



**CLARIFICATION NO. 1**  
**27 August 2020**

**Supply of Collection and Landfill Operations Equipment for Dili Solid Waste Management Project**  
**ICB/036/MAE-2020**

This Clarification No. 1 has been issued in accordance with ITB 7 of the Bidding Document.

No.	QUESTIONS	RESPONSE
1	<p>The amount of Bid Security requested to bid for this project is very high for local suppliers.</p> <p>Could you reduce the amount of bid security?</p>	<p>The amount of Bid Security requested in the Bidding Document is well below the limit prescribed under Timor-Leste Procurement Decree-Law.</p> <p>Please refer to Decree-Law n. 10 / 2005 - Article 72 (2).</p>
2	<p>The Evaluation and Qualification criteria for Contractual Experience and Historical Financial Performance, as required in the Bidding Document are very high for local suppliers.</p> <p>Could you lower the said criteria?</p>	<p>The criteria mentioned in the Bidding Document are minimum requirements as per Timor-Leste Procurement Decree-Law and recommended international best practices guide for Timor-Leste.</p> <p>Local Suppliers are encouraged to enhance their expertise for the assignment by associating with other Suppliers in the form of a <b>Joint Venture</b> or as <b>Sub-supplier</b> or as <b>Local Agent</b>. Bidder must consider and follow <b>other qualification conditions</b> for said associations documented in the bidding documents.</p> <p>The access and participation conditions are equal to all interested parties for this International Competitive Bidding (ICB) without any discrimination.</p>
3	<p>As per the Bidding Document, the supplier is required to submit audited financial statements to fulfill the obligations of financial requirements.</p> <p>Could you please explain audited by whom?</p>	<p>Financial statements shall be audited by a certified accountant from the Supplier's country of constitution or from the country of permanent establishment.</p> <p>However, where audited financial statements is not required by the prevailing laws of the Bidder's country, other financial statements may be submitted for the last three (3) years, which are subject to the acceptability of the Purchaser, as mentioned in the Bidding Document.</p>
4	<p>What are the terms of payment and who makes the payment?</p>	<p>Please refer to General Conditions of Contract (GCC) &amp; Special Conditions of Contract (SCC) <b>16</b> - Section VI &amp; Section VII of Bidding</p>



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		Document.
5	Are there any penalties for late supplies of the equipment and for late payment?	Please refer to GCC & SCC 27.1. Please refer to response to question # 4.
6	Based on the experience criteria, supplier must have similar experience as the project. Is it possible for us to participate in this bidding with experience of other supply items or does it require bidders to have experience of supplying heavy equipment?	Major requirements in terms of <b>Similarity</b> (physical size, nature of works, complexity, methods, technology, or other characteristics) are defined in Section V (Schedule of Supply). Please also refer to Section III (Evaluation and Qualification Criteria) - Page No. 2, 5 & 7 of the Bidding Document.
7	For bid submission purposes, is the same manufacturer/supplier/authorised dealer allowed to issue letters of support to multiple bidders, with the understanding that the manufacturer authorization will be issued to the final winning bidder?	The manufacturer or authorized dealers of manufacturer can issue letters of support of manufacturer to multiple bidders for bid submission purposes, so long as it is clear that the manufacturer authorization will be issued to the winning bidder.
8	As per Bidding Document Section V-Schedule of Supply, there are three (3) years of warranty; however the manufactures just offer only one (1) warranty?	Please note that there is one (1) year Manufacturer Warranty after the taking over and acceptance of the equipment; AND Two (2) years Commercial Warranty from the expiration of the Manufacturer Warrant. Please refer to Section V (Schedule of Supply), Article 5.2 Page No.5-11.
9	As per Bidding Document Section V (Schedule of Supply), the Equipment Specification Catalog must be translated into Tetum. It may not be permissible for the supplier to translate the catalog?	The Equipment Manuals and Spare Parts Catalogue shall be in English language, with a copy translated into Tetum or in Portuguese (if <b>commercially available</b> ). However, translation is not <b>mandatory</b> for said documents for the submission of bid. The language of the training and the training documents shall be in English unless <b>otherwise agreed</b> . If translation into Tetum is required, this will be provided, and paid for, by the Supplier.
10	Is this project funded by Government or Asian Development Bank?	This project is funded from Timor-Leste government's budget. ADB has funded the Transaction Services for this project.
11	Could you please extend the bid submission date?	Please refer to Addendum No.1.



