
**REPUBLIC OF MOLDOVA
LOCAL ROADS IMPROVEMENT PROJECT**

STATE ROAD ADMINISTRATION

**CLARIFICATION DOCUMENT No. 1
To the Bidding Documents**

**Answers to the Requests for Clarification received
from prospective Bidders**

Contract LRIP/W1/02:

**“Improvement Works on Section 1: Corridor 13, Section 2: Corridor 8.3,
Section 3: Corridor 11”**

Bidding No. LRIP/W1/02

Issued on April 6, 2018



1. Question

As regards to the tender procedure for the adjudgement of the public procurement contract having as LRIP/W1/02 Local Roads Improvement Project: Section 1: Improvement Works on Corridor 13, L 390 Pirlita-Nisporeni road, km 0+000 - km 33+50; L 431 Paruceni - Seliste - Vinatori Road, km 0+000- km 4+200; R25 Road -Seliste village, km 0+000 - km 3+600; Section 2: Improvement Works on Corridor 8.3, L405 Road from R21 - Oniscani, km 0+000 to km 9+960; Section 3: Improvement Works on Corridor 11, L313 M2 - access road to Miclesti village, km 0+000 to km 5+000; L314 M2 - Peresecina - Hirtopul Mare- Ohrincea road, km 1 +640 – Km 15+390, L314 M2 - Peresecina - Hirtopul Mare - Ohrincea road, km 19+810 -Km 24+300; L314 Izbiste village Bypass, km 15+390 to km 19+810, in order to demonstrate the experience in the executed works, please confirm that we can present as a proof a modernization work of airport moving surfaces (airport runway execution) with elastic road system (3 layers of asphalt mixtures, base layer of broken stone optimal mixture and ballast forming layer) with the specification that these works are superior in terms of their complexity which assumed the execution of comparable works as operations, technologies or equipment used with those that define the main object of the contract and/or the purpose of the object of the contract of execution of works.

Answer 1

The specific experience requirements are clearly stated in Bidding Documents, Section III, Evaluation and Qualification Criteria. Thus, the Contractor will be evaluated in accordance with these criteria based on the physical size, complexity, methods/technology and/or other characteristics described in Section VII, Work's Requirements.

Therefore, the project in modernization work of airport will be accepted for evaluation and will be counted for specific experience, only if the works will demonstrate compliance with the required qualifications criteria.

2. Question

What is the length of the warranty period, the Contractor shall provide to the Customer?

Answer 2

In accordance with Bidding Documents, Part A – Contract Data, the Defects Notification Period is 365 days.

3. Question

The BID can be provided in any currency, i.e USD, EUR?

Answer 3

The payment will be made in the currency which will be indicated in the Contract. Thus, the bidder shall include in his bid the currency which fits his needs.

For evaluation purpose the currency will be converted into local currency "Moldovan Leu".



4. Question

Which FIDIC book must be followed?

Answer 4

In accordance with Section VIII of the BD, General Conditions of the Contract **follow** the Bank Harmonized Edition of the Conditions of Contract for Construction prepared by the International Federation of Consulting Engineers (Fédération Internationale des Ingénieurs-Conseils, or FIDIC), FIDIC 2010.

5. Question

Could one single person/expert be employed in more than one position within the Contract?

Answer 5

Please refer to the Section III, Evaluation and Qualification Criteria, 3.5 Contractors Representative and Key Personnel.

6. Question

Which is the estimative value of the Contract?

Answer 6

The estimated value of the works is confidential, it could not be disclosed to the bidders.

7. Question

The minutes of the meeting will be published on the ASD website?

Answer 7

The minutes of Pre-bid Meeting has been published on the official website of SRA (www.asd.md International Tenders section).

8. Question

Is a notary public certification required over a certification (with a seal) from the professional certified translation company on the documents that are translated into English?

Answer 8

The Bidder is requested to provide notarized copies of the original version supported by notarized English language translation of the following documents:

- Power of Attorney;
- Certificate of State Registration;
- Activity license;
- Articles of Incorporation;
- Audited accounts or other certified financial statements.

