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**REPUBLIC OF MOLDOVA**  
**ROAD SECTOR PROGRAM**



**STATE ROAD ADMINISTRATION**

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# **Clarifications Document No.1**

## **to the Tender Documents**

**Rehabilitation of R34 Hînceşti – Leova – Cahul – Giurgiuleşti Road**

- **Lot 1: Contract RSP/W12/01: km 0+000 -km 42+200**
- **Lot 2: Contract RSP/W12/02: km 42+200 -km 83+000**

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### **Question 1:**

Regarding Procurement ref. 9222-GPN-45094 - Project number 45094.

In the tender documents, published yesterday on the EBRD site, I have seen 2+2 different attached file but with identical content:

- TS\_R34\_Lot\_1\_Eng
- TS\_R34\_Lot\_2\_Eng
- Volume IV Technical Specifications
- Volume IV Technical Specifications

I would like understand better what it is.

### **Answer:**

The subject tender is composed of two lots. The published document on the ECEPP portal contain, among others, two documents named: - TS\_R34\_Lot\_1\_Eng.pdf - TS\_R34\_Lot\_2\_Eng.pdf. These two documents refer to the Technical Specifications for both tendered Lots (1 and 2). This is the reason of having two different files. The Technical Specifications will form part of the Contract and consequently will be, as indicated in the Tender Documents, Volume IV.

### **Question 2:**

Is it required to provide you with scanned original/notary-approved invoices for the proposed equipment?

### **Answer:**

The submission of scanned original documents regarding the proposed equipment is enough at the tender submission stage. No notary authentication is required. However, notary authenticated invoices may be requested during the evaluation.

### **Question 3:**

Is it required to provide you with scanned original/notary approved diplomas for the proposed personnel?

### **Answer:**

No. Notary authentication of the diploma for the proposed personnel is not required at the tender submission stage. However, notary authenticated documents may be requested during the evaluation.

### **Question 4:**

If prepared for both of the contracts LOT 1 and LOT 2 as a PACKAGE, do we have to separate our documents for each of the contract or would complying with requirements in only one document be enough? (Is it appropriate to write instead of 3 loaders for LOT 1 and 3 loaders for LOT 2; 6 loaders for the PACKAGE?)

**Answer:**

In order to comply with Tender Documents requirements, you are requested, if applying for both Lot 1 and Lot 2 as a package, to submit separate sets of documents for each Lot.

**Question 5:**

We are in need of a clarification about whether it is required to pay fee/fees for obtaining the tender documents officially.

**Answer:**

No. Tender Documents can be downloaded, free of charge, from EBRD Client e-Procurement Portal. No fees are charged for obtaining the documents.

**Question 6:**

Do we have to make any payment in order to officially attend to the Tender or obtaining from the online platform is sufficient?

**Answer:**

Please refer to answer to question no.5 above.

**Question 7:**

What kind of documents do we have to bring with us while attending the pre-tender meeting? Do we have to show a PoA to your kindly office before participating in the meeting?

**Answer:**

The Pre-Tender Meeting is a public event, open for anyone interested. Thus, no PoA or other documents are required in order to attend. The pre-tender meeting was held on the 22nd August 2019.

**Question 8:**

As required by the ITT 20.2, the Tenderer has to issue a written form of Power of Attorney, we are pleased to know that do you have any special requirement for the PoA? Should it be notarized by a Notary Office form where our HQ is registered? Does the PoA have to be certified by Apostille or other similar organization? Do you have a standard form of the PoA?

**Answer:**

No. The Tender Document imposes no requirement mentioned in the question (neither notary authentication, nor apostille, nor any pre-defined form).

Please refer to the ITT 20.2 of Tender Data Sheet for the express requirements for the power of attorney.

**Question 9:**

After considering the documentation on the R34 Project we saw the absence of drawings. You are kindly requested to clarify this issue or to provide all available drawings.

**Answer:**

The Drawings for the Project in subject can be downloaded following the links indicated in Section 2: Requirements, (document name: 14\_Requirements\_W12\_01\_02.docx) 3. Drawings from the Tender Documents.

