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Minutes of the Pre-Bidding Conference for

ITB18/01769 Reconstruction works for the modernization of the swimming pool within the
"Dinamo Central Sport Club" - MIA Project

27 June 2018, 14:00

"Le Roi" Business Centre, #29, Sfatul Tarii Street, 3rd floor, room 305, Chisinau, Moldova.

Ref. no: ITB18/01769

Agenda:

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

Presentation and description of procedures

The Pre-bidding conference was opened by Mr. Viorel Albu, MIA Project Manager, who introduced the members of UNDP project team: Mr. Iurie TARCENCO and Ms. Liliana CATEROV, Procurement Associates at UNDP CO, and Mr. Vasili Virlan, Director of Apcan Proiect SRL, who developed the technical design, as well as Mr. Arcadie Bostan, Director of Dinamo Sport Club, Mr. Igor Secu, Administrator of Dinamo Sport Club. Mr. Albu welcomed the representatives of the 2 (two) local companies present in the conference room and those of the 1 (one) international company (from Romania) connected via skype.

Further, he made reference to the previous competition – ITB18/01717, which did not provide satisfactory results, that is why it was relaunched with modifications: such as the submission procedure was changed **from "hard only" into online via e-Tendering system**; also some of the evaluation criteria were revised, for instance:

- the required experience in the field is now 3 years, versus 5 years required in the previous competition;
- **the requirement of having "Minimum 1 (one) implemented contract for construction sites related to swimming pools compliant to the FINA requirements and standards, with a value not less than 400,000 US\$" is now applicable to any of the JV/Consortium/Association partners, not mandatorily it shall be the Lead Company (in case of consortium);**
- however, now, the rest of JV/Consortium/Association partners, apart from that having the experience of should meet requirement **of having "Minimum 2 (two) implemented contracts for construction sites related to civil works implemented in over the last 3 years: with a value not less than 150,000 US\$" (in case of consortium).**
- No requirements toward the average turnover for JV/Consortium/Association partners is imposed now (in case of consortium).

Further, Mr. Albu made an overview and underlined the most important aspects of the solicitation document. Later Ms Caterov, pointed few aspects and mainly the fact that in e-Tendering system the deadline hour is registered at New York time, and, that is why it is different than indicated in the announcement, but, it equals with local time. Also, on the announcement page there is uploaded a guide with screen shots on how to register and post a bid on e-Tendering system, as well as 10 mins videos. Still, the bidders were encouraged to address to the tender focal person indicated in the bidding document if any issues during the proses arise. Also, the bidders were encouraged to register and apply well in advance

in order to ensure that their bid is submitted in time. In case of encountered technical deficiencies, there will be need to address to the PS Support Unit, which is established in New York, and the communication may take few days, that is why prior steps are likely to be made. At the same time, it was mentioned that, by the deadline, the system allows retracting your already submitted bid and making updates, if necessary. **Still, do not forget to press the "Submit" button afterwards**, otherwise the bit will be un-submitted.

Further, companies were encouraged to address questions/comments regarding procurement terms and conditions, document package and offer submission as well as to the required terms of reference.

Questions and answers:

*Question 1: **Please, explain, the requirement of having "Minimum 1 (one) implemented contract for construction sites related to swimming pools compliant to the FINA requirements and standards, with a value not less than 400,000 US\$"**, does it refer to the fact that a local company, in their bid, may make reference and describe similar experience hold by a foreign company?*

Answer: This requirement indicates that in case, the company bidding for this tender do not hold such experience it may submit their bid, however they shall have a JV/Consortium/Association partner that holds such experience. In such case, the bidding company shall meet the **requirement of having "Minimum 2 (two) implemented contracts for construction sites related to civil works implemented in over the last 3 years: with a value not less than 150,000 US\$ per each construction site."** And shall demonstrate such experience by presenting confirming documents indicated in the solicitation document.

Question 2: The solicitation document requires from local companies presenting the valid license for construction works. As far as you know, recently, the relevant authorities decided to stop issuing such document. What shall the local company do in this case?

