



PRE – PROPOSAL CONFERENCE

MILLENNIUM CHALLENGE ACCOUNT – MOLDOVA

On Behalf of:

THE GOVERNMENT OF MOLDOVA

Funded by

THE UNITED STATES OF AMERICA

Through

THE MILLENNIUM CHALLENGE CORPORATION

Construction Supervision of Civil Works Contracts for Rehabilitation of M2 Chişinău - Soroca Road

- **Lot 1:** *Construction Supervision of the works contracts PP3/RRP/W/CB/01/01 and PP3/RRP/W/CB/01/02*
- **Lot 2:** *Construction Supervision of the works contracts PP3/RRP/W/CB/01/03 and PP3/RRP/W/CB/01/04*

Location: State Road Administration (SRA) – Procurement Agent (PA)
Bucuriei 12A str., MD – 2004/4th floor
Chişinău, Republic of Moldova

Time: 10:00 AM (local time)

Date: January 12, 2012

Attendance:

MCA - Moldova:

Mrs. Valentina Badrajan - Executive Director
Mr. Ion Josan - Procurement Director
Mr. Anatolii Usatii – Road Rehabilitation Project Director
Mr. Sergiu Budesteanu – Environment and Social Assessment Director
Mrs. Eugenia Ganea – Social and Gender Officer
Mr. Grigore Stratulat – Resettlement Officer
Mr. Leonid Mazilu – Procurement Officer
Mr. Subhash Seth – Engineering and Management Consultant for SRA under RRP
Ms. Diana Danilov – Procurement / Contract Officer for SRA under RRP
Mr. Veaceslav Vladicescu – Environmental and Social Consultant for SRA under RRP

State Road Administration/Procurement Agent:

Mr. Fiodor Grebencio – Deputy Chief – manager
Mr. Bujac Andrei – Procurement Specialist

Participants/Respondents (representatives of the firms/organizations invited to submit the proposals): Representatives were required to fill in and sign the List of Participants (see Annex B).

Attendance was strongly advised for all prospective Consultants or their representatives but was not mandatory.

Minutes were conducted by **Mr. Anatolii Usatii**

Opening:

Mrs. Badrajan welcomed all the participants and emphasized the importance of this assignment for the Government and citizens of Moldova. **Mrs. Badrajan** highlighted other aspects of Millennium Challenge Account – Moldova’s Program focused on poverty reduction and economic growth.

Mrs. Badrajan passed the floor to **Mr. Anatolii Usatii** who explained to the participants that the event was held in accordance with para 1.4, Section I - Instructions to Consultants, Request for Proposals (RFP) and the purpose was to provide the first – hand information of the assignment and local conditions. Also **Mr. Anatolii Usatii** made a short presentation on the scope, objectives and expected deliverables for the implementation of these consultancy services.

Mr. Ion Josan made a presentation on the important procurement aspects as preparation and submission of proposals, evaluation of proposals, forms of Technical and Financial Proposals to be fulfilled by each consultant. Participants also have been warned about the requirements to comply with anti-fraud and corruption policies.

Mr. Sergiu Budesteanu made a presentation on the Environment and Social Management Plan (ESMP) aspects, and specified the role of the Engineer in approving and monitoring the implementation of ESMP prepared by the Contractor.

Mr. Grigore Stratulat made a presentation on the role of the Construction Supervision Consultant to monitor the Resettlement Action Plan (RAP) Implementation, whether the project has reached the absent and / or their Power of Attorney designated to receive compensation and to monitor the relocation of wells and shrines along the corridor through site visits and meetings with project affected villages.

Mrs. Eugenia Ganea made a presentation on Social and Gender aspects under the RRP.

Questions and Answers:

Mr. Anatolii Usatii requested the Respondents to write down their questions, specifying the section of the RFP the question is referring to, and to sign the form. Some questions and answers were discussed on the pre-proposal conference.

Mr. Anatolii Usatii mentioned that although some questions would be answered or discussed during the event, information from the meeting must be considered informal, not binding on MCA-Moldova. All questions shall be answered formally through the Minutes of the conference to be distributed shortly after the event. The Clarifications would become part of the RFP and would be binding on MCA-Moldova and participants.

Participants raised questions that were discussed in general lines with the statement that the formal answer would be distributed to the companies through Minutes of Pre – Proposal Conference.

Closing:

At the end, **Mr. Anatolii Usatii** thanked the respondents for their participation and wished them success in the selection procedure.

Annexes:

Annex A - Answer to clarifications questions.

Annex B – List of Participants at Pre – Proposal Conference dated January 12, 2012.

Annex C – Pre – proposal conference presentations.



PRE – PROPOSAL MEETING

ANNEX A

ANSWERS TO CLARIFICATION QUESTIONS

MILLENNIUM CHALLENGE ACCOUNT – MOLDOVA
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Construction Supervision of Civil Works Contracts for Rehabilitation of M2 Chişinău - Soroca Road

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Question 1:

How the minutes of the pre-proposal meeting will be provided to Consultants?

Answer 1:

SRA will send the minutes to all registered companies. In addition, the minutes will also be posted on SRA website.

Question 2:

According to the TOR, the Works Contracts will be tentatively signed in April. Is it still valid?

Answer 2:

Yes.

Question 3:

The TOR requires specific activities during the pre-construction period. Does it mean that the Construction Supervision contracts will start much before the Works Contracts?

Answer 3:

The pre-construction period mentioned in the TOR refers to the period after the Works Contracts are signed but physical works on site are not started (e.g. elaboration of the Program of Works, Contractor's mobilization etc). The Construction Supervision contracts are not expected to start much before the Works Contracts. The tentative commencement of the Construction Supervision services is between the date when the Letter of Acceptance for the Works Contract is signed and the Works Contracts signing date.

Question 4:

Beside the supervision of works the Engineer will have to supervise the RAP Implementation Consultant?

Answer 4:

No. The Engineer will monitor RAP implementation which will be done by another consultancy company.

Question 5:

The Resident Engineer is the Team Leader?

Answer 5:

The Resident Engineer can be Team Leader.

Question 6:

The Key Staff should be also local staff or only foreign personnel.

Answer 6:

The key staff can be local and/or foreign personnel.

Question 7:

For Materials Engineer is required experience in CIS countries, why this is an asset?

Answer 7:

Yes. For the Material Engineer the experience in CIS countries is a requirement because it is important that Material Engineer must have a good knowledge of the local technical norms/requirements which are based on the former USSR GOST system.

Question 8:

Will a company be eligible for both lots if such company participates in two different consortiums/JVs?

Answer 8:

No. A company could not participate in two different consortiums/JVs. RFP ITC 1.14 states “Consultants may only submit one Proposal. If a Consultant submits or participates in more than one Proposal, all such Proposals shall be disqualified”.

Question 9:

The same team can be proposed in two lots?

Answer 9:

Yes. The same team can be proposed in two lots, but the company cannot win more than one lot.

Question 10:

208 man-months will be only for base period contract?

Answer 10:

No. 208 man-months refer to all contract options: base contract, option 1 period and option 2 period.

Question 11:

To whom the Proposal should be addressed?

Answer 11:

As provided in Section 2, Proposal Data Sheet, ITC 4.4, the proposals shall be submitted to State Roads Administration (Attention Mr. Gheorghe Curmei, Head of Investment Department).

Question 12:

Annex B to TOR: “The Engineer is to shall provide....” It is a miss between “is” and “shall”?

Answer 12:

It shall be read as “The Engineer shall provide.....”

Question 13:

It shall be an office in Chisinau and site office?

Answer 13:

The office for the Engineer will be provided by the Contractor at the location approved by the Engineer.

Question 14:

The client is MCA-Moldova?

Answer 14:

Yes. The Client is MCA Moldova with SRA as the Procurement Agent.

Question 15:

For the preparation of Technical Proposals will be provided additional information (pictures, drawings)?

Answer 15:

No additional information will be provided.

Question 16:

Minutes of Pre-Bid meeting will be available for Consultants?

Answer 16:

SRA will send the minutes to all consulting companies who participated in the pre-proposal conference held at SRA on January 12, 2012. In addition, the minutes will also be posted on SRA website.

