



Republic of Serbia
MINISTRY OF FINANCE
Department for Contracting and
Financing of EU Funded Programmes
(CFCU)
8/11/2019, Belgrade

CONTRACTING AUTHORITY'S CLARIFICATIONS No. 3

The modernization and rehabilitation of the railway section Niš - Brestovac
Publication ref.: EuropeAid/140002/IH/WKS/RS

Q No.	Question	Answer
1.	<p>With reference to the tender procedure for the project "The modernization and rehabilitation of the railway section Niš – Brestovac", we would like to ask you for the following clarifications:</p> <ul style="list-style-type: none">- Can tenderer rely on subcontractor's references in order to meet technical capacity requirements- What requirement should meet subcontractors	<p>Please refer to text given in ITT page 12 under paragraph "Capacity-providing entities"</p>
2.	<p>Is there a GSM-R system within the scope of the project?</p> <p>How much technical building will be built in this Project? What is the minimum sizes and locations of this buildings.</p> <p>Does the project include onboard equipment?</p> <p>Could you share the route plan, profile, sections, approved cross-sections? Also, we need digital versions all the projects, can you share it?</p> <p>Project design speed has been stated as 120km/h in tender documents. Is this speed will be providing on all the route? Or can it be change city passes?</p>	<p>Q(a) GSM-R is not in scope of this tender.</p> <p>Q(b)There are no new railway buildings within this project</p> <p>Q©The project does not include onboard(taken to mean on board trains) equipment.</p> <p>This is included in Volume 5, Section 5.1,</p> <p>This is covered by Volume 3.1, Section 3.2 There will be a reduction to 90 kmh near Nis</p>

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	<p>Is there any geotechnical investment in the construction area? If there is can you share?</p> <p>Will the existing bridges demolish or prevent?</p> <p>Is there any expropriation problem on the route where construction will be done?</p> <p>General Employers Requirements 3.1 The Closure Periods of the Railway Line document also states that the line will be closed for 36 hours and will run for 96 hours. When the pre-designs given in the tender documents are examined, it is understood that the methodology is not accordingly. If these conditions are to be studied, it is inevitable that existing bridges will be protected in situ and that new bridges will be built next to them and shifts in the route will occur. Are these clocks certain or can they be stretched?</p>	<p>This is included in Volume 5, Section 5.2, Feasibility Study. However this will not be part of the Contract. Further geotechnical investigations are required to be carried out by the Contractor</p> <p>This is covered by Volume 3.1, Section 5.3 and Volume 4, Schedule 4.2.3.1. All existing bridges will be dismantled, not demolished.</p> <p>Other than approaches to level crossings, the construction will be within the railway corridor</p> <p>Please review Volume 3, Part 3.1, Section 5.2</p> <p>And also Please review Corrigendum to Volume 3, Part 3.1, Section 5.2</p> <p>96 hours to be changed to 60 hours.</p>		
3.	<p>Please be informed that we made a text mistake in question 99 and 100. We didn't copy the original Tender requirement and we are afraid that Employer might have problems to understand these questions.</p> <table border="1" data-bbox="300 1720 817 1944"> <tr> <td data-bbox="300 1720 384 1944">Questions would need to be</td> <td data-bbox="384 1720 817 1944">With reference to Vol. 3, 4du_techspec3.2B-en, chapter 1.5, page 20 of the Tender Documentation the Contractor asks for following clarification:</td> </tr> </table>	Questions would need to be	With reference to Vol. 3, 4du_techspec3.2B-en, chapter 1.5, page 20 of the Tender Documentation the Contractor asks for following clarification:	
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Q No.	Question	Answer
	<p>asked as following for correct understanding: 99</p> <p>The tender requires in chapter 1.5: All equipment for APB shall be installed in the existing block houses on sections Niš-Medjurovo and Doljevac-Brestovac, with adaptations of the same (if needed). Please confirm that block houses on section Nis - Nis ranzirna and Nis ranzirna - Medjurovo are not included in this scope of works.</p> <p>100</p> <p>With reference to Vol. 3, 4du_techspec3.2B-en, chapter 1.5, page 20 of the Tender Documentation the Contractor asks for following clarification: The tender requires in chapter 1.5: All equipment for APB shall be installed in the existing block houses on sections Niš-Medjurovo and Doljevac-Brestovac, with adaptations of the same (if needed). Please clarify what is foreseen for APB houses on section Medjurovo-Belotinca-Doljevac?</p> <p>We kindly ask you to provide this explanation to Employer in order to fully understand our questions and give us a proper answers.</p>	<p>This is covered by Volume 5, Drawing No 4.3.15/7-a.</p> <p>It is confirmed that these block houses on section Nis - Nis ranzirna and Nis ranzirna – Medjurovo are not included in the Works.</p> <p>This is covered by Volume 3.2b, Section 1.5, and Drawings 4.3.15/7-a/-b/-c</p> <p>These block houses in section Medjurovo-Belotinca-Doljevac are included in the Works</p>
4.	<p>As an interested Party for the Tender: The modernization and rehabilitation of the railway section Niš-Brestovac, due to the extensive documentation that needs to be well studied, the already perceived</p>	<p>In accordance with CORRIGENDUM No: 1 to the CONTRACT NOTICE and CORRIGENDUM No: 1 to the TENDER DOSSIER, both published on October 30 2019, the deadline for submission of</p>

