



Republic of Serbia

MINISTRY OF FINANCE

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

Belgrade, 23rd February 2022

CONTRACTING AUTHORITY'S CLARIFICATIONS No. 2

“Construction of Municipal Wastewater Treatment and Collection System in Niš”

NEAR/BEG/2021/EA-OP/0122

No.	Question	Answer
1.	<p>For LOT 1 In Volume 3.2 Particular Design Process Requirements, Table 3.2.2 16: Design Criteria for Phosphorus Precipitation in phase II it is stated that P input is 515 kg/d. Please confirm whether for the design of the chemical phosphorus precipitation system the biological removal of Phosphorus must be considered and hence the P load input for chemical precipitation shall be accordingly reduced.</p>	<p>Phosphorus removal shall be by enhanced biological P removal (EBPR) with additional chemical P removal (CPR) as polishing step. The Contractor shall make his own assumption on the efficiency of biological phosphorus removal for design of the chemical phosphorus facility.</p> <p>It also applies to any facility designed for Phase II that the tenderer shall design the process and control equipment with the aim to achieve the optimum whole-life costs for the whole facility, being the sum of the capital and operating/maintenance costs (the latter including energy consumption, use of chemicals and sludge disposal).</p>
2.	<p>For LOT 1 Regarding the content and requirements of the tender documentation, we consider it necessary to point out the following. The tender documentation predicts the construction of Phase I of the WWTP "Niš", which includes the construction of secondary treatment without nitrification / denitrification (removal of nitrogen and phosphorus) for a capacity of 286 000 PE. Phase II, which is not provides for construction by the Tender Documentation, implies the application of a higher level of biological treatment by implementation of tertiary treatment, ie nitrification / denitrification, for the same</p>	<p>Clause 19 of quoted Regulation OGRS 67/11 provides that agglomerations with population equivalent >2000 must comply with the emission limit values prescribed by this Regulation at the latest by 31 December 2040. Tenderers are requested to prepare and submit their offers in compliance with the instructions and requirements of the Tender Dossier.</p>

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	<p>capacity as required for phase I. Legislation of the Republic of Serbia, to which the Tender refers, prescribes the conditions for the discharge of wastewater into the Recipient in accordance with Regulation on thresholds of polluting substances discharge into waters and time periods for reaching them ("Official Gazette of RS", No. 67/2011, 48/2012 and 1/2016 - Annex 2, Title III, Table no. 3). Based on the above, we conclude that the construction of Phase I of the WWTP "Niš" foreseen by the Tender documentation will not be able to meet the legislation requirements. Regarding tender documentation, volume 3.2, chapter 3.2.1.1 Particular Process & Design Requirements, does Contractor can propose higher criteria for effluent quality prior to discharge to Recipient which means implementation of tertiary treatment? If this proposes is adopted, would additional funds be provided for tertiary treatment? We believe that the construction of a complete biological process in the first phase, with N and P removal, would provide lawfully technical solutions that meet the legal regulations.</p>	
<p>3.</p>	<p>For LOT 1 Volume I Section 1 I, Instruction to tenderers, General Part. 12. Information/documents to be supplied by the tenderer, paragraph 12.1.3.1 and Volume 2 , Section 3 Particular Conditions, Paragraph 1.1.3.1: Related to our previous question (Number 6, and the tender's condition stating that "the prices are to be set on the basis of the conditions in force 30 days prior to the deadline for submitting tenders) we hereby must notice that in Volume 2, Section 3 Particular Conditions, Paragraph 1.1.3.1, it says that "Base Date (in terms of Prices Adjustments we understand, as Base Month) means the date 11 days prior to the latest day for submission of the Gender. Please unify the criteria (30 or 11 days) and define the corresponding Base Month/Date or give the adequate explanation.</p>	<p>Please refer to Answer No. 4.</p>
<p>4.</p>	<p>For LOT 1 Volume I Section 1, Instruction to tenderers, General Part. 12. Information/documents to be supplied by the tenderer, paragraph 12.1.3.1: Since the Tender includes Adjustment of prices throughout a corresponding formula, to be presented by the tenderer, and that "the prices are to be set on the basis of the</p>	<p>Please note that the table of adjustment data is not included in the Appendix to Tender. In accordance with the Volume 2, Section 3 Particular Conditions Sub-Clause 13.8 if the table of adjustment data is not included in the Appendix to Tender Sub-Clause 13.8 shall not apply.</p>

