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**Date: 26 September 2018**

**Subject** : Amendment No 1 to Request for Proposals (RFP) for the 'Environmentally Sound Removal and Disposal of POPs Pesticide and POPs Impacted Wastes from the Merkim Warehouse Site in Kocaeli, Turkey – Primary POPs Waste Stockpile Elimination'

**Ref** : UNDP-TUR-RFP(POPs)-2018/06

Dear Madam/Sir,

In relation to our RFP for 'Environmentally Sound Removal and Disposal of POPs Pesticide and POPs Impacted Wastes from the Merkim Warehouse Site in Kocaeli, Turkey – Primary POPs Waste Stockpile Elimination', issued on 17 August 2018 with reference number UNDP-TUR-RFP(POPs)-2018/06, you are hereby provided with the 'Answers to Questions' received from prospective proposers, including the ones raised in Pre-Proposal Conference that was held in Kocaeli/Turkey, followed by a site visit on 13 September 2018.

Please note that the deadline for submission of proposals, which was stated to be 1 October 2018 in the RFP, has been extended until **22 October 2018, 17:30 hrs, Turkey time.**

You are kindly requested to prepare your proposals with the consideration of the answers provided in this Amendment and submit your proposals latest by **22 October 2018, 17:30 hrs, Turkey time** to the address stipulated in our solicitation documents.

A handwritten signature in blue ink, appearing to read 'Sukhrob Khojimatov', is written over the text 'Yours Sincerely'.

Sukhrob Khojimatov  
Deputy Country Director

Attachment-I 'Answers to Questions' received from prospective suppliers

## **Attachment-I:**

### **'Answers to Questions' Received from Prospective Proposers**

**Question 1: Regarding pre-operational and operational activities, could you clarify whether any local permissions and licenses are required?**

*Answer 1: As indicated in Section 4 of Request for Proposal, local and international regulations have to be followed to ensure that Contractor receives any permits and licenses, including but not limited to waste management certificates, operational health and safety licenses, etc. in due time. Some of the relevant pieces of legislation could be listed below, however, the Contractor shall be responsible for all relevant local and international legislation (not limited to the ones listed below) and their relevant permit and license processes which are necessary for the operation:*

#### **Legislation**

*The main national regulations related to the project are given below, but not limited to this list.*

- **General**
  - *Environmental Law, No: 2872 (Official Gazette Date: 11 August 1983 and No: 18132) amended by Law No. 5491 (2006)*
  - *By-law on EIA (Official Gazette Date: 25 November 2014 and No: 29186)*
- **Water Quality and Wastes**
  - *By-law on Water Pollution Control (Official Gazette Date: 31 December 2004 and No: 25687)*
  - *By-law on the Control of Pollution in Water and Its Environment due to Hazardous Substances (Official Gazette Date: 26 November 2005 and No: 26005)*
  - *By-law on the Monitoring of Surface Water and Underground Water (Official Gazette Date: 11 February 2014 and No: 28910)*
  - *By-law on Waste Management (Official Gazette Date: 02 April 2015 and No: 29314)*
  - *By-law on Control of Waste Oils (Official Gazette Date: 30 July 2008 and No: 26952)*
  - *By-law on the Control of Medical Wastes (Official Gazette Date: 25 January 2017 and No: 29959)*
  - *By-law on Control of Packaging Waste (Official Gazette, Date: 24 August 2011 and No: 28035)*
  - *By-law on Landfilling of Wastes (Official Gazette Date: 26 March 2010 and No: 27533)*
  - *By-law on Incineration of Wastes (Official Gazette Date: 06 October 2010 and No: 27721)*
  - *By-law on the Control of Excavation Soil, Construction and Destruction Wastes (Official Gazette Date: 18 March 2004 and No: 25406)*
  - *By-law on the Control of PCB and PCT (Official Gazette Date: 27 December 2007, and No: 26739)*

