
REPUBLIC OF MOLDOVA
ROAD SECTOR PROGRAM SUPPORT PROJECT

ICB No.RSPSP/2012/ICB01
PROCUREMENT OF ROAD REHABILITATION AND CONSTRUCTION WORKS
UNDER FOUR CONTRACTS

Contract RSPSP/W4/01:

“Rehabilitation of R1 Chisinau-Ungheni -Sculeni Road km 6+446-km 24+050”

Contract RSPSP/W4/02:

“Rehabilitation of R1 Chisinau-Ungheni-Sculeni Road km 24+050-km 68+250”

Contract RSPSP/W4/03:

“Construction of R1 Ungheni Bypass km 96+200-km 103+913”

Contract RSPSP/W4/04:

“Rehabilitation of M3 Chisinau-Giurgiulesti Road km 151+200-km 171+290
and km 179+650-km 190+750”

CLARIFICATIONS TO QUESTIONS ON THE PREQUALIFICATION DOCUMENTS
RSPSP/2012/ICB01

Question 1

At paragraph 2.2 Joint Venture Requirements you specified that a) “the lead partner shall meet not less than 50 percent of all the qualifying criteria for general experience and financial position”, b) “the other partners shall meet not less than 30 percent of all the qualifying criteria for general experience and financial position”.

Please confirm that the 30 percent for the partners can be fulfilled collectively (meaning 2 or many partners having together 30 percent in the joint venture, for example one partner with 10 percent and other partner with 20 percent).

Likewise please clarify how can be fulfilled the 30 percent from the general experience criteria having in view the fact that you requested at least 2 contracts of similar value per contract. If for Contract RSPSP/W4/01 we have to submit 2 contracts of euro 20 million this means the percentage can be only 50/50.

Answer 1

In accordance with para 2.2 of Prequalification Data “Joint Venture Requirements”, the partners other than the lead partner shall separately meet not less than 30 percent of the qualifying criteria for general experience and financial position specified.

Each partner of the joint venture (JV) should *individually* demonstrate that this requirement is met, and this requirement cannot be fulfilled collectively from two or more partners.

Regarding partners in a JV meeting the requirements where 30% of the requirements are not a whole number (as in the case of number of successful contracts in the last 5 years), the criteria would be met by partners who fulfill the requirement to the nearest whole number *above* the requirement. This means that to satisfy this requirement, the Lead Partner and each other partner should individually demonstrate at least one successful contract of the stated value (or higher value) within 5 years.

Question 2

At paragraph 2.2 Joint Venture Requirements, you specified that c) “the joint venture must satisfy collectively the criteria for general and specific experience, personnel and equipment capabilities and financial position”.

Please confirm that the meaning of the word “collectively” is in the way of participation according to each partner capability. So that one partner could participate with the general experience and other partner or partners could participate with one or many of the specific experience criteria.

Likewise please confirm that in order to meet the specific experience criteria we can use different contracts from the contracts proposed for the general experience and please accept that for the specific experience we can use any road category, meaning national road, urban road, and country road.

Answer 2

Joint Venture (JV) Applicants should demonstrate that they meet the requirements of para. 2.2 (a) and (b) and (c).

This means that the Lead Partner should satisfy at least 50% of the General Experience and Financial Position requirements, each partner should satisfy at least 30% of the General Experience and Financial Position requirements (subject to the clarification No 1 above). All other requirements may be satisfied collectively.

Regarding road categories, there is no restriction for the specific experience criteria provided the experience given is of contracts with a comparable nature and complexity to the contract (s) being applied for.

Question 3

At paragraph 2.2 Qualification criteria for the personnel capabilities you specified a list of six positions. Please state if this is the list to be fulfilled for each contract.

Answer 3

The Applicant shall provide details of different personnel for each contract applied for. (Note that Contracts RSPSP/W4/02, 03 and 04 require candidates for 6 positions and Contract RSPSP/W4/01 requires candidates for 5 positions).

Question 4

Regarding the personnel list you have requested experience in similar works for every position included. Please clarify if similar works means projects similar to “Rehabilitation of R1 Chisinau-Ungheni-Sculeni Road” (meaning projects of national roads rehabilitation) or otherwise please specify the similar works category for each and every position requested through Prequalification Documents.