Question 17:

When will be the expected start date of the consultancy services?

Answer 17:

Please see the answer provided to question number 2 above.

Question 18:

Will the consultants start before the contractors? If so, how many months before?

Answer 18:

Please see the answer provided to question number 3 above.

Question 19:

As both Lots have very similar key personnel; and as a firm can only win one Lot, can we provide same key personnel for each proposal?

Answer 19:

Yes. The same key personnel can be provided for both lots.

Question 20:

We note that the date chosen for the price conversion into USD is same date as the submission - 10 February 2012. This means that the exchange rate to be used will be unknown to the Consultants at the time of preparing the bid. Would it be possible to set the exchange rate date for the price conversion for, say, ten days before the submission date?

Answer 20:

ITC 5.6 refers to the price conversion into USD for **the evaluation purposes only**. For evaluation purposes the date of the exchange rate shall be the date of the deadline for submission of the Proposal, i.e. February 10, 2012.

Question 21:

Can companies and/or personnel who were involved in the design phase contract be involved in the supervision phase contracts?

Answer 21:

Yes. This is not prohibited by any of the provisions of the Procurement guidelines, dealing with conflict of interest/Conflicting Activities/conflicting assignments/Conflicting Relationships/Unfair Competitive Advantage.

Question 22:

Can an individual be proposed as Key Personnel by more than one company for same Lot?

Answer 22:

Yes. RFP ITC 1.14 states “Consultants may only submit one Proposal. If a Consultant submits or participates in more than one Proposal, all such Proposals shall be disqualified. However, this does not limit the participation of the same Sub-Consultant, including individual experts, to more than one Proposal.”

Question 23:

ToR Annex B, Para (6) – Please confirm that the words “this contract” refer to an addendum to the Supervision Contract in the event of technical assistance being required due to significant changes in existing field conditions.

Answer 23:

Yes. “This contract” refers to an addendum if any addendum to the contract has already been issued.

Question 24:

We note that the staffing is identical for Supervision Lots 1 and 2. In particular, there is only one Bridge Inspector for each Supervision Lot even though Works Lots 1 and 2 include 14 bridges while Works Lots 3 and 4 only include 1 bridge and a bored pile landslide retaining structure. We suggest that a second Bridge Inspector be added to the Employer’s list of Technical Support Staff for Supervision Lot 1 in order that bids are evaluated on a common basis.

Answer 24:

The TOR provides for the **minimum staff requirements**. Provided that the basic minimum staff requirements are met, the Engineer is free to propose the supervision structure that is deemed by the Engineer to optimally meet the project requirements. In addition to the minimal required team of Key Personnel mentioned above, the Engineer shall provide the necessary field teams of support staff to be assigned to each contract.

Question 25:

The Proposal Data Sheet ITC 3.3 (b) gives an estimate of 208 person months for Key Professional Staff. Please confirm that Key Professional Staff is the same as the Key Staff listed in ToR 4.1 comprising:

Team Leader / Project Manager
Deputy Team Leader / Resident Engineer
Environmental Expert
Social Expert
2 (two) Materials Engineers
2 (two) Quantity Surveyors

Answer 25:

Yes. The list of key personnel staff is the same as listed in TOR Clause 4.1. An amendment will be issued to the number of 208 man-months.

Question 26:

Please confirm that you require an Environmental and Social specialists full time on site.

The Technical Specifications for the Works Lots do not include the following equipment and supplies for the Engineer. Please confirm which of these are to be included in the Consultant's Financial Proposal or can otherwise be instructed through the Works Contracts.

- a) Vehicles, drivers, servicing, running costs etc
- b) Office supplies, stationary and consumables, comb binders, heavy duty staplers etc.
- c) Computers, printers, scanners, photocopying machines, cameras, software, UPS, IT networking, related consumables etc.
- d) Surveying equipment, related consumables
- e) Cost of international and local telephone calls
- f) Site accommodation for the Engineer's personnel

Answer 26:

Yes, as provided in TOR Section 4.1, the key staff at site will include one full time Environmental Specialist and one full time Social Specialist.

Please refer to Section IX of the Works Bidding Documents, Chapter 004 on "Engineer's Facilities".

Question 27:

Sub-Clause 4.4 of the Conditions of Contract for the Works Lots, as amended by the Conditions of Particular Application, specify that the Contractor must seek the Engineer's consent to the appointment of sub-contractors where the value of a single sub-contract exceeds 1% of the Contract Price or USD 100,000, whichever is the less, and the cumulative value of all sub-contracts exceeds USD 250,000. There is no requirement under the Works contracts for the Engineer to seek the prior approval of the Employer.

By comparison, ToR, Section 3 (iv) requires the Engineer to seek the prior approval of the Employer where sub-contracting any part of the Works exceeds a value of USD 100,000.

While we do not object to seeking the Employer's prior approval, the accepted practice is that the Contractor should be made fully aware, under Sub-Clause 3.1 of the Conditions of Particular Application, of all circumstances where the Engineer is required to seek the prior approval of the Engineer.

Please clarify the relevant financial limits above which the Employer's prior approval must be obtained by the Engineer and confirm if any amendment to Sub-Clause 3.1 Conditions of Particular Application will be issued to the Bidders for the Works Lots

Answer 27:

These are provided in the TOR Section 3. MCA Moldova does not anticipate issuing any amendment in this respect.

Question 28:

Conditions of Particular Application Sub-Clause 3.1 (ii) for the Works Lots read together with the Appendix to Bid require the Engineer to seek the prior approval of the Engineer for variations exceeding 10% of the quantities for existing bill items or 1% of the Accepted Contract Amount, whichever is the less.

There also appears to be inconsistency between the 1% ceiling specified under Condition of Particular Application 3.1 (ii) and the 5% ceiling specified under Condition of Particular Application 3.1 (iii). Why would a 5% ceiling apply to a variation proposed by the Contractor and a 1% ceiling apply to a variation instructed by the Engineer?

By comparison, ToR Paras 3 (i) and 3 (iii) require the Engineer to seek the prior approval of the Employer where the value of any variation exceeds 0.5% of the Accepted Contract Amount or the cumulative value of variations in quantities exceeds "2% of the Contract Price at tender rates". In addition, ToR Para 3.1.4 implies that the Engineer should seek the Employer's prior approval to all variations except for emergency situations.

Please clarify the relevant financial limits above which the Employer's prior approval must be obtained by the Engineer and confirm if any amendment to Sub-Clause 3.1 Conditions of Particular Application will be issued to the Bidders for the Works Lots

Contract Forms GCC 3.6 (page 104) says: (i) "third party motor vehicle liability insurance in respect of motor vehicles operated in Republic of Moldova by the Consultant or its Personnel or any Sub-Consultants or their Personnel, with a minimum coverage of fifty thousand (10,000) USD". Which amount is correct: fifty thousand or 10,000 USD?

Answer 28:

The financial limits above which the Employer's prior approval must be obtained by the Engineer as provided in the TOR paragraphs 3(i) and 3(ii) shall apply.
The amount shown in word (fifty thousand) is correct.

Question 29:

Contract Forms GCC 3.6 (page 104) says: (ii) "third party liability insurance, with a minimum coverage of one hundred thousand (10,000) USD". Which amount is correct: one hundred thousand or 10,000 USD?

Answer 29:

The amount shown in words (one hundred thousand) is correct.

Question 30:

Please list all the tax liabilities the Consultant will bear.

Answer 30:

Please refer to MCA-Moldova Website link

<http://www.mca.gov.md/file/documente/Tax%20Exemption%20Procedure%20-%20Final.pdf>.

Question 31:

Please clarify whether personnel of the Consultant and Sub-Consultant will be exempt from income and social taxes.

Answer 31:

Please refer to MCA-Moldova Website link

<http://www.mca.gov.md/file/documente/Tax%20Exemption%20Procedure%20-%20Final.pdf>.

Question 32:

Please clarify whether it is a requirement for the Consultant to register a legal entity in order to undertake implementation of the supervision works in Moldova.