Q No.	Question	Answer
	<p>inconsistencies in the Preliminary Design, divergencies of quantities for works and materials and the massive tendering documentation that needs to be submitted,</p> <p>we are asking you to please consider <u>the extension of the deadline for submission of Tenders by at least one month.</u></p>	<p>tenders has been prolonged. New deadline for submission of Tenders is 12.00 Central European Time on 22 November 2019.</p>
5.	<p>According to tender documents for “The modernization and rehabilitation of the Railway Section Niš - Brestovac” Deadline for submitting tenders designate as 05/11/2019.</p> <p>This Project has a huge scope and the time between tender date and information publish date by the Contracting Authority is very short. We want to kindly ask for a time extension for deadline for submitting tender to work more on projects for preparing more realistic and competitive Tender.</p>	<p>Please see answer on question No 4.</p>
6.	<p>In Tender Dossier, volume 2, section 3, file d4o_particularconditions_en, item 14.3 states:</p> <p>„For the purposes of valuation procedures (excluding provisional sums) for payment certificates, the Contractor shall, prior to commencing construction of any Permanent Works, submit a bill of principal quantities of the Permanent Works (the "BPQPW"), together with any supporting information and calculations reasonably required by the Engineer. The BPQPW shall include the anticipated final quantities of the principal sub-items of Permanent Works, which shall have been priced using all-in rates such that the total</p>	<p>The BPQPW is for the purpose of calculating payments for progress of completion of sub-items as measured by the quantities completed against total quantities and is prepared by the Contractor.</p>

Q No.	Question	Answer
	<p>amount equals the estimated final Contract Price.</p> <p>The BPQPW shall be subject to review and a Notice of No-objection by the Engineer, and shall be without prejudice to the final amount due under the Contract. The BPQPW shall be revised and reissued by the Contractor if it appears at any time before Taking-Over that it will not fully represent the Permanent Works when complete.</p> <p>During the Time for Completion, the contract value for the purposes of subparagraph (a) of GC Sub-Clause 14.3 shall not exceed the amount calculated from the current BPQPW, based on the quantities of Permanent Works which have been constructed in accordance with the Contract.</p> <p>Each Statement shall:</p> <p>(a) be in the same form as that of the current BPQPW,</p> <p>(b) include statement signed by the Contractor's Representative that the current BPQPW (including anticipated final quantities) and the as-constructed quantities are all correct, and</p> <p>(c) be accompanied by a certificate signed by the Contractor's Representative, certifying that the part of the Permanent Works constructed to date complies with the Contract."</p> <p>Considering the stated the current financial offer form will not be the basis for payment during the execution of the works. Financial offer form is currently unnecessarily complicated and too detailed. In this draft of the form, the</p>	<p>The Schedule of Prices will be the basis for payment for completion of the Works.</p>

