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**REPUBLIC OF MOLDOVA  
ROAD SECTOR PROGRAM**

**STATE ROAD ADMINISTRATION**

**CLARIFICATION DOCUMENT No.1 TO  
CONSULTANTS' QUESTIONS ON RFP**

**Consulting Services for Project Implementation  
Support**

**RFP No.: CS/TA/01/2024**

**Issued on October 1st, 2024**

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## Question 1

### ***“RFP Section 7: Terms of Reference Page -4 1.1 Introduction.***

*The Government of Moldova, represented by the Ministry of Infrastructure and Regional Development (the “MIRD”), is responsible for the implementation of the Road Rehabilitation Projects III, IV and V (the “Programme”) financed by European Bank for Reconstruction and Development (the “EBRD”) and European Investment Bank (the “EIB”), together referred to as International Financial Institutions (the “IFI”).*

Generally, International Financial Institutions covers all the major multilateral funding agencies such as World Bank, ADB, AfDB, JICA. Please clarify whether such funding agencies will also be considered for this proposal for both experience criteria and Key Experts criteria.

## Answer

The reference made in the ToR, para.1.1 Introduction, to the ‘International Financial Institutions’ refers only to the European Bank for Reconstruction and Development (the “EBRD”) and European Investment Bank (the “EIB”) as financiers of the Project in subject and does not relate to the evaluation criteria for Consultant’s and Key Experts’ criteria established in this RFP. These will be evaluated on a case-by-case basis, in accordance with the requirements of the published Request for Proposals.

## Question 2

### ***“Form Tech 2B: Consultant’s Experience***

*1. List Consultant’s previous similar assignments successfully implemented during the past 10 years”.*

Please clarify if there is any limit on the number of projects to be included.

## Answer

In the RFP documents there is no limit imposed for the number of ‘*similar assignments*’ to be included in the Proposal. However, the Consultant is requested to include only those assignments which are similar in scope and nature with the tendered one. Other implemented contracts, with different nature and scope, will not be taken into account for this purpose during the evaluation.

## Question 3

### ***“Form Tech 2B: Consultant’s Experience***

*1. List Consultant’s previous similar assignments successfully implemented during the past 10 years”.*

Please clarify whether a participant can refer to the experience and capability of the parent company in order to meet the qualification requirements.

## Answer

For purposes of this evaluation, only the experience of the Consultant who submitted the proposal will be taken into consideration.

## Question 4

### ***“KE1: International Engineering and Management Consultant / Team Leader Evaluation Criteria***

*1. 20 years of professional experience: 1.5 Marks”.*

We understand that score will be evaluated proportionately for e.g. if expert possesses 16 years of professional experience then score should be allotted  $16/20 * 1.5 = 1.20$  out of 1.50.

## Answer

A mathematical error has been discovered in the weight calculation for the sub-criteria in accordance to which the Key Experts will be evaluated. The table has been updated accordingly. The current matter has been addressed in the Addendum no.1 issued on the even date with these clarifications.

***For the KE1: International Engineering and Management Consultant / Team Leader, the Evaluation Criteria provide:***

<b>POSITION (and minimum sub-criteria to achieve the minimum technical score of 70% and be rated as Satisfactory)</b>	<b>Maximum Weight 100% (when rated Excellent)</b>
<input type="checkbox"/> <b>KE1 International Engineering and Management Consultant/ Team Leader</b>	
20 years professional experience	2

This shall be read in conjunction with the rating system to be used for evaluation purposes, for each criterion and sub-criterion provided in the RFP, which is as follows:

Ranking	Percentage of the maximum score allocated to the criterion and/or sub-criterion (%)
Excellent	96 - 100
Good	81 -95
Satisfactory	70 - 80
Unsatisfactory	0 - 69

For evaluation purposes, the requirements set for each position are considered the minimum necessary in order to achieve the minimum technical score of 70% and be rated as ‘Satisfactory’. For the demonstrated experience, in order to be assigned the maximum score (100%) and be rated as ‘Excellent’, the candidate shall demonstrate more extensive experience and shall exceed the minimum requirements stated in the RFP.