For the ease of reference, the links are repeatedly provided here:

**Lot 1:**

[http://files.asd.md/Procurement/RSP\\_W12\\_01\\_02/R34\\_Lot\\_1\\_Drawings.zip](http://files.asd.md/Procurement/RSP_W12_01_02/R34_Lot_1_Drawings.zip)

**Lot 2:**

[http://files.asd.md/Procurement/RSP\\_W12\\_01\\_02/R34\\_Lot\\_2\\_Drawings.zip](http://files.asd.md/Procurement/RSP_W12_01_02/R34_Lot_2_Drawings.zip)

**Question 10:**

Is apostille required for the documents that we are going to upload on the system?

**Answer:**

The Tender Document contains no requirement for the apostille, irrespective which of the document have been meant by the requestor.

**Question 11:**

We have downloaded the documents. Drawings are not available in these documents.

Please inform that how can we reach the drawings.

**Answer:**

Please refer to answer to question no.9 above.

**Question 12:**

In the Contract Technical Specification *Section 305.08*, related to the asphalt mix design, the specification refers to both the Moldovan local normative (SM STB 1033-2008) as well as refers to the European Norm SM SR EN 13108. Upon our evaluation of the two norms, we herewith state that the two norms significantly vary from each other. In particular, while designing asphalt pavement, it is not possible to meet the requirements of the two separate norms in order to comply with their individual requirements.

Furthermore, in the said section of the Contract Specification, reference is made to the American SUPERPAVE for testing of asphalt, such as Resistance to permanent deformation, resistance to fatigue, modulus of stiffness. It is unclear if these tests shall be implemented during the asphalt mix design process or they shall be applicable during the routine quality control tests along the Contract Period. As well as the above, we note that the testing equipment required for implementation of SUPERPAVE tests differ from the testing equipment foreseen for Moldovan norm based testing equipment. Moreover, it should be emphasized that SUPERPAVE tests equipment is approximately ten times expensive than other laboratory equipment. In order to properly and precisely bidding of asphalt pavement as well as understanding of the contract specification, we request your evaluation of the above points and clarify, respond in due course.

**Answer:**

Asphalt Mix Designs and tests are to be performed in accordance with SM SR EN 13108. The Contractor must be able to carry out tests based on the SUPERPAVE method and as such must provide the necessary testing equipment.

**Question 13:**

The drawings and estimated quantities of the Diversion roads for some structures that are planned to be constructed are specified in the drawings and added to BoQ, but these do not include all structures. Considering 2x1 road lanes, it is stated that a single lane can be closed up to 500 m regarding to technical specification. Therefore, it is understood that there will be no request by the Employer to construct any other temporary service roads apart from the identified ones. Please confirm the tenderer understands on the related subject above.

**Answer:**

Not all structures shall have diversions. The Contractor shall only construct diversions for those structures as specified in the drawings and BoQ.

**Question 14:**

It is stated that the tender will be submitted electronically and no hardcopy document will be submitted (except Tender Security). For the Tender Security, there is also a statement that a scanned copy of a courier/postal receipt indicating that the relevant letter has been sent to the administration is also requested to be uploaded electronically, according to *Tender Data Sheet / ITT 19. Tender Security*. If the related letter will be delivered by hand, not using courier, to the authorized person of SRA, does the tenderer need to upload any document to the related submission platform? If yes, please inform us about the document requested.

**Answer:**

There is no such option afforded by the Tender Document for furnishing the tender security as hand delivery to the client. Please follow the manner directed by the Tender Document.

**Question 15:**

There is no submission button for the Contract Data document in the tender submission platform. Therefore, would it be valid to upload this document with the "Letter of Tender", to the same button? If it's not valid, please provide information about where it will be submitted.

**Answer:**

Yes, it would be valid to upload the Contract Data together with the "Letter of Tender".

**Question 16:**

It is understood that different type of documents requested (MS Excel, MS Projects Format etc.) by the Employer, will also be uploaded to the same submission button with their PDF (scanned) formats. Please confirm.

**Answer:**

Yes, additionally PDF versions of the different type of documents requested by the Employer (MS Excel, MS Projects Format etc.), are necessary to be uploaded on the Platform.

**Question 17:**

While there is a submission option (button) for the EMP (Environmental Management Plan) document requested for the tender dossier, we could not find any uploading place for the requested Occupational Health & Safety Management Plan and Quality Control & Assurance Plan. Would it be valid to upload these documents to the same place with the EMP? If it's not valid, please provide information about where it will be submitted.