Answer 33:

We advise our contractors to register in one of the legal form provided under Moldovan legislation. This is needed for several reasons: to undertake the activities which need licensing or permits, to hire local personnel, to benefit from the tax exemption or tax refund (when applicable). Depending on the situation it could be registration of full-fledged company or registration of a representative or branch office.

Question 34:

According to the Financial Proposal, Fin-3 shall be prepared by each activity as mentioned in Tech-10, and Fin-4 shall be filled in for the same Key Professional Personnel and other Personnel listed in Tech-8 and Tech-9, in which case the reimbursable costs (indirect cost) are included.

In this case, is the total price for Fin-3 same as those for Fin-4. Or the price of Fin-2 “Price Summary” is the price of Fin-3 plus Fin-4?

In case of ADB funded projects, Fin-3 is usually used for Remuneration and Fin-4 for Reimbursable Cost, respectively. And the total price of Fin-2 shall be the amount of Fin-3 plus Fin-4.

We would like to know what your opinion is about this matter.

Answer 34:

The selected Consultant shall provide total lump-sum price of the assignment under the Fin-2 form, which shall include fully loaded prices (including any international travel, communication, local transportation, office expenses, shipment of personal effects, direct and indirect rates and profits).

Please note that information provided by Fin-3 and Fin-4 forms shall only be used to establish price reasonableness and to establish payments to the Consultant for possible additional services requested by the MCA-Moldova.

Question 35:

Regarding the Staffing Schedule, the total man/month of 208m/m only is mentioned in RFP. Is there any problem if we can incorporate each staff's m/m, at our discretion, into the schedule?

Answer 35:

Both Technical and Financial Proposal's should be based on the total number of level of effort (staff-months) indicated in the RFP. However, consultants could assign the level of effort to each individual staff member at their own discretion.

Question 36:

According to Chapter 004, Engineer's Facilities, of the Specification of the Contractor, we recognize that all of the Engineer's facilities, such as office, laboratory office, access road, necessary furniture, communication facilities, and others required, other than the vehicles, shall be provided by the contractor.

Answer 36:

Yes. we confirm that all of the Engineer's facilities, such as office, laboratory office, access road, necessary furniture, communication facilities, and equipment other than vehicles, shall be provided by the contractor. Please refer to Section IX of the Works Bidding Documents, Chapter 004 on "Engineer's Facilities".

Question 37:

Regarding the Evaluation Criteria of the Key Personnel from paragraph 3, pages 27-29, from Section 3 Qualification and Evaluation Criteria, please provide more detailed information on the evaluation of the key personnel, i.e. if there is any intermediary evaluation grid and how the key personnel will be evaluated in case one of the key personnel doesn't comply with one of the mentioned sub-criteria.

Answer 37:

Please refer to RFP Section 3, Qualification and Evaluation Criteria.

Question 38:

Regarding the Form TECH-2 Financial capacity of the Consultant, from Section 4A. Technical Proposals Submission Forms, please confirm if the last three years to be taken into consideration are: 2008, 2009, 2010, taking into consideration that in some countries the certified financial statements/audited financial statements are issued at the end of month of May or June of each year.

Answer 38:

The ITC Clause 3.2 requires that Consultant shall provide evidence showing that its liquid assets and access to credit facilities are adequate for this Contract, as indicated in Form [TECH-2](#). In this respect, it is necessary that such data shall demonstrate the most recent firm's capacity, i.e. 2009, 2010 and 2011. In case there are legal impediments for the submission of the last report as certified/audited, a declaration in this respect shall be provided. MCA Moldova reserves the right to verify later such certified/audited report.

Question 39:

Please clarify what the expression “home office”, from the Form TECH-9 Staffing Schedule - Section 4A. Technical Proposals Submission Forms, and the Form FIN-4 Breakdown of remuneration - Section 4B. Financial Proposals Submission Forms, means.

Answer 39:

“Home office”, means the company’s location where the company has its office and assigned staff resides, as opposed to the Field, meaning the project site, where the assigned staff shall perform its assignment.

Question 40:

At Section 6. Terms of Reference, letter (c) Environmental Expert and (d) Social Expert, it is stated that “the expert should be familiar with the local, EU, World Bank and MCC environmental guidelines and procedures”. Please clarify if the expert should have experience in the all above mentioned procedures or it is accepted also part of them like for example only EU and World Bank, or only EU, etc.

Answer 40:

The expert should be familiar with the Guidelines and Procedures of local or at least one of (EU, World Bank and MCC) which have similar environmental guidelines and procedures. Experience in projects with application of Guidelines and Procedures from (EU, World Bank and MCC) will be considered a benefit.

Question 41:

Please confirm if for the preparation of the bid it is accepted also the support of a third party.

Answer 41:

Yes, but the consultant will be responsible for the preparation of proposals.

Question 42:

Please confirm how the supporting documents included in the bid should be provided: simple copy or legalized copy.

Answer 42:

All copies could be simple, except those expressly required to be notarized.

Question 43:

Please be informed that some of the links from the Annex A to Section 6. Terms of Reference, cannot be opened. Please inform us how we can obtain the entire documentation.

Answer 43:

SRA has checked that all the links can be opened.



Millennium Challenge Account – Moldova

Road Rehabilitation Project








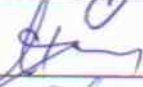

**Construction Supervision of Civil Works Contracts
for Rehabilitation of Road M2 Chişinău - Soroca
under the lots: Lot 1 and Lot 2**

January 12, 2012, 10:00 a.m. (local time)

PRE – PROPOSAL CONFERENCE

List of Participants

No.	Name	Company	Signature
1	Simon Jones	URS	
2	Michael Ellis	GAUFF	
3	Costava Olgas	S&S Moldova	
4	Cristofor Sergiu	S&S Moldova	
5	Adrian Mihailescu	GROTTMIL	
6	Roumiana Zaharionca	COVIAT DENMARK	
7	GIULIA D'AGOSTINI	IRS ENGINEERING	
8	Roberto Trevisi	IRI Engineering	
9	Zbigniew Kotlencz	MSF POLAND	
10	KRYSTYNA HERON	Polinex Motorski	
11	MAREK Fyaltch	-4 - Poland	
12	Thomas Herz	Kochis Consult	
13		SAFESE	LAW GRANT

14	Mustafa Kokten	Pro Yapı	
15	Igor Bygaj	Poland	
16	Piotr Padox	ECM GP	
17	Tomaz Vaska	PMIG	
18	DOBREA ADRIANA	CR	
19	Elena Kim	Dokwa Engineering Co. Ltd	
20	DRAGANESMI ANTONIU	ROUHTON INTERNATIONAL	
21	ANDREI SERGIUS	EPNISA ROMANIA	
22	Puiulet ALINA	AECOM INGENIERIA SEC	
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MILLENNIUM
CHALLENGE CORPORATION

UNITED STATES OF AMERICA



FONDUL PROVOCĂRILE
MILENIULUI MOLDOVA

Road Rehabilitation Project

OVERVIEW



Road Rehabilitation Project ~ \$133 million

- Will increase the income of the local population through reduced cost of transport and reduced costs of goods and services
- Will reduce losses to the national economy resulting from the deteriorated road conditions
- Will reduce the number of road accidents through improved traffic conditions



