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DELEGATION TO THE REPUBLIC OF SERBIA

Finance and Contracts Section

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CONTRACTING AUTHORITY'S CLARIFICATIONS No. 3

Survey and Removal of Unexploded Ordnance (UXO) from the Danube River

Publication ref.: EuropAid/130565/C/WKS/RS

Tender no: 10SER01/13/31

No	Question	Answer
1.	<p>Our client has asked us to issue a TENDER GUARANTEE FORM in your favour. Do we have to issue directly in your favour by email or can we issue in favour of our bank by tested swift? If so we need name of your bank and swift code.</p>	<p>Volume 1, Section 3, Page 2 of 2, Tender Guarantee Form, gives you the exact format your bank has to use for issuing a tender guarantee. The original of the tender guarantee must be included in the bid submission. A submission by email is not acceptable.</p> <p>No SWIFT code is required for issuing such tender guarantee.</p>

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No	Question	Answer
2.	<p>In order to State the proposed location of ours main offices on the site, stations (steel / concrete / etc.), warehouses, laboratories, accommodation, and in order to establish the sketches as required, could you please tell us:</p> <ul style="list-style-type: none"> - Where we are authorized to establish such installations? - What about the surface area available? - And what about the connections available: tap/fresh water, sewages, electricity, phone, Internet, ...? 	<p>Please be informed that it is the Contractor's responsibility to investigate the possible locations for their site installations.</p> <p>However, since Section 6.4.3, Volume 3, Technical Specifications identifies that the Contractor may be permitted to erect a temporary container office on the port authority's premises, the port authority has identified a location as indicated in the attachment to these CAC No 3 (Google maps, green location arrow A, 44.290420, 22.609670).</p> <p>The available area is approximately 75 m long x 25 m wide. Of this area approximately 30 m length x 22 m width is a flat area, the rest is a sloped, hilly area. The area is covered by light vegetation with few trees.</p> <p>The location is near the road Prahovo-Radujevac, with a distance of 100 m from the next house with a transformer station.</p> <p>The distance to the Danube is about 250 m.</p> <p>The Contractor is responsible to investigate further possibilities to connect to fresh water supply, sewage, electricity, phone and Internet, etc.</p>

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3.	<p>Tender Dossier Vol 3 Art 7.1.1: In-water demining Contractors are to have a working knowledge of STANAG 2884 and AEODP-01(A) Vol 1. Other than having ex-British military Royal Navy Clearance Diving personnel (IMAS Level 4) that have NATO maritime experience of using these publications, STANAG 2884 is now discontinued and AEODP-01(A) is classified NATO Confidential and is not available for commercial use, despite key staff at MAST having full and current British Military vetting and security clearances. Will these publications, as the only named guidance in the Tender dossier for this type of work, be made available to Contractors prior to the contract submission or indeed the commencement of work?</p>	<p>The Section 7.1.1 of Volume 3, Technical Specifications, lists the acceptable international standards for the execution of the works and compliance with one of them (i.e. IMAS) is mandatory.</p> <p>No other publication will be made available to the contractors.</p> <p>Annex IX, Volume 3, Technical Specifications contain the requirements regarding the key personnel.</p>
4.	<p>Contractors are responsible for conducting RSPs on identified UXO, before transferring to the transport arranged by local partner. Contractors are responsible for the Environmental Risk Assessment and Action Plan in the event of ordnance contamination en-route to the disposal facility. When will the Contractors responsibility for contamination end if the ordnance is to be disposed of by a Serbian authority (i.e. Ministry of Interior or Ministry of Defence department/agency), authorised to conduct the disposal of the UXO? For example, will there be a Delivery Point identified for the changeover of responsibility on the safe use of explosives used for demolitions?</p>	<p>According to Section 7.13, Volume 3, Technical Specifications, the Contractor is responsible to organise and liaise with all competent authorities regarding the final transport and disposal of the UXO. There is no prior changeover of responsibility for the final disposal, the Contractor is responsible towards the client until he has provided evidence of the disposal.</p>

