



Republic of Serbia

MINISTRY OF FINANCE

Department for Contracting and Financing of EU Funded Programmes (CFCU)

Belgrade, June 15, 2021

CONTRACTING AUTHORITY'S CLARIFICATIONS No. 6

“Construction of Gas Interconnector Serbia-Bulgaria on the Serbian territory”

Tender Ref. n.: NEAR/BEG/2021/EA-OP/0032

No.	Question	Answer
1.	<p>Subject: Request for extension of Bid submission date</p> <p>Description: Due to ongoing COVID 19 pandemic, Bidder has adopted remote working for all its employees. Bidder follows Task force concept for each of its projects. Due to current situation, it is taking time to collate and submit a comprehensive and competitive offer, hence Bidder requests for further extension of at least 8-9 weeks to put up extremely competitive bid. Kindly confirm.</p>	<p>Please refer to Corrigendum to Contract Notice, with notice publication number in the OJ S 2021/S 109-286284, published on 08/06/2021.</p> <p>Also, please refer to Corrigendum to CN, Section VII.2), B, regarding corrections and modifications of the Tender Dossier, Instructions to Tenderers (Volume 1, Section 1, d4b_itt_en), Section 1.2. Timetable, published on TED eTendering website and CFCU website on 04/06/2021. Deadline for submitting tenders is 29 June 2021, 15:00 CET. Deadline for submission of tenders was already postponed by means of the Corrigendum. No further extensions of the submission deadline are expected.</p>
2.	<p>Subject: Clarification request_10.05.2021</p> <p>Description:</p> <p>1. In Volume 3 Technical Specification, point 5. Contractor's Personnel (FIDIC Sub-clause 6.9), it is requested that Cathodic protection installers have the university degree in electrical engineering license (350, 352, 450) and Certificate for Pin brazing. The request that the electrical engineer has the PIN brazing certificate is not logical, since the pin brazing is usually performed by the skilled workers for installation, not by electrical engineers. In order to employ the qualified staff to execute the</p>	<p>1. Please refer to Clarifications No. 3, Answer No. 13.</p> <p>2. With reference to your question related to the technical specifications of the equipment's (electrical, fiber optic, cathodes protection systems) please note the Volume 3, Technical Specifications, Section 6. Detail Technical Specifications. Datasheets are not available.</p> <p>3. Related to the process documents, please also note the Volume 5, Drawings No 460</p>



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	<p>works, please, confirm that it will be acceptable that instead of electrical engineer, the skilled worker (with III degree - Three-year professional school or IV degree - Four-year professional school) possess the Certificate for Pin brazing.</p> <p>2. Apart from some drawings, do you have also technical specifications/datasheets of the equipment's (related to electrical, fiber optic, cathodes protection systems)?</p> <p>3. Process documents - not available (only preliminary /basic P&IDs in mechanical docs).</p> <p>4. Automation documents - not available. No reference to automation/instrumentation. There is no process/safety control included in this project or field device signals that should be integrated into a main automation system?</p> <p>5. The project documentation was issued for basic design/ feed or detail design phase? Submission Date: 10/05/2021 12:45</p>	<p>to 487 (21_18-1-T-5_2.1 Telecomun. and signal installation design - telemetry gaspipeline MG10), Volume 3, Technical Specification, Section 6.5.2. Telecommunication and signal installation design – telemetry, Volume 4, 5.2 Telecommunication and signal installation design – telemetry.</p> <p>4. The scope of works does not include any form of development of any type of software module. Required devices to be shipped with the manufacturer's operating system only. The scope of works does not include any form of process control or security developing. The integration of the equipment delivered under this Works Contract into the existing SCADA system "Transportgas Serbia" is not the subject / scope of this tender.</p> <p>5. The issued project documentation is Detail design (PZI).</p>
3.	<p>Subject: Construction of Gas Interconnector Serbia – Bulgaria on the Serbian Territory - Questions Description:</p> <p>1. As per Tender dossier, Volume 3, document "Technical specification.docx" there is stated connection of Metering stations to SCADA. Unfortunately, connection to SCADA details are missing and it is unclear scope of project delivery for this portion. Please clarify is it part of project of Telemetry system – connection to existing "Transportgas Srbija" SCADA already executed project and financed by IPA fund?</p> <p>2. If connection to existing Transportgas Srbija SCADA is project subject, please clarify is all SCADA modules (already functional in Transportgas Srbija) need to be integrated: - SCADA visualization, alarm and remote control</p>	<p>1. SCADA system software is not subject of scope of works. The tender documentation describes the hardware of the SCADA system that needs to be delivered as part of the delivery under this Works Contract. The scope of works is the appropriate hardware described in tender documentation that needs to be implemented in the existing SCADA system "Transportgas Srbija" software. Implementation and installation of SCADA system software is not subject of scope of works. The scope of works includes installation/montage of hardware and proper connection of modules according to the instructions of the hardware manufacturer.</p> <p>2. Please refer to the answer bellow.</p>



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	<p>-SCADA mathematical modeling for line pack gas calculation -Integration to existing fiscal metering platform -maintenance module integration</p> <p>3. For Remote measurement on Metering Stations (MS) and Metering and Regulating Stations (MRS) it is usual way to Log events with time stamp. In case of communication loss, data could be retrieved. From proposed solution is unclear does telemetry control cabinets shall be designed to perform data log locally as per IEC 60870-5-104 to avoid data loss in case of communication breakdown. From the drawings related to telemetry control cabinets “Drawings No 460 to 487 (21_18-1-T-5_2.1 Telecomun. and signal installation design - telemetry gaspipeline MG10).pdf” it is unclear whether is provided data log events for the case of communication loss.</p>	<p>3. No part of the SCADA software is the subject of scope of works. The scope of works is only the delivery of equipment that needs to be implemented in the existing SCADA system "Transportgas Srbija".</p> <p>Loss of communication and any other event is recorded in the manner regulated in the existing SCADA system "Transportgas Srbija" software and is not the subject of scope of works. The subject of scope of works is the procurement of equipment that needs to be implemented in the existing SCADA system "Transportgas Srbija".</p> <p>Delivery of equipment is according to the given characteristics where an example of delivery equipment or appropriate equipment is given.</p> <p>In any case, the data is stored both locally and in case of loss of communication can be retrieved later. Data warehousing or any other software implementation is not the subject of scope of works. The scope of works includes installation/montage of hardware and proper connection of modules according to the instructions of the hardware manufacturer.</p>
4.	<p>Subject: Missing Documents</p> <p>Description: We have reviewed the already provided response to question no.10 stated in Clarification No. 2. However, unfortunately, it's not possible to acquire sound quotations from vendors for valves, actuators, pipes and related equipment with the data enclosed in the referred document. We kindly ask you to please provide the</p> <ol style="list-style-type: none">1) Material Specifications,2) Material Requisitions,3) Data Sheets (for applicable equipment/materials only).	<p>The tender documentation does not contain data organized in this way, but the Volume 3, Technical Specifications contains sufficient description of the equipment with appropriate standards, norms and technical characteristics, which were also described in the mentioned answer No. 10 in Clarification No. 2.</p>



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5.	<p>Subject: Technical Specification-Hydraulic Test Description: "The Contractor shall carry out the pressure testing of gas pipeline with auxiliary facilities and measure and regulating stations in accordance with EN 12327 and Rulebook of the conditions for the unobstructed and safe transport of natural gas by gas pipelines with pressure exceeding 16 bar (Official Gazette of the Republic of Serbia number 37/2013 and 87/2015). " Regarding this paragraph, shall this test be performed by a third party or can be performed by the Contractor with the Client final approval?</p>	<p>The obligation of Contractor is the pressure testing of gas pipeline with auxiliary facilities and measure and regulating stations in accordance with SRPS EN 12327 and Rulebook of the conditions for the unobstructed and safe transport of natural gas by gas pipelines with pressure exceeding 16 bar (Official Gazette of the Republic of Serbia number 37/2013 and 87/2015).</p>
6.	<p>Subject: Request for extension of Bid submission date Description: Due to COVID 19 pandemic, all Team members are working remotely. Company follows task force concept. To coordinate and submit most competitive offer, Bidder hereby requests for extension of Bid submission date by another 10 weeks from 15.06.2021. Kindly confirm.</p>	<p>Please refer to Answer No. 1.</p>
7.	<p>Subject: Request for extension to the tender submission date Description: The suppliers of goods and subcontractors that Tenderer is inquiring are facing difficulties to prepare their price estimation based on the documentation available in the tender dossier. Due to the complexity of the scope of work, Tenderer is concerned that it has not been given sufficient time to prepare a sound proposal. Tenderer is kindly asking for an extension to the tender submission date of at least 6 weeks.</p>	<p>Please refer to Answer No. 1.</p>
8.	<p>Subject: Content of the detailed design Description: Reference is made to Volume 3, Technical Specifications under heading 1. Specification, Drawings and Design: "The Detailed Design (Projekat za izvođenje, Serbiavisin acronym is PZI) is: in Serbian DVOSMERNI MAGISTRALNI GASOVOD</p>	<p>The Detailed Design (PZI) has been made in accordance with Serbian law for planning and construction and appropriate Rulebooks, it contains all necessary information required for works execution (not organized in the requested way).</p>



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	<p>MG10 NIS – DIMITROVGRAD (INTERKONEKTOR BUGARSKA SRBIJA), listed in Volume 5. Section 5.2, available for inspection made by Delta inženjering, Belgrade, Serbia. Works shall be carry out according to, in order of precedence, Specifications, Drawings and the Detail Design. After Contract signing, Detail Design will be delivered in the digital copy to the Contractor.” Please can Company provide the list and description of documents that are included in this detailed design? Does it contain all required documentation required for works execution, such as:</p> <ul style="list-style-type: none">- Calculation notes- Equipment List- Inspection and Test Plans- Material Specifications- Material Requisitions- Material Selection Diagrams- Material Data sheets- Cable List- Cable routing- Wiring and termination drawings- Piping isometrics- Piping supports drawings- General Arrangement Drawings - Etc.	
9.	<p>Subject: Extra easements and areas for temporary facilities Description: In addition to the available Right of Way (12m wide on each side of the interconnector), some additional easements will be required for some particular works, such as crossings. Tenderer did not find any mention of the availability of these additional easements. Tenderer assumes that the required extra workspace will be available during construction free of charges. Please can Company confirm? Can Company also clarify whose responsibility it is to find and make available the areas for temporary facilities (such as mechanical yards and pipeline storage areas) and who shall bear the associated costs?</p>	<p>Please refer to Clarifications No. 3, Answer No. 79.</p>



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10.	<p>Subject: Permitting Description: Reference is made to Contract Particular Conditions clause 4.27: The Contractor shall obtain at his own cost and deliver in both the Serbian and English language, in both hard copy and electronic format all permits, licenses and approvals, as required by the Laws in relation to the design, execution and completion of the Works Please can Company provide the list of the permits to be taken into consideration by Tenderer?</p>	<p>Please refer to Volume 3, Technical Specification, Section 2.11 Coordination and approvals.</p>
11.	<p>Subject: Eligible country Description: Dear Sirs, Please confirm if Serbia is eligible as country of origin for supplies over 100.000,00 euro Also, please submit the list of eligible countries. Thank You in advance.</p>	<p>As IPA II beneficiary, Serbia is eligible country of origin for supplies over 100.000,00 euro. For additional information and the list of eligible country, please refer to Clarifications No.2, Answer No. 3.</p>
12.	<p>Subject: Time Extension Description: We kindly request from the Company to grant a 6 week time extension on the tender closing date please. Your kind permission will be highly appreciated.</p>	<p>Please refer to Answer No. 1.</p>
13.	<p>Subject: Volume 3 Technical Specification, point 5. Contractor's Personnel (FIDIC Sub-clause 6.9) Description: In Volume 3 Technical Specification, point 5. Contractor's Personnel (FIDIC Sub-clause 6.9), it is requested to employ Site managers/responsible contractors as per Serbian Planning and Construction Law with University degree in civil / mechanical / electrical engineering and the licenses 410 or 411/ 430 /450, that must have specific professional experience as a site manager of at least 1 project for construction of a new or reconstruction of an existing gas or heating or oil pipeline with a length of minimum 10 km continuous section, minimum nominal diameter 500 mm and working pressure higher than 1.6</p>	<p>We do not confirm that less than 10 km length of continuous section is acceptable.</p>



