



PUBLIC ENTERPRISE ELECTRIC POWER INDUSTRY OF SERBIA, BELGRADE

Carice Milice 2

Number: 2392/44-14

Belgrade, 31-10-2014

Subject: additional clarifications no. 26 in accordance with Article 63 paragraph 3 of Public Procurement Law ("Official Gazette of the Republic of Serbia" number 124/12) in public procurement procedure **PP number 61/14/DEFP**, for which Invitation to Tender was published on Public Procurement Portal on **10.10.2014**.

Five and more days prior to expiry date foreseen for submission of tenders in subject public procurement procedure, interested party has submitted to the Employer via e-mail request for additional information, i.e. clarifications, regarding which the Employer, i.e. Public Procurement Committee, in accordance with provision of Article 54 paragraph 12 item 1) of the Law shall provide the following information i.e. clarifications within three days from the day of the receipt of the request:

Potential Tenderer asked QUESTION No. 26.1:

"Is the model Contract from Tender Documents completely the same as the one that will be signed with the selected Tenderers or is the Contract itself the subject to further negotiations?"

ANSWER of the Employer to QUESTION No.26.1 is:

"The model Contract from Tender Documents is the same as the one that will be signed with the selected Tenderers, having in mind that the subject of possible later harmonizations with the bank will be provisions which are not important elements of the contract and which represent specific business operation of a specific bank."

Potential Tenderer asked QUESTION No. 26.2:

"Will the model contract in English be valid for foreign Tenderers along with the same question, whether it is completely the same as the one that will be signed with the selected Tenderers or is the Contract itself the subject to further negotiations?"

ANSWER of the Employer to QUESTION No.26.2 is:

"For foreign Tenderers the important elements from model contract in English are the same as those from the contract that will be signed with the selected foreign Tenderers. Subject of possible later harmonizations with the foreign bank will be provisions which represent specific business operation of a specific foreign bank, including possibly the applicable law."

Potential Tenderer asked QUESTION no. 26.3:

"Is Model Contract submitted for each lot separately or one Model Contract is for all lots with same conditions; for example, if the tender with 3 lots have one condition and 2 lots have different conditions, one Model Contract is submitted for the amount of EUR 10,000,000, and the other model for the amount of EUR 15,000,000?"

ANSWER of the Employer to QUESTION no. 26.3 is:

"One Model Contract shall apply to all lots under same conditions."

