

OF THE TENDER DOCUMENTS FOR THE PROCUREMENT OF FURNITURE AND  
EQUIPMENT FOR THE THIRD GROUP OF SCHOOLS WITHIN "SCHOOL  
MODERNISATION PROGRAMME"

Public reference: N/D/01/20

Regarding the requests for clarification for the procurement of: **Furniture and equipment for the third group of schools within School Modernisation Programme**, procurement number N/D/01/20, we deliver the following answers:

**Question no.1:**

(Filed under number 3656 and dated 05.07.2021.)

We believe that the additional conditions related to business revenues, business capacity, human resources, technical capacity, certificates, standards and licenses in the case of submitting a joint bid are not well phrased and are not logically related to the subject of public procurement.

The meaning of the joint bid in which several companies that have unlimited joint and several liability to the client and act as one unit is that their capacities are joining assembling and mutually summing up. The leading partner of the consortium (if any determined) is only authorized in front of the consortium to perform certain actions towards the contracting authority and its status is essentially equal to the status of other participants in the joint bid. Therefore, we consider it incorrect that you have foreseen that for the above mentioned conditions the leading partner of the consortium must meet at least 50% of these qualification criteria, while even for the conditions of technical capacity, certificates, standards and licenses you have foreseen that the leading member must meet 100% of the qualification criteria. It is clear that the consortium members always fulfil these additional conditions together. In addition, we believe that this formulation of eligibility is not logically related to the subject of public procurement:

1. For example, if the distribution and installation of equipment is not the obligation of the leading member of the consortium under the joint performance agreement but it is the obligation of another member of the group of bidders, therefore why the leading partner of the consortium should own all required trucks (technical capacity) and at least 50% number of employees (staff capacity)? It is clear that the equipment of vehicles and personnel, in order to perform well towards the Purchaser, is needed to the member of the group of bidders who performs installation and transportation and not to the leading partner of the consortium, so the illogicality of such a request is obvious.

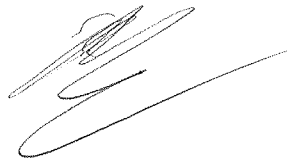
2. Why the leading partner of the consortium should have ISO 9001, ISO 14001 and ISO 27001, if other members of the consortium have one or more of these certificates, and if the division of work within the group of bidders, according to the agreement on joint performance, is such that jobs for which the possession of one or more of these certificates is

relevant are performed by other members of the group? Please amend the documentation accordingly and allow the group members to meet these additional conditions together without undue restrictions on which conditions the leading partner of the consortium should meet solely.

**Answer:**

In defining the conditions for participation, the Contracting Authority was guided by the estimated value, nature and complexity of the subject of procurement, as well as short deadlines for project implementation, and taking into account all the above and defined the conditions for participation, which are both individually and as whole in logical connection with the subject of procurement and in accordance with the objective needs of the Purchaser. In accordance with the above, the Purchaser remains with the requested.

PROCUREMENT COMMITTEE

A handwritten signature in black ink, consisting of several fluid, overlapping strokes, positioned below the text 'PROCUREMENT COMMITTEE'.