



Republic of Serbia  
Ministry of Construction,  
Transport and Infrastructure  
Project Implementation Unit

<b>Finance Contract:</b>	SERBIAN INLAND WATERWAY INFRASTRUCTURE Finance Contract between the Republic of Serbia and European Investment Bank (Official Gazette of the Republic of Serbia - International Contracts No. 02/2019)
<b>Title:</b>	Supervision of the Upgrade of the Iron Gate 2 Navigation Lock
<b>Reference number:</b>	404-02-152/2020-06
<b>Document:</b>	Clarification No. 1 to Tender Dossier
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<b>Date:</b>	October 26 <sup>th</sup> , 2021

## Clarification No. 1 to TD

**Contract Notice – point III.1.3 – Technical and professional ability**  
**Contract Notice – point III.2.3 – Information about staff responsible for the performance of the contract**

QUESTIONS	ANSWERS
<p><b>Question No 1</b> <b>The Contract Notice, point III.1.3) Technical and professional ability,</b> stipulates the following selection criteria:</p> <p>“The candidate has provided services, during the reference period, of at least two (2) supervision contracts, each with a budget of at least 2 500 000 EUR in the field of Transport Infrastructure Works contracts executed under FIDIC (The International Federation of Consulting Engineers) conditions or similar contract conditions such as those used by the World Bank/European Bank for Reconstruction and Development/Council of Europe Development Bank/ European Investment Bank and other international financial institutions, where the value of each supervised Works Contract was at least 15 000 000 Euro, which were completed.”</p> <p>From the Contract Notice, we cannot identify if the amount (budget) of EUR 2 500 000 EUR should be the proportion of the Candidate share in case of a JV/Consortium, or whether the</p>	<p><b>Answer No 1</b></p> <p>In line with chapter 2.6.11.3. of the PRAG if a candidate/tenderer has implemented the project in a consortium, the percentage that the candidate/tenderer has completed must be clear from the documentary evidence, together with a description of the nature of the services provided, if the selection criteria relating to the pertinence of the experience have been used. Budget of at least 2 500 000 EUR to the portion of the reference Contract successfully executed by the candidate.</p>



QUESTIONS	ANSWERS
<p>service contract taken as a reference as a whole must fulfil the criteria, regardless of the shares within the JV/Consortium. Kindly confirm or comment as appropriate.</p>	
<p><b>Question No 2</b> <b>The Contract Notice, point III.1.3) Technical and professional ability,</b> stipulates the following selection criteria:</p> <p>“The candidate has provided services, during the reference period, of at least two (2) supervision contracts, each with a budget of at least 2 500 000 EUR in the field of Transport Infrastructure Works contracts executed under FIDIC (The International Federation of Consulting Engineers) conditions or similar contract conditions such as those used by the World Bank/European Bank for Reconstruction and Development/Council of Europe Development Bank/ European Investment Bank and other international financial institutions, where the value of each supervised Works Contract was at least 15 000 000 Euro, which were completed.”</p> <p>Please confirm that the term “which were completed” from the quoted requirement, refers to the completed supervised works. Otherwise please comment as applicable.</p>	<p><b>Answer No 2</b> This requirement refers to the completed supervised works.</p>
<p><b>Question No 3</b> <b>The Contract Notice, point III.1.3) Technical and professional ability,</b> stipulates the following selection criteria:</p> <p>“The candidate has provided services, during the reference period, of at least two (2) supervision contracts, each with a budget of at least 2 500 000 EUR in the field of Transport Infrastructure Works contracts executed under FIDIC (The International Federation of Consulting Engineers) conditions or similar contract conditions such as those used by the World Bank/European Bank for Reconstruction and Development/Council of Europe Development Bank/ European Investment Bank and other international financial institutions, where the value of each supervised</p>	<p><b>Answer No 3</b> The quoted requirement refers to:</p> <ul style="list-style-type: none"><li>- services for at least two services contracts, each with a value of at least 2 500 000 EUR provided during the reference period of 5 years</li><li>- supervision services for completed works, where works had value of at least 15 000 000 EUR and being executed under IFI standard contracts (FIDIC or similar).</li></ul>