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12	Is it required that the supplier who a Joint Venture must submit a Bid Security in the name of the Joint Venture?	Yes. Please refer to ITB 21.7 - Section I (Instruction to Bidders).
13	Is there any limitation for the number of Joint Venture partners?	Please refer to Section III (Evaluation and Qualification Criteria) for compliance requirements for Joint Venture under Financial Situation relating to Size of Operation and Cash Flow Capacity specified in EQC 1.2.1.2 (b) and (c) for Lot 1, Lot 2 and Lot 3.
14	Due to the current situation of lock down in many countries, our partner abroad may not be able to send original Bid Security and Joint Venture agreement. Is there an alternate way for us to provide the necessary document?	The Purchaser accepts the copy of bid security in the form of Bank Guarantee at the time of bid submission due to the ongoing Pandemic conditions. The said copy must be authenticated by the Bank. The purchaser may verify directly the copy of Bank Guarantee from the Bank. Submission of fake security will cause the disqualification and blacklisting of the supplier. The Original Bid Security will be submitted later, based on the request from the Purchaser.
15	We request that Timor Leste Government update the bidding document to make it mandatory for an International Company to form a Joint Venture with any reputable local company to ensure the implementation of Local Development Statement, and fulfil the commitment of Local Agent for the duration of the project.	Local Development Statement, Local Agent and Joint Venture requirements are very well documented in the Bidding Document. Please follow the requirement mentioned in the issued Bidding Document.
16	Contractual Experience: The contract done in the last 10 years should it be with the government or can it be with any private organization?	Verifiable Contracts completed with any reputable public or private organization/institutions will be accepted.
17	The contract value mentioned for the supply of collection and miscellaneous equipment is US \$3 million for Lot 2 - this value is too high for a single contract. The supplier might have done more business but to reflect in a single contract showing USD 3 Million is very high. We request that this be lowered to around US\$500,000.	Please follow the requirements given in the Section III of the Bidding Document. The evaluation of this criterion will be based on Scoring System, which is dependent on the extent of compliance requirement being met by the Bidder.
	The average annual turnover for Lot 2 also needs to be re-looked and if can be reduced from US\$ 10 Million to US\$ 2.5 million.	Please follow the requirements given in the Section III of the Bidding Document.

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	needs to be re-looked and if can be reduced from US\$ 10 Million to US\$ 2.5 million.	III of the Bidding Document.  The evaluation of this criterion will be based on Scoring System, which is dependent on the extent of compliance requirement being met by the Bidder.
18	We request for the tender date of 03 September to be extended to at least mid of October, as with the current COVID-19 situation meeting all the documentation requirements may be challenging.	Please refer to the response to clarification # 10.
19	<b>HOOK LIFT TRUCK</b>  - According to our manufacturer that skip bin 8m3 is only compatible with truck chassis 4x2 and skip bin 20m3 is only compatible with truck chassis 6x4 due to the length of skip bins, therefore out of total 10 hook lift truck can we offer both size of vehicles?  Please advise if this is the type of locking locks requested?	With reference to the Technical Specifications of the Skip Containers, the 8 m <sup>3</sup> skip and the 20 m <sup>3</sup> skip may both have a length of approximately 6.0 m. Therefore, both types of skip are compatible with a truck chassis 6 x 4 or 8 x 4. The key is to ensure that the frame width and the rails of the skip containers are the same – then they will fit onto the same chassis.  You may offer both sizes if so required. However, in order to maintain operational flexibility, we prefer only one type of hook lift truck to be offered if this is possible.
20	<b>SKIP CONTAINERS</b>  Please provide photo of lighting locks that are required	This is a matter for the Bidder to discuss with the manufacturer.
21	<b>SKIP CONTAINERS 20M3</b>  As requested the Cover using a tarpaulin and due to the height of containers considered very high, does required motor with remote control so limiting manual labour ?	This is a matter for the Bidder to discuss with the manufacturer. This is a sensible solution but not a strict requirement; however, we have no objection to the Bidder offering this.

  
Amceto do Rosario  
Director, NPC

