

CLARIFICATION TO TENDER DOSSIER No:1

Contract Title : Construction of the sewage network and waste water treatment plant (WWTP) in the municipality of Berane

Publication Reference : EuropeAid/136869/IH/WKS/ME

QUESTIONS & ANSWERS

Question 1: Please clarify meaning “construction works” of Economic and financial capacity of candidate condition:

„_Minimum average annual turnover for construction works in the last 3 financially closed years cannot be lower than: FOR LOT 1: EUR 14 MILLION,_(12.2)_.

Is the meaning related strictly to civil works turnover, or it is a wider meaning related to general erection and building (incl. equipment supply and installation) construction works turnover?

Answer 1: Meaning of "construction works" in the phrase "Annual turnover for construction works" refers to all construction works which, as part of civil works, include supply and installation of the equipment."

Question 2: 12.2 Instructions of Tenderers defines – besides other – the technical and professional capacity of an eligible Tenderer. For Lot 1 one important requirement is the completion as prime contractor of “at least 2 works contracts for the construction of WWTP cumulative value of EUR 7,000,000 (seven million) of which minimum one of 20.000 population equivalent (p.e.) with SBR (Sequencing Batch Reactors) technology over the last 5 years prior to the submission deadline”.

Our company has completed a vast number of WWTP`s fulfilling the requested PE and cumulative value over the last 5 years but all of them with conventional technology (no SBR). Our completed SBR references are older that 5 years limit set in the requirement. Will you accept in such case the references of a specialized subcontractor being part of our team?

Answer 2: The tenderer (in the case of consortium, the consortium as a whole must satisfy the minimum requirement) must have completed as a prime contractor (lead company in a Consortium) at least 2 works contracts for the construction of WWTP cumulative value of EUR 7,000,000 (seven million) of which minimum one of 20.000 population equivalent (p.e.) with SBR (Sequencing Batch Reactors) technology over the last 5 years prior to the submission deadline..

A Subcontractor`s references will not be considered.

Question 3: We kindly ask you to please clarify the following question:

Regarding Lot 1 Volume 1, Section 1, Item 12.2 requires that the tenderer must have completed at least one SBR plant of 20.000 PE within the last 5 years as prime contractor (lead partly in a consortium).

Having in mind that the SBR design and the SBR equipment usually is only about 5% of the contract value even very much experienced SBR companies may not have the required

reference. With a share of around 5% of such experienced companies may have participated merely as a smaller partner or as a specialized subcontractor.

We believe that this requirement will prevent many experienced companies from submitting a tender and will therefore lead to a rather restricted competition. We think that the approach of this paragraph should be create a competition between experienced tenderers having completed a vast number of design-build WWTP contracts and not to restrict a competition because of a certain technology and therefore highly recommended reconsidering this very restrictive condition. Anyhow, as the technology is an important issue we consider it fair to require a Tenderer to team-up with a company specialized in SBR design as partner in a consortium or as a specialized subcontractor, such specialized company fulfilling the respective requirement, i.e. completion of at least one SBR plant within the last 5 years with a capacity of at least 20.000 PE as a partner in a consortium.

Answer 3: The tenderer (in the case of consortium, the consortium as a whole must satisfy the minimum requirement) must have completed as a prime contractor (lead company in a Consortium) at least 2 contracts comprising the detailed design of WWTPs for minimum 20.000 population equivalent (p.e.) with SBR (Sequencing Batch Reactors) technology over the last 5 years prior to the submission deadline.

Which means that these criteria can be meet by an individual company or by the consortium as a whole. If this condition is met by one of the member of the proposed consortium an evidence is needed. (i.e a certificate stating that the company in that specific contract was consortium leader or main contractor).