



Finance Contract:	SERBIAN INLAND WATERWAY INFRASTRUCTURE Finance Contract between the Republic of Serbia and European Investment Bank (Official Gazette of the Republic of Serbia - International Contracts No. 02/2019)
MCTI reference:	404-02-00152/1/2019-2
Type of document:	Clarification No 12 to Tender Dossier
Number of pages:	6
Number of attachments:	-
Date:	August 19, 2020

## Clarification No.12 to TD

### Volume 1: Section 1, Section 4, Section 5

QUESTIONS	ANSWERS
<p><b>Question No 1</b> We would like to draw your attention that several references from volume 1, Section 1: Instructions to Tenderers do not exist in further documentation:</p> <ul style="list-style-type: none"><li>i. Form 4.3 Power of Attorney – Although it is mentioned in Volume 1, Section 1, Instructions to Tenderers, it does not exist under Volume 1, Section 4</li><li>ii. Volume 1, Section 1: Instructions to Tenderers at page 10 of 25 mentions point 12.3 – Technical and Professional Capacity of the Candidate, which cannot be found in further text, however, subtitle “Technical and Professional Capacity of the Candidate does exist in page 11 of 25.</li></ul>	<p><b>Answer No 1</b></p> <ul style="list-style-type: none"><li>i. Power of Attorney shall empower the signatory of the tender and all related documentation, can be downloaded at <a href="https://ec.europa.eu/europeaid/prag/document.do?nodeNumber=5.8">https://ec.europa.eu/europeaid/prag/document.do?nodeNumber=5.8</a> under 5.8 List of Annexes under D4h and it is as below:</li></ul> <hr/> <p><b>VOLUME 1</b> <b>SECTION 4</b> <b>FORM 4.3 POWER OF ATTORNEY</b> Please attach here the power of attorney empowering the signatory of the tender and all related documentation.</p> <p>Signature: <i>(a person or persons authorised to sign on behalf of the tenderer)</i></p>



	<p>Date: .....</p> <p>ii. Technical and Professional Capacity of the Candidate shall be as given in the Volume 1, Section 1: Instructions to Tenderers, Clause 12 Information/Documents to be supplied by the Tenderer, Technical and professional capacity of the Candidate.</p>
<p><b>Question No 2</b> We kindly asking Employer to clarify in which currency information in the Form 4.4. Financial statement should be given, since tender documentation in several places gives different instructions. In Volume 1, Section 4, Additional Notice to the Tenderers under point 5 it is said that “Financial data and declarations submitted by the tenderer must be given in RSD or national currency, but in the same segment of tender documentation under Form 4.4. Financial Statement, the bidders are asked to provide data in Euro or national currency. The same form under item 4.4.6 again requires data to be provided in RSD or NC. The requirements for economic, financial technical and professional capacity of candidate in Volume 1, Section 1, Instructions to Tenderers are also given in EURO.</p>	<p><b>Answer No 2</b> The question has been answered in Clarification 9, dated August 11, 2020, under 3 for ready reference copied below. “Volume 1, Section 1 – Instructions to Tenderers, Clause 12.2 under Economic and Financial capacity of the Candidate under 1. <b>states, quote:</b> “The <b>average annual audited turnover</b> of the tenderer (individual applicant of consortium members as a whole) must be, in each of three (3) previous financial years for which the accounts are closed, and reported as required at least 55.000.000,00 EUR (Fifty five million euro) <b>or local equivalent at date of individual yearly audits using the converter to EUR</b> rate from <a href="https://www.nbs.rs/export/sites/default/internet/latinica/scripts/ondate.html">https://www.nbs.rs/export/sites/default/internet/latinica/scripts/ondate.html</a>. Also included shall be the verified report of a legally acceptable Accountant in their respective countries to demonstrate the annual turnover for these three (3) previous financial years. In case of consortium, the consortium leader must meet at least 50% while the other members have to meet each at least 10% of the requirement” end of quote. The same Clause under 3. states, <b>quote:</b> “The candidate shall demonstrate that it has access to sufficient <b>lines of credit</b> and other financial facilities to cover the required construction cash flow (ignoring pre-financing advances) for a period of not less than 6 months. In any case, the amount of credit available must exceed the equivalent of 13.750.000, 00 EUR (thirteen</p>



