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REPUBLIC OF SERBIA  
ROAD REHABILITATION AND SAFETY PROJECT (RRSP)  
EIB Loan No. 82.640

DESIGN AND HEAVY MAINTENANCE WORKS  
(ROAD REHABILITATION-UPGRADING) OF THE STATE ROAD  
IB 21

SECTION: POŽEGA - IVANJICA  
CHAINAGE: FROM KM 209+141.00 TO KM 248+079.38  
LENGTH: 38.938 KM

CONTRACT ID No. RRSP/RRW-IB21PI/2019-03

CLARIFICATION 01 OF TENDER DOCUMENTS  
Issued in accordance with the ITT Clause 7.1

**Q1:** *In the tender documentation, within Section III, Criteria 2.4.2 Specific experience defines the minimum value and the number of required similar contracts as well as the parameters on which the similarity is based.*

- *Considering that our executed project is not only a rehabilitation projects but also construction of a new roads, we would like your confirmation that the new road construction projects with similar or higher executed value could also be used as reference projects in order to meet Criteria 2.4.2. Tenderer Specific experience on the above Tender.*
- *Furthermore to the above please confirm if maintenance contracts for Regional roads I and II category could also be used as references for the purpose of fulfillment Criteria 2.4.2?*

**A1:** The successful Bidder must demonstrate specific experience in contracts with similar characteristics as specified in Part 1: Section III. Evaluation and Qualification Criteria, Item 2.4.2 (a):

"The similarity shall be based on the physical size, complexity, methods / technology or other characteristics as described in Section VI, Employer's Requirements".

In accordance with The Tenderer is advised to refer to, Part 2, Section VI, Chapter 1 General Conditions, Item 1.4 Scope of Contract.

Routine maintenance works significantly differs from rehabilitation and heavy maintenance works as required by this contact by the means of purpose, scope and



specifications for the execution of works, and therefore routine maintenance works cannot be used as a reference under requirements of Qualification Criteria, Item 2.4.2 (a).

**Q2:** *Tender Documents or any part of Preliminary Project Solution do not include BoQ or review of scope of work. Bid preparation process is not long enough for Bidder to achieve phase of designing to have scope of work with defined quantities and even an experienced Contractor can not to perceive scope of work according to typical cross-sections which are Content of "PPR – Annexes - Annex2" given as part of Supplementary information. Although, situation plan does have marked cross-sections average distance of 20m, which may implicated that drawing of these cross-sections does exist. You are kindly asked if previous designer has CAD-drawing and BoQ based on quantities bring up from such CAD—drawing, to supplement existing Tender Documentation. Considering the above and the type of the Contract, it is difficult to prepare Tender for submission in quality manner without attached BoQ.*

**A2:** Tender documents are prepared as Design and Build project delivery system used in construction industry. As specified, the General Conditions of Contract shall be the "Conditions of Contract for PLANT AND DESIGN-BUILD" 1st edition 1999, prepared by the Fédération Internationale des Ingénieurs-Conseils (FIDIC). The Employer provided all available information as supplementary information in purpose for preparation of tender. In accordance with ITT 7.2, the Tenderer is advised to visit and examine the project site and obtain for itself on its own responsibility all information that may be necessary for preparing the Tender and entering into a Contract for the provision of the Requirements.

**Q3:** *Term „The Preliminary Design Solution“ is unknown according to the current Law on Planning and Construction. Please clarify whether the Preliminary Design Solution, given as part of Supplementary Information, means The Preliminary Solution or means The Preliminary Project according to the Law on Planning and Construction?*

**A3:** The Preliminary Design Solution does not mean the Preliminary Project as defined by the Law on Planning and Construction.  
The prospective Tenderer is obliged to prepare Main Design for Heavy Maintenance in accordance with the provided Terms of Reference as a part of Employer's requirements in accordance with Article 116 of Road Law (Official Gazette RS No. 41/18 and 95/18), consequently with Article 59 of Law on Public Roads (Official Gazette RS No 101/05, 123/07, 101/11, 93/12 and 104/13).

