

**REPUBLIC OF MOLDOVA
ROAD SECTOR PROGRAM**



STATE ROAD ADMINISTRATION

CLARIFICATION DOCUMENT No.1

**Rehabilitation of R14 Road: R6 – Codrul Nou – Soroca – Unguri –
Ukraine border, section km 92+620 – km 123+620 (Lot 1), and R8.1
Road: R8 - Arionesti – R14, section km 0+00 – km 9+470 (Lot 2)
under the Contract RSP/W14/02-03**

Issued on March 17, 2023

Question 1

1) In the Section IV: Eligibility and Qualification Criteria of the bidding document, for the requirements of “Table.2 Financial Situation”, it is stated that “The information shall be provided for the period of 2017 to 2022”. Since the fiscal year 2022 has not ended yet, the financial information of the company is not ready. Furthermore, according to the fiscal legislation in Turkey, the financial information of the previous year is prepared till the end of the fourth month of the current year. So, the financial information of the year 2022 will be ready in the beginning of the fifth month of the year 2023. Therefore, could you please confirm that financial information of the period of 2017 to 2021 can be used instead of the period of 2017 to 2022 for the requirements about the financial situation?

2) In the Section IV: Eligibility and Qualification Criteria of the bidding document, could you please confirm that the VAT (Value Added Tax) included amounts can be used to satisfy the requirements of “2.2. Average Annual Turnover”, “3.1 General experience” and “3.2 Management Experience”?

3) In the Section IV: Eligibility and Qualification Criteria of the bidding documents, for the “Sub-Factor 3.3 Specific Experience”, Could you please confirm that Substantially Completed (completed over 95%, the acceptance of the works has not yet done by the employer) work experience can be used to meet the requirements?

4) In the Section IV: Eligibility and Qualification Criteria of the bidding documents, for the “Sub-Factor 5.1 ESHS Certifications and Documents”, Could you please confirm that ISO 45001 can be used instead of OHSAS 18001?

Answer

a) Yes. Financial information for years 2017, 2018, 2019, 2020 and 2021 should be provided and the said period is acceptable to the Employer. The Tender Document has been modified in this respect. Please refer to the Addendum no.1.

b) Under sub-factor 2.2 from Section IV: Eligibility and Qualification Criteria, the annual turnover shall be calculated from the ‘total certified payments...’, irrespective of whether the amount includes or not the VAT. The same should apply under sub-factors 3.1 and 3.2, as Copies of taking over certificate or other similar equivalent document, acceptable to the Employer, to prove the information provided in the Form, shall be submitted.

c) Under sub-factor 3.3 Specific Experience from Section IV: Eligibility and Qualification Criteria of the tender documents, ‘substantially completed works’ will be taken into consideration for the purpose of qualification if the information provided in the tender proves that such previous specific experience of the Participant meets the requirements for being considered successful and substantially completed.

Participants shall comply with the requirements for documentary proof under the respective criteria and sub-factor to confirm qualification with the respective qualification stipulation. In case no Taking-Over Certificate is provided, “other similar equivalent document to prove the information provided” shall be submitted.

d) It is confirmed that ISO 45001 can be used instead of OHSAS 18001.

Question 2

In the Section III: Evaluation Methodology of the bidding document, under the caption of “Financial Situation” of Part B. Qualification Requirements, it is stated that “The values in other currencies than the defined currency should be recalculated into the above stated currency, based on the exchange rate as set by European Central Bank on the 1st of July of each year reported. The rates could be found by accessing the following link: https://ec.europa.eu/info/funding-tenders/procedures-guidelines-tenders/information-contractors-and-beneficiaries/exchange-rate-inforeuro_en. The values of the projected assets, unencumbered real assets, planned lines of credit, and other financial means, as well as liabilities and commitments for the period of the expected contract implementation, shall be recalculated into the above stated currency, using the exchange rates, set by the above-mentioned bank, as of the date the Invitation for Tender.”

By using the specified link, monthly exchange rates can be obtained. However, according to the underlined parts of the above paragraphs, specific dates (first of July of each year reported and the date of the Invitation for Tender) are required in order to convert different currencies to Euro. Could you please confirm that the monthly exchange rates obtained by using the link can be used to convert different currencies to Euro for specific dates? If not, how can the exchange rates of the specific dates can be obtained?

