

**INVITATION FOR PREQUALIFICATION NO:IDB-UTP-KAY-W01
CONSTRUCTION WORKS OF NEW URBAN RAILWAY LINE FOR
KAYSERI LIGHT RAIL TRANSPORTATION PROJECT**

ICB No:IDB-UTP-KAY-W01

ADDENDUM NO:2

This Addendum is prepared to provide necessary clarifications on certain aspects of the Pre-qualification Documents.

This Addendum forms an integral part of the Pre-qualification documents and has been issued to;

- amend and/or replace some clauses of the Pre-qualification Documents (SECTION I),
- provide response to the queries or clarification requests raised during the pre-bid meeting (SECTION II),
- provide response to queries and clarification requests sent by prospective applicants in writing (SECTION III)

as given in detail below:

SECTION I

The provisions of this Section are being issued to modify or amend certain provisions of the Pre-qualification Documents as a result of changing circumstances or additional information being available from the Employer or in response to the queries raised by the prospective applicants at the pre-bid meeting or queries raised by the prospective applicants in writing. The Pre-qualification documents are hereby amended as below.

Amendment No.	Pre-qualification Doc. Page No.	Pre-qualification Document Reference Clause	Original Clause on Pre-qualification Doc.	Amended Clause
1	23	Section II. Prequalification Data Sheet ITA 19.1	The opening of the Applications shall be at: Address: Mevlana Mah. Kocasinan Bulvarı (Kayseri Büyükşehir Belediyesi Ek Hizmet Binası) No:133 Postal Code: 38280 City/ Country: Kayseri / Turkey Project Officer: Mr. Sedat ERDOĞAN / Head of Department Telephone: + 90 352 222 32 76	The opening of the Applications shall be at: Address: Mevlana Mah. Kocasinan Bulvarı (Kayseri Büyükşehir Belediyesi Ek Hizmet Binası) No:133 Postal Code: 38280 City/ Country: Kayseri / Turkey Project Officer: Mr. Sedat ERDOĞAN / Head of Department Telephone: + 90 352 222 32 76

			Facsimile number: +90 352 231 86 58 E- mail address: serdogan@kayseri.bel.tr Date: 16/07//2020 Time: 14.15 hr (Turkey time)	Facsimile number: +90 352 231 86 58 E- mail address: serdogan@kayseri.bel.tr Date: 16/07//2020 Time: 14.00 hr (Turkey time)
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SECTION II

MINUTES OF PRE-BID MEETING

Construction Works of New Urban Railway Line for Kayseri Light Rail Transport Project (IDB-UTP-KAY-W01)

Venue : Mevlana Mah. Kocasinan Bulvarı (Kayseri Büyükşehir Belediyesi Ek Hizmet Binası) No:133, 38280, Kayseri / Turkey
Date : Tuesday, 28th of May 2020
Time : 14:00 hr (Turkey time)

Participants : Please find the List of Participants in Attachment

INTRODUCTION

The prospective applicants were welcomed to the pre-bid meeting. The representatives of Employer introduce themselves and then outlined the proposed agenda for the meeting.

Mr. Mehmet BEYDİLLİ from Kayseri Municipality presented the drawings already included in the floated Prequalification documents.

REPLIES TO QUERIES AND CLARIFICATION REQUESTS RAISED DURING THE PRE-BID MEETING

No.	Pre-qualification Doc. Page No.	Pre-qualification Document (PQD) Reference Clause	Query or Clarification Requested by the applicants	Reply of the Employer	Amendment required YES or NO
1	NA	NA	For foreign companies attending, will the Employer be seeking Apostilles on the	It is not required for the prequalification application stage; however, the Employer may ask for it in	No

