

On the basis Law on Ratification of the Financial Contract (Public Sector Research And Development) between the Republic of Serbia and the European Investment Bank ("Official Gazette of RS", No 5/10) , article 7. paragraph 1. clause 2) sub-clause (1) of the Public Procurement Law („Official gazette of RS”, no. 124/12, 14/15 and 68/15), clause 16. paragraph 1. item 2) of Decision on the establishment of limited liability company for managing of the projects in public sector („Official Gazette of RS”, no. 51/2010, 72/2013, 24/2014, 65/2014, 110/2016 и 26/2017), clause 53. of Rulebook on closer regulation of the public procurement procedure, no. 8015 dated 29.12.2015. (Amendments of the Rulebook no. 6358 dated 10.10.2017. and Amendments of the Rulebook no. 2734 dated 15.05.2019.), Decision on initiation of the international open procedure number 7382 dated 31.12.2018, clause 30. of the Tender dossier, Decision on Qualification number 707/1 dated 12.02.2020, in accordance with Evaluation report number: 3399/1 dated 17.06.2020. and „No-objection“ letter of European investment bank number 3398 dated 17.06.2020, and in accordance with Guide to Procurement for projects financed by the EIB, acting director of „Public Sector Projects Implementation Unit ltd. Belgrade, Nemanjina 22-26, 11000 Belgrade, delivers the

#### **DECISION ON CONTRACT AWARD**

**For execution of construction and construction – craft works for making a part of facility and the garage of “Science and Technology Park” in Novi Sad functional (Phase II/2 and Phase II/2a), procurement no. RID – W/IOP1 – 2018.**

1 In the international open procedure for procurement of works no: RID – W/IOP1 – 2018, initiated by the Decision on initiation of the international open procedure for the procurement of works no. 7382 dated 31.12.2018., with procurement subject: Execution of construction and construction – craft works for making a part of facility and the garage of “Science and Technology Park” in Novi Sad functional (Phase II/2 and Phase II/2a), **contract is awarded to the following bidder:**

- Group of Tenderers: K.E.SZ. International d.o.o. Beograd, Đorđa Stanojevića 12, 11070 Novi Beograd (member of the group of tenderers) and „KESZ EPITO SZERELO“ ZRT, Hungary (leading member), Tender number 4494 dated 29.07.2019, with the offered price of **7.966.719,70** EUR, VAT excluded.

2. This decision shall be published on the Procurement Portal and on the Purchaser's website within 3 days from the date of decision making.

**Rationale**

By delivering the Decision no. 7382 dated 31.12.2018., Purchaser, Public Sector Projects Implementation Unit Ltd. Belgrade, Nemanjina 22-26, 11000 Belgrade, initiated international open procedure for procurement of works, the subject of which is: Execution of construction and construction – craft works for making a part of facility and the garage of “Science and Technology Park” in Novi Sad functional (Phase II/2 and Phase II/2a), procurement no. RID – W/IOP1 – 2018.

International open procedure for procurement of works, with procurement subject: Execution of construction and construction – craft works for making a part of facility and the garage of “Science and Technology Park” in Novi Sad functional (Phase II/2 and Phase II/2a), procurement no. RID – W/IOP1 – 2018, was conducted in accordance with article 7. paragraph 1. clause 2) sub-clause (1) of the Public Procurement Law („Official gazette of RS”, no. 124/12, 14/15 and 68/15) and clause 3.4. of the Guide to Procurement for projects financed by the EIB, in accordance with the Law on Ratification of the Financial Contract (Public Sector Research and Development) concluded between the Republic of Serbia and the European Investment Bank (“Official Gazette of RS”, No 5/10) and Decision on initiation of the international open procedure for procurement of works - Execution of construction and construction – craft works for making a part of facility and the garage of “Science and Technology Park” in Novi Sad functional (Phase II/2 and Phase II/2a), number 7382 dated 31.12.2018.

The estimated value of the procurement is: 8,000,000.00 EUR VAT excluded.

