
REPUBLIC OF MOLDOVA

MOLDOVA RURAL CONNECTIVITY PROJECT - P180153

NATIONAL ROAD ADMINISTRATION

**CLARIFICATION DOCUMENT No.2
TO CONSULTANTS' QUESTIONS ON RFP**

Supervision of Rehabilitation Works under the Contract:

**MRCP/CS/C8/01: Construction Supervision of
Rehabilitation Works on Corridor 8 “G88: Cornești –
Boghenii Noi – Năpădeni – M5 and G86: G88–
Dereneu–G85”**

Issued on October 16th, 2025

Question 1

Regarding the **Team Leader / Engineer’s Representative** (TL/ER) – Key Expert no.1, according to ToR requirements, the expert:

“is expected to have previous experience in the role of Engineer’s Representative in at least two projects of similar size and complexity carried out under the FIDIC 2017 General Conditions of Contract, with minimum of 2 years’ involvement in each such projects”

and subsequently modified by amendment no. 1 in:

“The candidate is expected to have previous experience in the role of Engineer’s Representative in at least two projects of similar size and complexity as follows:

- a) working experience in minimum: 1 project of similar size and complexity carried out under the FIDIC 1999 General Conditions of Contract for Construction (Red Book) **and** in 1 project carried out under **FIDIC 2017** General Conditions of Contract for Construction (Red Book), with **minimum of 2 years’** involvement in each such projects;*
or
- b) working experience in minimum 2 projects of similar size and complexity carried out under the **FIDIC 2017** General Conditions of Contract for Construction (Red Book), with minimum of 2 years’ involvement in each such projects.”*

considering the supervision tenders organized and awarded by ASD in recent years, such as:

- Supervision of Rehabilitation Works of R34 Hîncești – Leova – Cahul – Giurgiulești Road;
- Supervision of Rehabilitation Works on R33 Hincesti-Lapusna-M1 Road;
- Supervision of Rehabilitation Works of Road R14, R6 - Codrul Nou–Soroca–Unguri – Ukrainian Border

we notice that all these contracts are carried out under FIDIC Conditions of Contract for Construction, MDB Harmonized edition, June 2010 and **none of them are under FIDIC 2017** General Conditions of Contract for Construction.

We consider unrealistic and restrictive from the Contracting Authority to request experience in contracts types that have not yet been implemented in their country, without accepting a similar type contracts as qualification criteria.

- We ask the Authority to accept and rephrase as following:
“the candidate is expected to have previous experience in the role of Engineer’s Representative in at least two projects of similar size and complexity carried out under:
 - o FIDIC Red book General Conditions of Contract*
 - or*
 - o similar to FIDIC Red book General Conditions of Contract (for example in Romania is HG no. 1/2018),**with minimum of 2 years’ involvement in each such projects”*

Answer

The criteria are meant to reflect in the first place the needs of the project. The project at hand shall be implemented by application of the FIDIC 2017 Conditions of Contract. Therefore, the respective criterion is designed to seek experts who have experience using the latest set of contractual

conditions. Nevertheless, this is not an exclusive requirement, as the criteria, bearing a broader approach, accounts the experience in applying the previous version of FIDIC Conditions of Contract.

To be noted that such experience is not required to be possessed by the consultancy firm. In this respect, to meet the requirement in question, firms are afforded flexibility in identifying and proposing experts with the required experience, without being limited in this pursuit.

In the context of the question addressed, it shall be affirmed that the FIDIC 2017 is a set of contractual conditions with a global application, not tied to a specific country, let alone to the Client’s country. Therefore, the criterion based on those conditions could not be considered restrictive. Neither lack of experience of a wide array of participants in applying the latest FIDIC conditions of contract makes a criterion restrictive.

Further, the same requirements are applicable to all participants, including in respect of the criterion at hand. If, admitting that there is less experience in FIDIC 2017, all participants are equally exposed to the same market conditions.

There is little relevance for the project in broadening the criteria to include forms of contract adapted to specific countries, other than the Client’s country, and, therefore, there are no compelling reasons for such an adjustment of the evaluation criteria suggested in the question.

Question 2

Regarding the **Team Leader / Engineer’s Representative** (TL/ER) – Key Expert no.1,

according to ToR requirements, “the candidate is expected to have a minimum of ten (10) years of experience of supervision of road rehabilitation or/and construction works”

Please confirm that the candidate is accepted to have 10 years experience in:

- a) supervision of road:
- new construction;
 - modernization;
 - rehabilitation

and/or

- b) construction works contracts of road
- new construction;
 - modernization;
 - rehabilitation.

Answer

The wording of the criterion is clear in requiring “experience of supervision”, while further mentioning the nature of works supervised.

The meaning of the criterion shall not be stretched to cover experience in other roles in construction.