Answer

Yes. To convert different currencies to EURO, for a specific date (not a period), the provided link may be used, subject to inclusion in the Tender of the said specification for an easier review/check by the Employer.

Question 3

According to the Tender Documentation, Data Sheet, ITP 17, Tender Security, it is stated that Tender Security should be presented in a form of an unconditional guarantee issued by a bank. The procurement, under the scope of the Tender, is divided into 2 lots. Data Sheet section 17.2 states the amount of currency stated - Lot EURO 1.000.000,00 (One Million); Lot2 EURO 250.000,00 (Two Hundred Fifty Thousand). As such, the Bidder, with regards to the format the Tender Security, asks the Employer to clarify the format of the Tender Security. Should the Bidder presented the Tender Security as a single Document, stating the Total sum of the two lots (1.250.000,00 One million, two hundred and fifty thousand Euro); Or should the Tender Security be presented as two separate documents, with two different sums (Lot 1.000.000,00 (One Million) EURO; Lot2 250.000,00 (Two Hundred Fifty Thousand)EURO). Please clarify

Answer

The format of the Tender Security is provided in the Tender Documents and should be followed accordingly, with no alteration of the text.

Participants may opt to submit either a separate Tender Security for each Lot or a single Tender Security for both lots.

Question 4

With regards to the Financial Audits, the Bid documentation, states that the Bidder must provide for the financial information of the company with inclusion of the Fiscal year 2022. However, under the law of Republic of Turkey, Law No. 6948, Article 2 -Businesses operating in the Republic of Turkey, registered in the Turkish Trade Registry, are ought to provide for the Annual Reports within the first four months of the new Fiscal Year. Furthermore, the requested Financial Statements as by the Bidding Documentation ought to be Audited by an Independent Auditing Firm. As such the Annual Financial report for the Fiscal Year 2022 will only be ready in these 4 new mouths of the Fiscal Year 2023, after which the Auditing is followed by; due to the accounting practices in Turkey, the Bidder, at the time of the deadline of the Bid Submission, can only provide the Audited Financial Reports for the Fiscal Years of 2017; 2018; 2019; 2020 and 2021, by. Will this satisfy you as the Employer.

Answer

Please refer to answer no.1

Question 5

According to the Tender Documentation, Data Sheet, ITP 10.1 (ii), it is stated that the Bidder must provide a filled-out copy of FORM F-2, showing an overall organization chart for the management, control and execution of the Works, showing the intended involvement of all proposed contributors to, and participants in, the project, including the Tenderer's staff (stating names of main and alternatives for, Key Personnel), labor suppliers and subcontractors. The aforementioned form, FORM F-2, however, appears to be missing from the tender documentation. The form also does not appear to be used in any of the Standard Procurement Documents, as accessible at www.ebrd.com. The bidder asks the Employer to provide the aforementioned form, FORM F-2, as set about by the Tender Documentation Data Sheet, ITP 10.1 (ii).

Answer

The FORM-2 requested in the Tender Document has a free format. The tenderer is free to provide the required information in a free manner, subject all the requirements highlighted under ITP 10.1 (ii) are covered.

Question 6

According to the Tender Documentation , Data Sheet, ITP 17.3, it is stated that in case the issuing bank is a bank from the Employer's country, the bank shall have one of the first 3 highest values of indexes used for elaboration of the banking efficiency rating, provided by any of the local authorized rating agencies, Expert- Grup SRL or Agentia de rating si estimare Estimator-VM SRL, and should not be under direct supervision or administration regime by the National Bank of Moldova.

The Bidder has communicated with the mentioned two agencies listed by the Employer, it has found out that Expert-Grup SRL and Agentia de rating si estimare Estimator-V I v 1 SRL do not provide the aforementioned index ratings, and the Expert-Grup SRL stated that they provided these services in 2019 at the latest.

The Bidder tried to find another source, and based on the information provided by the following web-site (<https://top100.seenews.com/rankings/top-100-banks/>). It has been found that there are 4 banks in the Employer's country listed in the biggest banks in east Europe:

- Position 52 is Moldova-Agroindbank SA
- Position 74 is Moldindconbank SA
- Position 92 is OTP Bank
- Position 94 is Victoriabank SA

Following this, the Bidder asks the Employer to confirm one of these banks as a suitable candidate in fulfilling the ITP 17.3 criteria.

Answer

At the date of publication of this clarification document, all 4 (four) nominated Banks from Employer's country are considered acceptable under this tender procedure.

