

## ANSWERS TO QUESTIONS

Publication reference: NEAR/BEY/2021/EA-RP/0001

### Provision of Services to Address the Agricultural Pollution in the Litani River Basin (LRB), Governorates of Bekaa Valley, Baalbak\_Hermel, Nabatiyeh and South, Lebanon

#	Question	Answer
1	<p>We would like to ask for several clarifications regarding the "Provision of Services to Address the Agricultural Pollution in the Litani River Basin, LRB" tender notice.</p> <p>1. Could you please share with us the evaluation grid ?</p> <p>2. Could you please share with us the templates for statement of exclusivity and availability as well as tender submission form ?</p>	<p>1. The evaluation grid together with the tender submission form including statement of exclusivity and availability were published with all other documents. However, you will find attached copies in annex 1.</p>
2.	<p>Could you please share with us the tender short-list.</p>	<p>2. Following The EU latest procedures detailed in Prag 2020, the shortlist shall be published with the contract award notice after conclusion of all steps of the contract award and not at this stage.</p>
3	<p>Should we also provide an e-version of the financial offer ?</p>	<p>3. Yes, an e-version should be provided that will be part of the financial offer.</p>
4	<p>Due to the effects of Covid-19, we have recently experienced various tender processes were carried out online. For this type of tenders, we have applied different preparations steps and work plan from the tenders that we submitted as a hard copy. For these reasons and in order us to organize ourselves, plan our work plan and provide high quality of service, we kindly want to ask you whether the online submission is possible for NEAR/BEY/2021/EA-RP/0001 - Provision of Services to Address the Agricultural Pollution in the Litani River Basin (LRB).</p>	<p>4. No. The systems for <b>sending</b> tenders remain as defined in point 8 of the Instructions To Tenderers.</p>
5	<p>Given the close proximity of 1) the clarification responses deadline (06/08/2021) and 2) the deadline required for posting the tender to Lebanon in order that it would arrive by the submission deadline, please would it be possible to receive a deadline extension? This will provide time to integrate any required changes to the technical and/or financial proposals in accordance with the final set of clarification responses.</p>	<p>5. No. Tenders must be <b>sent</b> to the contracting authority before <b>August 19, 2021 at 15:30</b> Beirut Local time.</p>

#	Question	Answer
6	<p>In the ITT (page 3) it says "... Each technical and financial offer must contain one original, clearly marked 'Original', and (2) two copies, each marked 'copy.'" While in the service tender submission form, it states "Please supply one signed tender submission form ..., together with three copies." Please kindly confirm if the tender should be submitted as 1 set of originals and 2 copies or 1 set of originals and 3 copies.</p>	<p>6. Three (3) copies must be submitted one (1) original and two (2) copies.</p>
7	<p>In reference to the Key expert 1: Team Leader/Crop Production Expert criteria on pages 13 and 14 of the terms of references, "At least 10 years of demonstrated experience in field crops production and pest management, and provision of related extension and capacity building services to farmers", please could it be confirmed if the expert must have 10 years of experience in each area of expertise (i.e. the expert must have 10 years of experience in field crops production; 10 years of experience in pest management; and 10 years of experience in provision of related extension and capacity building services to farmers), or if the expert must have at least 10 years of demonstrated experience based on one or more of these areas. Would a combination of these areas of expertise meeting the ten year minimum requirement meet the minimum criteria?</p>	<p>7. The required specific experience of the Team Leader/Crop Production Expert is 10 years of demonstrated experience in the provision of extension services/capacity building to farmers in the field of crop production and pest management.</p>
8	<p>The Terms of Reference mentions Activity 1 as resting on 5 pillars (pages 8-9), of which the first pillar is to select the polluting crops. However, the ToR then goes on to state that the ESFD will select the lettuce crop around which the best agricultural practices will be promoted. Does this mean there will be no further crops chosen under Activity 1?</p>	<p>8. Yes. The lettuce crop is the only crop around which the best agricultural practices will be promoted.</p>
9	<p>For the qualification of the Key expert 1: Team Leader/ Crop Production Expert position, the project ToR indicated the following statement: "The Team Leader should hold at least a Bachelor Degree in Agricultural Engineering." Could you please kindly clarify if the (Bachelor/Master/PhD) Degree in Agricultural Sciences bears the same value, since different countries have their own titling systems? In this context is the term "science" equivalent to term "engineering"?</p>	<p>9. The required degree is agricultural engineering and not agricultural sciences.</p>

