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**AMENDMENT NO.1**

**Date:** 19 March 2019

**Subject:** Amendment Nr.1 To ITB for “Construction of Waste Transfer Stations in Hatay” within the scope of Turkey Resilience Project in Response to the Syria Crisis; Municipal Service Delivery

**Ref:** UNDP-TUR-ITB(MC2)-2019/01

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 8 February 2019 for “Construction of Waste Transfer Stations in Hatay” 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 1 April 2019, 14:00 PM (GMT +3, Local time-Turkey)** via courier or hand delivery.

Attachment-1: Answers to Questions from Prospective Proposers Attachment-2: Minutes of Pre-Bid Conference and Site Visit

Yours Sincerely,

Sukhrob Khojimatov  
Deputy Country Director

## ATTACHMENT 1- ANSWERS TO QUESTIONS FROM PROSPECTIVE BIDDERS

**Question 1: Please kindly clarify the qualification criteria for financial standing, particularly the required amount of annual turnover for each year. Shall the total sum of the three years' or each year's annual turnover be 1.000.000 USD?**

**Answer 1:** As per the ITB section 4, *the financial standing criterion for the subject ITB is stipulated as "Minimum average annual turnover of USD 1,000,000 for the last 3 years. (2016, 2017, 2018) (The amount of business done in a year, income generated from on-going works and income generated from works undertaken shall be considered as part of the turnover).*

*The specific annual turnover for each year will not be evaluated, average amount will be evaluated against the criterion.*

*Since the average turnover for the last years to be evaluated, the total sum of three years' turnover shall be minimum USD 3,000,000.*

## ATTACHMENT 2- MINUTES OF PRE-BID CONFERENCE AND SITE VISIT

Pre-bid conference was conducted on 13 March 2019, 10:00 am, at the premises of Metropolitan Municipality of Hatay (Turkey), as stipulated by the Bid Data Sheet. UNDP held the conference with participation of representatives of prospective bidders, final beneficiary Metropolitan Municipality of Hatay, implementing partner İbank.

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 12,000 for Lot 1 and USD 15,000 for Lot 2 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. The bidders applying both lots shall provide two separate bid security for each lot.
- The contract for each lot will be awarded to only one bidder who submits the lowest priced technically qualified and eligible bid for each lot. Both of the lots may be awarded to one bidder.
- 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.
- As the minimum qualification criterion, the bidders must have successfully completed, as the prime contractor, minimum one civil works contract, and a minimum value of USD 500,000 over the last three years. If the value of the previous experience is in a different currency than USD, 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>
- As the minimum qualification criteria, the bidders shall have minimum average annual turnover of USD 1,000,000 for the last three years. The prospective bidders were reminded that 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 December of each corresponding year. UN

operational rate of exchange are available at the following website: <https://treasury.un.org/operationalrates/OperationalRates.php#E>. For the vendors whose accounts have not been closed for 2018, the values for 2015 will be considered instead of 2018.

- The precedence of the sections and/or articles under “Section 5A: Schedule of Requirements and Technical Specifications/Bill of Quantities” was emphasized.
  - Unless otherwise stipulated in the related sections of technical specifications, the following sections shall take precedence over one another in the following order in terms of technical specifications/requirements;
    - 1) Section 5A.1 Statement of Works/Technical Specifications
    - 2) Section 5A.3 Design Drawings
    - 3) Section 5A.2 Specifications for Items/Pose Definitions
- Bidders who submit bids for both of the lots should submit technical bid separately for each lot.
- 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 bidders who submit bids for both of the lots shall propose different personnel as the Project Manager/Construction Manager for each lot. The bidders who submit bids for both of the lots may propose the same personnels for both lots as Mechanical Engineer, Electrical Engineer and Surveyor.
- The prices inserted in the Bill of Quantities are to be the full inclusive values of the works described under the items, 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 unit rates. No specific payment will be made against transportation of materials to the site.

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

**Question:** Is there any issue for the construction sites in terms of ownership and zoning status?

**Answer:** The constructions sites has been allocated for construction waste transfer stations, there is no obstacle for commencement of work.

**Question:** Is it mandatory to attend the pre-bid conference?

**Answer:** Non-attendance will not result in disqualification of an interested Bidder.

**Question:** Could the bidders apply for both lots with one previous experience having contract value of USD 500,000?

**Answer:** The bidders meeting the evaluation criteria will be considered for both lots. The bidders having one acceptable work completion certificate can apply both lots.

**Question:** Are there connection points for utilities such as electricity, water at the construction sites

**Answer:** The available connection points were identified by the design drawings. Yayladag construction site does not have any utility available on the site.

As per technical specifications/statement of work Article 1.4.2 Site Requirements; provision of all the necessary utility requirements on site, such as electricity, water, gas, etc. **during the execution of the works** shall be under the responsibility of the Contractor.

**Question:** Can you provide the website links referred in Section 2 Instructions to Bidders and Section 3 Bid Data Sheet of ITB, several are not working?

**Answer:** The links provided in Section 2 Instructions to Bidders and Section 3 Bid Data Sheet are checked, and the working links are provided below for the non-working ones;

#### Section 2 Instructions to Bidders

- 2.4 All Bidders must adhere to the UN Supplier Code of Conduct, which may be found at [https://www.un.org/Depts/ptd/sites/www.un.org.Depts.ptd/files/files/attachment/page/pdf/unsc/coduct\\_english.pdf](https://www.un.org/Depts/ptd/sites/www.un.org.Depts.ptd/files/files/attachment/page/pdf/unsc/coduct_english.pdf)
- 22.6 Detailed instructions on how to submit, modify or cancel a bid in the eTendering system are provided in the eTendering system Bidder User Guide and Instructional videos available on this link: <https://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notices/resources/>
- 42.1 Except when the interests of UNDP so require, it is UNDP's standard practice to not make advance payment(s) (i.e., payments without having received any outputs). If an advance payment is allowed as per the BDS, and exceeds 20% of the total contract price, or USD 30,000, whichever is less, the Bidder shall submit a Bank Guarantee in the full amount of the advance payment in the form available at [https://popp.undp.org/\\_layouts/15/WopiFrame.aspx?sourcedoc=/UNDP\\_POPP\\_DOCUMENT\\_LIBRARY/Public/PSU\\_Contract%20Management%20Payment%20and%20Taxes\\_Advanced%20Payment%20Guarantee%20Form.docx&action=default](https://popp.undp.org/_layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP_DOCUMENT_LIBRARY/Public/PSU_Contract%20Management%20Payment%20and%20Taxes_Advanced%20Payment%20Guarantee%20Form.docx&action=default)

#### Section 3 Bid Data Sheet

- Line 24; Contract for Civil Works  
<http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html>
- Line 25; UNDP Contract Terms and Conditions that will apply:  
<http://www.undp.org/content/undp/en/home/procurement/business/how-we-buy.html>