	<p>million seven hundred and fifty thousand euro). The statement of available funds <b>in EUR or equivalent in other currency</b> must be provided by the Bank named in the Financial Identification Sheet or other Financial Institution. The statement must clearly indicate that the above-mentioned credit facility is available specifically for this named project”</p>
<p><b>Question No 3</b></p> <p>From Volume 1, Section 5, Evaluation Grid, we have several doubts, so we are kindly asking Employer to certify the following:</p> <ul style="list-style-type: none"><li>i. Both evaluation grids have item Annex Ic – Declaration of Honor (technical I.5 and administrative I.8) while Volume 1, Section 2: Form of Tender under Annex Ic has Environmental and Social covenant of EIB. Please clarify is this a typing error or there should be another form of Declaration of Honor with mark Ic.</li><li>ii. Administrative compliance grid under item I.34, require form 4.10. Certificate of Site Visit Attendance, although Volume 1, Section 1: Instructions to Tenderers does not say that site visit is mandatory. Please clarify is site visit is mandatory and if evidence of site visit is to be given to the attendances.</li><li>iii. Requirements for technical and professional capacity of the candidate varies from the ones given in Volume 1, Section 1: Instructions to Tenderers:<ul style="list-style-type: none"><li>1. Reference project values are 16.500.000 EUR and 44.000.000 EUR, while Volume 1 Section 1: Instructions to Tenders under clause 12.2</li></ul></li></ul>	<p><b>Answer No 3</b></p> <ul style="list-style-type: none"><li>i. Volume 1, Section 2 Form of Tender for a Works Contract contains annexes: Annex 1a – Declaration on honor on exclusion criteria and selection criteria; Annex 1b – Covenant of Integrity of EIB; Annex 1c Environmental and Social Covenant of EIB and Annex 2 – Appendix to Tender. The name and number of annexes is as listed here and as given in Volume 1, Section 2 – Vol_1_S2_Form of Tender.</li><li>ii. Volume 1, Section 1: Instructions to Tenderers, Clause 6. Site Visit and Clarification Meeting, Sub-clause 6.1. states quote: “The tenderer <b>may visit</b> and inspect the site..” end of quote. The site visit is not mandatory.</li><li>iii.<ul style="list-style-type: none"><li>1. Please note that <b>there are no any variations/ambiguities</b> in Technical and professional capacity of the candidate Volume 1, Section 1, Instructions to Tenderers, Clause 12.2 under Technical and Professional Capacity of Candidate. There is technical capacity <b>of the tenderer/legal entity(is)</b> – please note that a Corrigendum No 1 dated July 27, 2020- was issued and criteria states quote: “The Tenderer must have completed in last <b>ten (10)</b> years from the submission date at least two (2) contracts for construction and/or</li></ul></li></ul>



<p>requires projects of 15.000 EUR and 50.000.000 EUR value.</p> <p>2. For the Key Staff, requirements for experience and project value of 44.000.000 EUR while Volume 1, Section 1: Instructions to Tenderers under clause 12.2 experience from the project of 50.000.000 EUR for Contractor's representative and project with value of at least 15.000.000 EUR.</p>	<p>reconstruction and/or extension of port including the relevant port infrastructure comparable to the scope of the subjected contract (at least but not limited to quay/jetty, internal roads and utilities/auxiliary facilities). Minimum value of the referenced projects shall be <b>15.000.000, 00 EUR</b> (Fifteen million euro) while at least one (1) reference project shall have the value of not less than <b>50.000.000, 00 EUR</b> (Fifty million euro). At least one referenced project shall be for construction and/or reconstruction and/or extension of inland waterway port.</p> <p>2. Criteria for <b>the key staff is different from criteria for the legal entity (is)</b>, depends on their role and level of responsibility and is as given in Volume 1, Section 1: Instructions to Tenderers Technical and professional capacity of the candidate under Clause 12.2 Key Staff quote: " 2.1. One (1) <b>Contractor's Representative</b> - She/he will manage the Contract and be on the site full time and act as the Contractor's representative according to Clause 4.2. of the GCC. She/he shall:</p> <ul style="list-style-type: none"><li>• Possess a University degree in civil engineering or equivalent technical qualifications;</li><li>• Have at least fifteen (15) years of professional experience in civil engineering;</li><li>• Have experience at the position of Contractor's representative or Project Manager or Deputy Project Manager on at least one (1) completed works project on transport infrastructure with a value of more than <b>50.000.000,00 EUR (Fifty million euro)</b>;</li></ul>
---	---



	<ul style="list-style-type: none"><li>• Possess a high level of knowledge of English language (i.e. corresponding to level 2 in form 4.6.1.3).</li></ul> <p>2.2. One (1) <b>Main Site Engineer</b> – She/he will manage the technical elements of the Contract on site. She/he shall:</p> <ul style="list-style-type: none"><li>• Possess a University degree in civil engineering or equivalent technical qualifications;</li><li>• Have at least fifteen (15) years of professional experience in civil engineering;</li><li>• Have occupied similar position (the Main Site Engineer or her/his Deputy) on at least one (1) completed works project on transport infrastructure project with value of at least <b>15.000.000,00 EUR</b> (Fifteen million euro);</li><li>• Possess a high level of knowledge of English language (i.e. corresponding to level 2 in form 4.6.1.3);</li><li>• Working knowledge of Serbian language would be an advantage.</li></ul> <p>2.3. One (1) <b>Hydro – technical Engineer</b> – She/he will be in charge for managing the technical elements of he works related to hydro-technical constructions on site. She/he shall:</p> <ul style="list-style-type: none"><li>• Possess a University degree in hydro-technical engineering or equivalent technical qualifications;</li><li>• Have at least fifteen (15) years of professional experience in hydro-technical engineering;</li><li>• Have occupied similar position on at least one (1) completed port construction and/or reconstruction and/or extension</li></ul>
--	--



Republic of Serbia  
Ministry of Construction,  
Transport and Infrastructure  
Project Implementation Unit

	<p>project with value of at least <b>15.000.000,00 EUR</b> (Fifteen million euro);</p> <ul style="list-style-type: none"><li>• Possess a high level of knowledge of English language (i.e. corresponding to level 2 in form 4.6.1.3).” end of quote.</li></ul>
--	--