

**ECO SUN ORADEA S.R.L.**

**Bucuresti, Sectorul 1, Str. Grigore Alexandrescu, nr. 89-97, Cladire B, Metropolis Center, etaj 5**

**RO41498000; J40/10433/2019**

**Clarifications request dated 15.09.2023 addressed to Chintec Sp. z o.o.**

**Solicitarea de clarificari din data de 15.09.2023 adresata catre Chintec Sp. z o.o.**

Analizand documentatia de atribuire pe care ati depus-o in cadrul procedurii competitive privind atribuirea contractului de furnizare pentru realizarea proiectului „*CONSTRUIRE PARC FOTOVOLTAIC, ALEI CAROSABILE SI IMPREJMUIRE TEREN*” (“**Procedura**”), organizata de catre ECO SUN ORADEA SRL, in calitate de beneficiar privat (“**Beneficiarul Privat**”) si initiata prin anuntul din data de 24.08.2023, **va adresam prezenta solicitare de clarificari** in temeiul dispozitiilor art. 6.3 alin. (10) din *Indrumarul metodologic pentru beneficiarii privati aplicabil in derularea procedurilor de achizitie pentru atribuirea contractelor de furnizare de produse, prestari de servicii, executie de lucrari finantate din fonduri externe nerambursabile si rambursabile aferente Mecanismului de Redresare si Rezilienta* (“**Indrumarul Metodologic pentru Beneficiarii Privati**”) aplicabil prezentei licitatii.

Having analyzed the tender documentation that you have submitted in the competitive procedure for the award of the Supply Agreement for the implementation of the project "*CONSTRUCTION OF PHOTOVOLTAIC PARK, DRIVEWAYS AND LAND ENCLOSURE*" (the "**Procedure**"), organized by ECO SUN ORADEA SRL, as private beneficiary (the "**Private Beneficiary**") and initiated through the ad dated 24.08.2023, **we hereby send you this clarifications request** pursuant to the provisions of art. 6.3 para. (10) of the *Methodological Guide for private beneficiaries applicable in the conduct of procurement procedures for award of contracts for the supply of products, provision of services, execution of works financed from non-reimbursable and reimbursable external funds related to the Recovery and Resilience Mechanism* (the "**Methodological Guide for Private Beneficiaries**") applicable to this tender.

Astfel, va rugam sa clarificati urmatoarele aspecte, pana la ora 23:59 ora Romaniei, Marti, 19 Septembrie, 2023:

Therefore, please clarify the following aspects, until 23:59 Romania's time, on Tuesday, September 19, 2023:

1. **Sectiunea 3 din Caietul de sarcini prevede cerinta ca Ofertantul sa dovedeasca o cifra de afaceri pe anul 2022 si 2021 de cel putin 200 mil. EUR pe an la nivelul Ofertantului, sau la**

nivel de grup. In acest sens vor fi depuse situatiile financiare ale Ofertantului si, daca este cazul, ale grupului din care acesta face parte, pentru anii 2022 si 2021, astfel cum acestea au fost inregistrate la organele fiscale competente, sau, daca acestea nu au fost finalizate sau inregistrate la organele fiscale, situatii financiare emise de management sau alte situatii contabile similare aplicabile Ofertantului si grupului din care face parte.

Va rugam sa clarificati unde putem identifica sau sa trimiteti documentele financiare pentru anul 2022 pentru dovedirea indeplinirii cerintei cifrei minime de afaceri de 200 mil. EUR pe an la nivelul Ofertantului sau la nivel de grup, semnate de persoana responsabila.

**Section 3 of the Tender Book provides the requirement that the Bidder must prove a turnover for the years 2022 and 2021 of at least EUR 200 million per year at the Bidder's level, or at group level. For this purpose, it is required to submit the financial statements of the Bidder and, if applicable, of the group of which it is a part, for the years 2022 and 2021, as filed with the competent tax authorities, or, if they have not been completed or filed with the tax authorities, financial statements issued by the management or other similar accounting statements applicable to the Bidder and the group of which it is a part.**

Please clarify where we can identify or send the financial documents for the year 2022 to prove the compliance with the minimum turnover requirement of EUR 200 million per year at Bidder or group level, signed by the responsible person.

- 2. Sectiunea 4 din Caietul de sarcini prevede cerinta ca in masura in care documentele depuse de catre ofertanti sunt in alta limba decat limba romana, aceste documente trebuie insotite si de traducerea in limba romana de catre un traducator autorizat.**

In documentatia de atribuire pe care ati depus-o, extrasul din Registrul Comertului (documentul avand denumirea "01.Chintec - Extract of Commercial Registry") este redactat in limba poloneza.

Va rugam sa clarificati prin transmiterea documentului tradus in limba romana de catre un traducator autorizat.

**Section 4 of the Tender Book provides the requirement that, if the documents submitted by bidders are in a language other than Romanian, these documents must be accompanied by a translation into Romanian by an authorized translator.**

In the tender documentation submitted, the extract from the Commercial Registry (document named "01.Chintec - Extract of Commercial Registry") is in Polish.

Please clarify this by submitting the document translated into Romanian by an authorized translator.

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In plus fata de cele de mai sus, unele documente ce insotesc oferta sunt redactate in limba engleza, fiind necesara transmiterea acestora si in traducere in limba romana efectuata de catre un traducator autorizat. Avand in vedere faptul ca toti membrii Comisiei de Evaluare sunt cunoscatori ai limbii engleze, Beneficiarul Privat este de acord ca Ofertantul sa furnizeze traducerile acestor documente si ulterior.

In addition to the above, some documents accompanying the bid are drafted in English, being necessary their transmission in Romanian translation by an authorized translator. Considering that all members of the Evaluation Commission are fluent in English, the Private Beneficiary agrees that the Bidder may provide the translations of these documents at a later stage.