**Answer:**

Yes. OH&SMP and QC/QA Plan could be uploaded together with EMP.

**Question 18:**

It is understood that the tender forms and other related documents to be prepared by the Tenderer will be separately submitted and uploaded to the relevant places, as Lot 1 and Lot 2. Please clarify if the documents of Lot 1 & 2 shall be submitted separately, or as a single integral part.

**Answer:**

Please refer to answer to question no.4 above.

**Question 19:**

It may take too much time (approximately 6-12 months) to obtain permission from the relevant authorities for the usage of borrow pits in Moldova, even if all the requirements have been fulfilled by the contractor. Will there be any support from the client to accelerate the process?

**Answer:**

The Contractor is fully responsible for the location and establishment of borrow pits. The Client (without prejudice) will assist to the extent possible in the process, however the Contractor is advised that they must comply with the requirements of the agencies involved in the process including local government, geological and environmental agencies when locating potential sources of materials.

**Question 20:**

Relevant public authority, known as ANTA, applies permission procedures on the road transfer of construction equipment. Payment procedure depends on the weight of the equipment and the distance to be transferred, and also the fees are ten times expensive than our home country. Please state that if any exemption is applied on the procedure throughout the subject project.

**Answer:**

There are no exemptions to be applied on obtaining permission for the road transfer of the construction equipment. All the conditions related for this issue are mentioned in the Government Decision No. 1073 dated 01.10.2007.

**Question 21:**

Is there any traffic regulation on the limits for the heavy vehicles/equipment to enter the traffic? Please specify the exact time interval within the day and maximum vehicle weight limit.

**Answer:**

According to Law 509 dated 22.05.1995 "If the air temperature is higher than 30° C, the road administrator, together with the road police, imposes traffic restrictions on the total mass of vehicles on asphalt concrete roads, indicating the application deadlines, the road list, installing the appropriate road signs and informing road users through the media."

In any case, the Contractor has full responsibility to ensure compliance with all legal requirements related to the Contract implementation in Employer's country.

**Question 22:**

Pursuant to Section III: Evaluation and Qualification Criteria - Specific Experience 2.4.2.a, the tenderer shall submit at least two contracts, and each of contracts has minimum value as following:

- Lot 1: EURO 27 million equivalent;
- Lot 2: EURO 27 million equivalent;
- Lot 1 & Lot 2: EURO 54 million equivalent.

Regarding to above, if the tenderer submits four different contracts with a minimum value of EURO 27 million each, does it meet the requirements for the two lots combination (Lot 1 & Lot 2 together)?

**Answer:**

In order to comply with the Point 2.4.2. Specific Experience (a) of Part 1 - Section III. Evaluation and Qualification Criteria of Tender Documents, Tenderers shall demonstrate the following experience:

	<b>No of similar contracts</b>	<b>Value of each contract</b>	<b>Total Value</b>
Lot 1	two (2)	EURO 27 million	EURO 54 million
Lot 2	two (2)	EURO 27 million	EURO 54 million
Lot 1+2	four (4)	EURO 27 million	EURO 108 million

Also will be accepted the submission of 1 (one) contract reference instead of 2 (two), provided that this contract will cover the cumulated value of 2 (two) contracts and that this one contract was performed within the comparable time period as the tendered one.

**Question 23:**

In *Lot 1 - Bill of Quantities - Bill No.100 - Item No.10101: Surveying and Setting out Works*, the quantity of the item is shown as 611 km, instead of 42 .2 km. Please clarify.

**Answer:**

The correct quantity is 42.2km. This is included in Addendum 2 Article 2 for Lot 1.

**Question 24:**

In *Lot 2 - Bill of Quantities - Bill No.800*, there are some items related with the sewerage network system, but the drawing does not include any data about the related items. On the other hand, *Lot 2 - Drawings - Book\_6* consists of the drawings of gas supply network, but *Bill No.800* does not involve any item related with it.

Please clarify the items of sewerage and gas supply network in Lot 2, regarding to arguments above.

**Answer:**

For Lot 2: BOQ of Bill 800 item related to sewage network system please refer to Book 7 (External water supply system).

The relevant BOQ Items for Drawings Lot 2 Book – 6 are 80204.1, 80204.2, 80204.3 and 80204.4.

