



8th March, 2019

REFERENCE NUMBER: MGOZ/MPU T 4/2019

Tender for the preparation of a Project Description Statement and an Environmental Impact Assessment in relation to the reconstruction of the Marsalforn Breakwater in Gozo

Clarification No. 4

Clarification Requests and Replies

Question 1: The tender requires the key expert to be a Chartered or Warranted Engineer or Post-Graduate degree (MQF level 7) in Environmental Engineering. It is noted that to coordinate an EIA you do not have to be an engineer but an environmental specialist approved by ERA. In fact locally many of the EIA experts are not environmental engineers so this requirement severely restricts participation by the local EIA expert community.

Answer 1: **As per 6.1 in Section 4, this key expert has to be a chartered OR warranted engineer OR post-graduate degree (MQF level 7) in the respective area of the Assessment in line to L.N. 412 of 2017 Part V, Article 7 (2). In any case, the Key Expert/s has to be approved by ERA.**

Question 2: Usually following the issue of the Project Description Statement ERA prepare project specific Terms of Reference for the EIA. These guide the scope of the EIA. Without these Terms of Reference it is very difficult to prepare a quote for the EIA. There is effectively no scope to quote on. Kindly clarify.

Answer 2: **The terms of reference for the EIA will be prepared by ERA in line to L.N. 412 of 2017. Bidders are expected to be familiar with the Terms of Reference ERA issues on projects of similar size and complexity and therefore should quote accordingly.**

Question 3: The only project document in the tender is a site location map; no project details are provided. The tender requests a programme of implementation for the EIA. In order to establish such a timeline could you kindly provide the following:

- i. Date when full set of plans is available.

Answer 3(i): **For tendering purposes, the bidders are expected to submit an indicative Programme of the implementation of this tender, based that plans will be available on contract signature.**

- ii. Date when modelling is to be carried out - please also confirm modelling is outside the scope of this tender.

Answer 3(ii): Modelling is outside the scope of the tender.

- iii. What happens if the model shows that the current design doesn't work? When will alternative designs be available?

Answer 3(iii): In such an eventuality, an extension on the execution period will be granted by the Contracting Authority until new designs are available.

- iv. Date when all the information on the project would be available including construction management plan, phasing, resources to be used, employment, etc - as this is all data that would be required in the EIA.

Answer 3(iv): All available information will be made available to the successful bidder with the times frames set out in the terms and conditions for the conclusion of the EIA have to be respected.

Question 4: In Section 4.2 Task 2 also requires a Project Description Statement. Kindly clarify.

Answer 4: In line to Section 4.2, the following tasks are within the scope of this tender:

Task 1: Project Description Statement (PDS)

A Project Description Report is to be prepared, in line with S.L.549.46 Environmental Impact Assessment Regulations of LN 412/17, Schedule II – IV.

Task 2: Environmental Impact Assessment (EIA)

An Environmental Impact Assessment (EIA) is to be prepared, in line with S.L.549.46 Environmental Impact Assessment Regulations of LN 412/17, Schedule II – IV.

Question 5: Could you please confirm if the project of these 2 breakwaters (Santa Maria Point Breakwater and Menqa Breakwater) has already been carried out, or if it should be developed within the scope of this contract?

Answer 5: The scope of this tender is the preparation of the PDS and EIA not the design of the breakwater arms. The design of the breakwater will be carried out by third parties concurrently.

Question 6: Regarding Task 1, could you please confirm if the planned scope for the Project Description Statement (PDS) is the one described in Schedule II (Regulation 12) of the S.L.549.46 Environmental Impact Assessment regulations of LN 412/17?

Answer 6: The scope of the PDS is the one described in Schedule II (Regulation 12) of the S.L.549.46 Environmental Impact Assessment regulations of LN 412/17.

Question 7: In Task 1, will it be necessary to carry out field works, or will the available information be sufficient to develop the Project Description Statement?

Answer 7: It is expected that the successful bidder will have the necessary resources to carry out any field work required for the compilation of the Project Description Statement.

Question 8: Which drawing does the Drawing number B01/01/2018, indicated in section 4.1.2 (p.17) of the Tender Document, refer to? Is it the same as drawing C01/01/2018 (Location Plan)?

Answer 8: The Drawing Reference in Section 4.1.2 should read Drawing No. C01/01/2018 (Location Plan).

Question 9: According to the tender the requirements of the key expert are: Chartered or Warranted Engineer or Post-Graduate degree (MQF level 7) in Environmental Engineering. This expert shall be competent in environmental land-based and marine investigations assignments, data collection, interpretation and analysis of surveys.

This requirement is unclear because for EIAs, the ERA requirements for an EIA coordinator are different and are not restricted to engineers. This requirement is not in line with current practice on EIAs and is not in accordance with ERA requirements.

Answer 9: Please refer to answer of question 1.

Question 10: Following submission of the PDS, ERA issues Terms of Reference. It is on this basis that consultants normally quote for on EIAs. At this stage it is very difficult to provide a competitive quotation without such TOR.

Answer 10: Please refer to answer of question 2.

Question 11: What type of modeling will be required? What if the model shows that the design is not suitable? Is modeling outside the scope of the EIA?

Answer 11: Please refer to answer of question 3.

Question 12: Will detailed designs be available for the EIA to be completed?

Answer 12: Please refer to answer of question 3.

All other tender documents, conditions and requirements, which are not superseded by this Clarification, remain in place.