Question 7

According to the Tender Documentation, Bill Of Quantities, Vol.5 BOQ_R8.1, Under BILL 000 Item 00402:

00402	Maintain contract office	Lump-sum	24.00
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It is indicated that the unit is Lump-Sum and the Quantity is 24. The Bidder asks to the Employer to confirm the correctness of the Quantity and Unit.

Answer

The quantity of the Item 00402, Tender Documentation, Bill of Quantities R8.1 is 24.00. The 'Unit of measure' is changed to 'Month'.

Please refer to the Addendum no.1.

Question 8

According to the Tender Documentation, Tender Form, Contract Data – Part A, Section 1.1.5.6, The name of projects for both services were indicated the same. The Bidder asks to the Employer clarification.

Answer

The title of the Tender process is "Rehabilitation of R14 Road: R6 – Codrul Nou – Soroca – Unguri – Ukraine border, section km 92+620 – km 123+620 (Lot 1), and R8.1 Road: R8 - Arionesti – R14, section km 0+00 – km 9+470 (Lot 2)".

Please refer to the Addendum no.1

Question 9

According to the Tender Documentation, Bill Of Quantities, Under BILL 700/Items

70106.6	Install new signs on metallic gantry frame Type PMΓ-1m	pcs
70106.7	Install new signs on metallic gantry frame Type PMΓ-3m	pcs

The Bidder asks to the Employer scope of the item mentioned above and if the item is in contradiction with technical specification detail indicated below. The Bidder asks The Employer confirmation of payment for console element (support) will be above mentioned item and also scope of item does not include sign.

According to the Tender Documentation, Volume III – Technical Specifications, under Chapter 701 – Measurements. It is indicated that “Sign installations will be measured by number. A sign installation includes the support. Different items will be used for significantly different signs.”

Answer

In accordance with Bill of Quantities Volume V_R8.1, Bill 700, it is required under the item no.70106.17 for installation of new signs on metallic gantry frame Type PMΓ-3m. Works will be measured and paid only for the metallic gantry frame Type PMΓ. Please refer to the Volume III, Drawings, to identify the signs installed on gantry frame Type PMΓ – 3m, and separate unit rate. If Participant will identify the sings with other type of gantry frame Type PMΓ, the unit price for sings installation must include entire scope of works according to the Technical Specifications.

In Bill of Quantities, Volume V_R14, Bill 700, it is not required the payment item separately for new signs on metallic gantry frame Type PMΓ.

Please refer to the Volume III, Drawings R14 to identify the signs to be installed on the metallic gantry frame Type PMΓ. Therefore, the unit prices for identified signs must include the cost for gantry frame.

Question 10

According to the Section II: Data Sheet of the Bidding Documentation, clause ITP 21, Deadline for Submission of Tenders, states that the participant should submit their proposals at the date stated on ECCEP. The date on ECCEP is stated to be 13.02.2023. With this regard, the deadline of the Submission of the Proposals falls in between major international holidays – celebrated New Year’s Eve, 31.12.2022, 07.01.2023 Orthodox Christmas, 14.01.2023 ‘Old New Years’. As a result, in the Country of operation of the Bidder – the Republic of Turkey – as well as countries of adjacent partner companies of the Bidder will have prolonged days or weeks of celebration of these two holidays; resulting in closure of offices for the employees to celebrate. It is of the opinion of the Bidder that such disruption of the operating hours of both Local and International companies, Bidders’ Partner Companies, Branches, Subsidiaries and others will result in a substantial disruption to the operating activities, hindering the ability of the Bidder maintaining day to day operation needed for the Procurement of the project in scope of this letter. As such, the Bidder, within the scope of the

aforementioned reasons, as well as due to the Questions 1-6 humbly asks the Client to consider extending the submission deadline by a few weeks from the current date

Answer

The Tenders' submission deadline has been extended.

Please refer to the Contract Notice Addendum published on ECEPP.

Question 11

According to the Contract Data - Part A (GCC Sub-Clause 1.1.3.3) Time for Completion is 915 days, which is 30 months. At the same time, according to the Tender BoQ, Bill No 000, General Requirements, Item 00402 "Maintain contract office" for Lot 2 (R8.1 Road: RS - - Arionesti - R14, section km 0+00 - km 9+470) the quantity is indicated 24, while the unit of measurement is a Lump-sum. Please clarify the above inconsistencies.

