

**Minutes of the Pre-Bidding Conference for
ITB18/01717 Reconstruction works for the modernization of the swimming pool within the
"Dinamo Central Sport Club"- MIA Project**

26 April 2018, 14:00

"Le Roi" Business Centre, #29, Sfatul Tarii Street, 3rd floor, room 305, Chisinau, Moldova.

Ref. no: ITB18/01717

Agenda:

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

Presentation and description of procedures

The Pre-bidding conference was opened by Mr. Viorel Albu, MIA Project Manager, who introduced the members of UNDP project team, Mr. Denis Suschevic, Head of Procurement Unit at UNDP CO, Mr. Andrei Vasilachi and Mr. Victor Lucasenco, UNDP Engineers, as well as Mr. Arcadie Bostan, Director of Dinamo Sport Club, Mr. Igor Secu, Administrator of Dinamo Sport Club, and Mr. Vasili Virlan, Director of Apcan Proiect SRL – technical design company. Mr. Albu welcomed the representatives of the 6 (six) local companies present in the conference room and those of the 2 (two) international companies (from Romania and Ukraine) connected via skype and passed through the agenda of the event.

Further, he made a short presentation of the project "Strengthening capacities of the Ministry of Internal Affairs and its internal subdivisions for the effective implementation of the sector reform agenda" (MIA Project) and explained the connection of the present tender with the project objective. As part of MIA Project objective, UNDP intends to support the Ministry in the modernization of the swimming pools within Dinamo Central Sport Club from Chisinau as per the Terms of Reference (ToR) of this ITB.

The UNDP Project Manager mentioned that the renovated swimming pool will serve for training of specialized service staff like rescuers and divers, staff of the Ministry and its subdivisions. Also, it will be accessible to the public: all men and women, youth, children and even people with disabilities with a goal of decreasing the drowning rate. Another purpose of this swimming pool will be hosting local swimming competitions.

Mr. Suschevici and Mr. Albu emphasized some important aspects related **to solicitation documents and procurement rules in UNDP:**

- The **ITB has a new format** now. *Section 6: Returnable Bidding Forms* will serve as guidance for a fully completed bid. All forms required by the ITB under this section should be present in the offer.
- Companies should pay attention that a **Bid Security of USD 10,000** is required from all bidders who will submit offers, while a **Performance Security of 10%** will be later required from the winning company.
- Any relevant changes to solicitation documents will be reflected in official amendments published on the ITB page. **Amendment no. 1** to this ITB is already available on tender announcement pages.
- **Clarifications/questions** regarding procurement and technical requirements, may be addressed in written form to the e-mail of the UNDP focal point mentioned at point 12 of the *Section 3: Bid Data Sheet (BDS)*. The answers will be published on tender announcement pages and will be also disseminated to interested companies via e-mail.

- According to the legislation in force in the Republic of Moldova, companies **need no licence to provide construction works** on the territory of Moldova, but require local certified specialists to undertake the construction activities.
- Given that **key specialists** required for reconstruction works **must be certified in the Republic of Moldova**, international companies may consider one of the following solutions to be able to provide the relevant services/works in Moldova:
 - a) make a Joint Venture/Consortium/Association with a local company which has certified specialists (please refer to relevant information of the ITB: Section 2. Instruction to Bidders, point 14., Section 4: Evaluation Criteria if bid submitted as a Joint Venture/Consortium/Association, Section 6, FORM C:);
 - b) subcontract a local company with certified specialists (please refer to relevant *Form E: Format of Technical Bid, Section 2.2*). The contract (or Statement of intention) for subcontracting of services/works with the local company should be attached as proof.);
 - c) Register/hold a legal representation/branch in the country with certified specialists;
 - d) Apply directly, but hire locally certified key specialists indicated in the *FORM E, Section 3: Management Structure and Key Personnel* (as a proof, contracts (or Statement of intention) for contracting services of local certified specialists must be attached).
- The **Allowable Manner of Submitting Bids** mentioned at the *point 14 of Section 3: Bid Data Sheet* states only one option - Courier/Hand Delivery. In case if an international company faces difficulties in submitting its offer this way, the bidder is asked to address a **timely written request** to UNDP to reconsider the hard copy submission, so that UNDP manages to authorize electronic submission (as an exception) and receive that bid before deadline expiration.