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	<p>MPa, which is put into operation (use permit or similar).</p> <p>In the past 18 years (since the rules with personal licensees according to Serbian Law are introduced) there have been just few projects with requested characteristics, especially the length of minimum 10 km continuous section, therefore it is very difficult to have the site managers with this experience and licenses. In order to have more competitive bidding process for this tender, please consider lowering the criteria for the minimum length of continuous section by 10%, for example 9 km of pipeline with same characteristics, that is put in operation. Please, confirm that more than Please confirm that 9 km or more would be also acceptable.</p>	
14.	<p>Subject: Clarification meeting Minute of meeting & acknowledgement form (if any) Description: As per Volume I - section 1: "6.2. A clarification meeting will be held by the contracting authority (date, time and place, see the additional information about the contract notice). 6.3. The minutes of the clarification meeting will be published on TED eTendering website accessible through the F&T portal at https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home and on CFCU website at http://www.cfcu.gov.rs/tenderi.php" Please confirm that meeting have been held on 26th April. If yes, please share the MoM in order to check if some important items have been discussed. Furthermore, please highlights if, from Contracting Authority point of view, Bidder shall submit some document or form of acknowledgement in order to be "allowed" to submit the Tender on 15th June.</p>	<p>The online information meeting was held on April 26, 2021.</p> <p>The documentation related the information meeting was published and can be accessed through the following links: Info meeting 26042021 - Presentation, Info meeting 26042021 - List of Companies, Info meeting 26042021 - Minutes of meeting and http://www.cfcu.gov.rs/tender.php?id=593.</p> <p>The information meeting was optional. Participation in the meeting is not condition for submission of Tender.</p>
15.	<p>Subject: Handover protocol copy Description: Dear Sir, on March 12, 2021 our employee - XXX (representative of YYY),</p>	<p>The Contracting Authority cannot sent the copy of the document to the tenderer by email. Please note that the</p>



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	<p>personally at the reception received a CD with tender: PUBLICATION REF.: NEAR/BEG/2021/EA-OP/0032, and, unfortunately, he did not receive the handover protocol, since was printed only in 1 Copy. If it is not a problem, may you share a copy by mail (ZZZ@QQQ)? I take advantage to introduce myself as Focal Point for this Tender. Regards</p>	<p>acknowledgments of receipt of the CD ROM containing the tender dossier, which have been signed by the persons who received the CD ROM on behalf of the potential tenderers, are only for the records of the Contracting Authority and its registry. This the reason that there was only one original of the document for the registry of the Contracting Authority.</p>
16.	<p>Subject: Technical specification, 5. Contractor's Personnel Description: In the Volume 3 – Technical specification, 5. Contractor's Personnel it is specified that contractors personnel must include: 9. Cathodic protection installers Qualifications and skills: University degree in electrical engineering or equivalent qualification. Engineering license valid in Serbia (No.: 350, 352, 450 or 452) General professional experience Minimum 10 years of experience in construction of infrastructure projects. Specific professional experience Must have Certificate for Pin brazing. The requirement for a cathodic protection installer to have a degree in electrical engineering is not in accordance with the type of work he shall perform. Certificate for pin brazing can be obtained by an installer who has appropriate skills regardless of his education, i.e. he can have high a school diploma and obtain pin brazing certificate and this is enough in practice to qualify him for this position. Please clarify if the university diploma and licenses (350,352 and 450) for this position are requested by mistake? Please consider deleting part related to university diploma and licenses requirements for this position.</p>	<p>Please refer to Clarifications No. 3, Answer No. 13.</p>
17.	<p>Subject: Technical specification, underground valves Description: Please provide stem extension length for the underground valves for this project.</p>	<p>The stem extension length for the underground valves is 1,80 - 2,00 m.</p>



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18.	<p>Subject: SECTION 2_General Conditions SECTION 3_Particular Conditions of Contract Description: With reference to art. 1.8 - Care and supply of documents Tenderer understanding is that, in case of error in Employer/Engineer's drawings, Contractor is entitled, subject to SubClause 20.2 [Claims For Payment and/or EOT], to EOT and/or payment of such cost. Client to confirm.</p>	<p>As per Sub-clause 20.1:” <i>If the Contractor considers himself to be entitled ... <u>under any Clause of these Conditions</u> ... the Contractor shall give notice to the Engineer ...</i>”</p> <p>Whether the Contractor is indeed entitled to any extension of the Time for Completion and/or any additional payment is determined following procedure in accordance with the Contract.</p> <p>We understand that you wanted to refer to Sub-Clause 20.1 and not to 20.2.</p>
19.	<p>Subject: SECTION 2_General Conditions SECTION 3_Particular Conditions of Contract Description: With reference to art. 4.15 - Access Route Tenderer understanding is that Employer/Engineer will provide approval to Contractor's notice within a reasonable time of 15 days. Client to confirm.</p>	<p>We do not confirm. Engineer approval is not required. Please note the Volume 2, SECTION 3_Particular Conditions of Contract, article 4.15 - Access Route, “The Contractor shall inform the Engineer in due time which shall be not less than 7 days in writing before commencing such works in order that the Engineer may arrange adequate supervision and safety precautions.”</p>
20.	<p>Subject: SECTION 2_General Conditions SECTION 3_Particular Conditions of Contract Description: With reference to art. 18.1 - Exceptional events Tenderer deems that following items should be included in above mentioned article: f) epidemic or pandemic including the Covid-19 pandemic g) natural catastrophes such as earthquake, tsunami, volcanic activity, hurricane, typhoon Client to confirm.</p>	<p>We do not confirm. We understand that you refer to Sub-Clause 19.1 Definition of Force Majeure, in which the exceptional events are listed.</p> <ul style="list-style-type: none">• Covid-19 pandemic is not Force Majeure any more. Any potential implications of any possible situation caused bu Covid-19 are regulated by other FIDIC General Conditions of Contract subject to concrete circumstances during the works implementation.• Natural catastrophes such as earthquake, hurricane, typhoon or



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		volcanic activity are already in this Sub-Clause.
21.	<p>Subject: SECTION 2_General Conditions SECTION 3_Particular Conditions of Contract Description: With reference to art. 20.2 - Appointment of the Dispute Adjudication Board Considering the international nature of the Tender, Tenderer prefer that arbitration language should be english. Client to confirm that this clause can be amended accordingly.</p>	<p>Please note that Sub-Clause 20.2 explains adjudication. Arbitration is dealt with in Sub-Clause 20.6. Adjudication under Sub-clause 20.2 is carried out in English unless both parties agree otherwise. According to the Sub-Clause 20.2 if each of the parties in the dispute is from Serbia, the parties may agree to a Dispute Adjudication Board in Serbia comprising Serbian Adjudicators, using the Serbian language.</p> <p>According to the Sub-Clause 20.6 in case that the Serbian legislation in force at the time of dispute allow the settlement of such disputes in arbitration, parties could enter into an arbitration agreement choosing the settlement of the dispute by arbitration and not by the courts of law. In that case the arbitration language could be English which is subject to agreement of both parties.</p>
22.	<p>Subject: SECTION 2_General Conditions SECTION 3_Particular Conditions of Contract Description: With reference to art. 20.6 - Arbitration Client to advise if clause 20.6 - Arbitration acn be modified as follows: "Unless settled amicably, any dispute in respect of which the DAB's decision (if any) has not become final and binding shall be finally settled by international arbitration. Unless otherwise agreed by both Parties: (a) the dispute shall be finally settled under the Rules of Arbitration of the International Chamber of Commerce of Paris and shall take place in Paris, (b) the dispute shall be settled by three arbitrators appointed in accordance with these Rules, and (c) the arbitration shall be conducted in the language for communications defined in Sub-Clause 1.4 [Law and Language]. The arbitrator(s) shall have full</p>	No, Sub-clause 20.6 cannot be modified.



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	<p>power to open up, review and revise any certificate, determination, instruction, opinion or valuation of the Engineer, and any decision of the DAB, relevant to the dispute. Nothing shall disqualify the Engineer from being called as a witness and giving evidence before the arbitrator(s) on any matter whatsoever relevant to the dispute. Neither Party shall be limited in the proceedings before the arbitrator(s) to the evidence or arguments previously put before the DAB to obtain its decision, or to the reasons for dissatisfaction given in its notice of dissatisfaction. Any decision of the DAB shall be admissible in evidence in the arbitration. Arbitration may be commenced prior to or after completion of the Works. The obligations of the Parties and the DAB shall not be altered by reason of any arbitration being conducted during the progress of the Works."</p>	
23.	<p>We are non-destructive testing (NDT) lab. For this project (Construction of Gas Interconnector Serbia – Bulgaria on the Serbian territory) many competitors asked us to participate as subcontractor for NDT. Is it allowed to be subcontractor for several companies? The original request was submitted to the email address cfcu.questions@mfin.gov.rs.</p>	<p>Please refer to the Instructions to Tenderers, Section 4: <i>“The same company may only participate as subcontractor in different tenders if that is justified by the specific nature of the market and cleared by the contracting authority.”</i> There is no specific nature of the market to allow participation of the same Company as subcontractor in different tenders. Also, please refer to the Clarification No. 5, Answer No. 53 regarding the fulfillment of selection criteria. Additionally, please refer to the Clarifications No.1 Answer No.2 regarding submission of any request for additional information.</p>
24.	<p>Subject: RFC for Tender: Construction of Gas Interconnector Serbia – Bulgaria on the Serbian Territory – Description: What is the minimum insurance coverage amount for Works and Contractor’s Equipment (18.2) policy?</p>	<p>The minimum insurance coverage amount for Works and Contractor’s Equipment must fulfill requirements in General Conditions of Contract, Sub-Clause 18.2.</p>
25.	<p>Subject: RFC for Tender: Construction of Gas Interconnector Serbia – Bulgaria on</p>	<p>The possibility of reduction of the amount of the Advance payment guarantee is</p>