Procurement Notice was published in the Official Journal of the European Union, on the Public Procurement Portal and website of the Purchaser, on 17.06.2019., with tender submission deadline being 29.07.2019. until 11:00.

Procurement Notice defined that Tenders have to be submitted according to the “two-envelope” procedure, in which both the technical (administrative) and financial offer are submitted together, but in separate envelopes. Technical (administrative) offers will be opened first and evaluated in terms of acceptability. Upon the evaluation of the technical (administrative) acceptability of all submitted offers, Purchaser shall deliver Decision on qualification and shall send an invitation to the Tenderers whose technical (administrative) offers have been evaluated as acceptable and the opening procedure of their financial offers shall be conducted.

In the tender preparation period 5 Clarifications and one Corrigendum of the Tender Document were made and published on the Public Procurement Portal and the website of the Purchaser.

Tender opening (administrative offers) session was conducted in the premises of Public Sector Projects Implementation Unit Ltd. Belgrade, Veljka Dugoševića 54, 11000 Belgrade, on 29.07.2019. at 12:00, by the members of the Procurement Committee formed by the Decision on forming the procurement Committee number 7383 dated 31.12.2018., which includes:

- Predrag Knežević – Committee President,
- Dijana T. Kasapović – deputy Secretary.

The offers by the following Tenderers have been submitted in a timely manner until 11:00 on 29.07.2019., to the address of the Purchaser: Veljka Dugoševića 54, 11000 Belgrade, in the following order:

Ord. No.	Tender filed at Purchaser under number	Name and code of the Tenderer	Date and time of Tender receipt
1.	4493 4493/1	<b>Group of Tenderers:</b> W.D. Concord West d.o.o. Beograd, Zrenjaninski put 150A, MPP Jedinstvo AD Sevojno, Prvomajska bb, Modulor d.o.o. Beograd, Nikolaja Saltikova 61 and Tesla Sistemi d.o.o. Beograd, dr Ivana Ribara 181a	29.07.2019. at 09:25
2.	4494	<b>Group of Tenderers:</b> K.E.SZ. International d.o.o. Beograd, Đorđa Stanojevića 12, 11070 Novi Beograd and „KESZ EPITO SZERELO“ ZRT, Hungary	29.07.2019. at 10:55
3.	4495	<b>Group of Tenderers:</b> „Gradina“ d.o.o. Beograd, Masarikov trg 8, Beograd – Zemun, „Inobačka“ d.o.o. Novi Sad, Bulevar oslobođenja 30a, Novi Sad and „AG-UNS“ Arhitektonsko građevinski institut d.o.o. Novi Sad, ul. dr Jovanovića 4	29.07.2019. at 10:56
4.	4496	<b>Group of Tenderers:</b> „Energoprojekt visokogradnja“ Bulevar Mihaila Pupina br. 12, Beograd, „BAUWESEN“ d.o.o. Lazarevac, Karađorđeva 32a, Lazarevac and „Amiga“ d.o.o. Kraljevo, Tike Kolarevića 66, Kraljevo	29.07.2019. at 09:57

There have been no untimely tenders.

On the conducted Tender opening the Minutes on technical offers opening was created, number 4509 dated 29.07.2019., which was handed to the present authorized tenderers' representatives.

On 02.08.2019., filed under number 4632, Tenderer – Group of Tenderers: K.E.SZ. International d.o.o. Beograd, Đorđa Stanojevića 12, 11070 Novi Beograd (member) and „KESZ EPITO SZERELO“ ZRT, Hungari (leading member) submitted the letter requesting the Change of the Minutes on technical offers opening number 4509 dated 29.07.2019. in part which relates to notes, regarding the manner of behaviour of other Tenderers in the period prior the tender opening.

On 05.08.2019. the Committee submitted the reply to the mentioned request.