Answer

Please refer to answer no. 7.

Question 12

Item 30102 "Cold recycling of the asphalt concrete pavements" of Bill 300 "Pavement" from Lot 1(R14 Road: R6 -Codrul Nou -Soroca -Unguri -Ukraine border, section km 92+620 - km 123+620), is indicated with different measurement units (twice in m2, and one time in m3 - in section BUS STOPS). Considering that this is all the same work with same item number, our understanding is that the measurement units are supposed to be uniform. Please clarify which one is correct.

Answer

The unit of measure for the Item 30102 "Cold recycling of the asphalt concrete pavements" of Bill 300 "Pavement" from Lot 1(R14 Road: R6 -Codrul Nou -Soroca -Unguri -Ukraine border, section km 92+620 - km 123+620), shall be in square meters.

Please refer to the Addendum no.1 for further details.

Question 13

In order to price the BoQ item 70302 "Construction of new sidewalk" for Lot 2 (R8.1 Road: R8 - Arionesti - Rl 4, section km 0+00 - km 9+470), please indicate where a detail of a Typical cross section of the new sidewalk construction can be found within the tender drawings, or specify the type of pavement.

Answer

In order to price the BoQ item 70302, Participants shall refer to the typical pavement section of the new sidewalk from the drawing p.223 "Bus station" - Detail "kerbing".

Question 14

If the Bidder states in the Letter of Tender that if the Bidder awarded 2 lots will supply a single laboratory and makes a discount by considering this, will the Employer pay the "Provide site laboratory including office for the Engineer" work item in both lots?

Answer

Participants shall quote for all items in the Bill of quantities for both lots, as provided in the tender documents.

In case of award of both lots to the same Participant, it will be paid based on the number of laboratories and Engineer's offices built erected on site.

Question 15

The bidder wishes to provide the Tender Security from Turkish Banks with higher transaction volume than Moldovan Banks, otherwise counter-guarantee will be required which will need extra cost and time therefore, the Bidder may not submit a competitive bid or in the time.

Answer

The Tender Document does not impose on Participants the obligation to present a Tender Security issued by a Moldovan Bank.

However, the Participants should note that in accordance with ITP 17.3 for the Data Sheet, the bank outside of the Employer's country, issuing tender security, shall have a minimum credit rating of "BBB-" by Standard & Poor's and Fitch Ratings or "Baa3" by Moody's. Participants shall provide proper evidence of compliance of the issuing bank with this requirement.

Any tender not accompanied by a substantially responsive tender security shall be rejected by the Client as non-responsive.

Question 16

The bidder wishes to provide the Performance Security and the Advance Payment Security from Turkish Banks with higher transaction volume than Moldovan Banks, otherwise counter-guarantee will be required which will need extra cost and time therefore, the Bidder may not submit a competitive bid or in the time

Answer

As above, Participant is not obliged to present a Performance Security and an Advance Payment Security issued by a Moldovan Bank. However, please take into consideration the provisions set under PCC Sub-Clause 4.2 [Performance Security] and PCC Sub-Clause 14.2 [Advance Payment] when purchasing the guarantees.

Question 17

According to the Tender Documentation, Volume III - Technical Specifications, under Chapter SOI - Measurements.

The Cable of electric and illumination costs will be payment under work item that has unit as pcs. Therefore, the Bidder asks to the Employer if the cable quantity increase how payment will be made?

Answer

According to the Tender Documentation, Volume III - Technical Specifications, under Chapter 801- Measurements the rearrangement of aerial power lines of 10kV and 0,4kV, is measured in number of foots and in linear meters. The arrangement of external lightning is measured in number of lighting poles. At the same time, the network layout works will include absolutely all the materials and specific works provided for in the project (e.g cable, lighting bulb etc). When a rearrangement is done, the Contractor will have to change not only the cable but the pole itself with a new one.

The remeasurement requirements are described in the Tender Documentation, Tender Form, Contract Data, General Conditions of the Contract.

Question 18

According to the Tender Documentation, Volume III - Technical Specifications, under Chapter 501- Measurements.

The Bidder asks to the Employer excavation, backfilling and concrete foundation of the Culverts cost will be payment under work item that has unit as linear meter?

