



PUBLIC ENTERPRISE ROADS OF SERBIA,  
BULEVAR KRALJA ALEKSANDRA 282,  
11000 BELGRADE, REPUBLIC OF SERBIA

## CLARIFICATIONS 1

### RELATED TO TENDER PROCEDURE (QUESTIONS AND ANSWERS)

<b>Programme</b>	<b>Interreg IPA CBC Romania – Serbia Programme</b>
<b>Project title</b>	<b>Improvement of Banat Connectivity 2</b>
<b>Name of the Contracting Authority</b>	<b>Public Enterprise Roads of Serbia, Bulevar Kralja Aleksandra 282, 11000 Belgrade, Republic of Serbia</b>
<b>Tender procedure</b>	<b>Works on traffic infrastructure in Serbia</b>
<b>Reference No</b>	<b>481/ROS/TD2-3</b>
<b>Datum, Mesto / Date, Place</b>	<b>13.01.2021, Belgrade</b>

No	Question	Answer
1	<p>In Volume 1, Section 1, Point 12.2 <b>Technical and professional capacity of candidate</b> the Employer requests:</p> <p><i>It must have completed at least two projects in reconstruction, repair and rehabilitation of roads with asphalt wearing course of minimum surface area of 12,000 m2 separately per each contract during the following period: 5 years from the submission deadline, please specify the dates.</i></p> <p><b>Question:</b> Please clarify whether the Bidder will fulfill the stated condition if he performed contracts on maintenance of public roads, and whose works are identical to the project?</p> <p>Considering that the subject of this tender is <b>heavy maintenance</b> of part of state class road IB-15 from km 165+606 to km 167+406. Maintenance will include construction works and traffic signage, as stated by the investor in point 6. Description of the Contract (Works Contract Notice).</p>	<p>The Bidder meets the stated requirement if, beside the stated works, he has completed contracts for maintenance of public roads in requested time period.</p>
2	<p>In Volume 1, Section 1, Point 12.2 <b>Technical and professional capacity of candidate</b> the Employer requests:</p> <p><i>Has employed Civil Engineers with following licences 412 or 415, 470 and 316 issued or certified by Serbian Chamber of Engineers or equivalent in line with Serbian Law for Construction.</i></p> <p><b>Question:</b> Please clarify whether the Bidder will fulfill the stated condition if he has hired engineer with licence 470 on the basis of a contract on additional work, in accordance with the Labor Law?</p>	<p>The Bidder meets the stated requirement if he commissions engineers with the stated licences on the basis of contracts for supplementary employment or on some other basis, in accordance with the Labour Law of the Republic of Serbia.</p>



<p>3</p>	<p>In Volume 1, Section 1, Point 12.2 <b>Technical and professional capacity of candidate</b> the Employer requests:</p> <p><i>Has valid permit for transport of non-dangerous waste in the territory of AP of Vojvodina. Evidence: hardcopies of valid Decision of the Provincial Secretariat for Urban Planning, Engineering and Environmental Protection.</i></p> <p><b>Question :</b> Please clarify whether the Bidder will fulfill the stated condition if he has a cooperation agreement with the company who has valid permit for transport of non-dangerous waste in the territory of AP of Vojvodina?</p>	<p>If the Bidder submits a bid individually, it is required that he possesses a valid license for the transport of non-hazardous waste on the territory of the AP Vojvodina, and if a joint bid is submitted, it is considered sufficient if one of the bidders from the joint venture possesses a valid licence for the transport of non-hazardous waste on the territory of the AP Vojvodina.</p>
<p>4</p>	<p>In Volume 1, Section 1, Point 12.1, the Employer requests: All tenders must comprise the following information and duly completed documents:</p> <p><i>Ownership or right use to Asphalt plant capacity min 150tons/hour, with proven average annual production of 20.000 tons for years 2017, 2018, 2019 and <b>which is located within 120 km distance from construction site</b> (measured as per road on which movement of heavy vehicles is permitted and which is exempted from limited load capacity).</i></p> <p><b>Note:</b> In <b>Technical conditions for road construction in the Republic of Serbia</b> issued by Investor Public Enterprise Roads of Serbia we can see the next conditions:  <i>The transport of hot bituminous mixtures is, as a rule, <b>limited to a maximum distance of 100 km</b> and a maximum time of up to 2 hours, provided that a vehicle with a asphalt thermal-containers is used for transport. <b>Otherwise, the transport distance of the adequately protected hot bituminous mixture is limited to 70 km</b> and lasts for a maximum of 1.5 hours.</i></p> <p><b>Question :</b> Please clarify why is set condition opposite to the <i>Technical conditions for road construction in the Republic of Serbia</i>, where is the transport of hot bituminous mixtures <i>provided that a vehicle with a asphalt thermal-containers is used for transport</i>, limited to a maximum distance of 100 km?</p> <p>We ask the Investor to change the tender documentation in the part related to the distance of the asphalt base and adjust it to the <b>Technical conditions for road construction in the Republic of Serbia.</b></p>	<p>In accordance with the Technical Specifications for the Construction of Roads in the Republic of Serbia, the Investor may set particular technical conditions (PTC) for the execution of particular works for individual structures.</p> <p>In line with this and with the fact that it is a road rehabilitation, not construction and having in mind the location of the construction site, as well as the distance between the asphalt plants of the neighboring towns and municipalities and the subject construction site, the Investor has selected the stated requirement, which will in no way affect the quality of the execution of works, therefore the condition requiring the asphalt plant to be at the distance of maximum 120 km from the construction site remains.</p>



