

CLARIFICATION no. 3

Procurement number N/R/02/16

Published on 25th October 2016

Regarding the request for additional clarifications of the tender documents for the procurement no. N/R/02/16 - Performing construction, reconstruction and renovation works for the third group of schools within School Modernisation Programme – Component 3, we submit the following answers:

1. BIDDER'S QUESTION:

It is stated in the tender documents that potential bidders may inspect the available technical documentation. We would like to know whether it is possible to receive technical documentation in electronic form.

ANSWER:

Schemes of carpentry and joinery can be downloaded via link:

<https://drive.google.com/file/d/0B68-KUgUodgNZV9FSU1jRFMzblU/view?usp=sharing>

Insight into the remaining technical documentation can be done every working day from 10 a.m. to 1 p.m. at the premises of “JUP Istraživanje i razvoj” doo Beograd, Veljko Dugoševića. 54, 11000 Belgrade, with mandatory notification via e-mail modernizacijaskola@piu.rs.

2. BIDDER'S QUESTION:

Will you accept potential bidder's experience in construction works if referenced works were contracted before requested period but executed in last 5 years?

ANSWER:

The answer is yes.

3. BIDDER'S QUESTION:

Regarding personnel capacity specified in the tender documents that the bidder must have a minimum of 12 persons from requested fields as representatives of the contractor for the project management.

- If a bidder submits a bid for more than one lot, can he use same persons listed for one lot as representatives of the contractor for other lots too?

- Also, we would like clarification regarding employment of graduated lawyer as required personnel for project implementation. The practice of construction companies is to hire external legal services, consulting agencies or law firms for specific projects that inevitably have far greater expertise and competence in the performance of legal affairs. Since the construction companies are registered with the competent authority for performing the activities of construction of buildings it is not necessary for these companies to have employed graduate lawyers in order to perform high-quality construction works.

We believe that the requested condition is not in line with the key principles of procurement procedures financed from the funds of the European Investment Bank and with the principle of equal treatment and non-discrimination, since this condition has no impact on the execution of the specific subject of public procurement, it is not in logical connection to the subject of public procurement and restricts competition since small number of companies can fulfil it.

In order to execute the subject of procurement it is logical to ask for previous experience - references, technical equipment, financial capacity and personnel which will be involved in the execution of the specific subject of procurement, which is definitely not a graduated lawyer.

Accordingly, we would like to know whether Contracting Authority will accept the involvement of graduated lawyers for this project in accordance with the forms of engagement defined by the Labour Law of the Republic of Serbia. Please note that the Guide to Procurement for projects financed by the EIB emphasizes application of the legislation of promoter country, World Bank and FIDIC.

- Does potential bidder meet the required personnel capacity if he employs some of required stuff for a limited period of time?

ANSWER:

If a bidder submits a bid for more than one lot, he can use same persons as representatives of the contractor for the project management for all lots.

Graduated lawyer as well as Graduated Economist may be engaged on any ground. See Amendment no. 1 of Tender documents.

Potential bidder meets the required personnel capacity if he employs some of required stuff for a limited period of time.

4. BIDDER'S QUESTION:

We would like to ask you to publish estimated value of procurement for each lot i.e estimated budget for each contract.

ANSWER:

Estimated value of procurement as well as estimated value of procurement for each lot will be known on the day of bid opening.

5. BIDDER'S QUESTION:

Is it necessary to submit evidence if required information is publicly available? In particular, the data which is available on site of the National Bank of Serbia is number of days of insolvency for the past three years, counting from the day request was sent. These data are official public record of the competent authority that is authorized for keeping of such official records and may be used for official purposes without applying for certificate (according to NBS). Also it is in accordance with regulations of the Republic of Serbia and in compliance with Article 79, paragraph 6 of the Public Procurement Law.

ANSWER:

As defined in clause 2.3 Qualification Data, page 25/73 of tender documents, bidders which have headquarters in the country of the Contracting Authority may, instead of evidence that prove mandatory requirements for participation in procedure (except signed and certified statement from the bidder on letterhead confirming that he meets obligations under the applicable regulations pertaining to safety at work, employment and working conditions, environmental protection, as well as that they are not under the prohibition of performance of activities during the bid submission), submit excerpt from the register of bidders issued by Agency for Business Registers (APR).

As evidence that he has not been insolvent for a period of one year before the publication of the Procurement Notice, bidders which have headquarters in the country of the Contracting

Authority may submit certificate issued by National Bank of Serbia or Credit Report issued by the Agency for Business Registers (APR).

Bidder does not need to submit evidence if required information is publicly available.

6. BIDDER'S QUESTION:

Do we need to submit 3.4.2 Financial identification form signed and stamped by each bank in which we have account opened?

