

PUBLIC ENTERPRISE ELECTRIC POWER INDUSTRY OF SERBIA, BELGRADE

Carice Milice 2

Number: 1855/4-15

Belgrade, 08-05-2015

Subject: additional clarifications no. 2 in accordance with Article 63 paragraph 3 of Public Procurement Law ("Official Gazette of the Republic of Serbia" number 124/12 & 14/15) in an open public procurement procedure for the procurement of consulting services "Improving financial management and control in EPS group (internal controls and processes, reorganization, cost center/profit center, budgeting and reporting)" - Definition and implementation of EPS CFO organization model - PP number 85/14/DEFP, for which Invitation to Tender was published on Public Procurement Portal on 14.04.2015.

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 section 3, subsection 3.12 "STAFF ENGAGEMENT AND WORK PLAN", paragraph "Knowledge of the language" you are asking for "At least two team members who have minimum 5 years of consulting experience must be fluent in Serbian, which includes but is not limited to Serbian as the mother tongue.". Looking further into documentation especially subsection 3.18 "CONTRACT AWARDING CRITERIA" we found inconsistency with before mentioned requirement regarding "Other team members – Serbian Speaking Criteria" for maximum scoring (30 weights). In this part you are allowing for one Serbian speaking team member who has adequate references to substitute two Serbian speaking team members. Regarding this issue we are in doubt do we need to engage two Serbian speaking resources even if we have one Serbian speaking resource that qualifies for maximum score?

Answer 1:

Item 3.12 Section 3 of Tender Documents stipulates that "at least two team members who have minimum 5 years of consulting experience must be fluent in Serbian, which includes but is not limited to Serbian as the mother tongue..

Team members under this condition are other team members, as well as Project Supervisor, Project Manager and Reorganization Expert."

Additionally, item 3.18 Section 3 of Tender Documents, elements of criteria C.3 Staff quality, subelement C3.1 Experience of staff members for other team member the following has been stipulated

„ Minimum 1 other team member under item 3.12 paragraph 2 indent 4, meets the following criteria:

[One team member is speaking fluent Serbian and has participated in one [SCFOP or SCRP] in ENES from RREU, ≥€1m]

OR

[].

In accordance with the above mentioned, the Tenderer as a condition for participation in the tender procedure has to have at least 2 team members that has minimum 5 years of consulting experience and who must be fluent in Serbian language and those team members may be Other team members, as well as Project Supervisor, Project Manager and Reorganization Expert.

For evaluation of tender with 30 weights, apart from the above mentioned the Tenderer has to have at least 1 team member from the category Other team members that is fluent in Serbian and who has participated in one [SCFOP or SCRP] in ENES from RREU, ≥€1m] or plus at least two team members who are speaking fluent Serbian and have at least 6 years of consulting experience each, out of which at least one of them has participated in one [SCFOP or SCRP] in ENES from RREU, ≥€500k.

Question 2:

In section 3, subsection 3.18 "CONTRACT AWARDING CRITERIA", you have given definition for acronyms used in Tender Documents. Our question regards definition for acronym "SCFOP" where you state: "Similar CFO Organization model Project"(SCFOP): similar organization projects in the CFO area of large integrated Groups (integrated Groups with more than 3000 employees), including processes and tools, covering both conceptual and implementation activities". We have in our portfolio of references project that completely corresponds with above given criteria except in part regarding number of employees. Our client from Reference Region at the beginning of SCFOP project had 2.979 employees. Concerning that our client (who is large integrated group from energy sector) had 21 employees less than your definition of large integrated groups, will this reference be eligible for you?

Answer 2:

Integrated groups, according to the current tender documents must have more than 3,000 employees and if the same is less than the specified number, the reference will not be accepted.

Question 3:

In section 3, subsection 3.29 "DATA ON CONTENT OF THE TENDER", in first bullet you wrote: "Filled in, signed and stamped form of "Statement on Independent Tender"", looking into forms you procured we saw that "Form 1" is "STATEMENT ON INDIVIDUAL TENDER". Which one is correct "Independent" or "Individual"?

Answer 3:

The correct term is "independent"

We shall amend English version of Tender documents accordingly.