5	<p>In Volume 1, Section 1, Point 12.1, the Employer requests: All tenders must comprise the following information and duly completed documents:</p> <p>a list of plant for execution of the contract. The descriptions must demonstrate the tenderer's ability to complete the works and should include amongst others, the following elements:</p> <ul style="list-style-type: none"><li>- 1 Falling Weight Deflectometer – FWD with at least 9 geophones</li></ul> <p>For Falling Weight Deflectometer – FWD, scanned vehicle license, insurance policy and relevant valid calibration certificate issued by the manufacturer should be submitted.</p> <p><b>Note:</b> We believe that the Investor, without justified reasons, requires from the bidder to have a deflectometer with falling weight, for several reasons:</p> <ol style="list-style-type: none"><li>1) The Investor in this way greatly narrows the competition, bearing in mind that the deflectometer with the purpose of 9 geophones has a very small number of laboratories in Serbia. By contacting them, we received an answer from everyone that they do not want to lease (rent) their deflectometers to other Bidders. Laboratories that own deflectometers, accept to be engaged in the realization of positions for which a deflectometer is necessary, only in the case when a certain bidder gets a job.</li><li>2) On the other hand, we note that the contracting authority in 2020 has already announced this tender in which it did not require from the bidder to have or right use deflectometer with at least 9 geophones. Why is it necessary to own it now?</li></ol> <p>We ask the contracting authority to change the tender documentation in the part related to the deflectometer with falling weight - with at least 9 geophones, so that it will delete this condition and thus enable participation in this tender to other bidders. Acting on this way, the contracting authority obviously favors one bidder / consortium.</p>	<p>After going into the field and the inspection of the road section where the rehabilitation works are to be carried out, it has been established that it is in a much worse state in comparison with the one it was in on the occasion of the previous bidding and therefore it is necessary to perform further analyses prior to the rehabilitation works, including the bearing capacity of the pavement, all with the purpose of good quality performance. In order to carry out these analyses properly, it is necessary that the Bidder possesses a Falling Weight Deflectometer (FWD), as requested previously in the bidding documentation.</p>
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6	<p>As stated in VOLUME 1/SECTION 1/TENDER DOCUMENTS/PAGE 8, in the list of facilities for the execution of the contract, referring to the asphalt plant, with all the above characteristics, we address you with following question:</p> <p>- IS AN EXCEPT FROM THE PROPERTY FUND, OR LAND REGISTERS, NECESSARY FOR THE ASPHALT PLANT?</p> <p>According to the law of the Republic of Serbia, asphalt bases are used as assembly and disassembly facilities and are not subject to entry in the land register, but only registration is performed as the foundation of the facility.</p> <p>The asphalt plant the we plan to use for this work is located on the land of another company, and if necessary, we can provide consent (written statement) how we will able to use the said plot for the operation of the asphalt base until the completion of works.</p>	<p>As for the property deed and the occupancy permit for the asphalt plant, the conditions from the bidding documentation remain the same.</p>
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