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	<p>the Serbian Territory - Description: Contractor requires the possibility to reduce the advance bank guarantee on monthly basis related to monthly advance payments made by Client</p>	<p>described in the General Conditions of Contract, Sub-Clause 14.2.</p>
26.	<p>Subject: RFC for Construction of Gas Interconnector Serbia – Bulgaria on the Serbian Territory Description: The Red FIDIC states that the period of validity of guarantees is 70 days longer than the period of implementation of the Agreement, while in the drafts from the documentation it is 18 months longer than the period of implementation of the Agreement. Please clarify.</p>	<p>The duration of the guarantees validity shall be as specified on each of the bank guarantee templates provided in the TD Volume 2 Section 4 to 6. Please take into account the footnotes in the guarantee templates. The inclusion of an expiry date within a maximum of 18 months after implementation period should be done only where required, for example where the law applicable to the guarantee stipulates a precise expiry date or where the guarantor can justify that he is unable to provide such a guarantee without expiry date.</p>
27.	<p>Subject: Extension of offer submission date Description: Taking into consideration the importance and complexity of this tender and involvement of different disciplines, we kindly request from You to extend the deadline for submission of tenders for a period of minimum 60 days. Thank You in advance.</p>	<p>Please refer to Answer No. 1.</p>
28.	<p>Subject: Contractor's Personnel as per Technical Specification Description: 1. Is requirement that refers to list of Contractor's Personnel as per Technical Specification, Section 5 eliminatory criterion? 2. Contractor's Personnel – Technical Specification, Section 5 Considering the fact that FIDIC 6.9 doesn't proscribe Serbian licenses in tender procedure, please, explain Your justification for insisting on Serbian licenses in this phase. Insisting on engineers with Serbian licenses and experience as site manager during construction of pipeline nominal diameter 500 mm and working pressure higher than 1.6 MPa, which is put into operation, in tendering phase eliminates significant international EPC</p>	<p>1. Please refer to Corrigendum to CN, Section VII.2), B, regarding corrections and modifications of the Tender Dossier, Annex d4k_Technical Offer Form 4.6 (Volume 1 Section 4, d4k_techofferform_4dot6_en), Form 4.6.1.2 Staff to be employed on the contract and Annex 1 to this Corrigendum "VOLUME 1 Section 4 Form 4.6.1.2 - replaces version 09032021" as well as corrections and modifications of the Tender Dossier, Technical Specifications (Volume 3, Technical Specifications), Section 5, Contractor's Personnel, published on TED eTendering website and CFCU website on 04/06/2021.</p>



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	<p>contractors and considering the fact that condition fulfils few engineers in Serbia (which restrict potential Bidder to engage them) leads to a conclusion that the tender requirements puts in a privileged position and favors few companies and thus violates the principle of competitiveness.</p> <p>3. Please, consider to allow Tenderer to fulfil this requirement in case of winning the job and to submit relevant documentation in contract signing phase? Thank You in advance.</p>	<p>The requirements for Contractor's Personnel defined by Volume 3, Technical Specification, Section 5 are not eliminatory criterion.</p> <p>2. Please refer the Clarifications No.5 Answer 52.</p> <p>3. Please refer the Clarifications No.5 Answer 52.</p>
29.	<p>Submission Date: 17/05/2021 18:49 Subject: Tender dossier Description:</p> <p>1. What is the difference between subcontractor and capacity provider?</p> <p>2. In case that is accepted that subcontractor fulfils requested capacity which documentation is necessary to be submitted for him?</p> <p>3. In case of joint participation, Should each forms, specified in Volume 1, Section 4 – Questionnaire, be fulfilled by separately by Leader and each member or jointly ?</p> <p>4. Is it necessary to forms, specified in Volume 1, Section 4 – Questionnaire, be fulfilled by subcontractor/capacity provider? Thank You in advance</p>	<p>1. Subcontracting is the situation where a contract has been or is to be established between the contracting authority and a contractor only and where the contractor or tenderer, in order to carry out that contract, enters into legal commitments with other entities for performing parts of the contract. <u>The contracting authority has no direct legal commitment with the subcontractor(s).</u> In practice, any third party involved in the contract implementation which has no legal link with the contracting authority but with the contractor will be considered as subcontractor. Subcontracting can be proposed at tendering stage or during implementation in accordance with General Conditions.</p> <p>A capacity provider is a third party on whose capacity the Contractor may rely for economic and financial capacity, professional or technical capacity thus leading the contractor to fulfilling the required selection criteria. The contracting authority may require that the <u>capacity provider be jointly liable for performance of the contract.</u> In practice this third party will be required to sign the contract (become a contractor) or, alternatively, commits itself to execute the contract jointly and severally with the contractor by providing a letter or intent to that effect. If</p>



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		<p>the tenderer relies on the capacity of a third party for technical and professional capacity, it can only do so for the tasks for which this particular capacity is required. A capacity provider leading to the compliance with the selection criteria by the tenderer can only be proposed at tendering stage, not during implementation.</p> <p>2. Please refer to provisions of point 3 of the Instructions to Tenderers.</p> <p>3. Please note Volume 1, Section 4, Questionnaire, Additional Notice to Tenderers, under item 7, which states:</p> <p><i>“Each member of a joint venture/consortium must fill in and submit separately the following forms: 4.1, 4.2, 4.3, 4.4, 4.5b, 4.6.1.1, 4.6.4, 4.6.6. All other forms must be filled in and submitted jointly.”</i></p> <p>4. Subcontractors and capacity providers do not need to fill in the forms except:</p> <ul style="list-style-type: none">- where data on subcontractors is specifically required, form 4.6.3(4)- capacity provider must provide the documents requested in ITT.
30.	<p>Subject: Contracting Authority's Clarifications No.2</p> <p>Description: With reference to question number 16. Client to indicate the price item of BoQ where UXO activities, if any, has to be included.</p>	<p>Please refer Clarifications No.5 Answer No. 5.</p>
31.	<p>Subject: EN-4.1 Electrical design - gas pipeline cathodic protection</p> <p>Description: With reference to item: - 3.3 - 3.4 - 3.5 - 3.6 - 3.8 unit of measurement is m2 (squadre meter). As per Tenderer understanding, unit of</p>	<p>Please refer to Corrigendum to CN, Section VII.2), B, regarding corrections and modifications of the Tender Dossier, BoQ_4.1 (Volume 4, 4.1, Electrical design - gas pipeline) and Annex 6 to this Corrigendum “BoQ_4.1 - replaces version</p>



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	<p>measurement for such activities - excavation - should be m3 (cubic meter). Client to clarify.</p>	<p>09032021” published on TED eTendering website and CFCU website on 04/06/2021.</p> <p>In Volume 4, BoQ 4.1 Electrical design - gas pipeline cathodic protection, for items 3.3 - 3.4 - 3.5 - 3.6 - 3.8 :</p> <p>Instead of: unit of measurement in m2 Read: unit of measurement in m³</p>
32.	<p>Subject: Regarding the requirement in 12.2, b), 1) of the “Instructions to tenderers” as follows: “Tenderer must have the following licences issued by the Ministry of Construction, Transport and Infrastructure:</p> <p>Description:</p> <ul style="list-style-type: none">• Regarding the requirement in 12.2, b), 1) of the “Instructions to tenderers” as follows: “Tenderer must have the following licences issued by the Ministry of Construction, Transport and Infrastructure: - I031M1 (И031M1 in Serbian Cyrillic) – construction of gas installation - I030G1 (И030Г1 in Serbian Cyrillic) - construction of gas structures” And The remark: “Any contractor working in Serbia must possess the local licences. Foreign companies may establish a branch company in Serbia and enter into the procedure for licencing. Otherwise, foreign companies can establish a consortium or a Joint Venture with local company(s) which is/are already licenced.”, PLEASE CLARIFY:<ol style="list-style-type: none">1. To meet this requirement, is it enough If the Tenderer has entered into this procedure, but not already finished it?In other words – is it possible for the Tenderer to submit an offer with a confirmation that the process of receiving the abovementioned licenses is started and what document would the Employer consider a proof of that circumstance?2. If it is possible for the Tenderer to submit an offer with declaration (or other document appointed by the Employer) that these licenses will be obtained if the Tenderer’s offer wins the	<ol style="list-style-type: none">1. Kindly note that that is not sufficient only to enter into procedure for obtaining the licences. The tenderer must satisfy technical and professional criteria during the tendering phase. Please note that reliance on the capacity of other entities including subcontractors is allowed in accordance with provisions of 12.2 of ITT as described in more detail in answer 53 of Clarifications no. 5. Please note that the selection criteria remains unchanged, Tenderer can obtain Licences on his own in accordance with Serbian laws or make a joint bid or may rely on capacity providing entities for necessary licenses and certificates. Also, please refer to Clarification No. 5, Answer No. 53.2. Kindly note that this is not acceptable.3. Please contact the Ministry of Construction, Transport and Infrastructure for the company licenses.4. Please note that this would not be sufficient.



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	<p>tender. (if tenderer doesn't win, he will not work in Serbia and will not need these licenses) 3. what is the procedure of obtaining these licenses according to Serbian legislation.</p> <p>4. if the Tenderer is a member of EU and have valid licenses for construction of gas installation and gas structures issued in the country that the Tenderer is established, would that be considered by the employer enough for the Tenderer to meet the abovementioned requirements or would that be at least opportunity for shorter and easier procedure (type of recognition of legal capacity) of obtaining the required licenses (under 12.2, b), 1).</p>	
33.	<p>Subject: 'Volume 1 Section 1: Instruction to Tenderers</p> <p>Description: Considering the huge number of raised queries whose answer is still pending and the difficulties to collect reliable market information due to COVID19 restrictions, Tenderer is compelled to require a 15 days extension of proposal submission date.</p>	Please refer to Answer No.1.
34.	<p>Description: In the part of the BoQ "2.1 Construction design of gas pipeline route and accompanying facilities - block valve stations and launching scrapers", sheet "0 – Open route" in lines 78 and 79 there is an item: 3.1. Work Pipe Weight Increase Due to Floating Procurement and installation of ballast to prevent floatation of the working pipe in case of high groundwater level. The weight of one piece of ballast is 1.975 t (cross-sectional surface 0.79m² and length 1.0m) and are mounted on a wheelbase of 4.8m. Ballast is made of MB25 concrete. The calculation is made per piece of manufactured and mounted ballast. Total: 1.05x(18+406+22+101+664+889+1589+5031+551+1249)=11046 piece 11.046,00 In the longitudinal sections, the locations of ballast are indicated and there are none along the entire route. Please be kind to check if the ballast count is several times higher than needed as the terrain is not included in the entirety, near the water flows (where there is a possibility of uplift, that</p>	We confirm that ballast count is correct.