Answer 4

The experience for proposed personnel in similar works means experience in road construction and/or road rehabilitation works acquired in projects of a nature and complexity comparable to the proposed contract.

Question 5

In the Application Form (5) Personnel Capabilities the position listed differs from the position listed at page 13 for the Personnel Capabilities. Please clarify which is the correct personnel list for each contract.

Answer 5

There is an error. The personnel in the Application Form (5) shall be similar to the personnel indicated in para 2.2 (2)Qualification Criteria, Personnel Capabilities (see Annex 1 below).

Question 6

Regarding Prequalification for below mentioned Contracts, we would like to clarify if the Applicant can submit one PQ Application for all Contracts or separate PQ Application is required for each Contract?

Answer 6

As stated in para 3.5 of Prequalification Data “Identification of application”, Applicants are invited for 4 (four) contracts. The Applicant may apply for any one, two three, or all four contracts and shall specify for which contract (s) he is applying in the Letter of Application (page 17 of the Prequalification Document). In case the application will be for more than one contract, the Applicant should submit a single Application clearly stating the contracts being applied for as stated in Prequalification Document, para 3.5 (both the sealed envelope and the Letter of Application should indicate the contracts being applied for).

Question 7

In case we are submitting application for more than one contract, does the Employer allow to submit one set of documents, confirming the compliance with all requirements determined in Prequalification Data para. 2.2?

Answer 7

Please refer to Answer 6.

Question 8

In accordance with Prequalification Data para.2.2 p.22 Applicant must provide suitably qualified personnel to fill the positions specified in the table herein. This information must be supplied in Form 5. However positions in Form 5 and table in para. 2.2 p.22 are different, therefore the question is which information about position shall be binding?

Answer 8

Please refer to the Answer 5.

Question 9

Please, regarding the point 2 “Personnel Capabilities”, table with similar experience, we couldn’t find the positions stipulated in Form (5) meaning: Contractor representative (is the Project manager?), Asphalt Specialist and Planning Engineer.

Answer 9

Please refer to the Answer 5.

Question 10

What does it mean “within” the last 5 (five) years”? Does it mean 2011, 2010, 2009, 2008, 2007 or it means the period 25th of April 2007 – 25th of April 2012?

Answer 10

It means from 2007 to 2011 inclusive.

Question 11

If a company wants to prequalify to all 4 above-mentioned contracts is it mandatory to present 2 different similar projects for each contract (i.e. 2 similar projects for contract RSPSP/W4/01 – other 2 similar projects for contract RSPSP/W4/02 different from the projects presented for RSPSP/W4/01 and so on)?

Answer 11

An Applicant shall demonstrate successful experience as prime contractor in the execution of at least 2 *different* contracts of a nature and complexity comparable for each contract in his Application. To qualify for this requirement for 4 contracts, an Applicant would need to demonstrate 8 different contracts of the values required.

Question 12

In order to be prequalified to all 4 contracts is it permitted to present only 2 similar projects each of 28 million euro?

Answer 12

No. Refer to the Answer 11.

Question 13

In order to be prequalified to all 4 contracts is it permitted to present only one big similar project of value at least 56 million euro?

Answer 13

No. Applicants should present at least the number of successful contracts and values stated in the requirements. Also refer to Answer 11.

Question 14

In order to be prequalified is it permitted to present projects which begun before the last 5 years, but finalized in the last five years?

Answer 14

For general and specific experience contracts that were successfully completed within the last 5 (five) years will be taken into consideration.

Question 15

In order to be prequalified is it mandatory that specific experience required to result from the similar projects presented to fulfill criteria “pt.1.General Experience – subpt.(b) successful experience as prime contractor” or is it permitted to result from other contracts?

Answer 15

The Applicant shall demonstrate required specific experience from *any* successful contract of comparable nature and complexity completed during the last 5 years.

Question 16

What is the time period for specific experience: production and laying asphalt concrete and cold in-place recycling of asphalt pavement?

Answer 16

Refer to Answer 14.

