

Title: Supply for equipment for response to marine pollution incidents

Publication Reference: EuropeAid/140774/IH/SUP/ME

Tender reference number: NEAR/TGD/2020/EA-OP/0015

QUESTIONS & ANSWERS

Question 1: I'm writing you in order to ask for clarification about the tender reported in the email subject, relative to the supply of equipment for response to marine pollution incidents in Montenegro (PIN reference number: EuropeAid/140774/IH/SUP/ME).

How can we get hold of the technical specifications of each items requested? Can you possibly send us a document with these info?

Answer 1: The technical specifications for the tender in question can be found on the following links: <https://ujr.gov.me/rubrike/ipa/234961/Objava-tenderske-dokumentacije-za-Nabavka-opreme-za-zastitu-mora-od-zagadenja-Publication.html>, and on the following e-tendering (TED) web link: <https://etendering.ted.europa.eu/cft/cft-documents.html?page=1&cftId=7302>

Question 2: (Item 16 of technical specifications) You ask for STORZ couplings made of light alloy. Our supplier uses other couplings but completely compliant (even better) with your requirements. Do you agree to use these couplings?

Answer 2: The tenderer can offer STORZ couplings made of either light alloy or stainless steel seawater resistant material.

Question 3: We expect that many questions will be asked again. This means that this will happen a few days before the deadline, is high. Also due to the Corona pandemic, delivery will take longer and so we have to send our documents earlier. Are you willing to postpone the deadline from February 1, 2021 to March 1, 2021?

Answer 3: Given that the Contract Notice and pertinent tender dossier were published on 28/10/2020, there was a sufficient time span for the preparation of competitive tenders, so please kindly note that tender submission deadline of February 1st 2021 will not be extended.

Question 4: (Item 1 of technical specifications) You request a larger oil boom at the second tender, but keep the weight on the low side. Large booms like this are relatively more heavy and are between 7 and 13 kg/m. Are you willing to adjust the weight requirement?

Answer 4: The range requirement for “empty boom weight, including ballast chain, kg/m: between 4.5 and 6” is hereby extended and shall be read as follows: “Empty boom weight, including ballast chain, kg/m: between 4.5 – 10 kg/m”.

Question 5: You are issuing a European tender for the second time. During the 1st call for tenders, a large number of questions were asked, which were sent in a memorandum of information. Many answers have now been incorporated into your current documents. However,

a large number of answers were also not included. Do the answers to these questions also apply to these specifications?

Answer 5: No. This is a new tender procedure and all the questions and pertinent clarifications related to this tender procedure are included in this document.

Question 6: (Item 22 of technical specifications) You require an engine power (kW) of max 130 and many other specifications. Apparently you have a particular vehicle and make in mind, could you indicate which vehicle this is? We have analysed various brands, including the Mercedes X-class. This was the only that met all of your requirements. However, this vehicle is no longer in production. Engine power in particular is a problem, If the engine power is increased, which is only positive for the product, the search possibilities are increased. Are you willing to increase the engine power to max 150 kW?

Answer 6: Requirement for maximum engine power of 130 KW remains as it reflects expected car performance when it comes its towing capability and fuel economy. According to market research, this requirement will not limit the competition.

Question 7: (Item 1 of technical specifications) You request a larger oil boom during the second tender, but keep the length of the section between 10 and 25 meters. Are you willing to adjust this?

Answer 7: The range requirement for booms section length: between 10 and 25 meters” is hereby extended and shall be read as follows: “Section length: between 10 and 30 meters”.

Question 8: (Item 1 of technical specifications) You request a larger oil boom at the second tender, but keep the weight on the low side. Large booms are relatively and are between 7.4 and 12.3 kg/m, Are you willing to adjust the weight requirement?

Answer 8: Please refer to the answer No 4.

Question 9: (Item 14 of technical specifications) You want 50 x 20 = 1000 pairs of gloves? Do you mean disposable gloves? You want 50 x 20 = 1000 protective suits? Do you mean disposable suits?

Answer 9: The required minimum quantities for gloves and suits in one pack are to be read as follows: Pack of non-disposable gloves (at least 4 pairs per pack), Pack of disposable protective suits (at least 12 pieces per pack).

