

# CLARIFICATIONS No. 1

Procurement related to:

## CONSTRUCTION OF THE NEW ELEMENTARY SCHOOL “CITY KVART” PODGORICA, MONTENEGRO

ICB No: 01-908/26-788/1 published on 11 March 2026

### Question No. 1:

Section II. Bid Data Sheet - ITB 20.1 – To avoid any potential misunderstandings and to ensure full compliance with the submission requirements set out in the Bidding Documents, we kindly ask you to confirm whether a one-envelope procedure applies. Specifically, please clarify whether the bid shall be submitted as a single consolidated document, including qualification, technical, and financial proposals, in both paper and electronic form, and whether all components will be opened simultaneously. In the event that a one-envelope procedure does not apply, kindly provide detailed instructions on the applicable submission method, including how the different components of the bid (qualification, technical, and financial) should be packaged, labelled, and submitted, as well as the procedure and sequence for their opening.

### Answer 1:

As stated in ITB Article 25.3, all envelopes will be opened and the bid price will be read during the bid opening. Therefore, we confirm that a one-envelope system applies.

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### Question No. 2:

Section III. Evaluation and Qualification Criteria – Qualification - Section 4.2 (a) (i) – Specific Construction & Contract Management Experience - In order to ensure broader competition and equal participation of qualified bidders, we kindly ask the Contracting Authority to consider revising the requirement related to similar experience, specifically regarding the minimum contract value stipulated in Section 4.2 (a) (i).

Namely, given the market circumstances over the past 10 years, projects of the same or similar purpose with an individual value of EUR 10 million (excluding VAT) or more have been very limited. This is particularly significant given that similarity is defined through physical size, complexity, methods and other characteristics defined in Section VII. Accordingly, the requested requirement may significantly limit competition.

Given that contract value does not necessarily represent the sole indicator of a bidder’s technical and professional capacity, we kindly request that the Contracting Authority consider adjusting this criterion, for example by:

- reducing the minimum value of a single contract, or
- allowing multiple contracts of a similar nature whose cumulative value demonstrates the required capacity.

Such an adjustment would still ensure adequate bidder qualification while enabling broader and more competitive participation.

**Answer 2:**

The principle of proportionality mandates that selection criteria must be both proportionate and relevant to evaluating a tenderer's capacity to perform the contract. This aligns with the principle that the criteria should be tailored to the nature, value and complexity of the contract. Additionally, it is important to note that the value of the requirement related to similar experience, the requested individual contract value of EUR 10,000,000 (excluding VAT), represents approximately 70% of the estimated contract value, including a 10% contingency, i.e., EUR 14,404,808.

To ensure an adequate level of competition, the contracting authority has specified that evidence of relevant works carried out from January 2017 up to the tender submission deadline will be considered, extending the reference period well beyond the standard five years.

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**Question No. 3:**

Section III. Evaluation and Qualification Criteria – Qualification - Section 4.2 (a) (i) – Specific Construction & Contract Management Experience – Please clarify whether a project for a facility that represents a single functional unit, with a total value equal to the minimum required amount (excluding VAT) and implemented through multiple contracts, meets the requirements set out in point 4.2.

**Answer 3:**

We hereby clarify that, in accordance with Subsection 4.2 (a) (i), the Bidder shall demonstrate experience through one (1) single contract of a minimum value of EUR 10,000,000 (excluding VAT), completed within the specified period.

As explicitly stated in the footnotes to Subsection 4.2 (a) (i), "Summation of number of small value contracts (less than the value specified under requirement) to meet the overall requirement will not be accepted."

Consequently, a project implemented through several contracts, even if constituting a single functional unit and having a cumulative value equal to or exceeding EUR 10,000,000, shall not be considered as fulfilling the requirement under Subsection 4.2 (i).

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**Questions No.4:**

Referring to the Bidding Documents, Section II – Bid Data Sheet, Item ITB 2.1, where the estimated price (excluding contingency of 10% and VAT) is stated as EUR 13,095,280, we kindly request clarification regarding the contingency.

Specifically, please confirm whether the contingency represents a predefined budget reserve included in the contract to cover unforeseen costs during project implementation.

**Answer 4:**

The contingency of 10% represents a budget reserve intended to cover unforeseen costs that may arise during project implementation. It is not a predefined fixed amount, but is calculated as 10% of the offered price (i.e. the BoQ total value).

It is not included in the base estimated contract amount (i.e. EUR 13,095,280, excluding contingency and VAT), but is to be applied additionally, in accordance with the contract provisions.

The contingency of 10% of the offered total value of BoQ will form part of the Contract Price, as stipulated in Section X – Contract Forms, and will be calculated as follows:

<b>Total value of BoQ</b>	EUR<amount>
<b><u>Contingency as 10% of BoQ total value</u></b>	EUR<amount>
<b>Total contract price:</b>	EUR<amount>
<b>The EIB component equal to 51% of the total contract price (VAT at the rate of 0%).</b>	EUR1<amount>
<b>The national component equal to 49% of total contract price excluding VAT.<sup>2</sup></b>	EUR<amount>
<b>VAT on the national contribution (at the rate 21%)*</b>	EUR<amount>
<b>The national contribution including VAT</b>	EUR<amount>
<b>Total contract price including VAT:</b>	EUR<amount>

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**Questions No.5:**

Referring to Section III – Evaluation and Qualification Criteria, Item 3.2 (Average Annual Construction Turnover), where the minimum requirement is based on the last three completed years (2024, 2023 and 2022), we kindly request clarification.

Considering that the year 2025 has recently been completed, please clarify the reason why it has not been included in the calculation of the average annual construction turnover, and whether bidders are allowed to use financial data for 2025. instead of 2022.

**Answer 5:**

Please refer to Addendum No. 1 to the Bidding Documents.

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**Questions No.6:**

Referring to the Bidding Documents: Section III – Evaluation and Qualification Criteria, Item 3.2 states that the Average Annual Construction Turnover shall be calculated based on the last three (3) completed years (2024, 2023 and 2022);

Section IV – Bidding Forms, Form FIN – 3.2 requires bidders to attach documentary evidence for certified payments received within the last five (5) years.

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<sup>1</sup> In the event of cofinancing, the EU-contribution must normally be entered as a lump sum in euro.

<sup>2</sup> The Contracting Authority reserves the right to change the percentage assigned to each funding source, bearing in mind that there is a possibility that this component becomes eligible for funding under the new WBIF grant application.

In this regard, we kindly request clarification on which period should be considered relevant for the purpose of qualification: three **(3) years** or **five (5) years**.

Additionally, please clarify whether the requirement for five (5) years refers only to supporting documentation, while the turnover calculation remains based on three (3) years.

**Answer 6:**

Please refer to Addendum No. 1 to the Bidding Documents.

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**Questions No.7:**

With reference to Section 3.5 Contractor's Key Personnel, specifically the requirement "Experience in Similar Works (FIDIC or similar, based)" for the positions of Project Manager and Deputy Project Manager could you please clarify whether "similar" refers exclusively to projects implemented under FIDIC contract conditions, or if experience gained on nationally procured projects of a similar nature (e.g. construction/reconstruction of schools, kindergartens, hotels, etc.) would also be considered acceptable?

**Answer 7:**

With reference to Section III. Evaluation and Qualification Criteria, point 3.5 Contractor's Key Personnel, specifically the positions of Project Manager and Deputy Project Manager, experience gained on projects carried out under other internationally recognized contract conditions (e.g EU PRAG, Multilateral development banks etc) will also be considered acceptable.