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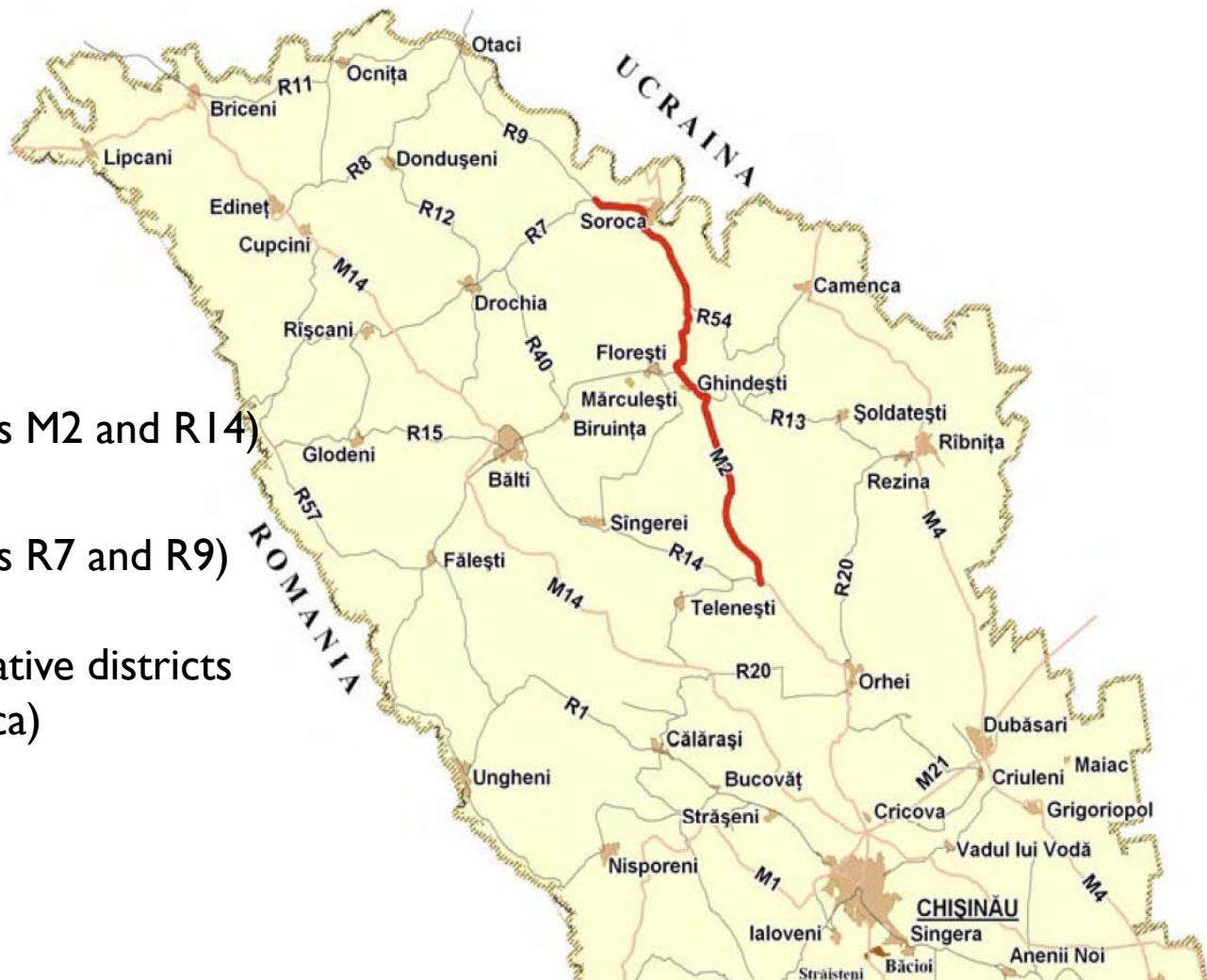
General Information

Total length – **93 km**

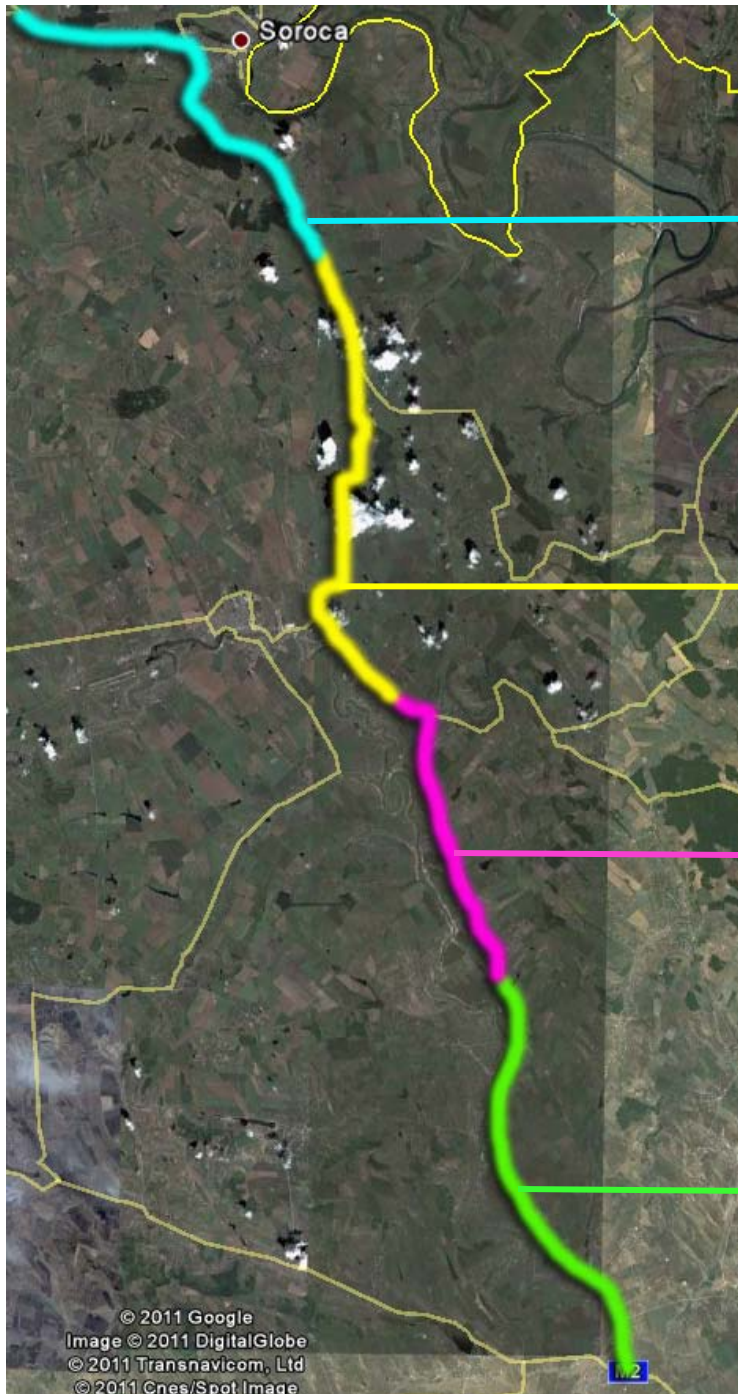
From Sărăteni junction
(intersection of national roads M2 and R14)

To Drochia junction
(intersection of national roads R7 and R9)

The road crosses 3 administrative districts
(Telenești, Florești and Soroca)



