

**Pre-bidding conference**  
**ITB 17/01517 Construction of the Border Crossing Point Palanca located in Stefan Voda district: Main facilities of the JOBCP Palanca**

**24 May 2017, 10:00**

Le Roi Conference Room, (29, Sfatul Tarii str., Chisinau)

Participants	
9 representatives from 6 interested bidding companies attended the meeting	
Other representatives,	
1. Iurie Ceban	National Coordinator, Customs Service
2. Vadim Muntean	Customs Service, Vamservinform
3. Serghei Rogojin	Project manager, design company, IGC Construct,
UNDP Moldova	
4. Tatiana Panfil	UNDP Moldova Procurement Associate
5. Nelli Cuturubenco	Project Officer/Engineer, Palanca project
6. Cornelia Panico	Project Associate, Palanca project
7. Alexandru Ursul	Engineer/Consultant
8. Tudor Dombrovan	Technical Supervisor

The purpose of the pre-bidding conference for the ITB17/01517 is to explain important aspects related to the procurement procedures and clarify various technical aspects of the requirements. The ITB is an open competition launched on 16 May 2017 with the deadline for submission of the bids set for 30 June 2017, 12:00.

**Agenda:**

- I. **Presentation and description of procedures**
- II. **Questions and answers**

**I. Presentation and description of procedures/Introduction:**

Ms. Tatiana Panfil, Procurement associate, UNDP Moldova, opened the conference, presented the team and welcomed the participants. She announced the working language of the session-Romanian and shortly went through the agenda of the meeting. The purpose of the meeting is to present as clear as possible the rules and conditions of the tender answering to all the questions which may arise, to avoid future mistakes or omissions.

Before presenting the conditions of the current tender, *Ms. Tatiana Panfil* drew the attendees' attention to some important aspects about procurement rules in UNDP. UNDP operates in Moldova under an Agreement signed with the Government of RM. This does not mean that UNDP works in net accordance with the national legislation. UNDP Moldova was entitled to work in this country following the internal organizational rules. The rules set in UNDP Moldova differ from the rules followed by other International Organizations which operate in the Republic of Moldova, and from the rules used by the Public Acquisitions Agency. It was also suggested to consult the tender's rules and conditions announced during each tender to make sure that bidders have a proper understanding and are aware about any updates. Ms. Panfil also stressed out that UNDP Moldova is working under the principles announced by the UN General Quarter from New York. These principles followed during the procurement process are Value for Money, Transparency, Integrity, and Interest of the Organization. The *Transparency* principle means that the rules and the evaluation criteria are publicly announced and the competition takes place only based on the announced criteria. The results of the competition are also publicly announced, but not the evaluation process. She also pointed that the conditions

of the competitions are generic and they are formulated in such way as more companies can be eligible. Also, they are as large as to allow the participation of those companies that can assure the quality of works required by UNDP. It was also mentioned that any conflict of interests, risks or any tentative to manipulate with the situation, are reasons for disqualification without any explanation. Another important issue figured out by Ms. Panfil was the acceptance of UNDP General Terms and Conditions requirement. No matter how good the offer would be, if the company does not agree with the General Terms and Conditions announced by UNDP, UNDP cannot work with such company.

At the same time, it was announced that the decisions during the evaluation process are taken based on the documentation submitted. Even though, it is known that the company has a very good reputation, but the quality of the documents presented within the competition is poor, the company can be technically disqualified.

Ms. Panfil also suggested addressing questions/comments in case there are any unclear issues, but only during the competition period until the announced deadline, because afterwards no complaints/suggestions will be considered.

Ms. Tatiana Panfil drew the attention of bidders to the deadline and instructions for submitting the bids, specifically related to electronic submission of offers and technical volume of the mails that shall be sent as they have not to exceed 5 MB. Also, it has been underlined that even 1 (one) minute delay of submission, the bid will not be considered. Companies are advised to double check that all documents requested under the ITB pt. 26 Data Sheet are submitted, as to avoid disqualification due to lack of any such document. The bids should be submitted in English (including the supporting documents with unofficially translation). Any other questions that may arise can be addressed in written to the contact person indicated in the ITB the latest 10 days before bid submission. All the answers will be published on the site. It was also underlined that the Bid Guarantees should be presented in original respecting the required amount and validity (even if the bid is submitted on-line at the electronic address) and after completion of the evaluation process these are returned to the unsuccessful bidders. It was pointed out that the Bid Submission Form should be signed and stamped, by this proving that the company intends to compete in this tender. An open Public Bid Opening will be organized in the same day with the submission deadline at 14:00 p.m., thus competing companies are invited to register and participate at the session.

Next, it was underlined the criteria of qualification and disqualification of the bids, so that all offerors should pay attention and make sure that these criteria will be fully met.

Mr. Ursul, Consultant within the Palanca Project paid attention to the bidders to carefully read and understand the criteria for qualification related to the turnover that is required and the value of the three similar contracts that are required as specified in the data Sheet nr. 32. It was also kindly advised to bidders to submit a comprehensive Worktime Schedule, including detailed labor force schedule, such as to demonstrate that the company is ready to perform the works even in the winter period, as the time frame for the execution of the project is limited and the technological processes allow to execute some works even in the cold weather. Beside this, it was highly recommended to offer the required equipment that correspond to the technical parameters specified in the Technical Specifications.

