

7257/11
26.12.2018
CLARIFICATION No. 6 OF TENDER DOCUMENTS

N/R/01/18

Due to requests for additional clarifications of tender documents for the procurement: Performing construction, reconstruction and renovation works for the fourth group of schools within the School Modernization Program - Component 3, publication number N/R/01/18, we provide the following clarifications:

Question no. 1:

(File number 6537 dated 30 November 2018)

For Lot 7

We kindly ask you to modify the Tender Documents, which refer to the obligatory conditions, i.e. to the special license for the performance of works, which are the subject of this tender procedure, in such way that you would request from the Bidder to submit a Decision on issuing a license for performing mounting, commissioning and maintenance of the technical protection system, since in the chapter - point 2.3. Qualification data, page 26-27/74, you did not specify it.

Our request is based on the following facts:

The technical protection installation implies mounting, connection of the technical protection system

Mounting of technical protection system implies setting of installations and installation of devices and equipment

Technical security means and devices also imply video security systems - video surveillance, security protection, access control

Since the conditions, in accordance with Article 76, paragraph 6 of the Law on Public Procurement, are prescribe to be in a logical connection with the public procurement, by insight into the BoQ of works it can be determined that the installation of the technical protection system, that is, video surveillance, security protection, access control are the subject of this public procurement (Telecommunication and signaling installations,)

For the performance of tasks related to the installation of technical protection system, it is necessary to have a valid permit from the competent body for performing the activity, and such permit is foreseen by a special regulation

From 01 January 2017 according to the valid regulations regulating the field of technical protection, i.e. according to the Law on Private Security (Official Gazette of RS, No. 104/2013, 42/2015), and according to the Rulebook on the manner of conducting activities of technical protection and use of technical devices (Official Gazette of RS No. 19/2015) the tasks of mounting and commissioning of the technical protection system can only be performed by a legal entity or an entrepreneur who has a decision/license issued by the Ministry of Internal Affairs of the Republic of Serbia, the Police Directorate, the Police Directorate.

In line with the facts stated above, I kindly ask you to amend the Tender Documents and harmonize it with the legal regulations.

Answer:

Bidders are obligated to comply with all applicable laws and regulations of the Republic of Serbia, including the Law on Fire Protection and the Law on Private Security, during the realization of the contract in case of awarded contract for the execution of works in the procurement procedure.

Question no. 2:

(File number 6537 dated 30 November 2018)

For Lot 7

We kindly ask you to modify the Tender Documents, which refer to the obligatory conditions, i.e. to the special license for the performance of works, which are the subject of this tender procedure, in such way that you would request from the Bidder to submit a Decision – certificate for performing special systems and fire-protection measures, especially for fire warning, since in the chapter - point 2.3. Qualification data, page 26-27/74, you did not specify it.

Our request is based on the following facts:

For the performance of the entire set of fire protection activities, foreseen by this public procurement, which can be determined by the insight into the scope and budget of works, (Telecommunication and signal installations, Chapter 8), it is necessary that the decision issued by the Ministry of Internal Affairs is obtained by the legal entity, not a physical one, since this is a valid license of a competent body for performing the activity that is the subject of the public procurement, and as such is foreseen by a special regulation.

The valid authorization for performing the tasks of installing special systems and fire protection measures represents the evidence that the Bidder fulfills the required condition for the participation in the procedure of this public procurement, which is prescribed by the Law, if it is foreseen by a special regulation, which is the case with the public procurement in question. The Rulebook on professional examination and the conditions for obtaining the license and the authorization for the preparation of Main Fire Protection Project and Special Systems and Fire Protection Measures, as well as the Article 38 of the Law on Fire Protection, regulates that only the authorized business entity can perform the tasks of designing and execution of works of fire protection and special systems.

Article 39 of the Law on Fire Protection defines that the design and implementation of special fire protection systems and measures referred to in Article 38, shall imply the following activities:

- development of projects for stable firefighting systems and installation of these systems;
- development of projects for stable fire alarm systems and installation of these systems;
- development of projects for stable systems for detection of explosive gases and vapors and implementation of these systems;
- development of analysis of hazard zones and determining these zones at sites that are endangered by the formation of explosive mixtures of flammable gases, vapors of flammable liquids and explosive dusts);

- designing and setting of electrical installations and devices for rooms endangered by explosive atmospheres (flammable gases, flammable liquids and explosive dusts);
- designing and implementation of systems for smoke and heat removal.

Article 81 of the Law on Fire Protection stipulates that the performance of activities referred to in Article 38 without fulfilling the prescribed conditions is a commercial offense, as well as a fine of up to 3 million RSD.

Also, for the activities referred to in paragraph 1 of this Article, in addition to a fine, a protective measure may also be imposed on a legal person as prohibition to engage in certain economic activity, that is, the protective measure towards a responsible legal entity to prohibit the performance of certain duties for a period from six months to five years.

In line with the facts stated above, I kindly ask you to amend the Tender Documents and harmonize it with the legal regulations.

Answer:

Bidders are obligated to comply with all applicable laws and regulations of the Republic of Serbia, including the Law on Fire Protection and the Law on Private Security, during the realization of the contract in case of awarded contract for the execution of works in the procurement procedure.

Question no. 3:

(File number 6537 dated 30 November 2018)

For Lot 7

If the Contracting Authority has a different position from that of the Bidder and does not change the Tender Documents, we consider that it is necessary to obtain the official statement of the Ministry of Internal Affairs, because the CA is not authorized to approve the deviation and violation of the law, the application of which is not in charge to control, as well as to answer how the Bidder/group member/ subcontractor shall perform Telecommunication and signaling installations, if no of them has a special license?

