

CLARIFICATION TO TENDER DOSSIER No:1

Contract Title: Rehabilitation Works on Section Virpazar-Sutomore in Tunnel Sozina

Publication Reference: EuropeAid/138259/ID/WKS/ME

QUESTIONS & ANSWERS

Question 1: We kindly ask you for the information whether our Company China Civil Engineer Construction Corporation registered in Beijing, China can participate as Tenderer or not?

Answer 1: Please, refer to the list of the acceptable/eligible countries on the basis of Article 19 "Rules of participation and origin, eligibility for grants" of the Council Regulation (EC) No 1085/2006 of 17 July 2006, establishing an Instrument for Pre-Accession Assistance (IPA). Document is available on http://eacea.ec.europa.eu/tempus/documents/tempus_ipa.pdf.

Below is the brief summary of the Article 19:

1. Participation in the award of procurement or grant contracts financed under this Regulation shall be open to all natural persons who are nationals of and legal persons who are established in a Member State, a country that is a beneficiary of this Regulation, a country that is a beneficiary of the European Neighbourhood and Partnership Instrument, or a Member State of the European Economic Area.

2. Participation in the award of procurement or grant contracts financed under this Regulation shall also be open to all natural persons who are nationals of and legal persons who are established in any country other than those referred to in paragraph 1, where reciprocal access to their external assistance has been established.

Therefore, legal persons who are established in China are not eligible to participate in this procurement procedure.

Question 2: You are also kindly ask to confirm the Publication reference: Publication reference EuropeAid/138259/ID/WKS/ME

Answer 2: This is to confirm that Publication reference EuropeAid/138259/ID/WKS/ME is the correct one.

Question 3: In accordance with the main issue related to the participation of the Chinese companies in the tendering procedures ruled by the PRAG document we request you to clarify the mentioned issue. Therefore, our question is: "Is CRBC eligible (by the rules of nationality, 2.3.1 of PRAG) to participate in the ongoing tendering procedure for the railway project 'Rehabilitation Works on Section Virpazar-Sutomore in tunnel Sozina' funded from IPA funds (EU Grants, IPA I)

Answer 3: Please refer to the Answer No1. In addition please check Annex A2a, of the PRAG.