Answer

Please refer to the Technical Specification 203.09, which states: ‘Structural excavation, bedding, foundation fill, backfill and temporary support of excavation will not be measured for payment. This includes concrete foundations for culverts where required. These costs are included in the cost of the structure’. Participants shall include all these costs and ancillary costs in the cost of the culvert in linear meters, or numbers for end sections.

Question 19

According to the Tender Documentation, Volume III - Technical Specifications, under Chapter 201 "The embankment upper layer (subgrade) shall be performed, using non-cohesive soil and cohesive soil stabilized with hydraulic binder." The Bidder understands from the above statement that stabilization with cement is not required when using non-cohesive material. The Bidder kindly request clarification.

Answer

According to the Tender Documentation, Volume IV - Technical Specifications, under Chapter 201, for non-cohesive and cohesive soil stabilization, HRB (Hydraulically Bound Mixture) Type E2 is required.

The embankment upper layer (subgrade) shall be performed in accordance with SM SR EN 14227-5 Hydraulically Bound Mixtures. Specifications. Part 5: Hydraulic Road binder bound mixtures.

In this regard, the Sub-Chapter 201.13. Formation of Embankment Upper Layer (Subgrade), is modified to replace non-cohesive soil and cohesive soil stabilized with hydraulic binder” in accordance with SM SR EN 14227-5.

Please refer to the Addendum no.1.

Question 20

According to the Tender Documentation, Tender Form, Contract Data Part - A, under Sub-clause 6.5 "5 days per week, 8 hours per day and excluding locally recognized days of rest, Saturdays and Sundays and all government recognized public holidays."

The Bidder, in the previous experiences, could not work except of 09:00-17:00 during the week and the weekend because of the engineer could not be on site. Therefore, the Bidder asks the Employer possibility of change this condition.

Answer

The requirements in the matter are set forth in the labor law applicable to the contract.

The Engineer shall be available 6 days per week on an 8 hour / day schedule. Sundays and public holidays are non-working days and should be planned as such by the Contractor.

Circumstances of an individual case described in the Participant’s question does not provide ground for overruling the said requirement in respect of the working time. Therefore, provision remains unchanged.

Question 21

According to the Tender Documentation, Tender Form, Contract Data Part - A, under Sub-clause 1.1.3.3 Time for completion is 915 days and the Price Adjustment starts after 18 months. Due to the war environment and the global crisis, material prices change abruptly, which increases the risk of the Bidder and reduces the possibility of competitive prices, so the Bidder requests that the Price Adjustment start at 0 month and the project period is reduced to 730 days, otherwise the Bidder may have to plans most of the works after 18 months.

Answer

The project involves the sharing of risk between the parties. The Employer considers that the Participant has sufficient information available to plan works for the project and to incorporate the anticipated costs of commodities for the initial 18 months Contract period within his tender submission prices.

As stated in the Particular Conditions of the Contract, Contract Data – Part A, the time for completion is 915 days from the Commencement Date for Lot 1 and 730 days for Lot 2. No restrictions are imposed in the Tender Documentation for an earlier completion of works.

Participant must submit a realistic work program showing completion within the Contract period.

A tender containing a work program that shows a lack of planned progress of work within the first 18 months of the project may be considered timewise unbalanced and rejected.

Question 22

According to the Tender Documentation, Qualification Forms, FORM BOQ-1: Breakdown of BoQ items the bidder states that detailed breakdown of BOQ items create an extra workload. The Bidder requests to submit the detailed breakdown of BOQ items after the Contract Award Notice.

Answer

The examination of BOQ items detailed breakdown is essential for the tender evaluation process. Thus, the participants are required to provide the necessary information as per the Tender Documents requirements.

Question 23

According to the Tender Documentation, Qualification Forms, FORM BOQ-1: Breakdown of BoQ items. The detailed breakdown of the BOQ items is requested from the Bidder.

In relation to this, in the method of preparing proposals, indirect (overhead) and profit rates vary according to the material, equipment and labour intensity in the work item. The Bidder has experienced in the previous experience that these variable indirect (overhead) and profit rates are used against the contractor when establishing a new unit price. The bidder requests a description (tariff) of the use of overhead and profit rates in the establishing of a new unit price.

Answer

Please refer to Answer 22 above. The primary scope of providing the respective information is for the examination of BOQ items detailed breakdown as part of the tender evaluation process. If, subsequently, there is a need for establishing of a new unit price, this is guided by the Sub-Clause 12.3 [Evaluation] of the GCC, which is a fact-sensitive exercise and depends on multiple circumstances to be examined at the respective time during the performance of the contract. Such breakdown could be used among the data for determination of such a new unit rate.