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	is, where there are high levels of subterranean waters) and be kind to submit us modifications, if any.	
35.	<p>Subject: Bill of Quantities</p> <p>Description: In the part of the BoQ "2.1 Construction design of gas pipeline route and accompanying facilities - block valve stations and launching scrapers", sheet "0 – Open route" in lines 136 and 137 there is an Item: 6.2. Fitting the polyethylene sheath to the ballast assembly points Procurement and installation of a 10 mm thick polyethylene sheath at the concrete ballast mounting points. The calculation is made per m² of the sheath. Total: 0.711x3.14x4.0x11046=98642 m² 98.642,00 In this Item, it has been provided that polyethylene stripe is placed along the entire scope of pipes. Is 4.00m stripe length required? Is it necessary to place the stripe along the entire scope of pipe, and to make the contact between steel pipe and weight only via upper half of the steel pipe? Considering that we are discussing industrial polyethylene, th=10mm which is hard to bend and weld, is there an alternative option regarding the material placement (geotextile etc) or thinner width?</p>	<p>The Volume 4, Bill of Quantities "2.1 Construction design of gas pipeline route and accompanying facilities - block valve stations and launching scrapers", sheet "0 – Open route" item: 6.2. Fitting the polyethylene sheath to the ballast assembly points Procurement and installation of a 10 mm thick polyethylene sheath at the concrete ballast mounting points remains unchanged.</p>
36.	<p>Subject: Bill of Quantities</p> <p>Description: In the part of the BoQ "2.1 Construction design of gas pipeline route and accompanying facilities - block valve stations and launching scrapers", sheet "0 – Open route" in lines 69 and 70 there is an Item: 2.4. Backfilling of the Trench Backfilling of the trench by mechanical and manual way in layers of 20 - 30 cm gravel and excavation material. The poured material must be small, with no lumps or frozen pieces. Each layer is individually compacted with vibrating plates to the required compaction. At 30 cm from the upper edge of the trench, a yellow warning strip should be attached (in all according to the design) and then the trench should be filled to the end. The calculation is made per m³ of filled material. Total: m³ 304.334,99 Filling with layers of 20-30 cm thick</p>	<p>Please refer to Corrigendum to CN, Section VII.2), B, regarding corrections and modifications of the Tender Dossier, BoQ_2.1 (Volume 4, 2.1 Construction design of gas pipeline rout and accompanying facilities - block valve stations and launching scrapers) and Annex 4 to this Corrigendum "BoQ_2.1 - replaces version 09032021" published on TED eTendering website and CFCU website on 04/06/2021.</p> <p>There is no necessity to have gravel in the description of position.</p>



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	<p>gravel and excavated soil is intended at this Item. Considering that this route leads outside traffic roads, please be kind to check if there is a necessity to have “gravel” in the description of position, as gravel is used to fill parts of the route which lead below pavement structures and this area is in “green belt” outside roads.</p>	<p>In the Volume 4, Bill of Quantities, 2.1 Construction design of gas pipeline route and accompanying facilities - block valve stations and launching scrapers”, sheet 0-Open route, item 2.4. Backfilling of the Trench Backfilling</p> <p>Instead of the “gravel and excavation material”</p> <p>Read: “material from the excavation.”</p>
37.	<p>Subject: Construction of Gas Interconnector Serbia – Bulgaria on the Serbian Territory Description: "In order to better understand the project and prepare the offer, please publish the Geotechnics Project and the Recultivation Project“.</p>	<p>Regarding Geotechnical Report please refer to Clarifications No. 2, Answer No. 7 and Clarifications No. 3, Answer No. 18.</p> <p>For Land recultivation plan please see in Volume 3, Technical Specification, Section 3.5 Environmental Management Plan (EMP), which states that EMP will specifically include Land reclamation plan with habitat preservation plan (Plana rekultivacije zemljišta sa planom zbrinjavanja staništa).</p>
38.	<p>Subject: Additional information in case Tenderer is a Consortium Description: Question 1. Considering that Tenderers is a consortium, can each of the members of the consortium provide bank guarantees in favor of the Investor for their part of the works so that the sum of the amounts of guarantees corresponds to the conditions of the tender? Or is it obligatory that in front of the consortium one participant gives complete grants in favor of the Investor?</p> <p>Question 2. Can the condition from point c) "Technical capacity of candidate" of the instructions for Tenderers (Volume 1, Section 1), be fulfilled by the consortium as a whole (any</p>	<p>1. Please refer to Clarifications No. 2, Answer No. 21, under item 6.</p> <p>2. Please note Volume 1, Section 1, Instruction to Tenderers, under item 12.2: <i>“If a tender is submitted by a consortium, unless specified, the selection criteria will be applied to the consortium as a whole.”</i></p>



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	member of consortium), or is it necessary for the leader of consortium to fulfill that condition?	
39.	<p>Subject: Clarification request 21.05.2021 Description: Sub-Clause 17.2 VOLUME 1 SECTION 1: INSTRUCTIONS TO TENDERERS Please clarify if the financial and technical offer should be placed together in one envelope and submitted like this or it should be put separately in two envelopes, and marked clearly as Financial Offer and Technical Offer, and then put together in another sealed envelope/package for final submission. If they should be placed in separate envelopes, please clearly indicate which documents should comprise Financial Offer and which documents should comprise Technical Offer. For example, where should Tender form be submitted because it contains the prices and eligibility criteria at the same time (Tender form, Annex 1 and Annex 2)? In which envelope should Bank Guarantee be submitted?</p> <p>Sub-Clause 1.13 [Compliance with Laws], as amended under the Particular Conditions Please clarify if the reference under SC 1.13, let (a) (...) or similar permission for the Permanent Works (...) also includes the building permit for the Permanent Works and any potential prior approvals, permits required for the issuance of the building permit.</p>	<p>With reference to Volume 1, Section 1, Instruction to Tenderers, under item 17.2, the technical and financial offers must be placed together in one sealed envelope.</p> <p>Please refer to Answer No.43.</p>
40.	<p>Subject: Clarification request 21.05.2021_part 2 Description: Sub-Clause 3.4 [Replacement of Engineer] With the Particular Conditions, this Sub-Clause was deleted. Please clarify if the correct interpretation is that the Engineer may not be replaced or the Engineer may be replaced without prior notice to the Contractor. Sub-Clause 3.5 [Determinations] According to Sub-Clause 3.5 (...) If agreement is not achieved, the Engineer shall make a fair determination in accordance with the Contract, taking due regard of all relevant circumstances. (...).</p>	<p>The Engineer may be replaced and the Employer will notify the Contactor about the replacement if it happens. The Contractor will not be given opportunity to raise objection against the replacement person. There is not any inconsistency. As the Sub-Clause 3.1 of the PCC clearly stated Engineer shall obtain specific approval of the Employer before taking action mentioned under the Sub-Clause 3.1</p>



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	<p>Under Sub-Clause 3.1 let (a), as amended by the Particular Conditions, the Engineer shall need the Employer's approval for (...) Agreeing or determining any matter, which will entitle the Contractor to an Extension of Time for Completion or change the Contract Price (...). Please clarify if there is an inconsistency regarding the envisaged independence of the Engineer when determining a matter and the obligation to obtain the Employer's approval prior to issuing a Determination.</p>	
41.	<p>Subject: Clarification request 21.05.2021_Part 3 Description: Sub-Clause 4.1 [Contractor's General Obligation] According to the amendment included in the Particular Conditions, (...) The Contractor shall acquaint himself with the position of all existing services such as drains, telephone cables, electricity lines and poles, water pipes, gas pipes and the like, before any excavation or other work, likely to affect the existing services is commenced. The Contractor will be liable for any damage to roads, drainage ditches, pipes, cables or services of any kind caused by him or his Sub-Contractors in the execution of the Works, and must make good any such damage at his own expense and to the complete satisfaction of the Engineer, within the time frame determined by the Engineer. (...) Kindly clarify if the existing services refer to over the surface, visible existing services or this also includes the sub-surface existing services. If the latter applies, please indicate what are reliable sources to assess their location. Sub-Clause 4.10 [Site Data] Please clarify if the additions of letter (f), (...) (f) existing utilities and infrastructure (...) Refers to the paragraph thesis of relating to above data, namely to the over the surface existing utilities/infrastructure and not to the sub-surface conditions.</p>	<p>Volume 2, Section 3, PCC 4.1 clearly says "<i>all existing utilities</i>". This includes the sub-surface existing services.</p> <p>The Contractor shall review the utility owner's conditions and other available documents, but ultimately the most reliable source will be the Contractor's own on-site investigation.</p> <p>Volume 2, Section 3, PCC 4.10 (f) refers to all existing utilities and infrastructure, including the sub-surface.</p>
42.	<p>Subject: Clarification request 21.05.2021_Part 4 Description: Sub-Clause 4.25 [Existing Services] According to SC 4.25, as added under the Particular Conditions, The Contractor shall acquaint himself with the position of all existing</p>	<p>Yes, the existing services include the sub-surface services. Please also see the answer number 41.</p>



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	<p>roads and services of any kind including drains, telephone, electricity lines and poles, water pipes, gas pipes and the like, before any excavation or other work likely to affect the existing services is commenced. (...) Please clarify if the Existing Services relate to sub-surface conditions as well. Also, please indicate the public sources which list the existing services at the Base Date.</p> <p>What are the Contractor's remedies if, after the Base Date, the Existing Services incur modifications. Sub-Clause 13.7 [Adjustments for Changes in Legislation] Please clarify if this Sub-Clause shall apply as included in the General Conditions of the Contract. Sub-Clause 13.8 [Adjustment for Changes in Cost] Please indicate if this Sub-Clause shall apply as included in the General Conditions of the Contract. Also, indicate, if the Contractor would be entitled for adjustments in case of changes in the cost of Material, Equipment and Plant used for the Permanent Works, occurred after the Base Date.</p>	<p>The question of Contractor' remedies is related to the purely hypothetical situation during the work implementation. Providing answer on it in not subject of clarification. All such situation (if any) will be governed by corresponding contract actual conditions during the contract implementation.</p>
43.	<p>Subject: Clarification request_21.05.2021_Part 5 Description: Sub-Clause 1.13 [Compliance with Laws], as amended under the Particular Conditions Please clarify if the reference under SC 1.13, let (a) (...) or similar permission for the Permanent Works (...) also includes the building permit for the Permanent Works and any potential prior approvals, permits required for the issuance of the building permit. Submission Date: 21/05/2021 11:46</p>	<p>The reference under SC 1.13, let (a) includes the building permit (Construction permit) for the Permanent Works and any potential prior approvals, permits required for the issuance of the building permit.</p> <p>The building permit (Construction permit) is obtained.</p>
44.	<p>Submission Date: 24/05/2021 15:48 Subject: Additional information about fulfilling the conditions Description: Question 1. In relation with point 6. fire Protection licensed specialist within the document Technical Specifications, we need the additional clarification. Can two different persons fulfill the Special condition (possession of Licence A and licence B)? Person with licence B5 would be electro engeneer. But, is it</p>	<ol style="list-style-type: none">1. We confirm that two different persons can fulfill the requirement regarding the possession of Licence A and licence B. A person licensed "A" (for fire protection design) could be any engineer or other profession that qualifies for the A license exam.2. The term relevant contracting authority refers to the contracting



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	<p>necessary for person who have A licence (for fire Safety designs) to be mechanical or electrical engineer, or that person could be some other profession (for example fire engineer), as it is common in Republic of Serbia?</p> <p>Question 2. In the form 4.6.4 by the point 4.6.4.2 it is defined "Please attach here available references and certificates from the relevant contracting authorities". Does the term "relevant contracting authorities" mean only the Primary Contracting Authority or it can be a Secondary Contracting Authority - second in the contractor's hierarchy and with whom the potential bidder in this tender has a signed contract?</p>	<p>authority/employer for the reference works contract.</p>
45.	<p>Subject: Deadline Extension</p> <p>Description: Dear Madame/Sir, We hereby kindly request a deadline extension of 4 weeks in order to provide a more accurate and competitive offer. Thanks for the support.</p>	<p>Please refer to Answer No. 1.</p>
46.	<p>Subject: Sealing, Marking and submitting Tender</p> <p>Description: Dear Madame/Sir, please clarify:</p> <ol style="list-style-type: none">1. which points of ITT point 12 shall be included under Financial Offer and Technical Offer.2. under 17.1 it is not clear if we shall provide separate CD ROM for technical and commercial or we shall provide everything together.3. under 17.2 it is not clear if the technical and financial offer shall be placed together or in a separate envelopes.	<ol style="list-style-type: none">1. Technical Offer must comprise all documentations specified under 12.1 and 12.2 of ITT. Also please refer to point 12.3 for further information. For the Financial Offer please refer to Volume 4.3 of the Tender Dossier.2. As stated in ITT Article 17.1 fully scanned tender and an electronic format of Volume 4.3.2 — Bill of quantities in MS Excel format must be submitted on 1 CD ROM.3. Please refer to Answer No. 39.
47.	<p>Subject: Cash flow & access to credit facilities</p> <p>Description: Is there a certain value imposed as cash flow or access to credit facilities?</p>	<p>There is no a certain value imposed as cash flow or access to credit facilities. However, the tenderer should demonstrate his financial capability for execution of the contract and that he has access credit lines or any other credit facilities sufficient to meet the construction cash flow (other than pre-financing) for the whole duration of the contract.</p>



