



Project Management Unit “Integrated Nutrient Pollution Control Project”

Awarded Contracts under International Competitive Bidding Procedure

Project Name: Integrated Nutrient Pollution Control Project

Country: Romania

Project Loan No.: LN 8597-RO

Bid/ Contract reference no.: 03/ICB/2018 (Lot 1- Lot 3)

Contract description: Equipment for manure collection, storage and handling facilities for 12 comunas. Lots comprising this ICB are: - **LOT 1: Loaders - 12 pcs.** (Backhoe Loader:1 pcs., Frontal Loader:11 pcs.); **LOT 2 - Tractors - 12 pcs.** (Tractor Type 1: 5 pcs., Tractor Type 2: 7 pcs.); **LOT 3: - Trailers -22 pieces** (Trailer Type 1:20 pcs, Trailer Type 2:2 pcs) - **Vacuum tankers - 12 pieces,** - **Manure spreaders - 12 pieces,** - **Wood chipper/shredder - 7 pieces**

Bid Prices offered, by Lots:

Bidder’s Name / Bids received for Lot(s) no./ Bid Prices as read-out at the bid opening session/ Evaluated Bid Prices (corrected and discounted) /reasons for rejection, if the case, as in the following tables:

Lot No. 1 Name of the Bidder	Total bid price (goods and related services) without VAT (bid prices as read-out) -EUR-	Total bid price (goods and related services) without VAT (as corrected during evaluation, if it was the case) -EUR-
SC Gradinariu Import Export SRL	495.385,00	495.385,00
SC Terra Romania Utilaje de Constructii SRL	500.900,00	500.900,00

Bid submitted by SC Gradinariu Import Export SRL was rejected	<p>The bid was rejected in accordance with the provisions of <u>clause 27.2 Clarification of Bids and 29.1 Determination of Responsiveness</u> of Section I. Instructions to Bidders, because the bid could not be determined as being substantially responsive to all the requirements of the BD.</p> <p>Bidder did not provide clarifications of its bid for Lot 1, as the following issues were not addressed by the bidder: - the original of the Manufacturer’s Authorization was not provided; - it was not submitted any documentary evidence, from the Manufacturer, endorsing the technical specifications of the offered equipment.</p> <p>No answer was provided by the bidder at the two letters with requests for clarifications of the bid. The Evaluation Committee could not verify whether all the technical requirements in the Schedule of Requirements from Section VII of the Bidding documents, for Lot 1, are substantially met in the case of the equipment</p>
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offered. The Evaluation Committee could not establish whether Cukurova Makina Imalat VE Ticaret A.S., the Manufacturer of the Backhoe loader offered by the bidder, had authorized SC Gradinariu to submit a bid for this equipment, because the original of the Manufacturer's Authorization was not provided even if it was requested in two clarification letters.

Lot No. 2 Name of the Bidder	Total bid price (goods and related services) without VAT (<i>bid prices as read-out</i>) -EUR-	Total bid price (goods and related services) without VAT (<i>as corrected during evaluation, if it was the case</i>) -EUR-
SC Gradinariu Import Export SRL	392.755,00	392.755,00
S.C. IRUM S.A.	407.500,00	407.500,00
SC Titan Machinery SRL	439.950,00	439.950,00 ¹
SC IPSO SRL	445,300.00	445,300.00
VA Intertrading AKTIENGESELLSCHAFT	487.000,00	487.000,00

Lot No. 3 Name of the Bidder	Total bid price (goods and related services) without VAT (<i>bid prices as read-out</i>) -EUR-	Total bid price (goods and related services) without VAT (<i>as corrected during evaluation, if it was the case</i>) -EUR-
S.C. POP INDUSTRY S.R.L.	348.000,00	348.000,00
SC Gradinariu Import Export SRL	451.202,00	451.202,00
Com.INT S.p.A.	462.582,00	462.582,00
SC IPSO SRL	682.200,00	682.200,00