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No	Question	Answer
5.	Who will be responsible for the vetting and employment of personnel for maintaining the security of both the area of site operations and also the demolitions site identified for the disposal of UXO?	Please refer to Section 7.12.2, Safety Measures, Volume 3, Technical Specifications. The Contractor is fully responsible for such vetting and employment of personnel.
6.	Tender Dossier Vol 3 Art 7.13 outlines the need to identify and contact the recognised authorities to determine administrative costs prior to submitting the Tender Proposal. Please confirm the relevant authorities are limited to Plovput, the Ministry of Infrastructure, the Serbian Mine Action Centre and the Ministry of the Interior.	It is the Contractor's responsibility to identify all competent authorities, not only for the determination of administrative cost, but also for the transport and disposal cost. For the transport and final disposal, the Contractor should contact and liaise especially with the Ministry of Interior of the Republic of Serbia, Section for Emergency Situations.
7.	Tender Dossier Vol 3 Art 6.1 discusses the potential of discovering 95 anomalies at 0-2 meters and 47 anomalies at 2-6 meters. Please confirm that if further anomalies are detected after the verification survey, additional anomalies may be investigated and positively identified as an additional expense to the existing contract, i.e. the contract price will be amended to include these additional expenses.	<p>Please refer to Volume 4, Chapter 2, 4.2.3 – Breakdown of the Lump-Sum Price. For the defined scope of work in the tender dossier, the Contractor has to submit a Lump-Sum Price, which includes Sub-Lump-Sums P1.1 and P1.2.</p> <p>The Sub-Lump-Sum P1.2 is broken down in 3 line items, which have to be priced using quantities and unit rates, and will as such indicate a unit rate in each line item.</p> <p>The Total Lump-Sum P1 (=P1.1 + P1.2) will be increased by 5% contingencies, resulting in the final tender price.</p> <p>Any additional expenses from additional anomalies will be determined from the 3 unit rates indicated in P1.2 and are covered by the contingencies.</p> <p>In case that the contingencies do not cover all additional expenses due to additional anomalies, then Section 2.11, Volume 3, Technical Specifications will be applicable.</p>

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8.	<p>Vol. 1, Section 1, page 15, Point 17.2 states "The technical and financial offers must be placed together in a sealed envelope. The envelopes should be then placed in another sealed envelope/package..." Most probably the meaning is: "The technical and financial offers must be placed together each in a separate sealed envelope. The envelopes should be then placed in another sealed envelope/package..." Please confirm that this is the right meaning.</p>	<p>Your interpretation is <u>not</u> correct.</p> <p>Since the bids will be opened in a public opening where several checks will be performed regarding presence of tender guarantee, tender declaration form, etc., <u>the technical & financial offers must be placed together in a sealed envelope.</u></p> <p>Since the size of the bid packages varies from bidder to bidder, all envelopes (which could mean files, folders, envelopes, packages, etc.) should then be placed in another sealed envelope/package.</p>
9.	<p>Can a company which applied for the tender EuropeAid/130218/C/SER/RS "Services for the supervision of the survey and removal of unexploded ordnance (UXO) from the Danube River- 2010/S 249-380032" and was not short-listed participate in the current tender EuropAid/130565/C/WKS/RS "Survey and removal of Unexploded Ordnance (UXO) from the Danube River" either as:</p> <ul style="list-style-type: none"> • Lead Tenderer (in a JV/Consortium) or Sole Tenderer • Consortium partner • Sub-contractor <p>Please explain why.</p>	<p>Yes, such companies not short-listed can participate either as</p> <ul style="list-style-type: none"> ➤ Lead tenderer (in a JV/Consortium) ➤ Sole tenderer ➤ Consortium Partner ➤ Sub-Contractor <p>The present works tender is a local open tender procedure where all interested parties can participate, <u>provided they comply with the eligibility and selection criteria published in the Procurement Notice and in the Tender Dossier.</u></p>

