

## CLARIFICATIONS No.2 to TENDER DOSSIER

**Contract Title:** Construction Works for Common Cultural Heritage: Preservation and Dialogue between Turkey and the EU (Phase II)

**Publication Reference:** EuropeAid/139780/IH/WKS/TR

Further to the requests received from the tenderers, the following clarifications are provided:

---

**Question 1:**

What happens in case the unforeseen contingencies exceed the allowed 15% for example a change order to the project etc.?

**Answer 1:**

Contingencies mean an allowance to provide for additional work, adjustments in cost, or supplies that are not known at the time of tender and shall be treated as a Provisional Sum and used as instructed by the Engineer. The contingency limit is 15% for this tender. In case this limit is exhausted during implementation, it will be assessed during implementation and additional works will continue subject to availability of further funding.

---

**Question 2:**

What happens if there is any discrepancy between drawings and bill of quantities (BoQ) or technical specifications (TS); does one precede the other?

**Answer 2:**

The precedence of documents is as indicated under article 2 of *Volume 2 Section 1 Contract Form*. Further discrepancies shall be resolved by the Engineer during implementation under *Sub-Clause 3.5 Determinations* of the General Conditions (Red FIDIC Book, First Edition, 1999).

---

**Question 3:**

Can we get the drawings in dwg format in order to check the measurements against the BoQ?

**Answer 3:**

The drawings in the tender dossier are not sent in Autocad format to any of the tenderers due to security reasons. The candidates are expected to work with the drawings in pdf format provided with the Tender Dossier CD.

---

---

**Question 4:**

Cash flow statements as part of the financial statement form (point 12.1.4 of the Instructions to Tenderers): In the list of information and duly completed documents that must be comprised in the tender, it is mentioned also that it is necessary to include "Cash flow statements as part of the financial statement form (Form 4.4)". However, there is no further definition of such a statement. Our understanding of the phrasing of point 12.1.4 and of the Form 4.4 is that the "cash flow statement" is represented by the reference/certificate about the financial situation of the company and its access to credit facilities to be attached at point 4.4.6 of the form.

Please confirm whether our understanding of the Cash Flow Statement, based on the available guidance in the ITTs and in form 4.4 is correct and comprehensive or if the understanding of the CFCU is different. If the understanding of the CFCU is different, please provide us guidance on the document to be provided

**Answer 4:**

As per Article 12.2.2.c) of Instructions to Tenderers, the tenderer must have access to liquid assets, credit and/or other financial facilities adequate to assure the required cash flow. In this regard, the tenderer is requested to provide evidence of secured financing in form of cash, secured irrevocable credit line granted by a bank or other acceptable form of funds. However the documents to be provided with regard to the economic and financial capacity of candidate are not limited to these; please see the details regarding all the required documents mentioned under Article 12.2.2 of Instructions to Tenderers and ensure that they are presented with the tender.

On the other hand, the cash flow statement indicated under Article 12.1.4 of the Instructions to Tenderers refers to an additional document elaborating on cash flow foreseen during the lifetime of the project.

---

**Question 5:**

Receipt of the Bank Invoice for the procurement of the tender dossier (point 12.1.15 of the Instructions to Tenderers): My company is currently providing another company with administrative support in the completion of the tender documents. As part of this support, we have purchased the tender dossier. However, we will not be part of the joint-venture submitting a tender.

Is it possible to simply attach the bank receipt for the procurement of the tender dossier by us even though the company will not be part of the joint venture? Or, alternatively, shall we take additional measures (such as providing a document mandating us, a document certifying the transferral of property of the dossier or other different document)?

**Answer 5:**

Receipt of the bank invoice is one of the documents to be supplied by the tenderer as listed under Article 12.1.15 of Instruction to Tenderers and, for your particular case, attaching the receipt will be sufficient.

Please note that, as per Article 7 of Instructions to Tenderers, tenderers bear sole liability for examining with appropriate care the tender documents, including design documents available for inspection and any modification to the tender documents issued during the tendering period, and for obtaining reliable information on any conditions and obligations that may in any way affect the amount or nature of the tender or the execution of the works. Also, as per Article 11.1.2 of Instructions to Tenderers, the tender must be signed on behalf of the tenderer/joint venture/consortium by a person or persons duly authorised to do so.

Please also be reminded that, as per Article 4 of Instructions to Tenderers, participation by a tenderer in more than one tender for a contract will result in the disqualification of all those tenders for that contract in which the party is involved.

---

---

**Question 6:**

ITT Clause 12.2.3 – Technical and professional capacity of candidate: The tenderer must have successfully completed at least a single contract with a budget of at least 3.000.000 Euro or two contracts each with a budget of at least 2.000.000 Euro (proportion carried out by the candidate) as prime contractor in the execution of similar works (i.e works of similar nature, complexity, and requiring similar construction technology as the tendered works such as restoration works of cultural heritage areas such as registered historical houses, mansions, sanctuaries, prisons, museums, institutes) in the last five years prior to the submission deadline (provisional acceptance/taking over certificate should have been issued in the last five years prior to the tender submission deadline).

We would like to ask about the similarity of our construction work experience named as “██████”. This is “██████” and we think that this work experience can be considered as similar work for the tender. Can you kindly confirm?

**Answer 6:**

As per PRAG Article 5.4.1.2, the contracting authority cannot give a prior opinion on the assessment of the tender with a clarification.

---

**Question 7:**

We would like to know which institution do the item numbers in the published tender dossier belong to?

**Answer 7:**

The item numbers and titles in the tender dossier are unique to the subject tender. In this regard, please examine with appropriate care the tender documents for the subject project.

---