			provided supportive document for demonstrating the requirements?	evaluation stage. Please refer to Clause 11 and 21 of the PQD-Section 1.	
2	12	, Section I and II ITA 10	For the supporting documents is it to be submitted both in English and Turkish, will the approval of the Translation Offices be sufficient?	Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in English language, in which case, for purposes of interpretation of the Application, the translation shall govern.	No
3	21	Section II. Prequalification Data Sheet, ITA 1.1	Can a company from China attend the tender? Can a non ISDB member country attend the tender?	This Invitation for Prequalification is not limited to IsDB Member countries and open to all eligible applicants as per the International Competitive Bidding (ICB) procedure of the Bank as defined in the guidelines Please also see ITA-4 and ITA-5 for the other eligibility conditions.	No
4	28	Section III. 3.1.(iii)	Can you confirm that the balance sheets to be submitted for the last 5 years is between 2015 to 2019?	Yes	No
5	28	Section III. 3.1.(i)	Is there a standard form of Bank reference Letter? Will it be provided in Turkish language?	There is no specific format. Only English is enough you can add the original Turkish one along with the English translation.	No
6	28	, Section III. 3.1.(ii)	Will we submit all the proceeding reports?	It is not required for the prequalification application stage; however, the Employer may ask for it in evaluation stage. Please refer to Clause 11, 14 and 21 of the PQD-Section 1 and see Form Fin 3.1 in the PQD-Section IV.	No

7	30	Section III. 4.2.(b)	Can we use individual work experiences in case it belongs to a Partner? Can we use individual work experiences for the companies as work experiences?	No, it is clearly stated in 4.2b.	No
8	30	Section III. 4.2.(b)	Is it allowed to provide main railways as a similar experience? Is it required to complete (infrastructure+superstructure+electro-mechanical signalization) experience?	According to the PQD for IDB-UTP-KAY-W01, Section III. 4.2.(b) Railways, Metro or other Rail Systems is applicable.	No
9	42	, Section IV. FIN3.2 Note	Is it required a SPA (Sworn Public Accountant) approval for the Balance Sheets or is a Public Account approval is enough? Do you request the audited balance sheets?	The financial statements including Income-Balance Sheets shall be independently audited or certified by (Sworn-in) Public Accountant or Tax Authority. Annual turnovers shall be verified by the documents certified by Certified (Sworn-in) Public Accountant or Tax Authority.	No

Finally, all the participants were thanked for their kind attention and interest and for this fruitful meeting. It was expressed that all the questions and opinions of the participants will be replied by Employer staff and sent to all participants.

SECTION III

The answers to queries and clarification requests sent by prospective applicants in writing are as follows;

No.	Pre-qualification Doc. Page No.	Pre-qualification Document (PQD) Reference Clause	Query or Clarification Requested by the applicants	Reply of the Employer	Amendment required YES or NO
1	12	Section I, <i>ITA 11.2</i>	In section ITA 11.2 and Application Submission Form G, “The Applicant shall furnish information on commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application”, is not clear to comprehend when it is translated. Therefore, could you please explain what is meant here and could you give an example?	State if you paid or will pay any commissions and gratuities <u>to agents or any other third parties.</u>	No
2	21	Section II. Prequalification Data Sheet, <i>ITA 1.1</i>	In section ITA 16.1.(c) “Bear the specific identification of this prequalification process indicated in the PDS 1.1, is not clear to comprehend when it is translated. Could you please give us more detail, and clarify what kind of an identification is required and what is its content?	The specific identification code for this prequalification process is IDB-UTP- KAY-W01 as indicated in the PDS 1.1.	No
3	21	Section II. PDS <i>ITA 4.2</i>	Is there any restriction (limitation) for the number of company or JV to be submitted in prequalification?	Maximum number of members in the JV shall be: three (3)	No
4	22	Section II. Section II. Prequalification	In section ITA 10.1 - PDS C, the 2nd phrase - PDS C, it is written that “The Application as well as all correspondence shall be submitted in	The Application as well as all correspondence and documents relating to the prequalification exchanged by	No