Question 17

In order to be prequalified to all 4 contracts is it permitted to present only one big similar project which fulfill the all 4 specific experience or is it mandatory to present 4 different contracts to prove the specific experience of production and laying asphalt concrete, 3 different contracts to prove the specific experience of cold in-place recycling of asphalt pavement and 2 different contracts to prove the specific experience of bridge construction works?

Answer 17

Refer to Answer 15.

Question 18

In order to be prequalified to all 4 contracts the Applicant must present 4 different teams of qualified personnel for each contract or is it permitted to resent only 1 team (with first candidate and alternate)?

Answer 18

Refer to Question and Answer 19 below.

Question 19

If different teams are required for all 4 contracts, the first candidate in one team could be the alternate in another team?

Answer 19

Yes. A Prime Candidate for one contract being applied for can be an Alternate Candidate for another contract. A candidate may only be presented *once* as a Prime Candidate and *once* as an Alternative Candidate where an Applicant is applying to prequalify for more than 2 contracts.

Question 20

In order to be prequalified to all 4 contracts the Applicant must present 4 different packages of equipment for every contract or is it permitted to present only 1 package for all 4 contracts?

Answer 20

An Applicant shall demonstrate availability of different items of key equipment for each contract for which he is applying.

Question 21

The contracts will be VAT exempted? If the contract is VAT exempted, than potentially subcontractors, suppliers will be VAT exempted too?

Answer 21

In accordance with the Government Decree no. 246 of 08.04.2010, goods, work and services procured under the Road Sector Program Support Project (including these contracts) and financed by International Financial Institutions loans and grants are zero-rated VAT.

Question 22

In case of JV if the lead partner meets 100% of all qualifying criteria for general experience and financial position required – the JV is prequalified?

Answer 22

Lead Partners and other Partners are required to meet the requirements stated in para. 2.2 on page 14 of the Prequalification Document (Joint Venture Requirements).

Question 23

Because our contracts are signed in different currencies (euro, Romanian lei, Hungarian forints) which will be the exchange rate to use for General Experience Record form (2), Particular Experience Record form (3), Details of Contracts of Similar Nature and Complexity form (3A), Works in Progress form (4), Financial Capability form (7), etc: national Bank of Moldavia exchange rate, European Central Bank exchange rate...?

For General and Particular Experience forms what exchange rate shall we use: from date of signing of contract, yearly average exchange rate for the year we signed the contract, from date of finalizing of contract or yearly average exchange rate for the year we finalized the contract?

Answer 23

For currencies other than Euro, exchange rates from the National Bank of Moldova are preferred using the rates at the date of substantial completion (or for current contracts, at the time of award) as stated on page 23 (Particular Experience Record). Applicants may present other exchange rate information to demonstrate that they meet the appropriate requirements.

Question 24

Regarding Form (5) Personnel Capabilities (page 26 – PQ Documents) we have noticed that it doesn't correspond to list of qualified personnel presented in Qualifying Criteria –pt.1. Personnel Capabilities (page 12-13). Please clarify.

Answer 24

Refer to Answer 5.

Question 25

Please confirm that in case a tenderer wants to tender for all 4 contracts, for point 1(b) successful experience as prime contractor, he must meet the cumulative request of the value with 2 (two) similar contracts of a nature and complexity comparable to the proposed one, within the last 5 (five) years, each of the projects of value of 76.000.000 Euros (in case tendering for all for lots).

Answer 25

Refer to Answer 11.

Question 26

Please clarify if a company wants to prequalify to all 4 lots, is it mandatory to present 4 preq. Dossiers, 1 dossier for each of 4 lots?

Answer 26

Refer to Answer 6.

Question 27

Regarding General Experience – criterion (b) successful experience as prime contractor in the execution of a minimum number of contracts of a minimum value. If one Applicant shall apply for all 4 Contracts, could it use the same contract, of compliant value, to accomplish the criteria for more than one application? For example, could the Applicant use the same similar contract of 20 million Euro to accomplish part of the experience criteria for both Contract RSPSP/W4/01 and Contract RSPSP/W4/04? Or must the Applicant provide 8 different similar contracts in order to achieve the criteria for all 4 Contracts?

Answer 27

Refer to Answer 11.

Question 28

Regarding Personnel Capabilities, an entity applying for all 4 contracts could use the same proposed personnel in more than one application? If not, could at least prime candidates in one application be proposed as alternate in another application and vice-versa?