Upon the conducted opening procedure, in the period from 30.07.2019. until 10.01.2020., the Committee conducted the overview and evaluation of the timely submitted technical (administrative) offers and noted as follows:

1. Considering the elapsed time since the tender submission and opening of the technical (administrative) offers, in accordance with Tender Documents Volume I, Section 2,

Instructions to Tenderers, clause 13.2., Committee sent on 06.11.2019. the request for extension of the tender validity period of bid no. 4493 and 4493/1 dated 29.07.2019. and the request for the extension of the tender security, to the Group of Tenderers: W.D. Concord West d.o.o. Beograd, Zrenjaninski put 150A (leading member), MPP Jedinstvo AD Sevojno, Prvomajska bb (member of the group of tenderers), Modulor d.o.o. Beograd, Nikolaja Saltikova 61(member of the group of tenderers) and Tesla Sistemi d.o.o. Beograd, dr Ivana Ribara 181a (member of the group of tenderers).

Prior to the expiration of the initial tender validity period, Group of Tenderers: W.D. Concord West d.o.o. Beograd, Zrenjaninski put 150A (leading member), MPP Jedinstvo AD Sevojno, Prvomajska bb (member of the group of tenderers), Modulor d.o.o. Beograd, Nikolaja Saltikova 61(member of the group of tenderers) and Tesla Sistemi d.o.o. Beograd, dr Ivana Ribara 181a (member of the group of tenderers), submitted amendment to the tender security No. 265-60-14794-24, which extended the tender guarantee until 29.04.2020., as well as the consent with the extension of the tender validity period of tender no. 4493 and 4493/1 until March 25<sup>th</sup> 2020.

Tender by the Group of Tenderers: W.D. Concord West d.o.o. Beograd, Zrenjaninski put 150A (leading member), MPP Jedinstvo AD Sevojno, Prvomajska bb (member of the group of tenderers), Modulor d.o.o. Beograd, Nikolaja Saltikova 61(member of the group of tenderers) and Tesla Sistemi d.o.o. Beograd, dr Ivana Ribara 181a (member of the group of tenderers), tender number 4493 and 4493/1 dated 29.07.2019. has the following deficiencies:

- Tender Document, Volume I, Section 2, Instructions to Tenderers, clause 2.3. Qualification data, Additional conditions for participation in tender procedure, clause 2. Business capacity, among other things defines in case of submission by the consortium/joint venture, the leading member of the joint venture/consortium must fulfil a minimum condition for one facility/complex of facilities of minimum total gross surface of 10,000 m<sup>2</sup>, and he shall submit as evidence Forms 3.5.3, 3.5.3.A and 3.5.4. with all addenda, and that the Purchaser, in the evaluation phase, can, if necessary, request additional evidence – final statements, handover minutes, occupancy permits etc.

Tenderer in his Tender, in Form 3.5.3 stated that the leading member of the Consortium W.D. Concord West d.o.o. Beograd did execute works on its own of total gross surface of 10,000 m<sup>2</sup>, and as the addenda to this claim, he submitted the confirmation of the Investor which confirms the content of the submitted evidence.

Since the Tender Document foresees the option of Purchaser, in the evaluation phase, if necessary, requesting the additional evidence – final statements, handover minutes, occupancy permits etc., on 13.08.2019., filed under number 4838, the Clarification request was sent to the Tenderer, i.e. it was requested from the Tenderer to submit the Building permit in effect, Minutes on technical inspection of the facility and the Occupancy certificate, and in case that it has not been issued, it is necessary to submit the Minutes on qualitative and quantitative acceptance of the facility/executed works. The mentioned additional clarification was necessary considering that from the submitted evidence, as well as from the insight into data of Central register of unified procedures, it was not possible to undoubtedly determine the fulfilment of the requested Business capacity.

On 16.08.2019., filed under number 4951, the Tenderer submitted the additional clarification and with it also the final statement, Contract on execution of works with the belonging Annexes and the Minutes on qualitative and quantitative acceptance and calculation of the executed works. On the other hand the Tenderer did not submit Building permit in effect.

