may be furnished by one or more of the following documents, by way of example: [...]presentation of balance sheets or extracts from balance sheets for at most the last three years for which accounts have been closed, where publication of the balance sheet is required under the company law of the country in which the economic operator is established"</p> <p>If there is a discrepancy between the required years and the years for which account have been closed, the tenderers are required to clarify the situation and submit the latest financial statements available.</p>
31.	Lot 1: In Volume 3, Section 1 - Employers Requirements, subclause 2.3.2 - Requirements for Noise and Odour Emission (page 33 of 100) the following is stated: "These treatment facilities shall be covered and shall be forced ventilated with fans. The extracted air from the covered air volumes shall be treated in a lava filter. The lava filter shall be sufficient designed with removal efficiency (on H ₂ S) of at least 90% at all times". The tender requires the odour treatment with a "lava filter". We assume "lava filter" means, that for odour treatment an Activated Carbon Filter has to be foreseen. Please clarify. Additionally we	At least odour generated by quoted strongest odour sources shall be treated by Odour Control Units. The Bidder can propose type of filter that shall fulfill minimum required removal efficiency (on H ₂ S) of 90% at all times.

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No	Question	Answer
	<p>assume, that the treatment for the waste air of the mentioned odour sources (Inlet works, Screens, Primary Sludge Thickener, and Mechanical Sludge Dewatering) can be provided with Biofilter Units.</p> <p>Please confirm.</p>	
32.	<p>Lot 1: In Volume 3, Section 2B General Technical Specifications for Mechanical Works, sub clause 8.11 Positive Displacement Pumps (Progress Cavity Pump) is stated: "Positive displacement pumps comprising but not limited to:</p> <p>d. Progressive cavity type complete with hand wheel controlled variable speed drive".</p> <p>On the other hand, In Volume 3, Section 1 - Employers Requirements, sub clause 2.3.2 For Primary Thickened sludge, progress cavity pumps with direct operation mode are foreseen, and for Secondary thickened sludge PS, progress cavity pumps with Frequency converter are foreseen. We assume that pumps for Secondary Thickened Sludge will be speed controlled by FC, and Pumps for Primary Thickened Sludge will be operated in direct mode without speed control since from process point of view speed control is not needed.</p> <p>Please confirm.</p>	<p>Yes. Operation mode of pumps shall be in accordance with ER.</p>
33.	<p>Lot 1: Volume 1, Section 1, Form 4.3: Please advise if the Power of Attorney needs to be notarized and what the related documentation consists of.</p> <p>With Form 4.1. the registration certificate which includes all information is already attached.</p>	<p>Please refer to Instructions to Tenderers, section 12: "All tenders must comprise the following information and duly completed documents", and section 12.1.2. "Documentation as required in the questionnaire in Volume 1, Section 4, including all forms attached, for relevant lot". Also, please note that Power of Attorney should be notarized.</p>
34.	<p>Lot 1: In the Volume 1, Section 4, page 3 Additional notice to tenderers in Sub-clause 7 is stated "<i>Each member of a joint venture/consortium must fill in and submit every form</i>". Some forms as: 4.6.3 - Work</p>	<p>Bearing in mind specific nature of information requested in the Forms 4.6.3 - Work plan and programme, 4.6.7 - Quality assurance system, 4.6.8. - Accommodation for the supervisor, 4.6.9.4 Certificate of attendance, 4.6.9.5</p>