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No	Question	Answer
10.	<p>Can a company which participated in any way in the implementation of the contracts Supervision of Survey and Search Services for UXO removal in the Inland Waterway Transport System (Contract No.05SER01/04/010) and Survey and Search Services for UXO removal in the Inland Waterway Transport System (Contract No.05SER01/04/011) participate in the current tender EuropAid/130565/C/WKS/RS "Survey and removal of Unexploded Ordnance (UXO) from the Danube River" either as:</p> <ul style="list-style-type: none"> • Lead Tenderer (in a JV/Consortium) or Sole Tenderer • Consortium partner • Sub-contractor <p>Please explain why.</p>	<p>Yes, such a company can participate either as</p> <ul style="list-style-type: none"> ➤ Lead tenderer (in a JV/Consortium) ➤ Sole tenderer ➤ Consortium Partner ➤ Sub-Contractor <p>The present works tender is a local open tender procedure where all interested parties can participate, <u>provided they comply with the eligibility and selection criteria published in the Procurement Notice and in the Tender Dossier.</u></p> <p>The current works tender has not been prepared by any of the companies, which have executed the survey and search services for UXO removal and supervision services financed from the CARDS 2005 programme.</p> <p>The amount of anomalies found in the Prahovo sector is published in the tender dossier and a complete survey of the area needs to be re-executed, in order to have accurate and reliable on the spot data to perform the UXO removal works.</p> <p>As such, there is no presence of a conflict of interest or an unfair advantage, if such a company is permitted to participate in this works tender.</p>
11.	<p>Is there any information about the geology / composition of the riverbed in the designated area of the project? If so, where it can be obtained? Is there either data from previous river bed surveys, diver investigation or historic sources/archives that outline and detail the exact make up, composition and bottom type of the river bed? If so, what were the results (eg. Sand, gravel, soft mud, rock etc)? This may affect the selection of survey search method and heavy lift equipment to be used.</p>	<p>There is no additional information available.</p> <p>There were no detailed investigations performed at this site location, but the Danube River sediment is usually containing sand and soft mud. This is confirmed by the embedment of the anomalies within the river sediment. The presence of solid rock layers can be excluded, but the presence of rock boulders of various sizes cannot be excluded.</p>

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No	Question	Answer
12.	<p>For insurance purposes, a Recompression Chamber required is to be sited within 2 hours travelling time of the dive site. Is there a recommended and fully serviceable chamber identified within 2 hours travelling time of the Prahovo section, endorsed by the Serbian Mine Action Centre?</p>	<p>It is the responsibility of the Contractor to investigate the availability of a recompression chamber in the area. MAC does not endorse any such facility.</p> <p>However, following information is hereby given: A recompression chamber can be found in Niš (INTERMEDIC HBO – specialist clinic for hyperbaric medicine). The city of Niš is around 170 km away from Prahovo. In normal traffic conditions an emergency vehicle can reach Niš from Prahovo in less than 2 hours.</p>
13.	<p>App. 7 (p. xxii and following) of the Tender Dossier provides technical information of UXO's that are likely to be found during the survey/investigation phase. In this section, only air delivered ordnance and ammunition is described. In other parts of Vol 3, there is mention of the potential of finding Anti-Personnel (AP), Anti-Tank mines (AT) and cluster munitions. If there is an indication that these munitions are likely to be found, is the type and estimated quantities known? If so, can this data be furnished to the Contractor before the proposal submission?</p>	<p>The type and quantities are not known, however, it is possible that such AP, AT and cluster munitions are scattered in the area originating from the sunken vessels.</p> <p>No additional data can be made available.</p>