#	Question	Answer
10	<p>1. In the specific ToRs (§ 4.1.1, page 8) one can read ‘the ESFD will be supporting a groups of around 30 food cooperatives to improve their access to markets’. Can you please clarify whether those beneficiaries have already been identified and/or it is part of the contractor’s activitis to identify them?</p>	<p><b>10.1</b> It is the responsibility of the Contracting Authority to identify the cooperatives that will be the beneficiaries of Activity 2. In this regard, we would like to correct the discrepancy in number of cooperatives between section 4.1.1 and 4.2. The number of cooperatives to be targeted under Activity 2 is 15-20.</p>
	<p>2. In the specific ToRs (§ 4.1.3, pages 9 and 10, ‘Target groups’) one can read ‘Activity 1 will target farmers in the Unions of Municipalities (UOMs) (...)’ and ‘For Activity 2, the ESFD will target around 15 cooperatives operating in the following 9 UOMs (...)’. Can you please clarify whether those beneficiaries have already committed to be part of the project activities or it is up to the contractor to involve them?</p>	<p><b>10.2.</b> The ESFD will do a preliminary selection of farmers. However, it is expected from the Contractor to validate the selection, and to do another round of selection, if needed. The Contractor has also to mobilize farmers for participation and commitment. Please refer to sub activity 1.1.</p>
	<p>3. In the specific ToRs (Activity 1.2, page 10, ‘Develop Comparative Demonstration Plots’) one can read: ‘The Contractor will bear the cost of installing the demonstration plots including the cost of plants, fertilizers, pesticides, planting tools and the irrigations system. The farmers will contribute the fuel for irrigation and the preparation of field and provision of labor. After the end of the project, the installed irrigation system and other tools will be transferred to the farmer’s ownership.’</p> <p>a. Can you please clarify whether the contractor needs to include in the budget the costs for plants, fertilizers, pesticides, planting tools and the irrigations system to be purchased according to the chapter 6.4 of the ToRs (‘Equipment’, page 14)?</p> <p>b. Can you please clarify whether it is there a specific amount that the contractor should include in the budget as incidental costs, i.e. any cost other than the fees?</p> <p>c. Can you please clarify whether the beneficiaries have confirmed their availability to bear the costs for fuel after the recent rise of its price?</p>	<p><b>10.3.a.</b>The costs related to demonstration plots including the cost of plants, fertilizers, pesticides, planting tools and the irrigations system, <b>must be included in the lumpsum budget related to the extension services to farmers, and not under section 6.4.</b></p> <p><b>10.3.b.</b>This is a global price contract. All costs considered «incidental», should be part of the lumpsum budget provided by the Contractor for Activity 1 and Activity 2.</p> <p><b>10.3.c.</b> This will be ensured during the selection of farmers which did not start yet.</p>

#	Question	Answer
	4. Can you please confirm that the Team Leader can work on the project part time, provided that s/he manages to make sure that all of the project activities are monitored full time, on daily bases, with the support of the backstopping staff?	<b>10.4</b> The Team Leader should be mobilized on full time basis.
	5. Given the relevance of the clarifications required, considering that during the month of August there are several bank holydays in numerous EU countries, would you consider the possibility to extend the final deadline for the bid submission until September the 2nd?	<b>10.5.</b> Pleae refer to answer 5.
<b>11</b>	Please clarify whether Activity 1 of the ToR covers all farmers, irrespective of whether they practice agriculture indoor (for example in greenhouses) or in open field.	<b>11.</b> Activity covers only open farmers.
<b>12</b>	A maximum pre-financing payment of up to 40% of the contract value is foreseen, which the contractor is not obliged to ask for. However, we would like to know if it is possible, in view of the total contract value and prefinancing value, to amend the special conditions such that the awardee would not need to fulfil the requirement of presenting a pre-financing guarantee to benefit from the pre-financing payment.	<b>12.</b> No.Special conditions will not be amended.
<b>13</b>	1. Could you please clarify the products targeted by the product development activity ? Are they expected to be raw agricultural material or Processed agricultural products ? 2. What is understood by "Product development" ? Is it similar to product upgrading or does it consist in the entire development of new products ?	<b>13.1.</b> The majority of products are related to artisanal foods (mooneh), which are considered processed food. <b>13.2.</b> Product development, as per the Terms of Reference, is related to the upgrading of the product to meet the standards and requirements of LIBNOR.
<b>14</b>	Could you please clarify whether a degree in agricultural sciences (Bsc, MSc or PhD) or related fields would be considered equivalent to a Bachelor's Degree in Agricultural Engineering for the Team Leader position?	<b>14.</b> Please refer to answer no.9.
<b>15</b>	Could you please clarify the scoring the evaluation of the CV of the Team Leader will be allocated?	<b>15.</b> Evaluation of the Team Leader will be part of the evaluation of the Tenderer's Strategy. The evaluation committee, at its discretion, will define the allocation of score related to the team leader's CV.

