

The request for clarification of the Bidding documents

Subject: The answer to the question for IOP/2 - 2014 whose subject is Execution of works on the construction of Centres of excellence in Kragujevac.

1. Question:

On page 24 of 78 The contracting authority is prescribed in section „Criteria for qualification” - 2. Staff capacities.

C) Also, the bidder should have at least 150 (one hundred fifty) persons permanently engaged. The bidder shall submit a list of employees with an indication that the axis of them intends to engage in the works.

The leading partner of the Joint bids must meet the minimum 50 % (fifty percent) of the conditions.

In accordance with the Labor Law of the Republic of Serbia supplier contract for an indefinite period of time employed workers in permanent employment.

Purchaser is such a defining human resource capacity, without justifiable need to limit the right of participation of certain potencijalnih bidders, which caused such additional conditions constitutes discrimination and is contrary to the provisions of Article 76. Paragraph 6 of the Law on Public Procurement and the principle of ensuring competition among bidders, stipulated in Article 10. Law on Public Procurement and the principle of equality of bidders Article 12. Yacon on public procurement, according to which the Purchaser shall at all stages of the procurement procedure provide equal status to all bidders.

In the specific case of Purchaser through this set capacity of staff favored bidders who have exclusive contracts concluded for an indefinite time.

Reading the condition set in a part of the tender documentation and proof of compliance with the conditions and in response to questions 1 and 2 of staffing capacity , which is among you registered under number 719 of 04. 03. 2015. year , leading to confusion bidder.

We, as bidders and a leading member of the group do not have 75 permanent employees , but the employees at a specific time on a project that is underway, fulfills the requirements.

Please answer the question, whether this condition will be assessed as meeting requirements from Human Resources capacity, if they submit the form 3. 5. 5. B which will be included and part-time workers whose names appear on the form EBP - Purse - Excerpt from the electronic database of the Tax Administration of the Republic of Serbia, who makes proof of the number of employees.

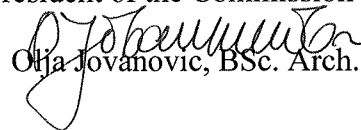
In the event that we might be the best bidder, in accordance with the Labour Law with the employee at a certain time, to conclude a new contract of engagement on a specific project which is the subject of public procurement.

Response:

Bidders meet the capacity of staff sought the Bidding Documents, under Section 2. 3 Data for qualification - Personnel capacity under c. a way to fill in Form 3.5.5. B which states that staff will be hired on a contract and which should contain information about the minimum 150 (one hundred fifty) full-time staff , indicating which of them intends to engage in the works.

For residents of the Republic of Serbia bidders under constantly employed persons are persons employed for an indefinite period.

President of the Commission


Orlja Jovanovic, BSc. Arch.