Based on all the evidence submitted in the Tender itself, as well as those submitted after the sent Request for additional clarification, the Committee notes that the requested condition is not fulfilled i.e. that from the documentation submitted it was not possible to confirm that the leading member of the Consortium/Joint Venture W.D. Concord West d.o.o. Beograd fulfils the minimum condition for one facility/complex of facilities of total gross surface of 10,000 m2.

- Tender Document, Volume I, Section 2, Instructions to tenderers, clause 2.2. Tender data, paragraph 10.1. Content of Tender, under b, defines that the technical (administrative) offer cannot contain the data on the offered price.

Contrary to the aforementioned, in the Tender by the Tenderer, in part relating to the clause 3.6 Technical conditions (questionnaire), sub-clause 3.6.1. Work Programme, Method Statement and Organization, the Tenderer submitted the Schedule of requirements and Cash flow which show the projected value of the execution of works, by which the offer of the mentioned Tenderer contains the data on offered price.

- Tender Document, Volume I, Section 2, Instructions to Tenderers, clause 2.1. Instructions to Tenderers, clause 16. Tender submission, Packing and marking of tenders, sub-clause 16.1. paragraph 2, defines that if the Tenders are not packed in accordance with the rules provided in this clause shall be considered a violation of the rules and shall cause the **rejection of Tender**.

During the Tender opening the Committee noted that the Technical offer (original and copy) and Financial offer (original and copy) are not packed in one outer envelope, i.e. the Tender is not packed in accordance with the mentioned clause of the Tender Document, by which the Tenderer acted contrary to the requests defined in the Tender Document.

Committee notes that the Tender by the Group of Tenderers: W.D. Concord West d.o.o. Beograd, Zrenjaninski put 150A (leading member), MPP Jedinstvo AD Sevojno, Prvomajska bb (member), Modulor d.o.o. Beograd, Nikolaja Saltikova 61 (member) and Tesla Sistemi d.o.o. Beograd, dr Ivana Ribara 181a (member), tender number 4493 and 4493/1 dated 29.07.2019., is **technically (administratively) unacceptable tender**.

2. Considering the elapsed time since the tender submission and opening of the technical (administrative) offers, in accordance with Tender Documents Volume I, Section 2, Instructions to Tenderers, clause 13.2., Committee sent on 06.11.2019. the request for extension of the tender validity period of tender No. 657/2019 dated 29.07.2019. and the request for the extension of the tender security, to the Group of Tenderers: K.E.SZ.

International d.o.o. Beograd, Đorđa Stanojevića 12, 11070 Novi Beograd (member of the group of tenderers) and „KESZ EPITO SZERELO“ ZRT, Hungary (leading member).

Prior to the expiration of the initial tender validity period, Group of Tenderers: K.E.SZ. International d.o.o. Beograd, Đorđa Stanojevića 12, 11070 Novi Beograd (member of the group of tenderers) and „KESZ EPITO SZERELO“ ZRT, Hungary (leading member), submitted amendment to the tender security No. IGTE058984, which extended the tender guarantee until 29.04.2020., as well as the consent with the extension of the tender validity period of tender No. 657/2019 until March 25, 2020.

During the course of technical evaluation of the Tender submitted by the Group of Tenderers: K.E.SZ. International d.o.o. Beograd, Đorđa Stanojevića 12, 11070 Novi Beograd (member of the group of tenderers) and „KESZ EPITO SZERELO“ ZRT, Hungary (leading member) Tender number 657/2019 dated 29.07.2019., Committee determined the following:

- Tender Document, Volume I, Section 2, Instructions to Tenderers, clause 2.3. Qualification data, Additional conditions for participation in tender procedure, clause 3. Personnel capabilities, under a), defines that for the requested condition the Tenderers must submit evidence, in accordance with the law of the country in which they have been established.

It is also defined that all Tenderers must submit Form 3.5.5. B – Personnel capabilities – List of full-time employees, so the Tenderers with headquarters in the country of the Purchaser submit the Certificate/excerpt from the Central registry of compulsory social security with the summary overview of all insured, for the month preceding the month of publishing the Procurement Notice.