Mr. Lucasenco and Mr. Vasilachi highlighted some important aspects related to technical requirements and Bills of Quantities (BOQ) among which are the following:

- There are 2 swimming pools within Dinamo Central Sport Club: a big swimming pool and a small one. Considering the available funds, **modernization works** are planned to be implemented in **2 stages**. Thus, the published Technical Documentation covers all technical aspects related to both pools, while the **Bills of Quantities include the works related to the first stage of the modernization, which does not include the reconstruction of the small pool.**
- The construction works of the swimming pool must be performed according to the **requirements and standards of the International Swimming Federation** ("Fédération Internationale de Natation" or FINA) related to swimming infrastructure and local quality standards and requirements in construction, as detailed in *Section 5a: Schedule of Requirements and Technical Specifications*.
- There are several **standards** mentioned in the Terms of Reference **to be mandatorily respected.**

Further, companies were encouraged to address questions/comments regarding procurement terms and conditions, document package and offer submission as well as to the required terms of reference.

Questions and answers:

Question 1: *Is there a special procedure to confirm participation at tender so that we get all notifications about amendments, any updates on tender web-pages or deadline extension?*

Answer: A bidder may send a written notification to confirm its participation and ask to be provided notifications by e-mail. Bidders are encouraged to follow tender announcement pages. Besides publishing the updates on UN official websites which is the official way of disseminating tender updates, UNDP may also send e-mail notifications to requesting bidders and pre-bidding attendees.

Question 2: *What is the duration of contract/works?*

Answer: The period of implementation of the contract is 100 calendar days as per the *Section 3: Bid Data Sheet* point 20 and *Section 5a: Schedule of Requirements and Technical Specifications*, paragraph 1. *Implementation Timeframe and Required Deliverables*. It refers only to the 1st stage of modernization works.

Question 3: *Does UNDP and the beneficiary have any certainty about forthcoming funding for the 2nd stage of modernization works? If there is a guarantee of funding, the winning company could complete all works described in both stages of the reconstruction project, as per technical documentation. Performing all modernization works in one single stage will avoid overlapping or additional works that induce additional costs.*

Answer: Currently we have no certainty about when funding for the 2nd stage of modernization works will be available. Thus, offers must be submitted as per tender requirements – only for stage 1 and the works included in the published BOQ.

Question 4: *What was the reason of choosing the stainless-steel alloys technology given its high price?*

Answer: Before deciding upon the technology to be used for the modernization of Dinamo swimming pools, the beneficiary together with UNDP conducted a research on the best international practices and standards and made some study visits including one to FINA headquarters. It was concluded that stainless-steel alloys are a sustainable and price balanced solution.

Question 5: *According to technical drawings, the technical room is situated in the basement, therefore, to introduce the water filtering system, some demolition works might be needed. Were demolition works included in the BOQ?*

Answer: Demolition works are included in the BOQ. In case if in the process of reconstruction will be identified works that were omitted in the technical documentation and BOQ, or if any justified additional works appear, the contract amount may be amended for up to a maximum of 25% of the total offer (increasing the quantities, but keeping the initial unit prices provided in the winning offer). All additional works must be accepted in advance by the UNDP before being implemented by the contractor.

Question 6: *Does UNDP have a financial estimation of the given works and, if yes, why does not UNDP publish it like in the case of national public tendering?*

Answer: UNDP has its cost estimation of works, used for comparison in the process of evaluation of bids, but keeps it as an internal record. UNDP international procurement rules are different from those applied at national public tenders.

Question 6: *What happens if all submitted offers are above UNDP's estimation?*

Answer: UNDP procurement rules regulate such situations as described at *Section 2. Instruction to Bidders*, point 38: *Right to Vary Requirements at the Time of Award*. In case of budget insufficiency, at contract signing stage, UNDP may need to reduce up to 25% of the total offer, removing some of the

works/deliverables initially required in the ToR: reducing quantities, but keeping the initial unit prices provided in the winning offer.

Question 7: *Following the previous question, how can a bidder be guided regarding the type of equipment to be used if the estimated budget is not public and no brand names are mentioned in tender documents?*

Answer: According to UNDP Procurement rules, to ensure a fair competition, UNDP provides only generic technical specifications without naming any brand names. Bidders should be guided by Technical Documentation, Technical Specifications and Bills of Quantities when compiling their offer, so that the offered equipment complies to the technical requirements and standards mentioned in technical documents.

Question 9: *What if the information in the technical documentation is not enough for the bidder?*

Answer: Bidders can address technical related questions in written form to the UNDP focal point. Clarifications will be provided in written with the support of UNDP engineers and the technical design company.

Question 10: *Is it allowed to adjust the technical design because of any omissions identified in the process of implementation and with whom should the changes be coordinated?*

Answer: We admit the possibility to introduce adjustments to technical design documentation if they are strongly justified and caused by potential omissions or mistakes. All potential changes must be coordinated in advance with UNDP, Project beneficiary and Technical Design Company that elaborated the documentation. All updates must be made by the company which developed the initial design – APCAN Proiect SRL from Moldova. Further, the updated technical design documentation must be verified and approved by the specialised institutions in accordance with the national legislation.