**Question 25:**

Regarding to bridge drawings, the gap distance is 50 mm at expansion joints. Therefore, the movement of joints is interpreted as +/- 50 mm, and this type of joints is considered appropriate by the tenderer. Please confirm the tenderer understands.

**Answer:**

See chapter 407 in the Technical Specification and the specific drawings for each bridge for details of expansion joints.

**Question 26:**

The tender documents don't mention whether the site access right shall be delivered in one time or in sections, neither the detailed delivery time and chainage. If the site access right is delivered in one time, please clarify the time; if it is delivered in sections, please clarify detailed chainage.

**Answer:**

Full site access will be provided in one time prior to issue of the Notice to Commence.

**Question 27:**

The Article 14.2 of Contract Data mentions that "Twenty (20%) of the Accepted Contract Amount payable in two equal installments in the currencies and proportions in which the Accepted Contract Amount is payable." Is it correct to assume that each payment will be 50% of total advance payment? Please clarify this.

**Answer:**

The payment conditions of the Advance Payment are described in details in Section 3. Conditions of Contract, 18\_Particular\_Conditions\_of\_Contract\_(PCC)\_W12\_01\_02.docx, Clause 14.2 [Advance Payment] of the Tender Documents.

**Question 28:**

The bidder didn't find relative drawings for Items 50302.1, 50302.2, 50303.1, 50303.2, 50303.3, 50305 in BOQ. The Page 94 of Book\_1.1 doesn't describe the details of Type 1 and Type 2 ditch, and Item 50303.2 and 50303.3 have same description. Please clarify them.

**Answer:**

Item 50302.1 and 50302.2 are related to Type1 ditch and refers to Detail A from Lot1 Book 1.1, page 86 and Lot 2 Book 1.1 page 81

Item 50303.1 and 50303.2 Type2 ditch refers to:

Lot1, Book 1.1 page 256

Lot2, Book 1.1 page 255 and 256

Item 50305 refers to Lot1, Book 1.1 page 207

Type 1 and Type 2 ditches are described in Book 1.1 page 86 and Items 50303.2 and 50303.3 in Lot2 are not applicable.

**Question 29:**

Item 50307, 50306, 50310, 50502.1, 50502.2 and 50905 don't have corresponding drawings, please provide them.

**Answer:**

For Items 50307, 50306, 50310, 50502.1, 50502.2 see drawings from Lot1, Book 1.1 pages 255, 257 and 258.

For Item 50905 see the Drawings from Lot2,Book1.1 pages 262.3 and 262.4.

**Question 30:**

We downloaded the documents at the ECEPP system. However, we couldn't locate any technical drawing documents (or any other technical documents apart from detailed BoQs). Are there any drawings (or other technical documents) of this tender? IF there are, how can we obtain those materials?

**Answer:**

Please refer to answer to question no.9 above.

**Question 31:**

We were not able to attend the pre-tender meeting and site visit that were organized in August. Were these meetings mandatory or else can we extend our bid without attending those meetings?

**Answer:**

Attendance of the Pre-Tender meeting is not mandatory and is not a pre-condition for submission of a tender. According to ITT 7.7 of the Tender Documents, Non-attendance at the pre-Tender meeting will not be a cause for disqualification of a Tenderer.

**Question 32:**

As we understand from the explanation of the specific experience in the qualification criteria, minimum requirement for the participation in one lot is submitting one completed contract which has minimum value of EURO 27 million, minimum requirement for the participation in two lots is submitting two completed contracts which have, in total, minimum value of EURO 54 million. Would you confirm?

**Answer:**

Please refer to answer to question no. 22 above.

**Question 33:**

In the BOQ of lot 1, we could not find reinforced concrete pile which has the projects in the Strengthening works file in Book 1.1.1. In the TS\_R34\_Lot\_1\_Eng; there is section 900 on bored piles. We wonder if this section could have been subtracted from the BOQ? If not could you please supply the Bill 900 as soon as possible?

**Answer:**

Please refer to Addendum No 2

**Question 34:**

In the BOQ of lot 2, we could not find reinforced concrete pile which has the projects in the Strengthening works file in Book 1.1.1. In the TS\_R34\_Lot\_2\_Eng; there is section 900 on bored piles. We wonder if this section could have been subtracted from the BOQ? If not could you please supply the Bill 900 as soon as possible?