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No	Question	Answer
14.	<p>In the Vol 3, Point 7.2.2 (p.22) of the Tender Dossier it is mentioned that "the magnetic surface survey is intended to be performed under three circumstances:</p> <ul style="list-style-type: none"> • Areas not been surveyed in the previous contract 2008/2009 must be surveyed • Spots with insufficient information received with the previous survey must be resurveyed in order to get more precise information • After recovery of the UXO the area where the items had been recovered must be resurveyed again in order to proof the accurate performance and to check if all parts suspicious to be UXO are recovered." <p>In <i>Volume 4 chapter 2 p.5</i> the area to be surveyed is mentioned to be 247.000m² We seek clarification in the specific areas that were not able to be surveyed and request that the exact area to be surveyed in total is clearly and accurately outlined/marked out?</p>	<p>The exact area of survey will be defined upon commencement of the contract together with the Beneficiary, MAC, the Port Authority, the Supervisor and the Contractor, but will not surpass the quantities defined in the tender dossier.</p> <p>The foreseen quantities of approximately 240,000 m2 on water and approximately 7000 m2 on land are sufficient information to prepare the bids.</p>
15.	<p>From Vol. 3, Point 6.4.4 (p.19) it is clear that the Contractor is to conduct MAC's training needs analysis with specific focus on future UXO clearance. The Contractor's analysis would be skewed by the specific requirement and location of this particular task. Therefore, would the Mine Action Centre be able to furnish companies with their specific training needs so that the Contractor can determine a balanced, open, inclusive and informative training element as part of the Tender process, prior to the submission of the proposal?</p>	<p>MAC does not have any specific training needs which need to be performed by specialized Contractor's personnel, other than personnel from MAC being occasionally on site to assess the works quality and progress. During these visits on the job training by the on-going activities is the actual training need envisaged under Section 6.4.4, Volume 3, Technical Specifications.</p>
16.	<p>Reference is made to Vol. 3, Point 7.13 (p. 34): Please confirm that the final disposal and/or blasting can only be performed by the owner of the polygon?</p>	<p>Please refer to answer for question no. 6.</p>

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No	Question	Answer
17.	During the site visit, it was apparent that there were a number of installations close by and inside the area to be surveyed. These installations were not accessible during the site visit. Once the specific survey area has been fully delineated, it is requested that details of the structures and composition (wood/metal etc) be clearly indicated and a full description of the structures explained. This will influence the survey method approach.	It is the Contractor's responsibility to investigate and propose the most appropriate survey methods. The Contractor has to propose different adequate methods to cater for most of the usual anticipated obstructions and uncertainties.
18.	VOL 1 §12.2 p.10 Must every single member of a consortium have an average annual turnover of €3.000.000 over the last 3 years or does the consortium as an entity has to have an annual turnover of €3.000.000?	The Consortium as an entity must have an annual turnover of 3,000,000.00 € per year.
19.	VOL 1 section 4 FORM 4.6.5 (pag 24/28) sub§ 4.6.5.3 1. Was is ment by "foreign" lead partner? 2. Does each Joint Venture need an adress in Serbia?	We suppose that question 1 should read: "What is meant by "foreign" lead partner?" 1. In the case of a joint venture/consortium, where the lead member of the joint venture/consortium is not registered in Serbia (foreign lead partner), please indicate any representation in the Republic of Serbia, if any . 2. No.

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No	Question	Answer
20.	<p>Volume 1, Section 1 – Instructions to Tenderers – page 11, Item viii and Works Procurement Notice, page 3 Selection and Award Criteria, 16 Selection Criteria, Item ii.</p> <p>In accordance with our ethical approach to works throughout the world; we have identified an opportunity whereby we can procure the services of Serbian based sub-contractors to carry out a large proportion of the works in accordance with our ISO and all other quality accreditations and as such would like to ask if the stated 30% limitation on works to be contracted, detailed in the 'Works Procurement Notice' is fixed and final?</p> <p>We are in a position in which we can comply with the requirements detailed but believe that by employing more local support we can provide a more cost effective proposal and 'input' to the economy of the local areas in which we work, whilst maintaining the highest level of quality and best practice. This is an approach we try to utilise world-wide.</p>	<p>The 30% limitation on works to be subcontracted is fixed and final and may not be altered. All subcontracts are subject to approval by the Contracting Authority.</p>
21.	<p>Vol 3 App VI p.xiii</p> <p><i>"During the survey in 2008/2009 anomalies suspicious to be UXO and embedded in the riverbed had been identified according to the following table with one or more of the following methods: multibeam, side-scan, sub-bottom profiler and Caesium-Vapour-Magnetometer."</i></p> <p>Is it possible to get the results (data) of all the used survey methods (other than magnetometry)?</p>	<p>The Contractor must perform the survey of the areas again under this contract, as no previous available data can be considered reliable for the performance of the UXO removal works.</p>

