

Poslednji odgovori na zahteve za pojašnjenjima ili dodatnim informacijama

Predmet nabavke: **Projekt menadžer za liniju 1 – Upravljanje projektom i nadzor nad izgradnjom beogradskog metroa na lokacijama depo Makiš i Linija 1**

Referentni broj: **PMC 1/22**

Tekst zahteva	Odgovor - pojašnjenje
<p>1. Poštovani,</p> <p>Konkursnom dokumentacijom za predmetnu nabavku odabrali ste otvoreni postupak kao vrstu postupka i odredili ste rok 26.12.2022. godine. Javni poziv je poslat na objavljivanje 25.11.2022. godine i isti je objavljen 26.11.2022. godine.</p> <p>Članom 52 Zakona o javnim nabavkama jasno je određen minimalni rok za podnošenje ponuda u otvorenom postupku na sledeći način:</p> <p>Minimalni rok za podnošenje ponuda u otvorenom postupku je:</p> <p>1) 35 dana od dana slanja na objavljivanje javnog poziva, za javnu nabavku čija je procenjena vrednost jednaka ili veća od iznosa evropskih pragova;</p> <p>Evropski prag za usluge u dinarskoj vrednosti koji je zvanično objavljen u Sl. glasnik RS", br. 127/2021 iznosi 88.185.750 din.</p> <p>Uzimajući u obzir da ste u odgovorima od 15.12.2022. godine naveli da je vrednost izvođenja radova na Projektu preko 2,5 Milijarde evra, nesumnjivo je da je procenjena vrednost za predmetnu uslugu veća od iznosa navedenog evropskog praga.</p> <p>Shodno svemu navedenom, minimalni rok za podnošenje ponuda u skladu sa Zakonom o</p>	<p>Poštovani,</p> <p>Naručilac upućuje sve privredne subjekte na navedeno u dokumentaciji o nabavci, u dokumentu „Javni poziv - sektorska nabavka“ gde je na jasan i nedvosmislen način Naručilac obrazložio:</p> <p>„Odeljak IV: Postupak</p> <p>IV.1) Opis</p> <p>IV.1.1) Vrsta postupka</p> <p>Otvoreni postupak x</p> <p>Restriktivni postupak</p> <p>Pregovarački postupak sa objavljivanjem javnog poziva</p> <p>Konkurentni dijalog</p> <p>Partnerstvo za inovacije</p> <p>Korišćenje kraćeg roka iz razloga opravdane hitnosti (samo u slučaju otvorenog postupka, restriktivnog postupka, ili pregovaračkog postupka sa objavljivanjem javnog poziva) x</p> <p>Obrazloženje:</p> <p>Zaključkom Vlade Republike Srbije 05 br. 351-9638/2019-1 od 10. oktobra 2019. godine,</p>

javnim nabavkama je morao da bude minimalno određen kao 30.12.2022. godine računajući od 25.11.2022. godine.

Imajući u vidu složenost Projekta i pripreme tenderske dokumentacije, ta da smatramo da se ne poseduju valjani dokazi za skracenje zakonom definisanog roka

Molimo Vas da izvršite izmenu u skladu za Zakonom.

utvrđuje se da je Projekat izgradnje beogradskog metroa, projekat od značaja za Republiku Srbiju.

Odredbom člana 34. Zakona o posebnim postupcima, definisan je rok za podnošenje ponuda u postupku iz člana 32. ovog zakona, koji ne može biti kraći od deset dana od dana objavljivanja poziva za podnošenje ponuda.

Poziv za podnošenje ponuda za javne nabavke iz člana 32. ovog zakona objavljuje se i na internet stranici naručioca, portalu Uprave za javne nabavke i portalu službenih glasila Republike Srbije i baza propisa.