Question 10: (Item 16 of technical specifications) You ask a pump: direct driven 1 stage centrifugal pump made of corrosion resistant light alloy. We have a good alternative. A rotary pump is a very good alternative. These pumps are self priming and don't have problems with air in the pump casing. Is a rotary lobe pump in stainless steel/duplex allowed?

Answer 10: The tenderers are obliged to comply fully with the minimum required technical specification for the equipment mentioned in the question. Please note that Contracting Authority cannot give prior opinion on the proposed equipment as suggested in the question.

Question 11: (Item 16 of technical specifications) You ask an automatic priming system. This is not needed with rotary lobe pump. These pumps are self priming to a height of more than 8 meters. Do you agree with this?

Answer 11: Please refer to the answer No 10.

Question 12: The winning tenderer will have to finance a lot of investments. Are you willing to pay 50 % of the total costs in advance? This reduces the financial risk for the tenderer

Answer 12: Please refer to Special Conditions article 26 “General principles for payments” 26.5: In order to obtain payments, the contractor must forward to the authority referred to in paragraph 26.1 above: a) The pre-financing payment will be made fully in accordance with the General Conditions, as well as General Conditions article 26.5 (General principles): “The payments shall be made as follows: a) 40% of the total contract price after the signing of the contract, against provision of the performance guarantee and of a pre-financing guarantee for the full amount of the pre-financing payment, unless otherwise provided for in the special conditions”.

Question 13: We have already offered this boat during the first tender. Can we refer to the CD/DVDs that were delivered at the time?

Answer 13: This is a new tender procedure and it is necessary to fully submit tender documentation in accordance with the article 11 of the Instruction to tenderers.

Question 14: You ask for full technical documentation delivered in CD/DVD format. This is an old format. Is it also possible to put the documentation on a USB stick?

Answer 14: Yes, please refer to Instructions to tenderers, article 10.2 Submission of tenders.

Question 15: Subscribing to your tender means a lot of work for the tenderers. Many hours must be spent on sorting out and arranging the various offers and supporting documents. Are you prepared to give financial compensation for this, as is customary in other industries?

Answer 15: In accordance with the article 16 of the Instruction to tenderers, no costs incurred by the tenderer in preparing and submitting the tender are reimbursable. All such costs will be borne by the tenderer.

Question 16: You indicate that all offers must be delivered by post or courier, or must be handed over in person. In connection with the Corona pandemic, this is very complicated logistical challenge, which also requires employees to be quarantined for days. We suggest that you send the quotations digitally, so that no unnecessary risks need to be taken. Are you willing to agree with this proposal? If you do not agree with the proposal, we would like to ask you to postpone the deadline for submitting the quotation by 2 weeks. Can you agree with this?

Answer 16: Please refer to Instructions to tenderers, article 10.2 and 10.3 on Submission of tenders. Electronic submission of tenders is not applicable to this tender procedure. The contracting authority may, for reasons of administrative efficiency, reject any application or tender submitted on time to the postal service but received, for any reason beyond the contracting authority's control, after the effective date of approval of the evaluation report, if accepting applications or tenders that were submitted on time but arrived late would considerably delay the evaluation procedure or jeopardise decisions already taken and notified.

Question 17: (Item 10 of technical specifications) In the previous tender, you indicated that the material had to be PVC or PUA. Now you call as requirement neoprene. In our opinion, it is not possible to buy such a tank in neoprene version. Do you want to adjust the requirement whit PVC and PUA?

Answer 17: The requirement for tank material is compulsory and shall be made of neoprene.

Question 18: (Item 16 of technical specifications) For this items is required a seawater resistant suction hose length: minimum 30m. Those characteristics are usual for discharge hose, do you need discharge hose length of minimum 30m?

Answer 18: The requirement for seawater resistant suction hose length of minimum 30 meters is hereby replaced as follows: „Seawater resistant suction hose: 3 suction hoses, length 5 meters each.“

Question 19: (Item 1 of technical specifications) It's very difficult to manufacture an oil boom of vulcanized neoprene material that would fulfil the required maximum total weight per meter and the required buoyancy to weight ratio. Would it be acceptable to provide an oil boom manufactured of PU/PVC material that would fulfil all other requirement except for the material (neoprene)?