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No	Question	Answer
22.	<p>We refer to Volume 4.2.3 – Breakdown of the Lump Sum Price, please can you clarify the following:-</p> <ol style="list-style-type: none"> 1. With reference to Volume 4 item “Survey of the Wet River Surface (6m depth)” execution of survey 240,000m² and excavation between 0/2m depth in the riverbed soil. With reference to both 6m depth and 0/2m depth please advise which depth applies? 2. Please can you advise the extent of this excavation and if it is to include all magnetometer identified items, with no limit to size or scale, whether UXO or not. 3. Similar query applies to the River Banks (6m depth). 4. Price Breakdown for UXO Removal & Disposal requires 47 items between 2/6m to be extracted which includes 5 UXO's. Please advise the size and scale of the 42 remaining items. 5. Please confirm that the deepest point of any item found is to define the zone in which it is categorised. 6. Please advise of the disposal route of items extracted. Are these to be handed over to the Contracting Authority for disposal or recycling by Other Contractor? 	<ol style="list-style-type: none"> 1. The depths of survey is indicated to be 6m, either in the river or on the river bank. The extraction between 0/2m in the riverbed is part of Sub-Lump-Sum P1.1. (see Volume 4). See also answer to question no. 7. 2. Any anomaly which has been confirmed as UXO has to be extracted from the ground. Any anomaly which is suspected to be an UXO must be excavated, positively identified as UXO or non-UXO and depending on its result extracted from the ground. 3. See item 1 and 2. 4. It is the Contractor's survey which will identify if really 47 anomalies need to be excavated and extracted. The survey might show that an anomaly is no UXO, so it does not have to be excavated nor extracted. The survey might show that the anomaly is suspected to be an UXO, it must be excavated and positively confirmed to be an UXO. In case it is no UXO it can stay in the ground, in case it is positively identified to be an UXO, it must be extracted. In collaboration with the Supervisor and MAC the confirmed UXO will be identified and 5 complete UXO extractions have to be included in the Sub-Lump-Sum P1.2. 5. The top of the item is registered in the survey and the depth of the anomaly is classified according to this reading. However, excavation and extraction might re-classify the object into another zone. 6. Please refer to answer for question 6.
23.	<p>Please confirm that a minimum water level of 3m as stated in tender documents is to be used for tender costing purposes.</p>	<p>A minimum water level of 3 m is stated in the tender dossier, but cannot be guaranteed by the Contracting Authority. The varying water levels are the Contractor's risk during tender preparation and execution.</p>