9. Question

In case if for some reason such a notary public certification is required on translation, is it necessary also to apply to the Ministry of Foreign Affairs for an “apostile”. The apostile procedure is quite lengthy and could take about 2 weeks to obtain such.

Answer 9

There is no need to apostille the translated documents.

10. Question

There are some places in the Tender Documents where it is asked to provide “balance sheets”, while in some places it is asked to provide “financial statements”. Is it necessary to submit copies of full “financial statements” (“financial reports”) with all appendixes/annexes for each year 2013, 2014, 2015, 2016 (statements for year 2017 are not ready yet), or only “balance sheet” of the Tenderer or “balance sheet” and “Profit and Loss” statement could be submitted in order to fulfill the requirement for paragraph 3.1 “Financial Capabilities (iii)”?

Answer 10

In accordance with Bidding Documents, Section II, Bid Data Sheet and Section III Evaluation and Qualification Criteria, para. 3.1 Financial Capabilities, the bidder shall submit “audited balance sheets or, if not required by the laws of the Bidder’s country, other financial statements acceptable to the Employer, for the last 5 (five) years shall be submitted and must demonstrate the current soundness of the Bidder’s financial position and indicate its prospective long-term profitability”.

In the event that audited accounts from 2017 are not available, the bidder shall submit the unaudited accounts.

11. Question

We do not have year 2017 financial statements prepared yet. According to Law, we need to prepare such statements by August 1, 2018. Considering the requirement in paragraph 3.1 to submit “The audited balance sheets... for the last 5 (five) years”, shall we submit such statements for the year 2012?

Answer 11

Please refer to the Answer No.10.

12. Question

According to the Tender Documents, including the Invitation for Bidders, the bid submission deadline is currently set for April 12, 2018 10:00 am.

Please extend the tender submission deadline to at least April 30, 2018.

Such an extension is necessary, considering that 3 corridors/roads in this tender are separate not connected to each other roads located in different areas. It would take additional time to study in details each of these roads separately in order to be able to prepare a good quality tender offer to the

Employer. Even though the site visit organized by the Employer on March 13, 2018 had a helpful informative nature, this event gave just a very quick high level overview for these sites. The unfavorable rainy weather was also a burdensome factor which distracted the participants with a limited visibility of the site. We consider that additional site visits are required for our specialists in order to conduct a detail study and analyses of these 3 corridors on site. Such an activity would require more time.

The volume of technical documentation and information provided is a too large to allow an in-depth study within such a short time frame set by the current tender submission deadline. It shall be also taken into a consideration that our company (AS “A.C.B.”) is registered in the Republic of Latvia and just as in the most Western European countries, there are 4 days (March 30 – April 02) of official state holidays (Easter) which fall within the tendering period. This puts our companies in noncompetitive situation comparing to our competitors from Republic of Moldova for which these days are normal working days. During these state holidays all translation companies, notary companies, Ministries, governmental institutions (which would need to issue various statements on our company for this tender) and other businesses in Latvia will be closed.

Answer 12

The submission deadline is extended from April 12, 2018 to April 27, 2018.
Please refer to the Amendment Document No. 1 which will be sent to all prospective bidders and published on SRA website (www.asd.md).

13. Question

Please, provide exactly list of required documents and forms of the required documents necessary for obtaining of VAT and duty taxes exemptions during the periods of construction. Also, specify the maximum term of the VAT and Tax exemptions certificates issuing; from the date of receiving by the Employer of all required documents in form which you will specify in tender procedure.

Answer 13

Please refer to the Bidding Documents Part B, Specific Provisions, Sub-Clause 14.1.

14. Question

According the tender Documents section VI part 2 “Requirements”, the contractor shall prepare the Construction Drawings of the executive design. Please, explain why the documents in section VI “Drawings” are named in Romanian language “Proiect” and not “Proiect de Executie” as stipulated in the Laws of Construction Quality. Is presumed that this document is not Executive Design but is an feasibility study?

Answer 14

Section VI of BDs refers to the Bank Policy – Corrupt and Fraudulent Practices.