- **Air Quality**
  - *By-law on Air Quality Evaluation and Management (Official Gazette Date: 6 June 2008 and No: 26898)*
  - *By-law on the Control of Air Pollution Originated Industry (Official Gazette Date: 3 July 2009 and No: 27277)*
  - *By-law on the Control of Odor Emissions (Official Gazette Date: 19 July 2013 and No: 28712)*
  - *By-law on Control of Exhaust Gas Emissions, (Official Gazette Date: 11 March 2017, and No: 30004)*
- **Noise**
  - *By-law on Environmental Noise Assessment and Management (Official Gazette Date: 4 June 2010 and No: 27601)*
  - *By-law on Noise Spreading from Equipment Used in Outdoor (Official Gazette Date: 30 December 2006, Issue 26392 (4<sup>th</sup> report))*
- **Soil**
  - *By-law on Soil Pollution Control and Point Source Polluted Areas (Official Gazette Date: 8 June 2010 and No: 27605)*
- **Health and Safety**
  - *Law on Occupational Health and Safety No: 6331 (Official Gazette Date: 30 June 2012 and No: 28339)*
  - *By-law on Occupational Health and Safety (Official Gazette Date: 09.12.2003 and No: 25311)*
  - *By-law on Occupational Health and Safety in Construction Works (Official Gazette Date: 05.10.2013 and No: 28786)*
  - *By-law on Protection of Employees from Hazards of Explosive Environment (Official Gazette Date: 30.04.2013 and No: 28633)*
  - *By-law on Struggle with Dust (Official Gazette Date: 05.11.2013 and No: 28812)*
  - *By-law on Health and Safety Measures in the Works with Asbestos, (Official Gazette Date: 25.01.2013 and No: 28539)*

**Question 2: Are there any additional permits to work on the site?**

*Answer 2: The site is under the ownership of MERKİM AŞ and is supervised by the Provincial Directorate of Environment and Urbanization. Merkim, who is the owner of the site, will make legal applications to the Ministry of Environment and Urbanization (MoEU) for the access on the site. However, the Contractor shall follow all physical and administrative obligations related to the scope of the work defined in the subject RfP, with MERKİM, Ministry of Environment and Urbanization and other authorities that may be involved under the regulations.*

**Question 3: Has there been any environmental monitoring regarding the execution of works carried out, with baseline values available to us?**

*Answer 3: As stated in Section 3.7 of Terms of Reference of RFP, UNDP PMU through an independent contracted environmental service provider will also undertake*

*environmental monitoring of external ambient air quality, soil quality and ground water on the site and external to it (as may be required). The report regarding the baseline values will be posted on the project website on 23 September 2018 (<http://kalicikirleticiler.com/en/news/merkim-site-reference-reports/>).*

*As per Section 3.7 of Terms of Reference of RFP, The Contractor is required to undertake regular indoor mass particulate and noise monitoring, and outdoor noise monitoring at the site boundaries and as required on adjacent properties as set out in Section 4.2.3.*

**Question 4: What is the justification for drying wet waste indicated in RFP?**

*Answer 4: The main reason for requesting drying wet waste is financial. However, please kindly refer to Section 4.3.1 of Terms of Reference of RFP where it is stated that "Final determination of what POPs waste requires the drying step before packaging and removal will be made jointly by the Contractor and the UNDP PMU authorized representative, utilizing agreed bulk density determination techniques (to be described in the EWP)."*

**Question 5: Could you elaborate the statement in Section 4.3.1. of Terms of Reference of RFP that indicates: "Alternatively, the contractor may choose not to dry wet waste as described above, subject to providing a justification that demonstrates direct packaging and shipment of such waste is more cost effective than drying as described in its proposal." How shall the Contractor justify the decision? Should it be a simple mathematical statement? Would the contractor need to add any specific comparison or justification in detail within the proposal? Moreover, are there any pre-determined methods for drying the wet waste, such as heat drying or de-watering?**

*Answer 5: The Contractors are expected to fill in the provided format in Form G Financial Proposal Form, considering that the wet waste will be dried before operation as specified in the Section 5 of the RFP. Estimates of quantities have been provided in Table 1 Section 5 of the RFP. There is no pre-determined methodology on how to dry the waste, it would be up to Contractor's proposed methodology including any alternative to drying wet waste that may be more cost effective.*