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No	Question	Answer
24.	<p>Please can you clarify water levels – specifically for the area to be cleared as current information issued states:-</p> <ul style="list-style-type: none"> • Drawing. No001_D_Prahovo has deepest contour level of -8m with accompanying note that maximum depth is 10 m. • Volume 3 of the Tender Documents, technical Specifications, Attachment 3 Magnetometer Water Survey has a depth range 5.38 to 8.09 and • Also indicated in Volume 3 item 2.4 refers to, "...water variation from 3 to 15 metres high.....(.....with water depth ranging up to 13 m)." 	Please refer to answer for question 23.
25.	Please can you provide details of any contamination in the survey area and surrounding vicinity?	There are no details available about contaminations in the area. If a contamination is encountered during the contract performance, it will be dealt with under the conditions of contract.
26.	Clarification is required on the exact work scope/survey area. Please provide detailed parameters including any required survey/UXO within inner port basin including any tree lined and adjacent river bank.	Please refer to answer for question no 14.
27.	Please can you provide full details of the sturgeon spawning season and other environmental restrictions as noted in Volume 3 item 5.2. Is there a total prohibition of works in the river from 1 st March to September 30 th spawning period or is it localised to specific areas, such as around the sunken vessels.	There are no further details to be provided regarding the sturgeon spawning season and other environmental restrictions. No, there is no general prohibition of works in the mentioned period, but the Contractor is responsible for obtaining from the relevant authorities prior opinions regarding this issue.
28.	Please can you confirm that natural sedimentary backfill to the riverbed excavations will be acceptable or, if not, can you provide details of local suppliers and availability of suitable materials?	Natural sedimentary backfill is acceptable.

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No	Question	Answer
29.	Please can you confirm that discharge of excavated material locally within working area will be acceptable.	All excavated natural sediments in the river shall be used for backfilling the excavations. Excess material may be distributed evenly on the river bed.
30.	Please can you provide:- <ul style="list-style-type: none"> • Full pre and post-conflict records of riverbed and dredging levels. • Bathymetric surveys. • SI data/ soil strengths 	No further information can be provided. See also answer for question 21.
31.	Please can you provide details or logic for specification of a 4m wide shield with a protrusion of 1m above the water height. Is there any flexibility on these dimensions in order to provide an alternative practical solution?	The dimensions of the shield have been specified according to previous experience in situations with high currents. During the execution Contractor's are allowed to present practical alternative solutions, subject to the approval by the Supervisor. However, the lump-sum price shall include the need to comply with the defined dimensions.
32.	Please can you provide a copy of the Environmental Plan.	As this question relates to questions 28 and 29, (see also section 6.3, (v), Volume 3, Technical Specifications), the answers to questions 28 and 29 give you sufficient information to comply with the Environmental Management Plan (EMP). As such, there is no need to provide the EMP for preparing the offer.
33.	Please can you re-issue drawing No.001_D_Prahovo as the current version has 'layers missing' error notification.	The drawing is attached to this CAC No. 3.
34.	Particular reference is made to contractual ratios of contractors, please can you advise if a concession can be made on these values.	No concession can be made regarding the contractual ratios of contractors.
35.	Please can you provide details of any borehole information previously undertaken. Can you also provide details and number of boreholes required as indicated in volume 3 item 7.3.7.	There were no boreholes previously undertaken. It is the contractor's responsibility to estimate the amount of boreholes required based on his professional experience and include them in the bid price.

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No	Question	Answer
36.	At the site meeting of 17 th January 2011, we recall a 10m exclusion to shipwrecks being mentioned. Can you confirm if this is mandatory?	Yes, 10 meters exclusion area around the ship wrecks (sunken vessels) is correct.
37.	Please can you provide details of any CPT information previously undertaken.	There is no information available, since no CPT tests were previously undertaken.
38.	Please can you advise if there has been any prior agreements, discussions or arrangements made with the private property and Serbian Ministry of Defence to gain access or if any previous request for access has been declined.	<p>On the CARDS 2005 financed projects, the access to some locations has been declined.</p> <p>In this project, the Contractor will have to apply for the respective permits again, however, if declined, the specific areas will be excluded from the survey and removal works areas.</p>
39.	<p>We refer to Special Conditions:</p> <p><i>"Article 43: Ownership of Plant and materials. Delete clause 43.2 and replace with: All equipment temporary works, plants and materials on site owned by the contractor or by any company in which the Contractor has a controlling interest shall for the duration of the works, be vested in the Contracting Authority and any change has to be authorised by the supervisor."</i></p> <p>We find this clause particularly extreme, can you advise if it can be relaxed.</p>	<p>No, this clause cannot be relaxed.</p> <p>Considering the payment terms defined in Article 49 of the Special Conditions, it is important that the Contracting Authority can in fact enforce Article 43.3 of the General Conditions of Contract.</p>
40.	Would it be acceptable to work extended hours over a 7 day working week in order to expedite project deliverables?	<p>No, under normal circumstances this is not acceptable.</p> <p>However, provisions have been defined in Section 2.9, Volume 3, Technical Specifications, how to handle such requests by the Contractor.</p>