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48.	Subject: Equipment requirements Description: is there a minimum number imposed for each equipment category?	There is no minimum number imposed for each equipment category. Minimum number, type and capacities of the plant/equipment should be determined by the tenderer based on tenderer's work plan and programme. The tenderer must demonstrate ability to complete the works
49.	Subject: Litigation history Description: In which form litigation history should be submitted?	Please refer to Volume 1, Section 4, Form 4.6.6 Litigation history.
50.	Subject: Power of attorney Description: Should power of attorney be notarized ?	The power of attorney does not have to be verified by a notary, but please note that it must be issued by an authorised representative and must empower a natural person and not a legal entity.
51.	Subject: Currency applicable to the tender Description: Bidder understands that according to Serbian Law on Foreign Currency Transactions, if the Contract is signed between Residents, it is required to perform payments in Serbian Dinar (RSD). Notwithstanding this provision, Bidder kindly asks Contracting Authority if this specific project can benefit from a waiver from the aforementioned law that can allow Contracting Authority to pay and Contractor to receive payments in EURO. If no, Bidder kindly ask to include in the Contract the following provision to mitigate the exposure to currency risk: • Invoicing in EUR for both in-country and out-of-country scope of work • Payments between Residents to be performed in RSD equivalent using the EUR/RSD exchange rate (middle) quoted on the date of payment • Payments between Non-Resident (Contractor side) and Resident to be performed in EURO.”	Please refer to the Instructions to Tenderers, Article 13. The currency of the tender is the EUR. The currency of tender, i.e. EUR will be the currency of the contract and of payment.
52.	Subject: BoQ 3 Description: With reference to crossing to be executed by HDD and Direct Pipe method, please find herewith attached comment from specialized subcontractor: "[...]issue is that	Please refer to Clarifications No.3 Answer No.14.



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	length of crossings 63 and 78m are too small for HDD and Direct Pipe implementation for DN700 steel pipe." Client to provide instructions.	
53.	<p>Subject: Question for Construction of Gas Interconnector Serbia – Bulgaria on the Serbian Territory</p> <p>Description: In the BoQ „2.1 Construction design of gas pipeline route and accompanying facilities - block valve stations and launching scrapers“ sheet „0- Open route“ line 73, there is an Item „Soft Landscaping of the Surfaces“. The questions are as follows: - What does this Item mean? Is the entire surface returned to its original state completely as it was prior the commencement of the works, or is there a rule according to which this Item will be performed? For example, if there is forested land on the part of the route prior the commencement of the works that needs to be cut down in order to execute the gas pipeline, is the same type of trees afforested after the completion of the works?</p> <p>- Is there landscaping in places where there is no vegetation?</p> <p>- On the parts of the route where prior the beginning of the works there was only soil on the surface without any vegetation - grass and plants, is grass planted on them after the completion of the works?</p> <p>- On the parts of the route where prior the commencement of the works, there were only shrubs on the surface that were not cleaned and maintained, is landscaping done on these parts of the route as well and in what way?</p>	<p>The BoQ „2.1 Construction design of gas pipeline route and accompanying facilities - block valve stations and launching scrapers“ sheet „0- Open route“ line 73, there is an Item „Soft Landscaping of the Surfaces“. The questions are as follows: This position means that entire surface is returned to its original state completely as it was prior the commencement of the works.</p> <p>There is no rule according this item is needed to be performed.</p> <p>No trees have to be planted after completion the works.</p> <p>No landscaping is necessary, where there was no vegetation prior.</p> <p>No grass is needed to be planted after completion the works if there were only soil on the surface without any vegetation.</p> <p>Nothing more needs to be done on the site than what was before the installation of the gas pipeline.</p>
54.	<p>Subject: Question for Construction of Gas Interconnector Serbia – Bulgaria on the Serbian Territory</p> <p>Description: In the BoQ „2.1 Construction design of gas pipeline route and accompanying facilities - block valve stations and launching scrapers“ sheet „0- Open route“ line 73, there is an Item „Soft Landscaping of the Surfaces“. The questions are as follows: - What does this Item</p>	Please refer to Answer No. 53.



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	<p>mean? Is the entire surface returned to its original state completely as it was prior the commencement of the works, or is there a rule according to which this Item will be performed? For example, if there is forested land on the part of the route prior the commencement of the works that needs to be cut down in order to execute the gas pipeline, is the same type of trees afforested after the completion of the works? Considering the Rulebook on conditions for uninterrupted and safe transport of natural gas through gas pipelines with a pressure greater than 16 bar Art. 14 where the width of the exploitation belt of 30 m is defined for DN 700 and NP 55 bar and Art. belt? - Is there landscaping in places where there is no vegetation?</p> <ul style="list-style-type: none">- On the parts of the route where prior the beginning of the works there was only soil on the surface without any vegetation - grass and plants, is grass planted on them after the completion of the works?- On the parts of the route where prior the commencement of the works, there were only shrubs on the surface that were not cleaned and maintained, is landscaping done on these parts of the route as well and in what way?	
55.	<p>Subject: Extension of Bid submission date by 6-10 weeks from 15.06.2021</p> <p>Description: Bidder requests for extension of Bid submission date by 6 - 10 weeks from 15.06.2021 for reasons as under</p> <ol style="list-style-type: none">1. Delay in receiving timely response from Vendors: Due to COVID 19 situation we are facing difficulties in getting timely response from vendors & subcontractors from EU and other parts of the world. This is invariably causing delay in collating a competitive bid for this tender.2. COVID 19 situation: Due to ongoing pandemic of COVID-19 second wave mutant and as per the lockdown and health advisory issued by Govt. authorities, our company has adopted work from home for all employees. Although, the company has adopted new ways of	Please refer to Answer No. 1.



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	<p>communication, disruptions in connectivity, technological glitches are causing further delay in interacting and seeking the right response with other stakeholders of this project.</p> <p>3. Travel restrictions: Resources are the most critical element for all projects. Travel restrictions by road, sea, air are further causing hindrance in identifying the right options for resource and equipment mobilization readiness</p> <p>Kindly confirm</p>	
56.	<p>Subject: Type of Contract</p> <p>Description: Please clarify whether the project is a remeasurable one or a lump sum Contract.</p>	<p>This is the re-measurable contract. Please see Volume 4.3.1 – Introduction, item 1.1: <i>”The quantities set out in the bill of quantities are estimated quantities”</i>.</p> <p>This is not a Lump Sum contract.</p>
57.	<p>Subject: Please clarify: PART I</p> <p>Description: 1. In EN-21CO-1 Gas pipeline route and acc. facilities, p = 1 = 4 Removal of humus from km 35 + 915 to 57 + 000q the thickness of the layer is 0.2 - 1.5 meters, which bothers me. Please confirm...</p> <p>2. When passing through obstacles / rivers, roads, etc./ is it allowed to replace the accepted method of crossing with another method proposed by the Contractor?</p> <p>3. Is it possible to replace blasting works with a hydraulic hammer?</p> <p>4. Are external companies / specialized laboratories that are accredited and whose staff hold the relevant international certificates allowed to perform the NDT of the welded joints?</p> <p>5. Will a technical inspection of the specialized construction equipment performed by an authorized local institution be required?</p> <p>6. What is the order, term and price for the issuance of work permits to the personnel engaged in construction and installation work?</p> <p>7. In „EN 5.1 Telecommunication and signal installation design - fiber optic cable“ - for some items no quantity is specified. What is expected</p>	<p>1. Please refer to Corrigendum to CN, Section VII.2), B, regarding corrections and modifications of the Tender Dossier, BoQ_2.1 (Volume 4, 2.1 Construction design of gas pipeline route and accompanying facilities - block valve stations and launching scrapers) and Annex 4 to this Corrigendum "BoQ_2.1 - replaces version 09032021" published on TED eTendering website and CFCU website on 04/06/2021.</p> <p>In Volume 4, Bill of Quantities, 2.1 Construction design of gas pipeline route and accompanying facilities - block valve stations and launching scrapers, sheet 0-Open route, item 1.4 Removal humus:</p> <p>Instead of: “line 23 from km 35+915.00 to km 57+000.00 -thickness from 0.2-1.5 m”</p> <p>Read: “line 23 from km 35+915.00 to km 57+000.00 -thickness from 0.2-0.5 m”</p>



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	<p>of us in this case? I have not marked the items without quantity because the file is locked.</p> <p>8. How can a Bulgarian company operate in Serbia?</p> <p>9. How can a Bulgarian company register Bulgarian workers in Serbia?</p> <p>10. How a Bulgarian company can transport equipment - excavators, trenchers, machines for firing optical cables, etc. in Serbia?</p> <p>11. What fees, duties, etc. will be due to Serbia?</p> <p>12. The delivered equipment will have to have a service center in Serbia - also a problem for a Bulgarian company.</p> <p>13. According to the form 4.6.3 it is necessary to provide a work plan and program, and to point 4.6.3.1 the location of the site offices must be shown and sketches must be attached. Please tell the Assignor at the stage of submitting an offer, is it obligatory to submit a sketch of the properties?</p>	<p>2. The method of crossing remains unchanged.</p> <p>3. The tenderer has to be fully in compliance with specific requirement defined with the Technical specification and all of the provision of tender.</p> <p>4. The specialized laboratories shall be accredited in the Republic of Serbia.</p> <p>5-6. The Works Contractor is obliged to perform this activities in accordance with legislation of the Republic of Serbia. It is the tenderer responsibility to get acquainted with them.</p> <p>7. In the case that the quantity of item has not been specified in the Volume 4, Bill of Quantities, 5.1 Telecommunication and signal installation design - fiber optic cable“shall be considered zero.</p> <p>8 – 11. The modality of works for foreign companies in Serbia is governed by the relevant Serbian law and bylaws. It is the tenderer responsibility to get acquainted with them.</p> <p>12. Related to requirement that the delivered equipment have to have a service center in Serbia the Volume 3, Technical Specification, Section 2.6 remains unchanged.</p> <p>13. Yes, it is obligatory to submit a sketch of location of your facilities on site, as per Volume 1, Section 4, Form 4.6.3, under Item 4.6.3.1. The purpose of the sketch is to show what kind and where the site facilities are. Other information may be provided differently, if more convenient.</p>
58.	Subject: Please clarify: Part II Description:	



