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**CONTRACTING AUTHORITY'S CLARIFICATIONS No. 3**

**Construction and commissioning of the new Waste Water Treatment Plant at TPP**

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No	Question	Answer
1.	<p>Clarification No.2 from May 29 2012 definitely confirms "may have" characteristics of FDG purge water. Clarification No.2 from May 29 2012 as well definitely confirms that treated water stream from S3 will be discharged to the river Sava.</p> <p>Having now doubtlessly noticed this, <u>the suggested flow diagram 18.1 ANNEX 3.1 WWTP Flow Diagram / S3-FGD-effluents wastes is not appropriate for qualified water treatment to meet detailed emission limit values listed in Table 4-1 in 16 ANNEX 1: EMISSION LIMIT VALUES with values e.g. Chlorides 250 mg/1. To meet emission limit values listed in Table 4-1 in 16 ANNEX 1: EMISSION LIMIT VALUES it is obviously essential to integrate additional complex treatment process technology (may be reverse osmosis or similar technology). This will require considerably additional time for tender work-out of the offered WWTP.</u></p>	<p>The general characteristics of FGD wastewater have been already described in the Tender Document, chapter 8.3.6 and Bidders have been informed of them on the date of TD publishing. Exact measurement of FGD wastewater characteristics cannot be made, as this facility has not been constructed yet. It is expected that Contractors with significant experience in FGD wastewater apply for this tender and therefore propose the appropriate treatment technology.</p> <p>Regarding the comment in relation to the WWTP Flow Diagrams (Annex 3.1) - the functional relation between the related equipment and constructions, please read carefully chapter 8.1: ...." It is the Contractor's responsibility to select a method and WWTP technology which gives the required performance. The suggested method below is considered as the most likely to prove cost-effective, meet the efficiency requirements and ensure a reliable and long term (for more than 25 years) WWTP operation".....</p>
2.	<p>Due to latest additional technical confirmation causing additional effort during period of forthcoming vacation time and bridging days, as well as drawings und more detailed information owing to be provided by the Contracting Authority, our company herewith applies for extension of date of deadline for submission of tenders to 31<sup>st</sup> of August 2012 (12.00h).</p>	<p>The Contracting Authority considers that there is no need for extension of the deadline for submission of tenders.</p>

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3.	Is there any possibility to compete in the tender if we didn’t participate at meeting and site visit in May?	Yes, there is a possibility to compete in the tender, because the site visit was not mandatory but strongly advised, as clearly indicated in Instructions to tenderers, Article 6.1.
4.	In bidding documents: Volume 1, Section 1 Instructions to tenderers, in the part of the criteria for key personnel (page 11) was said that the company should have “management experience in at least two projects with a similar nature, size and complexity”. Could you please explain whether those references are related only to the WWTP projects on thermo power plants or also to some others?	The proposed key personnel shall have project management experience in at least two projects with a similar nature, size and complexity, related to <b>WWTP for thermal power plant in the power sector or in the oil refineries industry.</b>
5.	Is there any possibility that the newly founded company, not older than a few months, which will meet all criteria with a help of their founders in part of: references, annual cash flow and employed, take part in the Tender?	The sole bidder or the consortium has to fulfil all criteria as set out in the Instruction to tenderers, Article 12. As per Instructions to tenderers, “An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. Some examples of when it <u>may not</u> be considered appropriate by the Contracting Authority are when the tender rely in majority on the capacities of other entities or when they rely on key criteria. If the tender rely on other entities it must prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the Contracting Authority”.
6.	Is it necessary that the “key personnel” associates are full time employees or they could be engaged by the service contract?	Key personnel can be fully employed by tenderer or subcontracted. However, please take into consideration the answer no.5 above. Furthermore, please observe the upper

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<b>No</b>	<b>Question</b>	<b>Answer</b>
		<p>limit authorised for subcontracting as stipulated in article 3.6 of the Instructions to tenderers.</p> <p>In addition, please take into account the requirements stipulated in article 12.2 of the Instructions to tenderers.</p>
7.	<p>After defining technology, what to do in case that some schedule list items of yours we do not have in our offer and opposite, if we have some items that you do not have in your schedules?</p>	<p>Please pay attention to the file <i>V4.1_d4_w_finoffer_4.2_en</i>, paragraph 2.5: "References given in the Schedules are for the convenience of the Tenderer and do not exclude other descriptions elsewhere in the Tender Documents. The items listed in the price schedules shall be based on the contractors design and shall be arranged accordingly. The additional work items that may differ according to the contractors design and not included in the below tables should be added by the contractor."</p>
8.	<p>Considering the fact that the desulphurization process is not over and it does not exist on TENT B, do you think that we have enough data to make an offer in part of WWTP of waters which contain Flue Gas Desulphurization (FGD)?</p>	<p>Sufficient amount of information was given in the Tender Dossier.</p>