**Answer:**

There are no bored piles on Lot 2.

**Question 35:**

In the "2.Requirements" page of "Stage 1: ITT Documents" on ECEPP, It is required from us to upload our completed documents. But in this section, there is no document to fill or complete, only there are EMP and Technical Specifications. Are we required to sign and upload them?

**Answer:**

The documents forming the Tender are specified in the Clause ITT 11.1.

The tenderer shall make sure those documents are uploaded.

The Employer has neither any user or administrative privileges in ECEPP and is not able to provide clarifications on the interface aimed for the tenderers.

**Question 36:**

If tendered for two lots separately, how should we upload the documents? Can you please elaborate on the procedure of how the completed documents will be uploaded separately for Lot 1 and Lot 2?

**Answer:**

Please refer to the clarification under question no.35 above.

**Question 37:**

If the original tender security is planned to brought and delivered to you in hand within 3 days from the closing date, that means there will be no postal/courier receipt to be uploaded, will it be a problem?

**Answer:**

Please refer to answer to the question no. 14 above.

**Question 38:**

In the Instruction to tenderer Specific Experience 2.4.2 (a), it is mentioned that;

Participation as a contractor (sole contractor or lead partner/management contractor in a JVCA)in at least two (2) contracts within the last five (5) years , that have been successfully and substantially completed and that are similar to the proposed Works. The similarity shall be based on the physical size, complexity, methods/technology or other characteristics as described in Section VI, Requirements and similar magnitude, meaning that the value of each of the contract cited shall be at least the following:

- Lot 1: EURO 27 million equivalent;
- Lot 1: EURO 27 million equivalent;
- Lot 1 & Lot 2: EURO 54 million equivalent.

Bidder's understanding from this qualification criteria that;

Bidder will be qualified for Lot 1&2;

- Bidder will submit 2 work certificates more than 54 million €or
- Bidder will submit 1 work certificate more than 54million €and 2 work certificates more than 27million €or
- Bidder will submit 4 work certificates more than 27million €

Please confirm.

**Answer:**

Please refer to answer to question no.22 above.

**Question 39:**

According to Instructions for Tenderers and TDS the language of Tender is English According to R34\_LOT1\_Drawing Book 1.1.1 file there is no translation in English, even for relevant passages. Please provide translation for calculation of Items No 60401, 60402, 60403 of BOQs.

**Answer:**

Items 60401, 60402, 60403 refers to retaining wall from km 0+000, see drawings Lot1, Book 1.1. page 213-221

**Question 40:**

Part 1 Section III Evaluation and clarification Criteria Sub clause 2.4.2 Specific Experience (a) requires participation as a contractor (sole contractor or lead partner) in at least 2 contracts within 5 last years with equivalent of 27 million each – that means that participant should demonstrate 2\*27 million Euro equivalent contracts for one single lot and 4\*27 contracts equivalent contracts for two lots. Please clarify contract's quantity and amount for application for one single lot and two lots.

**Answer:**

Please refer to answer to question no.22 above.

**Question 41:**

BOQ Item # 10101 of LOT #1 - Surveying and setting out works shows the length of the road equals 611,00 km – is it correct? By our opinion it should be 42 km.

**Answer:**

Refer Question 23

**Question 42:**

BOQ – missing quantity of asphalt coverage for entrance to yards.

**Answer:**

See BOQ Item 30702 Various asphalt works.

**Question 43:**

On bridge drawings overlapping of steel reinforcement rods is given as 30d. But according to the standards it should be 40d. We believe that some pre-cast elements of the bridges could be substituted by casted in-situ. The Employer's principal acceptance of this proposal is welcome. We could not find on the drawings any works, related to the bridge surface drainage – no water funnels on the sides of the bridge and water removal pipes as well.

**Answer:**

According to Moldovan National Standards SNIP 2.05.03 – 84 the overlapping is 30d.

The drainage works were included where necessary. See Lot 2 Volume 3 Book 2.4 Bridge 69+565.

**Question 44:**

Technical Specification Clause #201.07 says; that the Executor of works should find the source of borrow materials by himself. “Where the Contractor finds it necessary to import material for earthworks onto the site from borrow pits he shall be entirely responsible for the location and operation of such pits and for obtaining all necessary permits and authorizations as well as for all acquisition of borrow pit areas and meeting all claims for compensation resulting from the operation of such borrow pits”. We just need to get the Employer’s confirmation of this chapter.