No.	Pre-qualification Doc. Page No.	Pre-qualification Document (PQD) Reference Clause	Query or Clarification Requested by the applicants	Reply of the Employer	Amendment required YES or NO
		Data Sheet, ITA 10.1	English language”. However; it is written in the other parts that English and Turkish languages will be used. Which one to consider? The forms shall be filled up in English or the forms which are translated to Turkish language and filled up in Turkish will be valid?	the Applicant and the Employer, shall be written in English . Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in English , in which case, for purposes of interpretation of the Application, the translation shall govern.	
5	22	Section II. Prequalification Data Sheet, ITA 11.1 (d) (3)	In section ITA 11.1 (d) - PDS C.3 Trade Register Gazette indicating the articles of association and current status (indicating the latest status about shareholders, members, or founders and the persons in charge of the corporation according to their affiliation), certificate of commercial activity or certificate of registry is enough for the required document together with Trade Register Gazette?	The applicant shall provide all the documents stipulated under the PQD for IDB-UTP-KAY-W01, Section II. Prequalification Data Sheet, ITA 11.1 (d)	No
6	22	Section II. Prequalification Data Sheet, ITA 11.1 (d) (4)	In section ITA 11.1 (d) - PDS C.4, document of ISO 18001 which is required in the part of ISO Quality Documents, has been modified as ISO 45001 starting from the year of 2020. Thus, is it enough to submit this document in this case?	The applicant may submit ISO 45001 instead of ISO 18001	No

No.	Pre-qualification Doc. Page No.	Pre-qualification Document (PQD) Reference Clause	Query or Clarification Requested by the applicants	Reply of the Employer	Amendment required YES or NO
7	22	, Section II. Prequalification Data Sheet, ITA 11.1 (d) (5)	In section ITA 11.1 (d) - PDS C.5, is there a standard form or obligation in form for the letter of intention for JV?	There is no specific form. A JV agreement, or letter of intent to enter into a JV including a draft agreement, indicating at least the parts of the Works to be executed by the respective partners is required. The JV should have formed with the clear participation and lead role for this application well identified.	No
8	22	Section II. Prequalification Data Sheet, ITA 11.1 (d)	In section ITA 11.1.D - PDS C, all the required documents mentioned here shall be submitted separately for each company in the case of JV?	In case of a JV each partner should submit the documents stipulated under the article <u>respectively</u> .	No
9	24	, Section II. Prequalification Data Sheet, <i>ITA 25.2</i>	Form EXP 4.2 (b) shall be filled up for the subcontractors as well which are intended to work with? Also, the intended subcontractors need to fulfil the conditions mentioned in Form EXP 4.2 (b)?	Please see the PQD Section I sub-Clause 25.5	No
10	27	Section III. 2.2	In section III – P 2.2, bid securing declaration mentioned is not clear to comprehend, could you please give more detail and examples?	A bid security declaration is a non-monetary form of bid security. It is a notarized sworn statement made by a bidder committing to sign the contract if they are selected before the end of the bid validity period stipulated in the bidding documents. Indicate if you are under a suspension based on execution of a Bid Securing Declaration by the Employer.	No

No.	Pre-qualification Doc. Page No.	Pre-qualification Document (PQD) Reference Clause	Query or Clarification Requested by the applicants	Reply of the Employer	Amendment required YES or NO
11	27	Section III. 2.3 and 2.4	In section III – P 2.3 and P 2.4 and Form CON 2, the content of processes required is not clear. What is meant here is the processes involving the works mentioned in contract only? Could you please give more detail and examples?	<p>Under 2.3, list all pending litigation cases and indicate the monetary amount in dispute and contract amounts on Form CON-2. It will be assumed that all will be resolved against the Applicant.</p> <p>Under 2.4, the Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from <u>contracts completed or ongoing</u> under its execution since 1st January 2015.</p>	No
12	28	Section III. 3.1(i)	In section III – P 3.1.i, is it enough to fill up Form FIN 3.1 only? Another document is required to be submitted in the file for the equivalent of this item?	The Applicant shall fill the Form FIN – 3.1, add the relevant attachments to <u>demonstrate</u> that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements estimated as US \$ 2 Million (Two Million US Dollar) for the subject contract(s) net of the Applicants other commitments	No
13	28	Section III. 3.1(iii)	In section III – P 3.1.iii, is it enough to fill up Form FIN 3.1 only? Or also the documents of ratio analysis, balance sheet and income statement need to be submitted as well?	The Applicant shall fill the Form FIN – 3.1 and add the stipulated attachments as mentioned in 3.1.iii. (The audited balance sheets or, if not required by the laws of the Applicant’s country, other financial statements acceptable to the Employer, for the last 5 (<i>five</i>) years shall be submitted and must demonstrate the current	No

