

ADDITIONAL INFORMATION

RESPONSE TO THE REQUEST FOR CLARIFICATION

December 16, 2022

Project Name: “Transboundary Biosphere Reserve Prespa” (PRESPA-Albania), Phase II

Procurement Name: “Reconstruction of the Building of Healthcare Center Pustec and its Adaptation into the Headquarters of the Municipality of Pustec”

Bidding reference: BMZ-NCB-W-6

To: All Interested Bidders

Referring to the Instruction to Bidders (ITB), more in detail paragraph ITB 5.2-point g, Clarification of the Tender Document, please find below the clarification response to the question raised via e-mail at info.prespa@gfa-group.de by one potential bidder.

No.	QUESTION
1	<p>After we have studied the tender criteria and after we have evaluated the estimate, we have a question regarding the license point NS12-C requested in the tender documents.</p> <p>We think that this criterion is overstated and excludes many companies from participating in this tendering procedure and reduces/eliminates the competition. According to our assessment and the estimate, all works of this category do not exceed the value of 50 million, something that passes it to category B.</p> <p>Is it possible to review this license category?</p> <p><i>g) The company should provide copies of its professional licenses related to the execution of construction works, which should contain the following categories (as per Ministry of Infrastructure and Energy of Albania regulations):</i></p> <p><i>NP-1E</i> <i>NP-2E</i> <i>NP-3E</i> <i>NP-7A</i> <i>NP-9A</i> <i>NP-11A</i> <i>NP-12A</i> <i>NS-1B</i> <i>NS-2A</i> <i>NS-3A</i> <i>NS-4A</i> <i>NS-8C</i> <i>NS9C</i></p>

	<p>NS-12C NS-13A NS-14A NS-15A NS-16A NS-18A NS-20A</p>
1	<p>ANSWER</p>
	<p>Dear operator,</p> <p>The short answer is: All the licenses as stated in the ITB are requested for this assignment.</p> <p>In response to the request and for your kind understanding, we bring to your attention VKM no. 285, dated 19.05.2021 "On the approval of Public Procurement Rules", as well as the Decision of the Council of Ministers no. 42 dated 16.01.2008 "On the approval of the regulation on the criteria and procedures for granting professional licenses for the implementation, classification and discipline of legal entities that exercise construction activities".</p> <p>SPECIAL QUALIFICATION CRITERIA</p> <p>The economic operator must present the professional license of the company, valid for the implementation of works subject to the contract, issued by the Ministry of Infrastructure and Energy based on the format approved by Decision of the Council of Ministers No. 42 dated 16.01.2008 "On the approval of the regulation on the criteria and procedures for granting professional licenses for the implementation, classification and discipline of legal entities that exercise construction activities", which includes the following categories:</p> <p>GENERAL CONSTRUCTION WORKS</p> <p>N.P - 1E Soil excavation works. N.P - 2E Civil and industrial constructions N.P - 3E Reconstruction and maintenance of civil and industrial buildings, facade coating N.P - 7A Water supply, gas supply, oil supply, drainage and irrigation works. N.P - 9A Works and river protection, hydraulic systems and reclamation N.P - 11A Buildings for N/stations, cabins, TN line transformers, etc. medium and energy distribution N.P - 12A Environmental engineering works</p> <p>SPECIAL CONSTRUCTION WORKS</p> <p>N.S - 1B Works for the demolition of buildings N.S - 2A Hydrosanitary plant, kitchen, laundry, their maintenance. N.S - 3A Lifting and conveyor plants (elevators, escalators, conveyors) N.S - 4A Masonry refinishing and related works, refinishing with</p>

wood, plastic and glass materials and technical construction refinishing
N.S -8C Construction of reinforced concrete prefabs, metal and wood structures
N.S - 9C Special structural works
N.S - 12C Technological, thermal and conditioning plants
N.S-13A Telephone and telecommunication plants and lines
N.S - 14 A Indoor plants, electrical, telephone, radiotelephone, TV, etc
N.S - 15 A Cleaning of marine, lake and river waters
N.S - 16 A Construction of drinking water plants and its purification
N.S - 18 A Topogeodesic works
N.S - 20 A Geological-engineering drilling, wells and drilling for water

Foreign operators must do the equivalence of the professional licenses they have issued by the country of origin, at the Ministry of Infrastructure and Energy, (or the competent Ministry at the time) Republic of Albania. (Regulation on the criteria and procedures for granting professional licenses for the implementation, classification and discipline of legal entities that exercise construction activities, approved by VKM, No. 42, dated 16.01.2008). Failure to appear in this form is a disqualifying condition.

Argumentation: The above request is defined based on Article 77 of the Law no. 162, dated 23.12.2020 "On public procurement", Article 39, point 6/a, of DCM no. 285, dated 19.05.2021 "On the approval of Public Procurement Rules", as well as Decision of the Council of Ministers No. 42 dated 16.01.2008 "On the approval of the regulation on the criteria and procedures for granting professional licenses for the implementation, classification and discipline of legal entities that exercise construction activities". The data for the above licenses are set in reference to the legal basis for constructions, law no. 8402 dated 10.9.1998 "On the control and discipline of construction works" amended, Article 8 defines "The implementation of construction works is carried out only by legal entities, private or public, local or foreign, equipped with the relevant license, for implementation construction works. The implementer of the works bears responsibility and is obliged to carry out the construction works, in accordance with the construction permit, the project, the technical conditions of implementation and the rules of technical insurance. He must ensure the quality of construction materials and construction products, which must meet the requirements of the project in accordance with national or European standards.

The categories are searched based on the items and values of the works.

Respectfully yours!

Prespa Project Team
on behalf of NAPA