Answer:

Bidders are obligated to comply with all applicable laws and regulations of the Republic of Serbia, including the Law on Fire Protection and the Law on Private Security, during the realization of the contract in case of awarded contract for the execution of works in the procurement procedure.

Question no. 4:

(File number 6537 dated 30 November 2018)

For Lot 7

Why, according to the Article 81 of the Law on Fire Protection, the performance of works, which are the subject of this procurement, without the authorization of the Ministry of Internal

Affairs – represents a commercial offense if the Contracting Authority deems that no changes to the Tender Documents are required?

Answer:

Bidders are obligated to comply with all applicable laws and regulations of the Republic of Serbia, including the Law on Fire Protection and the Law on Private Security, during the realization of the contract in case of awarded contract for the execution of works in the procurement procedure.

Question no. 5:

(File number 6969 dated 14 December 2018)

Since we have downloaded unlocked cases for Lot 10 - Negotin from your website and the same problem is repeating again (the column can not be expanded and the entered number (unit price) can not be seen), we ask you is it allowed to enter the price manually in a previously printed copy of the offer?

Answer:

Please see Amendment No. 4 made on 26th December 2018.

Unit prices shall not be filled manually, but in accordance to Tender documentation.

Question no. 6:

(File number 6970 dated 14 December 2018)

In the tender documentation, on page 39, there is a draft text of the Bid Security – Tender Guarantee. In which the first paragraph states that the bank is obliged to pay to the Contract Authority the amount of _____ EUR.

There isn't mentioned what is the exchange rate on day of the payment for Tender guarantee.

Please explain whether the payment will be made in RSD counter value at the middle exchange rate on the day the guarantee is issued for payment and if is so, make the change of the tender guarantee form.

Answer:

Payment under the Tender guarantee will be done according to the middle exchange rate of the NBS on the day of payment.

The Tender guarantee form remains unchanged.

Question no. 7:

(File number 7024 dated 18 December 2018)

In Lot Finalization of construction of school gym OŠ „Dimitrije Tucović“, Čajetina, in Bill of Quantities of construction works, description of position 5.1 reads:

CHAPTER 5 - DRY ASSEMBLY WORKS		POGLAVLJE 5 - SUVOMONTAŽNI RADOVI				
5,1	Construction of a monolithic ceiling made of fireproof gypsum boards on the substructure (horizontal coating along the joint of beams with the roof, in the slope and horizontally in the central zone)	Izrada monolitnog plafona od vatrootpornih gips kartonskih ploča na potkonstrukciji (horizontalno oblaganje u pojasu spoja greda sa krovom, u kosini i horizontalno u središnjoj zoni)	m ²	780,00		

Given that neither the description nor the answer to question no. 30, from Clarification No. 3 of the Tender documentation N/R/01/18 do not solely define a position, since the number of layers of plates and the level of fire resistance is not stated, please indicate the number of fireproof plaster of cardboard plates or define the required level of fire resistance for subject position.

Answer:

The ceiling consists of double fireproof plasterboard plates d = 2,5cm, on the substructure.

Question no. 8:

(File number 7025 dated 18 December 2018)

Lot 5

8.	Procurement and installation of the roof panel d=18 cm of the type KS 1000RW IPN or appropriate, minimum fire resistance 45 min, with the necessary fillings. Calculation per m2.				
		m2	553,00	x	=

The above mentioned manufacturer does not produce a panel type KS 1000RW IPN, d=18cm. Can you check that no error has been made?

Answer:

The Bid should be submitted for a panel thickness of 16cm.

Please see Amendment No. 4 of Tender document made on 26th December 2018.

Question no. 9:

(File number 7025 dated 18 December 2018)

Lot 5

IX Covering and tin works				
1. Procurement of materials and covering the roof with compact polycarbonate plates with vertical connections of DANPALON type or corresponding with polycarbonate U-joints. Plates should be with at least 4 walls, constituent materials, they must be free (floating structures), they must not be drilled at mounting for the substructure, 100% not to leak water, connect with the system of upright connections. Preferably the roof plates are covered with polycarbonate plates without continuation. Calculation per square meter of battered surface, together with accessories and mounting elements in everything according to the details of the main design.				
		m ²	237,00 x	=
4. Supply and installation of facade fixed portal. The position is made of compacted polycarbonate slabs of type Danpalon or corresponding plate thickness of 22 mm width 60 cm. Plores are placed in frame made of aluminum profiles. Execution and installation according to the manufacturer's workshop drawings. The price should include the finishing of the rafters, tin and the corresponding floorboard.				
	mark IX 300/99-119	kom	1 x	=

There is no manufacturers in Serbia who produces polycarbonate plates d = 22mm. Please, if you can check the accuracy of the data.

Answer:

Danpalon is produced in Israel and can be purchased on the Serbian market. The offer should be given for Danpalan or the equivalent with the appropriate characteristics.

Question no. 10:

(File number 7076 dated 20 December 2018)

The question relates to: The certificate on the realization of the previous contract.

This form is not included in the Tender documentation.

Can it be attached (if it is accepted) a certificate containing all the information requested, but on the form for another public procurement.

Answer:

Certificate as a proof for realization of a contract of a similar nature and complexity shall be submitted in an optional form and must contain the information specified in Form 3.5.2.A: Qualification Form.

Procurement Committee