QUESTIONS	ANSWERS
<p>Works Contract was at least 15 000 000 Euro, which were completed.”</p> <p>Please confirm that the quoted requirement refers to:</p> <ul style="list-style-type: none"><li>- services for at least two services contracts, each with a value of at least 2 500 000 EUR provided during the reference period of 5 years</li><li>- supervision services for completed works, where works had value of at least 15 000 000 EUR and being executed under IFI standard contracts (FIDIC or similar).</li></ul> <p>Otherwise please comment as applicable.</p>	
<p><b>Question No 4</b> <b>The Contract Notice, point III.1.3) Technical and professional ability,</b> stipulates the following selection criteria:</p> <p>At least one project must have included at least Electro-hydraulic equipment new/upgrade works of 2 000 000 EUR, and Hydro-mechanical equipment new/upgrade works of 2 000 000 EUR.</p> <p>Please confirm that the quoted requirement refers to:</p> <p>One supervision services contract with a value of at least 2 500 000 EUR , for completed works, where supervised works have included at least installation of new/upgrade of Electro-hydraulic equipment and installation of new/upgrade of Hydro-mechanical equipment new/upgrade, each with value of at least 2 000 000 EUR.</p> <p>Please confirm that this requirement can be fulfilled with a separate reference for a supervision service contract which covers the supervision of works contracts which include the required electro hydraulic and hydro – mechanical component of stipulated values.</p> <p>Otherwise please comment as applicable.</p>	<p><b>Answer No 4</b></p> <p>Within this requirement, the project refers to a supervision services contract with a value of at least 2 500 000 EUR, for completed works, where supervised works have included at least installation of new/upgrade of Electro-hydraulic equipment and installation of new/upgrade of Hydro-mechanical equipment new/upgrade, each with value of at least 2 000 000 EUR. This requirement should be fulfilled with a separate reference.</p>
<p><b>Question No 5</b></p>	<p><b>Answer No 5</b></p> <p>FIDIC Red Book, Pink Book and EBRD S&amp;I are considered to be similar contract conditions.</p>



QUESTIONS	ANSWERS
<p><b>The Contract Notice, point III.1.3) Technical and professional ability,</b> stipulates the following selection criteria:</p> <p>At least one project must have included Final Determinations as the Engineer, under Clause 3.5 FIDIC 1999 Yellow Book, or similar contract conditions as above, and all Payment Certificates have been completed, and the Performance Certificate under Clause 11.9 (or similar) has been issued.</p> <p>Please confirm that “(or similar)” refers also to FIDIC Red Book, Pink Book and EBRD S&amp;I contract conditions. Otherwise, please comment as applicable.</p>	
<p><b>Question No 6</b> <b>The Contract Notice, point III.1.3) Technical and professional ability,</b> stipulates the following:</p> <p>If a candidate has implemented the project in a JV/Consortium, it should be clear from the documentary evidence (Taking Over Certificate/Provisional Acceptance/Performance Certificate /Final Acceptance /Joint Venture Agreement, Final Payment Certificate) the percentage the candidate has successfully completed in fulfilment of the above criteria. If requested by the Contracting Authority, documentary evidence to verify the responses to the above Technical and Professional Ability criteria must be submitted within five working days for the evaluation.</p> <p>As point II.2.4) - Description of the procurement - The rules for the submission, selection and award of contract are in conformity with provisions of (among others) PRAG, please confirm that the Documentary evidence is to be submitted only in case that candidate is short-listed, together with the offer, for the reference contracts that apply. Otherwise, please comment as applicable.</p> <p>Please confirm that the documentary evidence accepted may be also Reference letter signed by</p>	<p><b>Answer No 6</b> Inline with chapter 2.6.10.1.3. Evidence to be provided - of the PRAG, in the case of restricted procedures for services, supporting documents must be sent by all shortlisted candidates together with the tender and verified by the contracting authority before signature of the contract with the successful tenderer(s). Reference letter signed by the Contracting Authority or Beneficiary or similar document will be accepted as documentary evidence.</p>



QUESTIONS	ANSWERS
<p>the Contracting Authority or Beneficiary. Otherwise please comment as applicable.</p>	
<p><b>Question No 7</b> <b>The Contract Notice, point III.1.3) Technical and professional ability</b>, stipulates the following:</p> <p>This means that the service contract the candidate refers to could have been started or completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. Candidates are allowed to refer either to service contracts completed within the reference period (although started earlier) or to service contracts not yet completed.</p> <p>Please confirm that the contract started in 01/2013 and ended in 12/2016, having a value above 2 500 000 EUR, will be accepted as valid reference. Please confirm that the Contract started in January 2021, having a value above 2 500 000 EUR but not yet completed, will be accepted as valid reference.</p> <p>Otherwise please comment as applicable.</p>	<p><b>Answer No 7</b></p> <p>In line with provisions of PRAG, stipulated in Basic Rules, Chapter 2.6.11.3., candidates/tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. Only the portion satisfactorily completed during the reference period (although started earlier) will be taken into consideration.</p>
<p><b>Question No 8</b> <b>The Contract Notice, point III.2.3)</b> stipulates the following:</p> <p>Obligation to indicate names and professional qualifications of the staff assigned to performing the contract.</p> <p>As this obligation under III.2.3. is not part of the chapter III.1 – “Conditions of Participation” but part of the chapter III.2. “Conditions related to the contract”, please confirm that the obligation to provide names and professional qualifications of the staff assigned to performing the contract applies for a later stage in the procurement procedure and not for the application. Otherwise please comment as applicable.</p>	<p><b>Answer No 8</b></p> <p>Names and professional qualifications of the staff assigned to performing the contract is not required to be provided in this stage of the procedure.</p>