Shodno iznetom, Naručilac je definisao primeren rok za dostavljanje ponuda, ne kraći od 25 dana od dana slanja javnog poziva i dokumentacije o nabavci na objavu.“

Nadalje, u cilju pojašnjenja i boljeg razumevanja uslova i zahteva iz dokumentacije o nabavci, sve privredne subjekte upućuje da na odredbe člana 32.–36. Zakona o posebnim postupcima radi realizacije projekata izgradnje i rekonstrukcije linijskih infrastrukturnih objekata od posebnog značaja za Republiku Srbiju ("Sl. glasnik RS", br. 9/2020) – nadalje Zakon o posebnim postupcima, čiji je predlagač Ministarstvo građevinarstva, saobraćaja i infrastrukture, donosilac Vlada Republike Srbije, a koji je stupio na snagu dana 12.02.2020. godine.

Imajući u ranije izneto, ističemo da Naručilac sprovodi predmetni postupak javne nabavke prema odredbama Zakona o posebnim postupcima.

ZAKLJUČAK: Ponavljamo, odredbom člana 34. Zakona o posebnim postupcima, definisan je rok za podnošenje ponuda u postupku iz člana 32. Zakona o posebnim postupcima, koji ne može biti kraći od deset dana od dana objavljivanja poziva za podnošenje ponuda.

Takođe, da je Naručilac obrazložio svoje postupanje navodeći da je definisao primeren rok za dostavljanje ponuda, ne kraći od 25 dana od dana slanja javnog poziva i dokumentacije o nabavci na objavu, što je značajno više od

zakonskog minimuma propisanog u članu 34. stav 1. Zakona o posebnim postupcima.

Napominjemo da se Republička komisija za zaštitu prava ponuđača u postupcima, u više navrata pozitivno izjašnjavala na osnovanost primene Zakona o posebnim postupcima, kojim je Projekat izgradnje beogradskog metroa, prepoznat kao projekat od značaja za Republiku Srbiju.

Ističemo da je obaveza svih savesnih privrednih subjekata, koji podnose ponudu u predmetnom postupku bila da se informišu o sadržini predmetnog Zakona.

Ovim smatramo da su nedoumice u vezi sa definisanjem roka za podnošenje ponuda u potpunosti otklonjene.

Dear all,

The Employer refers all legal entities to the text in the tender documentation, the document "Public Invitation - sectoral procurement", where the Employer has clearly and unambiguously stated:

"Section IV: Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure *x*

Restrictive procedure

Negotiated procedure with issuing public invitation

Competitive dialogue

Innovation partnership

Applying shorter deadline due to justified urgency (only in case of open procedure, restrictive procedure, or negotiated procedure with issuing public invitation) *x*

Explanation:

By the conclusion of the Government of the Republic of Serbia 05 no. 351-9638/2019-1 of

October 10, 2019, it is determined that the Belgrade Metro Construction Project is a project of importance for the Republic of Serbia.

The provision of Article 34 of the Law on Special Procedures defines the deadline for submitting bids in the procedure referred to in Article 32 of this law, which cannot be shorter than ten days from the date of publication of the call for bids.

The invitation to submit bids for public procurement from Article 32 of this law is also published on the contracting authority's website, the portal of the Administration for Public Procurement and the portal of the official gazettes of the Republic of Serbia and the database of regulations.

In accordance with the above, the Employer has defined an appropriate deadline for the submission of bids, no shorter than 25 days from the date of sending the public invitation and procurement documentation for publication.“

Furthermore, in order to clarify and better understand the conditions and requirements from the procurement documentation, all legal entities are directed to the provisions of Articles 32-36 of the Law on Special Procedures for the Implementation of Projects of Construction and Reconstruction of Line Infrastructure Facilities of Special Importance for the Republic of Serbia ("Official Gazette of RS", No. 9/2020) - hereinafter the Law on Special Procedures, proposed by the Ministry of Construction, Transport and Infrastructure, enacted by the Government of the Republic of Serbia, which entered into force on February 12, 2020.

Bearing in mind the above, we point out that the Employer conducts the said public procurement procedure according to the provisions of the Law on Special Procedures.