#	Question	Answer
16	Could you possibly clarify whether the evaluation of the Team Leader’s CV will be solely based on the criteria spelt out in the TOR or additional elements (e.g. such as being permanent staff from the contractor’s headquarters) will be taken into account?	16. The evaluation of the Team Leader will be solely based on the criteria defined in the TOR.
17	Could you please confirm whether lettuce is the crop finally selected for the demonstration plots within the framework of activity 1?	17. confirmed
18	Could you please provide more information about the language that should be used for the material to be produced within the framework of the project?	18.The Contractor should develop the training materials in two languages, Arabic and English. The Arabic materials will be handed to farmers. The English ones will be used for the purpose of reporting and documentation related to the projects deliverables.
19	As per point 4.1.1, page 9, with reference to the provision of equipment to the agri-food cooperatives, “This component does not consist a part of this Contract and will be implemented by ESFD through a separate contract”. Could you please confirm if the mentioned supply contract is undergoing or its expected start date for a better-informed work plan?	19.Tender procedures for the supplies are expected to be launched during August 2021.

**Annex 1**

**EVALUATION GRID FOR GLOBAL PRICE CONTRACTS**

	<b>Maximum</b>
<b>Organisation and methodology</b>	
Rationale	10
Strategy	55
Back-up function	12
Involvement of all members of the consortium	5
Timetable of activities	18
<b>Overall total score</b>	<b>100</b>

<b>Strengths</b>	
<b>Weaknesses</b>	

NB: Only tenders with average scores of at least 75 points qualify for the financial evaluation

# SERVICE TENDER SUBMISSION FORM

Ref: NEAR/BEY/2021/EA-RP/0001

**Contract title: Provision of Services to Address the Agricultural Pollution in the Litani River Basin, (LRB), Lebanon**

**Please supply one signed** tender submission form (including signed statements of exclusivity and availability from all key experts proposed, if applicable, a completed financial identification form and a completed legal entity file (only for the leader) and declarations from the leader and all members (if you are in a consortium), together with three copies. The attachments to this submission form (i.e. declarations, statements, proofs) may be in original or copy. If copies are submitted, the originals must be dispatched to the contracting authority upon request. For economical and ecological reasons, we strongly recommend that you submit your files on paper (no plastic folders or dividers). We also suggest you use double-sided printing as much as possible.

Tenders submitted by consortiums (i.e. either a permanent, legally-established grouping or a grouping constituted informally for a specific tender procedure) must follow the instructions applicable to the consortium leader and its members.

When the European Commission is the contracting authority or is processing your personal data received from you or from the contracting authority (when the European Commission is not the contracting authority), the data protection rules provided for by the Regulation<sup>1</sup> on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data applies.

Information concerning processing of your personal data by the European Commission are available in the privacy statement at <http://ec.europa.eu/europeaid/prag/annexes.do?group=A>

The data controller of this call for tenders is the head of unit of NEAR/R.4 - Contracts and Finance (ENI)

## 1. SUBMITTED by (i.e. the identity of the tenderer)

	Name(s) and address(es) of legal entity or entities submitting this tender
Leader <sup>2</sup>	
Member	
Etc.	