**Question 6: Could you kindly indicate the amount of wet waste?**

*Answer 6: Please kindly refer to Section 4.3.1. of Terms of Reference that indicates: "The final quantities of such will vary depending on weather conditions and the effectiveness of the site roofs but have been estimated as accounting for approximate 318,39 t (see Table 1) in the Phase 1 site assessment study." It remains the Contractor's responsibility to take into account the estimated amounts in Section 4.3.1. of Terms of Reference or their own estimate for meeting the technical requirements, for purposes of preparing their financial proposal .*

**Question 7: Shall the Proposers include the costs of wastewater treatment in their price proposals?**

*Answer 7: It is anticipated that limited quantities of potentially contaminated wastewater may be generated by operational washing activities and collected rain water within the warehouse structure. As per Section 2 of Terms of Reference of RFP, "any wastes (i.e. waste water, PPE, cleaning particulate/dust and other POPs impacted) generated during the Contractor's operations on site and which the Contractor will be also responsible for".*

**Question 8: Can we confirm that warehouses numbered 1 to 3 are clean and all support infrastructure mentioned in Section 4.2.1 in Terms of Reference of RFP is ready?**

*Answer 8: The surficial cleaning of Warehouse Section 1, 2 and 3 after completion of preliminary works has been completed. However, the Contractor may choose to clean these areas before initiating the operation, and is required to do regular cleaning throughout the operation and do a final cleaning after all works are completed.*

*With respect to other support infrastructure, Contractors are referred to Section 4.2.0 (General Scope of Work) of Terms of Reference of RFP, and specifically the paragraphs that list the items of interior and exterior infrastructure that are now in place (and available for inspection during site visits, as well as identified outstanding items that will be completed by Merkim (at their cost) in consultation with the successful Contractor before initiation of the works.*

**Question 9: Will electricity and water be provided by MERKIM during operations? What is the power available? Is this sufficient to run industrial machines?**

*Answer 9: On-site electric lines (380 Volt and 220 Volt) and water are present at the site. In case these lines are not sufficient to operate at the site, MERKIM may support the increase of provided power and water supply.*

*The power supply is sufficient enough to operate industrial machines such as conveyors and press machines.*

**Question 10: There is a conveyor inside the site. Does it work?**

*Answer 10: It has not been operated for the last 5-6 years. The Contractor can evaluate its utility for use as they choose and if not to be used it will be removed and disposed of by Merkim.*

**Question 11: Would a truck fit in the warehouse?**

*Answer 11: It is up to the Contractor to assess options for loading pre-positioned trailers and/or shipping containers (unattached to trucks) in WH 3 as they may choose while maintaining adequate dust control for entry and exit. In the event that loading is*

*done inside operations inside other than connecting the trailer will be suspended and appropriate measures to avoid dust release shall be in place as set out and agreed in the EWP. The Contractor can also use the area in front of the warehouse within the fenced and graveled area without disturbing off site traffic while loading.*

**Question 12: Can we re-enter the site for additional walk-in studies? Is it also possible for companies to enter the site that could not attend the pre-proposal meeting?**

*Answer 12: In case there are such requests, site permission can be arranged with governmental bodies and the site visit could be made possible for interested Bidders.*

**Question 13: Regarding the wording of the Proposal Security template, our bank has requested the following amendment: This guarantee shall be valid up to 30 days after the final date of validity of proposals, but in any case not later than ...[date] after the lapse of which date this guarantee automatically becomes ipso jure null and void irrespective of whether the original is returned to us or not.**

**Kindly inform us if this amendment is accepted and in line with your requirements regarding Proposal Security.**

*Answer 13: The prospective Proposers shall fill in the template forms in RFP document, without making any alterations, subtractions or additions. Accordingly, Proposal Security template shall not be changed.*

**Question 14: In case of extension of the tender submission date, kindly inform us whether the original submission date (1/10/2018) can be presented in the Proposal Security (as the proposal submission date) or the new submission date should be written?**

*Answer 14: The date referred in the Proposal Security in the RFP document is the announcement date of this tender, which is 17.08.2018. There is no change in this date to be filled in. It should be noted that the validity date for Proposal Security shall be in alignment with the RFP document and published Amendments.*

**Question 15: Kindly clarify whether Merkim will provide security guards during the operation.**

*Answer 15: MERKIM will not provide any security guards during the operation.*