**Answer:**

The Contractor is fully responsible for the location and establishment of borrow pits, including obtaining all approvals. Please also refer to the answer for question 19.

**Question 45:**

Does the material from the borrows, proposed by the Employer refer to the requirements of the Technical Specification? We suspect that the actual amount of unsuitable material, to be removed from the existing road embankment will be greater than it is given in BOQ. Is it considered by the Employer to provide the Executor of works by additional volumes of suitable borrow materials? If not, is it possible to get the official permit from the Employer for extracting these unforeseen volumes of fill from the new licensed borrow pit near to the construction area?

**Answer:**

The Contractor is fully responsible for the location and establishment of borrow pits, including obtaining all approvals. Please also refer to the answer for question 19.

**Question 46:**

According to Item No 10001 of BOQ's Survey and setting out for LOT1: the quantity of works is 611 km. Could you please clarify this quantity of works?

**Answer:**

Please refer to the answer for Question 23.

**Question 47:**

According to the Evaluation and Qualification Criteria, table 2.4 Experience, 2.4.1 General Experience. Other than filling the Form EXP-4.1, do we have to issue any supporting document?

**Answer:**

Please refer to Addendum no. 2 to the Tender Documents. Beside the form, copies of taking over certificate or equivalent documents shall be submitted.

**Question 48:**

In the document “06\_Contract\_Data\_W12\_01\_02” page 5, it lists that:

Percentage of Retention	14.3	Five percent (5%)
Limit of Retention Money	14.3	Five percent (5%) of the Accepted Contract Amount.

However, in the document “10\_Attachment\_1-Preliminary\_Programme\_W12\_01\_02 [RESTORED FULLY AS SEPARATE]” page 6. it states a different figure:

D4      Retention money 10% (iii)

Please clarify the difference.

**Answer:**

Please consider the percentage stated in the Contract Data. Attachment\_1-Preliminary\_Programme aims only to serve as a sample form. A corrected Attachments are provided in the Addendum no. 2 to the Tender Documents.

**Question 49:**

In the document “10\_Attachment\_1-Preliminary\_Programme\_W12\_01\_02 [RESTORED FULLY AS SEPARATE]” page 6. It lists that:

- E      Each Engineer’s Interim Payment Certificate Amount (iv,v) (each payment not earlier than D7 + 56 days)

Please confirm it is “not earlier than” or “not later than”.

**Answer:**

The referenced stipulation is self-explanatory, stating and express language of “not earlier than”. The stipulation is flowing from and aims to direct tenderers’ attention to the conditions of payment as stated in the General Conditions of Contract, Sub-Clause 14.7 [*Payment*].

**Question 50:**

“Average Annual Construction Turnover” Criteria; As far as we have understood from Tender Document, average of last 5 years of annual construction turnover should be minimum for Lot 1: EUR 30 million equivalent; for Lot 2: EUR 30 million equivalent; for Lot 1 and Lot 2: EUR 60 million equivalent and during currency conversion calculation 1st July of each year shall be used. We kindly request your confirmation/alteration.

### **Answer:**

It is confirmed that in order to comply with the 2.3.2. Average Annual Turnover of the Section III: Evaluation and Qualification Criteria Tenderers shall demonstrate minimum average annual construction turnover of:

Lot 1: EUR **30 million** equivalent;

Lot 2: EUR **30 million** equivalent;

Lot 1 and Lot 2: EUR **60 million** equivalent

Calculated as total certified payments received for contracts in progress or completed, within the last **5 (five)** years.

To facilitate the assessment of information the tenderers shall submit a summary of assets and liabilities, expressed in an equivalent of Euro converted based on the exchange rate reported as of the 1st of July of each year, as set by **Financial Times**.

In case the financial information is not available from the Financial Times, the tenderer shall submit a summary of assets and liabilities, expressed in an equivalent of Euro converted based on the exchange rate as of the 1st of July of each year, as set by the Central/National Bank of the Tenderer's country.

### **Question 51:**

According to Tender Document, required Personnel descriptions are provided. As far as we understood, for each position indicated; cv of one prior and one alternative person is demanded. In case we are awarded with Contract; are we obligated to use personnel indicated at Tender Document or will we have chance to replace them?