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	<p>14. Please tell the Assignor at the stage of offer whether it is necessary to submit declarations of conformity and certificates for quality of the used materials?</p> <p>15. In Bill of Quantity „2.1 Construction design of gas pipeline route and accompanying facilities - block valve stations and launching scrapers“, Sheet “0 - Open route”, row 141, titel „c) notice boards on went pipes“ the quantity is zero. Should there be put a unit price or the row should be ignored? The same question apply for Bill of Quantity „2.3 Leveling design and local road connections“ in various sheets.</p> <p>16. In Bill of Quantity „1.1 Mechanical engineering design for gas pipeline route and auxiliary buildings (block valve station and cleaning stations)“, Sheet “A - Gas pipeline route”, rows from 54 to 101, titels „7.1. Protective pipes underneath roads and watercourses“ and „7.2. Protective pipes beneath railway tracks“ are given estimated quantities for both the total length of the crossings and for each crossing separately. For which positions a unit price should be given? Is it for the separate crossings?</p> <p>17. On multiple places is encountered a unit “cca”, for example in Bill of Quantity „1.2 Mechanical design of above ground facilities - custody transfer metering station and metering and regulating stations”, Sheet “II - MRS Niš 2”, row 385, titel “Consumables”. What dose “cca” represent?</p> <p>18. Regarding the closures. Dome type of half type? Direct burial or use in the manhole? Hang on the wall?</p> <p>19. How about the sealing if the dome type is needed? Mechanical sealing or heat-shrink sealing?</p> <p>20. How about the splicing box? Any image of your preferred version?</p>	<p>14. If you are referring to materials to be used in works, no declarations or certificates are required at the stage of offer.</p> <p>15. The positions with the quantities of zero - should be ignored.</p> <p>16. Related to the items 7.1 and 7.2 .of „1.1 Mechanical engineering design for gas pipeline route and auxiliary buildings (block valve station and cleaning stations), Bill of Quantity , Volume 4, unit price for each crossing separately should be given (rows from 57 to 89 and from 92 to 101). The Estimated quantities of the total length for the items 7.1 and 7.2 is only informative and should not be filled as positions in BoQ.</p> <p>17. “cca” – from the latin word “circa” and it means “approximately”.</p> <p>18. Please refer to the Volume 3, Technical Specification, Section 6.1.1 and 6.1.2.</p> <p>19. Please refer to the Volume 3, Technical Specification, Section 6.1.1 and 6.1.2.</p> <p>20. Please refer to the Volume 3, Technical Specification, Section 6.1.1 and 6.1.2.</p>
59.	<p>Subject: Please clarify: Part III Description: 21. In point 12.2.; a) of the ITT - Economic and financial capacity of candidate, the Employer</p>	<p>a) All members of Joint Venture/Consortium have to provide evidence required under Article 12.1.6 of ITT.</p>



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	<p>requires: “The average annual turnover of the tenderer in the past 3 financial years for which the accounts are closed must be at least EUR 80,000,000.00” In point 12.1.6 of the ITT the Employer requires: Evidence showing that the liquid assets and access to credit facilities are adequate for this contract, confirmed by a financial statement for the last three years verified by a chartered accountant. This evidence must be provided using Form 4.4, Financial statement, in Volume 1, Section 4 of the tender documents. Please clarify: a) If the tenderer is a Joint Venture/Consortium and one of the partners alone has more than EUR 80,000,000.00 annual turnover and is enough to fulfil the requirement under point 12.2; a), is it necessary for all other partners to translate and provide translate financial statement for the last three years verified by a chartered accountant? b) If all partners must provide financial statements for the last three years, but the legislation in their countries of establishment set different deadlines for preparing audited financial statement, for example: according to his legislation one of the partners must prepare audited financial statement until 31.03 and other partner until 30.09. which years each of them shall consider last three years – 2020,2019,2018 or 2019,2018,2017, or each partner considers both depending to the legislation of the country that he is established.</p>	<p>b) All partners must provide financial statements for the last three years for which accounts have been closed according to their national legislation.</p>
60.	<p>Subject: Please clarify: Part IV Description: 22. In point 12.1.9 of the ITT the Employer requires for the tenderer to describe in Form 4.6.2 equipment such as Trenching machines, Dewatering plant, Welding equipment, Concrete mixing and placing plant, Cranes and lifting equipment and whether it is owned or hired. If some of the equipment is hired is it enough to point out this in the Form or the Lessor shall be described in details and shall provide additional documents, other than manufacturer’s?</p>	<p>22. As stated in ITT section 12.1.9 “The tenderer must indicate whether this equipment is owned, hired or used by a subcontractor. Manufacturer’s documents fully describing the equipment must be submitted with the tender (Form 4.6.2)”. No further information or documentation about the lessor is required.</p>



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	<p>23. According to point 12.2; b); 1) of the ITT: “Tenderer must have the following Certificates: - (SRPS) EN ISO 3834-2, Quality requirements for fusion welding of metallic materials - Part 2: Comprehensive quality requirements, - (SRPS) ISO/IEC 17025, General requirements for the competence of testing and calibration laboratories, - (SRPS) ISO 9001, Quality management systems – Requirements, - (SRPS) ISO 14001, Environmental management systems - Requirements with guidance for use - (SRPS) OHSAS 18001, Occupational health and safety management systems – Requirements” Having in mind that (SRPS) practically means that the Certificates are issued in Serbia and that the ISO is international standard, please clarify that the Employer will accept equivalent ISO certificates which are issued according to the international standard, but is issued in different country – not Serbia?</p>	<p>23. Employer will accept the equivalent ISO certificates which are issued according to the international standard.</p>
61.	<p>Subject: Please clarify: Part V Description: 24. According to point 12.2; b); 1) of the ITT: “Tenderer must have the following Certificates: - (SRPS) EN ISO 3834-2, Quality requirements for fusion welding of metallic materials - Part 2: Comprehensive quality requirements, - (SRPS) ISO/IEC 17025, General requirements for the competence of testing and calibration laboratories, - (SRPS) ISO 9001, Quality management systems – Requirements, - (SRPS) ISO 14001, Environmental management systems - Requirements with guidance for use - (SRPS) OHSAS 18001, Occupational health and safety management systems – Requirements” Please clarify if the Tenderer is a Joint Venture is it enough to fulfil the Employer’s requirements if one of the partners have the abovementioned certificates. 25. According to the Technical specification - Contractor’s Personnel (FIDIC Sub-clause 6.9) some of the required experts shall have Licenses valid in Serbia (Site managers – Civil,</p>	<p>24. Yes, it is sufficient. 25. Please refer to Corrigendum to CN, Section VII.2), B, regarding corrections and modifications of the Tender Dossier, Annex d4k_Technical Offer Form 4.6 (Volume 1 Section 4, d4k_techofferform_4dot6_en), Form 4.6.1.2 Staff to be employed on the contract and Annex 1 to this Corrigendum “VOLUME 1 Section 4 Form 4.6.1.2 - replaces version 09032021” as well as corrections and modifications of the Tender Dossier, Technical Specifications (Volume 3, Technical Specifications), Section 5, Contractor’s Personnel, published on TED eTendering website and CFCU website on 04/06/2021. In Volume 3, Technical Specifications, Section 5. Contractor’s Personnel, at the</p>



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	<p>Mechanical and Electric engineers; Geotechnical engineer, Electric engineer and Cathodic protection installers).Considering the short time, the scale of the project and the significant interest shown by many foreign companies, together with the serious required qualification and experience of the experts, please clarify is it necessary for these experts to have license already valid in Serbia for the purposes of submission of the tender or the tenderer can compete using his foreign qualified experts equivalent to Serbian, or at lease to be allowed to submit licenses after they are obtained by Serbian chamber, but before start of the works (if awarded)?</p>	<p>end of the Section, on page 34 of the Technical Specifications, completely new paragraph is added:</p> <p>“Note: Tenderers are reminded that complete documentation, details and proof documents (CVs, copies of diplomas/degree and employer`s certificates) shall be submitted to the Contracting Authority after the contract is signed. These personnel will be subject to the approval of Contracting Authority before the commencement date.”</p>
62.	<p>Subject: Clarification about the experts' requirements</p> <p>Description: According to the Technical specification - Contractor's Personnel (FIDIC Sub-clause 6.9) some of the required experts shall have Licenses valid in Serbia (Site managers – Civil, Mechanical and Electric engineers; Geotechnical engineer, Electric engineer and Cathodic protection installers).Considering the short time, the scale of the project and the significant interest shown by many foreign companies, together with the serious required qualification and experience of the experts, please clarify is it necessary for these experts to have license already valid in Serbia for the purposes of submission of the tender or the tenderer can compete using his foreign qualified experts equivalent to Serbian, or at lease to be allowed to submit licenses after they are obtained by Serbian chamber, but before start of the works (if awarded)?</p>	<p>Please refer to the Answer No. 61.</p>
63.	<p>Submission Date: 25/05/2021 15:00</p> <p>Subject: Extension of deadline</p> <p>Description: Considering the international nature of the project, its the scale, the level of complexity of the tender offers and the significant interest shown by many companies, together with the pandemic situation in the</p>	<p>Please refer to the Answer No. 1.</p>



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	<p>world, which leads to more difficult working conditions, we kindly ask for extension of the deadline for submission of tender offers with at least 1 (one) month, which we think benefits both parties – tenderers and Employer, who will receive far better offers if more time for preparation is provided.</p>	
64.	<p>Change of the requirements in the tender documentation related to licenses and knowledge of the Serbian language, all in order to ensure equal treatment and non-discrimination of all tenderers</p> <p>The tender documentation for <i>Construction of Gas Interconnector Serbia-Bulgaria on the Serbian territory</i> clearly defines the following:</p> <p><i>-The project is co-financed by the European Union, in accordance with the rules of Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action and Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II) programme...</i></p> <p><i>- Participations is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping – consortium-of tenderers) which are effectively established in a Member State of the European Union or in a eligible country or territory as defined under Regulation (EU)no 236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable instrument under which the contract is financed (additional information about the contract notice). Participation is also open to international organisations...</i></p> <p>The contracting authority sets the following requirements related to licenses and knowledge of the Serbian language, in the way that they are</p>	<p>Contracting authority confirms full applicability of all conditions concerning participation of natural and legal persons as stipulated in the Volume 1, section 1 - Instructions to tenderers, Clause 3.</p> <p>Regarding technical and professional capacity, as stated in the practical guide, sub-section 2.6.11.1. - General principles: <i>the contracting authorities must draw up clear and non-discriminatory selection criteria for the purpose of assessing that the candidate/tenderer has sufficient financial, economic, technical and professional capacity to implement the tasks of the contract. The chosen criteria must be proportionate and may not go beyond the scope of the contract.</i></p> <p>Short description of the contract scope is provided in the point II.1.4 of the contract notice, stating: <i>The Works include construction of the bi-directional magistral gas interconnector MG 10 Niš – Dimitrovgrad on the Serbian territory, between the natural gas systems of Serbia and Bulgaria. The gas pipe is approximately 109 km long, DN700, and has working pressure of 55 bar. The works also include four metering regulation stations and accompanying facilities. In the Additional information to the contract notice, point 17 – Period of implementation of tasks, it is stated: 637 (six hundred thirty-seven) days from the Commencement Date until the provisional acceptance/Taking over and 365 (three</i></p>