CONCLUSION: We reiterate that the provision of Article 34 of the Law on Special Procedures defines the deadline for submission of offers in the procedure referred to in Article 32 of the Law on Special Procedures, which cannot be shorter

	<p><i>than ten days from the date of publication of the invitation to submit bids.</i></p> <p><i>Also, the Employer explained its actions by stating that it defined an appropriate deadline for the submission of offers, no shorter than 25 days from the date of sending the public invitation and procurement documentation for publication, which is significantly more than the legal minimum prescribed in Article 34, paragraph 1 of the Law on Special Procedures.</i></p> <p><i>We note that the State Commission for the Protection of the Rights of Bidders in Procedures has on several occasions positively supported the application of the Law on Special Procedures, by which the Belgrade Metro Construction Project was recognized as a project of importance for the Republic of Serbia.</i></p> <p><i>We emphasize that it is the obligation of all conscientious legal entities, which submit an offer in the said procedure, to inform themselves about the contents of the said Law.</i></p> <p><i>Having stated the above, we believe that the doubts regarding the definition of the deadline for submission of offers have been completely removed.</i></p>
<p>Poštovani,</p> <p>Uzimajući u obzir pitanja/ odgovore od 15.12.2022. godine u okviru kojih je značajan broj zahteva bio usmeren na produženje roka za dostavu ponuda, molimo Vas još jednom da razmotrite opciju minimalnog produženja roka za dostavu ponuda za npr 16.1.2023. godine. Smatramo da to nikako ne može da utiče negativno na rokove definisane u Obimu usluga PMC prema kojem je na strani 31 navedeno da PMC usluga počinje u okviru prvog kvartala 2023. godine. Prema Svetskom kalendaru koji se primenjuje i u Republici Srbiji, prvi kvartal ima 91 dan i završava se zaključno sa 1.4.2023. godine. Takođe određena pitanja su postavljena i 8.12. tako da u slučaju da postoji određena hitnost u postupanju, odgovore na pitanja mogli da</p>	<p>Poštovani,</p> <p>Naručilac je u više navrada istakao da Projekat izgradnje beogradskog metroa, predstavlja projekat od značaja za Republiku Srbiju, što je dokumentovano zaključcima Vlade RS. Ističemo da bez zaključenog ugovora za pružanje usluge upravljanja projektom i nadzora nad projektom izgradnje beogradskog metroa za lokacije depo Makiš i Linija 1, nije moguće pristupiti potpisivanju međudržavnih ugovora sa izvođačima radova, odnosno preuzimanju obaveza u cilju dalje realizacije projekta.</p> <p>Napominjemo da je prvi i osnovni zadatak pružaoca usluge (tima okupljenog oko Project managera - PM), da pruži stručnu pomoć naručiocu pri izradi ugovora o izvođenju radova,</p>

postavite i pre 15.12.2022. godine (7 dana nakon postavljanja pitanja).

Zaključak Vlade Republike Srbije 05 br. 351-9638/2019-1 od 10. oktobra 2019. godine koji pominjete u javnom pozivu, ni u jednoj tački ne navodi da je postupanje u vezi za izborom Ponuđača za predmetnu uslugu hitno. Rok za važenje ponuda koji ste odredili takođe odstupa od načela hitnosti jer ste naveli 120 dana, a prema zakonu minimalni rok za važenje ponude je 30 dana, što dodatno ukazuje da ne postoji valjan dokaz za insistiranje na kratkom roku. Produženje roka samo može pozitivno da utiče na povećanje konkurencije i da omogući da inostrani /domaći ponuđači pripreme dokumentaciju nakon božićnih i novogodišnjih praznika koji su neradni dani.

kako bi stečena iskustva PM primenili na otklanjanje ili umanjivanje rizika koji može doprineti nastanku posledica nesagledivih razmera po naručioca/investitora. S tim u vezi, Naručilac je prinuđen da najkraćem roku sprovede predmetni postupak, u cilju odabira pouzdanog partnera, sa odgovarajućim referencama i iskustvom.

Nadalje, u pogledu definisanog roka važenja ponude od najmanje 90 dana, Naručilac je upravo poučen iskustvom iz ranije sprovedenog postupka nabavke, definisao primeren rok važenja ponude, kako bi osigurao da iste budu važeće i za slučaj da nastupe nepredviđene okolnosti, koje nisu na strani Naručioca. Savestan Naručilac, donosi odluke u interesu predmeta javne nabavke.

