



AMENDMENT NO.1

Date: 04 September 2019

Subject: Amendment Nr.1 To ITB for “Construction of Mechanical Biological Treatment Plant in Gaziantep/Turkey” within the scope of Turkey Resilience Project in Response to the Syria Crisis; Municipal Service Delivery

Ref: UNDP-TUR-ITB(MC2)-2019/08

Dear Madam/Sir,

Please find attached “Answers to Questions from Prospective Bidders” and “Minutes of Pre-Bid Conference and Site Visit” in the context of subject ITB issued on 5 August 2019 for “Construction of Mechanical Biological Treatment Plant in Gaziantep/Turkey” within the scope of Turkey Resilience Project in Response to the Syria Crisis; Municipal Service Delivery.

You are kindly requested to prepare and submit your bids in response to our subject ITB with the consideration of this amendment, with all other clauses of the ITB remaining valid.

Please be sure that your bids are physically submitted on or before the submission deadline on **16 September 2019, 2:00 PM (GMT +3, Local time-Turkey)** via courier or hand delivery.

Attachment-1: Notification on Official Extension of the Project

Attachment-2: Answers to Questions from Prospective Proposers

Attachment-3: Minutes of Pre-Bid Conference and Site Visit

Yours Sincerely,

Sukhrob Khojimatov
Deputy Resident Representative

ATTACHMENT 1- NOTIFICATION ON OFFICIAL EXTENSION OF THE PROJECT

With reference to the ITB, Section 3 Bid Data Sheet, Row 28-Additional Information, the official extension of the “Turkey Resilience Project in Response to the Syria Crisis” was granted by the donor. Thus, the awarding of the contract is no more subject to any condition as per the ITB.

ATTACHMENT 2- ANSWERS TO QUESTIONS FROM PROSPECTIVE BIDDERS

Question 1: Is construction of wastewater treatment plant acceptable as previous experience to meet the qualification criteria?

Answer 1: *As per the ITB, the minimum qualification criteria for previous experience are stipulated as;*

- *Minimum five years of relevant experience.*
- *The Bidder must have successfully completed minimum one contract on construction of a mechanical biological (waste) treatment plant, and a minimum value of USD 8,000,000 over the last five years. (reference period to be taken into account: from September 16, 2014 to September 16, 2019)*
- *The Bidder must have successfully completed minimum two contracts on supply, installation, manufacturing and/or construction of an anaerobic digester (for biodegradable fraction of mixed municipal waste) having a minimum capacity of minimum 20,000 tonnes per year over the last five years. (reference period to be taken into account: from September 16, 2014 to September 16, 2019)*

Therefore, experience in construction of wastewater treatment plant will not be accepted to meet the minimum qualification criteria for previous experience.

Question 2: Are there any eligibility and qualification criteria as to have a previous contract with an international organization?

Answer 2: *The bidders are not required to have a previous experience with an international organization as eligibility and qualification criteria.*

ATTACHMENT 3- MINUTES OF PRE-BID CONFERENCE AND SITE VISIT

Pre-bid conference was conducted on 28 August 2019, 10:00 am, at the premises of Gaziantep Landfill Site, as stipulated by the Bid Data Sheet. UNDP held the conference with participation of representatives of prospective bidders and final beneficiary.

The prospective bidders were firstly informed that no verbal statement made during the conference shall modify the terms and conditions of the ITB, unless specifically incorporated in this Minutes of the Pre-Bid Conference or issued/posted as an amendment to ITB.

The following provisions of the ITB were emphasized prior to getting questions from the prospective bidders.

- The Bid, as well as any and all related correspondence exchanged by the Bidder and UNDP, shall be written in English.
- Bid validity period shall be minimum 90 days starting from the submission deadline.
- The currency of the bid shall be United States Dollar. The currency of payment is as follows; If the Contractor is registered and operating in Turkey, the payment shall be realized in Turkish Liras (TRY). Otherwise, the payments shall be affected in United States Dollar.
- A Bid Security shall be provided in the amount of USD 100,000 using the template given in Section 6 of ITB without any change from the template. The Bid Security shall be valid for a minimum of thirty (30) days after the final date of validity of the Bid.
- As per the ITB, the evaluation method for the award of contract is as follow;
 - *UNDP shall award the contract to the qualified and eligible Bidder that is found to be responsive to the requirements of the Schedule of Requirements and Technical Specification and has offered the lowest “total cost of ownership”*Total cost of ownership (TCO) will be calculated as follows;
$$\text{TCO} = \text{Total Price} + 10 \text{ years} \times (\text{Annual Cost for total net electric power consumption})$$
Total price will be the contract price as per the Form F Price Schedule Form
Annual Cost for total net electric power consumption is the commitment of the bidder provided as part of bidder's technical bid. (Form E)
- UNDP General Conditions of Contract for Civil Works will be applied, which can be accessed at <http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html>.
- UN and its subsidiary organs are exempt from all taxes. Therefore, bidders shall prepare their Bids excluding Value Added Tax (VAT). It is the Bidder's responsibility to learn from relevant authorities (Ministry of Finance) and/or to review/confirm published procedures and to consult with a certified financial consultant as needed to confirm the scope and procedures of VAT exemption application as per VAT Law, Ministry of Finance's General Communiqués. The Contractor to be selected shall not be entitled to receive any amount over its Bid price in relation to VAT, Special Consumption Tax and any other applicable taxes.
- UNDP's tax exemption is not automatically extendable to its vendors.
- If the Bidder is a group of legal entities that will form or have formed a Joint Venture (JV), Consortium or Association for the Bid, they shall submit a duly notarized Agreement among the legal entities with their Bid.
- With reference to the Form D;

