

**Phare 2005 – Roma Support Project: Infrastructure improvement in 1 Roma settlement  
in Međimurje County, Croatia**

**TENDER N°2005-0202-0101**

**Minutes of Site Visit and Clarification Meeting**

The Site Visit started on 21 August 2007 at 10:00 hrs in the premises of Međimurje County (Ruđera Boškovića 2, 40 000 Čakovec) and was resumed with a visit to Trnovec – Parag, the location of the planned works, where the participants were shown the routes of the planned roads and water and electricity supply. The Clarification meeting was held at 13:00 in the premises of Međimurje County.

**A. Introduction**

The representative of the CFCU opened the Site Visit at 10:00 hrs. He welcomed all attendees and thanked the representatives of Međimurje County for providing premises for the meeting and making all the arrangements concerning the Site Visit. He also gave an outline of the timetable for the Site Visit and Clarification Meeting, and emphasized the importance of the Meeting, which is intended to ensure that the effort invested by both the Tenderers and the Beneficiaries lead to the successful completion of the project. The importance of strictly following the laid out rules was further highlighted. In addition, the CFCU representative stated that further Tenderers' questions will be accepted, but not later than 27 August 2007, and only through official channels. He also noted that the CFCU will have 10 more days to answer the questions and publish the answer on the CFCU website ([http://cfcu.mfin.hr/tenderYYY/PHARE\\_2005.htm](http://cfcu.mfin.hr/tenderYYY/PHARE_2005.htm)) no later than 6 September 2007.

Representatives of Međimurje County and Government Office for National Minorities, which are the project's beneficiaries also greeted the participants and provided them with the basic background information on the project. Simultaneously, a list of participants was completed. Along with the already mentioned, engineers who were in charge of the project in the planning phase were also attending, so as to provide technical information to the potential applicants to tender.

**B. Site Visit**

Representatives of the Međimurje County showed the Tenderers the route to Trnovec-Parag, the Roma settlement where the works which are subject of the tender are to take place. On site, they were all accompanied by representatives of the Municipality of Nedelišće, where the settlement is situated. The Tenderers were guided through the settlement, and were shown where exactly the construction would take place: where would the roads be built, cables and

pipes laid and so on. After the Site Visit the participants were guided back to Čakovec, where the Clarification Meeting was set to resume.

### **C. Clarification Meeting**

At 13:00 hrs all of the meeting participants gathered again at the premises of Međimurje County in Čakovec, where the CFCU representative gave a short review of the Instructions to Tenderers and of the tendering and contracting procedure. He stated that subcontracting is permissible, but only up to 30% of the value of the contract. Also, he stressed the importance of the use of the English language during the entire procedure, which is vital for the efficient *ex ante* control by the Delegation of the European Commission. Furthermore, he stated that the application to tender must be submitted in five (5) identical copies so that they can be made available to the five members of the Evaluation committee. All financial information should be submitted in Euro, except for the documentary proof of the firm's financial status, which should state the information (for Croatian firms only) in Kuna. However, a translation by a certified translator should be attached. Also, it was stated that, after the decision is made, the Contracting Authority will notify the Tenderer that won the contract, and those that were not successful, after which the latter will have the opportunity to appeal. After that the contract can be signed and the works may commence. The works can not begin before all the parties have signed the contract. Also, all information on the tender is considered secret before the contract is signed. Finally, before answering the Tenderers' questions, the CFCU representative repeated that the deadline for submission of applications is 17 September 2007 at 12:00 hrs Zagreb local time.

### **D. Discussion**

Q1: Can the guarantee be stated in Kuna?

Re1: No, banks are capable of providing these in Euro.

Q2: Does the text (memos and other text) accompanying the financial information has to be in English?

Re2: Yes, it has to be in English.

Q3: Is it required to enclose a Letter of Intent as part of the submitted offer?

Re3: No – if it is not part of the Tender Dossier, it does not have to be submitted.

Q4: So the Letter of Intent is only sent to CFCU in case we are awarded the contract?

Re4: The Tenderers are obliged to submit templates from Tender Dossier as part of their offer, enclose requested documentary evidence and provide Tender Guarantee.