Ovim smatramo da su nedoumice u vezi sa definisanim rokovima u okviru dokumentacije o nabavci u potpunosti otklonjene.

Dear all,

The Employer has repeatedly pointed out that the Belgrade Metro Construction Project is a project of importance for the Republic of Serbia, which is documented by the conclusions of the Government of the Republic of Serbia. We emphasize that without a signed contract for the provision of project management services and supervision of the construction project of the Belgrade metro for the Makiš depot and Line 1 locations, it is not possible to enter into the signing of interstate contracts with contractors, i.e. assuming obligations in order to further develop the project.

Please note that the first and basic task of the service provider (the team gathered around the Project Manager - PM) is to provide professional assistance to the Employer in the preparation of the contract for the execution of works, so that the acquired experience of the PM can be applied to the elimination or reduction of risks that may contribute to the occurrence of consequences of unfathomable proportions to the Employer/Investor. In this regard, the Employer is forced to carry out the relevant procedure as soon

	<p><i>as possible, in order to select a reliable partner with appropriate references and experience.</i></p> <p><i>Furthermore, with regard to the defined period of validity of the offer of at least 90 days, the Employer has, with the hindsight of the previously conducted procurement procedure, defined an appropriate period of validity of the offer, in order to ensure that the offers are also valid in case of unforeseen circumstances, which are not the responsibility of the Employer. A conscientious Employer, makes decisions in the interest of the subject of public procurement.</i></p> <p><i>Having stated the above, we believe that the doubts regarding the definition of the deadlines in the tender documentation have been completely removed.</i></p>
<p>Dear Sirs, after inspecting the tender documentation, we conclude that the description of the criteria for the qualitative selection of the subject procurement does not contain all the mandatory elements that you require within this procurement in terms of technical and professional capacity and that the document Criteria for qualitative selection and Instructions are not consistent.</p> <p>The instructions should define the way to prove the requirement set by the Investor in document Criteria for qualitative selection, however, the instructions also contain new 2 professional references that are not part of point 3. of Technical and professional capacity within the Criteria for the qualitative selection of the subject procurement.</p> <p>Such action is not in accordance to Law, and creates confusion for potential bidders and makes it impossible to generate a corresponding statement through the Portal, which the Bidder is obliged to submit.</p> <p>Please change the procurement documents and include professional references in point 3.1</p>	<p>Poštovani,</p> <p>Naručilac je na jasan i nedvosmislen način u dokumentaciji o nabavci definisao:</p> <ul style="list-style-type: none"> - Kriterijume za dodelu ugovora i - Kriterijume za kvalitativni izbor privrednog subjekta <p>Shodno iznetom, naručilac upućuje sve privredne subjekte da je u okviru kriterijuma za dodelu ugovora, definisan kriterijum CENA 30 pondera i KVALITET 70 pondera (ekonomski najpovoljnija ponuda). Ističemo da je Naručilac u dokumentaciji o nabavci, dao jasne instrukcije za dostavljanje potrebne dokumentacije.</p> <p>U cilju razumevanja potreba Naručioca, navodimo da komisija naručioca ne može pristupiti rangiranju podnetih ponuda, po zadatom kriterijumu, bez dokaza na osnovu koji je moguće utvrditi ispunjenost traženih uslova. Naime, kako bi odmah po otvaranju ponuda Naručilac pristupio stručnoj oceni, odnosno rangiranju ponuda (po zadatim kriterijumima), neophodni su dokazi kojim privredni subjekti</p>

Technical and professional capacity with a clear indication of the evidence that bidders are required to submit at this stage of the procedure. Procurement documentation must be consistent in all acts.

dokazuju ispunjenost traženih uslovima u okviru Kriterijuma za dodelu ugovora.

Nakon izvršenog rangiranja, Naručila će putem Portala za javne nabavke zatražiti od najbolje plasiranog Ponuđača PRIHVATLJIVA PONUDA – RANG 1 (najviše pondera po zadatim kriterijumima za dodelu ugovora), da dostavi dokumentaciju kojom potvrđuje ispunjenost traženih uslova u okviru - Kriterijuma za kvalitativni izbor privrednog subjekta. Dodajemo da je Naručilac u dokumentaciji o nabavci, dao jasne instrukcije za dostavljanje potrebne dokumentacije za utvrđivanje ispunjenosti kriterijuma za kvalitativni izbor privrednog subjekta.