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	<p>possibility of error is great, time for filling the form is significant and it only complicates the submission of a bid. It is up to each individual bidder to include all necessary costs for the successful completion of all project segments.</p> <p>According to above mentioned item 14.3. of the PCC, it is in the obligation of the selected contractor to develop a detailed BoQ for individual works, with the consent of the client and the supervisory authority, amounting to the accepted contract amount.</p> <p>In relation to the above statements please provide a new draft of the financial form (in exel format) which would be more simple, easier to fill-in and which would include all major group of works. As an example please see the draft under:</p> <table border="1" data-bbox="296 1200 842 1953"> <thead> <tr> <th data-bbox="296 1200 368 1261">NO .</th> <th data-bbox="368 1200 563 1261">DESCRIPTI ON</th> <th data-bbox="563 1200 719 1261">UNIT</th> <th data-bbox="719 1200 842 1261">AMOU NT</th> </tr> </thead> <tbody> <tr> <td data-bbox="296 1261 368 1294">0.</td> <td data-bbox="368 1261 563 1294">General items</td> <td data-bbox="563 1261 719 1294">Lump sum</td> <td data-bbox="719 1261 842 1294"></td> </tr> <tr> <td data-bbox="296 1294 368 1355">1.</td> <td data-bbox="368 1294 563 1355">Substructure works</td> <td data-bbox="563 1294 719 1355">Lump sum</td> <td data-bbox="719 1294 842 1355"></td> </tr> <tr> <td data-bbox="296 1355 368 1415">2.</td> <td data-bbox="368 1355 563 1415">Superstructur e works</td> <td data-bbox="563 1355 719 1415">Lump sum</td> <td data-bbox="719 1355 842 1415"></td> </tr> <tr> <td data-bbox="296 1415 368 1449">3.</td> <td data-bbox="368 1415 563 1449">Bridge 1</td> <td data-bbox="563 1415 719 1449">Lump sum</td> <td data-bbox="719 1415 842 1449"></td> </tr> <tr> <td data-bbox="296 1449 368 1482">4.</td> <td data-bbox="368 1449 563 1482">Bridge 2, etc.</td> <td data-bbox="563 1449 719 1482">Lump sum</td> <td data-bbox="719 1449 842 1482"></td> </tr> <tr> <td data-bbox="296 1482 368 1516">5.</td> <td data-bbox="368 1482 563 1516">Culvert 1</td> <td data-bbox="563 1482 719 1516">Lump sum</td> <td data-bbox="719 1482 842 1516"></td> </tr> <tr> <td data-bbox="296 1516 368 1550">6.</td> <td data-bbox="368 1516 563 1550">Culvert 2, etc.</td> <td data-bbox="563 1516 719 1550">Lump sum</td> <td data-bbox="719 1516 842 1550"></td> </tr> <tr> <td data-bbox="296 1550 368 1610">7.</td> <td data-bbox="368 1550 563 1610">Level crossing 1</td> <td data-bbox="563 1550 719 1610">Lump sum</td> <td data-bbox="719 1550 842 1610"></td> </tr> <tr> <td data-bbox="296 1610 368 1644">7.1.</td> <td data-bbox="368 1610 563 1644">Civil works</td> <td data-bbox="563 1610 719 1644">Lump sum</td> <td data-bbox="719 1610 842 1644"></td> </tr> <tr> <td data-bbox="296 1644 368 1677">7.2.</td> <td data-bbox="368 1644 563 1677">Eletrical works</td> <td data-bbox="563 1644 719 1677">Lump sum</td> <td data-bbox="719 1644 842 1677"></td> </tr> <tr> <td data-bbox="296 1677 368 1738">8.</td> <td data-bbox="368 1677 563 1738">Level crossing 2, etc.</td> <td data-bbox="563 1677 719 1738">Lump sum</td> <td data-bbox="719 1677 842 1738"></td> </tr> <tr> <td data-bbox="296 1738 368 1771">8.1</td> <td data-bbox="368 1738 563 1771">Civil works</td> <td data-bbox="563 1738 719 1771">Lump sum</td> <td data-bbox="719 1738 842 1771"></td> </tr> <tr> <td data-bbox="296 1771 368 1805">8.2.</td> <td data-bbox="368 1771 563 1805">Eletrical works</td> <td data-bbox="563 1771 719 1805">Lump sum</td> <td data-bbox="719 1771 842 1805"></td> </tr> <tr> <td data-bbox="296 1805 368 1839">9.</td> <td data-bbox="368 1805 563 1839">Underpass 1</td> <td data-bbox="563 1805 719 1839">Lump sum</td> <td data-bbox="719 1805 842 1839"></td> </tr> <tr> <td data-bbox="296 1839 368 1899">10.</td> <td data-bbox="368 1839 563 1899">Underpass 1, etc.</td> <td data-bbox="563 1839 719 1899">Lump sum</td> <td data-bbox="719 1839 842 1899"></td> </tr> <tr> <td data-bbox="296 1899 368 1953">11.</td> <td data-bbox="368 1899 563 1953">Signaling and telecom</td> <td data-bbox="563 1899 719 1953">Lump sum</td> <td data-bbox="719 1899 842 1953"></td> </tr> </tbody> </table>	NO .	DESCRIPTI ON	UNIT	AMOU NT	0.	General items	Lump sum		1.	Substructure works	Lump sum		2.	Superstructur e works	Lump sum		3.	Bridge 1	Lump sum		4.	Bridge 2, etc.	Lump sum		5.	Culvert 1	Lump sum		6.	Culvert 2, etc.	Lump sum		7.	Level crossing 1	Lump sum		7.1.	Civil works	Lump sum		7.2.	Eletrical works	Lump sum		8.	Level crossing 2, etc.	Lump sum		8.1	Civil works	Lump sum		8.2.	Eletrical works	Lump sum		9.	Underpass 1	Lump sum		10.	Underpass 1, etc.	Lump sum		11.	Signaling and telecom	Lump sum		<p>The BPQPW is a post tender document and will be completed along with the Design for Execution of the Work. It will be used for interim purposes only. There is no remeasurement. in a FIDIC Yellow Book Contract.</p> <p>Please be informed that this proposal is not acceptable.</p>
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Q No.	Question				Answer
	11.1.	Civil works	Lump sum		
11.2.	Eletrical works	Lump sum			
12.	OCL	Lump sum			
12.1.	Civil works	Lump sum			
12.2.	Eletrical works	Lump sum			
13.	Lighting and power	Lump sum			
14.	All other	Lump sum			
Total:					
7.	There is a contradiction between Appendix to tender Point 8.1. (Tender dossier – Volume 1 – Section2) and PARTICULAR CONDITIONS (Tender dossier – Volume 2 – Section 3) regarding the commencement date. Please clarify which is correct, 21 days from the signing of contract and delivered performance security as indicated in Particular conditions or within 42 days from signing of contract and delivered performance security from the Appendix to Tender?				The commencement date shall be as stated in the Appendix to Tender, 8.1: “Within 42 calendar days from signing of the contract by the last of the parties and provision of the performance security”.”
8.	In Tender dossier – Volume 2 – Section 3 – Particular conditions under clause 4.7. the Clients excludes its responsibility relating to the information determined from the Employer’s documents and drawings forming part of, or referred to, in the Employer’s Requirements or Design Documents including Drawings. Usually, under Yellow book, the Client is liable for the delays and costs due to error in the original points, lines and levels of reference for the positioning of the Works except if an experienced contractor could reasonably have discovered and avoided them. Is such exclusion limited to the setting out of the Works?				Please review response to Clarification No 2, Question No 111.
9.	In Tender dossier – Volume 1 – Section 2 – Appendix to Tender and Tender dossier – Volume 2 – Section 3 – Particular				Please review response to Clarification No 2, Question No 118.

