

ISO 9001

The requirement set out in Point 11.5 of the Invitation, in accordance with Point 6.6 of the Invitation is to be satisfied individually. It now reads as follows:

The Applicant shall have a Quality Assurance System in place. To confirm that this requirement has been met, the Applicant must submit, together with the Application, a valid ISO 9001 Certificate or another document being its equivalent.

Failure to submit the certificate or an equivalent document confirming having a quality assurance system in place will result in excluding the Application.

For the avoidance of doubt, the Employer clarifies that he accepts, as an equivalent document confirming having a quality assurance system in place, a Quality Manual compliant with ISO 9001 Norm, internally approved by its holder, or an equivalent document of a quality management system, provided that this document is compliant with the purposes and requirements for a Quality Manual defined in ISO 9001 Norm.

Power of Attorney

The Employer clarifies that the wording: „copies properly authenticated by the Applicant or a Consortium partner” used in Point 5.2 of the Invitation shall be read as documents (copies) certified to be true copies of the original by a person or persons authorized to perform such authentication on the basis of a valid Power of Attorney granted to that person/persons by an entity that the given documents apply to, in compliance with the rules of representation or by proper authorization.

Simultaneously, the response to Question 3 has been changed and now reads as follows:

Yes. In the case of the documents of Consortium Partners, they can be certified as true copies by a Consortium Leader that has been authorized to perform such authentication on the basis of a Power of Attorney, provided that the Power of Attorney is granted to that person/persons by an entity that the given documents apply to, in compliance with the rules of representation or by proper authorization.

Experience

The Employer clarifies that he also accepts, as a fulfillment of the requirement set out in Point 11.2 (and in relation to Point 11.2.1.1), that the Applicant demonstrates experience in the delivery (completion) of contracts since 1st January 2009 or, if the Applicant has operated for a shorter period, then over this period, at least 2 but not more than 4 contracts including together the scopes referred to in the definition of a *similar contract*:

Scope (i) similar to the scope of the Project - *Design-Build Contracts*

- a) One contract including designing and building of a deepwater quay with a minimum length of 300 m, capable of handling vessels with a minimum draught of 12 metres
- b) One contract including designing and building of adjacent stacking yards with a minimum surface area of 150,000 m².

Scope (ii) similar to the scope of the Project - *Design-Build Contracts or Build Contract*:

- a) One contract including designing and building or building of a deepwater quay with a minimum length of 300 m, capable of handling vessels with a minimum draught of 12 metres
- b) One contract including designing and building or building of adjacent stacking yards with a minimum surface area of 150,000 m².

The Employer allows the entire **Scope (i)** to be fulfilled by one or two *Design-Build Contracts*

The Employer allows the entire **Scope (ii)** to be fulfilled by one or two *Design-Build Contracts* or one or two *Build Contracts*

The Employer will NOT allow to divide the Scopes into more parts/contracts in the manner different than described above.

The Employer will NOT allow the documents confirming experience in the performance of Scope (i) or Scope (ii) to be submitted more than once (for each of them).

Example: Design-Build Contract including designing and building of a quay with a minimum length of 600 m, capable of handling vessels with a minimum draught of 12 meters CANNOT be demonstrated as a confirmation of having experience in the performance of both Scope (i) and Scope (ii)

The delivery (completion) of a contract shall be read as the issue of at least the Taking-Over Certificate (for contracts executed according to the conditions of contract defined by FIDIC) or an equivalent document (in the case of contracts for which the Taking Over was not issued).

The answers to Questions 13 and 81 have been changed.