Kako bi svi privredni subjekti bili informisani o zakonskom odredbi na osnovu koje je Naručilac definisao način dokazivanja, u daljem tekstu pružamo uvidu u odredbe člana 32. stav 3. Zakona o posebnim postupcima radi realizacije projekata izgradnje i rekonstrukcije linijskih infrastrukturnih objekata od posebnog značaja za Republiku Srbiju ("Sl. glasnik RS", br. 9/2020):

“U postupku javne nabavke iz stava 1. ovog člana ne primenjuju se odredbe zakona kojim se uređuju javne nabavke, a koje se odnose na plan nabavki, prethodno obaveštenje, način dokazivanja obaveznih i dodatnih uslova za učešće u postupku javne nabavke, rokove za podnošenje ponuda i rokove za odlučivanje Republičke komisije za zaštitu prava u postupcima javnih nabavki.”

Ističemo, Naručilac je svim privrednim subjektima u dokumentu „Opšti podaci o predmetu javne nabavke“, pružio informaciju o zakonskim odredbama na osnovu kojih sprovodi predmetni postupak, pod stavkom „Vrsta postupka“, tako da glasi:

„Predmetnu nabavku sprovodi JKP „Beogradski metro i voz“ u otvorenom postupku javne nabavke u skladu sa odredbom člana 32. Zakona o posebnim postupcima radi realizacije projekata izgradnje i rekonstrukcije linijskih infrastrukturnih objekata od posebnog značaja za Republiku Srbiju ("Sl. glasnik RS", br. 9/2020), odredbama Zakona o javnim nabavkama ("Sl.

glasnik RS", br. 91/2019) i podzakonskim aktima koji regulišu oblast javnih nabavki, u ime i za račun Grada Beograda, Gradske uprave grada Beograda, Sekretarijata za javni prevoz."

Ovim smatramo da su nedoumice u vezi sa definisanim načina dokazivanja ispunjenost uslova i zahteva iz dokumentacije o nabavci u potpunosti otklonjene.

Dear all,

The Employer has, in the tender documentation, clearly and unambiguously defined:

- *Contract award criteria*
- *Criteria for qualitative selection*

Accordingly, the Employer instructs all legal entities that within the Contract award criteria, the criterion PRICE-ponder 30 and QUALITY-ponder 70 (economically the most favorable offer) is defined. We emphasize that, in the tender documentation, the Employer gave clear instructions for submitting the necessary documentation.

In order to understand the needs of the Employer, we state that the Commission of the Employer cannot proceed with the ranking of submitted bids, according to the given criteria, without evidence on the basis of which it is possible to determine the fulfillment of the required conditions. Namely, in order for the Employer to be able to proceed to the professional evaluation, i.e., the ranking of the bids (according to the set criteria), immediately after the opening of the bids, evidence is necessary by which legal entities prove the fulfillment of the required conditions within the Contract award criteria.

After the ranking has been performed, the Employer will request through the Public Procurement Portal from the highest-ranked Bidder ACCEPTABLE OFFER - RANK 1 (highest weighting according to the given contract award criteria), to submit the documentation confirming the fulfillment of the required conditions within the Criteria for qualitative selection of a legal entity. We add that in the procurement documentation, the Employer gave clear

instructions for submitting the necessary documentation to determine the fulfillment of the criteria for the qualitative selection of the legal entity.

In order for all legal entities to be informed about the legal provision on the basis of which the Employer defined the method of proof, in the following text we provide an insight into the provisions of Article 32, paragraph 3 of the Law on Special Procedures for the Implementation of Projects of Construction and Reconstruction of Line Infrastructure Structures of Particular Importance for the Republic Serbia ("Official Gazette of RS", No. 9/2020):

"In the public procurement procedure referred to in paragraph 1 of this article, the provisions of the law regulating public procurement, which refer to the procurement plan, prior notification, the method of proving mandatory and additional conditions for participation in the public procurement procedure, deadlines for submitting bids and deadlines for decisions by the State Commission for the Protection of Rights in Public Procurement Procedures, shall not be applied."