However, Section VII Works Requirements of these Bidding Documents include sub-section “Drawings” titled in English language only, without Romanian translation.

Bidding Documents are prepared on the basis of verified detailed design. The Contactor will have no designer’s responsibility, except as may be the case under Sub-Clause 4.1 and 13.2 of the General Conditions of Contract. All necessary design requirements and technical conditions have been incorporated in the verified detailed design Drawings and issued as an integral part of



the Bidding Documents.

It is therefore not expected that the Contractor will be required to prepare Construction Drawings. If however additional Construction Drawings will be required, their preparation will be governed by provisions of Sub-Chapter 006.02 SURVEY BEACONS AND BENCHMARKS; SETTING OUT of the Technical Specification.

15. Question

Please provide in English the stamps of Verification for the all lists from Section VI, Vol.3.

Answer 15

Section VI of BDs refers to the Bank Policy – Corrupt and Fraudulent Practices.

In respect to the Contractor’s design responsibilities please refer to Answer 14.

All drawings from Section VII [Works Requirements] are stamped by State Enterprise for Verification and Expertize of the Design and Construction as per Law in Force of the Republic of Moldova. The stamps are in the official language of the Republic of Moldova in accordance with national legislation and therefore cannot be provided in English language.

The request is of no relevance for preparation and submission of bids.

16. Question

According the Moldavian Law for Quality in Construction No. 271, every executive design must be accompanied by the Act of Verification, please provide the Act of Verification traduced in English language by the authorized translator because is an official document issued by the state verification entity.

Answer 16

The Moldavian Law for Quality in Construction No. 721 (not 271) dated February 2, 1996 does not require the Verification Report issued by State Enterprise for Verification and Expertize of the Design and Construction to be part of the Detailed Design Drawings provided to bidders.

In any case, this request is of no relevance for preparation and submission of bids.

17. Question

Please provide inside the Stamps of the Verification from the Section VI, Part 2 Vol III with fulfilled of the exactly date of verification: date/month/year, Full name of the Expert and the order number of the every verified list. Otherwise the verification stamps are not according the Moldavian rules of verification, is presume that the verification are not in force.

Answer 17

Section VI of BDs refers to the Bank Policy – Corrupt and Fraudulent Practices.

Please refer to Section VII [Works Requirement- Drawings] and stamped drawings therein as follows:

- Section 1 Corridor 13, sheet No.2;
- Section 2 Corridor 8.3, sheet No.2;
- Section 3 Corridor 11, sheet No.2.

State Enterprise for Verification and Expertize of the Design and Construction has verified, stamped and registered the detailed design in the Register of Evidence of Verified Designs (Registru de evidenta a proiectelor si detaliilor de executie verificate) according to provisions



of the Government Decision no. 361 dated 25.06.1996.
This request is of no relevance for preparation and submission of bids.

18. Question

For assure the equal conditions for foreign companies and local companies, please provide the all documents and texts in English language for documents from section VI part 2 Vol III from page 7 to 165 pages which you included in the tender in Romanian Language.

Answer 18

Section VI of BDs refers to the Bank Policy – Corrupt and Fraudulent Practices.
The Bidding Documents are provided completely in English language.

19. Question

In TS is stated that the Contractor shall obtain all permits from different State Inspection or Organizations. Please, indicate the list of the necessary documents shall be obtained for every task or type of activity, and official time for issuing the every document, the name and address of the authority. It is necessary for accurate cost and time estimation of the works.

Answer 19

The relevant permits have to be obtained from the relevant Institutions and presents obligation of Contractor. It is duty of Bidder to familiarize with all local rules and regulations at his costs in purpose of preparation of Bid.
The Beneficiary (Î.S. “Administratia de Stat a Drumurilor”) can assist the contractor in obtaining relevant permits during the construction, as required.

20. Question

Please, inform us in which year was prepared the Topo Survey measures for the Design preparations.

Answer 20

Topo Survey measures for the Design preparations were prepared in 2016/2017.