No.	Pre-qualification Doc. Page No.	Pre-qualification Document (PQD) Reference Clause	Query or Clarification Requested by the applicants	Reply of the Employer	Amendment required YES or NO
				soundness of the Applicant's financial position and indicate its prospective long-term profitability.)	
14	29	, Section III. 4.2.(a)	In section III – P 4.2 (a), in the case of JV, each member of JV must submit a contract of work success with a min. value of 14M USD or is it enough if only one member of the JV submits 2 contracts of work success with each of a min. value of 14M USD?	In the case of JV, it is not required by Each Member to satisfy the criteria but All Parties Combined should meet the criteria.	No
15	29	, Section III. 4.2.(a)	A contract which is close to the phase of completion (at least with a completion rate of 80%) however its certificate of work completion has not been awarded yet, might be submitted in the criteria of Section III – 4.2 (a) and 4.2 (b)? The contracts in this scope which are mentioned above might be added to Form EXP - 4.1, Form EXP 4.2 (a) and Form EXP – 4.2 (b)?	A minimum number of similar contracts that have been satisfactorily and substantially completed is required. Substantial completion shall be based on 80% or more works completed under the contract.	No
16	30	, Section III. 4.2.(b)	In section III – P 4.2 (b), in the case of JV, each member of JV must submit a contract of work success in railway projects with min. 2 km or is it enough if only one member of the JV submits a contract of work success in one railway project with min. 4 km?	In the case of JV All Parties Combined should meet the criteria. and, Each Member of JV must have completed a contract of at least 2 km length Railways, Metro Constructions or Rail Systems.	No

No.	Pre-qualification Doc. Page No.	Pre-qualification Document (PQD) Reference Clause	Query or Clarification Requested by the applicants	Reply of the Employer	Amendment required YES or NO
17	34	, Section IV. Form ELI 1.1	In the Form ELI 1.1 Applicant Information Form, the title of Joint Venture shall be written here in the case of an intended JV?	Yes	No
18	35	Section IV. Form ELI 1.2	In the Form ELI 1.2, the phrase “the beneficial ownership” mentioned here is understood as “ <i>faydalı mülkiyet</i> ” when translated to Turkish. What is meant here and is there any required document regarding this expression?	Applicant should list the beneficial owner who is an individual ultimately owns or controls more than 25% of a company's shares or voting rights, or who otherwise exercise control over the company or its management,	No
19	42	Section IV. Form FIN 3.2	Form FIN 3.1 and Form FIN 3.2 are especially at the first place, the required authority for the approval of financial statements and documents is not clear. Certified public accountant might be understood as the independent certified public accountant including the sworn one when translated to Turkish language. The approval of certified public accountant (the independent one) as in EKAP tenders is enough?	The financial statements including Income-Balance Sheets shall be independently audited or certified whether by Certified (Sworn-in) Public Accountant or Tax Authority.	No
20	42	Section IV. Form FIN 3.2 Note	Form EXP-4.1., Form EXP-4.2(a) and Form EXP-4.2(b), any substitutive documents are required or is it enough to fill up the tables only?	The Applicant shall fill the Form EXP 4.1, 4.2(a) and 4.2(b) and add the relevant attachments to <u>demonstrate</u> that he can achieve the minimum experience requirement. The Applicant shall provide evidence documents clearly verifying all the information provided such as work completion certificates, experience certificates	No

No.	Pre-qualification Doc. Page No.	Pre-qualification Document (PQD) Reference Clause	Query or Clarification Requested by the applicants	Reply of the Employer	Amendment required YES or NO
				taken from Employer/Customer/Related Authorities for the similar contracts as supporting documents that meet the Specific Experience criteria in the PQD Section III. Qualification Criteria and Requirements 4.2 (a) and 4.2(b).	
21	42	Section IV. Form FIN 3.2 Note	We emphasize that specifically the certificate of work completion (work success certificate) is not mentioned in the prequalification criteria's and form notes. Documents such as contract, progress payment certificates, temporary acceptance certificates, i.e., are required to be submitted? If not, contracts which are written shall be confirmed by contacting with the Employers?	Please refer to Item:20 above. The Employer may ask for other documentary evidence such as contract, progress payment certificates, temporary acceptance certificates etc. establishing Applicant's qualification in evaluation stage. The Employer may also request originals of these documents if necessary, during evaluation of applications.	No