

RFP No: IOP/10-2017/RD

Procurement of Consulting Services

Main Design, Detailed Design, Project Management, Supervision of Civil Works and Clean Room Validation for Construction of BioSense Institute Building in Novi Sad, Serbia

CLARIFICATION NO. 1

Issued on 3rd November 2017

QUESTION 1:

It is surprising that in case of a consortium, each of its members shall meet with the minimum criteria (a), (b), (c) and (g) especially if those members are not the leader of the consortium. This could be seen as a discriminatory set of eligibility criteria. **Could you please confirm this aspect (page 39 of the RFP)?**

If a proposal is submitted by a Joint Venture of two or more firms as members, every member of a Joint Venture must comply with the minimum qualification criteria listed in points (a), (b), (c) and (g) in order for the Joint Venture to qualify. A consistent history of litigation or arbitration awards against any member of a Joint Venture may also result in disqualification of the Joint Venture.

RESPONSE 1:

There has been an Amendment of the Tender documents made on the 3rd November 2017 which allows members of a Joint Venture to fulfil the minimum qualification criterion listed in point (a) ("The Consultant's total turnover must exceed 5,000,000.00 EUR in the last three accounting years prior to the submission of its proposal."), jointly.

As defined clearly in Section 2, Subsection 1, point (n) on page 6 of the RFP, joint venture (JV) members shall be **jointly and severally liable** to the Client for the performance of the Contract.

It is therefore reasonable for the Client to ensure that not only the leader of the JV, but also all of its member meet the minimum eligibility criteria of **general** financial standing (indicated as (b) and (c)) as well as **general** quality assurance standards (indicated in (g)), as the potential risk of the JV agreement dissolution or restructuring may jeopardize contract performance. It cannot be viewed as a discriminatory set of eligibility criteria as **any** JV member can provide qualification for the JV in all other criteria based on **particular** past performance (indicated as (d) through (f)) directly related to the expertise in the subject matter of the Contract.

QUESTION 2:

The eligibility criteria (a) to (f) appear to be usual in this sector and with the related international tenders (for the entire consortium of course, Cf. our first question/remark) but the criterion (g) seems to be quite restrictive and therefore will induce a limited participation of candidate. **What is the purpose of this strict criterion having in mind that beyond those 3 ISO/OHSAS certificates you could have also asked for the ISO/IEC 27001:2013?**

RESPONSE 2:

The purpose of criterion (g) is to assure that the Candidate has a quality management system in place, as documenting the processes in-house is a prerequisite for adequate quality of tracking and tracing the procedures the Client expects when communicating potential underperformance of the Contract and efficient Consultant response thereto. The reason for an environmental management system and an occupational health and safety management system is essential for quality assurance purposes during Contract performance, as the Consultancy Services include Supervision of Civil Works (i.e. presence, supervision and management on site). Security of information as standardized in ISO/IEC 27001:2013 could be beneficial, but it is not essential for the performance of the Contract and is therefore not listed as a qualifying requisite (minimum).

QUESTION 3:

At the page 75 out of 153 of the Tender Dossier you do mention a "suggested tentative construction period of 12 months". Again for a +6,000m² building this is not, by far, a realistic duration for the construction.

Could you please double check this further as it could be a mistake or even a typo (22 months)?

This aspect is important since usually it is expected to build such a building in 18 to 24 months, therefore the foreseen cost for the construction's supervision could be simply the double in the end...

RESPONSE 3:

It is not a mistake or a typo. The suggested tentative periods are an evaluation criterion for the proposal evaluation. Any Candidate can propose any timeframe, as they may see fit.

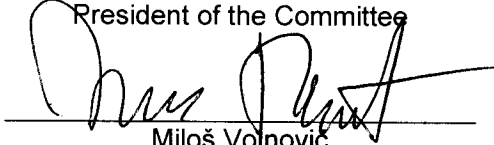
QUESTION 4:

Regarding the Preliminary Design (with the Feasibility Study), we do understand that it has been entirely done.

But what is the status of the Location Permit or Zoning Permit. Do the project already received a Zoning Clearance allowing this project to start without delays?

RESPONSE 4:

As indicated on the same page in point 3.1., the scope of Consultant Services covers the Building Permit Project in adherence with the Law on Planning and Construction of the Republic of Serbia as its first stage. The prerequisite documents, required by law, that precede the Building Permit Project will be available before Consultant Services that are the subject of the RFP commence.

President of the Committee

Miloš Vojnović