Question 4:

In section 4, subsection 4.3 "INSTRUCTIONS ON HOW TO PROVE THE FULFILMENT OF CONDITIONS", in paragraph "Evidence of adequate financial capacities" – For foreign tenderers, second bullet you wrote: "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 (**March 2014 till October 2015**)". We suppose that you meant from **October 2014 till March 2015**? Would you be so kind to confirm or give us alternative explanation?

Answer 4:

We meant period from October 2014 till March 2015

We shall amend English version of Tender documents accordingly.

Question 5:

Does the "Statement of the given person and the tenderer that the CV is correct" that is accompanying CV's of resources that are coming from subcontractor have to be signed by subcontractor or by Tenderer (or by both)?

Answer 5:

Evaluation of Tenders under subelement of criteria C3.1 that is performed based on CV submitted in Form 7.3. of Tender documents or form that in all parts in content corresponds to Form 7.3., and that is accompanied by Statement of the given person and Tenderer that the CV is correct.

The above mentioned Statement does not have to be signed by subcontractor that the Tenderer is engaging..

Please bear in mind that all Experts whose experience is subject of evaluation under this subelement of criteria must be employed by the Contractor or engaged via contract with the Tenderer, i.e. one member of the Group of Tenderer that submits joint Tender.

Tender of the Tenderer engaging a subcontractor shall be evaluated according to the criterion elements only on the basis of the indicators and evidence relating to the Tenderer.

Joint tender by the Group of Tenderers shall be evaluated according to the criterion elements on the basis of the indicators and evidence relating to the all members of the Group of Tenderers.

Question 6:

Several of the documents that requested by your public procurement procedure don't exist in ... Concerning these we are going to release "Statements under full material and prosecution responsibility" that are covering requested evidences. We are unsure for which ones you are asking to be verified and stamped by notary office. Would you be so kind to answer do we need verification from notary for:

6.1. Statement regarding "Certificate of the competent court and competent Police Administration of the Ministry of Interior that it or its legal representative have not been convicted for any criminal act as members 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";

6.2. Statement regarding "Certificate that measure prohibiting the performance of the activity, or certificate of the Commercial Registers Agency that is has not been registered with this

authority, that the measure of prohibiting its performance as the company has not been pronounced in the time the public invitation was published”;

6.3. Statement that Tenderer is not subject of auditing;

6.4. Statement concerning “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”.

Answer 6:

6.1. Yes.

6.2. Yes.

6.3. No.

6.4. Possibility of submitting the Statement is stipulated but the Tender documents regarding evidence from Article 77 paragraph 1 items 1 to 4 of the Law. Accordingly, Tenderer cannot submit in the tender the Statement instead of required evidence of financial capacity - 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. However, please bear in mind that this condition has to be fulfilled by minimum one Tenderer from the Group of Tenderers, i.e. each member of the Group of Tenderer does not have to provide evidence and having in mind the additional conditions for participation - Tenderers from Group of Tenderers fulfil conditions jointly in accordance with the law.

Question 7:

we, ... hereby would like to request for extension of the submission deadline of the public procurement 85/14/DEFP (No. 1855/1-15 dated 14.04.2015.) until 10 June 2015, 12:00.

Reason for extension request: Section 4 of TENDER DOCUMENTS of the above mentioned public procurement process requires compliance with Conditions for participation in public procurement procedure stipulated under Article 75 and 76 of the public procurement law. In particular, section 4.1.4 of TENDER DOCUMENTS requires evidence of settled all due taxes, contributions and other public duties in accordance with the regulations of the Republic of Serbia, or with foreign state of its head office.

We as Members of Group of Tenderers will not be able to provide evidence and thereby comply with Article 75 and 76 of the public procurement law because evidence of settled all due taxes will be issued by local tax authorities after 25 May 2015.

Answer 7:

The Commission will consider whether it has already set the deadline for submission of bids suitable time necessary to prepare an acceptable offer and in the case to extend the deadline, it shall publish a notice of extension of the deadline for submitting bids to the Public Procurement Portal and website of the client.

These additional clarifications are submitted by email to the applicant and are published on Public Procurement Portal and web site of the Employer.



Attachment:

- Additional clarifications No. 2 in Serbian/English language

Attn:

- Records Management Office
- Public Procurement Committee