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<p>discriminatory towards foreign tenderers, where we place special emphasis on tenderers established in a Member State of the European Union which co-financing significant part of the project. Therefore, we ask the contracting authority to change the following criteria in the tender documentation which clearly put potential tenderers in an unequal position, in such a way as to give a significant advantage to tenderers from Serbia, or foreign tenderers who have already positioned in the Serbian market in previous similar tenders:</p> <p>1. Professional capacity of the candidate – Volume 1 / Section 1 / Instruction to Tenderers / 12. INFORMATION/DOCUMENTS TO BE SUPPLIED BY THE TENDERER, defines that the <i>Tenderer must have the following licences issued by the Ministry of Construction, Transport and Infrastructure:</i></p> <ul style="list-style-type: none">• <i>I031M1 (I031M1 in Serbian Cyrilic) – construction of gas installation</i>• <i>I031G1 (I030Г1 in Serbian Cyrilic) – construction of gas structures, also,</i> <p>2. Contractor's Personnel – Volume 3 / TECHNICAL SPECIFICATIONS defines Serbian licences and Serbian languages as a part of requirements for some of the expert's positions as follows:</p> <p>„ 2. Site managers/ responsible contractors as per Serbian Planning and Construction Law (odgovorni izvođač radova, Zakon o planiranju i izgradnji, Član 151)</p> <p>3 positions:</p> <ul style="list-style-type: none">- <u>civil engineer, licence 410 or 411, and</u>- <u>mechanical engineer licence 430 and</u>- <u>electrical engineer, licence 450.</u> <p><u>Qualifications and skills</u> <i>University degree in civil / mechanical / electrical engineering. Fluency in written and spoken English. <u>Appropriate engineering license valid in Serbia are required.</u></i></p> <p>„4. <u>Geotechnical Engineer</u> <u>Qualifications and skills</u></p>	<p><i>hundred sixty-five) days for Defects Notification Period.</i></p> <p>Due to a sequencing of works with counterpart project in Bulgaria and tight deadline for contract implementation, administrative procedures such as company certification and licensing stemming from applicable national legislation should be done upfront, i.e. with appropriate evidence presented at the tendering stage.</p> <p>In line with Appendix to tender and applicable Conditions of Contract for Construction (“Red FIDIC”), sub-clause 1.4 Law and language, applicable law in case of this contract is Serbian law.</p> <p>Furthermore, Volume 2, Section 3, Particular conditions of contract, sub-clause 1.4: <i>The communications with the Serbian authorities shall be in Serbian (or, to the allowable extent, in English accompanied with certified translation into Serbian language). Day to day communications on the Site shall be in Serbian, but notices and other communications related to execution of obligations under the Contract shall be in English. Work Diary (in Serbian: Gradjevinski dnevnik) shall be in Serbian. When this Contract states that a particular document shall be made in the language of communication, it shall be deemed that these documents are to be made in English. If the candidate/tenderer is unable to provide the evidence requested for some exceptional reason that the contracting authority finds to be justified, it may prove its capacity by any other means which the contracting authority considers appropriate (see also Section 2.9.3).</i></p> <p>1. Please refer to the Answer No.32.</p>
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<p><u>University degree in engineering. Fluency in written and spoken English and Serbian. Must have Serbian licence (Geotechnical Engineer, licence 491)“</u> <i>„5. Health and Safety Officer</i> <i>Qualifications and skills</i> <i>University degree in engineering or equivalent qualification. Fluency in written and spoken English and Serbian.</i> <i>„6. Fire Protection licenced specialist</i> <i>Specific professional experience</i> <i>Ministry of Internal Affairs – Licences for Fire Safery designs, Licence A, licence B5 and any other required.“</i> <i>„8. Electric Engineer</i> <i>Qualifications and skills</i> <i>University degree in electrical engineering or equivalent qualification. Fluency in written and spoken English. Engineering license valid in Serbia (No.: 452, 450)</i> <i>„9. Cathodic protection installers</i> <i>Qualifications and skills</i> <i>University degree in electrical engineering or equivalent qualification. Engineering license valid in Serbia (No.: 350, 352,450 or 452)</i></p> <p>In order to correct above listed requirements, we request that the tender documents be amended as follows:</p> <ul style="list-style-type: none">- The Contracting Authority will enable the tenderer, to whom the Contract will be awarded, to submit the companies and personal licences or other relevant documentation <u>before signing the Contract</u>, all according to LAW ON PLANNING AND CONSTRUCTION. The period between the decision of the Client to award the contract and the deadline for submission of documentation must be sufficient to secure minimum of needed time, but not less than 45 days.- Remove from the tender documentation the criteria “<u>fluency</u> in written and spoken Serbian” for the following positions for which it was requested:	<p>2. Please refer to Corrigendum to CN, Section VII.2), B, regarding corrections and modifications of the Tender Dossier, Annex d4k_Technical Offer Form 4.6 (Volume 1 Section 4, d4k_techofferform_4dot6_en), Form 4.6.1.2 Staff to be employed on the contract and Annex 1 to this Corrigendum “VOLUME 1 Section 4 Form 4.6.1.2 - replaces version 09032021” as well as corrections and modifications of the Tender Dossier, Technical Specifications (Volume 3, Technical Specifications), Section 5, Contractor’s Personnel, published on TED eTendering website and CFCU website on 04/06/2021.</p> <p>In Volume 3, Technical Specifications, Section 5. Contractor’s Personnel, at the end of the Section, on page 34 of the Technical Specifications, completely new paragraph is added:</p> <p>“Note: Tenderers are reminded that complete documentation, details and proof documents (CVs, copies of diplomas/degree and employer’s certificates) shall be submitted to the Contracting Authority after the contract is signed. These personnel will be subject to the approval of Contracting Authority before the commencement date.”</p> <p>For the required licenses refer to the answer to the question number 61.</p> <p>Please note that the Health and Safety Officer is required to communicate with people on the construction site and those who might in any way be under the project related risks.</p>
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	<p>4. Geotechnical Engineer 5. Health and Safety Officer</p> <p>Apart from the fact that this condition is discriminatory, it is not clear why the client recognized these two experts should be fluent in Serbian (for other experts this was not a requirement).</p>	
65.	<p>Technical capacity of the candidate</p> <p>We are of the opinion that the set criteria for technical capacity in terms of overall technical requirements is correct, but we do not consider them to be correct in terms of the period in which they are required to be completed, or in terms of whether criterion 1 must be met by one completed project or it is possible that it will be through min 2 completed contracts. In the Clarifications No. 2, question number 22, an extension of this period from 5 to 10 years was requested, but the potential bidder requested an extension of this period without explanation of the request.</p> <p>We are kindly ask the Client for the following answer:</p> <p><input type="checkbox"/> When forming the criteria, did the Client take into account the number of similar projects that have been done in IPA countries in the last 5 years, and especially the number of similar projects in Serbia?</p> <p>According to our information, few such projects has been completed in Serbia in the last 5 years, which is a sign that the criteria of 5 years is not a good criterion, ie that the companies that worked on the previous project have a significant starting advantage in this competition.</p> <p>Considering that the subject of procurement is a complex project of great investment value, and that it is a project of public and social interest, it is extremely important for the Contracting Authority to obtain a bidder with experience in performing similar works, but also to ensure appropriate levels of competition. access to companies from Serbia, but also from the area of IPA countries.</p>	<p>Regarding the request for extension of the referent period from 5 to 10 years, we kindly inform you that the provisions of the tender dossier remains unchanged.</p>



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	<p>For types of projects that for some reason are not implemented frequently, common IFI practice, regardless of the sector / sub-sector in which the project is carried out, is to significantly extend the period in which the project was completed (that can be road or rail tunnels extremely long, or bridges of great lengths / spans, or, as in this case, a gas pipeline of great length & diameter). In this way, the Client enables bigger number of companies with relevant experience to be actively involved as partners in the implementation of such projects, and thus ensure an appropriate level of competition.</p> <p>For all of the above reasons:</p> <p>The Contracting Authority should specify that “the works contracts must have been completed at any time during the period of past ten (10) years from the date of submission of tenders”, whereby the Contracting Authority ensures:</p> <ul style="list-style-type: none"><input type="checkbox"/> that the tenderer will be technically and professionally able to provide the works that are the subject of procurement in accordance with the requirements and deadlines, and that the tenderer will prove appropriate experience, which gives confidence that the tenderer will provide works professionally, timely and good quality appropriate level of competition	
66.	<p>CV FORM Volume 3 / TECHNICAL SPECIFICATIONS / Supplier staff, defines the criteria that must be met by key personnel on the project. However, there is no CV form in the tender documentation. It is very important for all bidders to submit CVs in the same format. We are kindly ask the Client to provide a CV form, dodeli broj formatu, and correct QUESTIONERY CONTENTS accordingly.</p>	<p>Please refer to Corrigendum to CN, Section VII.2), B, regarding corrections and modifications of the Tender Dossier, Annex d4k_Technical Offer Form 4.6 (Volume 1 Section 4, d4k_techofferform_4dot6_en), Form 4.6.1.2 Staff to be employed on the contract and Annex 1 to this Corrigendum “VOLUME 1 Section 4 Form 4.6.1.2 - replaces version 09032021” as well as corrections and modifications of the Tender Dossier, Technical Specifications (Volume 3, Technical Specifications), Section 5, Contractor`s Personnel,</p>



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		<p>published on TED eTendering website and CFCU website on 04/06/2021.</p> <p>In Volume 3, Technical Specifications, Section 5. Contractor's Personnel, at the end of the Section, on page 34 of the Technical Specifications, completely new paragraph is added:</p> <p>"Note: Tenderers are reminded that complete documentation, details and proof documents (CVs, copies of diplomas/degree and employer's certificates) shall be submitted to the Contracting Authority after the contract is signed. These personnel will be subject to the approval of Contracting Authority before the commencement date."</p>
67.	<p>The conditions of reciprocity between Serbia and other countries</p> <p>According to LAW ON PLANNING AND CONSTRUCTION "A natural person who has been issued a license or other Authorization, or a person who is entered in the appropriate register of the competent authority or body according to the regulations of another state (hereinafter: foreign authorized natural person), to perform professional activities the right in the Republic of Serbia to perform these professional activities in the capacity of a responsible person under the conditions of reciprocity and if it meets the conditions established by this Law, regulations adopted on the basis of this Law and a special law governing the recognition of foreign professional qualifications"</p> <p>Please indicate in the tender documentation the countries with which Serbia has signed agreements on the basis of which natural persons from those foreign countries under the conditions of reciprocity could acquire the right in the Republic of Serbia to perform professional activities as a responsible person.</p>	<p>All personal licenses have to be obtained in accordance with the Law on planning and construction.</p>