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No	Question	Answer
	<p>plan and programme, 4.6.7 - Quality assurance system, 4.6.8. - Accommodation for the supervisor, 4.6.9.4 Certificate of attendance, 4.6.9.5 Modifications and clarification notes to the tender documents, 4.6.7 - Cash flow schedule, 4.6.9.8 Technical solution, 4.6.9.9. - Tenderer's proposed training programme, 4.6.9.10 - Conditions of Contract are unique documents, there is no 2 different documents. Please clarify how the Bidder can meet mentioned criteria.</p>	<p>Modifications and clarification notes to the tender documents, 4.6.7 - Cash flow schedule, 4.6.9.8 Technical solution, 4.6.9.9. - Tenderer's proposed training programme, 4.6.9.10 - Conditions of Contract, it is sufficient to introduce one form for JV/consortium as a whole.</p>
35.	<p>Lot 1: Are the documents as: location permit, approvals, conditions and opinions (which are part of the TD) valid and are the subject documents elaborated and issued in accordance with the new Law on Planning and Construction valid in Republic of Serbia?</p>	<p>Construction Permit is issued on 19th of August 2015 and it is valid.</p> <p>The list of obtained conditions and approvals is attached as Annex No 2 of Clarification no.1.</p> <p>Obtaining of required additional conditions and approvals shall be in accordance with ER (Sub-Chapter 3.11.1): <i>"In addition, it is the responsibility of the Contractor to obtain on behalf of the Employer all the necessary approvals, certificates and permits from the relevant authorities.</i></p>
36.	<p>Lot 1: Please confirm that in case of necessity of re-obtainment of the planning conditions (location conditions) in the design phase, the period of delay needed for issuance of these conditions on which the Contactor has no influence (delays due to the relevant institutions), is not included in the Time for Completion period (i.e. so the time for completion will be extended for such "institutional" delays).</p>	<p>The Contractor shall recognize and be familiar with all applicable effective legislation, regulations and specifications, with respect to all measures, operations and administrative steps required for the Design. "Institutional" delays are stipulated in Sub-Clause 8.5 of the Conditions of Contract.</p>
37.	<p>Lot 1: Shall the Environmental Impact Assessment Study (Studija uticaja na životnu sredinu) be elaborated for the WWTP Raška? In case of positive answer, please inform us whether the Study is Contractor's obligation?</p>	<p>EIA Study is already prepared and approved.</p>
38.	<p>Lot 1: Please inform us whether the costs of issuing of conditions and approvals (taxes, etc.) are Contractor's obligation, and whether the costs of technical revision of the</p>	<p>The costs of issuing of conditions and approvals (taxes, etc.) are Contractor's obligation, except the costs of technical</p>

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No	Question	Answer
	project for construction permit (Revizija projekta) are Contractor's obligation?	revision of the project for construction permit. The technical revision of the project for construction permit will be done at the Employer's cost.
39.	Lot 1: Please inform us are there any underground installations on the land, where the construction of WWTP is foreseen. Is the plan of underground installations of the parcel of land for WWTP as well as land along the collector from the plant to the inlet pumping station available for its obtainment?	In accordance with available data, there is no any underground installation at the cadastral plot which is approved for the construction of the WWTP. However, please see LOT 1: ER, Sub-chapter "3.5.3 Existing services". With regard to underground installation along the route of collector, please see LOT 2: Section 3.2, GTS, Part 2, Sub-chapter "1.4 Detection, marking and relocation of possible utilities".
40.	Lot 1: According to the Appendix to Tender (Volume 1, Section 2 of TD) we understand that the Time for Completion is 545 days from the commencement date, and that within this period the Trial operation shall be realized. Please confirm. Additionally please confirm that the period of Trial operation is approx. two months (as stated in item 3.18.3, Volume 3, Section 1 - Employer's requirements).	Yes, in accordance with FIDIC Conditions of Contract for Plant and Design-Build (First edition 1999) the Trial operation shall be performed within Time for Completion. Duration of Trial operation is assessed at approx. two months.
41.	Lot 1: Are water and electricity provided by the Employer on the left side of Ibar River (location of the inlet pumping station)?	In accordance with ER. Please see "2.2.1 General Requirements - Utilities and main access road"
42.	Lot 1: If connection of temporary site electricity for construction of WWTP plant are provided by the Employer before the project will start?	This shall be in accordance with ER. Please see: <i>Chapter 4.6. Temporary Services; Sub-Chapter 4.6.2 Electricity</i>
43.	Lot 1: Can the coarse screen unit be entirely made of stainless steel 1.4301 as it is defined in Vol3 Sect1 Chapt2.3.2 or it has to be partly made of 1.4571 as it is stated in Vol3 Sect2B 10.1?	Coarse screen unit shall be entirely made of stainless steel 1.4301.
44.	Does the same Company can participate as a member of one JV in the Bid for Lot 1 and as the member of another JV in the Bid for Lot 2?	Please see the answer no.1.