Q No.	Question	Answer
	<p>conditions point 14.9 it is stated that Section retention moneys are paid to the contractor 50% when the taking over certificate of that Section has been issued and 50% after the expiry date of the DNP for such section. Please allow that the second part of the 50% of retention money be bondable, i.e. that other half of the retention money will be released after issuance of the TOC and issuance of the retention money guarantee.</p>	
10.	<p>In the technical specifications is described "Flashbut welding" while in the indicative BoQ it is stated procurement of AT portions.</p> <p>"Flashbut welding" (ET welding) is a much more expensive option than AT welding, especially given the technology of work (36h track closure). Also, given the design speed (90km/h and 120km/h) and the fact that no standards require the use of ET welding, we do not see the need for the same. We ask you if it is possible that for welding (especially on open sections of the track) potential contractor uses AT welding technology instead of ET technology?</p>	<p>Please note that the contract which is subject of this procedure is FIDIC Yellow Book. The tenderer is allowed to propose his technical solution as long as it is in line with the Tender documentation, in particular with Employer's Requirements (see Volume 3).</p> <p>Documents listed as additional information in the Contract Notice heading 18. "How to obtain the tender dossier" shall be used for information purposes only. Information only documents shall not form part of the contract.</p> <p>Please be informed that your proposal is not accepted. Please review Volume 3.2A, Section 5.10.</p>
11.	<p>Regarding VOLUME 1, Section 4, FORM 4.6.11, there is requirement for a List of materials and any supplies intended for use in the works, stating their origin. In the same VOLUME 1, Section 4, FORM 4.6.11, it is required that Tenderer shall provide information on the Tenderer's capability and organization to carry out the design and procurement of the offered products, followed by construction of the Works. Duo to complexity and importance for project, we highly suggest that List of materials needs to have some minimum materials, name of producer and</p>	<p>It is for the Tenderer to provide the information that will reflect during the evaluation on its capability to carry out the Design and Construction of the Works. The final list is to the Contractor.</p>

