



Republic of Serbia
MINISTRY OF EDUCATION, SCIENCE
AND TECHNOLOGICAL DEVELOPMENT
Number: 404-02-100/2014-05/3
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Belgrade

QUESTIONS AND ANSWERS No. 2

Regarding the request for clarification of tender documents for the procurement no. NZN / 03/14 - Works on construction, reconstruction and renovation of school facilities within the School Modernization Program, we submit the following answers:

1. BIDDER'S QUESTION:

Does a person with a multiple licenses may cover several licensed persons who are required by tender documentation or/one person NN = one license for example 410?

ORDERER'S ANSWER:

Bidder must have a minimum number of people requested by tender documentation with the required licenses, ie. one person = one license.

2. BIDDER'S QUESTION:

In regards to the reference objects (facilities), weahter submit Contracts, final certificate of payment (first and last page of final certificate of payment, conformation of investors that the work was executed, building or use permit) or just to fill the chart attached to the tender documentation, where we enter data from the above documents?

ORDERER'S ANSWER:

In accordance with the Form of qualifications 3.5.3A Information on the Contract of similar nature and complexity as an attachment for each Contract, Bidder/Subcontractor must submit all available documents or excerpts to prove the information from this form. That may be the final certificate of payment, minutes of the handover, conformations of Orderers, use permits or else. If necessary, the Orderer will require addendum of this documentation during the evaluation phase.

3. BIDDER'S QUESTION:

Is it necessary for the technical equipment to attach as evidence: inventory list, vehicle licenses, insurance ... or just to fill the chart attached to the tender documentation where we enter data from the above documents?

ORDERER'S ANSWER:

Bidder should possess or ensure the use of equipment that must fully be ready for the begining of the works, and is planned to be used during the construction works. Bidder shall

submit completed and signed Form of qualifications 3.5.6 Capacity in terms of equipment that contains information on required equipment, which is an integral part of the offer and the contract. If the quoted equipment is rented, the owner must confirm its availability in writing.

4. BIDDER'S QUESTION:

Is the Bidder obligated to provide evidence enumerated in Article 77 of the Law on Public Procurement? For example:

- Excerpt from Business Registry Agency (BRA)
- Certificates from the Basic Court and the High Court in Belgrade (that the legal entity or its legal representatives were not convicted of crimes against the economy, environment, offense of receiving or giving bribes, criminal act of fraud, as well as the certificate from Ministry of Internal Affairs that legal representatives have not been convicted for above offenses)
- The certificate from BRA that it is not under prohibition of performing activities, that is in effect at the time of publication ie. sending a call for proposals
- Certificate on paid taxes, contributions and other public fees

ORDERER'S ANSWER:

In accordance with the Form 3.5.1 of tender documents, the Bidder should submit an excerpt from the court or other register, proving that the Bidder is registered to carry out the relevant activities in the country where it is registered. Bidder should also submit evidence, usual under the law of country where is established, and not to fall into categories listed on the page 29 of 83 of tender documents. All evidence cannot be older more that 60 days before the deadline for submission of bids.

5. BIDDER'S QUESTION:

Does the Excerpt from the register of Bidder in the BRA replaces the evidence referred to in Article 77 of the Law on Public Procurement, and whether it is sufficient to submit that excerpt instead of the above documents under 4 (in accordance with the Article 78 of the Law on Public Procurement)?

ORDERER'S ANSWER:

If the Extract from the register of bidders from BRA replaces some of the evidence that was requested in tender documentation, the Bidder may submit Extract from the register of the Bidders.

6. BIDDER'S QUESTION:

Is it enough to submit resumes only for engineers - responsible contractors listed in the tender as permanent employees or for all other engineers listed in the lower chart, engaged on any other basis on page 27/83 of the tender documents?

ORDERER'S ANSWER:

It is necessary to submit resumes for all required engineers - permanently employed and engaged in some other basis.

7. BIDDER'S QUESTION:

What exactly should be included in a history of disputes in the last 5 years? Before what courts, for which types of disputes and to what extent of the value of the dispute should be submitted? Does this history of disputes applies only to **the disputes arising from the Contract** (as specified in the tender documents) and from what type of contract, based on the

basic activity of the Bidder, or all disputes arising from all types of contracts (employment contract, contract for housing and feeding, ...) as well as the dispute that is no Contract based?

ORDERER'S ANSWER:

History of disputes relates to the legal proceedings or arbitration resulting from the Contracts based on the basic activities that the Bidder has committed or executes in the last 5 years.

As stated in the Form of qualification 3.5.8 History of legal disputes, it must be submitted the name of the client, the cause and subject of the dispute, as well as the disputed amount, and the outcome of the dispute (in favor or against the Bidder).

