

Clarification No. 1

TENDER DOSSIER FOR SERVICES

Publication Ref: EUROPEAID/139551/IH/SER/UG

Subject: Supervision of the Rehabilitation of the Tororo-Gulu Railway

Location: UGANDA

Question No.	Reference in the Tender Dossier	Question/Clarification Sought
1	Invitation Letter Item D	<p>The last Sentence on page 1 of the letter of invitation refers to point 6(experience) of the application form and lists 7 of our references. The first sentence on the 2nd page requests us to submit documentary evidence under point 4.1(6) of the Instruction to Tenderers.</p> <p>Which type of Documentary evidence shall be submitted?</p> <p>1) <u>For completed projects</u></p> <p>Client's confirmation about successful completion of reference projects?</p> <p>2) <u>For on-going projects</u></p> <p>Client's confirmation that the Consultant is presently engaged on the reference period?</p>
Response to Question1		<p>1) <u>For completed projects</u></p> <p>Client's confirmation about successful completion of reference projects? <i>Yes and any other relevant documents pertaining to the project in reference.</i></p> <p>2) <u>For on-going projects</u></p> <p>Client's confirmation that the Consultant is presently engaged on the reference period? <i>Yes (e.g. signed contracts) and any other relevant documents pertaining to the project in reference.</i></p>
2	Instructions to tenderers, item 4.2, Exemption of taxes (page	<p>It is stated that there is no agreement between EC and GOU on tax exoneration.</p> <p>1) Does the Consultant need to show taxes separately i.e</p>

	8 of 131) and Part B, Annex 5, Budget (Page 80 of 131)	insert additional lines in table provided in Part B, annex 5 below maximum Contract value to show VAT and Withholding Tax calculated from maximum contract value? 2) OR will it suffice to modify last line in the table to read maximum contract value excluding any taxes and duties? 3) In case VAT and withholding Tax have to be shown separately, please clarify on percentage for VAT and WHT to be applied
Response to Question 2		1) Does the Consultant need to show taxes separately i.e insert additional lines in table provided in Part B, annex 5 below maximum Contract value to show VAT and Withholding Tax calculated from maximum contract value? <i>NO. The annex V: Budget should not be modified. Refer to Notes on pages 81 & 82</i> 2) OR will it suffice to modify last line in the table to read maximum contract value excluding any taxes and duties? <i>NO. The annex V: Budget should not be modified.</i> 3) In case VAT and withholding Tax have to be shown separately, please clarify on percentage for VAT and WHT to be applied. <i>Taxes shouldn't be shown separately but should be included in the fees.</i>
3	Special Conditions Article 19.2 (page 23 of 131) and Terms of reference 5.2,	Article 19.2 states that the project implementation period is 48 months (36 months construction supervision and 12months for defects liability period) Item 5.2 of the ToR states that the 48 months do include review of the existing design, supervision of works and defects liability period. 1) How much time out of the 36 months is allocated to design review and how many months are scheduled for

	(Page 67 of 131)	<p>construction supervision?</p> <p>2) Is the design review to be carried out on site in Uganda or at Consultant’s Office?</p> <p>3) Which consultancy firm was contracted to carry out detail design and works tender documentation?</p> <p>4) Can the detailed design and works tender documentation be made available to the Bidders prior to submitting a bid for design review and supervision?</p> <p>5) Have the construction works been tendered and if yes when will the contractor mobilise to site?</p>
Response to Question 3		<p>1) How much time out of the 36 months is allocated to design review and how many months are scheduled for construction supervision?</p> <p><i>A minimum level of effort is envisaged for design review because the project is for rehabilitation and therefore the original alignment shall be maintained. Design review shall be done throughout the construction supervision period or as and when required during construction supervision.</i></p> <p>2) Is the design review to be carried out on site in Uganda or at Consultant’s Office?</p> <p><i>It is expected that design review shall be carried out on site in Uganda.</i></p> <p>3) Which consultancy firm was contracted to carry out detail design and works tender documentation?</p> <p><i>This information cannot be shared.</i></p> <p>4) Can the detailed design and works tender documentation be made available to the Bidders prior to submitting a bid for design review and supervision?</p> <p><i>No. Volume 5 of the works tender dossier has been published on the Contracting Authority website www.finance.go.ug.</i></p>

