

MEĐIMURSKE VODE d.o.o. , ČAKOVEC

The North Western Regional Waste Water Project

for procurement of Execution of Waste Water Treatment Plant Novo Selo na Dravi and connection to the new sewerage system

Procurement Ref. 7275-GPN-39990, published on the EBRD website, (www.ebrd.com) on 10th Feb 2014

QUESTIONS / ANSWERS

PART II

Date: 07 July 2014

No.	Question	Answer
1.	<p>One of the requirements this tender is WWTP design. Is the understanding right that design documentation, calculations, elaborates and drawings needs to be prepared in English? According to Croatian legislation will it be possible to obtain the construction permit in English language? How is with the cost and responsibility for translation if it will be required by relevant administrative authority?</p>	<p>In tender documentation, on page 130 Part 2 – Section VI. Requirements, it is stated: „Main Design (Building Permit Design)</p> <p>It must cover all technical documentation and other papers necessary to obtain Building Permit for WWTP Novo Selo na Dravi <u>in accordance to the Croatian legislation.</u>“</p> <p>Therefore the Main design should be in Croatian language.</p> <p>In addition, the Main design should be in English language. Cost and responsibility of translation will be borne by the Consultant/Contractor.</p>
2.	<p>We kindly ask Contracting Authority to assure the access to electronic version of all existing project documentation which Contracting Authority possesses and/or it shall be considered in process of bid preparation.</p>	<p>The Preliminary design and drawings are given to all prospective tenderers together with tender documentation in electronic version, on CD. The Location permit and amendments are delivered to each prospective tenderer by e-mail and put on the Employer’s web site. That is all existing project documentation which Employer possess at the moment.</p>
3.	<p>We find a collision in following parts of tender documentation:</p> <ul style="list-style-type: none">- in FORM PRO 2 is required to present and nominate a technology expert with required references.- FORMA PRO 2 is not compatible with a Table 2.5 where is it clear that Technology expert for Waste Water Treatment Plant should be Chemical, Biochemical or Environmental Engineer and also additional members of proposed team are required.	<p>FORM PRO 2 needs to be adapted and filled in for the technology expert too.</p>

	<p>Please confirm that the relevant requirement is stated in table 2.5 and shall be considered as well by filling in the FORM PRO 2.</p>	
<p>4.</p>	<p>In tender documentation is required (point 2.5, page 37) that the nominated Main Designer, Mechanical Engineer and Electrical Engineer must be Engineer with membership in appropriate chamber of licenced engineers within Republic of Croatia. This requirement is in contradiction with the EU declaration and requirements of free movement of people and goods and is as well a great and in terms of public procurement legislation obvious contradiction to the general principal of equal treatment of bidders and non-discriminatory due to the place and nationality. On this bases the requirement is illegal and should be omitted.</p> <p>Let us point out that in 2014 in one of neighbour EU countries due to the reason of discriminatory treatment of foreigner designers which are not members of Chamber from the state of the Contracting Authority, EU commission has frozen all the payments from EU funds.</p> <p>In case of this tender, which is as well co-financed by EBRD, is unacceptable that all designers, which are not members of Croatian chamber, are obviously and illegally disqualified.</p> <p>The stated Tender requirement shall be omitted and it shall be allowed that:</p> <ul style="list-style-type: none"> - the nominated designers are members of relevant engineer chamber in any country of EU and - if in country where the nominated engineer is active is not required the enrolment in the engineer chamber, it is required the fulfilment of all by legislation (in country of engineers origin) required provisions are obtained. <p>Please confirm.</p>	<p>The requirements for designers in tender documentation are in line with the Croatian legislation. By the Act on Architectural and Engineering Works and Activities in Physical Planning and Building (Zakon o arhitektonskim i inženjerskim poslovima i djelatnostima u prostornom uređenju i gradnji) of the Republic of Croatia, the designer who is a member of chamber of engineers in his country which is a member of European Union and is authorized to perform designing in his country, must be registered in register of foreign authorized engineers of Croatian Chamber of Engineers (Article 68). The registration can be of temporary or of permanent nature. Please have in mind that before signing of contract, the nominated designer will be asked to prove the permanent authorization for designing activities in RC.</p>
<p>5.</p>	<p>Regarding the required technical references of the bidder and/or the nominated personnel, it shall be additionally explained what is meant by term »Employer certificate«. It shall be clearly stated which references will be accepted as successfully completed references. Due to the process of project managing only the references of projects that have successfully passed technical inspection or have received operating permit can be stated as successful. In this manner it shall be understood that in this tender the Contracting Authority will follow the established practice and will accept the</p>	<p>In tender documentation on page 25 Part 1 – Section III: Evaluation and Qualification Criteria the Specific experience is requested as:</p> <p><i>„minimal one (1) project similar in the size and technology executed - the tenderer shall demonstrate that it has successful experience and has executed at least one (1) project with SBR or similar technology in size and capacity not less than 3000 PE, or has participated in reconstruction of at least one (1) SBR WWTP with no less than 1.500.000,00 (one million five hundred) EURO value of works“</i></p>

	references of projects which passed a technical inspection or received the operating permit. Please confirm.	The proof of this successful experience is certificate of the Employer. Certificate of Employer will be checked by Evaluation committee, to check whether the tenderer has such successful experience.
6.	There is a difference between drawings and other parts of tender documentation regarding a number of SBR basins. What should we taken into consideration as relevant requirement and consequently how many SBR basins are already included in location permit?	As written in tender documentation, the drawings are only indicative and the offered/proposed SBR tanks (min. 2) should be situated within the same space as on the indicative drawings - thus not affecting the Location Permit.