We emphasize that, in the document "GENERAL INFORMATION ON THE SUBJECT MATTER OF THE PUBLIC PROCUREMENT", the Employer provided information on the legal provisions on the basis of which it conducts the procedure in question, under the item "Type of procedure", so that it reads:

"The procurement in question is carried out by PUC "Belgrade Metro and Train" in an open public procurement procedure in accordance with the provisions of Article 32 of the Law on Special Procedures for the Implementation of Projects of Construction and Reconstruction of Line Infrastructure Structures of Particular Importance to the Republic of Serbia ("Official Gazette of RS", no. 9/2020), the provisions of the Law on Public Procurement ("Official Gazette of RS", no. 91/2019) and by-laws governing the field of public procurement, in the name and on behalf of the City of Belgrade, the City Administration of the City of Belgrade, the Secretariat for Public Transport."

	<p><i>Having said this, we consider that the doubts regarding the defined way of proving the fulfillment of the conditions and requirements from the procurement documentation have been completely removed.</i></p>
<p>Poštovani, u dokumentu Opis kriterijuma za tehnički i stručni kapacitet odredili ste tehničke i stručne uslove na sledeći način:</p> <p>U rubrici dodatni opis kriterijuma navedena su 4 (ključna stručnjaka) za pozicije :</p> <ul style="list-style-type: none"> - Građevinski inženjer za tunele, - Građevinski inženjer za konstrukcije, - Inženjer geotehnike i - Stručnjak za podsistem signalizacije, upravljanja i kontrolu metro sistema. <p>Predmetne pozicije ujedno su navedene i u obrascu strukture cena na pozicijama 1.4, 1.5., 1.6 i 1.7.</p> <p>U navedenom opisu kriterijuma nigde ne navodite obavezu za raspolaganjem kadrovske kapaciteta za pozicije iz strukture cena i to za :</p> <p>1.1. Menadžer Projekta (Vođa tima)</p> <p>1.2. Rukovodilac izgradnje 1- građevina,</p> <p>1.3. rukovodilac izgradnje 2- sistemi .</p> <p>Članom 114 Zakona o javnim nabavkama propisano je da se kriterijumi za izbor privrednog subjekta u postupku javne nabavke mogu odnositi na</p> <p>1) ispunjenost uslova za obavljanje profesionalne delatnosti;</p> <p>2) finansijski i ekonomski kapacitet;</p> <p>3) tehnički i stručni kapacitet.</p> <p>Član 117 Zakona o javnim nabavkama jasno propisuje da Naručilac može da odredi uslove u</p>	<p>Poštovani,</p> <p>Naručilac je ranije obrazložio svoje postupanje. Shodno iznetom, ostajemo pri navedenom u dokumentaciji o nabavci.</p> <p><i>Dear all,</i></p> <p><i>The Employer has explained its actions earlier. Accordingly, we are confirming the stated in the tender documentation.</i></p>

pogledu tehničkog i stručnog kapaciteta kojima se obezbeđuje da privredni subjekt ima potrebne kadrovske i tehničke resurse i iskustvo potrebno za izvršenje ugovora o javnoj nabavci sa odgovarajućim nivoom kvaliteta, a naročito može da zahteva da privredni subjekt ima dovoljno iskustva u pogledu ranije izvršenih ugovora.

Sve gore navedeno upućuje na Vašu obavezu da u dokumentu Opis kriterijuma navedete sve tehničke i stručne zahteve i iskustvo koje je potrebno za realizaciju usluge, što u konkretnom slučaju niste učinili.

Naime,

Napominjemo da pozicije 1.1. 1.2. i 1.3. iz obrasca strukture cena nisu navedene u okviru tačke 3.1. Obrazovne i stručne kvalifikacije, što je bilo obavezno u cilju sastavljanja zakonite izjave o ispunjenosti kriterijuma.

