

JAVNO PREDUZEĆE ELEKTROPRIVREDA SRBIJE, BEOGRAD
Carice Milice 2
Number: 1833/42-14
Belgrade, 28 July, 2014

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 a negotiation procedure without publishing the invitation to tender by the several Employers for the public procurement of the services: Pumping out the silted water and silt in the Open Pit Mine MB Kolubara – Tamnava - West Field, CPP number 08/14/DUKN, for which notification on initiation of negotiation procedure without publishing the invitation to tender was published on Public Procurement Portal on 23.07.2014.

Five and more days prior to expiry date foreseen for submission of tenders in subject public procurement procedure, interested parties have 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:

Question 1: The Maximum amount of the Advance Payment is not sufficient to cover the mobilisation and establishment of the required pumping system. REL recommend and would require this maximum amount to be raised to EUR 20,000,000. REL will provide advance payment guarantee and accept monthly Invoices being reduced as per the agreement.

Answer 1: The request for increase of the amount of advance payment is unacceptable to the Employer.

Question 2: REL will accept payment on a unit M3 measurement but require a minimum guaranteed quantity of 100 million M3 to be available to remove by REL for the project. This provides a certainty of revenue which we require on a project of this scale.

Answer 2: The Employer is not able to precisely define the minimum guaranteed quantity at the moment.

Question 3: REL require further information on water quality (Turbidity) as it will change (increase) as the water goes down in the pit. This information is required to assess the electricity consumption of the pumps as the pumps will draw more power as the water SG (specific gravity) rises.

Answer 3: Analyses of the relevant parameters are ongoing and they shall be performed periodically during service execution as well, regarding which the selected Bidder shall be informed.

Question 4: REL would require a compensation / standby rate should pumping be cancelled due to capacity of Kolubara river bed reduce the ability to pump water or other unforeseen Environmental problems.

Answer 4: The offered compensation is not acceptable to the Employer.

Question 5: Client to confirm where the silt will be disposed on the site.

Answer 5: The Employer confirms that in the Tender Documents in item 2.3, paragraph 5 the site is determined and that the Bidder shall be able to visually get to know more precisely where the silt shall be disposed during site visit.

Question 6: Employer to confirm how this project to dewater the pit will be financed.

Answer 6: The funds are provided by rebalance of the Annual Business Plan of MB Kolubara.

Question 7: Can the Bid include the documents in Serbian and in English language?

Answer 7: Yes, the documents may be submitted only in Serbian language or only in English language.

Question 8: In item 3.5 in the last paragraph it is written that each invoice shall be reduced by 50%. Is this the case only in the event when the Bidder asks for advance payment?

Answer 8: Yes

Question 9: If the Bid is submitted by the Group of Bidders can 2 members of the group be holders of the work and can 2 members of the group sign the contract?

Answer 9: No, there can be only one holder of the work, that must sign the contract but there is no obstacle for the other persons – group members to sign the contract.

Question 10: Is it allowed that one member of the Group of Bidders gives one security instrument and the other member of the Group the other security instrument?

Answer 10: Yes, but security instruments must be issued in accordance with the Tender Documents.

Question 11: If the Group of the Bidders engages Subcontractor do all members of the Group of Bidders have to sign the contract with Subcontractor or is it enough that only one member signs it?

Answer 11: That is an internal agreement between the group members and subcontractors.

Question 12: What is the minimum amount of water and silt planned for pumping out which the Employer guarantees, having in mind that it was stated in public invitation that the Employer shall also engage its own means?

Answer 12: The Employer is not able to precisely define the minimum guaranteed quantity at the moment.

Question 13: What is the maximum amount of advance payment that the Employer may allow, i.e. is it possible to allow an advance payment in the amount of EUR 6,000,000.00 ?

Answer 13: Maximum amount of advance payment is defined in item 3.5 of the Tender Documents in section 3. Instructions to Bidders on how to prepare the Bid.

Question 14: Since the potential bidder has, since it was founded, exclusively done business with one bank, that is not listed among the first ten according to the Report for IV quarter of 2013, is it possible that you would accept the guarantee, i.e. financial security instrument from that bank?

Answer 14: It is not possible.

PUBLIC PROCUREMENT COMMITTEE CPP 08/14/DUKN