

**CONSTRUCTION OF THE BUILDING OF THE RESEARCH AND  
DEVELOPMENT INSTITUTE FOR INFORMATION TECHNOLOGY OF  
BIOSYSTEMS (BIOSENSE) IN NOVI SAD, SERBIA  
(PROCUREMENT NO. IOP/43-2020/RD)**

**Clarification no. 12**

**Issued on July 3, 2020**

Regarding the list of questions that the Employer, Public Investment Management Office Belgrade, No. 11 Nemanjina street, have received from the potential bidders, concerning the procurement procedure: Construction of the building of the Research and Development Institute for Information Technology of Biosystems (BioSense) in Novi Sad, Serbia no. IOP/43-2020/RD, we give you the following answers:

**Question 1:**

Site organization scheme provided within tender documentation foresee public area occupation. Please clarify whether the Contractor shall pay fee for the public area occupancy? If yes, please provide us with the fee per m2?

**Answer 1:**

Yes, contractor should pay for the public area occupancy. The unit fees are given in the document attached to this clarification (Decision on fees for the use of public areas on the territory of the City of Novi Sad ("Official Gazette of City of Novi Sad", No. 12/2019 and 59/2019).

**Question 2:**

Considering difficult situation regarding COVID 19 and rapidly spread of disease, and all difficulties in preparation of Bids, we kindly ask you to consider possibility to postpone the date for submission of Bids.

**Answer 2:**

Having in mind the number of days for submission of bids in procurement procedure in question, the Contracting Authority considers that there is no need to extend this deadline, at this moment.

**Question 3:**

Are all the works described in the Drawings and Technical specifications present in Bill of Quantities?

Excerpt from Tender Documents:

-Section 2, Paragraph 11.2, page no. 24: The tenderer shall fill in prices for all items of the Works described in the Drawings and Technical specifications and listed in the Bill of Quantities?

**Answer 3:**

Generally, the Bill of quantities should match the drawings and technical specifications. In this procurement procedure are excluded some items (for example the complete interior design) i.e. some items are not subject to procurement, although they are included in the overall design.

In case of discrepancy, the bill of quantities should be considered.

**Question 4:**

Are we able to apply Article 10, paragraph 2, item 3 of the Law on VAT of the Republic of Serbia? In this case, the 20% VAT would not be calculated over the total Offer value.

Excerpt from Tender Documents:

-Section 2, Paragraph 11.3, page no. 24: Over this total the 20% is calculated.

**Answer 4:**

Yes, the abovementioned legal provisions are applied.

**Question 5:**

The Tender Documents are provided in English language only. According to Article 17 of the Law on public procurement of the Republic of Serbia ("Off. Herald of RS", Nos. 124/2012, 14/2015 and 68/2015), "Contracting authority prepares tender documents and conducts the procedure in Serbian language". Why aren't the Tender documents available in Serbian language?

Excerpt from Tender Documents:

- Section 1, page no. 13: The Tender Documents are available in the English language except for detailed design files that are given in Serbian.

**Answer 5:**

The procurement procedure in question is an international procurement procedure that is conducted in accordance with the Guide to Procurement for projects financed by the EIB, i.e. the provisions of the Law on Public Procurement ("Official Gazette of RS", Nos. 124/2012, 14/2015 and 68/2015) are not applied to this procurement procedure, in accordance to article 7. para. 1, point 2a) of this law.

**Question 6:**

It is stated that in case the Tenderer should consider that certain clauses or technical specifications of the tender documents might limit international competition or introduce an unfair advantage to some tenderers, the Tenderer should alert the Employer in writing, with a copy to the Bank. To which Bank email should we address the copy.

Except from Tender Documents:

- Section 1, Paragraph 7.1, page no. 22: In case the Tenderer should consider that certain clauses of technical specifications of the tender documents might limit international competition or introduce an unfair advantage to some tenderers, he should alert the Employer in writing, with copy to the Bank.

**Answer 6:**

You should address to email: [procurementcomplaints@eib.org](mailto:procurementcomplaints@eib.org).

**Question 7:**

Regarding tender documents, Preparation of Tenders, 9. Language of the Tender, we understand that all tender forms shall be submitted in English.

Please confirm that supporting documents, such as evidences for Qualification Criteria —contracts, final payment certificates, performance certificates, licenses, M forms, etc. can be submitted in Serbian language, without translation.

**Answer 7:**

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 the above-mentioned documents and evidence made in Serbian language or issued by the relevant authority in Serbian language, could be submitted in Serbian language without translation.

**Question 8:**

In tender documentation, Personnel capabilities, tenderer must provide evidence for the following:

*the Tenderer must have at least 150 (one hundred and fifty) persons employed with the bidder on the day of tender opening, necessary for the performance of the contract (e.g. construction workers, electrical workers, civil workers and support workers).*

*Documentary evidence:*

*Tenderer must provide evidence, in accordance with the law of the country in which they are established, that they fulfil the abovementioned requirements.*

Please confirm that the evidence for this qualification is certificate issued by central registry of compulsory social insurance.

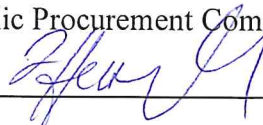
Also, please confirm the date of the certificate issuance.

**Answer 8:**

For the Tenderers from the Employer's Country the evidences can be the Notice on the successful receipt of tax return by electronic means and a copy of the individual tax return for taxes and deductible contributions (EBP-PURS) with the status of borrowing by the BOP on the date of making the statement: 0,00 RSD for the one month of the two months preceding the month of tender opening or the certificate issued by central

registry of compulsory social insurance for the one month of the two months preceding the month of tender opening or other evidence that prove these qualification criteria.

Public Procurement Committee



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Dragana Nenadić