



**“TECHNICAL CONSULTANT SERVICES FOR
THESSALONIKI METRO PROJECTS”**

RFP-256/14

3rd SUPPLEMENTARY CLARIFICATIONS DOCUMENT

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The 3rd Supplementary Clarifications Document includes four questions that were raised by Companies participating in the subject Tender. This 3rd Supplementary Clarifications Document constitutes an integral part of the Invitation to Tender.

Question #1

In this Invitation to Tender and specifically regarding article 21.7.3 the submission of a Legal Statement is required with regard to the group members (Group 1 and 2) who do not belong to the staff of the Bidder.

Specifically in the article it is stated that:

“With regard to the Group members responsible for the provision of services, who do not belong to the staff of the bidder, as specified in criterion of article 22.1.1.b, it is required to submit a Legal Statement of the bidder concerning the working relation with these members, clearly stating the time period and the scope of the cooperation. The above Legal Statement must be signed by the legal representative of the company (engineering firm) with which the member of the design Group cooperates and must be co-signed by the cooperating member of the Group”.

- A. Provided that the legal representative is Greek and undersigns a legal statement under Greek Law 1599/86, the group member if foreigner, is it acceptable to co-sign this statement under the notation that the foreigner is fully aware of the text of this statement since it has been translated to a language the foreigner understands?
If not, please clarify to us what kind of document shall be co-signed by the Greek legal representative and the foreign group member in case where:
- both are located in Greece,
 - the foreign member is located in another country from the Greek Legal representative.
- B. What shall the text of the legal statement be in case where the group member (Greek or foreigner) does not have previous working relation with the bidder?

Response #2

- A. Due to the increased number of the required back-up documentation contained in the Technical Offer Envelope of the Tender at hand, it is hereby clarified that, as regards the legal statement referred to in Article 21.7.3 of the Invitation to Tender related to the Group members responsible for the provision of services, who do not belong to the staff of the bidder, and which (statement) is co-signed both by the legal representative of the company and by the cooperating member of the Group, it is acceptable for the member of the group responsible for the provision of services – if foreigner – to co-sign the subject statement with the note that he/she fully understands the text of the statement, since it is translated to a language he/she understands.
- B. In case the member of the Group does not have a previous working relation with the bidder, there is not any requirement for the submission of a Legal Statement confirming the above, on condition that in Sample 1 of Annex III, in column “Working Relationship with the Bidder”, it is indicated that there is no previous working relationship with the Bidder.

Question #2

Article 21.7.2 – Methodology Report of the Invitation to Tender includes as follows:

- a) The main activities.
- b) Presentation of the duties to be undertaken in relation to the provision of services, accompanied by an Organization Chart presenting in a schematic manner the allocation of the responsibilities between the Group members.

In other words, the compilation of a time schedule is not required. However, further on it is mentioned that: “The Methodology Report must not exceed the reasonable size of 30 pages of text in paper A4 and must be drafted using a medium size font, apart from the aforesaid Time Schedule.

Kindly confirm that the inclusion of a Time Schedule in the Methodology Report is not required.

Response #2

It is confirmed that the inclusion of a Time Schedule in the Methodology Report is not required.

Question #3

Article 21.7.3, Report about the Group responsible for the provision of services, stipulates as follows: “*With regard to the Group members responsible for the provision of services, who do not belong to the staff of the bidder, as specified in criterion of article 22.1.1.b, it is required to submit a Legal Statement of the bidder concerning the working relation with these members, clearly stating the time period and the scope of the cooperation. The above Legal Statement must be signed by the legal representative of the company (engineering firm) with which the member of the design Group cooperates and must be co-signed by the cooperating member of the Group*”.

Kindly confirm that it is not required for the subject list to include the members of the group provided by specialized personnel as “borrowed capacity” from a Company/Legal Entity, given that, as regards the aforementioned “borrowed capacity”, the documentation required is stipulated in Article 21.4.2 of the Invitation to Tender.

Response #3

The List of Sample 1 of Annex III must include all members of Groups 1 and 2. However, in the event that the members of the group are provided by experienced personnel as “borrowed capacity” and there is not any previous working relationship with the bidder, the content of response #1B is valid.

Question #4

Article 14 “Eligible to participate in the procedures” of Law 3316/05, explicitly stipulates as follows:

In order to participate in the procedure related to the award of supervision services of a public work, as per the provisions of paragraph 2, the interested parties, apart from their registration in the Register referred to in article 39, must prove their experience acquired from the construction or supervision of works falling under the respective



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category. The level of experience expressed in years is determined in the invitation to tender, it must be proportionate to the particularities of the work under supervision and be covered by the supervision group, into which an engineer - subject to the irreconcilable principles of clauses c' and e' of paragraph 2 article 39 – can participate; the subject engineer must possess a proven experience in the construction of works falling under a similar category, which (experience) can derive either from relevant certificates and documentation and/or from his/her registration in the respective work category of the Register of Construction Experience (MEK) held by the Secretary General of Public Works of the Ministry of Environment, Physical Planning and Public Works.

Due to the critical nature of this issue, kindly confirm that there is not any requirement for the submission of the aforesaid certificates and documentation and that only the submission of a CV is required as stipulated in the Invitation to Tender.

Response #4

The content of response #8 included in the initial Clarifications Document of the subject Tender is valid.