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No	Question	Answer
41.	Is it possible to reinstate explosions (except those caused due to UXO activity) within para 43.1 under force majeure.	<p>We suppose that this question should refer to Article 66.2 of the GC and SC.</p> <p>No, the word has been deleted to cater for this specific project.</p> <p>Please note that the additional sentence added to Article 66.2 via the Special Conditions confirms your point of view that explosions caused due to UXO activity are not considered "force majeure".</p> <p>However, other explosions may be considered as unforeseeable events in the meaning of "force majeure".</p>
42.	Please provide details on munitions found previously in the area or known to have been laid or dropped in the area.	There is no history regarding munitions discovered or excavated in the subject areas prior to this project, as such, no further details can be provided.
43.	Would additional anomalies highlighted during survey in access of 142 result in an option for increased costs?	Please refer to answer for question no 7.
44.	For maritime ordnance the preferred method of disposal is recognised as disposal in situ. It is noted that the tender requires neutralisation as a priority. Are there any reasons to preclude disposal in situ of all items?	The disposal of UXO in situ is not foreseen, only for exceptional cases. Please refer to Section 7.12.1, Volume 3, Technical Specifications.
45.	Would it be possible to designate a disposal area within a closer proximity to the area of operations?	No, the polygon at "Petrovo Selo" village (48km distance) is the nearest polygon. Please refer to Section 6.3, (iv), Volume 3, Technical Specifications.

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No	Question	Answer
46.	<p>Volume 1, Section 4: form 4.4 Financial Statement point 4.4.2</p> <p>In data table current year is 2010. As we have already finished financial year of 2010 and we have financial report, which implies that a current year is 2011?</p> <p>If 2011 is current year, for which of the three last years should we take the value and for which two years projection ahead?</p>	<p>Please consider that the tender was launched at the end of the year 2010. As such, please include in the "Current year" column the figures for the year 2010 and include in the other columns the data as per the indicated years.</p>
47.	<p>Volume 1, Section 4: form 4.4 Financial Statement point 4.4.4</p> <p>In data table current year is 2010. As we have already finished financial year of 2010 and we have financial report, which implies that a current year is 2011?</p> <p>For which of the three previous years shall we attach certified statements of account and for which two years ahead shall we provide the same information?</p>	<p>Please consider that the tender was launched at the end of the year 2010. As such, please include in the "Current year" column the figures for the year 2010 and include in the other columns the data as per the indicated years.</p>

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No	Question	Answer
48.	<p>Volume 1,Section 1-Instructions to Tenderers,point 12.2</p> <p>(i) "The average annual turnover of all members of the joint venture/consortium in the years 2007, 2008 and 2009 must be at least EUR 3 million".</p> <ol style="list-style-type: none"> 1. Our question is: should we have as member of the joint venture annual turnover for each year at least EUR 3 million or is EUR 3 million a summary for these three years? 2. We finished financial year 2010 and we have financial report, so does it mean that the average turnover in the years 2008, 2009 and 2010 is applying to that? <p>(iii)"Sole tenderer or the joint venture/consortium must have access to sufficient credit and other financial facilities to cover the required cash-flow for the duration of the contract. In any case, the amount of credit available must exceed the equivalent of € 500,000".</p> <p>Our question is:</p> <ol style="list-style-type: none"> 3. Option A: If we can independently finance our works, who will issue us a certificate on this ability of our company? 4. Option B: If Bank will financially support this project, does the bank provide letter on intentions and should that letter be binding or non-binding? 	<ol style="list-style-type: none"> 1. The average annual turnover in the years 2007, 2008 and 2009 of all members of the joint venture/consortium combined must be at least 3 million €. To give an example, a consortium with following figures: 2007: 2 million € 2008: 3 million € 2009: 4 million € average is 3 million € would satisfy this criterion. 2. No, the financial year 2010 is not included in this average. 3. In order to satisfy this criterion, you must provide evidence that you will have access, in any case, to a credit facility of at least 500,000 €. If you can independently finance the works, you will not have the need to access the credit facility and you will have no problems in obtaining such a credit facility. 4. The bank should provide a letter of intention to support company for the duration of the project with a credit facility. Such a credit facility is usually subject to non-binding terms and conditions issued by the bank.

