

**CONSTRUCTION OF A NEW BUILDING OF THE FACULTY OF
ORGANIZATIONAL SCIENCES IN BELGRADE
(PROCUREMENT NO. IOP/30-2019/RD)**

Clarification no. 1

Issued on October 28, 2019

Regarding the list of question that the Purchaser, Public Investment Management Office Belgrade, No. 11 Nemanjina street, have received from the potential bidders, concerning the procurement procedure: Construction of a New Building of the Faculty of Organizational Sciences in Belgrade no. IOP/30-2019/RD, we give you the following answers:

Question 1:

Do we have to translate into English the evidence that should be submitted to the tender, certified by a court interpreter, since it costs a lot and it requires much more time for preparing the tender than the time it would take if we were allowed to submit the attachment-evidence in Serbian?

Answer 1:

In Tender documentation, in section 2.2 Tender data sheet, paragraph 9.1 it is stated the following:

“The Tenders shall be submitted in English language.

Language for translation of supporting documents/documentary evidences and printed literature is English.

For documents and evidences made in Serbian or issued by the relevant authority in Serbian language, translation is not required.”

That means that all above mentioned documents and evidence could be presented in Serbian.

Question 2:

Can the required staff, if not permanently employed by the Bidder, be hired under the Service Contract and can such contract be submitted along with license and certificate issued by Engineering Chamber as evidence?

Answer 2:

In accordance with the request from the Tender documents, engineers have to be in the employment relationship i.e. person employed under a contract for indefinite period of time or employed under a contract for a definitive period of time. In accordance with the Serbian Labor Law, hiring under the service contract is work outside of employment relationship.

Bearing in mind the above, engineers can't be engaged under a service contract.

Question 3:

Can we submit the Usage Permit as documentary evidence for the performed works on facilities from 2015 to the present, instead of Performance Certificates, since some of the investors for whom we performed works, went bankrupt and are unable to verify the Performance Certificates?

Answer 3:

According to the Tender Documents, Section 2.3 Qualification Criteria, point 1. Experience, sub point b. Special Experience, the Contracting Authority requires the submission of Performance Certificate as one of evidence of the execution of works listed in Form 3.5.3. The performance certificate should be submitted along with the Contract and Final Payment Certificate. Bearing in mind that in the case that you mentioned, the referring client (investor) is in the process of bankruptcy, of which you need to submit proof, so as not to go to the detriment of the tenderer, the Contracting Authority will accept, instead of a Performance Certificate, other evidence which prove that the Contractor (bidder) has completed all his obligations under the Contract, issued by the expert supervision company or the Engineer or the Contracting Authority. Anyway, the Contracting Authority certainly reserves the right at the stage of expert evaluation of tenders to check all the submitted documents and to request additional explanations in accordance with Tender Documentation, section 2.1 Instructions to Tenderers, part Tender opening and Evaluation, point 22. Clarification of Tenders, subpoint 22.1 which will help them in the review, evaluating and comparing bids. The Contracting Authority shall evaluate the fulfilment of the conditions by the tenderer in the context of all the submitted evidence regarding the condition in question, taking into account all the circumstances of the particular case.

Question 4:

What is necessary to submit as a proof of technical capacity, i.e. for mechanization?

Answer 4:

In accordance with Tender documentation, section 2.3 Qualification Criteria, point 3. Equipment and Economic Capability, sub point 3.1, as documentary evidence for required equipment it is necessary to submit in addition to the Qualification Form 3.5.6, the following documentation:

- For items from 1 to 3 (truck load capacity up to 5t, truck load capacity up to 10t and delivery vehicle load capacity up to 1t), it is necessary to submit copies of vehicle permits and copies of insurance policies valid on the day of tender opening
- For items from 4 to 6 (tower crane, plastering machine and diesel aggregate), it is necessary to submit list of the fixed assets on 31.12.2018
- For items from 4 to 6 (tower crane, plastering machine and diesel aggregate), it is necessary to submit certificate of testing by accredited institution or laboratory valid on the day of tender opening;

- Copy of a rent contract or a leasing contract, in case of rent or leasing the equipment
- Copies of a bill/an invoice for the equipment purchased in year 2019

*if the equipment is used on basis of rent contract, tenderer is obliged to submit all above listed evidences that are related to lessor

** if the equipment is used on basis of leasing contract, tenderer is obliged to submit all above listed evidences that are related to leasing provider

Question 5:

Is it necessary, if we are acting in a Joint venture, to make a special Consortium Agreement, or is it sufficient to fill in your form from the Tender documentation, and what conditions are required to be fulfilled by the leading member and what by each member individually?

Answer 5:

-As it is stated in Tender documentation, section 2.1 Instructions to Tenderers, part General, point 3. Eligibility and qualifications, sub point 3.10, a tender submitted by a joint venture/consortium shall be accompanied by a copy of the joint venture/consortium agreement.

-In Tender documentation, section 2.3 Qualification Criteria, part Joint Venture Requirements it is stated:

“The joint venture can satisfy collectively the qualification requirements under the following conditions:

- a Individual members must each satisfy the requirements indicated in point 4.1, 4.2 and 4.3 of Financial Position and provide required evidences.
- b Each member must meet the requirements in connection with the history of litigation or events described in the Item 5. Qualification data.
- c Each member must meet requirements concerning the following certificates (or equivalents): ISO 9001, ISO 14001, OHSAS 18001.”

Bearing in mind aforementioned, there is no one special conditions that should be fulfilled by the leading member of Joint Venture as individual, in a different way from other members of the joint venture.

Question 6:

Can all forms be certified and signed by the facsimile of leading member of the Joint venture because it is extensive documentation?

Answer 6:

All forms can be certified and signed by the facsimile of leading member of the Joint venture.

Question 7:

Can all the evidence that we attach be provided in copy?

Answer 7:

All the evidence that you attach can be provided in copy.

Question 8:

Do all the pages of tender documents have to be initialed and numbered, because it is too extensive?

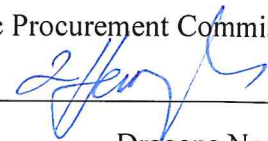
Answer 8:

In accordance with Tender documentation, section 2.1 Instructions to Tenderers, part Preparation of tender, point 15. Format and signing of Tender, sub point 15.2, all pages of the Tender where entries or amendments have been made shall be initialled by the person or persons signing the Tender.

Bearing in mind aforementioned, it is not necessary to initial all the pages of the Tender, but only pages where entries or amendments have been made shall be initialled by the person or persons signing the Tender.

It is not necessary to number the pages of the Tender.

Public Procurement Commission



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