Q No.	Question	Answer
	product and their origin. For signaling part, duo to importance for whole project, please confirm whether minimum list of materials could be: station electronic interlocking device (SID) and level crossing interlocking device.	
12.	Regarding the answer on Questions No 26 and 27 from CONTRACTING AUTHORITY'S CLARIFICATIONS No. 1 dated 25/10/2019, please confirm that there is only one Construction Permit and only one Usage Permit for the whole project (including both Section 1 and Section 2).	It is confirmed that there will be only one Construction Permit and one Usage Permit, all as per Volume 3.1, Sections 6.1-3.
13.	Regarding the answer on Question No 3 from CONTRACTING AUTHORITY'S CLARIFICATIONS No. 2 dated 30/10/2019, please clarify additionally if this implies that Taking Over Certificate for signaling works within the works for Section 1 can be obtained without the completed unique Safety Case for specific application for whole project (which will be required only for Taking Over Certificate for signaling works within the works for Section 2 at the end of the project).	We confirm that Taking Over Certificate for signalling works within the works for Section 1 shall be obtained without the completed unique Safety Case for specific application. This unique Safety Case shall be provided at on completion of Section 2, with application for Taking Over Certificate for signalling works within the works for Section 2.
14.	With reference to Volume 3, 4du_techspec3.2B-en, chapter 6.15 of the Tender Documentation the Contractor asks for following clarification: The Contractor understands that the listed 'Contractor Mandatory Specials Tools' reflect the overall required scope for both Sections, therefore in the Price Schedules no separation to individual positions is possible. In the Price Schedule (Tender document 4dx_finoffer_4dot2_en) the Contractor will fill in only postion 4.2.3.13.13 and set 4.2.3.13.23 to zero. Please, could you confirm.	Please be informed that your proposal is not accepted. This is covered by Volume 4, Section 1.1, page 4. The Spare Parts and Special Tools as deemed necessary by the Contractor, on the basis of his professional experience, shall be included separately in the Schedules as a Lump Sum. The Mandatory Spare Parts and Mandatory Special Tools as deemed necessary by the Employer, shall be included separately in the Schedules as a Lump Sum. Where no Mandatory Spare Parts or Mandatory Special Tools are mentioned in the Employers Requirements, a 0.00 (zero

Q No.	Question	Answer
		figure) should be entered.
15.	<p>With reference to CONTRACTING AUTHORITY'S CLARIFICATIONS No. 1, Q No. 19 of the Tender Documentation the Contractor asks for following clarification:</p> <p>According to contract authority's clarifications No. 1, in particular the clarification to the question no. 19 item 3, could you please confirm that an entity participating as subcontractor to a tender and at the same time being capacity providing entity to such tenderer (the entity upon which capacity the tenderer is relying) may not participate as subcontractor in different tenders?</p> <p>On the other hand, please confirm that an entity participating as subcontractor in one tender, may participate as subcontractor in different tenders, as far as such entity is not capacity providing entity in none of the tenderers?</p> <p>Enabling an entity to participate as subcontractor in different tenders, subject to above restrictions, would enhance the overall competition in the subject tender procedure, since it would enable more that one tender in which the most advantageous entity among specialized subcontractors, as the case may be, is participating. Otherwise, if the possibility to participate as subcontractor in different tenders is excluded, the case may be that only one of the tenderers may cooperate with such most advantageous entity among specialized subcontractors, what would result in other tenderers being forced to cooperate with less attractive specialized subcontractors making their tenders less attractive and thus resulting in less competitive procedure in which the</p>	<p>As is stated in answer to the question no. 19 item 3, from Clarification No 1 there is no specific nature of the market to allow participation of the same Company as subcontractor in different tenders.</p> <p>Therefore, entity participating as subcontractor to a tenderer, regardless of the fact that the entity is at the same time capacity providing entity to such tenderer or not, may not participate as subcontractor in different tenders.</p>

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	contracting authority is to award the contract.	
16.	<p>With reference to Corrigendum - Corrigendum to the Tender Dossier, Volume 4 page 7/8 of the Tender Documentation the Contractor asks for following clarification: In the Corrigendum to the Tender Dossier the Employer has provided updates that shall be considered in the Price Schedules. However to avoid any discrepancies of these Price Schedule and ensure equal comparison between all Contractors the Employer shall provide updated document 4dx_finoffer_4dot2_en.</p>	<p>Please be informed that your proposal is not accepted. The minor change to the Schedule of Prices does not justify the re-issue of Volume 4, as the completion of the various “Other Works” will change the page and sub-item numbers in any case.</p>
17.	With reference to Vol. 5, drawing 4.3.15/7-c and according to our knowledge entry signal Du92 is in front of the level crossing PP 267+142,33. Please provide us with kilometer position of the entry signal Du92.	The entry signal Du92 is located at km 266+966, in front of the level crossing at km 267+142..
18.	<p>Is There a GSM_R System within the scope of the project?</p> <p>How Much Technical building will be built in this project? What is the minimum sizes and locations of this buildings.</p> <p>Does the project include onboard equipment?</p> <p>Could you share the route plan, profile sections approved cross sections? Also can you share digital versions of all the projects.</p> <p>The project design speed has been stated as 120km/h in tender documents. Is this speed will be providing on all the route? Or can it be change in city passes? In the pre design documents some of curb radius cannot provide 120 km/h will they change or not?</p>	<p>Q(a) GSM-R is not in scope of this tender.</p> <p>Q(b)There are no new railway station buildings within this project</p> <p>Q©The project does not include onboard(taken to mean on board trains) equipment.</p> <p>Q(d)This is included in Volume 5, Section 5.1,</p> <p>Q(e)This is covered by Volume 3.2A, Section 1.4</p>