Answer 19: In accordance with the answers No 4 the empty boom weight per one meter, including ballast chain, is to be between 4.5 – 10 kg/m. The required boom material made of neoprene vulcanised remains unchanged.

Question 20: (Item 5 of technical specifications) We ask you kindly if a proposal concerning a four drum skimmer (type smooth drum) whit hydraulic power pack and transfer pump on board is acceptable. We have reasons to believe that this proposal at a highly competitive price could bring a lot of advantages for the following reasons: - High capacity of recovery (1-2% of recovery product is watery when the oil layer is discontinuous, when the layer of oil continuous. – Up to 50 m³/h of recovered oil, free water collected &It; 2% - Reduced maintenance requirements – Easy handle due to the little dimensions and lightness. It can operate without the presence of operators.

Answer 20: The tenderer can offer equipment which matches or exceeds the minimum requirements from the technical specifications, meaning that tenderer can offer equipment with better performances than they are specified in Technical Specifications. Please note that Contracting Authority cannot give prior opinion on the proposed equipment as suggested in the question.

Question 21: We kindly ask you to allow the submission of the tender excluding the electronic version which could be sent by email, soon after the deadline, upon request, in the manner you will instruct.

Answer 21: Please refer to the Answer No 16.

Question 22: We refer to the tender in subject to please you inform us if we have to quote all the requested products or if we may quote just only the products that we usually deal considering that the point 7 state that the tender procedures are not divided into lots.

Answer 22: Please refer to Instructions to tenderers article 11 Content of tenders Part 1 The technical offer and part 2 financial offer. Please also refer to Additional information

about the Contract Notice, Article 6 “Tenders for parts of a lot will not be considered. Tenderers may not submit a tender for a variant solution in addition to their tender for the works or supplies required in the tender dossier. ”

Question 23:

According to document „Instructions to tenderers“ – point 3.1: „For UK candidates or tenderers: Please be aware that following the entry into force of the EU-UK Withdrawal Agreement* on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union and to goods originating from an eligible country, as defined under Regulation (EU) No 236/2014** and Annex IV of the ACP-EU Partnership Agreement***, are to be understood as including natural or legal persons residing or established in, and to goods originating from, the United Kingdom****. Those persons and goods are therefore eligible under this call.“ Does it mean that we can offer the goods origin from UK, regardless of the results of the negotiations between EU and UK?

Answer 23: Yes, your understating is correct.

Question 24: XXX is a company based in Mumbai, India. We are interested in participating in the tender mentioned above hence want to get more information about the same.

Considering the geographical constraint of personally reviewing the document, I request you to provide us the following details before we buy the document:

- 1) List of Items, Schedule of Requirements, Scope of Work, Terms of Reference, Bill of Materials required.
- 2) Soft Copy of the Tender Document through email.
- 3) Names of countries that will be eligible to participate in this tender.
- 4) Information about the Tendering Procedure and Guidelines
- 5) Estimated Budget for this Purchase
- 6) Any Extension of Bidding Deadline?
- 7) Any Addendum or Pre Bid meeting Minutes?

We will submit our offer for the same if the goods or services required fall within our purview.

Also we would like to be informed of future tenders from your organization. Hence, we request you to add our name to your bidder's list and do inform us about upcoming Projects, Tenders.

We will be highly obliged if you can send us your complete & latest contact information. This will help us reaching to you faster.

Answer 24: Please note that in accordance with the article 4 of the Additional Information about the Contract Notice, participation to this tender procedure is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping – consortium – of candidates/tenderers) which are effectively established in a Member State of the European Union or in a eligible country or territory as defined under the Regulation (EU) No 236/2014 establishing common rules and procedures for the implementation of the Union's instruments for external action (CIR) for the applicable instrument under which the contract is financed (see also heading ‘Legal basis’ below). Participation is also open to international organisations.

Any legal entity established in India is therefore not considered eligible to participate in this tender procedure.

Question 25: (Item 16 of technical specifications) Our supplier declares that it is not permitted to use a petrol engine for fire-fighting action. This is not allowed in the whole world. All fire-fighting pumps are equipped with a diesel or electric motor. Are you willing to accept these engines?

Answer 25: The tenderers are obliged to comply fully with the minimum required technical specification for the equipment mentioned in the question. Please note that Contracting Authority cannot give prior opinion on the proposed equipment as suggested in the question.