### **Answer:**

Inclusion of personnel in the tender is meant to represent good faith intention to involve the respective personnel in the contract performance and not just as a vehicle used by the tenderer to overpass the qualification scrutiny.

Replacement of the respective personnel is allowed as a matter of excusable circumstances precluding involvement of such personnel in the contract activities and not as a regular matter.

### **Question 52:**

Are we obligated to provide CV's during tender process or a commitment which indicates that we will provide necessary personnel in case we are awarded with Contract will be sufficient?

### **Answer:**

The Part 1 - Section III. Evaluation and Qualification Criteria, Table 2.5 Personnel establish the form in which the Tenderer shall present its personal capacity in order to comply the criteria mentioned above.

### **Question 53:**

As known, at some international projects local countries demand a certain percentage of usage of local personnel/workers. In this tender procedure, is there such a limitation? For instance, are we obligated to hire a certain percentage of local (in this case Moldavian) workers/personnel?

**Answer:**

The tender document imposes no obligation for the Tenderers to employ personnel on nationality criteria.

**Question 54:**

“Evaluation and Qualification Criteria - Section 2.4.2- Specific Experience”: In this part, similar work experience had been highlighted. We kindly request your comment regarding building construction or infrastructure works (such as pipe works or waste water treatment plant works) are considered similar work experience or not.

**Answer:**

The tenderers are ultimately responsible to exercise their engineering judgement in deciding whether and to what extent any of its previous experience qualifies under the respective criteria.

The tender compliance will be determined from the face of the tender itself during the evaluation stage. The Employer is not in the position to exercise evaluation judgement at this (clarifications) stage neither to express its opinion outside of the tender evaluation process on whether a previous experience is pertinent the tenderer to qualify or not.

**Question 55:**

“Evaluation and Qualification Criteria - Section 2.4.2- Specific Experience”: In this part minimum amounts are defined for Lot 1: EURO 27 million equivalent; Lot 2: EURO 27 million equivalent; Lot 1 & Lot 2: EURO 54 million equivalent. Unfortunately, this part is not clear. In above part of the same section it has been indicated that at least two (2) contracts within the last five (5) years, that have been successfully and substantially completed. Does it mean that each of Work Experience provided by Tenderer should be minimum EURO 27 million equivalent? For instance, if we want to participate Lot-1 & Lot-2 together and if we provide 6 or more Work Experience Certificates and total amount of them (not each) exceeds EURO 54 million equivalent, can we participate Tender Procedure? Or we should provide 4 Work Experience Certificate each value of EURO 27 million? We kindly request your clarification regarding case.

**Answer:**

Please refer to answer to question no. 22 above.

**Question 56:**

“Evaluation and Qualification Criteria - Section 2.4.2- Specific Experience”: In this part participation with JVCA conditions are not clear. From what we have understood, Leader Partner of JVCA should provide all Work Experience criteria and other members of JVCA are not obligated to provide Work Experience criteria? Please clarify this case.

**Answer:**

The Part 1 - Section III. Evaluation and Qualification Criteria, Table 2.4 Experience, 2.4.2 Specific Experience (a) indicates that the Lead Partner of the JV “*Should demonstrate experience in at least one successfully completed contract of similar nature and at least one of similar magnitude (could be the same contract)*” but All Partners of the JV combined “*Must meet requirement*” (*of the criteria stated above*).

**Question 57:**

“Evaluation and Qualification Criteria - Section 2.4.2- Specific Experience”: For converting Euro calculations which rate shall be taken into consideration regarding Work Experience values? For instance, during our conversion to Euro, will we consider rates of Commencement Day of the past work experience or we will consider rate of the day of Provisional Acceptance of the past work experience? Please clarify.

**Answer:**

The value of the Contracts presented for Specific Experience, in other currencies than the currency defined in Tender Documents i.e. Euro, should be recalculated into the defined currency based on the exchange rate provided by Financial Times on the date of Contract completion.

In case the required financial information is not available from the Financial Times, the value of the Contracts presented for Specific Experience, in other currencies than EURO, should be converted into the defined currency based on the exchange rate provided by the Central/National Bank of the Tenderer’s country on the date of Contract completion.