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	<p>Is there any geotechnical investment in the construction area? If there is can you share?</p> <p>Will the existing bridges demolish or prevent?</p> <p>Is there any expropriation problem on the route where construction will be done?</p> <p>General Employers Requirements 3.1 The Closure Periods of the Railway Line document also states that the line will be closed for 36 hours and will run for 96 hours. When the pre-designs given in the tender documents are examined, it is understood that the methodology is not accordingly. If these conditions are to be studied, it is inevitable that existing bridges will be protected in situ and that new bridges will be built next to them and shifts in the route will occur. Are these clocks certain or can they be stretched?</p> <p>When doing some of bridges contractor must build a temporary new line. So when construction the new temporary lines line can move away from axis. So can we do some changes on the route?</p> <p>There is no information about telephone central. Please give more information about this.</p> <p>What is the wind load resistance required? We can calculated it but we need to know what is the wind velocity in this area according to the wind eurocodes.</p>	<p>Q(f) This is included in Volume 5, Section 5.2, Feasibility Study. However this will not be part of the Contract. Further geotechnical investigations are required to be carried out by the Contractor</p> <p>Q(g) This is covered by Volume 3.1, Section 5.3 and Volume 4, Schedule 4.2.3.1. All existing bridges will be dismantled</p> <p>Q(h) Other than approaches to level crossings, the construction will be within the railway corridor</p> <p>Please review response to Clarification No 2, Question No 23</p> <p>Dispatching system including central equipment is covered by Volume 3.2B, Sections 6.2-6.5 and Volume 4, Schedule 4.2.3.13.1 and 7. Other telephone systems are not in scope of this tender</p> <p>Wind load is calculated according to map of wind speeds from SRPS U.C7.110: 1992, as amended.</p>

Q No.	Question	Answer
	<p>We cannot propose any solution without a noise map we need a lot of information as 3D drawing, building with uses, velocity, traffic density, etc,.</p>	<p>All Design (including the Contractors Preliminary Design) in a FIDIC Yellow Book Tender is fully that of the Contractor to the Employers Requirements</p>
<p>19.</p>	<p>Ref. No. 1: Tender Dossier / Volume 4 - Schedule of Prices (4.1.2 Summary, 4.2.3 Breakdown of the Lump Sum Price and 4.2.4 Daywork Schedule)</p> <p>Ref. No. 2: Tender Dossier / Volume 4 - Schedule of Prices / 4.2.4 Daywork Schedule / 4.2.4.1.5 Steel Fixer (Page 244 of 245)</p> <p>Ref. No. 3: Tender Dossier / Volume 4 - Schedule of Prices / 4.2.4 Daywork Schedule / 4.2.4.2.4 Crane for Track Replacement (Page 244 of 245)</p> <p>Ref. No. 4: Corrigendum to the Tender Dossier/ Volume 4 / "Add the following table to Schedule 4.3.7.6, Sub – Items 40-50" (Page 7 of 8)</p> <p>Ref. No. 5: Contracting Authority's Clarifications No. 2 / Question No. 98</p> <p>Ref. No. 6: Tender Dossier / Volume 4 - Schedule of Prices / Volume 4.2.2 – Summary/ 1.7 section 1 - TOTAL OF BREAKDOWN OF LUMP SUM PRICE and 1.8 section 2 - TOTAL OF BREAKDOWN OF LUMP SUM PRICE (Page 9 and 10 of 245)</p> <p>Ref. No. 7: Tender Dossier / Volume 4 / Schedule of Prices / Noise barriers 4.2.3.10 / Section 2 / Sub – Item No 4.2.3.10.2.1 - 4 and 4.2.3.10.2.6 – 10 (Page 148 of 245)</p> <p>Ref. No. 8: Additional to TD / EIA Study / Aneks IV Rezultati modelovanja buke / Pages 68 - 85 of 85</p>	