Q5: What are the main evaluation criteria?

Re5: All evaluation criteria are of the same importance. However, they will be applied as follows: Firstly, the selection criteria as mentioned under item 16 of the Procurement Notice will apply. Secondly, the technical compliance of the offer will be checked on the basis of the tender evaluation grids contained in the tender dossier. And finally, in accordance with article 31.1 of the ITT, the evaluation committee will select the tenderer who has submitted the lowest (cheapest) evaluated bid satisfying the administrative and technical criteria

Q6: Are the costs of maintaining safety of the construction site and those of insurance against theft part of the contract?

Re6: No – these are left to the discretion of the entity (company or Joint-Venture) that is awarded the contract. These risks are considered typical for any sort of enterprise and are to be borne by the entity the contract is awarded to. However, it should be noted that the area in which the works are to take place has been awarded a community policeman, who is regularly there and has knowledge of both the local situation and of the local population.

Q7: If we are organized in a Joint-Venture, is it necessary for all the Joint-Venture members to purchase the Tender Dossier?

Re7: No, but sufficient evidence of the existence of a Joint-Venture must be provided in the application as requested in the Instructions to Tenderers.

Q8: How much time is given for the completion of the contract?

Re8: Five (5) months, but this period does not commence immediately after the signing of the contract, but after the Commencement Order has been issued.

Q9: Does our partner – Joint-Venture member – has to provide all the documentation as we do?

Re9: Yes that is correct.

Q10: Which information should be given about the subcontractor(s) in the application?

Re10: If the subcontracted works take up more than 10% of the total works, it is necessary to provide all the documents and certificates obligatory for the Tenderer for the subcontractor(s) as well. You may find the information on this matter in sections 3.1 to 3.5 of the Instructions to Tenderers.

Q11: We saw no mention of the qualifications necessary for the persons in charge of construction – can you give us some information on that?

Re11: Item 16 (i) of the Procurement Notice states that all key personnel shall have at least 10 years of adequate experience and proven qualifications relevant to their position and the works of a similar nature of this project. List of the key staff can be found in the Form 4.6.1.2.

Q12: When is the commencement of construction expected?

Re12: The Evaluation Committee will hold its first meeting on 17 September 2007, and the contract is to be signed before 30 November 2007. In accordance with article 33.1 of the ITT, the notification of award must happen before the expiration of validity of the offers (90 days starting from the deadline of submission) In accordance with Clause 31 of the General Conditions of contract, implementation of the contract shall begin no later than 90 days after notification of award of contract.

Q13: What if there is only one valid offer?

Re13: The contract can be signed even in case there is only one valid offer.

Q14: Is our presence required for the opening of the offers?

Re14: No, the Evaluation Committee performs all necessary work on it own. However, there will be a representative of the Delegation of the European commission present there to ensure the fairness of the procedure.

Q15: The enclosed Evaluation Grid is filled in by the Evaluation Committee?

Re15: That is right. That document was included in the Tender dossier so that you may see what criteria your offers will have to meet.

Q16: Is the certificate of attendance to the clarification meeting and site visit necessary for all the members of the Joint-Venture?

Re17: No – it is enough for one member of the Joint-Venture to attend the Site Visit and Clarification Meeting.

Q 18: Is it possible to apply without this certificate?

Re 18: No. Certificate of Attendance is required, as is stated in the Procurement Notice.

Q19: Is it necessary for the leading partner in a Joint-Venture to purchase the Tender Dossier?

Re19: No, if one of the other partners in a Joint-Venture has already purchased it.

## **E. Conclusion**

The clarification meeting was brought to an end once the participants declared that they have no further questions at that moment. They were again instructed to contact the CFCU should further questions and dilemmas arise, but to mind the deadlines set for these matters. The questions may be sent by e-mail: to [cfcu@mfin.hr](mailto:cfcu@mfin.hr) or by fax to + 385 (0)1 4591 075.

The Meeting formally ended after the representatives of the CFCU, Government Office for National Minorities and Međimurje County greeted the participants and thanked them for participation.

All Tenderers will receive the minutes from this clarification meeting and site visit and will be provided with all the answers to any additional questions they submit before the above stated deadline.