

EMPLOYER

PUBLIC ENTERPRISE ELECTRIC POWER INDUSTRY OF SERBIA

Carice Milice 2

Beograd

FIFTH AMENDMENT TO

TENDER DOCUMENTS

FOR THE PUBLIC PROCUREMENT OF GOODS

**“CENTRAL DISPATCHING SYSTEM – CENTRAL PLANNING SYSTEM
PHASES 1 AND 2”**

- UNDER AN OPEN PROCEDURE -

PUBLIC PROCUREMENT 1000/0154/2016

(No. 12.01.43999/20-17 dated 20.10.2017)

Pursuant to Article 63, paragraph 1, and Article 54 of the Public Procurement Law (“Official Gazette of RS”, no. 124/12, 14/15 and 68/15), Article 2 of the Rulebook on Mandatory Elements of Tender Documents in Public Procurement Procedures and on Manner of Proving Fulfilment of Requirements (“Official Gazette of RS”, no. 86/2015), for which the Invitation to Tender with the Tender Documents was published on Public Procurement Portal and website of the Employer on 26th October 2016, and Invitation to Tender was published in the Official Gazette and regulations base, we have prepared the following:

**FIFTH AMENDMENT TO
TENDER DOCUMENTS**

for the public procurement of goods

**“CENTRAL DISPATCHING SYSTEM – CENTRAL PLANNING SYSTEM
PHASES 1 AND 2”
PUBLIC PROCUREMENT 1000/0154/2016**

1.

In section 6 of Tender Documents (third amendment to tender documents – consolidated version) in item 6.17 “Tenderer shall submit the following financial security instruments for Lot 1 and Lot 2”, on page 54, in item 2. „After signing of Handing-Over of the subject of the Contract“, wording is amended as follows:

Warranty Bond

The selected Tenderer shall deliver to the Employer an irrevocable, unconditional (without protest) and payable upon first demand warranty bond against the amount of 5% of total value of the contract, VAT excluded, with validity period 30 (thirty) days longer than the warranty period.

The Tenderer shall submit the said Bank Guarantee within 3 days from the day of composing and mutual signing of the Protocol on Qualitative and Quantitative Acceptance of the respective goods and services, without any comments.

If the Tenderer fails to submit a Warranty Bond, the Employer has the right to collect a Performance Bond.

If during Contract implementation time for contractual obligation execution is extended, guarantee validity period must also be extended.

Submitted bank guarantee may not include additional terms for payment, shorter deadlines and lower amount.

The Employer is authorized to collect a warranty bond in case the Tenderer fails to fulfill its contractual obligations regarding the warranty period.

Where the head office of the bank guarantor is in the Republic of Serbia, in the event of a dispute under this Guarantee, jurisdiction of the court in Belgrade shall be recognized and the substantive law of the Republic of Serbia shall be applied.

Where the head office of the bank guarantor is outside the Republic of Serbia, in the event of a dispute under this Guarantee, jurisdiction of the Permanent Court of Arbitration at the Serbian Chamber of Commerce shall be recognized, and application of its Rulebook and procedural and substantive law of the Republic of Serbia.

For the aforementioned bank guarantee, the Tenderer shall, along with the tender, submit an original binding letter on the bank's intention to issue a Warranty Bond. If the Tenderer does not submit an original binding letter on the bank's intention to issue bank guarantee with the tender, the tenderer's tender will be rejected as unacceptable.

Content of the Letter/ Bank's Statement of Intent:

Bank's Statement of Intent on the issuance of a bank guarantee must be issued on the memorandum of the commercial bank, certified and signed by a bank's authorized person.

Bank's Statement of Intent has a **binding** character and shall contain the following:

- Date of issue
- name, place and address of the bank (guarantor), the Tenderer (the client - the customer) and the bank guarantee beneficiary
- the text of the statement by which the bank confirms that at the request of the client (Tenderer) the bank will issue the irrevocable, unconditional (without protest) warranty bond payable at first demand, in the amount of 5% of the contract value, VAT excluded, with the validity period 30 days longer than the contracted deadline for execution.
- that the guarantee will be issued for the account of the client (Tenderer) if his tender is selected as the most favorable in the public procurement of goods – Central dispatching system – Central planning system, phase1 and 2“, for the Lot _____ (state No. and name of the Lot), Public Procurement No. PP 1000/0154/2016, conducted by the PE Electric Power Industry of Serbia, Belgrade.

2.

This Amendment to Tender Documents is published on the Public Procurement Portal and website of the Employer.

Public Procurement Committee
No. 1000/0154/2016

