
Moldova Roads Rehabilitation V

NATIONAL ROAD ADMINISTRATION

CLARIFICATION DOCUMENT No.2 **to Procurement Document**

(Component A) Supervision of Rehabilitation Works under the Contracts RSP/W16/01-02: Rehabilitation of M1 – Leuseni - Chisinau Road, Lot 1: km 1+000 -km 9+000, and Lot 2: km 9+000 - km 39+000.

(Component B) Provision of an Institutional Capacity Support Team (ICST) to Moldova Roads Rehabilitation V Project

(client's reference RSP/CS/M1/01-02/2025)

Issued on May 22, 2026

CLARIFICATIONS to Procurement Document (#2) issue date: 22 of May 2026
Procurement identification data:

Country: Republic of Moldova
 Project: Moldova Roads Rehabilitation V
 EBRD Project ID: 54423
 Client: J.S.C. „NATIONAL ROAD ADMINISTRATION”
 Contract: (Component A) Supervision of Rehabilitation Works under the Contracts RSP/W16/01-02: Rehabilitation of M1 – Leuseni - Chisinau Road, Lot 1: km 1+000 -km 9+000, and Lot 2: km 9+000 - km 39+000.
 (Component B) Provision of an Institutional Capacity Support Team (ICST) to Moldova Roads Rehabilitation V Project.
 Type of Contract: Consultancy Services
 Procurement Method: Prequalification of Participants
 Procurement Process ID: RSP/CS/M1/01-02/2025

Q #	Questions received from Participants on ECEPP:	Clarifications from Client/NRA:
1.	<p>We refer to the prequalification documents and kindly request clarification on the following two points regarding the experience requirements.</p> <p><u>Query 1</u> — Similar location requirement Table 3.1 of Section IV states that the three specific experience references must be from similar locations as defined in footnote 4. Reading this requirement alone, it appears that any reference from outside the listed countries would not be accepted as qualifying experience, making the application non-compliant. However, Clause 7 of Section III includes a separate scoring criterion of 10 points for experience in similar geographical locations. The existence of this scoring criterion gives the impression that references from outside the similar locations list are not automatically rejected, but are instead accepted with a lower score. Could the Client please clarify whether a reference from outside the similar locations defined in footnote 4 of Section IV: (a) makes the application non-compliant and is excluded from evaluation entirely under Table 3.1; or (b) is accepted as qualifying experience but receives a lower score under the geographical scoring criterion in Clause 7?</p> <p><u>Query 2</u> — Does the similar location criterion apply to Component B references? The scoring criterion in Clause 7 reads: "Experience in similar geographical</p>	<p><u>Answer to Query 1:</u></p> <p>For the avoidance of doubt we would like to clarify that the evaluation of prequalification applications is done in two stages:</p> <ol style="list-style-type: none"> Stage 1 – is application of qualification criteria provided in Section IV on a pass/fail basis. There will be no scores assigned at this stage. As a result, the Client will compile a list of pre-qualified applicants who meet all the minimum requirements set out in Section IV. Stage 2 – is shortlisting in line with Section III clause 7 – Shortlisting. The Client will then take the list of prequalified applicants (as described above) and will score them against the criteria provided in Section III clause 7. “The Client intends to shortlist up to six the highest ranked Participants, who will be invited to the follow-up procurement process. Notwithstanding the above, the Client reserves the right to increase the number of the shortlisted Participants. Notwithstanding the above, the Client shall not shortlist the Participants, whose score is less than 70 points.”

locations or economic conditions — Component A per ToRs/Requirements." The specific mention of "Component A" raises the question of whether this geographical scoring criterion applies only to references covering Component A (construction supervision) activities, or also to references covering Component B (Institutional Capacity Support) activities. Could the Client please confirm whether the similar location criterion in Clause 7 applies to Component B references as well, or only to Component A references?