Contrary to the aforementioned, the Tenderer in his Tender, for the leading member of the group „KESZ EPITO SZERELO“ ZRT, Hungari, who is a non-resident, submitted the Form 3.5.5. B, Statement on fulfilment of the conditions for participation in the tender and the document of the company stating the list of employees dated 23.05.2019. with their positions, but not the evidence which is in accordance with the law of the country in which they have been established.

On 22.08.2019. the Committee sent a Request for clarification, filed under number 5128/1, to the Tenderer, in which it requested the submission of adequate certificate issued by the competent institution in the Republic of Hungary, which confirms the fulfilment of the condition in respect of the Personnel capabilities, under a).

On 28.08.2019. filed under number 5239, Tenderer submitted the clarification in the form of e-mail, sent by the Head of Economic Section, Deputy Head of Mission for Economic Affairs – Embassy of Hungary, regarding the fulfilment of the requested Personnel capabilities, under a).

Since by the submission of the clarification the Tenderer did not submit the evidence in accordance with the Law of the country in which it was established, that he fulfils the conditions for personnel capabilities, the Purchaser, with the goal of clarifying, and having in mind that the leading member of the group is non-resident, so that there is the possibility that the Clarification Request may not be entirely clear to him,

on 09.09.2019., filed under number 5531, sent a repeated Request for clarification, which emphasises that the Tenderer is obliged to submit, for the leading member of the group „KESZ EPITO SZERELO“ ZRT, Hungari, the document, which is issued by the competent institution of the Republic of Hungary, showing the exact number of employees with the list of all names of employees, for the month preceding the month of publishing the Procurement Notice (May 2019.).

As deadline for submission of Clarification, the Purchaser defined 12.09.2019., which was extended, due to Tenderer`s request, until 17.09.2019., in order for the tenderer to be enabled to submit the requested evidence.

On 17.09.2019., filed under number 5711, the Tenderer submitted the additional clarification, as well as the confirmation of the institution *National Tax and Customs Administration (Tax and customs Directorate for the County of Csongrad)* in which it is confirmed that the mentioned institution does not issue the list of employees with their qualifications, but it confirms that the leading member „KESZ EPITO SZERELO“ ZRT, Hungary has 197 employees on 23.05.2019.

Since the Purchaser`s Request for clarification of the tender number 5531 dated 09.09.2019. did not request the data related to the list of employees with their qualifications, but the data related to the list of employees of the tenderer for the month preceding the month of the Procurement notice publication (May 2019.), regardless of the data on their qualifications, the Purchaser submitted on 20.12.2019. Request for clarification, filed under No. 7845/1, requesting confirmation of the abovementioned institution - National Tax and Customs Administration (Tax and customs Directorate for the County of Csongrad) or confirmation of some other competent institution in the Republic of Hungary, which has the records on employees, all with the goal of verifying data related to the key personnel for the needs of realization of this contract provided in the Qualification Form (3.5.5) – Key Personnel Proposed for Execution of the Contract, confirming that the following persons: Robert Nemeth, position: Graduate Civil Engineer; Lajos Toth, position: Graduate Electrical Engineer of weak current; Gyozo Lehotai, position: Graduate Mechanical Engineer and Predrag Veličkov, position: Health and safety officer, are employed by the leading member of the group of tenderers - KESZ EPITO SZERELO“ ZRT, Hungary, in the month preceding the month in which the Procurement notice was published (May 2019.).

As deadline for submission of Clarification, the Purchaser defined 25.12.2019., which was extended, due to Tenderer`s request, until 10.01.2020., in order for the tenderer to be enabled to submit the requested evidence.