21. Question

For different materials for example Geotextile, you indicated in the Design/Feasibility Study the exactly name of the material. Is presumed that the tenderer must use exactly material which name and producer of the material are stated in the tender documents?

Answer 21

The Feasibility Study is not included in the Bidding Documents.
It is not permitted to include materials with indicated names of the producer in the Bidding Documents.

22. Question

Please provide an declaration that all indicated Gost's and “TY” in the feasibility study and Technical Specifications was in force in Republic of Moldova in the moment of the verification of the Design from Section VI.

Answer 22

The Feasibility Study is not included in the Bidding Documents.

Technical Specifications refer to a number of design standards and guidelines which are not limited to Gost`s and “TY”.

It is permitted to use foreign standards and guidelines, if they are not in contradiction with those in force in the Republic of Moldova, if their use results in better quality of the works and the final product or in case the works in subject, if any, are not addressed by Moldovan standards.

This request is of no relevance for preparation and submission of bids.

23. Question

Please provide English translations for the name of Gost`s which are indicated in Russian language, because it is impossible to understand the name and find the document for analysis. In all the documents in Section VI are indicated the Gost`s and regulatory documents in Russian language without translation in English.

Answer 23

Section VI of BDs refers to the Bank Policy – Corrupt and Fraudulent Practices.

Please refer to Technical Specifications, Appendix to General Requirements Specifications – List of standards incorporated by reference. The name of all standards are in both languages (Romanian and English).

24. Question

Please indicate the names of the every line in cross sections profiles from drawings in Section VI Volume III “Drawings” or provide the DWG format of the drawings for better analysis and study of the documents. Because in the drawings are only lines without indicated name of the line and type of work.

Answer 24

Section VI of BDs refers to the Bank Policy – Corrupt and Fraudulent Practices.

Please refer to Section VII, Works Requirements, Drawings provided in separate folder.

The Employer can not provide editable DWG format of the drawings in order to maintain the integrity of the design.

The designed interventions shown on these cross-sections are, as usual, colour-coded: lines in black colour show cross-sections of the existing right of way, while superimposed lines in red colour show the designed cross-sections.

25. Question

Please provide the existing Technical Conditions for the all Engineering Services to be removed or construed and are indicate in the design.

Answer 25

Please refer to the Answer 14.



26. Question

For using of Borrow Pits for earth embankment constructions, according the contract conditions, the contractor shall obtain the permits for operation. Please provide the exactly locations of the future Borrow Pits for which contractor shall obtain the permits and licenses. Please answer which is the legal term to obtain the licenses?

Answer 26

In accordance with Technical Specifications, Sub-chapter 201.07. THE OPERATION OF BORROW PITS the Contractor shall be entirely responsible for the location and operation of such pits and for obtaining all necessary permits and authorisations as well as for all acquisition of borrow pit areas and meeting all claims for compensation resulting from the operation of such borrow pits.

27. Question

Please, confirm that Specific conditions of the Contract, Technical Specifications and other documents, part of the Execution Contract, are not in contradictory with Engineering Service Conditions.

Answer 27

It is confirmed that Specific conditions of the Contract, Technical Specifications and other documents, part of the Execution Contract, are not in contradictory with Engineering Service Conditions.

28. Question

Please, provide the list of all local authorities which will issue the Construction Permits according the territorial jurisdiction.

Answer 28

It is not the obligation of Contractor and the Client will provide construction permit.

29. Question

Please, provide the Flexible Calculations for earth base, crush-stone course, binder course, wearing course or bituminous treatments.

Answer 29

Please refer to the Answer 14.

30. Question

Please, inform us if for bridges was done the expert inspection for every bridge?

Answer 30

All necessary inspections of bridges were performed and certified by bridge experts.



31. Question

Please, confirm, which type of FIDIC contract will be applied for the project?

Answer 31

Please refer to the Answer No. 4.

32. Question

With reference to the Bidding Procedure in subject, in order to properly study the Bidding Documents and to provide to Employer with a more competitive offer, we kindly ask you for an extension of the tendering procedure up to the 10th of May 2018.

Answer 31

Please refer to the Answer 12.