In line with the *“(Amend 1) III - Evaluation Methodology - Prequalification (C) - mar”*, the scores for Specific Experience, Criterion (b) shall be assigned considering the following indicative percentage weights:

Excellent	96% - 100%
Good	81% - 95%
Satisfactory	70% – 80%
Unsatisfactory	0% – 69%

Whilst allocating the score, the Client shall consider comparable experience of the Participants, including **the experience extent/magnitude in similar locations (country or several countries)**.

In addition, minimum requested Experience with the substantial completion of

- a minimum of 3 contracts similar in nature, complexity to the Contract and in similar locations

In addition, per *“(Amend 1) IV - Eligibility and Qualification Criteria (C) - mar” (3.1 Specific Experience)*, requested Experience with the substantial completion of **a minimum of 3 contracts** similar in nature, complexity to the Contract and in similar locations – **is mandatory for qualifying process. Please also note the below clarification:**

Answer to Query 2:

- Regarding: *“(Amend 1) IV - Eligibility and Qualification Criteria (C) - mar” (3.1 Specific Experience)*, with reference to: *“experience in Providing Institutional Capacity Support to Implementing Agencies in IFI Project Implementation – can also be demonstrated through separate minimum 3 contracts, but these should refer specifically to civil engineering activities,”* **the Client shall accept for evaluation purposes contracts, implemented in any country/region.**
- and regarding: *“(Amend 1) III - Evaluation Methodology - Prequalification (C) – mar”, (7. Shortlisting, criterion (c2)*, with reference to: *“Providing Institutional Capacity Support to Implementing Agencies (PIUs etc.) in IFI Project Implementation – Component B per ToRs/Requirements (can also be demonstrated through separate minimum 3 contracts, but these*

	<p>should refer specifically to civil engineering activities,” the Client shall accept for evaluation purposes contracts, implemented in any country/region.</p>
<p>2. Regarding the shortlisting criterion (a) Experience in specific activities under Section III: Evaluation Methodology (Section 7. Shortlisting): “(a) <i>Experience in similar assignments (specifically FIDIC Red Book based contract supervision for road/highway contracts, where the value of the civil works contracts exceeds EUR 50 million) – Component A per ToRs/Requirements.</i>”, and taking into consideration:</p> <ul style="list-style-type: none"> • The Client/NRA’s response to clarification question no. 1 which indicates that “Participants are expected to demonstrate adequate familiarity with the specific provisions, procedures, and contract management requirements of the 2017 edition” of the Red Book FIDIC; • The fact that the specific experience requirement regarding FIDIC Red Book was not under the scope of the Amendment no. 1 to the Procurement Document; • Most recent and relevant road/highway supervision contracts financed by IFIs carried out during the recent years in Moldova have been governed by FIDIC MDB Harmonized edition Conditions of contract; • The experience in working with Red Book FIDIC 2017 is very recent, even more so with the edition reprinted in 2022, and the quasi-majority of such contracts are currently on-going; Therefore, to request substantially completed assignments governed by FIDIC 2017 edition would restrict competition in a manner that is not in the Client’s best interest and fully justified if we are to compare the relevance of a company’s experience with FIDIC 1999 edition in comparison with the 2017 edition, <p>we hereby request the Client to consider the following:</p> <p>I. Please accept that the candidates present and get scored accordingly – as specific experience – substantially completed assignments related to <i>FIDIC Red Book based contract supervision</i>, no matter the edition, as per the wording of the criterion (a), which has not been amended.</p> <p>Furthermore, please accept also similar assignments for roads/highways supervision contracts carried out under the FIDIC MDB Harmonized Edition, since a negative response from your side would practically eliminate the very recent experience of the Consultants in the Republic of Moldova.</p> <p>II. Should the Client opt to verify and score also to experience with the 2017 edition of the Red Book FIDIC, please accept:</p>	<p><u>Answer to Question I:</u> As per previously sent Clarifications #1, we would like to reiterate and rectify:</p> <p>Per Evaluation Methodology, para 7 (Shortlisting), Specific Experience (a), Participants are expected to demonstrate: <i>Experience in similar assignments (specifically FIDIC Red Book based contract supervision for road/highway contracts, where the value of the civil works contracts exceeds EUR 50 million) – Component A per ToRs/Requirements.</i></p> <p>Experience and knowledge of the FIDIC Red Book 2017, is desirable, though the similarity and magnitude of executed works to the Requirements/ToRs under other FIDIC editions will also be considered and will be scored accordingly.</p> <p><u>Answer to Question II:</u></p> <p>a) Only substantially completed assignments will be evaluated and scored. b) Per Evaluation Methodology, para 7 (Shortlisting), Specific Experience (a), Participants are expected to demonstrate: <i>Experience in similar assignments (specifically FIDIC Red Book based contract supervision for road/highway contracts, where the value of the civil works contracts exceeds EUR 50 million) – Component A per ToRs/Requirements.</i></p> <p><u>Answer to Question III:</u> Per Evaluation Methodology, para 7 (Shortlisting), Specific Experience (b): Participants will be scored based on demonstrated “Experience in similar geographical locations or economic conditions - Component A per ToRs/Requirements”.</p> <p>To clarify, it is meant that the presented demonstrated experience in similar geographical locations or economic conditions - should be similar as per Component A of ToRs/Requirements.</p> <p>The scoring under criteria (a) and (b) shall be attributed independently.</p> <p><u>Answer to Question IV:</u></p>