## **II. Questions and answers:**

***Question 1: Please clarify if an international company intending to participate in the competition should propose a local certified Construction Foreman?***

Answer 1: Yes, the Construction Foreman proposed to be engaged in the implementation of the project should be certified in civil engineering as per the local legislation.

***Question 2: Please confirm what is the manpower remuneration cost to be applied when preparing the bid, since the estimations were done based on man/hour cost valid for that specific period?***

Answer 2: When developing the BoQs, please use the last update regarding the minimum labor remuneration cost as per the local legislation. (in this case the latest update from May 2017 should be taken into consideration).

**Question 3: Is it allowed to develop the BOQs in the WinDoc software?**

Answer 3: As the codes for works are the same for the Win Doc and Winsmeta, it is allowed to use both software by respecting the resources in the norms of materials, manpower and tools as requested in the published Boqs.

**Important note!** For international companies: In order to develop the BoQs in the required format (as advertised) it is advisable to contract an independent certified cost estimator for this purpose. The list of the local certified estimators (approved by the Ministry of Development and Infrastructure) can be found by following next link:

<http://www.mdrc.gov.md/slidepageview.php?l=ro&idc=242&t=/Informatii-publice/Registre>

**Question 4: Is it necessary to translate the accounting balance sheets in English as soon as the whole package of documents is required to be submitted in English?**

Answer 4: For local companies: the balance sheets must be registered at the Statistical Bureau and can be submitted in the original language- Romanian.

**Question 5: Please explain what are the contract arrangements regarding the payments: the performed works will be paid in lumpsums or based on the de-facto executed volume of works?**

Answer 5: The payments will be done based on the actual quantities of work and materials utilized, verified and certified by the UNDP Project Engineer and responsible on- site technical supervisors. If the unforeseen volume of work will appear or new rate for new operation will be required, the Variations procedure shall be applied as per GCC art.48 (see Section 11\_UNDP General Conditions of Contract for Civil Works).

**Question 6: How can be got the detailed design drawings of the project?**

Answer 6: As the whole design documentations measures very much, it could not be possible to be up-loaded in the system. The detailed drawings can be obtained by addressing a written request to the email: [nelli.cuturbenco@undp.org](mailto:nelli.cuturbenco@undp.org) thus, a google link with the whole design documentation will be given to each interested bidder.

**Question 7: Please confirm if the connectivity to electrical energy and water supply is assured on the construction site?**

Answer 7: a) Regarding to the electrical power connectivity it can be confirmed that soon the connection point will be available.

b) It will be contractor's responsibility to assure the workers with drinking water, as on the construction site only technical water is available.

c) In both cases separate meters will be connected and will be agreed additionally with the beneficiary.

**Question 8: Please confirm the necessity of using the corrosion protection procedure on all surfaces (as specified in the Technical Specifications).**

Answer 8: The corrosion protection requirement should be applied based on the BOQ items descriptions in all cases.

## **Other questions and answers received before/after the Pre-bid Meeting:**

***Question 9: Please explain if it's possible to participate as an international bidding company without having company registration to Moldova. If the answer is YES, how long UNDP gives the company for registration process?***

Answer 9: The international company can participate in the Bidding process without having company registration in Moldova. Still, exist two ways for being able to execute construction work in the Republic of Moldova:

- 1) The Lead Company can obtain the local Licenses by opening its official representative agency in the Republic of Moldova (RM), in accordance with the timeframe for such procedures. The required procedure is stipulated by legislation of the RM and can be obtained by following the below links:

<http://www.cis.gov.md/>

[http://www.licentiere.gov.md/public/files/Ghid/Conditii%20de%20licentiere/13\\_17N.pdf](http://www.licentiere.gov.md/public/files/Ghid/Conditii%20de%20licentiere/13_17N.pdf)

The local representative agency will have to obtain in due time the valid licenses for works in RM according to the due procedure.

- 2) The valid Licenses of JV Partners can be used in case of JV partners. The JV partnership should be agreed upon in a formal way and a copy of the partnership agreement shall be submitted as a proof. The agreement should stipulate clear responsibilities among partners and the funding division of each party. (according to art.26 from ITB). The local partner shall meet the minimum criteria (according to the item 2 art.32 from ITB).

Registration in RM is not mandatory at the stage of submission of bids, but it will be required once the company will be nominated for contract award.

***Question 10: Please confirm if the items 8-12 of the BOQ 1-0, Local Estimate 6-9 do not include any volumes/quantities?***

Answer 10: Due to a technical error committed the quantities were not included, thus through the amendment Nr.1 dated 26 May 2047, this error is rectified.

***Question 11: Please explain why the video surveillance equipment is not found in the Bill of Quantities?***

Answer 11: The video surveillance equipment will be purchased through separate tenders by UNDP.