Answer 28

Refer to Answer 19.

Question 29

Regarding Applications submission, please clarify if the applications for each of the 4 Contracts must be submitted separately in sealed envelopes or if single, unitary application documentation should concentrate all the requested data for the number of contracts that the entity is applying to.

Answer 29

Refer to Answer 6.

Question 30

Besides the four hard copies (one original and three copies) to be submitted, must the Applicant provide an electronic CD-ROM version of the application? Para 3.5 “Submission of applications” within Prequalification Data does not instruct the CD-ROM copy of the application, however this is mentioned in the Invitation for Prequalification. Please clarify its necessity and format.

Answer 30

As stated in the last paragraph of Invitation for Prequalification in the Prequalification Document, an electronic copy of the Application on CD-ROM is also required. An Adobe Acrobat format (PDF document) is acceptable.

Question 31

Concerning Prequalification Data para 2.2 Qualification Criteria, if the contractor fulfills requirements of specific experience (e.g. production and laying of asphalt concrete), however within the scope of other contract than those required in para 2.2 p. 1(b) (described on the application form 3A), in what way the contractor can provide this information. He should also

complete the form 3A or only list the contracts including the amounts of specific experience?

Answer 31

Refer to Answer 15. An Applicant should use separate Form (3A) for each contract that he is presenting to demonstrate his experience. Where a contract is used to demonstrate that the requirements are met for more than one of the contracts for which he is applying, this should be clearly stated by the Applicant. Applicants are reminded that they are requested to list *all* contracts of values equivalent to or higher than those stated (refer to page 23 of the Prequalification Document – (3) Particular Experience Record).

Question32

About the General Experience (turnover, nr. of contract in the last 5 years), is sufficient meet the requirements for participation in the contract W4/02 to participate at the 3 other contracts?

And in this case must be returned 4 envelopes for 4 different contracts, or simply delivering an envelope with an indication in the letter of application of all contracts?

Answer 32

To be prequalified for all four contracts under sub-criterion 1(a) of General Experience cumulated average annual turnover amounting to euro120 million equivalents is required.

Regarding sub-criterion 1(b) refer to Answer 11.

Regarding envelopes refer to Answer 6.

Question 33

About Asphalt production and laying, recycling, bridge rehabilitation and construction per year on a single contract, do you mean just completed works or we can mention also current works? Please, define which kind of evidence the applicants have to attach to the application form nr. 3A and nr. 4.

Answer 33

Regarding asphalt production, etc. refer to Answer 14.

Applicants are required to complete the Application Form 3 and 3A. Taking Over-Certificate, payment certificates and other documents may be included at the Applicant's discretion.

Question 34

How can we calculate the production and the laying asphalt concrete? Must we divide the total amount of production and the laying asphalt for the entire duration of the contract? Can we divide the total laying asphalt concrete production only for the effective duration of the work for production and the laying asphalt concrete?

Answer 34

An Applicant shall indicate amount of *real* production and laying asphalt concrete per year on a single contract at a rate not less than required in para 2.2 Qualification Criteria.

Rectified Application Form (5) is presented below.

APPLICATION FORM (5)

PAGE __ OF __ PAGES

(1) Personnel Capabilities

Name of Applicant

*For specific positions **essential** to contract implementation, Applicants should provide the names of at least two candidates qualified to meet the specified requirements stated for each position. The data on their experience should be supplied in separate sheets using one Form (5A) for each candidate.*

1.	Project Manager
	Name of prime candidate
	Name of alternate candidate
2.	Site Manager / Engineer
	Name of prime candidate
	Name of alternate candidate
3.	Laboratory Manager
	Name of prime candidate
	Name of alternate candidate
4.	Asphalt laying foreman <i>(including recycling*)</i>
	Name of prime candidate
	Name of alternate candidate
5.	Bridge specialist**
	Name of prime candidate
	Name of alternate candidate
6.	Environmental, Health and Safety Officer
	Name of prime candidate
	Name of alternate candidate

* For contract RSPSP/W4/03 recycling experience is not required.

** For contract RSPSP/W4/01 Bridge specialist is not required.