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Invitation to Bid ITB18/01769

Amendment No. 2

Ref. no. ITB18/01769

Date: 04 July 2018

Subject: MIA/Reconstruction works for the modernization of the swimming pool within the "Dinamo Central Sport Club"

Dear Sir/Madam,

1. Pursuant to Clause 19 of the *Section 2: Instruction to Bidders*, UNDP Moldova is hereby amending the solicitation document.
2. Due to the need to cancel the requirement of submitting the valid license in construction for local companies, the relevant entries of *Section 4. Evaluation Criteria* are hereby amended to read as follows (cancellations are marked in RED and ~~strikethrough~~):

Subject	Criteria	Document Submission requirement
Certificates and Licenses	<ul style="list-style-type: none"> ▪ Certificate of Registration of the business, including Articles of Incorporation, or equivalent document if Bidder is not a corporation; Valid License for construction works (for local companies) or another legal document confirming the authorization for execution of civil works included but not limited to the following type of works: construction, territory and land arrangement, mechanical, electrical, heating and ventilation, automation, water and sewage. International companies interested in providing such works may use one of the following modalities to operate in Moldova: <ul style="list-style-type: none"> ○ make a Joint Venture/Consortium/Association with a local company which has certified specialists (please refer to relevant information of the ITB: Section 2. Instruction to Bidders, point 14., Section 4: Evaluation Criteria if bid submitted as a Joint Venture/Consortium/Association, Section 6, FORM C); 	Form B: Bidder Information Form

	<ul style="list-style-type: none"> ○ register/hold a legal representation/branch in the country with certified specialists; ○ subcontract a local company which owns certified specialists (please refer to relevant <i>Form E: Format of Technical Bid, Section 2.2</i>). The contract (or Statement of intention) for subcontracting of services/works with the local company should be attached as proof); <ul style="list-style-type: none"> ▪ Apply directly, but hire locally certified key specialists (contracts shall be submitted as prove at the moment of the contract signature) as required under <i>point 25 of the Section 3 Bid Data Sheet "Precondition for release of contract"</i>; ▪ Tax Payment Certificate issued by the Internal Revenue Authority evidencing that the Bidder is updated with its tax payment obligations, or Certificate of Tax exemption, if any such privilege is enjoyed by the Bidder; Official Appointment as local representative, if Bidder is submitting a Bid in behalf of an entity located outside the country, if applicable; ▪ Written confirmation from the manufacturer of the pool equipment for being available to sell such equipment to the offeror or any of its Joint Venture partners; ▪ Environmental Compliance Certificates, Accreditations, Markings/Labels, and other evidences of the Bidder's practices which contributes to the ecological sustainability and reduction of adverse environmental impact (e.g., use of non-toxic substances, recycled raw materials, energy-efficient equipment, reduced carbon emission, etc.), either in its business practices or in the goods it manufactures; ▪ Patent Registration Certificates, if any of technologies submitted in the Bid is patented by the Bidder; ▪ Export/Import Licenses, if applicable; ▪ Other relevant licenses and certificates. 	
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Technical Evaluation	<p>The technical bids shall be evaluated on a pass/fail basis for compliance or non-compliance with the technical specifications identified in the bid, document and submission and non-submission of required documents.</p> <p>Compliance of the pool equipment and accessories with the technical requirements and quality standards included in the Section 5a, point C. Main Technical Requirements for Works and Specialized Equipment.</p> <p>The submission of the following documents according to WinSmeta software is mandatory:¹</p> <ul style="list-style-type: none"> ▪ Respective Bills of Quantities (as per Annex 2) (F7) dully 	Form E: Technical Bid Form
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¹ Failure to submit one of the documents will serve grounds for disqualification.

	<p>stamped by the certified cost estimation specialist;²</p> <ul style="list-style-type: none"> ▪ Duly filled-in Unit Price Catalogue (F5), stamped by the certified cost estimation specialist; ▪ Duly filled-in Resource Schedule (F3), stamped by the certified cost estimation specialist. 	
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3. Due to the need to cancel the requirement of submitting the valid license in construction for local companies, the relevant entry of Form B: Bidder Information Form is hereby amended to read as follows (cancellations are marked in RED and strikethrough):

