

## CLARIFICATION # 1

**To the bidding documents for DEVELOPMENT AND ADVANCING CADASTRAL INFORMATION SYSTEMS;  
RFP Reference No.: XK-KCA-385082-NC-RFP**

With reference to the bidding documents for DEVELOPMENT AND ADVANCING CADASTRAL INFORMATION SYSTEMS; RFP Reference No.: XK-KCA-385082-NC-RFP, the Credit no.: IDA-63540, we would like to inform you that in accordance with Section I - Instructions to Proposers under paragraph 7. Clarification of Request for Proposals Document, Site Visit, Pre-Proposal Meeting, the Kosovo Cadastral Agency has received some questions for clarification to the Bidding Documents (BDs), and would like to clarify the following:

Date issued: 12 January 2024

No.	Question Points of Clarification requested by prospective Proposer's	Clarification Response by Purchaser/KCA	Amendment of RFP YES/NO			
1.	<p>Regarding the above mentioned Request for Proposal, we would like to ask the following: - SECTION II - PROPOSAL DATA SHEET (PDS), ITP 32.2 establishes the mandatory requirements:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="background-color: #e1eef6;">Mandatory Requirements:</td> </tr> <tr> <td>The Proposer shall prove for valid certificate for quality management ISO 9001</td> </tr> <tr> <td>The Proposer shall prove for valid certificate for security of data management ISO 27001</td> </tr> </table> <p>In case of a JV, does these requirements apply to each member of the JV or at least one member of the JV should meet the requirements?</p>	Mandatory Requirements:	The Proposer shall prove for valid certificate for quality management ISO 9001	The Proposer shall prove for valid certificate for security of data management ISO 27001	<p>In the case of a Joint Venture, all members combined must meet the Mandatory requirements.</p>	NO
Mandatory Requirements:						
The Proposer shall prove for valid certificate for quality management ISO 9001						
The Proposer shall prove for valid certificate for security of data management ISO 27001						

2.	Given that this is a Request for Proposals without Prequalification, the amount of work is not only tremendous, but unfortunately, time is not in any applicant's favor - due to the holiday season. Said this, and in order to be able to bring the best expertise and competitive offer, we would be grateful if you can consider our kind request and postpone the deadline for application for end February.	The publication date was December 07, 2023, and the submission deadline is January 22, 2024, which is 46 calendar days. Therefore, the submission deadline will not be extended.	No
3.	In the event that the Consultant were a joint venture, we kindly ask the Client to clarify if the leading member shall invoice the Client for the whole amount of the Contract or if by contrast each member of the joint venture shall invoice the Client separately and individually.	The leading member of the joint venture will invoice the Client for the entire contract amount.	No
4.	In the event of an overseas Consultant, please clarify if the Client shall deduct a withholding tax of 5% only to the portion of services that the Consultant shall render in Kosovo, as stated under local Tax Laws. If positive, please explain the proofs that the Client will require the Consultant to show that the services refer to works rendered outside Kosovo.	<p>The withholding tax levied at the source, which is 5% of the gross amount, for services provided by external consultants, is determined by several conditions such as: the nature/type of the service offered, residency status (whether the consultant is or isn't a resident in Kosovo), agreements for the avoidance of double taxation between Kosovo and the country from where the Consultant comes, etc. However, LAW NO. 05/L -028 ON PERSONAL INCOME TAX, Article 41_ Withholding at source on certain payments to non-residents, specifies that the withholding tax at source for non-resident individuals must be held, quoting Article 41 of the mentioned law.</p> <p>Article 41 Withholding at source for certain payments to non-residents  1. Income attributable to a non-resident of Kosovo as an entertainer, such as a theatre, motion picture, radio or television artist, a singer or musician, or as a sportsman, from his or her personal activities exercised in Kosovo shall be subject to withholding by the payer of that income, whether or not paid directly or indirectly to the non-resident.</p>	No

		<p>2. Income, other than income described in paragraph 1. of this Article, earned from agreements or contracts, whether written or verbal, with Kosovo persons or entities by a non-resident person or entity from services performed in Kosovo shall be subject to withholding by the payer of that income, as long as the non-resident person or entity has no permanent establishment in Kosovo.</p> <p>3. Notwithstanding any other provisions in this Law, the amount of withholding according to paragraph 1. and 2. of this Article shall be five percent (5%) of the gross compensation. Each payer shall submit a statement of withholding and transfer the amount of tax withheld to an account designated by the TAK in a bank licensed by the Central Bank of Kosovo within fifteen (15) days after the last day of each calendar month, in line with a sub-legal act issued by the Minister.</p>	
5.	Please, kindly confirm if, in the event of being the bidder a consortium//joint venture, each of its member may issue their individual insurances policies.	No, in the event of the bidder being a consortium or joint venture, each member cannot issue individual insurance policies; instead, the consortium or joint venture obtains insurance collectively.	No
6.	In case the Consultant is a Joint Venture (JV), we would like to confirm, please, whether there is a possibility for each member of the JV to issue separately a performance security on behalf of the JV in the amount proportional to its share in the Project, provided that the aggregate sum of all performance securities is equal to 10% of the total contract amount.	No, each member of the Joint Venture cannot individually issue a performance security on behalf of the JV. The JV may present a performance security under the name of the JV, with each member covering their respective costs.	No
7.	Confirm, please, that it is possible to issue the performance security directly by a first-class European bank not located in Kosovo.	A foreign institution providing a Performance Security shall have a correspondent financial institution located in the Purchaser's Country.	No

8.	Please confirm that in case of a Joint Venture (JV) the 'Letter of Proposal – Technical Part' document shall only be completed by the Leader of the JV, and not by members and/or subcontractors.	Yes, in the case of a Joint Venture (JV), only the Leader of the JV should complete the 'Letter of Proposal – Technical Part' document, not members or subcontractors.	No
9.	Please clarify the cash-flow requirement to be met regarding sub-factor 1.3.3 Financial Resources, to be specified in Form FIN –1.3.3	The Proposer must demonstrate access to, or availability of, financial resources such as liquid assets, unencumbered real assets, lines of credit, and other financial means, other than any contractual advance payments to meet the following cash-flow requirement: at least \$100,000	Yes Ref. Amendment No.1
10.	Please confirm that the Proposal-Securing Declaration will be accepted in copy version in the submitted proposal.	Yes, the Proposal-Securing Declaration will be accepted in a copy version within the submitted proposal.	No
11.	Considering that the RfP was received on 7 December 2023, just before the Christmas and New Year holidays in Europe, where many institutions were officially closed from 23 December 2023 to 2 January 2024, the actual available business days are considerably less than normally within a similar timeframe. Therefore, we kindly request extension of the proposal submission deadline, which would allow all bidders for better quality preparation of their proposals.	The publication date was December 07, 2023, and the submission deadline is January 22, 2024, which is 46 calendar days. Therefore, the submission deadline will not be extended.	No