Overhead and profit rates are elements emanating from the Participant and determined based on the latter's overall cost structure/internal information and profitability approach/policy. Employer is not in the proper position to determine and/or indicate to the Participants the value thereof (neither from the contractual/procedural standpoint nor from the point of view of the possession of the underlying information required for the respective values' determination).

In addition, the timing or the point in the overall process is not appropriate for any of the parties (neither the Participants nor the Employer) to determine/derive a new rate or price. Determination of new rates is meant by the contract conditions for the contract performance stage.

Question 24

It will occur without the fault of the Contractor; war, new pandemic etc. Will you continue to pay for "General Items" work items in case of a time extension?

"General Items" work items in case of a time extension?

Answer

Extensions of Time including costs are assessed on their impact on the Critical Path of the project on a case-by-case basis as per GCC Clause 20 and Sub-Clause 8.4. Participants are well aware of the current circumstances and should plan accordingly for completion within the Contract period.

Question 25

The Bidder asks the Employer, in case of an extension, will the Employer pay the Contractor for the prolongation cost?

Answer

Please refer to the Contract Data, General Conditions of the Contract for extension requirements and consequences.

Refer to the Answer to Q24.

Question 26

According to the Tender Documentation, Tender Form, Contract Data Part - A, Schedule of Price Adjustment Data, The Employer requests 3 Price Adjustment Indexes from the Bidder. The Bidder requests to increase the number of this Price Adjustment Indexes for calculation of the correct cost changes

Answer

To ensure an equal playing field for all participants while preparing their tenders the Price Adjustment Indexes shall be presented as per modified Contract Data. Please follow the provisions of Addendum no.1 to the Tender Documents.

Question 27

Due to the war, some major material purchase is restricted from Belarus and Russia. Does the Employer have a solution for this situation?

Answer

Participants are expected to make provision and plan accordingly in relation to issues with the supply of materials from Belarus, Russia and also supply issues with other countries. Participants are expected to investigate and establish sources of materials and goods as part of the project planning process.

The tender documentation does not impose any restrictions in respect of countries of origin of the materials. Participants are free to source materials in a manner which avoids risks of restrictions which such Participants might anticipate that some countries or territories might impose.

Under the provisions of Chapter 009. CONTROL OF MATERIAL from the Volume 4.1 Technical Specification the Contractor is responsible for materials supplying.

Question 28

Due to the absence of natural aggregate in this region, the Bidder asks the appropriateness of using granite instead of natural aggregate.

Answer

Under the provisions of Chapter 009. CONTROL OF MATERIAL from the Volume 4.1 Technical Specification the Contractor is responsible for the provision of materials that comply with the technical specifications' requirements.

Question 29

Environmental and Traffic payments are deducted without any reason. What are the reasons for the deduction? In the Bidder previous experience, the Contractor experienced that Environment and Traffic payments were deduct without any reason and could not receive any payment. What are the deduction conditions?

Answer

The deduction conditions for compliance with traffic management are described in the Chapter 007. Traffic Management from Technical Specification and the deduction conditions for compliance with environmental management plan requirements are described in the Chapter 016. Compliance with Environmental Management Plan Requirements from Technical Specification.

Question 30

CP.D.02.25:2021 is a specification referenced in the Volume 4.1 Technical Specification. The criteria under Sub-clause 305.08 of the Technical Specification are in conflict with the CP.D.02.25:2021 specification. Which specification takes priority?

Answer

The National Norms in force prevail on all the discrepancies observed in the Volume 4.1. Technical Specification. In case of specifications from the Technical Specifications which are more precise than will be applied, subject for Engineer approval and clarification.

Question 31

CP.D.02.25:2021 and SM SR EN 12697 are specifications referenced in the Volume 4.1 Technical Specification under Sub-clause 305.14 and these are in conflict. Which specification takes priority?

Answer

The phrase under Sub-Clause 305.14, Technical Specification "The compacted asphalt in the field shall achieve a coefficient of compaction in accordance with CP D.02.25:2021 and SM SR EN 12697." is substituted with following: "but not less than 0.97%."

