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**Minutes of the Pre-Bidding Meeting
for ITB 19/01955 EU-CBM
Refurbishment works for the five (5) sports fields.**

16 August 2019, 11:00,
Le Roi Business Center, of. 601 (29, Sfatul Tarii Str., Chisinau)

Agenda:

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

I. Presentation and description of procedures

The Pre-bidding conference was opened by *Andrei Vasilachi, Social Infrastructure Project Manager, EU-CBM* who welcomed the participants, introduced the members of UNDP team that were present at the meeting and made an overall presentation of the tender's conditions and requirements. Thus, there were mentioned the most important conditions as follows:

- It is important that the bidder's application offer should be valid up to 90 days;
- Currency of bid: United States Dollar;
- For this tender bid security is required for an amount of 4500 USD;
- Acceptable forms of Bid security are: Bank Guarantee; Any Bank-issued Check / Cashier's Check / Certified Check;
- Advanced payment upon signing of contract allowed up to a maximum of 20% of contract value;
- Liquidating damages will be imposed as follows: Percentage of contract price per day of delay: 0.2%
Max. number of days of delay 30 calendar days, after which UNDP may terminate the contract;
- Performance security required: 10% of the contract amount; 10% retained as per the Performance Guarantee and transferred to the company upon expiration of the defect liability period. According to General Terms of Civil Works Contracts, the Defect Liability Period equals with 12 months from the day the certificate of substantial completion was issued (in case local companies – the Preliminary Commissioning Report)
- Deadline for submitting requests for clarifications/ questions - 3 days before the submission deadline;

- Deadline for Submission of bid - 04 September 2019, 15:00 (Moldova time). For eTendering submission - as indicated in eTendering system. Note that system time zone is in EST/EDT (New York) time zone;
- Expected date for commencement of Contract – October 10, 2019;
- Maximum expected duration of contract – 12 months;
- Regarding Previous Experience a Minimum 5 years of relevant experience in civil engineering/ construction is required. A condition as well represents a minimum of two (2) implemented contracts for/or including refurbishment/construction works of the sports fields, of similar value, nature and complexity implemented in over the last 5 years: with a value not less than 20,000 US\$ per each sports field;
- Key Personnel needed: At least one (1) certified foreman in the field of civil construction (attestation certificate shall be valid at the moment of bid submission). (For companies originated from Transnistria region Labour Records and graduation certificate shall be presented);
- Financial standing: Minimum average annual turnover of USD 300,000 for the past 3 years (as per the submitted audited financial statements);
- Submission of the following documents according to WinSmeta software is mandatory:
 - Respective Bills of Quantities (F7);
 - Duly filled-in Unit Price Catalogue (F5);
 - Duly filled-in Resource Schedule (F3).
- List of required key deliverables:

Deliverable 1: Accomplishment of all refurbishment works, supply and installation of all equipment within 120 calendar days from Contract signature.

Deliverable 2: Preliminary Commissioning at the stage of works finishing within 135 calendar days from contract signature.

Deliverable 3: Final Commissioning of construction works within 150 calendar days from contract signature. The overall term of execution of works in the Contract is spread over 150 calendar days, effective from Contract signature date. The Contractor shall have all required tasks completed and approved by EU-CBM Engineers by the last working day of the contract period.
- The Warranty period shall commence upon substantial completion of works and last for a minimum period of 3 (three) years.

II. Questions and Answers

During the pre-bidding conference, the following questions were raised:

Question 1: As there is a specific banking situation on the left bank of the river Nistru, according to the mentioned conditions of retaining 10 % of the contract amount, a bank can add some 20 more percent to this sum, which means a lot for a company. Is there a possibility that UNDP keeps the money on an account so that it is much easier for the bidder?

Answer: The Performance Security will be required either in the form of Performance Security document attached to the ITB as Form H, or on the form of Retention Money – 10% of the total payment until final acceptance is received and defect liability period is covered. The performance security shall be returned to the Contractor within 30 days after the completion of the contract, including any warranty

obligations or defects liability period as may be agreed in the contract.

