Evaluation and Qualification Criteria

This Section complements the Instructions to Bidders. It contains the criteria that the Purchaser may use to evaluate a bid and determine whether a Bidder has the required qualifications. No other criteria shall be used.

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1. Evaluation Criteria (ITB 35.3 (d))

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**1. Evaluation Criteria (ITB 35.3 (d))**

The Tender evaluation criterion is **lowest Evaluated Tender Price**. The Tenders will then be ranked from the lowest to the highest price. The lowest Evaluated Tender is the most favorable.

This provision applies to all lots.

**2. Postqualification Requirements (ITB 37.2)**

After determining the lowest-evaluated bid in accordance with ITB Sub-Clause 36.1, the Purchaser shall carry out the postqualification of the Bidder in accordance with ITB Clause 37, using only the requirements specified. Requirements not included in the text below shall not be used in the evaluation of the Bidder’s qualifications.

* + 1. **Legal Capability**

**Bidders will be excluded from participation in the procurement procedure:**

Candidates, bidders or applicants will be excluded from participation in procurement procedures if:

- they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings bconcerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

- they have been convicted of an offence concerning their professional conduct by a judgment which; has the force of res judicata; (i.e. against which no appeal is possible);

- they have been guilty of grave professional misconduct proven by any means which the Contracting Authority can justify;

- they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the Contracting Authority or those of the country where the contract is to be performed;

- it has been shown that, concerning some other tender procedure or donation awared procedure under EU general budget, there has been a searious breach of contract due not fulfilling its contract obligations from the Bidder’s side;

- they have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the EU's financial interests;

Bidder must provide evidence, by common law countries in which they are established, not to fall into the above categories. Date of evidence submitted papers must not be older than **60 days** before the date of the anouncement of the Public Invitation. If there is any doubt about those facts, the Bidder is obliged to submit documentary evidence to demonstrate the abovementioned.

For the Bidders from the Purchaser’s Country the evidences are:

Certificates by the Commercial Court and the Misdemeanour Court or a Certificate of the Business Register Agency confirming that no final court or administrative measure prohibiting business activity has been issued against the bidder;

A Certificate of the Tax Administration of the Ministry of Finance of the Republic of Serbia and a Certificate of the Local Self-Government Unit – Public Revenue Office about taxes and contributions paid.

This provision applies to all lots and all members in a joint venture.

* + 1. **Financial Capability**

**Liquidity**

The Bidder **must not have had any registered blockage of their account** during the current year.

Evidence: A certificate from the competent institution (the body that keeps a register of companies, central bank **or the commercial bank of the bidder**) issued after the anouncement of the Public Invitation.

This provision applies to all lots and all members in a joint venture.

**Business revenue**

The business revenues in the past three accounting years totally in the sum five times bigger than the value of the offer.

Evidence: Financial Statement for the past three accounting years prepared by the Bidder

* + 1. **Business Capability**

At least 3 (three) contracts of similar complexity successfully and substantially completed in the last 3 (three) years. The similarity is based on physical size, complexity, methods/technology or other characteristics as described in Section VI.

Evidence: List of reference

* + 1. **Personnel Capability**

The bidder shall provide minimum 5 (five) suitably qualified personnel to perform the Contract successfully.

Minimum number of qualified persons – certified by the manufacturer of equipment for servicing - 2 (two).

Documentary evidence: Copy of CV. For each qualified persons (2) copy of certificates.

**Technical Capability**

**Production capacity:** Manufacturer’s Sales Authorization

**Capacity Service:** Manufacturer’s After Sales Authorization

**Not applicable for bidders who are manufacturers - trademark owners**

**Manufacturers - trademark owners shall provide after sales service for equipment in the Republic of Serbia. Service company shall have ISO 9001 sertificate.**

Documentary evidence:

The completed forms "Powers" as set forth in the tender documents.

If the bidder is **manufacturer - trademark owner** statement of service company in Serbia that they will provide after sales service support in case the manufacturer wins the contract.