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	<p>conditions in force 30 days prior to the deadline for submitting tenders”, and considering that the date of presentation is March 2022, and the indices are updated on monthly basis, please confirm that the Base month for which the unit prices of the works components are for the month of February 2022. Please unify the criteria or give the adequate explanation.</p>	<p>The Base Date shall be as specified in Volume 2 Section 2 General Conditions of Contract Sub-clause 1.1.3.1 and/or in Volume 2 Section 3 Particular Conditions of Contract Sub-clause 1.1.3.1. Please refer to the published Annex to Corrigendum of the Tender Dossier, where you can find revised Particular Conditions.</p> <p>As included in Annex A5f Additional Information about the Contract Notice, section 15: If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to EUR shall be made in accordance with the InforEuro exchange rate of December 2021, which can be found at the following address: http://ec.europa.eu/budget/graphs/inforeuro.html.</p>
<p>5.</p>	<p>Volume I Section 1 , Instruction to tenderers, General Part. 12. Information/documents to be supplied by the tenderer, paragraph 12.1.3.1: In the paragraph from the Reference, number 12.1.3.1 it says that the Tenderers “ought to provide the coefficients for applying the price revision formula related to in Article 48.2 of the special conditions”. In the Tender Documents we have not found Article 48.2 of the Particular Conditions. Please revise and attach the missing documents or indicate where they could be found.</p>	<p>Please refer to Answer No 4.</p>
<p>6.</p>	<p>Volume I Section 1 , Instruction to tenderers, General Part. 12. Information/documents to be supplied by the tenderer, paragraph 12.2, Lot 1. Paragraph 2. Technical and professional capacity of candidate: In the referred paragraph says that the works of similar types ought to “comprising of secondary or tertiary treatment level of wastewater with sludge anaerobic digestion, implemented under design built or turnkey Contract Conditions. At least one of them shall be with digester gas reuse for power recovery and sludge solar drying. The works contract must have been completed at any moment during the period of the past eight (8) years from the date of submission of tenders.” Here we have the following questions:</p> <p>a) Please define the minimum requirement, does the treatment should be at the level of</p>	<p>a) In accordance with the given criteria the reference WWTP shall be with secondary or tertiary treatment level of wastewater treatment, meaning.</p> <p>Considering minimum requirement of the required treatment please see Interpretation b) and c) on page 11 of the ITT Point 12.2.2 just below the "Technical and professional capacity of candidate".</p> <p>b) For the exact scope of the works, and types of facilitates to be included please see Volume 3 Employer's requirements.</p> <p>c) Please refer to Answer No 2.</p>

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	<p>Secondary or at the level of the Tertiary treatment of the wastewater</p> <p>b) Related to the previous paragraph, please define if the WWTP in Lot 1 should have facilities that includes Secondary or Tertiary treatment, especially considering the requirements of the local legislation, and also mentioned in the Tenders Conditions related to the interpretation of Urban Waste Water directive 91/271/EEC, TABLE 1. Annex 1 and TABLE 2, Annex 1, requirements and definitions stated in Volume 1. Section 1, paragraph 12.2. page 11 last paragraph</p> <p>c) Related to the previous paragraph, and considering that in the Particular Conditions Volume 1. Section 2, page 13 defines Serbian Law as Governing Law, please confirm what Law and legal regulations will be applied on Water Treatment quality</p> <p>d) Considering that Sludge Solar Drying Facility is a rather simple facility, we do not understand how criteria like this may be introduced as a decisive requirement for a plant/set of plants that contains many other much more complex parts and technologies. Therefore, in order not to restrain the access to the tender by introducing elements of considerably smaller importance we kindly ask to eliminate this condition, or at least to increase the period from 8 to 15 years.</p>	<p>d) Please refer to the published Annex to Corrigendum of the Tender Dossier, where you can find revised Instructions to tenderers.</p>
<p>7.</p>	<p>We kindly ask you if it is possible to organize one more Clarification meeting/Site visit, since it is mandatory. Due to unforeseen circumstances of Covid-19 related diseases we were unable to come in the specified term. Thank you in advance, and please accept our apologies for inconveniences caused.</p>	<p>Please note that it is not possible to organise a second site visit within the timeframe for this tender procedure.</p>
<p>8.</p>	<p>Dear Employer, The current requirement includes the following rigidly restrictive sentence: "... At least one of them shall be with digester gas reuse for power recovery and sludge solar drying." Please confirm that waste water treatment projects where the digester gas is reused for generation of electricity which is then used to provide power the waste water treatment process or other methods of sludge drying other than solar sludge drying should also qualify to this requirement.</p>	<p>Please refer to Answer No. 6d).</p>

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<p>9.</p>	<p>We see on the maps that in the zone of future WWTP Ciganski kljuc there are many land lots, parcels. Please confirm that the area of the future WWTP Ciganski kljuc has been legally regulated ownership, expropriated and access free.</p>	<p>All the administrative procedures required for land acquisition have been completed.</p>
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