<sup>1</sup> Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

<sup>2</sup> Add/delete additional lines for consortium members as appropriate. **Note that subcontractors are not considered to be consortium members.** If this tender is being submitted by an individual legal entity, the name of that legal entity should be entered as 'leader' (and all other lines should be deleted). Any change in the identity of the leader and/or any consortium members between the deadline for receipt of tenders set in the instructions to tenderers and the award of the contract is not permitted without the prior approval in writing of the contracting authority.

**2. CONTACT PERSON (for this tender)**

<b>Name</b>	
<b>Organisation</b>	
<b>Address</b>	
<b>Telephone</b>	
<b>Fax</b>	
<b>e-mail</b>	

### 3. DECLARATION(S)

As part of its tender, each legal entity identified under point 1 of this form, including every consortium member, must submit a signed declaration using the attached format.

### 4. STATEMENT

I, the undersigned, being the authorised signatory of the above tenderer (for consortiums, this must include all consortium members), hereby declare that we have examined and accept without reserve or restriction the entire contents of the tender dossier for the tender procedure referred to above. We offer to provide the services requested in the tender dossier on the basis of the following documents, which comprise our technical offer, and our financial offer, which is submitted in a separate, sealed envelope:

- Organisation & methodology
- Key experts (comprising a list of the key experts and their CVs), if required
- Tenderer's declaration (for a consortium, this must include one from every consortium member)
- Statements of exclusivity and availability signed by each of the key experts, if required
- Completed financial identification form (see Annex VI to the draft contract) providing details of the bank account into which payments under the proposed contract should be made in the event that we are awarded the contract (or the financial identification number or a copy of the financial identification form provided to the contracting authority on an earlier occasion, unless it has changed in the meantime)
- Completed legal entity file (or the legal entity number allocated. Alternatively a copy of the legal entity file provided to the contracting authority on an earlier occasion, unless the legal status has changed in the meantime)
- Duly authorised signature: an official document (statutes, power of attorney, notary statement, etc.) proving that the person who signs on behalf of the company/joint venture/consortium is duly authorised to do so.
- Documentary proof or statements required under the law of the country where we are effectively established (or each of the companies in case of a consortium), to show that we do not fall into any of the exclusion situations listed in Section 2.6.10.1.1 of the practical guide. This evidence or these documents or statements must carry a date, which is not more than one year before the date of submission of the tender. In addition, a statement is furnished stating that the situations described in these documents have not changed since then.
- Documentary evidence of the financial and economic capacity as well as the technical and professional capacity according to the selection criteria specified in the additional information about the contract notice.

[We undertake to guarantee the eligibility of the subcontractor(s) for the parts of the services for which we have stated our intention to subcontract in the organisation and methodology.] (delete this sentence if not applicable)

We confirm that we, including all consortium members, subcontractors and experts are not in the lists of EU restrictive measures ([www.sanctionsmap.eu](http://www.sanctionsmap.eu)) and we understand that our tender may be rejected, if proved the contrary.

We understand that our tender may be rejected if we propose key experts who have been involved in preparing this project or hire such staff as advisers in the preparation of our tender and that we may also be subject to exclusion from other tender procedures and contracts funded by the EU/EDF.

We are fully aware that, for a consortium, the composition of the consortium cannot be changed in the course of the tender procedure, unless the contracting authority gives its prior approval in writing. We are also aware that the consortium members would have joint and several liability towards the contracting authority concerning participation in both the above tender procedure and any contract awarded to us as a result of it.

This tender is subject to acceptance within the validity period stipulated in clause 6 of the instructions to tenderers. Signed on behalf of the tenderer:

<b>Name</b>	
<b>Signature</b>	
<b>Date</b>	

## FORMAT OF THE DECLARATION REFERRED TO IN POINT 3 OF THE TENDER SUBMISSION FORM

To be submitted on the headed notepaper of the legal entity concerned

<Date>

Council for Development and Reconstruction –CDR/ Economic and Social Fund for Development  
-ESFD

**Your ref: NEAR/BEY/2021/EA-RP/0001**

Dear Sir/Madam

### TENDERER'S DECLARATION

In response to your letter of invitation to tender for the above contract, we <Name(s) of legal entity or entities> hereby declare that we:

- are submitting this tender [on an individual basis] \* [as member of the consortium led by <name of the leader> [ourselves]] \* for this contract. We confirm that we are not participating in any other tender for the same contract in any form (as a member — including leader — in a consortium or as an individual candidate);
- agree to abide by the ethics clauses in Section 13 of the instructions to tenderers and have no professional conflicting interests and/or any relation with other short-listed candidates or other parties in the tender procedure or behaviour which may distort competition at the time of submitting this tender according to Section 2.5.4. of the practical guide;
- [ have attached a current list of the enterprises in the same group or network as ourselves] [ are not part of a group or network] \*;
- will inform the contracting authority immediately if there is any change in the above circumstances at any stage during the tender procedure or during implementation of the tasks;
- fully understand and accept that if the above-mentioned persons participate in spite of being in any of the situations listed in Section 2.6.10.1.1. and Section 2.4 of the practical guide or if the declarations or information provided prove to be false they may be subject to rejection from this procedure and to administrative sanctions in the form of exclusion and/or financial penalties up to 10% of the total estimated value of the contract being awarded and that this information may be published on the Commission website in accordance with the Financial Regulation in force;
- are aware that, for the purposes of safeguarding the financial interests of the EU, our personal data may be transferred to internal audit services, to the European Court of Auditors, to the Financial Irregularities Panel or to the European Anti-Fraud Office.

We understand that our tender and the expert may be excluded if we propose the same key expert as another tenderer or if we propose a key expert who is engaged in an EU/EDF financed project if the input from his/her position in that contract could be required on the same dates as his/her work under this contract.

[\* Delete as applicable]

We understand that if we fail to respond within the delay after receiving the notification of award, or if the information provided proves to be false, the award may be considered null and void.

Yours faithfully,

<Signature of authorised representative of the legal entity >

< Name and position of authorised representative of the legal entity >

## STATEMENT OF EXCLUSIVITY AND AVAILABILITY<sup>1</sup>

### PUBLICATION REF: NEAR/BEY/2021/EA-RP/0001

I, the undersigned, hereby declare that I agree to participate exclusively with the tenderer < tenderer name > in the above-mentioned service tender procedure. This includes that I will not be proposed as a replacement expert in this tender procedure. I declare that I am able and willing to work for the period(s) set for the position for which my CV has been included if this tender is successful, namely:

From	To	Availability
< start of period 1 >	< end of period 1 >	[full time] [part time]
< start of period 2 >	< end of period 2 >	[full time] [part time]
< etc. >		

I confirm that I do not have a confirmed engagement<sup>2</sup> as key expert in another EU/EDF-funded project, or any other professional activity, incompatible in terms of capacity and timing with the above engagements.

By making this declaration, I understand that I am not allowed to offer my services as an expert to any other tenderer participating in this tender procedure. I am fully aware that if I do so, I will be excluded from this tender procedure, the tenders will be rejected, and I may also be subject to exclusion from other tender procedures and contracts funded by the EU/EDF.

I also declare that I am not in a situation of conflict of interest or unavailability, that I am not in the list of EU restrictive measures ([www.sanctionsmap.eu](http://www.sanctionsmap.eu)) and commit to inform the tenderer(s) of any change in my situation.

I acknowledge that I have no contractual relations with the contracting authority and in case of dispute concerning my contract with the contractor I shall address myself to the latter and/or to the competent jurisdictions.

[For information, I have signed a Statement of Exclusivity and Availability for the following tender(s):

Tender reference	Submission deadline for the tender	Tendered engagement
< tender reference >	< date >	[full time] [part time]
< tender reference >	< date >	[full time] [part time]
< etc. >		

Should I receive a confirmed engagement I declare that I will accept the first engagement offered to me chronologically. Furthermore I will notify the tenderer immediately of my unavailability. ]

<b>Name</b>	
<b>Signature</b>	
<b>Date</b>	

<sup>1</sup> To be completed by all key experts.

<sup>2</sup> The engagement of an expert is confirmed if the expert is committed to work as a key expert under a signed contract financed by the EU general budget or the EDF or if he/she is a key expert in a tender that has received a notification of award. The date of confirmation of the engagement in the latter case is that of the notification of award to the contractor.