

Questions and Answers

Supply of equipment for waste management
in the Municipality of Bar, Montenegro

Tender ref. no. 002T/BWS/12

Q1	<p>Please let us know if we can modify the text of the specimen tender guarantee in the following way: Instead of the sentence “<i>and in any case at the latest on (1 year after the deadline for submission of tenders)</i>”, we would write down an exact date, that is 16.04.2013.</p> <p>Please confirm that the sentence from the specimen tender guarantee below is acceptable:</p> <p style="text-align: center;"><i>“We note that the guarantee will be released at the latest within 45 days of the expiry of the tender validity period, including any extensions, in accordance with Article 8 of the Instructions to Tenderers (and in any case at the latest on 16.04.2013).”</i></p>
A1	<p>Yes, indeed. If the law applicable to the guarantee in your home country or the country of the financial undertaking issuing the guarantee establishes the obligation of specifying a precise expiry day no later than a year after the deadline for submission of tenders, a wording as the one you have proposed will be acceptable.</p>
Q2	<p>Please clarify if we have to submit a copy of the operating and maintenance instructions in Montenegrin language in our Bid or together with the goods upon the delivery.</p>
A2	<p>Yes, indeed. As specified in section 11 of the Instructions to Tenderers, Part 1: the technical offer must contain:</p> <ul style="list-style-type: none"> • a detailed description of the supplies tendered in conformity with the technical specifications, including <ul style="list-style-type: none"> ◦ A list or catalogue of the manufacturer's recommended spare parts and consumables; and ◦ A copy of the operating and maintenance instructions in Montenegrin language. <p>Please note that you may also submit the operating and maintenance instructions in Bosnian, Croatian or Serbian languages, which equally official languages in Montenegro.</p>

Q3	Please let us know if we can give the financial offer calculated on the basis of DAP for the supplies tendered, regarding the fact that The European Commission and Montenegro have agreed in the IPA Framework Agreement to fully exonerate all domestic taxation applicable to manufacture and sale of the goods, all duties and taxes applicable to their importation and VAT.
A3	<p>No. As specified in section 11 of the Instructions to Tenderers, Part 2: the financial offer must be calculated on a basis of DDP¹ for the supplies tendered.</p> <p>The Contracting Authority will in due course request the exemption from the payment of customs tariffs and taxes on the goods being part of this tender when entering Montenegro, in accordance with the procedure agreed for this purpose for the implementation of the IPA CBC Adriatic Programme.</p> <p>DDP means that the seller is responsible for delivering the goods to the named place in the country of the buyer, and pays all costs in bringing the goods to the destination including import duties and taxes. However, as explained in the preceding paragraph, the Contracting Authority will manage to ensure that the payment of the latter will not be necessary.</p>
Q4	<p>In the document <i>D. Tender form for a supply contract</i>, it is stipulated that one signed form must be supplied for each lot, together with the number of copies specified in the Instructions to Tenderers.</p> <p>Please clarify if we have to submit Additional information/evidence (The Financial Identification Form, The Legal Entity File, A description of the warranty conditions, A description of the organization of the commercial warranty, A statement attesting the origin of the supplies tendered or other proofs of origin, A proof of the duly authorized signature) for each LOT separately?</p>
A4	Yes, indeed, you have to submit the additional documents as specified at the bottom of the tenderer's declaration for every lot.
Q5	<p><i>Section 9 of the Instructions to Tenderers states:</i></p> <p><i>"The offers, all correspondence and documents related to the tender exchanged by the tenderer and the Contracting Authority must be written in the language of the procedure which is English.</i></p>

¹ DDP (delivered duty paid) - Incoterms 2010 International Chamber of Commerce - <http://www.iccwbo.org/incoterms/>

	<p><i>If the supporting documents are not written in English, Montenegrin, Bosnian, Croatian or Serbian language, a translation into the language of the call for tender must be attached.”</i></p> <p>Please clarify if we have to submit translation from the court interpreter or the ordinary translation is enough?</p>
A5	An ordinary translation will suffice.
Q6	<p>In Annex II + III, Technical Specifications + Technical Offer, it reads: • <u>Service requirements for LOT 1 only:</u></p> <p><i>“As proof for the quality and stabilised production, the bidder must provide evidence that the manufacturer of waste upgrades in the past 3 years (2009, 2010 & 2011) has produced at least 4,000 upgrades for collection, transportation and pressure of waste. The proof has to be provided in the form of a certificate issued by the Chamber of Commerce of the upgrade producer country.”</i></p> <p>Please bear in mind that the above mentioned requirement is pointless for the purchase of only one refuse collection vehicle and is a very strong reference, which probably favours only one particular manufacturer/bidder. Please also bear in mind that not in every country (given the fact that the tender is open to all bidders from EU countries and IPA member countries) a certificate issued by the Chamber of Commerce (or any other institution) of the upgrade producer country presenting the number of produced upgrades can be obtained.</p> <p>In the light of above, to allow participation of all prospective European manufacturers, we kindly ask you to prescribe more reasonable and acceptable requirements.</p>
A6	<p>The requirement will not be altered.</p> <p>Considering that the Municipality of Bar is a tourist destination, this request is listed to ensure that the supplier offers a quality product with an established continuity.</p> <p>The Chamber of Commerce is the only valid certifying institution for all products in the corresponding country, so this evidence is required.</p>
Q7	<p>In relation to the requirement 1.1.26 of the technical specifications “Airbag: For driver and passenger”, please bear in mind that not all European trucks' manufacturers include the air bag in their vehicles' range. Some first class European manufacturers, who commonly sell their vehicles throughout the EU and to all other European countries</p>