Works Contracts



LOT 4

From: junction with access road to Radi-Ceresnoveti village

To: Drochia junction

Length: 24.9 km

LOT 3

From: beginning of Ghindesti village

To: junction with access road to Radi-Ceresnoveti village

Length: 23.2 km

LOT 2

From: border between Telenesti and Floresti rayons

To: beginning of Ghindesti village

Length: 20.7 km

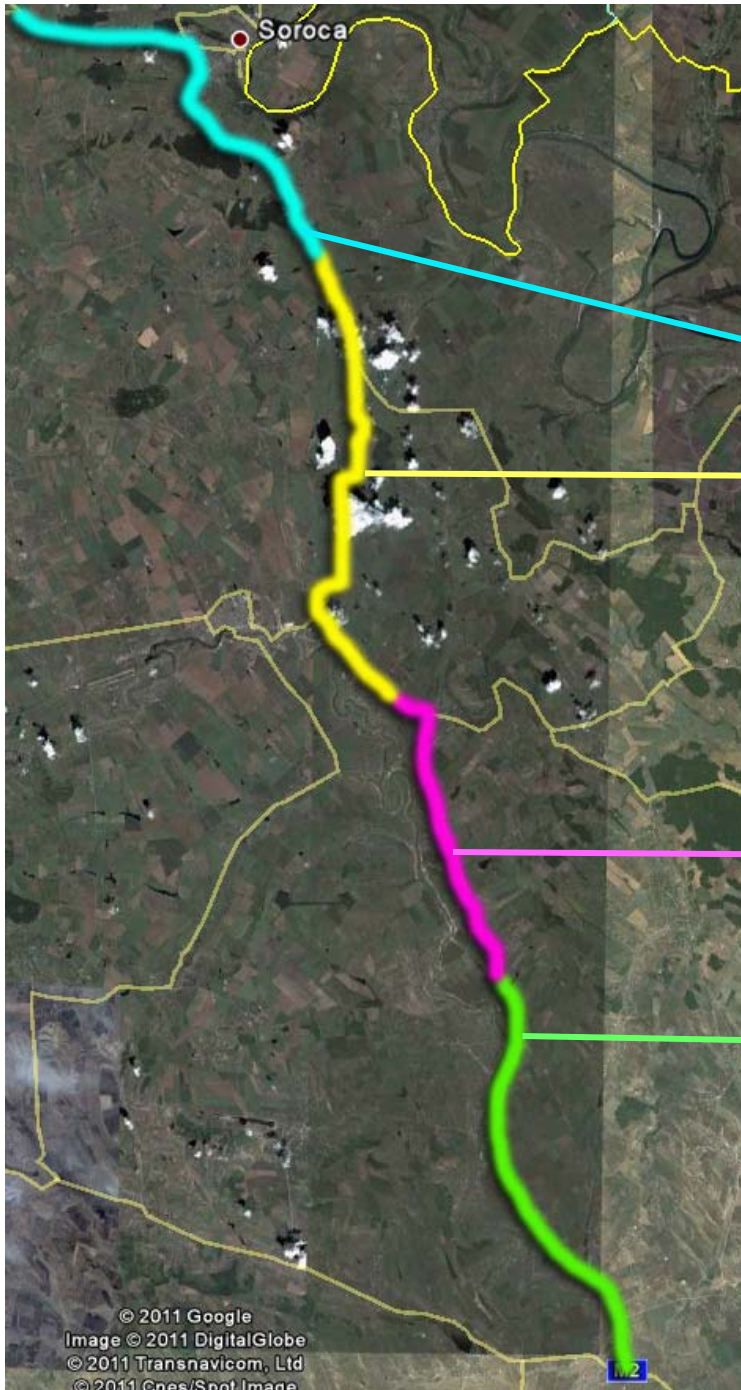
LOT 1

From: Sarateni junction

To: border between Telenesti and Floresti raions

Length: 24.2 km

Construction Supervision Contracts



Construction Supervision Contract 2

Includes supervision for:
Works Lot 3
Works Lot 4

Construction Supervision Contract 1

Includes supervision for:
Works Lot 1
Works Lot 2



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MILENIULUI MOLDOVA

Tentative Contract Timeline

- ▶ Publication of the RFPs – December 20, 2011
- ▶ Bids Submission Deadline – February 10, 2012
- ▶ Contracts signing – March/April 2012





FONDUL PROVOCĂRILE
MILENIULUI MOLDOVA

Important !

Penalties under the Works Contracts (*Conditions of Particular Application: Sub-Clause 14.16 – Penalties*)

- a. Timely Key Equipment Mobilization;
 - b. Timely compliance with logbook requirements;
 - c. ESMP compliance;
 - d. Traffic Management Plan compliance; and,
 - e. Health and Safety Plan compliance.
-





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Important !

The Engineer shall use his best knowledge, judgment, and experience for the proper and careful determination of the applicability for each particular penalty on the case-by-case basis

In all such cases, Contractors' noncompliance shall be properly documented by the Engineer

The Consultants shall provide the proposed approach to application of the penalties in a separate part of Consultant's Methodology under the Technical Proposal.





FONDUL PROVOCĂRILE
MILENIULUI MOLDOVA

THANK YOU FOR YOUR ATTENTION !





MILLENNIUM
CHALLENGE CORPORATION

UNITED STATES OF AMERICA



FONDUL PROVOCĂRILE
MILENIULUI MOLDOVA

Road Rehabilitation Project (RRP)

Millennium Challenge Account – Moldova
The Millennium Challenge Corporation



FONDUL PROVOCĂRILE
MILENIULUI MOLDOVA

Pre-proposal Conference

January 12, 2012

**CONSTRUCTION SUPERVISION OF
CIVIL WORKS CONTRACTS
FOR
REHABILITATION OF ROAD
M2 CHIȘINĂU - SOROCA**





The Contract will be awarded in two lots, one for each lot to two (2) different firms

▣ **Lot 1 - PP3/RRP/CS/QCBS/08/01**

Construction Supervision for works contracts PP3/RRP/W/CB/01 and PP3/RRP/W/CB/02

▣ **Lot 2 – PP3/RRP/CS/QCBS/08/02**

Construction Supervision for works contracts PP3/RRP/W/CB/03 and PP3/RRP/W/CB/04





Clarifications may be requested:

- **Not later than fourteen (14) days before the deadline for submission of Proposals - January 27, 2012**
- **All the clarifications will be requested from *State Road Administration – Procurement Agent (PA)*.**
- **The responses will be issued to the Consultants not later than (10) ten days prior the deadline for submission of Proposals – January 31, 2012**





FONDUL PROVOCĂRILE
MILENIULUI MOLDOVA

The Proposals remain valid for ninety (90) days after the deadline for the submission -
May 10, 2012





Estimated number for person – months for Key Professional Personnel:

- **Lot 1 - PP3/RRP/CS/QCBS/08/01 - 208 person – months**
- **Lot 2 – PP3/RRP/CS/QCBS/08/02 - 208 person - months**





FONDUL PROVOCĂRILE
MILENIULUI MOLDOVA

Submission Deadline

February 10, 2012 / 10 AM local time

Technical Proposal:

- 1 original and 4 paper copies,
- 1 soft copy on a CD
- The soft copy shall be placed in sealed envelope /parcel clearly marked “Technical Proposal - CD”

Financial Proposal:

- 1 original and 4 paper copies,
 - 1 soft copy on a CD
 - The soft copy shall be placed in sealed envelope /parcel clearly marked “Financial Proposal - CD”
-





Technical Proposal

- **The RFP provides standard forms to be used for the preparation of the Technical Proposal in accordance with the instructions provided in Section I, Instructions to Consultants.**
- **The Consultant must use these forms (or forms that present in the same sequence substantially the same information) and should not introduce changes without the MCA Moldova prior written consent.**
- If any of the forms included in this Section is missing in the submitted Proposal, the Proposal may be rejected as non-responsive.



FONDUL PROVOCĂRILE
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Form TECH-I TECHNICAL PROPOSAL SUBMISSION FORM

- The Consultant shall fill in this form in accordance with the instructions indicated. No alterations to its format shall be permitted and no substitutions shall be accepted. The form shall be on the letterhead of Consultant's firm/entity.
- The original of the TECH-I shall be signed by a person duly authorized to bind the Consultant to the Contract.
- If the Proposal is being submitted on behalf of a joint venture, the TECH-I shall be signed so as to be legally binding on all Partners to the Contract.





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Annexes to Form TECH-1

Annex 1	POWER OF ATTORNEY
Annex 2	DOCUMENTS INDICATING CONSULTANT'S LEGAL STATUS
Annex 3	JOINT VENTURE OR ASSOCIATION AGREEMENT
Annex 4	GOVERNMENT-OWNED ENTERPRISE CERTIFICATION FORM





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Form TECH-2 FINANCIAL CAPACITY OF THE CONSULTANT

The consultant shall provide:

- audited financial statements for the last 3 years, supported by audit letters

OR

- certified financial statements for the last 3 years, supported by tax returns

OR

- a copy of the Consultant's Dun & Bradstreet "Business Information Report".

- **Historical information for the previous three 3 years**

If the Proposal is being submitted on behalf of a joint venture, the above information shall be submitted by all Partners





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Information on current or past litigation or arbitration

The consultant shall provide information on current or past litigation or arbitration over the **last five (5) years** pursuant Para 3.3 of Section 3.