<p>a. on-going assignments</p> <p>b. which may be related to buildings and/or any infrastructure fields (roads/highways, water & wastewater, waste management, railways).</p> <p>III. We understand that the specific experience is scored separately under the geographical shortlisting criterion (b) <i>Experience in similar geographical locations or economic conditions – component A per ToR/Requirements</i> (under Section III: Evaluation Methodology: Section 7. Shortlisting). Therefore, please confirm that the candidates would receive the respective score under the shortlisting criterion (a) if they submit substantially completed assignments carried out in locations OTHER than the ‘similar’ ones as defined under the above-mentioned shortlisting criterion (b). For example, an assignment carried out in Turkey would not be scored under criterion (b), but would count under criterion (a).</p> <p>IV. Please clarify the extent of the conflict of interest a Consultant would enter into if awarded with this Contract, given the nature of services under Component B. Our understanding is that he would be prevented <u>only</u> from being awarded with other contracts listed in Annex E to the ToR/Requirements “Component B: Procurement Plan”, so such restriction would not concern other investment projects or assignments if not listed under this Annex.</p>	<p>Kindly note that per Requirements, Component B, the “objective of the Consultant is to provide support and assistance to NRA and EBRD PIU in the timely and effective implementation of the MOLDOVA ROAD REHABILITATION PROGRAM V vis the establishment of an INSTITUTIONAL CAPACITY SUPPORT TEAM (ICST)” – meaning, any conflict of interest can potentially extend not beyond Moldova Road Rehabilitation Program V (including procurement lines under Annex E (Procurement Plan) or any modifications to it).</p> <p>Also, we would like to draw your attention to Requirements, Component B (Prohibited Activities of the ICST — Binding Negative List(table)), which mentions: <i>“ICST Prohibited Activity: Any of the following constitutes a material breach of this Contract, with reference to Works contract for M1, Lot 1 and Lot 2 (including M1 Lot 3 and Lot 4, where applicable).”</i></p>
<p>3. Herewith we would like to kindly request clarifications for the following: Considering the latest clarification regarding the required experience as per the amendment no.1, we would like to bring your attention to the following matters of which we kindly ask for a reconsideration.</p> <p>1. Taking into account that the FIDIC Pink Book Multilateral Development Bank (MDB) Harmonised Edition is actually FIDIC Red Book, 1st edition, specifically adjusted for MDB-financed projects (only in requirements related to labour, health and safety, environmental and social provisions in which MDB-financed projects requirements are more stringent), we believe that experience gained under the FIDIC Pink Book MDB Harmonised Edition would be highly relevant for this assignment, given its MDB financing context and particularly since there are no major differences in most contractual provisions between the Pink Book and the Red Book.</p> <p>2. Furthermore, we would like to kindly request that references for similar projects</p>	<p><u>Answer to question 1:</u> As per previously sent Clarifications #1, we would like to reiterate and rectify:</p> <p>Per Evaluation Methodology, para 7 (Shortlisting), Specific Experience (a), Participants are expected to demonstrate: <i>Experience in similar assignments (specifically FIDIC Red Book based contract supervision for road/highway contracts, where the value of the civil works contracts exceeds EUR 50 million) – Component A per ToRs/Requirements.</i></p> <p>Experience and knowledge of the FIDIC Red Book 2017, is desirable, though the similarity and magnitude of executed works to the Requirements/ToRs under other FIDIC editions will also be considered and will be scored accordingly.</p> <p><u>Answer to question 2:</u> The Client considers experience in similar geographical and economic conditions to be important for the successful implementation of the assignment, particularly</p>