Question 32

As capping layer material;

Drawings refer to "Capping Layer of Sand "

Technical Spec. 303.04 refers to "The capping layer shall be performed of ballast, an optimal mixture of 63mm maximum size of coarse grains. The ballast shall be of a hard rock, stable to weathering, water[J]and frost-resistant, with no visible inclusions or altered elements"

Please kindly clarify type of the Capping Layer Material to be sand or ballast?

Answer

Everywhere in the Volume 3. Drawings., is mentioned "Capping layer of sand" the requirements from Sub-Clause 303.04 Volume 4 Technical Specifications shall prevail.

As per provisions of Sub-Clause 303.04 Volume 4 Technical Specifications the Capping Layer shall be performed of ballast, an optimal mixture of 63mm maximum size of coarse grains. The ballast shall be of a hard rock, stable to weathering, water and frost-resistant, with no visible inclusions or altered elements.

Question 33

As Granular Materials of Crushed Stone;

Drawings and BOQ refer to sizes of 8-31 .5 and 8-63 mm.

Technical Spec. 303.04 refers to grading envelopes of 0-40 and 0-63, no grading envelope given for 8-31.5 and 8-63 mm.

Please kindly clarify which sizes to be used for Granular Materials of Crushed Stone?

Answer

The granular materials of crushed stone have to meet the requirements of Sub-chapter 303.02 of Technical Specifications. The sizes to be used shall be in accordance with Drawings and Bill of Quantities.

Question 34

According to Technical Spec. 201.13 related to Formation of Embankment Upper Layer (Subgrade); a binder not of a lower grade than HRB E2 (cement) to be used to stabilize non-cohesive and cohesive soil.

The Bidder kindly asks clarification for usage of HRB E2(Cement) is a mandatory or not for Formation of Embankment Upper Layer?

Answer

Please refer to answer no. 19.

Question 35

If the Bidder completed his Project, would you agree to transfer his equipment from the completed project to new project to provide the customs conditions remain the same? Will you provide a letter to submit to customs for the extension of equipment customs deadlines?

Answer

Please refer to the ITP13.1 of the Section I: Instructions to Participants. Employer will provide confirmation exempted status in this respect, irrespective of where the equipment has been involved previously.

Question 36

If the Bidder couldn't complete his Project, would you agree to transfer his equipment from the ongoing project to new project to provide the customs conditions remain the same? Will you provide a letter to submit to customs for the extension of equipment customs deadlines?

Answer

This is highly hypothetical question, with multiple possible ramifications, which could not be foreseen at this stage, to be properly answered.

At least the causes of non-completion of project (which is a contingent event and lies in the future) should be given proper appreciation and liabilities therefor be determined, in order to decide on consequences to follow upon such event occurring. The contract is primarily intended towards a result which entails completion of project and not vice versa.

Question 37

According to the Tender Documentation, Tender Forms -Contract Data Part A - GCC Sub-Clause 13.5 (b)

The Bidder observes that the "Percentage adjustment of Provisional Sums" will not be applied on the Contract Data Part A - GCC Sub-Clause 13.5 (b), and also observes that this percentage will apply 10% on the Summary page of BOQ. The Bidder asks the Employer this contradiction.

Answer

For proper interpretation and application of the referenced provision (i.e. Sub-Clause 13.5 (b) of the Contract Data), it shall be read in conjunction with the corresponding provision of the General Conditions of Contract, which self-directs to the "(b) Plant, Materials or services to be

purchased by the Contractor, from a nominated Subcontractor (as defined in the Clause 5 [Nominated Subcontractor]...”

There is no such nominated Subcontractor appointed in this tender, for which reason there is no underlying relationship which the Sub-Clause 13.5(b) is meant to regulate, hence the Contract Data is stipulating to that effect (that it is not applicable).

The Summary page of Bill of Quantities represents the total costs for all BoQ items described in the Bill. The “Grand Total (without TVA)” is the sum of “Total works” plus the “Provisional sum for contingencies” - 10% of Total Works (without TVA).

Please refer to the General Conditions of the Contract Sub-Clause 1.1.4.10, where the [Provisional sum for contingencies], means a sum (if any) which is specified in the Contract as a provisional sum, for the execution of any part of the Works or for the supply of Plant, Materials or services under Sub-Clause 13.5 [Provisional Sums] of General Conditions of Contract.

