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| Republic of Serbia  **MINISTRY OF FINANCE**  **Department for Contracting and Financing of EU Funded Programmes (CFCU)** |
| 14/02/2019, Belgrade |

CONTRACTING AUTHORITY’S CLARIFICATIONS No. 1

**Construction Works of Intermodal Terminal in Batajnica (Belgrade)**

Publication ref.: E**uropeAid/139114/IH/WKS/RS**

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| No. | Question | Answer |
| 1. | As in Tender Documents there are references to the Pre-financing payment ( clause 14.2 of Particular Conditions of the Contract and also the model of the Guarantee on Pre-financing ),we kindly would like to clarify which is the amount of the Pre-financing payment. | As stipulated with Corrigendum No.1-Annex 2, Appendix to tender for works contract, published on 21st December 2018., amount of the Advance Payment is 10% of Contract Price. |
| 2. | In Tender documentation:  TD 15SER010751/Volume 1/Section 4/d4k\_techofferform\_4dot6\_en., there are no forms:   * FORM 4.6.1.2   STAFF TO BE EMPLOYED ON THE CONTRACT  and   * FORM 4.6.1.3   PROFESSIONAL EXPERIENCE OF KEY STAFF  Please clarify. | Forms 4.6.1.2 and 4.6.1.3 are not applicable for this tender, therefore they are not provided in the tender documentation. |
| 3. | For the financial capacity of tenderer you requested company’s certified statements of account for the previous three years, but considering the fact that tender submission is on February 2019 and financial statement for 2018 is still in process, is it sufficient to submit statements for 2015, 2016 and 2017 as previous years? | If the financial statement for 2018 has not been yet verified by a chartered accountant, it is sufficient to submit statements for 2015, 2016 and 2017. |
| 4. | In Special Conditions of Conditions of Contract, Clause 18-Insurance, subclause 18.3 is inserted: ”Insurance shall include cover against liability to third parties arising from accidents in the Country involving vehicles supplied by the Contractor and used by the Employer, the ER and/or the Final Beneficiary, the Contractor or the Engineer under the Contract.”  Please clarify what exactly did you mean by that, considering that vehicles already have Motor Liability insurance policy for the responsibility against third parties, according to Law. TPL insurance does not cover losses which arise from registered vehicles because these must have ML insurance for third partied at the registration for traffic, according to Law too. | All requirements concerning insurances during the works are regulated in accordance with the Articles 18.1 up to 18.5 of General as well as Particular Conditions of Contracts. In accordance with the requirements of Article 18.1 it is stipulates that the Contractor shall submit *“evidence that the insurances described in this Clause have been effected, and (b) copies of the policies for the insurances described in Sub-Clause 18.2 [Insurance for Works and Contractor's Equipment] and Sub-Clause 18.3 [Insurance against Injury to Persons and Damage to Property.”*  In accordance with that policy or **policies** (singular or plural) which are in line with the requirements stipulates in Articles 18.1. until 18.5. will be accepted. |
| 5. | In Works Contract Notice, page 4 of 7 in Technical capacity iv. And v. is written that Tenderer must have completed at least one design contract for work execution of road with accompanying infrastructure and railway infrastructure. Regarding small part of design for this project (under 5%) is it sufficient to take subcontractors to fulfill this criteria? | An economic operator may, where appropriate and for a particular contract, rely on the capacity of other entities, regardless of the legal nature of the links which it has with them. Some examples of when it may not be considered appropriate by the Contracting Authority are when the tenderer relies mostly on the capacity of other entities or when it relies on key criteria. If the tenderer relies on other entities, it must prove to the Contracting Authority that it will have at its disposal the resources necessary to perform the contract, for example by producing a commitment on the part of those entities to place resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator. Furthermore, the tender should include a separate document providing data on this third entity for the relevant selection criterion. Proof of capacity must be furnished at the request of the Contracting Authority.  With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the works for which these capacities are required. |
| 6. | We kindly ask to provide us with drawings in editable DWG format in purpose of preparation better quality offer. | It is not possible to provide drawings in editable DWG format. |