On 10.01.2020, filed under no. 135 dated 13.01.2020., the Tenderer submitted the additional clarification, as well as the confirmation of the institution National Tax and Customs Administration (Tax and customs Directorate for the County of Csongrad) in which it is confirmed that the aforementioned persons were employed by the leading member of the group of tenderers - KESZ EPITO SZERELO“ ZRT, Hungary, in the month preceding the month in which the Procurement notice was published (May 2019.).

Taking into account all the submitted documents, the ones submitted in the Tender as well as the ones submitted during the submission of clarifications, the Committee has determined that the leading member of the Group of Tenderers, „KESZ EPITO SZERELO“ ZRT, Hungary fulfils the condition for Personnel capability as is requested by the Tender Document.

- Tender Document, Volume I, Section 2, Instructions to Tenderers, clause 2.3. Qualification data, Additional conditions for participation in tender procedure, clause 1. Financial capacity under a), defines that the Tenderer is obliged to submit, for the fulfilment of the requested condition, the Qualification form 3.5.2. and the Solvency report – Form BON-JN which is issued by the Business Registers Agency for the resident tenderers, i.e. Solvency report of the competent institution, for non-resident tenderers, which includes the balance sheet and cash flow accompanied with the opinion of the authorized auditor for companies which are subject to audit for 2015, 2016 and 2017.

With the goal of fulfilling the mentioned condition, the Tenderer, besides the requested Form 3.5.2., for the leading member of the group of Tenderers „KESZ EPITO SZERELO“ ZRT, Hungari (non-resident), submitted the Excerpt from the company Bisnode Magyaroszak Kft with the data on the financial income for 2015, 2016. and 2017. Also, the data on links are submitted, but by following the links the Committee noted that most of the data are in Hungarian language.

On 22.08.2019, filed under number 5128/1, the Committee sent to the Tenderer the Request for clarification which requested the submission of evidence based on which it is possible to undoubtedly determine that the data stated in the submitted excerpt by „Bisnode Magyaroszak“ Kft are actually the official information regarding the financial income available in the register of the competent government institution, to which the links in the tender lead.

In accordance with the submitted Request for clarification, on 28.08.2019. filed under number 5239, an electronic correspondence with the Embassy of Hungary was submitted which confirms that the financial data provided in the excerpt issued by „Bisnode Magyaroszak“ Kft are appropriate and that they fully represent the official financial data of the leading member of the Group „KESZ EPITO SZERELO“ ZRT, Hungary.

On 09.09.2019. filed under number 5531, the Committee sent to the Tenderer the Request for clarification which requested to have the previously mentioned correspondence with and confirmation of the Embassy of Hungary, given in the electronic form, regarding the financial data, be submitted as official document issued by the Embassy of Hungary confirming the content of the correspondence, with the goal of accepting it as relevant evidence.

Acting in accordance with the mentioned request, on 11.09.2019., filed under number 5610 as addenda to the Clarification, the Tenderer submitted the document issued by the Embassy of Hungary stating that financial data, submitted via e-mail, are



authentic and that everything regarding the financial data of the leading member is confirmed.

By submitting all the mentioned evidence, the Committee could undoubtedly confirm the fulfilment of the condition related to Financial capacity, under a).

Committee notes that the Tender by the Group of Tenderers: K.E.SZ. International d.o.o. Beograd, Đorđa Stanojevića 12, 11070 Novi Beograd (member) and „KESZ EPITO SZERELO“ ZRT, Hungary (leading member), Tender number 657/2019 dated 29.07.2019., is **technically (administratively) acceptable tender**.

3. Considering the elapsed time since the tender submission and opening of the technical (administrative) offers, in accordance with Tender Documents Volume I, Section 2, Instructions to Tenderers, clause 13.2., Committee sent on 06.11.2019. the request for extension of the tender validity period of tender no. 4495 dated 29.07.2019. and the request for the extension of the tender security, to the Group of Tenderers: „Gradina“ d.o.o. Beograd, Masarikov trg 8, Beograd – Zemun (leading member), „Inobačka“ d.o.o. Novi Sad, Bulevar oslobođenja 30a, Novi Sad (member of the group of tenderers) and „AG-UNS“ Arhitektonsko građevinski institut d.o.o. Novi Sad, ul. dr Jovanovića 4 (member of the group of tenderers).