	<p>including Montenegro, do not envisage the air bag option due to the design configuration of the steering wheel and for passenger. Furthermore, the air bag is not mandatory under the current EU Directives. In light of above, to allow participation of all prospective European manufacturers, we kindly ask for not prescribing the air bag as a mandatory requirement.</p>
A7	<p>We deem that the airbag for the driver is a “must”, while the airbag for the passenger is optional. <u>Please see the Corrigendum published for the Annexes II + III Technical Specifications.</u></p>
Q8	<p>Regarding the requirement 1.1.11 of the technical specifications “Emission standard: Euro 3”, In Europe is nowadays the usual emission standard EURO 5. In this light, to allow participation of all prospective European manufacturers, we kindly ask for prescribing the emission standard instead EURO 3 to EURO 3 or higher.</p>
A8	<p>As indicated in the general requirements of the technical specifications (see page 2) the specifications given are minimum requirements based on the items' projected function, required performance or intended purpose. Characteristics deviating from exact figures or values given in the specifications (unless exceeding the requirements), due to particular proprietary design of the actually offered product are acceptable, as long as the capacity is at least equivalent to the given specification and permissible under the standards quoted in the Technical Specifications.</p> <p>Therefore, a vehicle compliant with EURO 5 emission is acceptable.</p>
Q9	<p>The requirement 1.1.8 Wheelbase: 3750 mm. This wheelbase is prescribed by only one chassis producer in Europe. We kindly ask to allow the participation of all prospective European manufacturers and change this requirement to “Wheelbase: from 3750 mm to 4200 mm between the first and second axle in accordance to requested capacity of the superstructure”.</p>
A9	<p>We consider that a wheelbase measuring between 3750 mm and 4200 mm is acceptable. <u>Please see the Corrigendum published for the Annexes II + III Technical Specifications.</u></p>
Q10	<p>The requirement 1.1.45. Height of bed edges when manually loading: max. 900 mm.</p> <p>Please bear in mind that all European safety standards (including EN 1501-1 – open system) and the Machine Directive 2006/42/EC request for all RCV with compaction mechanism at open system a minimum height rive rail of 1000 mm on all conditions. Some first class European</p>

	manufacturers, who commonly sell their vehicles throughout the EU and to all other European countries including Montenegro, do not deliver ravel rail less than 1000 mm. In light of the above and the safety of workers, to allow participation of all prospective European manufacturers, we kindly ask for prescribing of ravel rail of at least 1000 mm as a mandatory requirement.
A10	We find this argument acceptable. <u>Please see the Corrigendum published for the Annexes II + III Technical Specifications.</u>
Q11	Please clarify whether the requirements 1.1.13 “Limit of backward speed: 30 km/h” and 1.1.48 “Two slippers/shoes for workers on the back of the vehicle: Included” are connected. And if yes, please explain how?
A11	These two requirements are related: if the operator (worker) steps at one of two back slippers/shoes the restriction of backward movement to 30km/h will turn on.
Q12	In relation to the requirement 1.1.15 “Gearbox: Automatic, 12 speeds”, please confirm whether an automatic gearbox such as Allison or an automated such as ZF 6AS type or a ZF 12AS type or similar with a fewer number of speeds (ensuring equivalent performance to the 12 speeds gearbox) is acceptable.
A12	The gearbox transmission can be automatic or automated. <u>Please see the Corrigendum published for the Annexes II + III Technical Specifications.</u>
Q13	Considering the requirement 1.1.36 “Hydraulic drive: Hydro-pump driven with power outputs from the engine chassis, turning on and off of the pump through electromagnetic coupling”, please confirm whether a different type of PTO (like the PTO on automatic or automated gearbox without the need for a cardan shaft and electromagnetic clutch – less maintenance, no greasing points on cardan shaft) is acceptable.
A13	No, it is not acceptable. This technical solution is adopted as an example of best practice because of the simplicity of construction, easy maintenance, direct power transfer and durability. This requirement has to be fulfilled.
Q14	Considering the requirement 1.1.52 “Hydraulic system: loading, unloading and compacting: at least one hydraulic pump axial piston, TWIN”, please confirm whether a different type of hydraulic pump (like a double vane pump) is acceptable.

A14	The proposed alternative is acceptable. <u>Please see the Corrigendum published for the Annexes II + III Technical Specifications.</u>
Q15	Considering the requirement 1.1.36 “Hydraulic drive: Hydro-pump driven with power outputs from the engine chassis, turning on and off of the pump through electromagnetic coupling”, please confirm whether a double by-pass valve can be integrated directly on the hydraulic pump instead of the electromagnetic clutch.
A15	The requirement no. 1.1.36. will not be altered.