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Form TECH-3 ORZANIZATION OF THE CONSULTANT

- **The Proposal must demonstrate that the Consultant has the organizational capability and experience to provide the necessary administrative and technical support to the Consultant's Project Team in country.**
- **The Proposal shall further demonstrate that the Consultant has the capacity to field and provide experienced replacement Personnel at short notice.**
- **Further, the Consultant must nominate a home-office project director who would manage the contract on behalf of the Consultant, if awarded, and submit his/her CV.**



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Form TECH-4 EXPERIENCE OF THE CONSULTANT

- **The Proposal must demonstrate that the Consultant has a proven track record of successful experience in executing projects similar in substance, complexity, value, duration, and volume of services sought in this procurement.**
- **The Consultant shall provide under this Form information on each relevant assignment**
- **If the Proposal is submitted by a joint venture, all parties of the joint venture shall submit under this form the above information on the experience of their firm/entity.**



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Form TECH-5 REFERENCES OF THE CONSULTANT

The Consultant shall provide under this form contact information for at least 3 references that can provide substantial input about:

- The type of work performed
- Confirm the quality of the work experience listed in Form TECH-4

For each reference, list a contact individual, his/her title, address, facsimile, phone and valid e-mail address.

If the Proposal is submitted by a joint venture, all parties shall submit the contact information for references for their firm/entity.



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Form TECH-6 DESCRIPTION OF APPROACH, METHODOLOGY AND WORK PLAN FOR PERFORMING THE ASSIGNMENT

The Technical Proposal should be divided into the following 3 chapters:

- **Technical Approach and Methodology**
- **Work Plan**
- **Organization and Staffing**



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Form TECH-7 COMMENTS AND SUGGESTIONS

These comments would not be evaluated and should not be priced in the Consultant's Proposal. The Consultant's comments and suggestions would be discussed during negotiations with the winning Consultant, and the prices would be adjusted accordingly.

- ▶ **On the Terms of Reference**
 - ▶ **On the Counterpart Staff and Facilities**
-





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Form TECH-8 TEAM COMPOSITION AND TASK ASSIGNMENTS

The Consultant shall provide under this form the list of the proposed Key Professional Personnel by area of expertise, the position that would be assigned to each person, and their tasks.





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Form TECH-9 STAFFING SCHEDULE

The Consultant shall provide under this form the estimates of the staff input (person-months of foreign and local professionals) needed to carry out the assignment. The person-months input shall be indicated separately for home office and field activities, and for foreign and local professional staff.





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Form TECH-10 WORK AND DELIVERABLES SCHEDULE

- **The Consultant shall indicate under this form all main activities of the assignment, including deliverables and other milestones, such as the MCA Moldova approvals**
- **Duration of activities shall be indicated in the form of a bar chart**





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Form TECH-II CV FOR PROPOSED PROFESSIONAL PERSONNEL

- **The Consultant shall provide under this form the CVs of the Key Professional Personnel signed by the staff themselves and/or by the Consultant's authorized representative.**
- **The Consultant shall provide at least 3 individual references with substantial knowledge of the person's work. Include each reference's name, title, phone and e-mail contact information.**



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Financial Proposal

- **The RFP provides standard forms to be used for the preparation of the Financial Proposal in accordance with the instructions provided in Section I, Instructions to Consultants.**
- **The Consultant must use these forms and should not introduce changes without the MCA Moldova prior written consent.**
- **If any of the forms included in this Section is missing in the submitted Proposal, the Proposal may be rejected as non-responsive.**
- **The Financial Proposals shall be submitted either in US Dollars or in Moldovan Lei or in a combination of the two. *No other currency is allowed.***



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Form FIN-I FINANCIAL PROPOSAL SUBMISSION FORM

- **The Consultant shall fill in this form in accordance with the instructions indicated. No alterations to its format shall be permitted and no substitutions shall be accepted. The form shall be on the letterhead of Consultant's firm/entity.**
- **The original of the FIN-I shall be signed by a person duly authorized to bind the Consultant to the Contract.**
- **If the Proposal is being submitted on behalf of a joint venture, the FIN-I shall be signed so as to be legally binding on all Partners to the Contract.**



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Form **FIN-2 PRICE SUMMARY**

- **The Consultant shall provide under this form fully loaded prices (including any international travel, communication, local transportation, office expenses, shipment of personal effects, direct and indirect costs and profits).**
 - **All activities and items described in the Technical Proposal shall be assumed to be included in the price offered in the Financial Proposal.**
 - **The Consultant (including its associates, if any) and their respective Personnel shall be subject to certain Taxes (as defined in the Compact) under applicable law. *MCA Moldova shall have no obligation to pay or compensate the Consultant for any Taxes.***
-
- 



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If the RFP contains options, the options shall be fully priced and evaluated at 100%.

- **Base Contract:** a twelve (12) month fixed price lump sum contract to cover the first part of the Construction Supervision activities.
- **Option 1 Contract:** a fixed price lump sum contract to cover the second part of the Construction Supervision activities, to be activated subject to the successful performance of the Consultant during the Base Contract period, as determined at the sole discretion of MCA-Moldova. This Option is for a twelve (12) months period for the initial pricing purpose, but could be longer of twelve (12) months or time required for the acceptance of works. If the time is extended beyond 12 months, a separate contract amendment shall be negotiated, and need not be priced at this time.
- **Option 2 Contract:** a twelve (12) month fixed price lump sum contract to cover the Defect Notification Period, to be activated subject to the successful performance of the Consultant during the Option 1 contract, as determined at the sole discretion of MCA-Moldova.



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Form FIN-3 BREAKDOWN OF PRICE PER ACTIVITY

- **The Consultant shall complete this form for the whole assignment.**
- **The Consultant shall provide under this form fully loaded prices (including any international travel, communication, local transportation, office expenses, shipment of personal effects, direct and indirect costs and profits).**



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Form FIN-4 BREAKDOWN OF REMUNERATION

- The Consultant shall indicate separately the rate for home and field-work for each staff. Field-work means work carried out at a place other than the Consultant's home office.
- The Consultant shall provide under this form fully loaded rates (including any international travel, communication, local transportation, office expenses, shipment of personal effects, direct and indirect costs and profits).
- Information shall only be used to establish price reasonableness and to establish payments to the Consultant for possible additional services.



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Proposal Submission Deadline

TIME:	10:00 AM (local time)
DATE:	February 10, 2012
LOCATION:	State Road Administration – Procurement Agent Bucuriei 12A str, MD 2004 Chisinau, Republic of Moldova





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Avoiding Fraud & Corruption

Consultants shall avoid:

- Bribery to obtain contract award
- Arrangements for proposals price fixing between themselves
- Arrangements for fixing Loser's fee between themselves

- Between Proposal opening to Contract award, Consultants may contact the SRA-PA/MCA **in writing only**.
- Technical Evaluation Panel (TEP) confidential before/after evaluation – Consultants shall not pursue to identify the TEP members.





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Sanctions for Corruption

- **Prohibition from participation in MCC funded contracts if consultants and third parties commit the fraud and/or corruption;**
- **Temporary or permanent ineligibility, removal from competition in a procurement activity, and other similar actions**
- **Fines, criminal prosecution, or payment of damages, which may be imposed by the national law**



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THANK YOU !