Prior to the expiration of the initial tender validity period, Group of Tenderers: „Gradina“ d.o.o. Beograd, Masarikov trg 8, Beograd – Zemun (leading member), „Inobačka“ d.o.o. Novi Sad, Bulevar oslobođenja 30a, Novi Sad (member of the group of tenderers) and „AG-UNS“ Arhitektonsko građevinski institut d.o.o. Novi Sad, ul. dr Jovanovića 4 (member of the group of tenderers), submitted amendment to the tender security No. L/G 25909/19, which extended the tender guarantee until 29.04.2020., as well as the consent with the extension of the tender validity period of tender No. 4495 until March 25<sup>th</sup> 2020.

Tender by the Group of tenderers: „Gradina“ d.o.o. Beograd, Masarikov trg 8, Beograd – Zemun (leading member), „Inobačka“ d.o.o. Novi Sad, Bulevar oslobođenja 30a, Novi Sad (member of the group of tenderers) and „AG-UNS“ Arhitektonsko građevinski institut d.o.o. Novi Sad, ul. dr Jovanovića 4 (member of the group of tenderers) tender number 4495 dated 29.07.2109. has the following deficiencies:

- In accordance with Tender Document, Volume I, Section 2, Instructions to tenderers, clause 2.3. Qualification data under b) Key personnel for the needs of contract realization, it was necessary for the Tenderer to prove, among other things, that the employees with the requested engineering licences must have a work experience as responsible contractor – minimum of 5 years of work experience at the position of responsible contractor in accordance with the foreseen conditions, so that as evidence filled Forms 3.6.6. and 3.5.5.A are requested.

From the requested documentation, the Committee was unable to undoubtedly determine that the mentioned members of key technical personnel on projects mentioned in the resumes, worked as responsible contractors.

On 13.08.2019., filed under number 4837, the Committee sent a Request for clarification to the Tenderer, which requested the submission of the evidence based on which it is possible to undoubtedly determine that the persons mentioned in the requested period performed the duties of responsible contractors, on projects mentioned in their resumes.

On 16.08.2019., filed under number 4950, Tenderer submitted the Clarification, along with Confirmations based on which the Committee undoubtedly determined that the persons mentioned in the requested period performed the duties of responsible contractors, on projects mentioned in their resumes.

- Tender Document, Volume I, Section 2, Instructions to Tenderers, clause 2.3. Qualification data, Additional conditions for participation in tender procedure, clause 2. Business capacity under b) it was necessary for the Tenderer to prove that he owns the mentioned certificates (or equivalents) in the field of construction.

According to the mentioned condition, the Tenderer submitted the requested certificates as well as the confirmations on recertification, considering that the validity deadline for the certificates expired one day prior to the Tender opening.

On 16.08.2019., filed under number 4952, the Committee sent a Request for clarification to the Tenderer, in which it requested the Tenderer to answer the questions related to recertification, in order to determine the validity of the submitted Confirmation on recertification, i.e. in order for the submitted confirmation to be considered an evidence requested by the Tender Document.

On 16.08.2019. the Committee requested the clarification also from the Certification body whose certificates and confirmations on recertification were submitted in the Tender by the Tenderer i.e. requested the answers to questions regarding the recertification, in order to be able to undoubtedly determine the validity of submitted Confirmation on recertification.

On 19.08.2019., filed under number 4990, by the Certification body, and on 20.08.2019., filed under number 5016, by the Tenderer, answers/evidence were submitted to the questions regarding the recertification and the validity of submitted evidence.

On 22.08.2019., filed under number 5189, the Committee having in mind the reply of the Certification body sent to the Tenderer the additional Request for clarification in which it is requested for the Tenderer to submit the copies of certificates or reports on recertification of the system for all management systems for which the process of recertification has been successfully finished.