Bid submitted by S.C. POP	The bid was rejected in accordance with the provisions of <u>clause 29.1 and 29.2 Determination of Responsiveness of Section I. Instructions to Bidders of the bidding documents</u> , because the bid was not determined as being substantially responsive. The technical aspects of the bid submitted present deviations from the requirements specified in the Bidding Documents. As defined in clause <u>Instructions</u>
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¹ In the Price Schedule for Goods and in the Price Schedule for the Related services the same price of Eur 439.950 is mentioned. In the Bid Submission Form however, the bid price mentioned is also Euro 439.950 and not the sum of the price of the goods and the price of the related services (added together), as indicated in the instructions. The way the price schedule for the related services was filled in was treated as a material mistake of the Bidder and the total bid price of Euro 439.950 was not corrected into its double.

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INDUSTRY S.R.L. was rejected	<p>to Bidders (ITB) 28.1 (a) “Deviation” is a departure from the requirements specified in the Bidding Documents.” This deviation cannot be rectified, in accordance with <u>ITB 29.2:</u>” <i>A material deviation, reservation, or omission is one that:(a) if accepted, would</i></p> <p>(i) <u><i>affect in any substantial way the scope, quality, or performance of the Goods and Related Services specified in the Contract; or</i></u></p> <p>(ii) <u><i>limit in any substantial way, inconsistent with the Bidding Documents, the Purchaser’s rights or the Bidder’s obligations under the Contract; or</i></u></p> <p>(b) <u><i>if rectified, would unfairly affect the competitive position of other bidders presenting substantially responsive bids.”</i></u></p> <p>The model numbers offered for the wood chipper/shredder and for the vacuum tanker equipment were not clear. Different model numbers were presented, one in the Bid (through the Manufacturer’s Authorizations) and other in the answer to the request for clarification, for these two pieces of equipment.</p> <p>The bidder, through the Manufacturer, pretends in his reply to the clarifications request that in both cases it would be the same machines as the ones initially included in the bid. Unclear models or any modifications of models after bid submission deadline cannot be accepted.</p> <p>In the case of the <u>wood chipper/shredder</u>, both model types, the one referred to in the Bid and the one referred to in the Bidder’s answer to clarifications, <u>are not substantially responsive to the technical requirements of the BD.</u></p> <p>Wood chipper/shredder, irrespective of the model no. of the machine, has technical characteristics fundamentally different from those requested for the wood chipper/shredder in the Bidding Documents.</p> <p>From the documents included in the Bid and further from the technical sheets provided in the answers to the clarifications request, it was concluded that the wood chipper/shredder offered, cannot be pulled by the tractor, it is missing the adjustable rear bonnet and rear rollers and it has no clutch included in the transmission.</p> <p>In accordance with Section VII. Schedule of Requirements: <u>“The technical specifications listed hereunder in the „REQUIRED Technical Specifications” column are considered mandatory minimum requirements for the interested parties who should take them into consideration when preparing the offers, so that the Purchaser’s Evaluation Committee should be able to identify the criteria as fulfilled.</u></p> <p><i>The bidders shall specify in the “OFFERED Technical Specifications” column the technical characteristics taken from the technical specification/datasheets or other documents from the manufacturer regarding the offered product brand, type or model.</i></p> <p><i>In the third column, the Bidders will offer a supplementary description of the equipment offered, in order to demonstrate the technical capabilities and the performance of the equipment.</i></p> <p><u>Any technical requirement that cannot be supported by any of these means is considered as not being fulfilled.</u> For this purpose, the bidder shall include in</p>
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the offer a datasheet with detailed technical specifications for the quoted product, in the configuration that it is to be delivered.

The technical proposals that provide a level of quality that is equivalent or superior to the required minimum requirements shall be taken into consideration.