| 7. | Taking in consideration that the Tender dossier has been prepared in accordance with Yellow Fidic, and that Preliminary design has been prepared, the question is at which level the Geotechnical investigation, Topography survey, Hydraulic and Hydrotechnical survey have been prepared? | All investigations were performed at the level of Preliminary Design and insight to the results/reports on those investigations is possible at the Belgrade Land Development Public Agency. |
| 8. | Does the Preliminary design have been prepared and approved in accordance with Location requirements valid at that time? | Yes, the Preliminary Design has been prepared and approved in accordance with Location requirements valid at that time. |
| 9. | Final Beneficiary/end user is obliged to obtain Location requirements, Construction permits. Does that mean that Usage permit will be obligation of Final Beneficiary/End user? | Obligation of the Employer (End Recipient and Final Beneficiary) is to obtain Usage permit.  Obligations of the Contractor are defined in Employer requirements. |
| 10. | Whether the Final Beneficiary/end user is obliged to prepare and conduct procedure for forming of construction parcel? | Final Beneficiary/End Recipient is obliged to prepare and conduct procedure for forming of construction parcel. |
| 11. | In Tender Dossier Volume III, part Employers requirements – General switch for intermodal track is marked as 1TA, but in Volume III Series\_C\_Railway Infrastructure is marked as 13a? Please clarify which is correct. | Correct marking of the switch for intermodal terminal is 1Ta, as it is specified in Volume III, part Employers requirements-General. |
| 12. | In Tender dossier, the same switch for Intermodal railway track is marked not only with the different text, but also as different type:  -Volume V - Drawing General Layout – type 49 180-7  -Volume III – E.4 Railways infrastructure – 3 – simple switch, type 49-300-6°  -Volume III – SERIES\_C\_RAILWAZ INFRASTRUCTURE – simple arc switch 49-300-6°. | Switch for intermodal railway track is simple switch, type 49-300-6°, as it is specified in Volume III– E.4 Railways infrastructure. |
| 13. | Please clarify what kind of weighting scale is required for measuring the cargo. Do you want to measure the cargo on trucks or rail vehicles? | Scale to measure cargo on trucks. |
| 14. | In the part of Tender documentation / Volume 3/ General Technical Specifications / SERIES\_C\_RAILWAY INFRASTRUCTURE / C2. SUPPLY AND INSTALLATION OF CONCRETE SLEEPERS WITH ELASTIC RAIL FASTENINGS / C.2.2. Concrete sleepers is  stated:  Length of sleepers (m) —2,4 or 2,5  In the part of Tender documentation / Volume 3 / Requirements for construction / E.4 Railways infrastructure-3/ 1. Railway / 1.1 Superstructure is stated:  Concrete cross ties (from Batajnica Terminal exit and on the entire Terminal) 2.60m  *Please clarify.* | The length of concrete sleepers is 2,40-2,50 m as it is stated in Tender documentation / Volume 3/ General Technical Specifications / SERIES\_C\_RAILWAY INFRASTRUCTURE / C2. SUPPLY AND INSTALLATION OF CONCRETE SLEEPERS WITH ELASTIC RAIL FASTENINGS / C.2.2. Concrete sleepers |
| 15. | Tender documentation / Volume 3/ General Technical Specifications / SERIES\_C\_RAILWAY INFRASTRUCTURE / C3. SUPPLY AND INSTALLATION WOODEN SLEEPERS WITH ELASTIC RAIL FASTENINGS  *Please clarify a detailed technical specifications for elastic fastenings for wooden sleepers.* | The wooden sleepers are envisaged on a very short section of the new railway track (between connection to the existing railway in Batajnica station and the first switch), the majority of railway is on the concrete sleepers with the corresponding fastenings.  Detailed technical specification for elastic fastening for wooden sleepers was not provided in the Preliminary design because it is not required for this level of design. Detailed technical specifications are part of the Design for Construction (Execution). Therefor it is the Contractors-Designers obligation to provide it under this contract. |
| 16. | Tender documentation / Volume 3/ General Technical Specifications /  SERIES\_C RAILWAY INFRASTRUCTURE / SUPPLY AND INSTALLATION OF SWITCHES 49-  180-7” is stated:  Crossing noses and wing rails shall be made of cast manganese steel according to UIC code 866, 2nd edition, 1985.  *We kindly ask to approve the implementation of crossing noses and wing rails of forged hardened steel, because the crossing noses and wing rails of cast manganese steel is not standard and suppliers do not have it.* | It is necessary to fulfill all requirements defined in the tender dossier. From the Employer’s recent experience, it is possible to purchase crossing noses and wing rails made of cast manganese steel according to UIC code 866, 2nd edition, 1985. |
| 17. | Considering that station Batajnica is not registered as international train station for goods, is there any possibility that delivery of the railway materials (rails, sleepers, fastenings) will be organised by train in the mentioned station Batajnica during the execution of the works, for the fulfilment of requirements for the Project? | It will be allowed to deliver material needed for the terminal construction at the Batajnica station, during execution of works. |