8. BIDDER'S QUESTION:

How (what documents) to prove the facts related to the eligibility of the Bidder specified in clause 3.4 from (a) to (c) on page 10-11 / 83 of the tender documents? Specify what documents in this case?

Is it possible to make a statement that would encompass and confirm that we were not included by the exclusionary conditions, on the letterhead of the company and signed by the head of the company?

ORDERER'S ANSWER:

It is necessary to sign the Declaration of integrity, which is an integral part of the tender documents (item 3.8).

9. BIDDER'S QUESTION:

How to prove the fact that the employed engineers are employed permanently (full-time), and how to prove that are engaged on other basis? For example:

- photocopy of the employment booklet
- Form M3A or MA
- Employment contract

And for persons engaged on other grounds ...

- Service Contract
- Contract for temporary jobs

ORDERER'S ANSWER:

For permanently employed engineers photocopy of employment booklet and M3A Form, and for persons engaged on other grounds photocopy of employment booklet and contract.

10. BIDDER'S QUESTION:

What evidence/documents, in regards to staff capacity, prove the length of working experience of employed engineers in years? For example:

- photocopy of the employment booklet

ORDERER'S ANSWER:

Length of working experience is proving by the photocopy of the employment booklet.

11. BIDDER'S QUESTION:

What evidence proves that the Bidder is not in any of the situations listed on pages 29/83 of tender documents (Bidders shall be excluded from participation in the procurement procedure ...)

Indicate the documents that must be submitted or other way of proving if possible: For example:

- Whether to seek confirmation from the BRA or the Commercial Court related to the bankruptcy and liquidation
- Confirmation of the First Basic and Higher Court in Belgrade that the company is not convicted of an offense in connection with their profession, for a grave breach of the standards of professional conduct, for fraud and corruption, involvement in a criminal organization or any other illegal activity
- Whether the submission of certificates of completed facilities by the Investor proves that we have not violated contracts under another public procurement
- Is it enough to submit the certificate of Tax Administration and Agency of Public Revenues
- Is it enough to issue a statement confirming all above on the letterhead of the company and signed by a head of the company

ORDERER'S ANSWER:

The Bidder should submit the evidence, usual under the law of the country where the company is established, not to fall into the categories listed on page 29 of 83 tender documents.

If the evidence that you specify:

- confirmation from the BRA or the Commercial Court related to the bankruptcy and liquidation
- Confirmation of the First Basic and Higher Court in Belgrade that the company is not convicted of an offense in connection with their profession, for a grave breach of the standards of professional conduct, for fraud and corruption, involvement in a criminal organization or any other illegal activity
- certificates from the Investor on successfully executed Contracts
- certificate of tax administration and Agency of public revenues

usual under the law of country where company is established, it is necessary to submit them within Bid.

All evidence cannot be older more than 60 days before the deadline for submission of bids.

12. BIDDER'S QUESTION:

On the page 28/83 of tender documents, it is stated that the Bidder has to submit confirmation from the competent institution certifying that it does not have registered blockade of the accounts for the last three years from the date of publication of the public call and that the Submitter of the offer was not insolvent within a period of six months from the date of confirmation.

Since the National Bank of Serbia issues only one certificate, ie. certificate of the number of insolvency days, **does the Bidder by submitting this one certificate for a period of three years, fulfills both of the required conditions - blockage of three years and six months of liquidity?**

ORDERER'S ANSWER:

Since it is the same confirmation, provide confirmation of the number of insolvency days.

13. BIDDER'S QUESTION:

On the page 28/83 of tender documents, it is stated that it is necessary that Bidder –resident submits PPOD Form in order to prove that fulfills its obligations regarding the payment of wages including taxes and contributions for the month preceding the month of publication of the public call.

Since this form is no longer in use, please let us know which evidence should be submitted instead PPOD Form? For example:

- Notice of submitted individual tax application PPP-PD
- Notice of successful receipt of the tax application sent electronically
- Notice of recorded individual tax application PPP-PD
- Excerpt from individual tax application for the tax withheld contributions
- bank statement which shows that the taxes and contributions were paid

ORDERER'S ANSWER:

Instead PPOD form, it is necessary to submit the excerpt from the PPP-PD as evidence on paid taxes.

14. BIDDER'S QUESTION:

On the page 28/83 of tender documents, it is stated that the Bidder has to possess certificate that the management system applied by the Bidder complied with the requirements of the SRPS ISO 9001:2008, SRPS ISO 14001:2005, SRPS OHSAS 18001:2008 standards, that are referring to the entire organization for: Performing all types of construction and construction-craft works. Are the standards: ISO 14001:2004, OHSAS 18001:2007 valid?

ORDERER'S ANSWER:

Answer is positive. Valid are ISO 14001:2004, OHSAS 18001:2007 or equivalent national standard.

President of the Committee for Public Procurement



Maja Pantic