

JAVNO PREDUZEĆE ELEKTROPRIVREDA SRBIJE, BEOGRAD
Carice Milice 2
Number: 812/28-14
Belgrade, 13-06-2014



Subject: additional clarifications no. 12 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 "Improvement of Efficiency and Productivity of JP EPS", PP number 132/13/DEFP, for which Invitation to Tender was published on Public Procurement Portal on 28.04.2014.

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:

Question 1:

In the Article 4.6 there is written "If the evidence under Article 77, paragraph 1, from item 1) to 4) of the Law is not issued in the country where the Tenderer has its seat the Tenderer can, instead of the evidence, submit its written statement, given under substantive and criminal liability certified by the court or administrative body, public notary or other competent body of that country".

Does it mean that signature on all other statements/forms (which do not belong to "the evidence under Article 77, paragraph 1, from item 1) to 4) of the Law ") does not need to be certified by public notary or other competent body of that country?

Answer 1:

Regarding the forms the Tenderer submits in the Tender we state that the Tenderer is obliged to prepare the tender in such a way to, clearly and unambiguously by hand, type on the computer or typewriter, fill in Forms with required data or according to Forms which make the integral part of Tender Documents and certify it with seal and the signature of the legal representative, other representative registered at the register of the competent body or person authorized by legal representative along with submission of power of attorney in the tender.

Evidence from Article 77 paragraph 1 item 1) to 4) of Public Procurement Law which proves the fulfillment of mandatory conditions for participation from Article 75 of the Law and Section 4, item 4.1 of Tender Documents have to be issued and certified by the competent authorities of the country where the Tenderer has its seat.

Страна 1 од 3

Evidence on fulfillment of additional conditions for participation from Section 4, item 4.2 of Tender Documents and Article 77 paragraph 2 item 1) and 2) of the Law have to be issued and submitted as follows:

- Balance sheet and Profit and Loss Report have to be certified and signed by the authorized representative of the Tenderer, and attached to it has to be certified and signed opinion of the authorized auditor, if such opinion exists; if the Tenderer is not the subject of the audit in accordance with regulations of country where it has seat, it is obliged to submit along with Balance sheet and Profit and Loss Report Statement by authorized representative of the tenderers given by full material and prosecution responsibility that it is not subject of auditing for mentioned years;
- Certificate or opinion or statement of the bank or other specialized institutions in accordance with the regulations of the country in which Tenderer has seat concerning blocked accounts for the period of previous 6 months before the publication of the public procurement call (October 2013 - March 2014) must be issued by the competent financial institution and certified by signature and seal of that institution.
- List of references must be certified and signed by the authorized representative of the Tenderer
- Certificates of previous Employers for references of the Tenderer must be certified and signed by authorized representative of the previous Employer
- Statement on the Number of Employees must be certified and signed by the authorized representative of the Tenderer.

Question 2:

Do we need to notary certify signature(s) on following documents?

Please state YES/NO.

1. Form 1
2. Form 2
3. Form 3
4. Form 4
5. Form 5
6. Form 6
7. Form 7
8. Form 8
9. Form 9
10. Form 10
11. Form 11
12. Joint Service Execution Contract
13. Other statements proving fulfillment of tender documentation requirements, which were not prescribed as a form by tender documentation, but might be implicitly needed, e.g. Group Leader Nomination Statement.

Answer 2:

No. Forms 1 – 7.1, 8, 9, 10 are filled by the Tenderer and they are certified and signed by legal representative, other representative registered with the register of competent

body or person authorized by the legal representative with submission of power of attorney in the Tender.

Forms 7.2 and 9.1 have to be certified and signed by the authorized person of previous employer.

Form 7.3 shall be signed by the person whose details are given in CV. It has to be accompanied by the (signed) Statement of CV holder and (signed and certified) Statement of the Tenderer that the CV is true and authentic.

Form 11 shall not be submitted in the Tender, since it represents mandatory annex to the Public Procurement Contract. Therefore, by accepting Model Contract on public procurement, by signing and certifying it, the Tenderer at the same time agrees with all annexes to Model Contract including also the Model Confidentiality Agreement.

Regarding the Group Leader Nomination Statement, that you mentioned, we state that the Tender Documents does not define the submission of this statement, since the Holder of the work as Group Leader is determined by the Joint Service Execution, Contract, as foreseen in item 3.8, Section 3 of the Tender Documents.

These additional clarifications shall be submitted to the applicant via e-mail and shall be published at Public Procurement Portal and website of the Employer.

PUBLIC PROCUREMENT COMMITTEE 132/13/DEFP



Attachment:

- Text of Additional Clarifications no. 12 in English/Serbian

Copy:

- Archive
- Public Procurement Committee