Question 2: Should the documents be submitted through eTendering as one file, or they could be separately?

Answer: Requirements of electronic submission of the files are the following:

Format: PDF files only

File names must be maximum 60 characters long and must not contain any letter or special character other than from Latin alphabet/keyboard.

It can be uploaded as much files as needed, there is no limit about volume or number of files.

Question 3: Does the eTendering system allow us to make changes?

Answer: Yes, it is possible to do any changes. A Bidder may withdraw, substitute or modify its Bid by Cancelling, Editing, and re-submitting the Bid directly in the system. It is the responsibility of the Bidder to properly follow the system instructions, duly edit and submit a substitution or modification of the Bid as needed. As soon as you submit, the system will present the last updated version of the bidder.

Moreover, a recommendation is to enter in the system from time to time, as the system proceed to archiving of users once the bidder did not enter the system within 3 months period.

Question 4: When does the penalties are applied? For instance, if due to weather conditions some damages happen, how is the procedure then?

Answer: Penalties will be applied to bidder only if the issue was caused by his/her fault (e.g. delay in termination of works, bad quality of works which lead to appearance of some damages, etc.). But we do understand that there could be weather factor, which will cause a justification delay, so the contract could be extended. All issues upon their appearance will be discussed and detailed analyzed by EU-CBM engineers.

Question 5: Where can we find the list of terrorists and terrorist financiers and in UNDP's ineligible vendors' list?

Answer: All information regarding UN ineligibility vendors can be found by this link:

<https://www.undp.org/content/undp/en/home/operations/procurement/business/protest-and-sanctions/ineligibility-list/>.

Question 6: Should all completed files be stamped?

Answer: As UNDP is an environment friendly organization, we encourage bidders to sign electronically the completed documents, and sent them via eTendering Platform. If there is no electronic signature, files can be submitted without being stamped, but upon requirement from UNDP, the bidder could be asked later to the present a proper file in original version, with the stamp.

Electronic submission through eTendering, shall be governed as follows: a) Electronic files that form part of the Bid must be in accordance with the format and requirements indicated in BDS; b) Documents which are required to be in original form (e.g. Bid Security, etc.) must be sent via courier or hand

delivered as per the instructions in BDS.

Question 7: How does the warranty period is applied? For instance, if the field is not properly used by beneficiaries, will the bidder be responsible for this? Or in case the materials will get damaged in time, who's fault is considered then?

Answer: We recommend that the bidder use the most qualitative construction materials, so that the field resist over the warranty period and even more. Further, there are specific site documents, where technical details are described, like recommended layer thickness so that the finished field be of good quality, thus, the bidder should follow the instructions.

Upon termination of contract the site will be transferred to the beneficiaries, a person being instructed on the use of the field. As well within regulations signed with beneficiaries will be mentioned the instructions of using the field and forbidden actions. It is a normal practice to install an information panel listing the recommendations of using the field in attention of any person.

If the use of the field by the beneficiaries will not be accordingly, and it turned out that damages were caused by them, of course, the responsible part for repairing the damages is the beneficiary.

By this, we would like to state that all created situations will be analyzed further by EU-CBM engineers and a common decision will be taken in this regard.

Question 8: In case any representative from governmental institution from the left bank of river Nistru approaches us asking for detailed information about site, what should we do?

Answer: Local Authorities from the left bank of river Nistru were already informed about the sites to be renovated, and all conditions were previously discussed. Anyhow, please note that providing financial information regarding the site, to anybody, is strictly confidential. In order to provide this kind of details, the bidder should ask for permission in a written form from UNDP. This form of communication is also recommended in case any kind of questions arise.

Discussions with any representative from governmental institutions from the left bank should be conducted in a formal manner.

Please note, that upon signing the contract with UNDP, all juridical relationships will be kept directly with UNDP only.

Question 9: in case the bidder has more working sites, and the personnel is involved in many of them, how can we show that the key personnel required for the respective site is enough?

Answer: The bidder should Provide a spreadsheet to show the activities of each personnel and the time allocated for his/her involvement for completed the works.