Question 38

According to the Tender Documentation, Bill of Quantities

The Bidder asks the missing work item mentioned below for Section 1: Lot I: Rehabilitation of R14, R6 -Codrul Nou - Soroca - Unguri -border with Ukraine Road, km 92+620 - km 123+620

20103	Select fill to shoulders (shoulder fill)	Cubic Meter
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Answer

Please refer to the Addendum no.1 attached.

Question 39

According to the Tender Documentation, Tender Forms -LOT 2: R8.1, R8, Volume 3.1 - Drawings -Page No: 218 (Coala 218) - Culvert pipe ϕ 0.60m on access roads

The Bidder asks the contradiction between section 1-1 and section 2-2, the Section I is showing the foundation of culvert should be crushed stone, but the Section 2-2 is showing that foundation of culvert should be concrete.

Answer

Please refer to section 1-1 Page No: 218 Culvert pipe ϕ 0.60m on access roads, Volume 3.1 - Drawings, the foundation at section 2-2, shall be made of Crushed stone LA30.

Question 40

The time of completion of the recent ongoing tenders (Construction of Road M3; Construction of Road R 1 4 and R8) issued by the Client are all set at 915 days. The scope of work of the project at hand (Construction of Road R14 - Lot 2: RSP/W14/03: R8.1 Road: R8 - Arionesti - R14, section km 0+00 - km 9+470) is however quite smaller than the other aforementioned projects. The Bidder hereby requests from the Client to allow the Bidder to propose an alternative time of completion (Shorter), which has been restricted by the Bidding Document clause ITB 12.1, as in the opinion of the Bidder, will provide for a much more competitive and beneficial final offer to the Client.

Answer

The time set in the tender documents is the maximum term within which the Participant shall complete the works. Participants are free to arrange their contract performance activities in a fashion to complete the works at any point within the respective term.

The time for completion for Lot 2: RSP/W14/03: R8.1 Road: R8 - Arionesti - R14, section km 0+00 - km 9+470 has been revised to 730 days as per Addendum No 1.

Question 41

Please confirm if the following format of the Tender Security is acceptable to the Employer:

The following text is Employer's generalized reproduction of the meaning of the question: Participant submitted a template of the guarantee, which in addition to the text in the proper form provided in the Tender Document, has an additional paragraph, related to the dispute resolution.

Answer

The tender guarantee shall be provided in the form, fully complying with that provided in the tender document, and shall contain neither omission of the required text nor any additions thereto.

Question 42

You are kindly asked to clarify the following criteria, which was required at Section IV: Eligibility and Qualification Criteria, Table 3. Experience - 3.3 Specific Experience as the following:

iii) Culvert Construction (pipe & Box) in one calendar year in the past 3 years at a rate of not less than: Lot 1: 40 units;

Lot 2: 20 units;

Lot 1 & Lot 2: 60 units.

To ask the criteria in UNITS is not a measurable/comparable item, because at your drawings; the platform of the existing carriageway is about 11,0 mt. However, our projects which will be presented to you as our past experience are divided highways; in other words, the platform of the carriageway is about 22,0 mt.

So, you are kindly asked the amend/replace the above-mentioned criteria as TOTAL LENGTH AS METER for each Lot separately.

Answer

Please refer to the Addendum no.1 to the Tender Documents.

Question 43

While preparing the final offer, the Tenderer has found a mistake in the BoQ. As such, in the respective sections of 'Total Cost', 'Quantity ' and 'Unit Price' in the Bill

1000 (Dayworks) Item No.

1002.9 and Item No. 1002.10 appear to have a miss-matched formula, where the Total Price is calculated not by the 'Quantity ' 1002.9 * 'Unit Price' 1002.9, but by 'Quantity ' 1002,9 * 'Unite

Price' 1002.10 (Same is true for the Item No 1002.10). The Tenderer asks the Client to clarify and fix such an inconsistency.

Answer

Please refer to the Addendum no.1 to the Tender Documents.

Question 44

[This matter is brought by the Employer and relates to the Technical Specifications].

Answer

The Technical Specifications, have been replaced in its entirety. For the ease of reference by the Participants to the clauses being changed, a version with tracked changes of the modified text, is provided to the Participants and could be downloaded at:

http://files.asd.md/Directia_investitii/Technical_Specification_Track.zip

Such version is not part of the Tender Documents. In case of any discrepancy between the version at hand and the clean version of the updated Technical Specifications attached to the Addendum no.2, the latter shall apply.