



**EUROPEAN UNION**  
DELEGATION TO THE REPUBLIC OF SERBIA

Finance and Contracts Section

Belgrade, 22. 10. 12.  
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**CONTRACTING AUTHORITY'S CLARIFICATIONS No. 4**

**Construction and commissioning of the new Waste Water Treatment Plant at TPP  
Nikola Tesla B, Obrenovac**

**Publication ref.: EuropeAid/132476/C/WKS/RS**

**Our reference no: 11SER01/16/12**

No	Question	Answer
1	In regards to the official language of the tender being English. Do you need translations to be done by a certified court translator (sudski tumac) or can they be done regularly (with the Serbian version of the original attached)?	Certified translations are not necessary, but both Serbian/other language original and English translation should be submitted.
2	Do we in addition of diplomas and professional licenses have to submit M3 forms as proof of employment for the key people in the tender?	Proofs of general experience for the key staff should be submitted. As per provisions of article 12.1.9 of the Instructions to Tenderers, the tenderer must submit a list of the staff proposed for the execution of the contract, with the CVs of key staff (Forms 4.6.1.2 and 4.6.1.3). Relevant employee (i.e. Site Manager) must possess or being in a position to obtain prior the commencement date the necessary professional licences as required by the Serbian Construction law and other relevant legal provisions. The Tenderers shall commit that the key staff listed will be available on the site during construction works as per the requirement of the work programme (Form 4.6.1.4). The tenderer must submit in the tender the list of the staff proposed, CV's and copies of diploma/degrees and employers certificates of all the staff listed. Before the contract commencement date, the tenderer must demonstrate that he possesses the proper licences according to the Serbian Law for the engineering and construction works.

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3	<p>In case of JV/Consortium, is it acceptable to submit more than one Tender Guarantee, each in value that corresponds to partners share in JV/Consortium? Submitted tender guarantees in total will satisfy requested amount.</p> <p>In case that this is not acceptable, does Tender Guarantee have to be provided exclusively by the Lead Partner?</p>	<p>One Tender Guarantee in the form set out in Volume 1, Section 3 of the tender dossier, has to be provided.</p>
4	<p>For Waste water Emission Limit Values after the sulfur removal, before blending with other waste water (table 1.2), this means FGD waste water in Treatment Plant Station 3 (S3) for discharging cleaned water via Collector I into river SAVA the valid Emission Limit Values are written in Table 1.2 of Official Gazette of RS", no. 67/2011 and no.48/2012.</p> <p>For Waste water Emission Limit Values for the thermo-energetic plants at the place of the discharge into the surface, this means Waste Water coming out of the SI, S2 treatment stations of the power plant the values will be according table 1.1 of these publications.</p> <p>Please let us know, if you have additional requirements for the clarification processes in the above mentioned plants SI, S2 and S3.</p>	<p>The awarded Contractor shall fulfil both European and Serbian legal requirements related to the water quality and protection and effluent quality requirements as stipulated in the Tender dossier. Where Serbian standards or local regulations are more stringent than other applicable European standards, then Serbian standards and regulations shall prevail (for example COD is more stringent according to Serbian legislation).</p> <p>In other words, the effluent quality as quoted in <i>Table 4-1, Employer's Requirements, Detailed Emission Limit Values for final waste water discharge into a receiving water and Ordinance on emission limit values of pollutants in waters and deadlines for their achievement (Official Gazette No. 67/11 and 48/12), Appendix 2, Chapter 1, Emission Limit Values for waste waters of the thermal power plants</i> are also to be taken into account.</p> <p>Tables 1.2 and 1.3 from Official Gazette of RS", no. 67/2011 and no. 48/2012. are defining effluents at treatment facilities outlets and it is obligatory to satisfy these requirements as minimum, but you have to bear in mind that you are not allowed to dilute effluents in order to achieve ELVs (article no.5 from the same document) either on the treatment facility outlet or on the place of final water discharge.</p> <p>Also, it is to be mentioned that the awarded Contractor would have to achieve required ELV at the outlet of each treatment facility.</p>

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5	<p>For clear water after processing of FGD waste water in Treatment Plant Station 3 (S3) for discharging cleaned water via Collector I into river SAVA for chlorides there is valid no emission limitation and for sulphates there is valid emission limit of 2000 mg/1.</p> <p>Is the aforementioned correct, please answer yes or no?</p>	<p>Please read the answer number 4.</p>
6	<p>What is the capacity of chemical preparation and dosing systems in existing chemical water treatment plant? Is it sufficient to be used for FeCl<sub>3</sub> preparation and dosing for WWTP/S1?</p>	<p>All WWTP dosing systems have to be provided and independent from the existing chemical water treatment plant dosing systems.</p>
7	<p>The new peripheral channel shall be constructed around the whole coal storage yard? Or is just reconstruction of existing one sufficient?</p>	<p>Contractor's obligation is to construct a completely new peripheral channel around the whole coal storage yard.</p>
8	<p>In the part 3.3 there is said, that the eligibility requirement detailed in subclause 3.1 and 3.2 applies to all members of a joint venture/consortium, <b>all subcontractors and all suppliers to tenderers. They all must certify that they meet these conditions and prove their eligibility by a document dated less than 1 year earlier than the deadline for the submission of tenders.</b> Could be used the extract from the commercial register (it defines the constitution, legal status and establishes the place of registration) to fulfil subclause 3.1 – 3.3?</p>	<p>As per provisions of article 3.3 of the Instructions to Tenderers, the eligibility requirement detailed in subclause 3.1 and 3.2 applies to all members of a joint venture/consortium, all subcontractors and all suppliers to tenderers</p> <p>The extract from the commercial register can be used in the tendering stage if it fulfils those conditions stipulated by article 3.3.</p>
9	<p>What documents have to be given by a subcontractor providing more than 10 % of the value of the tender if they want to fulfil subclause 3.5?</p>	<p>Tenderers, including subcontractors providing more than 10 % of the value of the tender, must sign and provide declarations 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, including the satisfactory evidence relevant for all situations described.</p> <p>Please refer as well to answer no. 10 below.</p>
10	<p>We have a question to the article 12.1.10, which is connected to the articles 3.1 to 3.6: "12.1.10. Proof documents, declarations and undertakings according to clauses 3.1-3.6 above. These documents should cover all members of a joint venture/consortium, all subcontractors and all suppliers to tenderers as specified." Is it acceptable if a tenderer and each of subcontractors and suppliers will</p>	<p>The Contracting Authority will accept, as satisfactory evidence that the tenderer is not in one of the situations described in (a), (b) or (e) as per section 2.3.3 of the Practical Guide, production of a recent extract from the judicial record or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance</p>



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	submit <u>just a solemn statement</u> made by the interested party <u>before a notary</u> , containing the statement about all mentioned necessities in 2.3.3 Practical Guide PRAG (no bankrupt or not being wound up, having no affairs administered by the courts, fulfilled obligations relating to the payment of social security contributions or the payment of taxes).	showing that those requirements are satisfied. The Contracting Authority shall accept, as satisfactory evidence that the tenderer is not in the situation described in (d), a recent certificate issued by the competent authority of the State concerned. Where no such document or certificate is issued in the country concerned and for the other cases of exclusion listed above, it may be replaced by 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.