| 18. | Dear Sirs,  Regarding our participation in tender for *Construction of Intermodal Terminal in Batajnica (Belgrade) Republic of Serbia*, we have noticed that:  **Water and sewage**  In Tender document “Employers requirements-General”, part 3.3 Water Supply System it is stated:  „As specified in the Requirements issued by the PUC “Belgrade Waterworks and Sewerage”, there is no technical possibility for water supply connection to the public water supply system since such system has not yet been constructed in this area.  In Phase 1, until public water supply system is constructed, Intermodal Terminal water supply can be arranged by construction of local wells. Reservoir and pumping station shall be constructed for fire protection.  A water meter shaft the location of which shall be defined in the requirements to be issued by the PUC “Waterworks and Sewerage” shall be designed for future connection of the Intermodal Terminal to the designed φ150mm public watermain to be constructed within the Approach Road 1.”  1. Is it the Contractors obligation to design and built both the wells and the connecting water pipes along the Approach Road 1?  2. Regarding wells, is it Contractors obligation to provide hydrogeological research and to provide all permits and consent required by legislation.  3. Taking in account that data for building municipal water main is not known, which is the exploitation period for wells?  4. Has the Investor provided the „Rescript for right of research” (Rešenje o istražnom pravu) from Ministry of Mining and Energy?  5. If it is necessary to provide water from the well, whether it is necessary to have drinking water, i.e. whether it is possible to provide only technical water, and provide water for drinking water by installing water equipment, which is a common practice for large number of business facilities?  6. Is it the Contractor’s obligation to design and build all shown sewage network on the Sinhron layout? | 1.-5. The construction of the well will not be the obligation of the Contractor. In this respect, it is not necessary to give the price for the wells in the tender documentation in part 4. Please enter the value 0.00 in the required field.  The development of technical documentation and technical control for the construction of the pipeline f 300 for water supply of the Intermodal terminal is planned by the Beoland’s budget for the land development and allocation for 2019 year. Activities on the preparation of tenders for the preparation of technical documentation have been initiated. Based on the previous experience regarding the contracting procedures and the deadlines for obtaining the Location and Construction Permit at this moment, it is estimated that the Locational Conditions will be obtained by the end of 2019, and the technical documentation is completed by the end of 2020, based on the obtained construction licenses and consents of the competent PUC BVK and the Serbian Railways.  6. It is the Contractor’s obligation to design and construct all sewerage network shown on the sinhron layout. |
| **19.** | In Tender document **„Employers requirements-General”**, part 4.1.4 Environmental Impact Assessment it is stated:  **”Technical Documents shall comply with all laws and regulations related to environmental protection, thus making projected activities environmently-friendly, such as:**  **....**  **Regulation on limit values of pollutants in surface and ground waters and sediments, and deadlines for achieving them (Official Gazette of the RS, No. 53/05, 3705, 101/07, 65/08 and 16/2011);**  **…”**  7. At Mentioned regulation it is needed to achieve the content of petroleum less than 0,05mg/l for watercourse of II class, which is hardly to achieve, using customary oil separators with coalescent filter. Do we need to foresee and install for rainfall from roads some other separators with special treatment to reach requested values or separators according to standard SRPS EN858-1, with coalescent filter?  8. Polluted and other garbage shall be collected at waste containers situated in a separated place with the washing tap and floor drain. Is it necessary to collect drain waste water from that part through separated pipes to Containers with hazardous materials and take away out from the Terminal?  9. According Tender documentation there are only small kitchen, and it is not necessary to foresee grease separator. Please confirm.  10. In Tender document F.1 water supply, Plant watering is mentioned. What kind of irrigator is planned?  11. Requested values for Waste water treatment unit are:  The contents of the hazardous substances in the effluent upon treatment shall be within the following limits:  BOD5 daily average up to 20 mg/l O2  Suspended solids up to 30 mg/l  Fat and oil up to 0,1 mg/l  Hazardous substances within Class II water quality limit values.  