<p>implemented in regions other than those specified be accepted as well, as such experience applying same type of contract provisions regardless the geographic location of the project is also fully relevant and valuable for the successful delivery of the assignment.</p> <p>3. Finally, we would kindly ask you to clarify how Participants are to proof substantially completed contracts specifically under relatively recent FIDIC Red Book 2nd edition 2017, reprinted 2022, to demonstrate adequate familiarity with the specific provisions, procedures, and contract management requirements of the 2017 edition of FIDIC Conditions of Contract ie what specific information or evidence they may enclose in this regard?</p> <p>We understand that the requirement for experience specifically under FIDIC Red Book 2nd edition 2017, reprinted 2022, combined with experience in the requested region, may significantly limit the pool of eligible companies. Therefore, we would like to kindly highlight that such strict criteria could potentially restrict competition. Therefore, we would like to kindly request that you reconsider the criteria: “Experience with the substantial completion of a minimum of 3 contracts similar in nature, complexity to the Contract and in similar locations” and “(a) Experience in similar assignments (specifically FIDIC Red Book-based contract supervision for road/highway contracts, where the value of the civil works contracts exceeds EUR 50 million)” as stated in the above mentioned clarification.</p>	<p>in view of the regional specificities and familiarity with the relevant institutional, regulatory and socio-economic context. Thus, the requirement remains unchanged.</p> <p><u>Answer to question 3:</u> Participants shall demonstrate the required experience through the information and supporting documentation submitted as part of their Proposal (specifically please see forms under V - Forms). Such documentation may also include copies of consultancy contracts, employer references, completion certificates, taking-over certificates, or other documents confirming the Participant’s involvement in works supervision services.</p> <p>The submitted documentation should clearly indicate the nature of the services provided, the Participant’s role in contract administration and supervision, as well as the applicable form and edition of the FIDIC Conditions of Contract.</p>
<p>4. We kindly request clarification regarding the eligibility requirements under Table 2 – Financial Situation, specifically Criteria 2.1 Historical Financial Performance.</p> <p>The tender documentation requires submission of annual financial statements for fiscal years 2022, 2023, and 2024. Please confirm whether a company established in 2024 is eligible to participate in the tender procedure, provided that it submits all available financial and legal documentation since its incorporation date.</p> <p>In particular, please clarify whether the absence of financial statements for 2022 and 2023, due to the company not yet being established during those fiscal years, would be considered acceptable.</p>	<p>We would like to draw your attention that per “Section IV: Eligibility and Qualification Criteria”, Table 2, art 2.1.: submission by Participants of annual financial statements for fiscal years 2022, 2023, 2024, is mandatory – it is as specified a: “Must meet requirement”.</p>
<p>5. Regarding the criteria of Specific experience (a, b, c): “<i>(a) Experience in similar assignments (specifically FIDIC Red Book based contract supervision for road/highway contracts)</i>”</p>	<p>As per previously sent Clarifications #1, we would like to reiterate and rectify: Per Evaluation Methodology, para 7 (Shortlisting), Specific Experience (a),</p>