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No	Question	Answer
49.	<p>On your website, in Official Report from the Site visit there can be seen that representatives from company Sogelma Srl were on site visit. That implies that company Sogelma Srl is interested to apply for this works like Sole tenderer or like JV or Consortium member.</p> <p>Our question is:</p> <p>Can company Sogelma Srl apply for this works, as it was the company which conducted survey of the same location, and that a tender documentation was made according to Report of company Sogelma Srl,</p> <p>Contract no: 05SER01/04/011 signed on 21/04/2008, See: Contract list – signed by EAR from 08/01/2001 to 26/09/2008 Republic of Serbia</p>	<p>Please refer to answer for question no. 10.</p>
50.	<p>Does the definition (as defined within the tender document) of 'A Consortium' have the same meaning as a 'Joint Venture'?</p>	<p>A Consortium is an association of two or more individuals, companies, organisations or governments (or any combination of these entities) with the objective of participating in a common activity or pooling their resources for achieving a common goal.</p> <p>Each participant retains its separate legal status and the consortium's control over each participant is generally limited to activities involving the joint endeavour, particularly the division of profits. A consortium is formed by contract, which delineates the rights and obligations of each member.</p> <p>A joint venture (often abbreviated JV) is an entity formed between two or more parties to undertake economic activity together. The parties agree to create a new entity by both contributing equity, and they then share in the revenues, expenses, and control of the enterprise.</p> <p>The venture can be for one specific project only, involves no equity stake by the participants, and is a much less rigid arrangement.</p>

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No	Question	Answer
51.	<p>Section 4.6.1.1 of volume 1 suggests that a minimum of 3 (three) divers are required within a safe Diving environment. Can you confirm that this is correct as the IDSA, UK HSE (Diving) rules and World commercial diving standards dictate that the minimum number of surface supply diving team is in fact 4 (four).</p>	<p>The ADCI standard has been specified, as the least stringent requirement. Any company qualified to use standards like IDSA, UK and French HSE (Diving) rules or World commercial diving standard and in fact applying such standards is acceptable, as these standards are more stringent compared to the ADCI standard.</p>
52.	<p>Within Volume 3, page 92 of tender document states that:</p> <p><i>"A qualified person shall be designated as the Diving Supervisor for each diving operation. The Diving Supervisor is in charge of the planning and execution of the diving operation, including the responsibility for the safety and health of the dive team. The Diving Supervisor shall possess the proper ADCI Supervisor certification card and be knowledgeable and familiar with all techniques, procedures, emergency procedures and operational parameters for the Diving Mode under their direct supervision"</i></p> <p>ADCI being a standard applied mostly within the USA whilst in Europe IDSA is usually employed.</p> <p>Can you please comment as to the recognition by the author of the tender document that the IDSA equivalent of the ADCI accreditation is acceptable?</p>	<p>The ADCI standard has been specified, as the least stringent requirement. Any company qualified to use standards like IDSA, UK and French HSE (Diving) rules or World commercial diving standard and in fact applying such standards is acceptable, as these standards are more stringent compared to the ADCI standard.</p>

Attachments relate to question no 2 and question no 33