



Belgrade, 18.6.2012

2012/D/2816

CONTRACTING AUTHORITY'S CLARIFICATIONS No. 2

Kolubara regional water supply scheme

Publication ref.: EuropeAid/131619/C/WKS/RS

Our reference no: 10SER01/03/31

No	Question	Answer
1	<p>From the information available on your web site we understand that the obligatory site meeting was held on May 14th. We would like to participate in the tender, but we understand that without the site visit our offer would be rejected. Is it possible for you to provide another date for the site visit for the companies which did not obtain tender dossier yet?</p>	<p>As stated in the Procurement Notice article 13 "Information Meeting and/or site visit" and in the "Instructions to Tenderers article 1.2 "Timetable" and article 6 "Site Inspection", it is foreseen only one mandatory site visit.</p> <p>In case of a tender presented by a Joint Venture or Consortium, it is sufficient that one member of the Joint Venture or Consortium has attended the mandatory site visit and provides with the tender the certificate of attendance signed by the Contracting Authority.</p>
2	<p>We would like to know if it would be possible to write the supporting documents in an official language of the European Union (Italian, in this case), without providing a translation into the language of the call for tender, as specified in Vol I - 10 (Tenders preparation - Language of Tenders)?</p> <p>Could it be considered an exclusion situation, preventing the tenderer from participation in and the award of the contract?</p> <p>Should you, however, insist on strongly recommending to provide a translation into the language of the call for tenders, shall we provide a certified translation in English or it is not necessary?</p>	<p>Please refer to Article 10.2 of the Instructions to Tenderers.</p> <p>Submitting the supporting documents in one of the official languages of the European Union other than the language of the procedure does not prevent the tenderer from participation in or award of the contract.</p> <p>However, it is strongly recommended to provide a translation into the language of the call for tenders, in order to facilitate the evaluation of the documents. Certified translation is not necessary at the stage of tendering.</p>

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3	<p>With reference to the provisions of the paragraph 12.1.9. of the article 12 (Information/Documents to be supplied by the tenderer - Vol. 1_Sec 1_KOL_ITT)</p> <p>It would be possible to provide all the necessary professional licenses "issued or validated by the relevant National Authorities" of the State whose the engineer involved is citizen, instead of demonstrating that an engineer is in the possession of a license that has been issued "in accordance with the applicable requirements, pursuant to the Planning and Construction Act of the Republic of Serbia"?</p> <p>It is not clear to us should an engineer be in possession of a license issued by Serbian National Authorities. How it could be possible?</p>	<p>The tenderer should demonstrate in its tender that in the implementation of the project, they will comply with the applicable Serbian law "Planning and Construction Act of the Republic of Serbia".</p> <p>The project is to be implemented in Serbia, therefore the local Construction Law has to be respected, and it demands local recognised individual licenses.</p> <p>This implies to employ on site at least one civil, one mechanical and one electrical Engineer in possession of a license issued in accordance with the applicable Serbian law. These personnel may not be necessarily the ones proposed for the Key positions.</p> <p>In order to be acceptable, the licenses should be issued or recognised by the Serbian Chamber of Engineers.</p>
4	<p>With reference to the provisions of the paragraph 3.4. of the article 3 (Participation - Vol. 1_Sec 1_KOL_ITT)</p> <p>Concerning the declarations tenderers must provide and to the effect that they are not in any of the exclusion situations listed in section 2.3.3. of the Practical Guide to contract procedures for EU external actions, I would like to know if this declaration should be provided as a "sworn/solemn statement made by the interested party BEFORE A JUDICIAL OR ADMINISTRATIVE AUTHORITY, A NOTARY OR A QUALIFIED PROFESSIONAL BODY IN ITS COUNTRY OF ORIGIN OR PROVENANCE", as provided in the website http://ec.europa.eu/europeaid/prag/document.do?chapterId=2.3.3.&id=141&id=141</p>	<p>The declarations to the effect that the tenderers are not in any of the exclusion situations listed in section 2.3.3 of the Practical Guide to contract procedures for EU external actions are included in the tender submission form and shall be signed by all members of the Joint Venture/Consortium.</p> <p>The tenderers have to submit all supporting documents as stipulated in Form 4.6.9 (Volume 1, Section 4) on Statement of Compliance with Instructions to tenderers, Clause 3, Eligibility Requirements, Section 3.4</p> <p>The paragraph of the section 2.3.3 of the Practical Guide you refer to explains the requirements only in case there is <u>no</u> proof document as required in that section to justify that the tenderer is not falling in the exclusion situations.</p>

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5	With reference to the provisions of the paragraph 15.1. and 15.2. of the article 15 (Tender Guarantee - Vol. 1_Sec 1_KOL_ITT), please be so kind as to confirm that the tender guarantee may be provided in the form of a "guarantee provided by an insurance company".	It is confirmed in line with Article 15 of the Instructions to tenderers that the tender guarantee may be submitted in the form of a guarantee provided by an insurance company. Please note that all requirements specified in Article 15 shall be met independently from the entity providing the tender guarantee.
6	Does Lead Partner need to have Certificate of attendance about participation in the site visit or it's enough some of partners has it?	It is sufficient that only one partner of the Joint Venture/Consortium is in possession of the Certificate of Attendance. The partner in possession of the certificate shall not necessarily be the Lead Partner.
7	Does Lead Partner has to obtain the tender dossier or it's enough one of partners obtains the tender dossier?	Any partner of a Joint Venture/Consortium may obtain the Tender Dossier