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<p>68.</p>	<p>Document to be used for the preparation of the emp</p> <p>Part of the tender documentation is “Excerpt from Environmental impact assessment”. As this document is not sufficient to make preparations for the development of the EMP, we searched the relevant documentation on the EIB website (http://www.eib.org/en/projects/pipelines/all/20170205) and found the following documents:</p> <table border="1" data-bbox="300 751 873 1438"> <tr> <td data-bbox="300 751 706 993"> <p><u>Environmental and Social Impact Assessment (EISA) – GAS INTERCONNECTOR NIS-DIMITROVGRAD-BULGARIA – Студија процене утицаја на животну средину</u></p> </td> <td data-bbox="706 751 873 993"> <p>Serbian language</p> </td> </tr> <tr> <td data-bbox="300 993 706 1270"> <p><u>Strategic Environmental Assessment (SEA) – GAS INTERCONNECTOR NIS-DIMITROVGRAD-BULGARIA – ИЗВЕШТАЈ О СТРАТЕШКОЈ ПРОЦЕНИ УТИЦАЈА</u></p> </td> <td data-bbox="706 993 873 1270"> <p>Serbian language</p> </td> </tr> <tr> <td data-bbox="300 1270 706 1438"> <p><u>Environmental and Social Data Sheet (ESDS) – GAS INTERCONNECTOR NIS-DIMITROVGRAD-BULGARIA</u></p> </td> <td data-bbox="706 1270 873 1438"> <p>English language</p> </td> </tr> </table> <p>The title „Environmental and Social Impact Assessment (ESIA) - GAS INTERCONNECTOR NIS-DIMITROVGRAD-BULGARIA” in English does not correspond to the title of the document in Serbian “Студија процене утицаја на животну средину”, ie the exact translation of the title of the study from Serbian to English is “Environmental impact Assessment (EIA)”, we ask the Client to provide us with a complete document in English.</p> <p>This is a project that is almost entirely co-financed by the EU and the EIB, and it is</p>	<p><u>Environmental and Social Impact Assessment (EISA) – GAS INTERCONNECTOR NIS-DIMITROVGRAD-BULGARIA – Студија процене утицаја на животну средину</u></p>	<p>Serbian language</p>	<p><u>Strategic Environmental Assessment (SEA) – GAS INTERCONNECTOR NIS-DIMITROVGRAD-BULGARIA – ИЗВЕШТАЈ О СТРАТЕШКОЈ ПРОЦЕНИ УТИЦАЈА</u></p>	<p>Serbian language</p>	<p><u>Environmental and Social Data Sheet (ESDS) – GAS INTERCONNECTOR NIS-DIMITROVGRAD-BULGARIA</u></p>	<p>English language</p>	<p>“Excerpt from Environmental impact assessment” as well as Environmental impact assessment (“Студија процене утицаја на животну средину”) are relevant for preparation of offer. The “Excerpt from Environmental impact assessment” consist of all relevant measure that have to be implemented.</p> <p>Regarding those mesaure in the In Volume 4, 0_2 general item sheet general items item C.1 The lump sum shall be submitted. Environmental impact assessment (“Студија процене утицаја на животну средину”) has been done accoriding to the Serbian laws which are harmonized with European regulations. Environmental impact assessment “Студија процене утицаја на животну средину” according to Volume 5, d4 d4y_designdrawing_en, Section 5.2 available for inspection.</p>
<p><u>Environmental and Social Impact Assessment (EISA) – GAS INTERCONNECTOR NIS-DIMITROVGRAD-BULGARIA – Студија процене утицаја на животну средину</u></p>	<p>Serbian language</p>							
<p><u>Strategic Environmental Assessment (SEA) – GAS INTERCONNECTOR NIS-DIMITROVGRAD-BULGARIA – ИЗВЕШТАЈ О СТРАТЕШКОЈ ПРОЦЕНИ УТИЦАЈА</u></p>	<p>Serbian language</p>							
<p><u>Environmental and Social Data Sheet (ESDS) – GAS INTERCONNECTOR NIS-DIMITROVGRAD-BULGARIA</u></p>	<p>English language</p>							



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	<p>common practice that for projects co-financed by the EIB, the ESIA is developed according to EIB procedures. Please clarify the following:</p> <ul style="list-style-type: none">➤ Why is there a difference in the name of the study in English and Serbian?➤ Is the attached study done according to EIB procedures, or only according to the law of the Republic of Serbia?➤ Regardless of the procedure according to which the document was prepared, will the attached document be the only one that will be used for the preparation of the EMP, ie that will be used to monitor measures in the project implementation phase? <p>This is important to clarify in the bid preparation phase, so that in the implementation phase of this project there would be no additional requirements, which based on experience in the region, may be significantly different depending on whether the documentation is made according to IFI procedures or local legislation.</p>	
69.	<p>Request for extension of the deadline for submitting tenders based on the necessary significant changes to the tender documentation. The previous questions, especially questions No.1 to No.3, as well as the expected positive answers of the Contracting Authority, represent significant changes in the tender documentation, ie significant changes in the approach & preparation of the bid that require additional time for the preparation of the bid. Accordingly, the Contracting Authority is requested to extend the deadline for submission of tenders by a minimum of 21 days.</p>	<p>Please refer to Answer No.1.</p>
70.	<p>WE, XXX, will prepare a technical & commercial proposal. In the tender documents, it is mentioned that a presentation meeting will take place on 26/04/2021 in Serbia. Do you have more details about this meeting? Do you also plan a site visit?</p>	<p>Due to Covid-19 pandemic situation, optional information online meeting was held on 26th April 2021 at 11:00 CET. The meeting connection details were sent to registered tenderers before the meeting.</p>



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	<p>The original request was submitted to the email address cfcu.questions@mfin.gov.rs.</p>	<p>No site visit was planned to be organised by the Contracting Authority. However, the tenderer is strongly advised to visit and inspect the site of the works and its surroundings for the purpose of assessing, at its own responsibility, expense and risk, the factors necessary for preparing its tender and signing the contract for the works.</p>
71.	<p>Molimo Vas za obaveštenje gde možemo preuzeti tendersku dokumentaciju i kada, za projekat: Construction of Gas Interconnector Serbia - Bulgaria on the Serbia territory, referenca:NEAR/BEG/2021/EA-OP/003?</p> <p>Potential tenderer submitted a request for information regarding procedure for obtaining tender documentation.</p> <p>The original request in Serbian language was submitted to the email address cfcu.questions@mfin.gov.rs.</p>	<p>Please refer to the Contracting Authority's Clarifications No.1 the Answer No.2.</p>
72.	<p>With respect to the tender "Construction of Gas Interconnector Serbia – Bulgaria on the Serbian Territory" according to items 8.1 and 8.2 of "INSTRUCTIONS TO TENDERERS":</p> <p>"Any request for additional information must be made in writing through the TED eTendering website accessible through the F&T portal at https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home.</p> <p>Registration on TED eTendering is required to be able to create and submit a question. In order to request for additional information click "Create a question" in the Questions & Answers tab at the latest 21 days before the deadline for submission of tenders stated at section IV.2.2) of the contract notice." "The questions and answers will be published on TED eTendering and on CFCU website at http://www.cfcu.gov.rs/tenderi.php. The website will be updated regularly and it is the tenderer's responsibility to check for updates and modifications during the submission period."</p>	<p>Please refer to the Contracting Authority's Clarifications No.2 the Answer No.29.</p>



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	<p>We hereby inform you that in full compliance with above mentioned instructions we have already placed 11 (eleven) requests for clarification through the TED eTendering website in the period 31.03-12.04.2021. As of today, we have not received reply from Contracting Authority for any of the questions. The questions directed for clarification are essential for the preparation of the Tender Forms and Questionaries. You are kindly requested to acknowledge receipt of the questions and provide clarification for these questions as soon as possible. All requests are in the attached files.</p> <p>The original request was submitted to the email address cfcu.questions@mfin.gov.rs.</p>	
73.	<p>Based on review of Tender document, we hereby seek clarification on the following:</p> <ol style="list-style-type: none">1. Technical requirement: We request to kindly consider <u>project references of last ten (10) years</u> instead of 5 years meeting Technical criteria of construction works of new pipeline for transportation of liquid or gas with minimum 50 km of which at least 10 km with nominal diameter 700 mm (28") & working pressure higher than 1.6 MPa which is put in operation to meet Technical requirement?2. Technical requirement: we request to also consider <u>on-going projects</u> which are likely to be completed this year meeting Technical requirement? Proof of completion can be submitted by Q4, 2021 or by the time Tender is awarded.3. Technical Requirements: If similar projects of 30" X 40 KM length Gas Pipeline project completed in last 5 years can also be considered for qualification?	<p>With reference to the questions listed under points 1, 2, 4, 5, 6, please refer to the Contracting Authority's Clarifications No.2 the Answer No.2.</p> <p>With reference to the question under point 3, please bear in mind that no prior opinion on the assessment of the tender can be given by the Contracting Authority in reply to a question or a request for clarification, as stated under section 5.3.4 of PRAG.</p> <p>7. Please refer to the Contracting Authority's Clarifications No. 1 the Answer No.4.</p>



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	<p>4. Technical requirement: FIDIC or equivalent works contract can be of any construction project, kindly confirm.</p> <p>5. Financial criteria: Company can meet the Financial criteria of average turnover of EUR 80,000,000. However, our European entity can produce Financial reports of 2019 & 2020 along with bid and submit Financial report of 2021 later. Will that be considered? Parent company with revenue in excess of EUR 1+ billion can also submit its financials as supporting document to demonstrate financial capability.</p> <p>6. Procurement criteria: It says “All supplies under this contract must originate in one or more of these countries. However they may originate from any country when the amount of supplies to be purchased is below EUR 100,000” In this event, can you provide APPROVED VENDOR LIST?</p> <p>7. Drawings: Due to size constraint the Drawings were not included in the Tender. However, can you share important Drawings (~ 20 MB) which will facilitate in initiating bid preparation?</p> <p>The original request was submitted to the email address cfcu.questions@mfin.gov.rs.</p>	
74.	<p>It would very convenient for us If you would be so kind as to provide us with the google earth archive with the routing of the Project</p>	<p>Please refer to the Contracting Authority’s Clarifications No.4 the Annex No.3.</p>
75.	<p>Please could you kindly confirm if the Clarification Meeting will be held on April 26th 2021? In this case it is possible to be notified about place and time.</p>	<p>Due to Covid-19 pandemic situation, optional information online meeting was held on 26th April 2021 at 11:00 CET. The meeting connection details were sent to registered tenderers before the meeting.</p>



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	<p>The original request was submitted to the email address cfcu.questions@mfin.gov.rs.</p>	
76.	<p>Interesuje me da li je moguće ponaci <i>on line</i> tendersku ponudu i dokumentaciju za projekat ``<i>Construction of Gas Interconnector Serbia-Bulgaria on the Serbian territory</i>`` ali na srpskom jeziku?</p> <p>Potential tenderer submitted a request for information regarding online availability of tender documentation in Serbian language.</p> <p>The original request in Serbian language was submitted to the email address cfcu.questions@mfin.gov.rs.</p>	<p>The tender is not available in Serbian language, except of Design documents not translated to English, which are available in digital copy for inspection.</p> <p>In accordance with the Instruction to Tenderers, the tender and all correspondence and documents related to the tender exchanged by the tenderer and the contracting authority must be written in the language of the procedure, which is English.</p> <p>Please refer to the Contracting Authority's Clarifications No.1 the Answer No.2.</p>
77.	<p>We are a company established in Serbia, which has participated in pipeline projects in Serbia, but would like to complement our capabilities with our Parent Company, established in Mexico, to participate in the tender.</p> <p>Regarding the eligibility requirements, Annex 2a (Rules on participation in procurement procedures and grants) establishes the following: "Participation in the award of procurement contracts, grants and other award procedures for actions financed under the CIR for IPA II for the benefit of third parties shall be open to all natural persons who are nationals of, and legal persons who are effectively established in, one of the following eligible countries/territories/beneficiaries:</p> <ul style="list-style-type: none">(a) <i>EU Member States</i> (appendix 1)(b) <i>Beneficiaries listed in the Annex I of the IPA II</i> (appendix 2)(c) <i>European Economic Area</i> (appendix 3)(d) <i>Partner countries and territories covered by ENI Instrument</i> (annex I of ENI Instrument) (appendix 11)	<p>Please note that point f) of the Annex 2a refers exclusively to procurement of goods or services which is not the subject matter of the procedure in question. Therefore the company established in Mexico is not eligible.</p>



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<p>(e) countries for which Commission has adopted a decision approving the request for <i>reciprocal access</i> to external assistance.</p> <p>(f) where an agreement on widening the market for procurement of goods or services to which the Union is party applies, the procurement procedures for contracts financed by the budget shall also be open to natural and legal persons established in a third country other than those specified in the basic instruments governing the cooperation sector concerned, under the conditions laid down in that agreement”</p> <p>Regarding letter (f), and considering the current Free Trade Agreement signed between the European Union and Mexico..... is it possible to have our Parent Company (established in Mexico) provide some of the technical and financial capabilities required by the Project?</p> <p>The original request was submitted in both Serbian and English languages to the email address cfcu.questions@mfin.gov.rs.</p>	
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