Typically, tretman wastewater for smaller devices implies a secondary treatment., i.e. Biological purification that ensures the removal of dissolved organic matter, colloidal and non-liquefied solids:  BPK5 25mg / l;  HPK 125mg /l;  Total suspended mat 35mg /l.  **Please confirm values.** | 7. and 11.The level of the wastewater treatment is defined by the law and the conditions issued by the relevant utility companies (in such case it is Serbia Waters and PUC Belgrade Water and Sewer). The Contractor shall obtain conditions from these companies for the Design preparation.  Preliminary design was prepared according to the above stated requirements and the solution for the wastewater treatment, is given as reference only in the tender dossier: Volume 3/EMPLOYER’S REQUIREMENTS  FOR CONSTRUCTION  Series F.2: Drainage Sewer and Storm  8. A sewage system with a wastewater treatment plant has been designed. Waste and wastewater management is subject to special permits.  9. The grease separator is not envisaged in the Preliminary design. The kitchen is not planned for cooking (meal preparation).  10. It is the Contractor’s obligation to design an adequate automatic watering system for the proposed plant species, which will meet the need for plant’s watering. |
| **20.** | Terminal batajnica LV.  1. In the main power diagram (G.1.8.f.1) it is indicated that power of DEA is 550kVA, while in the block diagram of power distribution (G.3.8.f.2) it has power of 60Kva. Please harmonize the electrical power of diesel, and also the power of compensation battery that differ on the above drawings (210kvar and 60kvar, respectively).  2. There are no lamps and columns on the access road, should it be foreseen?  3. Whose responsibility is the construction of the medium-voltage cable for the substation within the facility (TS 10 / 0,4kVA 1X1000kVA)?  Please clarify. | 1. Drawing G.3.8.f.2 shows DEA of 605kVA power (not 60kVA), and drawing G.1.8.f.1 shows DEA of 550kVA power. These drawings are presented in two different design books of the Preliminary design. Book relevant for DEA design, shows DEA power of 550kVA.     As regard to the compensation batteries, on both stated drawings is shown 210kvar compensation battery for the GRO-A. The compensation battery of 60kvar is shown only on Drawing G.3.8.f.2 but not for the same GRO.     1. Lamps shall be provided as well as the columns on the access road. 2. It is the Employers obligation to provide medium-voltage cable for the substation within the facility (TS 10 / 0,4kVA 1X1000kVA). |
| **21.** | Regarding preparation of economically best offer for the Construction of Intermodal Terminal in Batajnica (Belgrade) Republic of Serbia, we are kindly asking you to extend submission of tenders. | Deadline for submitting tenders is stipulated in point 19. of Contract Notice and in point 1.2. of ITT. Contracting Authority will not extend the deadline for submission of tenders at this point. |
| **22.** | In ITT it 1s requested that in order to be eligible for the award of the contract, tenderers must provide evidence that they meet the selection criteria:  *c) Technical capacity of candidate, it is requested that the Tenderer* has completed at least one (1) work contract for the civil' building construction with minimum total value of a single contract of EUR 500.000.  Please clarify the meaning of "civil’ building construction”.  In addition, please clarify, would the tenderer meet the referring selection criteria if has completed the work contract for construction of warehouse building. | Civil buildings such as: office, commercial, industrial buildings, high rises (multy family buildings, hotels..), etc.  The warehouse is a civil building. |
| **23.** | In accordance with instructions given in the Tender Documentation: Volume 1, Section l: Instructions to Tenderers, article 8.1 related to the tender procedure IPA - Construction of Intermodal Terminal in Batajnica (Belgrade), EuropeAid/ 39114/IH/WKS/RS, we are kindly asking for clarification as follows:  In the Tender Documentation: Volume i, Section 1: Instructions to Tenderers, article  12.2 c) Technical capacity of candidate, it is requested from the Candidate to have as completed *“at least two (2) work contracts, for the road* construction*/reconstruction including accompanying infrastructure (storm/sewer and* public *lighting) with* minimum *value of EUR 1.000.000 of a single* contract *and with total* cumulative *value for all contracts EUR 5.000.000”.* Hereby we are kindly asking whether one contract with the value of EUR 300.000.000 be considered as suitable, since it multiple exceeds the required total value of the works.  Your prompt response will be highly appreciated. | At this stage, the Contracting Authority cannot express the opinion on individual cases. |