

According to articles 69, 70 and 72 of the Law on Public procurement ("Official gazette of RS" no. 116/08) and Decision about initiation of procedures number 404-02-107/2009-04 from 24.06.2009, the Ministry for National investment plan, Vojkovićeveva 10 Belgrade,

Issues

## **PUBLIC INVITATION**

**FOR SUBMISSION OF OFFERS IN OPEN PROCEDURES**  
for public procurement no. O/45-2009

The subject of public procurement procedure is conducting of remaining works on construction of a second lane of Kragujevac – Batocina road from km 4+825,00 to km 8 + 825,00 (L=4 km).

The right of participation is allowed for all interested parties that fulfill mandatory conditions for participating in public procurement procedures, according to Article 44 of the Law on Public procurement. Fulfillment of conditions from Article 44 of the Law on Public procurement the bidder proves by unstamped photocopies, all in accordance with tender documentation.

The selected bidder will, during the deadline set by the Client, not longer than three days from the date of reception of written invitation from the Client, deliver the original or stamped copy as evidence of fulfillment of conditions from Article 44 of the Law on Public procurement.

The bid can be made by an independent bidder, bidder together with subcontractors or a group of bidders making a joint bid. The bidder is obliged to deliver evidence of fulfillment of conditions from Article 44, paragraph 2 (subparagraph 1 to 5) of the Law on Public procurement in the manner defined by Article 45 of the Law on Public procurement. The bidder is obliged to deliver, for the subcontractor, evidence of fulfillment of other conditions from Article 44 of this Law in a manner defined by tender documentation. Each bidder from a group of bidders has to fulfill conditions from Article 44, paragraph 2, subparagraph 1 to 5 of the Law on Public procurement, which they prove by delivering evidence from Article 45 of this Law, while the rest of the conditions from Article 44 of this Law they fulfill jointly.

The independent bidder cannot simultaneously participate in a joint bid or as a subcontractor. Participation in more than one bid in which the bidder is included, will result in rejection of those bids, as invalid.

The independent bidder, bidder together with subcontractors, i.e. group of bidders are obliged, alongside their bid, to deliver:

1. Irrevocable, unconditional, payable upon first request, without the right of objection, bank guarantee for the seriousness of the offer, with the validity period until the offer expiration date, 90 days since the day of the opening of the offer, of the value of 10.000.000,00 dinars, with which the bank accepts the obligation to pay the above sum to the Client, upon receiving the first request from the Client in writing, accompanied by a statement stating the following:

- that the bidder changed or recalled the offer before the validity deadline, without the Client's consent;

- that the bidder, while being informed of the fact that his offer has been accepted by the Client as the best offer, declined to sign the contract, which was in accordance with the provisions of the offer;
- that the bidder failed to submit the original documents or stamped photocopies of evidence of fulfillment of obligatory provisions stated in Article 44, of the Law on Public Procurement, even though he was informed that his offer was chosen by the Client as the best one;
- that the bidder failed or declined to submit a bank guarantee for work quality.

The bank guarantee shall be considered invalid if it doesn't include all the above mentioned elements.

Bank guarantee for the seriousness of the offer shall be returned to the bidder, within 3 days from receiving of bank guarantee for the work quality.

2. Letter of intention from the bank for the issuing of irreversible, unconditional and payable upon first request, without the right of objection, guarantee for the work quality, in the value of 7% of the offer value (with VAT), and the validity period 60 days longer than the agreed deadline for the completion of works.

**The above mentioned bank guarantee, as well as the letter of intention, must be written in the name of the certified member of a group of bidders, in cases where offers are jointly submitted by a group of bidders.**

Offers with alternatives are not allowed.

Criteria for the selection of the best offer is the lowest offered price.

Deadline for insight into the procurement documentation as well as for the acquisition of the documentation is the date of the deadline for offer submission.

Insight into the documentation and the acquisition of the documentation can be done at the address of the Client, on every workday since the publication of the public invitation, from 11-15h. Acquisition of the documentation requires a proof of authorization for the acquisition of the documentation, as well as a proof of payment of 9.500,00 dinars for the costs of preparing the documentation. The payment should be made to the account of the Ministry for the National Investment Plan, **840-1620-21**, model number call **97-14100-426111**.

Upon receiving the request of the bidder, as well as the proof of payment, the documentation can be immediately sent by a courier. The bidder shall cover the costs of courier services. The Client cannot be held responsible for the delay or loss of the shipment.

Sending of documentation by digital/electronic means is not available.

Interested bidders can acquire the tender documentation at the premises of the Ministry for the National Investment Plan, 10 Vojkovićeve Street, Belgrade, office number 2, 4<sup>th</sup> floor, on workdays from 12-16h, until the deadline for the offer submission. It is not possible to acquire the documentation after the deadline.

The offers can be submitted by post or in person, using the address of the Client – Ministry for the National Investment Plan, 10 Vojkovićeve Street, Belgrade, each workday 9-16h and must be put in a sealed envelope with the following annotation: **Offer for PUBLIC PROCUREMENT NO O/45-2009 - Conducting the remaining works on construction of a second lane of Kragujevac – Batocina road from km 4+825,00 to km 8 + 825,00 (L=4 km).**

Bidder is required to signify the correct name, address, phone and contact person on the back of the envelope.

The deadline for the offer submission is the 22<sup>nd</sup> day since the day the Public invitation is published in "Official gazette of RS" by 13h.

The offers that arrive after the specified deadline will be considered untimely. Untimely offers will not be opened and will be returned to bidder after the opening procedure with the return receipt and with the note that the offer is submitted untimely.

The public opening of the offers will be held the last day of the offer submission time-limit in the building of the Ministry for National investment plan, Vlajkovicева 10, Belgrade at 13:30h, with the presence of the bidder's certified representatives. Bidder's representatives are obligated to submit representation license. License must be notarized in bidder's office, verified by seal and signed by the bidder's accountable person.

If the day for the offer submission and offer opening is a non-working day, submission and public opening is moved to the first working day.

The approximate period in which the Client will make the Decision is 15 days since the offer opening day.

Bidders can witness all construction conditions, technical documentation and acquire complete insight in order to provide adequate offer on the 10<sup>th</sup> (tenth) day counting from the day of the publishing of Public invitation in the "Official gazette of RS" at 11h at the location in which the work will take place. Contact person for the technical part – Marko Janković, 034/334-864, 062/287-226.

Interested party may, in written form, by submission of the request on the address of the Ministry for National investment plan, Vlajkovicева 10, 11000 Belgrade, contact person Ivana Despotović, require from the Client additional info or explanations, until the fifth day before the offer submission deadline, and the Client will forward the answers to all the bidders for which it has the proof that they have acquired tender documentation. Contact persons: Ivana Despotovic and Ivana Đorđević, phone: 011/333-41-36, from 12:00h-16:00h.