

## CLARIFICATIONS

### Contract title:

Framework public service contract for  
“Technical Support in Solid Waste Management Sector”

**Reference:** MOZ22005-10118

N°	Issue / question raised	Response
1.	<p><i>We would like to present references produced by our Latin American subsidiary since they mobilized experts from headquarters in France: is it possible to present these references, in so far as they meet the required criteria (minimum value, last 3 years, etc.) and that the links between the headquarters and the subsidiary will be highlighted and justified?</i></p>	<p>References implemented by your Latin American subsidiary may be taken into account, provided that your submission clearly demonstrates the corporate relationship between the subsidiary and the headquarters (e.g. through an organisational chart or group structure). The submission should also identify the headquarters experts who participated in those projects and confirm that they will be available for the performance of this contract.</p> <p>Whenever a tenderer relies on the capacity of another entity, whether a headquarters, subsidiary, or third party, it must demonstrate that it will effectively have access to those resources for contract execution. Where a single tenderer relies on the capacity of entities within the same corporate group (headquarters or subsidiary), proof of the corporate link must be provided. In such cases, a consortium or joint-venture agreement is generally not required, as the tender is submitted by a single economic operator. However, an organisational chart or other evidence of the group structure should be provided. Moreover, the availability of the relevant resources should be demonstrated through a commitment letter or declaration confirming that they will be made available for the performance of the contract.</p> <p>Where the tenderer relies on the capacity of a third party, this must generally be supported by a formal commitment from that entity. Depending on the circumstances, a contractual arrangement such as a consortium or joint-venture agreement may also be required, particularly where multiple entities submit a joint tender as co-contractors.</p> <p>Please note that Enabel will verify that both the tenderer and any entities on whose capacity it relies comply with the applicable eligibility requirements, selection criteria,</p>

		<p>and exclusion rules.</p> <p>Finally, beyond the formal requirements relating to value, timeframe, and sector, references will also be assessed for their contextual relevance. For each reference submitted, tenderers should clearly explain how the project context is comparable to the assignment being tendered. This should be demonstrated explicitly and not assumed solely on the basis of geographic location.</p>
2.	<p><i>In the case of a consortium, each member must complete the ESPD. However, are the non-lead members of the consortium required to provide all the other administrative documents expected from the consortium leader?</i></p>	<p>The following documents must be submitted and signed by every consortium member individually:</p> <ul style="list-style-type: none"> <li>• All administrative and identification forms.</li> <li>• All documents related to exclusion grounds: <ul style="list-style-type: none"> <li>○ Form 6.4: Declaration on honour – exclusion criteria</li> <li>○ Form 6.5: Integrity statement for tenderers</li> <li>○ Document confirming the tenderer is up to date with social contribution payments</li> <li>○ Document confirming the tenderer is up to date with tax payments</li> <li>○ Criminal record</li> <li>○ ESPD</li> </ul> </li> </ul>
3.	<p><i>A performance bond of 5% of the total value excluding VAT is planned for this contract. However, the total amount of the framework agreement is unknown, as it will depend on the purchase orders issued and fulfilled.</i></p> <ul style="list-style-type: none"> <li>• <i>Therefore, what would be the value of this performance bond in volume? And when should it be presented by the Consultant (signing of the framework agreement? At the start of each purchase order?)?</i></li> <li>• <i>Additionally, should the form 6.14 Model posting bond be submitted at this stage?</i></li> </ul>	<p>Pursuant to Article 25, §1, 3° of the Royal Decree of 14 January 2013, a performance bond may not be required for public contracts with an estimated value below EUR 50,000.</p> <p>In the context of a framework agreement, the total value is not fixed at the time of signature, as it depends on future purchase orders (call-offs). Therefore, the applicability of the performance bond requirement must be assessed at the level of each individual purchase order, and not at framework agreement level.</p> <p>Accordingly, a performance bond of 5% (where applicable) shall only be required for individual purchase orders whose value exceeds the EUR 50,000 threshold. The bond shall be calculated on the value (excluding VAT) of the specific purchase order concerned.</p> <p>The performance bond, when applicable,</p>

		<p>shall be submitted by the contractor at the time of conclusion/issuance of the relevant purchase order, and not at the signature of the framework agreement.</p> <p>Form 6.14 (Model posting bond) is therefore not required at this stage of the procedure. It will only be requested in due course, when a specific purchase order meets the conditions triggering the legal requirement.</p>
4.	<p><i>Regarding the financial proposal (form 6.12, page 56/60): it is mentioned that the “tenderer commits to performing the public contract [...] for the following prices, given in euros and including withholding tax, but exclusive of VAT”. Nevertheless in the form, the last line is for “Percentage VAT”. What should be indicated in this last line ?</i></p>	<p>This line should indicate the % of VAT applicable. However, the prices indicated should not include VAT.</p>
5.	<p><i>Regarding the Certificate of satisfactory execution of similar projects (section 3.4.7.3 Selection Criteria) - a client letter confirming satisfactory completion - is that acceptable, and do you have a required format?</i></p>	<p>It is acceptable, and no specific format is required. However, the client reference letter must contain sufficient verifiable information to demonstrate that the reference meets the selection criteria (name of contractor, name of client, project title and scope of service, amount, completion date, performance assessment, signature, date, stamp).</p>
6.	<p><i>The references need to be in low- or middle-income countries. Which countries count as acceptable for this - and would GCC countries qualify as middle-income?</i></p>	<p>Low- and middle-income countries may be considered as all countries that are not classified by the World Bank as high-income countries (i.e. countries with a GNI per capita of 14,005 USD or more).</p> <p>According to the current World Bank classification, the GCC countries are classified as high-income countries and therefore do not fall within the category of low- or middle-income countries.</p> <p><a href="https://datahelpdesk.worldbank.org/knowledgebase/articles/906519-world-bank-country-and-lending-groups">https://datahelpdesk.worldbank.org/knowledgebase/articles/906519-world-bank-country-and-lending-groups</a></p>
7.	<p><i>Can a single reference satisfy more than one of the required thematic categories, or do you expect distinct projects per category?</i></p>	<p>Yes, it can. However, tenderers are still required to submit three references, meeting the criteria detailed in the tender documents (see point 3.4.7.3 “Selection criteria”).</p>
8.	<p><i>Air travel and local transport are covered by Enabel, but "Field" rates must include per diems, accommodation and visa. Can you confirm whether per diem is expected inside the field day rate?</i></p>	<p>Yes, it's confirmed. Per diem need to be included in the day rate.</p>

9.	<i>The ESPD must be originally signed and physically submitted or the bid is auto-rejected. Could you confirm if certified e-signatures are acceptable?</i>	Yes, certified e-signatures are acceptable.
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