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Monitoring compliance with Environmental and Social Management requirements

Environmental part



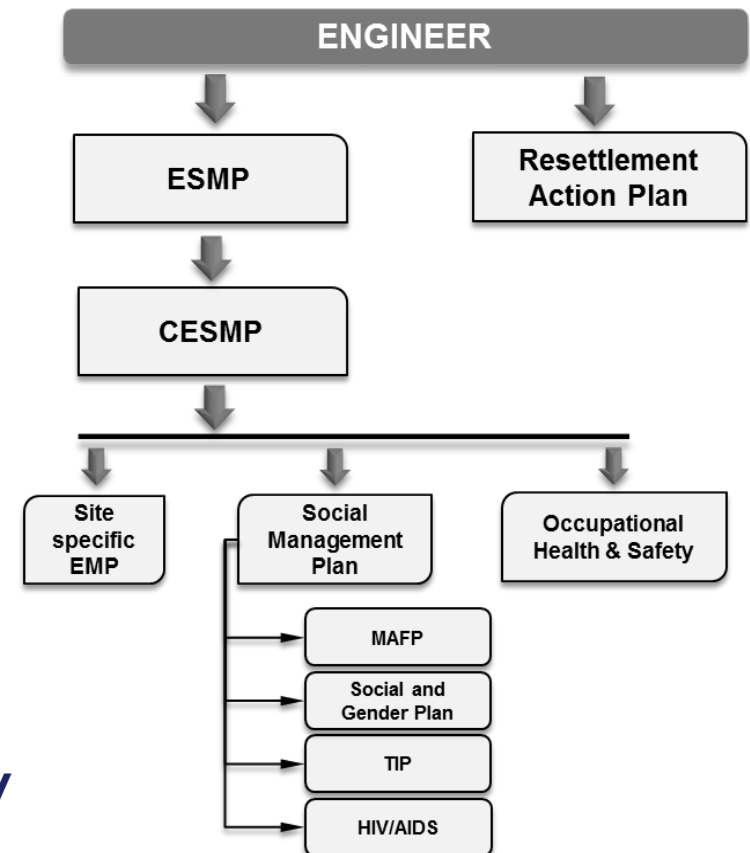
Engineer's responsibilities – (1)

- ! Monitor the implementation of the **ESMP** and **Resettlement Action Plan** during construction works and defect liability period in full compliance with national environmental legislation and health and safety requirements

Client's Environmental and Social Management Plan

Contractor's Environmental and Social Management Plan

- Site specific Environmental Management Plan
- Social Management Plan
- Occupational Health and Safety





Engineer's responsibilities – (2)

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Detailed description of the Engineer's role in monitoring SEMP can be found in the Specifications

Pre-construction

- ▶ review and approve the Contractor's Site Environmental Management Plan prepared for each area, both on and off Site, of direct or indirect environmental impact resulting from operations.
- ▶ Site inspection and record (using inspection forms, photo or video records etc) the environmental conditions prior to construction.
- ▶ review and approve the Environmental Control Provisions describing monitoring schemes, equipment and locations likely to be subject to air, water, soil and noise impacts.
- ▶ Assess if the Contractor's approach and methodology to sampling and analysis, as described in the SEMP, is in compliance with standard methods and regulations of the Government of Moldova.
- ▶ Ensure that all analyses performed by the Contractor are done at an accredited laboratory.
- ▶ Ensure that the Contractor has obtained all necessary permits to execute the works.



Engineer's responsibilities – (3)

Construction and defect liability

- ▶ Site inspection and record (using inspection forms, photo or video records etc) the environmental conditions during construction and defect liability period.
- ▶ Ongoing monitoring of implementation of the CESMP to assess the Contractor's mitigation performance.
- ▶ review and approve any additional works/activities with potential environmental impact.
- ▶ conduct periodic reviews of the CESMP and request the Contractor to update any SEMP as necessary.
- ▶ follow up monitoring to ensure that all mitigation measures were in full compliance with CESMP (number of trees is as specified in the Specifications, all borrow pits and quarries were rehabilitated completely by the Contractor etc)
- ▶ As a part of Final Report, the Engineer shall prepare a detailed monitoring report summarizing all impacts and mitigation measures taken by the Contractor during physical works.



Staffing credentials

Environmental Expert

- ▶ graduate degree in the related field (environmental science, environmental policy and environmental law);
- ▶ at least 5 years of experience working with environmental management issues relating to road rehabilitation projects including the preparation and/or the implementation of environmental management plans and resettlement action plans;
- ▶ familiar with the local, EU, World Bank and MCC environmental guidelines and procedures.

Social Expert

- ▶ degree in economics, social science, public policy, or other relevant field. Post-graduate degree in Social Sciences is preferable;
- ▶ Minimum five (5) years relevant work experience;
- ▶ knowledge of social and environmental management plans and resettlement issues management.
- ▶ familiar with the local, EU, World Bank and MCC environmental and social guidelines and procedures, as well as the MCC Gender Policy and Integration Guidelines



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Potentially Significant Impacts – (1)

Water Quality



Air Quality





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Potentially Significant Impacts – (2)

Drainage and flooding



Noise and vibration near sensitive areas





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Road Rehabilitation Project (RRP)

**Monitoring of social safeguards and
occupational safety and health**



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(I) Monitoring of Social Impact Mitigation Measures

Expert Monitoring and Evaluation of the Implementation of Social Impact Mitigation Measures under:

- Contractor(s)' Mobility and Access Facilitation Plan (MAFP)
- Contractor(s)' Social and Gender Plan (SGP)
- Contractor(s)' Trafficking in Persons Plan, which will include the issue of forced labor and child labor (TIP)
- Contractor(s)' HIV/AIDS and STI Plan

Collect data and **separately report** on the two following MCA Moldova M&E indicators according to Indicators Tracking Table (ITT) format and schedule:

- **Number of trainings on Trafficking in Persons (TIP) conducted by the Contractor**
- **Number of participants and road safety training sessions conducted by Contractor**





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(2) Setting and functioning of Social Impact Monitoring Committee (SIMC):

(1) Develop a structure for the SIMCs that addresses:

- Description of the SIMC functions, roles and responsibilities;
- Venues and meeting times, and keeping of minutes of meetings;
- Selection of the members of the SIMC based on appropriate selection criteria;
- Communication of the SIMCs with the different Project parties (Engineer, RAP implementation Consultants, Contractor, MCA Moldova, SRA);
- Training for the SIMCs on CESMP, public consultations, addressing grievances;
- Function of the SIMCs in the operation phase.





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(2) Setting and functioning of Social Impact Monitoring Committee (SIMC):

(2) Provide the necessary training to the SIMC to ensure:

- SIMCs can serve as a forum for public or stakeholder inputs, questions, complaints, or other contacts, and
- SIMCs can facilitate the flow of information from project communities to Construction Contractor(s);
- ESMP: knowledge about ESMP provisions should be divulged aiming at equipping the SIMC with capabilities for watching the performance of Contractors and for strict compliance with the environmental and social safeguards of the ESMP





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(2) Setting and functioning of Social Impact Monitoring Committee (SIMC):

(3). Addressing grievances and construction- related complaints:

- Channel grievances and construction related complaints, through the duly nominated Social Expert, to the monthly meetings held by Contractor;
- Facilitate the resolution by Contractor of grievances and construction works related complaints, and non-compliance with ESMP, if these arise from non-compliance with C ESMP obligations;
- Report on progress of resolving problems to SIMC, at its meeting, and to Employer, in the respective monthly report.





(3) Expert Monitoring of Occupational Safety and Health Requirements:

- Review, approve, and monitor Occupational Safety and Health (OSH) Plan of Contractor, according to Law on Occupational Health and Safety No. 186-XVI of 10.07.2008 (Monitorul Oficial No. 143-144/587 of 05.08.2008) in force as of January 1, 2009 and best road construction practices and rules
- Ensure that the Contractor has taken suitable measures with regard to the health and safety of its workers (provision of potable water, lodging, first aid kits), site safety, and accident prevention measures
- Have *a strong field presence* and shall inspect the security and safety aspects of construction and temporary works to ensure that every reasonable measure has been taken to protect life and property

Note: train its own staff to comply with health and safety requirements



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Road Rehabilitation Project (RRP)

**Resettlement Action Plan Implementation
Monitoring**



As per Terms of Reference – Section 6 – Para 2.3

Monitoring of Resettlement Action Plan implementation

A Resettlement Action Plan compliant with WB OP 4.12 and local legislation was developed for M2 road and will guide implementation of the resettlement operation. This RAP identifies all Project Affected Persons (PAPs) and specifies the compensation approach and methodology to restore and improve the livelihood of the PAPs.





Monitor the payments received, dates, mode of payment for each of the Project affected households.