<p>Please attach the following documents:</p>	<ul style="list-style-type: none"> ▪ Company Profile, which should <u>not</u> exceed fifteen (15) pages, including, printed brochures and product catalogues relevant to the goods and/or services being procured ▪ Certificate of Incorporation/ Business Registration ▪ Copy of License for provision of construction services including Annex; ▪ Tax Registration/Payment Certificate issued by the Internal Revenue Authority evidencing that the Bidder is updated with its tax payment obligations, or Certificate of Tax exemption, if any such privilege is enjoyed by the Bidder ▪ The latest Financial Statement (Income Statement and Balance Sheet) including: Auditor's Reports (for international companies) or registered Financial Report at the Statistical Bureau (for local companies) for the past 3 (three) years for the Bidder; <i>(as per Form D: Eligibility and Qualification Form)</i> ▪ Official Appointment as local representative, if Bidder is submitting a Bid on behalf of an entity located outside the country, if applicable; ▪ Details of Previous Relevant Experience within the last 3 years, indicating the Beneficiary name and contact details, scope of executed works, contract amount and period of contract execution <i>(as per Form D: Eligibility and Qualification Form)</i>; ▪ Employer's statements confirming satisfactory performance by the Bidder, issued within the past 3 years <i>(as per Form D:</i>
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² When developing BoQs, please be guided by the National Regulatory Framework in Construction as per NCM L.01.01-2012 and Regulation on the procurement of public works (<http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=347161> http://mdrc.gov.md/public/files/NCM_L01.01_PROJECT.pdf, <http://lex.justice.md/md/295702/>).

Sever deviations from the provisions of these documents will serve grounds for disqualification:

- Changes in codes for works required*;
- Changes in the volume of works required*;
- Changes in the volumes of resources in the norms of materials, human power and tools*;
- Changes in coefficient for norms*;
- Proposing the human power remuneration below the minimum required by the National Legislation in force (besides the situation when a respective proof from relevant authorities is obtained and presented, according to INFORMATION No. 864 of 12.05.2017 on determining the value of construction objects since May 1, 2017 - p. 2 <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=364917>).

Eligibility and Qualification Form);

- List of specialized equipment, containing information about the model and year of manufacture, production capacity and manufacturer of each item. Bidders shall indicate whether the equipment is their own or rented (*as per Form E: Format of Technical Bid*);
- Combined Work time schedule, work human-power schedule for execution of contract and project cash flow (*as per Form E: Format of Technical Bid, point 2.4*);
- Quality Certificate (availability of ISO2001 etc.) and/or other similar certificates, accreditations, awards and citations received by the Bidder, if any, or quality manual, full copy, including the Contract with laboratory; (*For local companies: the quality manual, full copy, including the Contract with laboratory, or the State Inspection Notice for participation in the tender available on the date of bid submission*)
- Environmental Compliance Certificates, Accreditations, Markings/Labels, and other evidences of the Bidder's practices which contributes to the ecological sustainability and reduction of adverse environmental impact (e.g., use of non-toxic substances, recycled raw materials, energy-efficient equipment, reduced carbon emission, etc.), either in its business practices or in the goods it manufactures
- Patent Registration Certificates, if any of technologies submitted in the Bid is patented by the Bidder
- Export Licenses, if applicable
- Trade name registration papers, if applicable
- Local Government permit to locate and operate in assignment location, if applicable

4. Due to the need to cancel the requirement of submitting the valid license in construction for local companies, the relevant entry of *Form E: Format of Technical Bid* is hereby amended to read as follows (cancellations are marked in RED and strikethrough):

- 2.1 Explain whether any work would be subcontracted, to whom, how much percentage of the requirements, the rationale for such, and the roles of the proposed sub-contractors and how everyone will function as a team.

In case of a subcontract for works which will exceed 30% of the total offer and/or if your Company is intending to subcontract special works on networks (electricity, water & sewerage, water filtration and disinfection, low voltage networks, heating, ventilation and conditioning, etc.) additional documents are submitted:

Subcontractor's Certificate of Registration of the business attached;

~~*Copy of License for provision of services, including Annex attached;*~~

Contract (or Statement of intention) for subcontracting of services/works indicating the ratio of services/works to be made by the Subcontractor out of the total volume of works attached;

Proof of similar experience (in terms of services/works to be executed) confirmed by at least two (2) Acceptance Notes of executed works (Final Commissioning Reports for local companies) attached.

5. All other terms and conditions of the solicitation documents, except as amended herein, shall remain unchanged and shall continue in full force and effect.