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PUBLIC ENTERPRISE ELECTRIC POWER INDUSTRY OF SERBIA, BELGRADE

PE EPS HQ
 2 Carice Milice
 Number: 12.01. 15011/10-16
 Belgrade, 01.02.2016

In accordance with Article 54 and 63 of Public Procurement Law ("Official Gazette of the Republic of Serbia" number 124/12, 14/15 and 68/15), the Committee for public procurement number 1000/0156/2015, for the procurement of services "Information system to support generation and sale of electricity (Phase 2) and modernization of control and information SCADA system", upon the request of interested party, issues the following

**ADDITIONAL INFORMATION OR CLARIFICATIONS REGARDING TENDER PREPARATION
 No. 4**

Five or more days prior to expiry date foreseen for the submission of tenders, the interested party asked the Employer, in an written request, for the additional information, i.e. clarifications and the Employer, within three days from the date of the receipt of the request, shall publish the following information i.e. clarifications **on the Public Procurement Portal and website of the Employer:**

QUESTION 1: "In accordance with the instruction from the Tender Documents for public procurement no. 1000/0156/2015 regarding the request for additional information, we are sending the following request for additional information:

In the Tender Documents in chapter 2.8 GROUP OF TENDERERS (JOINT TENDER) the following is stated:

"In the event of joint tender by a Group of Tenderers all forms are signed and certified by a member of the Group of Tenderers nominated as the Holder of the work in the Agreement of the members of the Group of Tenderers, except from Form 1 and Form 3 filled in, signed and certified by each member of the Group of Tenderers on its own behalf."


Nevertheless, in Form 1 there is no choice to select the subcontractor nor the member of the Group of Tenderers as it is stated, for example, in Form 3 and in the text of Form 1 it is stated that the subject of this Form 1 shall submit (joint) Tender in an open public procurement procedure no.1000/0156/2015, the Employer – Public Enterprise Electric Power Industry of Serbia, independently, without the agreement with other Tenderers or interested parties."

ANSWER 1: In Form 1 –

"STATEMENT ON INDIVIDUAL TENDER

In the capacity of _____
(insert: tenderer, member of the group of tenderers in joint tender)

It is stated that the capacity of Tenderer is inserted as: **tenderer, member of the group of tenderers in joint tender for subject procurement** – which means that the Tenderer that submits the tender independently crosses out the member of the group in joint tender or vice versa.

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If the Tender is submitted by the Group of Tenderers, the Statement shall be signed by the authorized person of each tenderer from the Group of Tenderers and stamped."

QUESTION 1.1:

In Section 2.3 TENDER SUBMISSION, AMENDMENT, ADDITION AND CANCELLATION of Tender Documents, on page 9, the following is stated:

"The Tenderer who submitted the tender independently may not simultaneously participate in the joint tender or as a subcontractor. In the event that the Tenderer acts contrary to these instructions, each tender it participates shall be rejected.

The Tenderer may be the member of only one group of Tenderers submitting a joint tender, i.e. participate in only one joint tender. If the Tenderer has within the group of Tenderers submitted two or more joint tenders, the Employer shall reject all such tenders.

This leads to the conclusion that if the subcontractor or member of the Group of Tenderers also submits filled in Form 1 in the Tender (except for the Form 1, sent by the Leader of the Group – holder of the work in the joint tender that must send it) the Tender may be rejected.

In the event of the tender submitted by the Group of Tenderers (joint tender), who has to send filled in, signed and certified Form 1, only the Leader of the Group - holder of the work in joint tender or every member of the Group of Tenderers on its own behalf?"

ANSWER 1.1: Answer to this question is given in answer number 1, which means that every member of the Group of Tenderers fills in, signs and certifies Form 3 and Form 1 on its own behalf, in accordance with item 2.8 GROUP OF TENDERERS (JOINT TENDER) paragraph 3.



 THE COMMITTEE FOR PP/1000/0156/2015

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