- For the previous experience, the value of the contract shall be converted to USD through use of UN operational rate of exchange which was effective on the date of contract for the previous experience. UN operational rate of exchange are available at the following website: <https://treasury.un.org/operationalrates/OperationalRates.php#E>
- For financial standing table, the USD amount pertaining to each of three years (2016, 2017 and 2018) shall be calculated through use of UN operational rate of exchange which was effective for 31st of December of each corresponding year. UN operational rate of exchange are available at the following website: <https://treasury.un.org/operationalrates/OperationalRates.php#E>.
- Bidders shall provide descriptive responses in line with the sections of Form E: Format of Technical Bid, failure to provide the descriptive responses will be viewed as non-responsive.
- The prices inserted in price proposal are to be the full inclusive, including all costs and expenses which may be required in and for the construction of the works described together with any temporary works and installations which may be necessary, and all general risks, liabilities and obligations set forth or implied in the documents on which the tender is based. It will be assumed that establishment charges, profit and allowances for all obligations are spread evenly over all the price schedules.
- The contract will be fixed-lump sum price, and the price is not subject to any adjustment or revision because of price or currency fluctuations or the actual costs incurred by the Contractor in the performance of the Contract.
- The scope of the requirement also includes design of the works, and 450 days duration includes both design, construction and 3 months trial operation period. By partial approval of design by the Engineer, the prospective contractor may start the construction of the sections of the facility whose design is approved by the Engineer.

In the second session of the pre-bid conference, the questions of the prospective bidders were responded by representatives of UNDP. Each questions and answer are given below:

Question: It is understood from the specifications that the mechanical building shall be designed and constructed by considering the second phase in terms of building works (i.e. size of the building, concrete works etc.). However, it is not clear if the electrical infrastructure, fiber-optics, compressed air pipeline etc. and other underground installation for phase 2 line/units will also be in the scope of this contract.

Answer: The mechanical building shall be designed and constructed by considering the second phase in terms of building / civil engineer works (i.e. size of the building, concrete works, etc.). In this content the mechanical & electrical infrastructure will be designed for the second phase by the contractor and constructed for the first phase. However, regarding the parts of the mechanical & electrical works that are installed into concrete part or underground or in general in places that are impossible to be installed in the second phase, these must be constructed during the first phase. The previous applies only for the works that are not able to be constructed during the second phase. For instance, underground cable pipes or cable pipes that are placed into concrete must be installed in phase one, but the cables for the second phase (extension of the mechanical treatment line) will be installed during the second phase and are not in the scope of this contract. The Medium Voltage substation must be designed & constructed for the second phase as it concerns the civil works. There must be a provision for the extension for the second phase with the installation of the extra needed equipment.

Question: During the trial operation, who will borne the costs for spare parts?

Answer: All necessary consumables, spare parts, electricity, tools, lubricants, etc. for 3-months trial operation shall be supplied by the Contractor as part of the Contract.

Question: Is it acceptable to propose vertical type AD?

Answer: The type of AD shall be tunnel type as indicated by the Statement of Works.

Question: Is it possible to propose a layout plan different than the conceptual drawings?

Answer: A different layout may be proposed by the bidder with the conditions that

- All structures shall be in the hatched area (solid grey) on the conceptual layout drawing.
- The place of the administrative building shall not be changed.

Question: Will the delay damage be imposed according to the total contract price or the value of the remaining works?

Answer: Delay damage will be imposed according to the total contract price.

Question: MBT facility will require Environmental License in respect to Environmental Permits and Licenses Regulation (10.09.2014 / 29115). Is the application process for that license in the scope of this contract?

Answer: License application process and fees are not in the scope of this contract, the final beneficiary will undertake the application process.