

Subject: Additional clarifications no. 1 in accordance with Article 63 paragraph 3 of Public Procurement Law ("Official Gazette of the Republic of Serbia" number 124/12) in an open public procurement procedure for the procurement of consulting services "Stakeholder Engagement Strategy", number 82/13/DSI, for which Invitation to tender was published on Public Procurement Portal on 15.11.2013,

Five and more days prior to expiry of the deadline stipulated for tender submission in subject public procurement procedure, interested person submitted to the Employer via e-mail the request for additional information, i.e. clarifications, related to which the Employer i.e. Public Procurement Committee, having in mind the provision of Article 54, paragraph 12 item 1) of the Law, within three days upon the receipt of the request shall give the following information, i.e. clarifications:

Question 1:

Whether the Employer provides project office space, equipment and technical support (personnel, secretary, etc.) or these expenses should be included in the offered price?

Answer 1:

Employer shall provide office space and technical support in terms of stationery, internet, printer etc. Employer shall delegate one Project Manager that shall be in charge of internal communication with employees. Tenderer shall provide all other things and include costs in the offered price (assistant, PC).

Question 2:

Whether the Employer covers part of the travel expenses of the team, or all travel costs should be included in the offered price?

Answer 2:

Employer shall not cover the part of travel expenses of the Tenderer's team. Therefore, offered price needs to cover and include all costs that Tenderer has for procurement implementation, including all travel expenses of Tenderer's team.

Question 3:

Whether the representatives authorized for monitoring the Contract implementation will be designated in the moment of signing the Contract?

Answer 3:

Yes.

- when the evidences issued by the foreign country authority does not fully match the required evidences from the Tender documents?
- 5.2. Does the above mentioned statement cover non-completeness of the required evidence from Tender Documents which are issued by the foreign country?
- 5.3. ... is registered and based in Great Britain. Considering the differences between legal systems in Serbia and Great Britain, which evidences will be considered as the applicable?

Kindly elaborate the above mentioned in details.

Answer 5:

- 5.1. Yes.
- 5.2. Yes.
- 5.3. Correct evidence, in the sense of tender acceptability, shall be deemed to be the evidence which content fully meets the conditions stipulated by Article 75 paragraph 1 item 1) to 4) of the Law. To be more precise, Employer must undoubtedly conclude from the submitted evidence:
- that the Tenderer is registered with the competent authority i.e. entered into the corresponding register;
 - that the Tenderer or its legal representative have not been convicted for any criminal acts as member of an organized criminal group; that it has not been convicted for commercial criminal offence, criminal offence against environment, criminal offence of receiving or offering bribe, criminal offence of fraud;
 - that the Tenderer was not prohibited to perform activities, at the time the public invitation was published;
 - that the Tenderer has settled its due taxes, contributions and other public duties in accordance with regulations of the Republic of Serbia or foreign country when it has seat at its territory. Therefore, if evidence in the country where the Tenderer has its seat do not fully match in their content to stated legal conditions or if one or more evidence is not issued in the state where the Tenderer has its seat, Tenderer may, instead of evidence, submit its written statement, given under criminal and substantive liability certified before judicial or administrative authority, public notary or other competent authority of that state.

Question 6:

Whether the documents certified by the competent authority or public notaries, which are submitted as the evidences in line with the Tender documents, require an "Apostille"?

Answer 6:

The need for legalization of public document and certification of documents by «Apostille» does not exist when confirmed international agreement on abolishment of certain public documents from any kind of legalization. Also, the existence of bilateral agreement excludes application of The Hague Convention Abolishing the Requirement for Legalization for Foreign Public Documents, and need for certification by Apostille.

Therefore, countries with which Serbia has confirmed bilateral agreements on mutual abolishment of legalization of public documents, in accordance with officially available data are the following: Algeria, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Greece, Iraq, Italy, Cyprus, Libya, Hungary, Macedonia, Mongolia, Poland, Romania, Russia, Slovakia, Ukraine, France, Croatia, Montenegro and Czech Republic.

Having in mind that there is no ratified bilateral agreement on mutual abolishment of any kind of legalization of public documents between Serbia and Great Britain, in this case it is required that public documents, certified by public notary or by foreign competent institution, that are submitted in the Tender are certified by «Apostille».

Question number 7:

What is the reason for keeping the Tender bond after the Contract is signed, and when it shall be returned to the selected Tenderer?

Answer 7:

Tender bond that is submitted in the Tender by the Tenderer shall be returned to the tenderers with whom the Contract has not been concluded, immediately upon the conclusion of the Contract with selected tenderer.

Tender bond shall be returned to the selected tenderer immediately upon the conclusion of the Contract and when signing the Contract, the selected tenderer shall submit to the Employer an evidence on professional liability insurance, as the means of securing the fulfillment of contractual obligations, as well as advance payment guarantee in the amount of requested advance payment, if required.

These additional clarifications are submitted via e-mail to applicant and they are published on the Public Procurement Portal and website of the Employer.



Attachment:

- Text Additional Clarifications no. 1 in Serbian language

Copy:

- Archive
- Public Procurement Committee