Answer: You are right. Such a requirement will be amended and there will be no need to present it. Please, follow the announcement on the web page.

Question 3: In case, any additional works will arise during the implementation period, apart from those listed in the announced BoQ, will these be paid? Or shall we envisage any additional costs while bidding?

Answer: In such cases, usually, we follow the instructions of the local legislation which stipulates that if any additional works objectively arise, there is named a committee which shall endorse such works, and if endorsed, the Contracting entity will pay such works following the unit prices for similar works indicated in the BoQ. In case, no similar works will be identified in the initial BoQ, the list of additional works will be checked and endorsed by the national verifier who shall ensure that proposed prices are in like with the medium market prices published in trimestral circulars. Also, please, note, that according to the contract provisions the unit prices cannot be amended, only the quantities.

Question 4: In case, any modification to a material price will be made according to the local legislation. Will such changes be considered in this contract?

Answer: Actually, there is no a concrete answer on this question. Any case is particular and is examined upon need. However, no such experience was observed in implementing construction works contracts during the last years.

Question 5: What is currency of payment?

Answer: The contract is signed in USD currency, while the payments are made in MDL at UN operational exchange rate on the day of payment. Given, that the UNDP contract for works do not allow amendments in case of currency depreciation or fluctuation of prices, the companies are encouraged to consider such risks at the moment of bid submission. Considering that the contract implementation period is short maybe it is not the case to wonder.

Question 6: The required implementation period is 100 days. Shall the bidder comply with this requirement, or it is allowed to propose personal implementation period in which the company commits to execute works?

Answer: The requirement of implementing the proposed works in 100 days is mandatory. The companies may submit their work-schedules, however, those exceeding this period will be considered incompliant. Please, be sure, that the technical design company endorsed this period as being realist. In case of delays because of force major situations, no penalties will be applied. Also, please, take note of the fact that any required implementing period is expertized by the relevant specialists and if not realistic, such implementation plan would not be endorsed.

Question 7: Is that right that UNDP may pay an advance of only 20%?

Answer: That is right. According to the UNDP rules and solicitation document the UNDP may pay an advance of up to 20% of the contract value. Still, according to the UNDP rules any advance payment exceeding US\$ 30,000 will require a bank guarantee in an amount equal with the advance value. So, if the company encounters problems in blocking a certain amount of funds in a bank guarantee, they may require an advance below this amount. Still, we consider that an advance of up to 20% is enough to start works.

Question 8: Can UNDP, instead of bid security or performance security issued by a bank accept a guarantee issued by a joint-stock company, an insurance policy?

Answer: Unfortunately, a guarantee issued by a joint-stock company or an insurance policy, cannot be accepted by UNDP as guarantee. The financial instruments issued by a joint-stock company cannot be accepted, only those issued by financial institutions, either in the form of bank guarantee or bank check, as listed in the solicitation document.

Question 9: Among the changes done in the present ITB comparing with the previous one, you have mentioned that the threshold for sub-contracting was increased from 15% to 30%. Does it mean that a company can subcontract only 3 companies, each holding a volume of works not exceeding 30%?

Answer: According to UNDP rules and solicitation document, the number of sub-contractors or a JV/Association/Consortium partners is not limited. The most important is that the roles between the lead company and their sub-contractors or between the JV/Association/Consortium partners are well developed and clear. The requirement of 30% refers to cases when a company wants to sub-contract another company(-ies) for a quantity which exceeds 30% of the total volume of works, than it shall meet specific requirements and relevant documentation for such company(-ies) shall be presented, as indicated in the solicitation document.

Question 10: May the contact information of the technical design company be shared? Are there any site visits planned?

Answer: The solicitation document indicates, the contacts of Mr Albu, MIA Project Manager and Ms Livadari, MIA project Assistant. Through, any of these persons you may get in contact with the technical design company. Still, please, pay attention to the fact that the technical drawings are public.

According to the solicitation document, in case, you may want to make a site visit, please, contact Mr Albu, MIA Project Manager.