

ADDITIONAL INFORMATION NO. 2

Lower Danube Valley Water Directorate (ADUVIZIG)

Baja, Hungary

Budapest, 20/09/2018

Our ref.: HUSRB/1601/11/0001-works

SUBJECT: ADDITIONAL INFORMATION FOR THE LOCAL OPEN TENDER TITLED "*WATER MANAGEMENT WORKS OF THE BAJA-BEZDAN CANAL*"

Dear Tenderers,

In response to the questions from the tenderers, the Első Magyar Közbeszerzési Tanácsadó Zrt. on behalf of Lower Danube Valley Water Directorate (ADUVIZIG) provides the following additional information:

1. Question:

1. In Section 2.4 of VOL 3, mention is made of consultation with the Danube-Dráva National Park Directorate and the concerned public utility operators (see also VOL 5, Dredging technical description, page 20). Please attach the pre-declarations taking into account the relevant specifications and accurate submission of the offer.

Answer:

Please find enclosed the document including the result of reconciliations with the relevant nature protection directorate. The documents containing the results of the reconciliation with other authorities (Government Office, Disaster Recovery etc.) are also attached. (Attachments no 1., 2., 3. and 4.)

Nevertheless the Contractor is obliged to perform further reconciliations with all the relevant authorities as necessary, during the preparation of the construction drawings.

Furthermore, the Contractor is also obliged to request technical supervision from the Danube-Dráva National Park Directorate during the dredging as well as from the other authorities and public utility providers at the public utility crossings (e.g. Croatian gas transit pipe, electric cables etc.). The costs of the technical supervisions shall be covered by the Contractor.

2. Question:

2. It is mentioned in section 2.5 of VOL 3 that archaeological site is unknown. Please be sure to attach the relevant documentation to the call for offers.

Answer:

Please find attached the Preliminary Archaeological Documentation. (Attachment no 5.)

3. Question:

3. The Dredging technical description of VOL 5 states in several places that mud from dredging can be placed in designated areas. Do we understand well that mud quality has been tested and has a good classification, so it can be placed in designated areas? If there is a measurement of mud, please attach it to the Tender Document.

Answer:

The dredged mud shall be placed at the mud landfill areas as indicated in the tender drawings. The protocol, made in 2011, on the mud quality survey at different sections of the channel is attached (Attachment no 6.)

4. Question:

4. In the Dredging technical description of VOL 5, do we understand well that dredging tasks are not licenserequired activities, that is, a water construction permit is not required to be carried out, and work can be started with implementation plans and approvals?

Answer:

The planned dredging is considered to be maintenance works (dredging) thus not subject to permission, since the goal is the restoration of the original conditions. Water permit is not necessary for this kind of dredging works. The dredging works can be commenced after the approval of the construction drawings and that the commencement order is issued by the engineer/technical supervisor.

5. Question:

5. On the page 4 in the Technical description of scumextractor of VOL 5 it is written that the water authority has given a written statement that scumextracting is not a licenserequired activity. Please be kind to send this written statement to the Tenderers.

Answer:

The construction/building of the drift removal platforms is not subject to permission. The document justifying that is attached. (Attachment no. 3)

6. Question:

6. In 12.1.8. Documentation of plant of VOL 1 technical data will be filled out based on form 4.6.2. Do we understand well that photo presentation or internet accessibility for other technical data on the device is enough ?

Answer: Yes, this kind of information shall also be accepted if sufficiently detailed.

7. Question:

In case of nr. 2 and 3. award criteria on 3. section Page 23 in tender form,- the professional experience of expert- it is indicated number of projects (max 5 projects). In the tender documentation on 24.section Page 15-16 pages, the experience of experts will evaluate in months (max. 36 months)

Question: Do we understand well that during the evaluating procedure, the extra professional experience needs to give in months?

Answer: Yes, for the purpose of scoring the experience of the project leader and the site manager has to be provided in months. Please find attached the corrected Tender Form, which is to be used when submitting your tender.

Yours sincerely,

Első Magyar Közbeszerzési Tanácsadó Zrt.

TENDER FORM FOR A WORKS CONTRACT

Publication reference: HUSRB/1601/11/0001-WORKS

Name of contract: *WATER MANAGEMENT WORKS OF THE BAJA-BEZDAN CANAL*

<Place and date>

A: Lower Danube Valley Water Directorate (ADUVIZIG)
H-6500 Baja,
Széchenyi I. Str. 2/c.
Hungary

One signed form must be supplied (for each lot, if the tender procedure is divided into lots), together with the number of copies specified in the Instruction to Tenderers. The form must include a signed declaration using the annexed format from each legal entity making the application. **All data included in this form must concern only the legal entity or entities making the application.** The attachments to this form (i.e. declarations, statements, proofs) may be in original or copy. If copies are submitted the originals must be sent to the Contracting Authority upon request. For economical and ecological reasons, we strongly recommend that you submit your files on paper (no plastic folder or divider). We also suggest you use double-sided printing as much as possible.