<p>– Please accept also contracts implemented under FIDIC equivalent conditions of contract, such as contracts implemented in Romania under HG 1/2018.</p>	<p>Participants are expected to demonstrate: <i>Experience in similar assignments (specifically FIDIC Red Book based contract supervision for road/highway contracts, where the value of the civil works contracts exceeds EUR 50 million) – Component A per ToRs/Requirements.</i></p> <p>Experience and knowledge of the FIDIC Red Book 2017, is desirable, though the similarity and magnitude of executed works to the Requirements/ToRs under other FIDIC editions will also be considered and will be scored accordingly.</p>
<p>6. Regarding the criteria of Specific experience (a, b, c): <u>“(c2) Providing Institutional Capacity Support to Implementing Agencies (PIUs etc.) in IFI Project Implementation – Component B per ToRs/Requirements”</u></p> <p>Please confirm that contracts implemented under European Funds financed projects are also accepted, such as: Cohesion Fund Program <u>or</u> Large Infrastructure Operational Programme (POIM).</p>	<p>ANSWER: the requirement under sub-criterion (c2) refers to experience in supporting Implementing Agencies (PIUs) in the implementation of projects financed by International Financial Institutions (such as EBRD, EIB, World Bank etc.), including application of their procedures.</p> <p>Thus, IFI project implementation experience is primarily targeted, though EU-financed projects could also be considered and will be scored accordingly. (This aspect is reflected in Amendment nr 1 to tender document, attached to (previous) Clarification #1 with amendment to document: “III - Evaluation Methodology - Prequalification (C) – mar”)</p>
<p>7. Regarding the <u>Engineer’s staffing</u> described in TOR, please confirm that in the prequalification stage, the bidders must not present any of the experts, neither their names or documents.</p>	<p>At prequalification stage, no specific information on proposed staffing is requested.</p>
<p>8. We kindly ask for an extension of the submission date with a period of at least 3 weeks in order for interested companies to be able to prepare proposals that are as competitive as possible and in accordance with the Beneficiary's requirements.</p> <p>-----</p> <p>In reference to the above-mentioned prequalification No: RSP/CS/M1/01-02/2025, issued in April 2026, and noting that the current submission period coincides with the Eid Al-Adha holidays in our countries, we kindly request your consideration for an extension of at least two (2) weeks to the PQ submission deadline. This additional time would enable us to prepare a comprehensive and well-structured PQ that fully meets the tender requirements.</p> <p>We would greatly appreciate your kind consideration of this request and look forward to your confirmation in this regard.</p>	<p>Closing Date for submission of applications was once amended (extended) and set for:</p> <p>03/06/2026 11:00 UK Time</p> <p>No other extension of Closing Date is granted.</p>
<p>9. We kindly request clarification on whether, under the Instructions to Participants and the Eligibility and Qualification Criteria, a Participant bidding as a single entity is permitted to utilize the technical capacities and/or experience (references) of its parent company or other companies belonging to the same corporate Group</p>	<p>Per document “I - Instructions to Participants - Prequalification”, Art. 4.1: <i>A Participant can be a natural person, a legal entity, or any combination thereof in the form of a joint venture, consortium, or association (the “JVCA”).</i></p>

(Affiliates) without such parent company or Group company being included as a member of a Joint Venture, Consortium or Association (JVCA).

In particular, please clarify whether reliance on Group/parent company experience is acceptable solely on the basis of affiliation, or whether the relevant parent or Group company must be formally included as a JVCA member in order for its references to be considered during qualification assessment.

Utilizing technical capacities/experience of other companies, should be formalized in a form as per requirements of Art.4.1.

Reliance on Parent company experience is not foreseen for this stage of procurement and as such will not be considered for evaluation purposes.

End of section: Clarifications, round # 2.