Thus, for this specific case, if the candidate has demonstrated 20 years of general professional experience, it will be rated as 'Satisfactory' and assigned 1.4 points, calculated as follows  $(2*70\%)/100\%$ .

To be assigned all two (2) points, the Expert shall demonstrate at least 26 years of professional experience.

If the provided professional experience will be less than 20 years, the candidate's experience under this criterion will be evaluated as 'unsatisfactory'.

### Question 5

***“KE1: International Engineering and Management Consultant / Team Leader***

*Evaluation Criteria*

1. *10 years international experience including IFI-funded projects: 1.5 Marks”.*

We understand that score will be evaluated proportionately for e.g. if expert covers 6 years of international experience then he / she should obtain score  $6/10*1.5 = 0.90$  out of 1.50.

We understand, no. of years are not specified for IFI-funded projects, then score will vary proportionately in terms of international experience only.

### Answer

Please see the answer to question no.4. The same methodology for evaluation applies.

In addition, the '10 years of international experience including IFI-funded projects' means that the expert shall demonstrate at least 10 years of experience of working in projects funded by IFI. The number of indicated years specifically refers to the international experience in IFIs funded projects.

### Question 6

***“KE1: International Engineering and Management Consultant / Team Leader***

*Evaluation Criteria*

- *Preparing Employer's position in response to the works contractor's claims: 6 Marks*
- *Preparing Employer's counter-claims in response to the works contractor's claims: 3 Marks*
- *Proven experience in handling claims for extension of time for works completion: 3 Marks*
- *Proven experience in handling claims for additional costs submitted by works contractors: 6 Marks.”*

Core 18 marks have been allotted for Contracts & Claims work even we have separate profiles of Contract, Claims & Procurement experts.

Kindly reconsider the scoring evaluation criteria and request to adjust these scoring into road construction / supervision criteria.

### Answer

Indeed, there are two separate positions in the RFP for the ***International Engineering and Management Consultant / Team Leader (KE1)*** and ***Claims Expert for Legal / Contractual Matters (KE4)***. The requirements set for KE4 are more extensive in relation to experience in handling of and/or actively participating in international arbitration(s). Moreover, the minimum required input

for this position is 18 months, compared to the 36 months inputs required for the KE1, which due to his role under the contract, has to provide adequate support to the Employer and fulfill the bulk of Project's tasks as required. The established criteria are reflecting the Employer's needs during project implementation for adequate support in handling Contractors' claims and during DAB/DB hearings and will not be modified.

### Question 7

#### **“KE2: Engineering Specialist**

##### *Evaluation Criteria*

1. *15 years of professional experience: 0.5 Marks”.*

We understand that score will be evaluated proportionately, for e.g. if expert possesses 12 years of professional experience then score should be allotted  $12/15 \times 0.5 = 0.40$  out of 0.50.

### Answer

Please see the answer to question no.4. The same methodology for evaluation applies.

### Question 8

#### **“KE2: Engineering Specialist**

##### *Evaluation Criteria*

- *10 years international experience including IFI-funded projects: 0.5 Marks”.*

We understand that score will be evaluated proportionately for e.g. if expert covers 6 years of international experience then he / she should obtain score  $6/10 \times 0.5 = 0.30$  out of 0.50 We understand, no. of years are not specified for IFI funded projects, then score will vary proportionately in terms of international experience only.

### Answer

Please see the answer to question no.4. The same methodology for evaluation applies.

In addition, the '10 years of international experience including IFI-funded projects' means that the expert shall demonstrate at least 10 years of experience of working in projects funded by IFI. The number of indicated years specifically refers to the international experience in IFIs funded projects.