Any additional documentation (brochures, letters, etc.) sent with the form will not be taken into consideration. Applications submitted by a **consortium** (i.e. either a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure) must follow the instructions applicable to the consortium leader and its members.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary to perform the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator.

1 SUBMITTED BY

| | Name(s) of tenderer(s) | Nationality ¹ |
|---------------------|------------------------|--------------------------|
| Leader ² | | |
| Member 2* | | |
| Etc ... | | |

2 CONTACT PERSON (for this tender)

| | |
|-----------|--|
| Name | |
| Address | |
| Telephone | |
| Fax | |
| E-mail | |

3 TENDERER'S DECLARATION(S)

As part of their tender, each legal entity identified under point 1 of this form, including every consortium member, as well as each capacity-providing entity and each subcontractor providing more than 10% of the works, must submit a signed declaration using this format, together with the Declaration of honour on exclusion and selection criteria (Annex 1)

In response to your letter of invitation to tender for the above contract,

we, the undersigned, hereby declare that:

1. We have examined and accept in full the content of the dossier for invitation to tender No **HUSRB/1601/11/0001-WORKS** of [23/07/2018]. We hereby accept its provisions in their entirety, without reservation or restriction.

¹ Country in which the legal entity is established.

² Add/delete additional lines for members as appropriate. Note that a subcontractor is not considered to be a member for the purposes of this tender procedure. If this tender is being submitted by an individual tenderer, the name of the tenderer should be entered as 'leader' (and all other lines should be deleted).

2. We offer to execute, in accordance with the terms of the tender dossier and the conditions and time limits laid down, without reserve or restriction, the following works:
Water management works of the Baja-Bezdan Canal.
3. a) The price of our tender is:

HUF..... (excluding VAT)

b) The experience of the project leader above the minimum required as selection criterion in construction or reconstruction of inland drainage canals and/or inland water systems projects in months:

c) The experience of the site manager above the minimum required as selection criterion in construction or reconstruction of inland drainage canals and/or inland water systems projects in months:
4. Offering discount is not relevant.
5. This tender is valid for a period of 90 days from the final date for submission of tenders.
6. If our tender is accepted, we undertake to provide a performance guarantee, as required by Article 15 of the Special Conditions.
7. Our firm/company [*and our subcontractors*] has/have the following nationality:

<.....>
8. We are making this tender [on an individual basis/as member of the consortium led by < name of the leader / ourselves >]. We confirm that we are not tendering for the same contract in any other form. [We confirm, as a member of the consortium, that all members are jointly and severally bound in respect of the obligations under the contract, including any recoverable amount, that the lead member is authorised to bind, and receive instructions for and on behalf of, each member, that the execution of the contract, including payments, is the responsibility of the lead member, and that all members in the joint venture/consortium are bound to remain in the joint venture/consortium for the entire period of the contract's execution]. [We confirm, as capacity-providing entity to be jointly and severally bound in respect of the obligations under the contract, including for any recoverable amount.]
9. In the event that our tender is successful, we undertake, if required, to provide the proof usual under the law of the country in which we are effectively established that we do not fall into any of the exclusion situations. The date on the evidence or documents provided will be no earlier than one year before the date of submission of tender and, in addition, we will provide a statement that our situation has not altered in the period which has elapsed since the evidence in question was drawn up. We also understand that if we fail to provide this proof within 15 calendar days after receiving the notification of award, or if the information provided is proved false, the award may be considered null and void.

10. We agree to abide by the ethics clauses in Clause 28 of the instructions to tenderers and, in particular, have no professional conflicting of interests and/or any equivalent relation with other candidates or other parties in the tender procedure or behaviour which may distort competition at the time of the submission of this application according to Section 2.3.6 of the Practical Guide. We have no interest of any nature whatsoever in any other tender in this procedure.
11. We will inform the Contracting Authority immediately if there is any change in the above circumstances at any stage during the implementation of the contract. We also fully recognise and accept that any inaccurate or incomplete information deliberately provided in this application may result in our exclusion from this and other contracts funded by the EU/EDF.
12. We note that the Contracting Authority is not bound to proceed with this invitation to tender and that it reserves the right to award only part of the contract. It will incur no liability towards us should it do so.
13. We fully recognise and accept that if the above-mentioned persons participate in spite of being in any of the situations listed in Section 2.3.3.1 of the Practical Guide or if the declarations or information provided prove to be false, they may be subject to rejection from this procedure and to administrative sanctions in the form of exclusion and financial penalties representing 2 % to 10 % of the total estimated value of the contract being awarded and that this information may be published on the Commission website in accordance with the conditions set in Section 2.3.4 of the Practical Guide..
14. We are aware that, for the purposes of safeguarding the EU's financial interests, our personal data may be transferred to internal audit services, to the Early Detection and Exclusion System, to the European Court of Auditors, to the Financial Irregularities Panel or to the European Anti-Fraud Office.

[* Delete as applicable]

Name and first name: [.....]

Duly authorised to sign this tender on behalf of:

[.....]

Place and date: [.....]

Stamp of the firm/company:

This tender includes the following annexes:

[Numbered list of annexes with titles]