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 **Proiectul de Reabilitare a Drumului M2
Elaborarea Planului de Acțiuni pentru Strămutare** 

Acord Preliminar dintre Proprietarul de Teren și IP „Fondul Provocările Mileniului Moldova”/Administrația de Stat a Drumurilor

Subsemnatul(a) Rusnac Ana declar că am fost înștiințat(ă) despre necesitatea implementării Planului de Acțiuni pentru Strămutare și achiziționarea unor terenuri agricole în cadrul Proiectului de Reabilitare a Drumului M2. Aceste acțiuni corespund legislației în vigoare a Republicii Moldova cu privire la achiziția de terenuri, în special Legea privind prețul normativ și modul de vânzare-cumpărare a pământului (Nr.1308-XIII 25/07/1997) și anexete corespunzătoare. Legislația de stat și cele mai recente modificări din Legea privind prețul normativ și modul de vânzare-cumpărare a pământului prevăd instrucțiuni operaționale pentru evaluarea terenurilor și calcularea drepturilor pentru compensații.

Prin prezenta dau acordul de a vinde suprafața de 0,0084 ha din terenul meu afectat, cu numărul cadastral 83321040084, amplasat pe adresa _____, în satul Rogojeni raionul Soldanesti. De asemenea, declar pe propria răspundere că sunt de acord cu prețul de 814 lei pentru acest teren. Contractul de vânzare-cumpărare va fi semnat în decursul a 5 luni de la data semnării acestui Acord Preliminar.

Confirm că am primit un plan al terenului meu, care indică suprafața ce urmează a fi achiziționată.

Confirm că am primit o evaluare și explicație detaliată a prețului determinat pentru suprafața afectată din terenul meu.

Confirm că am primit o broșură informativă despre proiect.

Numele: Rusnac Ana

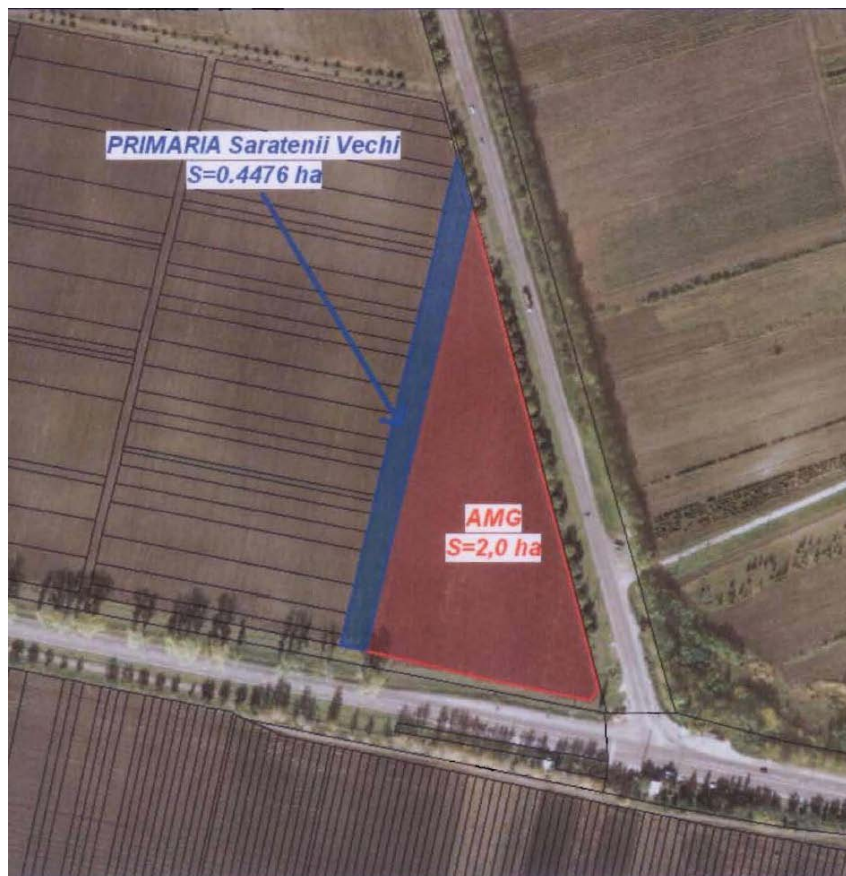
Semnătura: [Signature]

Data: 16.11.2017

Monitor whether the project has reached the absent PAPs and/or their Power of Attorney (POA) designate to receive compensation.



Monitor the land-for-land cases and verify that the land-for-land cases have been completed by the second quarter





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Verify that poverty has **NOT** increased among PAPs due to
resettlement activities





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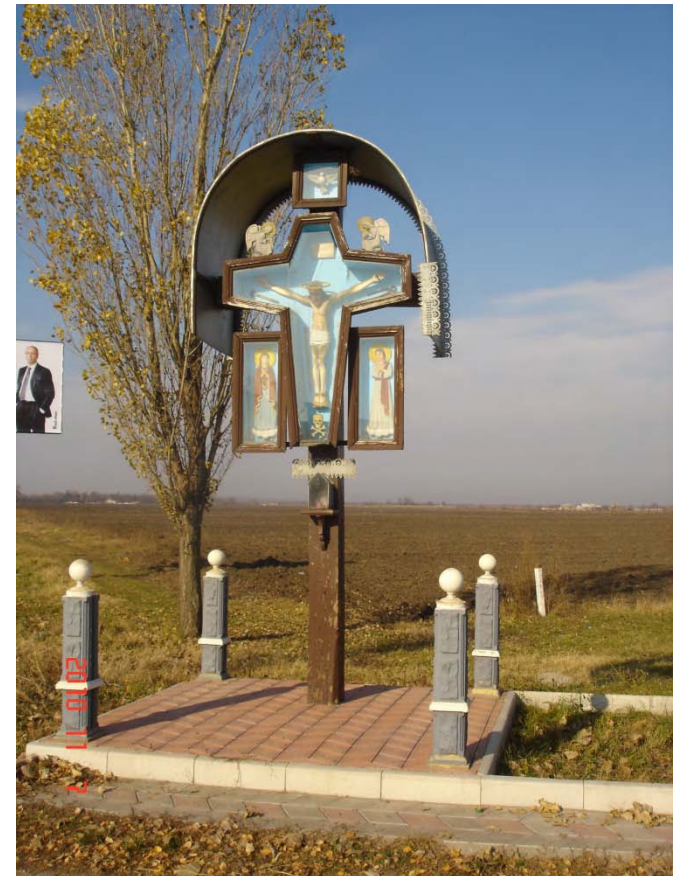
Monitor the land renters compensations payment





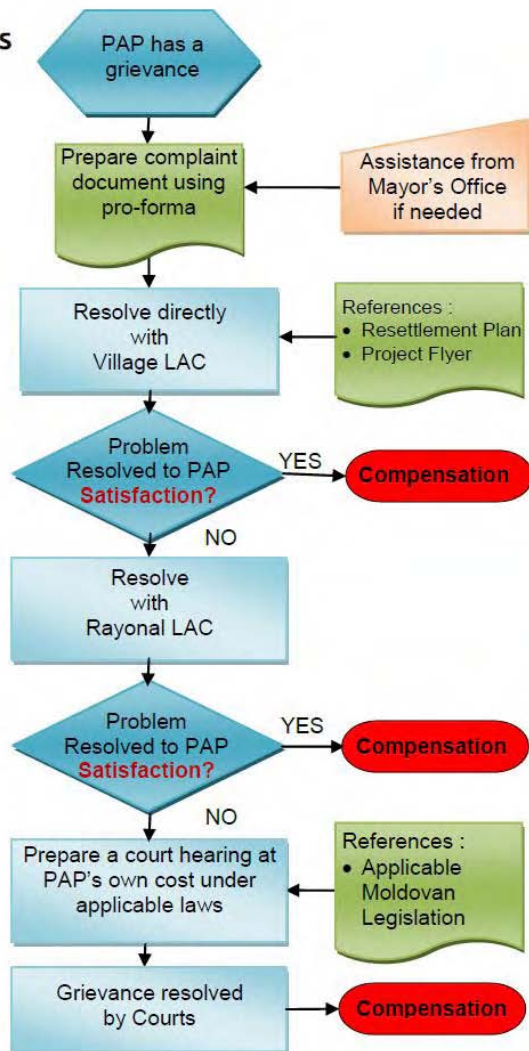
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Monitor the relocation of wells and shrines along the corridor through site visits,
and meetings with project affected villages and construction contractor





Legal Process



Review any grievances received and action that the Implementation Consultant and MCA Moldova took