### Question 9

#### **“KE2: Engineering Specialist**

##### *Evaluation Criteria*

- *Contract management experience to include hands-on experience of dealing with variation orders, extensions of time and claims: 0.5 Marks*
- *Experience in the financial management of multiple construction contracts: 0.2 Marks*
- *Preparing Employer's position in response to the works contractor's: 3 Marks*
- *Preparing Employer's counter-claims in response to the works contractor's claims: 1.5 Marks*
- *Proven experience in handling claims for extension of time for works completion: 1.5 Marks*
- *Proven experience in handling claims for additional costs submitted by works contractors: 3 Marks.”*

Core 9.70 marks have been allotted for Contracts & Claims work even we have separate profiles of Contract, Claims & Procurement experts. Kindly reconsider the scoring evaluation criteria and request to adjust these scoring into road construction / supervision criteria.

#### Answer

The maximum weight allocated for the sub-criteria related to the specific experience of the KE2: Engineering Specialist has been revised. The current matter has been addressed in the Addendum no.1 issued on the even date with these clarifications.

#### Question 10

##### ***“KE3: Procurement Expert***

###### *Evaluation Criteria*

- *At least 15 years of general professional experience: 1 Marks.”*

We understand that score will be evaluated proportionately for e.g. if expert possesses 12 years of professional working experience then score should be allotted  $12/15 * 1 = 0.80$  out of 1.

#### Answer

Please see the answer to question no.4. The same methodology for evaluation applies.

#### Question 11

##### ***“KE3: Procurement Expert***

###### *Evaluation Criteria*

- *Ditto, in road construction and/ or rehabilitation projects.”*

We believe Procurement Expert is required from the initial stages of the project from design stage to procure the contractors. So please consider the Design projects also along with Construction and Rehabilitation projects.

#### Answer

The expertise of the Procurement Expert in design, will not be required during the implementation of this Project. The designs for the roads' works are prepared outside the scope of the Project in subject.

#### Question 12

##### ***KE4: Claims Expert for Legal / Contractual Matters***

###### *Evaluation Criteria*

- *Bachelor's degree in law or similar field: 2 Marks.”*

Kindly consider Engineering in similar field.

#### Answer

It is confirmed that “*bachelor's degree in Engineering*” will be accepted.

#### Question 13

**KE4: Claims Expert for Legal / Contractual Matters**

*Evaluation Criteria*

- *20 years of professional working experience: 1 Marks*".

We understand that score will be evaluated proportionately for e.g. if expert possesses 15 years of professional working experience then score should be allotted  $15/20 \times 1 = 0.75$  out of 1.

**Answer**

Please see the answer to question no.4. The same methodology for evaluation applies.

**Question 14**

**KE4: Claims Expert for Legal / Contractual Matters**

*Evaluation Criteria*

- *10 years international experience in contractual (FIDIC Red or Pink Books) legal matters: 1 Marks*".

We understand that score will be evaluated proportionately for e.g. if expert covers 06 years of international experience then score should be allotted  $06/10 \times 1 = 0.60$  out of 1.

**Answer**

Please see the answer to question no.4. The same methodology for evaluation applies.

**Question 15**

***"Section 2: Instructions to Consultants and Data Sheet A. General Provisions:***

*An authorized representative of the consultant shall sign the original submission letter in the required format for both the Technical Proposal and if applicable the Financial proposals and shall initial all pages of both. The authorization shall be in the form of a written power of attorney attached to the Technical Proposal".*

We understood that original signatures of the authorized representative are required on both the Technical and Financial proposal. As our partners are located in different countries so it would be bit difficult to arrange the original signatures of each partner and courier the proposal as it will take time to reach it to the client. So, we request you to allow scanned signatures of authorized representative.

**Answer**

As stated in Section 2: Instruction to Consultants, ITC 17.4.1: *"A Proposal submitted by a Joint Venture shall be signed by all members so as to be legally binding on all members, or by an authorized representative who has a written power of attorney signed by each member's authorized representative"*.

The original of the written power of attorney shall be submitted with the Technical Proposals.

No scanned signatures are allowed.

**Question 16**

***“Section 2: Instructions to Consultants- Data Sheet Clause 17.7 and 17.9  
The proposal must be submitted no later than: Date: 07 October 2024”.***

Please extend the date of submission by 3 weeks.

**Answer**

The submission date is extended by October 25<sup>th</sup>, 2024 through the Addendum no.1 issued on the even date with these clarifications.