	<p>5) Have the construction works been tendered and if yes when will the contractor mobilise to site?</p> <p><i>No. The tender of the construction works have been launched but not yet awarded..</i></p>	
4	Terms of Reference, 4.2.1 i.	<p>Amendments to existing design and contract documents and Bills of Quantities to be carried out by the supervision consultant.</p> <ol style="list-style-type: none"> 1) What is the extent of design review to be undertaken? 2) Will the design review be a timely separated task of the supervision consultant prior to the commencement of the construction works or will the design review have to be carried out simultaneously i.e starting at the same time as the construction works? 3) If it is possible to be carried out prior to the commencement of the construction works where (location) will the design review have to be carried out? 4) If it has to be carried in Uganda, will office facilities for the design review be made available by the Contracting Authority and /or works contractor free of charge to the consultant?
Response to question 4	<ol style="list-style-type: none"> 1) What is the extent of design review to be undertaken? <p><i>A minimum level of effort is envisaged for design review because the project is for rehabilitation and therefore the original alignment shall be maintained.</i></p> 2) Will the design review be a timely separated task of the supervision consultant prior to the commencement of the construction works or will the design review have to be carried out simultaneously i.e starting at the same time as the construction works? <p><i>Design review shall start at the same time as the construction works and be carried out as and when required during construction.</i></p> 3) If it is possible to be carried out prior to the commencement of the construction works where 	

	<p>(location) will the design review have to be carried out?</p> <p><i>It is expected that design review shall be carried out on site in Uganda.</i></p> <p>4) If it has to be carried in Uganda, will office facilities for the design review be made available by the Contracting Authority and /or works contractor free of charge to the consultant?</p> <p><i>Design review shall be done throughout the construction supervision period or as and when required during construction, therefore no office requirements, other than the ones provided to the supervisor consultant by the works contractor during construction supervision period, are necessary for this task.</i></p>	
5	<p>Terms of Reference,4.3.3 (Page 66 of 131)</p> <p>and</p> <p>Terms of Reference annex 5 (page 81 of 131)</p>	<p>Page 66 lists the facilities to be provided to the Supervising consultant by the contractor under the works contract. Page 81 lists the costs for items which the supervising consultant has to cover within his fees.</p> <p>1) There is contradictory information provided with regard to accommodation of consultant’s staff. Will accommodation during the construction period for consultant’s staff be provided under the works contract at no cost to the consultant?</p> <p>2) Will this also apply for the design review period?</p> <p>3) Or does the consultant have to include accommodation cost for its staff during design review and construction supervision into his fee?</p>
<p>Response to Question 5</p>	<p>1) There is contradictory information provided with regard to accommodation of consultant’s staff. Will accommodation during the construction period for consultant’s staff be provided under the works contract at no cost to the consultant?</p> <p><i>Yes. For more information on facilities to be provided by the Contractor to the Consultant refer to Volume 4 of</i></p>	

	<p><i>the works tender dossier published on the Contracting Authority's website: www.finance.go.ug.</i></p> <p>2) Will this also apply for the design review period?</p> <p><i>Yes. Bidders should note that design review is part and parcel of the time indicated for construction supervision.</i></p> <p>3) Or does the consultant have to include accommodation cost for its staff during design review and construction supervision into his fee?</p> <p><i>Not applicable.</i></p>	
6	<p>Terms of Reference, 6.1.1, page 67 and 68 of 131</p>	<p>Required education listed for key expert 1 is: Graduate in Civil Engineering; preferably Masters in Civil Engineering/Construction Management or related field.</p> <p>Will an expert with an education as MSc.in geodesy and 34 years of professional experience in railway engineering and railway construction supervision be acceptable? Or will he be deducted any points when evaluating his CV because he has an Msc. in geodesy and not in Civil engineering?</p> <p><i>Evaluation of Key Experts' CV's shall be based on the requirements set out in the Terms of Reference and using Evaluation Grid highlighted on page 125 of the dossier (and amended after information meeting held on 3rd September 2018 whose minutes were shared with Bidders on 12th September 2018).</i></p>
7	<p>Terms of Reference, 6.1.1 page 67 and 68 of 131</p> <p>and</p> <p>Part C III. Evaluation Grid</p> <p>(Page 125 of 131)</p>	<p>Page item 6.1.1 lists two (2) key experts whilst the Evaluation Grid on page 125 distributes 60 points to a total of four (4) key experts. AS there are now on 2 key experts, How many points are allocated the key expert 1 and how many points for key expert 2?</p> <p><i>Refer to information meeting minutes, annex A, shared with Bidders on 12th September 2018.</i></p>

8	Terms of reference page 67	<p>According to the clause 6.1.1 page 67 of the tender documents the number of key experts required for the project are two- (Team Leader-Resident Engineer-Railway Engineer and Materials Control Engineer). However according to CIII: Evaluation grid mentioned on page 125 of the tender documents the number of key experts mentioned are four.</p> <p>Please clarify number of key experts</p>
Response to question 8		<i>Refer to information meeting minutes, annex A, shared with Bidders on 12th September 2018.</i>
9	CIII: Evaluation Grid	There is a mathematical error in the distribution of marks please clarify
Response to question 9		<i>Refer to information meeting minutes, annex A, shared with Bidders on 12th September 2018.</i>
10		Can you please provide the names of the shortlisted tenderers for this opportunity?
Response to question 10		The service contract shortlist notice is published on the Contracting Authority's website: www.finance.go.ug .