Q No.	Question	Answer
	<p>Question No. 1: Would you kindly provide us excel (.xlsx) files of Schedule of Prices (Ref. No.1).</p> <p>Question No. 2: Could you please fulfil ‘‘Unit’’ and ‘‘Estimated Quantities’’ for Items specified in Ref. No. 2 and Ref. No. 3.</p> <p>Question No. 3: Please clarify if positions 4.2.3.7.6.40 – 4.2.3.7.6.48 are part of group ‘‘Electrical works’’ as it is in all other Level crossing items.</p> <p>Question No. 4: In what form are we obliged to store old structures in landfills defined at the stations Medjurovo, Belotinac and Doljevac - as scrap iron or as structural units?</p> <p>Question No. 5: VOLUME 2, Section 1 – Contract Form, Clause 2 - Order of precedence of Contractual documents: The Priority list of the documents in the Contract form doesn’t mention or define priority of typical documents as follows. Without having these below documents listed and mentioned, they are not applicable in the Contract or with doubtful or power. For the sake of clarity and future transparent and dispute-free execution of the Contract, please define priority of these documents: o MoM from the Site meeting o MoM from the tender meeting o Answers to the tenderers’ questions o Corrigendums to the Tender Dossier, if any.</p> <p>Question No. 6: VOLUME 2, Section 3 – Particular Conditions, Sub-clause 1.13 – Compliance with laws: For the sake of</p>	<p>Volume 4, Schedule of Prices exists in word format only.</p> <p>For Ref No 2, unit is ‘‘hours’’ and estimated quantities is ‘‘160’’(one hundred and sixty’’ For Ref No 3, unit is ‘‘hours’’ and estimated quantities is ‘‘60’’ (sixty)</p> <p>This is confirmed.</p> <p>Old structures are to be dismantled, not demolished, and stored. Please review Volume 3.1, Section 5.3.</p> <p>Order of precedence of contractual documents shall be as defined in PCC Clause 1.5.</p> <p>Considering the documents which you referring to, the order of precedence from highest to lowest are as follows: 1. Corrigendum to the Tender Dossier; 2. Answers to the tenderer's questions; 3. MoM from Mandatory clarification meeting; 4. MoM from the Mandatory site visit</p>

Q No.	Question	Answer
	<p>clarity and future transparent and dispute-free execution of the Contract, to assume proper duration of respective procedures considered in the Program of Works by the Tenderers and future Contractor, please advise nominal durations of the below listed legal procedures as per PCC 1.13. The procedures in question are Updating the Location conditions, and receiving the Usage permit, which arrangement are contractual responsibility of the Employer/End Recipient. The FIDIC GCC 8.2.b) for the Time for Completion reads:</p> <p>6.13-OPERATIONS-FOR-TAKING-OVER-CERTIFICATE-1 The Contractor shall apply by notice to the Engineer, copied to the Employer and the End Recipient, for a Taking-Over Certificate not earlier than 28 days before the Works will, in the Contractor's opinion, be complete and ready for taking over.¶</p> <ul style="list-style-type: none"> •→ As the Works are divided into Sections, the Contractor may apply for a Taking-Over Certificate for each Section, accompanied by a written undertaking to finish with due expedition any outstanding Works prior to issue of Taking Over Certificate.¶ •→ The Engineer shall, within 7 days after receiving the Contractor's application:¶ <ul style="list-style-type: none"> •→ Inform the Employer and the Beneficiary of the notice and request the Employer and/or the End Recipient to arrange for a date for the Technical Inspection Committee to carry out the Inspection, except for any minor outstanding work and defects which will not substantially affect the use of the Works or Section for their intended purpose (either until or whilst this work is completed and these defects are remedied); or¶ •→ reject the application, giving reasons and specifying the work required to be done by the Contractor to enable the Technical Inspection to commence. The Contractor shall then complete this work before issuing a further notice under this Sub-Clause.¶ •→ Within a further 40 days, the Committee appointed by the Employer and/or the End Recipient shall carry out the Technical Inspection (that the Works are in a Condition for Taking Over).¶ •→ Within a further 20 days, the Committee appointed shall prepare minutes of the Technical Inspection (that the Works are in a Condition for Taking Over, or not as the case may be) and submit it to the Engineer and the MCTI. If the report is accepted by the MCTI and the End Recipient, then the Employer will issue a Note of No Objection/Note of Rejection to the Engineer within a further 21 days.¶ •→ This period of 81 days will be extended to the duration that the Contractor takes to carry out any remedial Works, or Trial Operation as requested by the Committee, and for a new Technical Inspection if this is required.¶ <p>¶ The Taking-Over certificate will be issued by the Engineer within 7 days after issue of the Note of No Objection by the Employer, for each section, in spite of the railway line being in operation during the completion of each section. ¶</p> <p>¶ Usage of the Works by the End Recipient during the time for completion (the railway line being open and in operation outside the closure periods) is specified as a temporary measure. ¶</p> <p>Reading the fifth bullet, it appears that the technical committee formed for the purpose of Taking-over may decide to require special Trial operation prior issuing their Minutes of the Technical Inspection with confirmation that the Works are ready for Taking-over. This Trial operation request by the Committee is not predictable and hard to be foreseen by the tenderers and Contractor</p>	<p>The Contracting Authority can not give a prior commitment on the implementation of the contract.</p> <p>Nominal durations of the listed legal procedures are as per the Law on Planning and Construction as per PCC 1.1.6.12 and Volume 3.1, Section 6.</p> <p>The existing location conditions are due to expire on 01 March 2021. The End Recipient is responsible for the application for the extension of the validity period for the Location Permit, all as per PCC 1.13.</p> <p>Trial Operation before issue of Taking Over Certificate and related time frame is covered</p>