ANSWER:

It is enough to submit requested form signed and stamped only by one bank in which bidder has opened account.

7. BIDDER'S QUESTION:

In case bid and all relevant documents are signed by legal representative – director, is it necessary to submit Form 3.4.3 Power of attorney or other relevant document (eg. OP form)?

ANSWER:

In case bidder submits bid independently, and bid and all relevant documents are signed by the legal representative, bidder is not required to submit power of attorney.

In case the bid is submitted by a group of bidders, bidder needs to submit Form 3.4.3 - Power of attorney for signing of the bid and all relevant documents.

8. BIDDER'S QUESTION:

Is Qualification form 3.5.4A signed and stamped by engineer with his license stamp?

ANSWER:

The answer is no. Qualification form 3.5.4A, as well as other forms, needs to be signed and stamped by the person authorized to sign the bid and all relevant documents.

9. BIDDER'S QUESTION:

Do we need to enclose schedule (work programme for execution of the works and organization plan) when submitting the bid or, as stated in the Special Conditions of the Contract, 30 days after signing of the contract?

ANSWER:

In accordance with paragraph clause 2.2 of Tender documents – Tender Data, paragraph 10.1, page 22/73 of tender documents, Form 3.6.1 - Work Programme is content of the bid.

10. BIDDER'S QUESTION:

Is requested technical capacity required in the case a bidder submits bid for only one lot? If the bid is submitted, for example, only for Lot 4 which includes works on two buildings, it is unjustified to require all listed equipment, since it will certainly not be used.

ANSWER:

The answer is yes.

11. BIDDER'S QUESTION:

LOT 1 – ES Milutin Jelenic – PO Donja Trnava

Please define from which material are windows and doors that are in the Bill of Quantities VII – Joinery works made.

ANSWER:

In the Bill of Quantities for LOT 1 – ES Milutin Jelenic – PO Donja Trnava, VII – Joinery works – Outdoor doors and windows are made of wood.

12. BIDDER'S QUESTION:

LOT 1 - School for Shipping, Shipbuilding and Hydro construction

PART A2 - POS 2.08 – From which material are layers of ceilings that are falling down comprised of?

PART A3 - POS 3.01 - From the description of this position is not visible from which material are outdoor doors made. Please amend description of this position and position 3.02 and submit schemes for these positions.

PART A4 - Please submit schemes for all positions.

ANSWER:

All ceilings on the facility are derived from the following layers - substructure of wooden slats 3/5 cm is set at a distance of 50 cm across the wooden attic beams. Reed covered with the mortar thickness of 2.5-3 cm is attached to this substructure.

Schemes of carpentry and joinery can be downloaded via link:

<https://drive.google.com/file/d/0B68-KUGUodgNZV9FSU1jRFMzblU/view?usp=sharing>

13. BIDDER'S QUESTION:

LOT 1 – Macvanska srednja skola Bogatic

Why does Bill of Quantities that includes price correction exist in the Bill of Quantities for construction works in tender documents? Do we need to disregard this part of Bill of Quantities?

ANSWER:

Bill of Quantities that includes price correction should be disregarded. Please find enclosed corrected Bill of Quantities.

14. BIDDER'S QUESTION:

LOT 1 - Posavotamnavska srednja škola building 1 – old part of the school - Vladimirci

Position 02 - Joinery works - Please submit amended descriptions for the position 02.001 and 02.002 in order to be able to form prices. Based on existing description without dimensions of doors and windows and without exact quantities for each dimension it is not possible to form prices. Also please provide us with all schemes for all joinery.

Position 10 - Dry mounted works - Instead position 09.001 it should say 10,001. This position should be separated into two positions. The position 10.001 should state whether it is panelling or suspended ceiling, type of plastered boards, exact thickness and quantity of a given position. Position of 10.002 should state type of plastered boards, their thickness, the total thickness of the partition wall, filling and exact quantity for this position.

ANSWER:

See Amendment no. 1 of Tender documents.

15. BIDDER'S QUESTION:

We would like to know whether you will supplement Bill of quantities with the final recapitulation of works for those schools which do not have final recapitulation (eg. Macvanska srednja skola Bogatic, Catering and Tourism School in Belgrade, School for the Shipping, Shipbuilding and Hydro construction, etc.) or bidder needs to make them himself?

ANSWER:

For those schools which do not have final recapitulation of works bidders may create final recapitulations themselves.


16. BIDDER'S QUESTION:

Please provide us with contacts of persons responsible for the site visits so we can contact them and organize school visits.

ANSWER:

Contact information for persons responsible for the site visits is available at website www.piu.rs.

Deputy president of Procurement Committee


Maja Pantić