**Q4:** *In the Supplementary document with subject matter "Completeness and adeqacy report" (adeqacy - not found in English dictionary), on several remarks of Technical Control on some omissions or suggestion in PPR for different solution, Designer's answer was that it will be solved in the Main design. So, because of those notified omissions or failures whatever, then taking into account scope and complexity of the works, and finally due to complete Contractor's responsibility for quality of Main Design, you are kindly asked for extension of time for preparation of Main Design for 8 months, i.e. 12 months in total. Please, prior to answer to our request. take into consideration duration of preparing PPR ("Preliminary Design Solution" - from 8 June 2017 to 4 January 2019, i.e. 18 months and 26 days, while envisaged contract duration for Main Design was 7+2= 9 months, obviously there were some problems), and also in Invitation for new similar tenders for Main Design on your site (6 and 7 February 2019), You envisaged 10 months for preparing Main Design.*



*and last but not least translation of the Main Design documentation takes time.*

**A4:** Preliminary Design Solution with all specific reports (elaborates) is accepted by Technical Control Committee and approved by the Employer. Preliminary Design Solution with all accompanied detailed reports are enclosed as part of the Tender documents, within Supplementary information. Considering the fact that all major technical issues are resolved during the preparation of Preliminary Design Solution, requested time of four months preparation (finalization) of Main Design, prior to RSA (Chapter 6, items 7 to 9 of TOR) should be realistic.

Building permit – Certificate of Acceptance is going to be obtained from relevant Ministry, on the basis of checked and approved Main Design by Technical Control, and acceptance of the Employer, prior to RSA procedure.

Prospective Tenderer is obliged to follow instructions specified in Terms of Reference for preparation of Main Design in line with requested completion time for each phase of finalization of Main Design.

**Q5:** *Again, due to scope and complexity of works, design and construction contract type and because of scope and complexity of tender documentation, you are asked for extension of time for submission of the tender.*

**A5:** Date for submission of tender remains the same.

**Q6:** *We hope that you accidentally envisaged deadline for clarification question (TD, only 7 days after announcing Invitation on your web address, please make corrections in accordance with business practice.*

**A6:** Prospective Tenderer is referred to Addendum no 1 to the Tender Documentation.

**Q7:** *Probably you overlooked in Sub - Clause 39.1 TDS that the Law on Public Procurement (article 7) is not applicable for international financial institution procurement procedure (2.3 ITT), therefore, Sub - Clause 39.1 ITT will apply. You are kindly asked to make necessary corrections*

**A7:** Prospective Tenderer is obliged to follow instructions and information's given in TDS. The Clause 39.1 of the TDS refers to Complain process, to be conducted in accordance with Local law and in accordance with EIB Guide to Procurement.

**Q8:** *In the tender documentation under Part 1 - Section III. Evaluation and Qualification Criteria 2.4.1. General Experience has sought experience in the last 5 years starting from January 1, 2014 and with an activity in each year of at least 9 months in each year on the project.*

*Question:*

*Does the project that is finished 30.03.2015. meets the conditions required under Part 1 - Section III. Evaluation and Qualification Criteria 2.4.1. General Experience?*

**A8:** It is confirmed that the project finished on 30.03.2015. meets the conditions required under Part 1 - Section III. Evaluation and Qualification Criteria 2.4.1. General Experience.

**Q9:** *In the Specifications clause 3. Preparation of Main Design stated that Main Design could be prepared by Subcontractor (which has the approval of the Ministry for making these types of documents). Is it acceptable, in that case, that Subcontractor*



give Key Personnel-Main Designer?

**A9:** It is confirmed that Subcontractor which has the approval of the relevant Ministry can give Key Personnel - Main Designer.

**Q10:** *Please clarify whether Main Designer shall possess relevant license (license for the prime designer) or „shall possess relevant license for the prime contractor“ as stated by the Specifications, Sub-Clause 1.6 Main Designer?*

**A10:** Please refer to Addendum no 2.

**Q11:** *Bearing in mind that the Balance Sheet and Profit and Loss Account for previous year are to be submitted in June, according to the applicable Accounting Law of the Republic of Serbia (i.e. Balance Sheet and Profit and Loss Account are still not submitted for 2018), please clarify whether it is sufficient to submit Balance Sheet and Profit and Loss Account for up to and including 2017.??*

**A11:** It is sufficient to submit historic financial statements audited by a certified accountant for years 2014, 2015, 2016, 2017 and unaudited financial statements for year 2018.

If not required by the laws of the Tenderer's country, the prospective Tendered shall submit other certified financial statements acceptable to the Employer, for the last five years.

**Q12:** *Regarding preparation of economically best offer for the Design and Heavy Maintenance Works(Road Rehabilitation-Upgrading) of the state road IB21 , Section: Pozega - Ivanjica, from km 209+141.00 to km 248+079.38, L=38,938 km, we are kindly asking you to extend submission of Tenders for two weeks.?*

**A12:** Please refer to Answer no 5.

**Q13:** *Regarding preparation of economically best offer, could you please provide us all cross-sections in CAD- drawings from Preliminary Project Solution, and please sent us BoQ with preliminary quantities??*

**A13:** Please refer to Answer no 2.



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