



Republic of Serbia

**MINISTRY OF FINANCE**

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

Belgrade, 1<sup>st</sup> June 2021

**CONTRACTING AUTHORITY'S CLARIFICATIONS No. 1**

**„Technical assistance and financial and operational performance improvement plans (FOPIP) to PUC in the city of Niš”**

**NEAR/BEG/2021/EA-RP/0068**

| No. | Question   | Answer   |
|-----|--|--|
| 1.  | <p>We cannot find the tender documents. It is mentioned “The professional and technical capacity required from the candidates to perform the contract is detailed in the document ‘Additional Information about the Contract Notice’.”<br/><a href="https://ted.europa.eu/udl?uri=TED:NOTICE:223874-2021:TEXT:DE:HTML&amp;tabId=0">https://ted.europa.eu/udl?uri=TED:NOTICE:223874-2021:TEXT:DE:HTML&amp;tabId=0</a></p> <p>We cannot find this document. Can you pls provide or clarify where to find?</p> <p>The question was submitted to the email address <a href="mailto:cfcu.publications@mfin.gov.rs">cfcu.publications@mfin.gov.rs</a>.</p> | <p>Please note that due to technical issues Additional Information about the Contract Notice was published on TED eTendering on 06/05/2021.</p> <p>Please note that in accordance with published Additional information about the Contract Notice, Article 25. Clarifications on the contract notice, any request for additional information must be made in writing through the TED eTendering website accessible from the F&amp;T portal at <a href="https://ec.europa.eu/info/fundingtenders/opportunities/portal/screen/home">https://ec.europa.eu/info/fundingtenders/opportunities/portal/screen/home</a>.</p> <p><u>The Contracting Authority reserves the right not to consider any request for additional information which has not been submitted in accordance with the provisions of the Additional information about the Contract Notice.</u></p> |
| 2.  | <p>I am writing this email in order to kindly request Terms of Reference for the project: Technical Assistance and Financial and Operational Performance Improvement Plans (FOPIP) to PUC in the City of Niš (Serbia) Reference number: NEAR/BEG/2021/EA-RP/0068.</p> <p>The question was submitted to the email address <a href="mailto:cfcu.publications@mfin.gov.rs">cfcu.publications@mfin.gov.rs</a>.</p>   | <p>Please note that this is the prequalification stage in the restricted procedure. No information other than the contents of the Contract Notice and the Additional information about the Contract Notice will be provided at this time. The complete tender dossier will be provided to the shortlisted candidates. Please see PRAG 2020 (2.6.3. Restricted procedure) for details regarding Restricted procedure.</p> <p>Additionally, please refer to the Answer No. 1 regarding submission of any request for additional information.</p>   |

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| 3.  | <p>Dear Sir/Madam, Preparation of Financial and Operational Performance Improvement Programme (FOPIP) documents within the last 5 years were funded by the EBRD exclusively, where project budgets (with very few exceptions) were below 200.000 EUR. Thus, a requirement under 18.3.b) will allow only for very few companies to successfully apply, which is not in line with the EU competitiveness policy. Therefore, we would like to enquire if:</p> <ul style="list-style-type: none"> <li>• The requirement 18.3.b could be modified to allow the references where similar documents to FOPIP/FOPIP equivalent documents were produced could be considered as eligible?</li> <li>• If not, would you consider decreasing the minimum threshold budget required as per 18.3.b or allow the threshold budget to be fulfilled through several projects cumulatively in order to allow for competitive process.</li> </ul> | <p>Please note that the requirement referred to in your question remains unchanged.</p>   |
| 4.  | <p>The selection criteria 18.3 a) specifies that "Provided services shall include technical assistance to the public body/authority in the field of waste water management." Can you please confirm if "technical assistance" includes feasibility studies, technical designs, NRW reduction measures, or supervision? Elaboration on the scope of "technical assistance" shall be much appreciated.</p>   | <p>Please note that according to PRAG 2020 section 3.1 <a href="https://ec.europa.eu/europeaid/prag/">https://ec.europa.eu/europeaid/prag/</a>:</p> <p><i>"A study contract is a service contract concluded between a contractor and the contracting authority, which includes studies for the identification and preparation of projects, feasibility studies, economic and market studies, technical studies and audits. A technical assistance contract is a service contract where the contractor is called on to play an advisory role, to manage or supervise a project, or to provide the expertise specified in the contract."</i></p> <p>Additionally, please refer to PRAG 2020 section 3.2 <a href="https://ec.europa.eu/europeaid/prag/document.do?nodeNumber=3.2">https://ec.europa.eu/europeaid/prag/document.do?nodeNumber=3.2</a> regarding types of service contracts.</p> |
| 5.  | <p>Dear Madam/Sir, In line with Additional information about the Contract Notice, item 25. Clarification on the contract notice, we kindly ask you for the clarification of the following:</p> <ul style="list-style-type: none"> <li>• Additional information about the Contract Notice, item 18. Selection criteria, 3) Technical Capacity, bullet b) (page 3) states: "The candidate has provided services under at least two (2) project reference (with the proportion carried out by</li> </ul>  | <p>Please note that the requirement referred to in your question remains unchanged.</p>   |

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| No.       | Question   | Answer   |
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|           | <p>the candidate being at least 200.000 EUR) implemented at any moment during the reference period. Provided services shall include preparation of Financial and Operational Performance Improvement Plans (FOPIP) for public body/authority in the field of waste water management.” Please clarify would you consider eligible the services under which documents similar to FOPIP were developed? If yes, please define those documents which will be considered eligible. In case that the answer is no and having in mind current situation on the market, please clarify whether you will consider decreasing of the required minimum amount of the provided services, in order to increase competition on this procurement procedure. Thank you in advance for instructions and clarifications.</p>   |  |
| <p>6.</p> | <p>Referring to the document available on the website for this tender: "a5f additional information contract notice en" can you please clarify what does it mean the Provision date invitation tender: September 2021? What is the deadline to present the offer? Is this date the 15.06.2021? What the Commission is referring to for provision date of invitation tender: September 2021? Where we can find the tasks of this tender? In the document available the tasks are not mentioned.</p>  | <p>The Contracting Authority confirms that the deadline for submission of applications is 15.06.2021.</p> <p>Please note that this is the prequalification stage in the restricted procedure. The complete tender dossier will be provided to the shortlisted candidates. Please see PRAG 2020 (2.6.3. Restricted procedure) for details regarding Restricted procedure.</p> |
| <p>7.</p> | <p>Within these sections of the selection criteria, it is indicated that 3a) Provided services shall include technical assistance to the public body/authority in the field of wastewater management; and 3b) Provided services shall include preparation of Financial and Operational Performance Improvement Plans (FOPIP) for public body/authority in the field of waste water management. As the criteria reads ‘shall include technical assistance to the public body/authority in the field of wastewater management’ and ‘shall include preparation of FOPIP for public body/authority in the field of waste water management’, could you please clarify and confirm that the criteria is not limited to only public sector authorities, and may be extended to other entities in the field of waste water management (e.g. private sector entities,</p> | <p>Please note that the formulation “<i>shall include</i>” denotes a requirement that is mandatory, i.e. the provision of services required under criteria 18.3a) and 18.3b) <b>is</b> limited to only public sector authorities, and <b>may not</b> be extended to other entities in the field of wastewater management.</p>  |

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|            | joint stock companies, etc.), considering their active involvement in these types of projects and their importance for the field of water waste management? |               |