**Question 58:**

At the Tender Data Sheet of the below stated project each lot has given a separate Contract Number.

Rehabilitation of R34 Hincesti – Leova – Cahul Road (Rehabilitation of R34 Hînceşti – Leova – Cahul – Giurgiuleşti Road)

- Lot 1: Contract RSP/W12/01: km 0+000 -km 42+200
- Lot 2: Contract RSP/W12/02: km 42+200 -km 83+000

Also at 04 Evaluation & Qualification Criteria Document below statement has been indicated.  
Post qualification

The Employer will determine to its satisfaction whether the Tenderer selected as having submitted the lowest evaluated responsive tender meets the qualifying criteria specified herein and on the basis of the Letter of Tender and any supplementary information submitted has demonstrated that it is capable of performing the Contract satisfactorily. If a Tenderer is recommended for the award of both lots, the Tenderer shall demonstrate that it meets the combined qualification criteria (i.e. the financial situation, experience, personnel and equipment) for both lots.

If the Tenderer does not meet the combined qualification criteria for both lots, the Employer shall award to the Tenderer only one lot, selected in such a way to yield the lowest combined total tender price for both lots to the Employer.

According to these statements we need clarification of below questions;

1. Do we have to submit different work experiences for each Lot in order to meet the combined qualification criteria?
2. This question covers also financial situation, personnel and equipment.

**Answer:**

1. Please refer to answer to question no. 22 above.
2. In order to apply for both lots, cumulative requirements shall be met.

**Question 59:**

When we offer electronic tender is it enough scanning warrant of attorney or there should be electronic signature? What are electronic signature conditions?

**Answer:**

The tender document is self-explanatory in this respect.

As per the Clause 11.1 (Documents Comprising the Tender); para.(e), written confirmation authorizing the signatory of the Tender to commit the Tenderer is a part of the Tender. According to the Clause 21 of the Tender Data Sheet, Tenderers shall submit their tenders electronically using ECEPP and subject to the terms and conditions of use of ECEPP as well as to the terms and conditions of the tender document.

The Tender security is the only exception stipulated by the tender document which original shall be submitted via courier mail, in addition to the scanned copy uploaded. No such exception is contemplated for the power of attorney. Therefore, uploading electronic version of the authorization/power of attorney by the tenderer is sufficient.

No electronic signature is requested.

**Question 60:**

Should key technical personal (specified Section 3 Table 2.5) work our company or could we recruit personnel?

**Answer:**

It is not mandatory that key technical personnel work in your company at the moment of Tender submission. The tender document contains no such specific requirement.

In addition, please also refer to the answer for the Question no. 51.

**Question 61:**

Which date exchange rate is used for progress payment? Contract date or progress payment date?

**Answer:**

Please refer to the provisions of the Section I, Tendering Procedure, Contract Data, Clause 14.15 Currency of Payment, which is self-explanatory in this respect, and implies the exchange rate for the payment to the local contractor, as follows:

**For foreign Contractors:** The Contract Price shall be paid in **EURO**.

**For local Contractors:** The Contract Price shall be paid in **Moldovan Lei**. If the Contract Price is expressed in EURO, payment shall be made at the exchange rate published by the National Bank of Moldova at the date of payment. (underline emphasis added).

**Question 62:**

For create routes and export KMZ we need to coordinates. Northing coordinates and easting coordinates are both 6 digits but northing coordinates should be 7 digits for create routes. We couldn't create routes because that reason can you help us?

**Answer:**

In Republic of Moldova all the topographical survey are made according to local system MoldRef-99 (according to Law 778-XV dated 27.12.2001), in which the coordinates has only 6 digits.

**Question 63:**

We respectfully submitted delay of the tender date to further day for healthy bidding of tender and overseas price collection difficulty.

**Answer:**

By the Addendum issued on September 18, 2019, the Tender submission deadline has been set for October 24, 2019.

**Question 64:**

We downloaded all the documents for Rehabilitation of R34 Hincesti-Leova-Cahul-Giurgiulesti Road, Km 0 - Km 83 tender in each section (1. Tendering Procedure, 2. Requirements, 3. Conditions of Contract) but we couldn't find any tender design document. Could you tell us the exact location that the tender design document can be downloaded from?

**Answer:**

Please refer to answer to question no. 9.