The offers including technical characteristics that are inferior to those required, or that do not demonstrate explicitly the declared technical characteristics are considered non-compliant. *The product must be new and unused.”*

In accordance with Section II, Bid Data Sheet, clause ITB 34.2 (a): evaluation was done for Lots.

Because the model of the wood chipper/shredder offered was not clear and even changed by the bidder after bids submission deadline and the equipment was not determined to be substantially responsive to the requirements of the bidding documents, the bid for Lot 3 was rejected.

Winning Bidders:

1. Contract No. 03a/ICB/2018- Procurement of equipment for upgrading (increase efficiency) of the existing manure storage and handling facilities: - **LOT 1:** Loaders - 12 pcs. (Backhoe Loader:1 pcs., Frontal Loader:11 pcs.)

Supplier: SC Terra Romania Utilaje de Constructii SRL, Romania;

Lot 1: Euro 500.900,00 (without VAT) (VAT is of 95,171.00)

Total Contract Price Lot 1 including VAT: Euro 596,071.00

2. Contract No. 03b/ICB/2018- Procurement of equipment for upgrading (increase efficiency) of the existing manure storage and handling facilities: **LOT 2** - Tractors - 12 pcs. (Tractor Type 1: 5 pcs., Tractor Type 2: 7 pcs.); **LOT 3:** - Trailers -22 pieces (Trailer Type 1:20 pcs, Trailer Type 2:2 pcs) - Vacuum tankers - 12 pieces, - Manure spreaders - 12 pieces, - Wood chipper/shredder - 7 pieces

Supplier: SC Gradinariu Import Export SRL, Romania;

Lot 2: Euro 392.755,00 (without VAT); (VAT is of 74,623.45)

Total Contract Price Lot 2 including VAT: Euro 467,378.45

Lot 3: Euro 451.202,00 (without VAT); (VAT is of 85,728.38)

Total Contract Price Lot 3 including VAT: Euro 536,930.38

Total Contract Price L2+L3 including VAT: Euro 1,004,308.83

Contracts duration: 90 Days as from the Purchaser's Order, which will be issued no later than 30 August 2019.

Purchaser: *Ministry of Waters and Forests*

Beneficiaries:

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1. Territorial Administrative Unit -Maracineni Commune, Str. Centrala, nr. 96, Sat Capatanesti, Comuna Maracineni, judetul Buzau
2. Territorial Administrative Unit- Coarnele Caprei Commune, Sat Coarnele Caprei, comuna Coarnele Caprei, judetul Iasi
3. Territorial Administrative Unit - Comarna Commune, Localitatea Comarna, comuna Comarna, judetul Iasi, CP 707105
4. Territorial Administrative Unit - Dobrun Commune, Str. Principala, nr. 117, comuna Dobrun, județul Olt
5. Territorial Administrative Unit- Galicea Commune, Sat Galicea, comuna Galicea, judetul Valcea
6. Territorial Administrative Unit- Gheraseni Commune, Str. Ioan Gherassy, nr. 467A, sat Gheraseni, comuna Gheraseni, judetul Buzau;
7. Territorial Administrative Unit- Jucu Commune, Str. Principala nr. 112, localitatea Jucu de Sus, comuna Jucu, judetul Cluj
8. Territorial Administrative Unit- Lungesti Commune, Sat Lungesti, comuna Lungesti, judetul Valcea
9. Territorial Administrative Unit- Mosna Commune, Str. Sfintii Voevozi, comuna Mosna, judetul Iasi, CP 70734010
10. Territorial Administrative Unit- Prisacani Commune, comuna Prisacani, judetul Iasi
11. Territorial Administrative Unit- Tibanesti Commune, Sat Tibanesti, comuna Tibanesti, judetul Iasi
12. Territorial Administrative Unit- Vitomiresti Commune, Str. Libertatii nr. 146, sat Vitomiresti, comuna Vitomiresti, judetul Olt

Note: Any bidder who wishes to ascertain the grounds on which its bid was not selected may request the Purchaser in writing for a debriefing.