
REPUBLIC OF MOLDOVA
ROAD SECTOR PROGRAM SUPPORT PROJECT

CONSULTING SERVICES FOR IMPLEMENTATION ASSISTANCE

CLARIFICATIONS TO QUESTIONS ON REQUEST FOR PROPOSALS
RFP # CSIA/QCBS/01/2012

Question 1

Please clarify if it is necessary to include in our offer supporting documents proving the experience declared in the CVs of our proposed Experts (both Key Experts and Short-Term Experts). If yes, which are these supporting documents?

Answer 1

Pursuant to Sub-Clause ITC 3.4(v) of RFP, Consultants shall submit CVs recently signed by the proposed professional staff and the authorized representative submitting the proposal (Section 3F). Documents proving the experience declared in the CVs may be included at the Consultants' discretion.

Question 2

In the TOR it is only mentioned that it is a TA assignment to SRA. There is scarcely reference to institutional set-up. May we ask if SRA is planning creating a Project Implementation Unit to take care of major and IFI projects? Or does it already exist?

Answer 2

SRA has an internal department (Investment Department) set up in 2007 that administers and implements projects and contracts funded by the International Financing Institution under the Road Sector Program Support Project. The main role of the Consultant will be to assist the SRA in all aspects of implementation of internationally-funded projects as described in the TOR.

Question 3

Is there a clear institutional framework for the division of labour between SRA and MTRI with regard to work and responsibility?

Answer 3

MTRI is the Agency responsible for executing the Road Sector Program Support Project on behalf of the Government of the Republic of Moldova. SRA is the Implementing Agency.

Question 4

Is it anticipated that the TA also partly supports MTRI?

Answer 4

The services will be provided for SRA, and the consultancy contract will be signed by the Consultant and SRA. Some involvement with MTRI may be required particularly during procurement processes.

Question 5

Will the national road authorities be responsible for the subsequent road maintenance or will this be handled by SRA?

Answer 5

SRA is responsible for road maintenance and 39 road maintenance companies carry out maintenance under SRA supervision. The road maintenance system is being reformed following a consultancy study in 2010-11, and the findings of the study are being implemented including consolidation of the road maintenance companies into 12 larger units.

Question 6

Will SRA play the role as “the Engineer” according to FIDIC or will this role be carried out under a separate contract?

Answer 6

The Engineer on all internationally procured road rehabilitation contracts since 2008 have been procured through international competition following IFI procedures. At present, there are 6 works contracts in progress and 4 construction supervision contracts.

Question 7

Will the contract conditions of construction works be based on FIDIC?

Answer 7

The General Conditions of Contract used for international procured road rehabilitation contracts is the Multilateral Development Bank Harmonised Edition of FIDIC for Building and Engineering Works designed by the Employer (March 2006).

Question 8

Which rates should be used for local income taxes and social contribution for: i) International staff and ii) national staff? Will the two international long term experts be allowed to take in personal effects into the country without being subject to taxation of the effects? If not how much should we expect to pay in duties?

Answer 8

In accordance with the Government Decree no. 246 of 08.04.2010, the loans and grants provided by International Financial Institutions and used to finance procurement of goods, works and services under the Road Sector Program Support Project (including these contracts) are zero rated VAT and exempt from excise taxes, custom taxes, and payments for custom procedures services. It should be noted that income tax for Moldova residents is not included in this exemption.

Question 9

Clause 5.1 of the General Conditions state that the Client will use its best efforts to ensure that the Government shall exempt the Consultants and its personnel from any requirement to register as a corporate entity according to the applicable law.

Answer 9

Consultants are not required to register in Moldova for this contract but may do so if they wish. If registered, the applicable laws would apply regarding taxes, duties etc. and exemptions would not apply.

Question 10

Clause 1.10 of the Special Conditions states that the Client warrants that the Consultants, Sub-consultants and personnel shall be exempt from any taxes etc in respect of any payments made to the Consultant.

Answer 10

Locally registered companies must comply with the applicable law.

Question 11

(NOTE: Follow-on to Question 10 in relation to tax exemption)

Could you please confirm:

- Whether there is a requirement to complete certain documentation;
- Whether the contract with the concession needs to be registered with the Ministry of Finance;
- Whose responsibility it is to obtain the exemption i.e. the Client or Consultant;
- Whose responsibility it is to pay the tax if the process to obtain the exemption fails.

Answer 11

Tax exemption for foreign Consultants who are not registered in Moldova will be dealt with by SRA. There will be no need for such Consultants to take further action.

Question 12

In the Terms of Reference, point 4. EXPERTISE REQUIRED, it is mentioned that the Short-term Experts shall be graduate civil engineers or other qualified professionals, having at least fifteen (15) years of experience in their area of expertise. At the same time, further on the same page there are given the specific minimum requirements for the short term experts, where there is requested a less number of years of experience in their specific area of expertise, for example only 10 years of experience in pavement maintenance management for the Short Term Expert for Pavement Maintenance.

Please confirm that the Short Term Experts must comply with the specific minimum requirements, listed for each of the positions, and not with the general requirement of at least 15 years of experience in their area of expertise.

Answer 12

Yes. The short term experts shall comply with the specific requirements for each of the positions specified in Section 5, item 4 - Expertise required of the RFP.