Q No.	Question	Answer
	<p>in the Program of Works Within the Time for Completion (GCC 8.2.).</p> <p>We assume that duration of the eventual Trial operation shall handle as not being part of the Contractual Time for completion.</p> <p>Please clarify what are the relationship and impact of this eventual Trial operation requested by the Technical committee and the Time for Completion, and its possible duration.</p> <p>Question No. 7: Could you please explain or provide specification for item „Sign marks for informing and directing the movement of passengers“? – Section 4.2.3.9. Platforms</p> <p>Question No. 8: In accordance with Ref. No. 5, please define if we should submit initialed “Annex No.1” and “Annex No.2” with all appended drawings and sketches.</p> <p>Question No. 9: Please confirm that for Ref. No. 6 we should delete items in the 4th column (Amount EUR) and replace each of them by Total Amount.</p> <p>Question No. 10: Would you kindly provide us with revised Schedule of Prices (Ref. No.1) with all modifications that you named in the Corrigendum to the Tender Dossier.</p> <p>Question No. 11: We have noted non-conformity between RHS and LHS of noise barriers in the list Schedules of Prices (Ref. No. 7) and EIA Study (Ref. No. 8).</p>	<p>by Volume 3, Section 5.13, Operations for Taking Over Certificate. Please be advised that your assumption is not accepted.</p> <p>Trial Operations carried out by the End Beneficiary for its own purposes are not part of the Time for Completion but may take place within the Defects Notification Period.</p> <p>“Sign marks for informing and directing the movement of passengers“ are in accordance with Volume 3.2A – Section 5.14.</p> <p>These drawings (as those in the Preliminary Design) are for information only and will not be a part of the contract.</p> <p>It is confirmed that you should replace the title of the Sub-Item No in Column 4,(Amount (EUR)), pages 9 and 10, with the total amount for that Sub-Item.</p> <p>The minor change to the Schedule of Prices does not justify the re-issue of Volume 4, as the completion of the various “Other Works” will possibly change the page numbers in any case.</p> <p>The EIA from Volume 5, Section 5.2 is for information only and will not be part of the Contract Documents. All Design (including the Contractors Preliminary Design) in a FIDIC Yellow</p>

Q No.	Question	Answer
	Noise barriers in Ref. No. 7 are conversely named (RHS instead LHS and LHS instead RHS). Please clarify.	<p>Book Tender is fully that of the Contractor to the Employers Requirements</p> <p>RHS is Right Hand Side down chainage, from Nis to Brestovac, and is correct as shown..</p> <p>Please review Volume 3.2A, Section 7.19 for Noise Barriers.</p>
20.	<p>In VOLUME I /SECTION 4/FORM 4.6.13: MODIFICATION Tenderers shall enclosed copies of all Modifications (addenda, corrigenda, minutes of the clarification meeting and responses to tenderers' questions issued) in accordance with Clause 9 of INSTRUCTIONS TO TENDERERS /9.2 Each modification published will constitute a part of the tender documents and will be published on the website of DG International Cooperation and Development: https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome and on the CFCU website at http://www.cfcu.gov.rs/tenderi.php</p> <p>Please exclude all appended drawings and sketches of "Annex No.1" and "Annex No.2" from addenda, corrigenda, minutes of the clarification meeting and responses to tenderers' questions issued</p>	<p>"Annex No 1" and "Annex No 2" will not be included in the contract. They are for information only.</p>