Takođe u uputstvu navodite numeričku vrednost pondera samo za pozicije 1.1. 1.2. i 1.3. koje niste propisali kao kriterijum za izbor privrednog subjekta u okviru tehničkog i stručnog kapaciteta. Podsećamo da ste kao kriterijum za tehnički i stručni kapacitet definisali samo pozicije 1.4. 1.5. 1.6 i 1.7. Napominjemo da je prema članu 133 ZJN pri ocenjivanju ponuda naručilac je dužan da primenjuje samo one kriterijume koji su sadržani u dokumentaciji o nabavci i to na način kako su opisani i vrednovani.

Molimo Vas da izmenite konkursnu dokumentaciju i u dokument opis kriterijuma za kvalitativni izbor privrednog subjekta uključite pozicije 1.1. 1.2. i 1.3. sa opisom kriterijuma.

Poštovani,

Određene uslove i dokaze za pozicije 1.1. 1.2. i 1.3. navodite u Uputstvu ponuđačima za sastavljanje ponuda, što nikako ne može biti protumačeno kao kriterijum za tehnički i stručni kapacitet, jer se ne nalazi u dokumentu Opis kriterijuma za kvalitativni izbor privrednog subjekta što je propisano članom 117 ZJN .

Poštovani,

Naručilac je ranije obrazložio svoje postupanje. Shodno iznetom, ostajemo pri navedenom u dokumentaciji o nabavci.

Dear all,

<p>Predmetne pozicije moraju biti navedene u okviru obrazovnih i stručnih kvalifikacija, a za koju se primenjuje obavezno pravilo iz člana 118 ZJN kako sledi:</p> <p>Naručilac je dužan da pre donošenja odluke u postupku javne nabavke zahteva od ponuđača koji je dostavio ekonomski najpovoljniju ponudu da u primerenom roku, ne kraćem od pet radnih dana, dostavi dokaze o ispunjenosti kriterijuma za kvalitativni izbor privrednog subjekta, u neoverenim kopijama.</p> <p>Molimo Vas da izmenite konkursnu dokumentaciju i definišete način dostavljanja dokaza za predmetne pozicije 1.1. 1.2. i 1.3. u okviru tačke 3. Opisa Kriterijuma a koji je u skladu sa članom 118 ZJN.</p>	<p><i>The Employer has explained its actions earlier. Accordingly, we are confirming the stated in the tender documentation.</i></p>
<p>Poštovani, u okviru uputstva na strani 7 naveli ste poslovni kapacitet broj kako sledi:</p> <p>Poslovni kapacitet br. 1 - Upravljanje i/ili stručni nadzor nad izvođenjem radova na projektima izgradnje metroa</p> <p>Jedinica mere: Broj km izgradnje metroa mašinom za gradnju tunela (TBM)</p> <p>Opis i pojašnjenje kriterijuma i dokazi potrebni za proveru:</p> <p>1) da je ponuđač u poslednjih 20 (dvadeset) godina do dana isteka roka za podnošenje ponuda, realizovao upravljanje i/ili stručni nadzor nad izvođenjem radova na projektima izgradnje deonica metroa izgrađenih mašinom za gradnju tunela (TBM), najmanje zbirne dužine 15 km. Pojašnjenje kriterijuma: Prilikom stručne ocene ponuda Naručilac priznaje isključivo zbir deonica metroa izgrađenih mašinom za gradnju tunela (TBM).</p> <p>Poslovni kapacitet br.2 -- Nadzor na poziciji inženjera prema žutom FIDIC ugovoru</p>	<p>Poštovani,</p> <p>Naručilac je ranije obrazložio svoje postupanje. Shodno iznetom, ostajemo pri navedenom u dokumentaciji o nabavci.</p> <p><i>Dear all,</i></p> <p><i>The Employer has explained its actions earlier. Accordingly, we are confirming the stated in the tender documentation.</i></p>

<p>Jedinica mere: Broj realizovanih nadzora prema žutom FIDIC ugovoru</p> <p>Opis i pojašnjenje kriterijuma i dokazi potrebni za proveru:</p> <p>2) da je ponuđač u poslednjih 20 (dvadeset) godina do dana isteka roka za podnošenje ponuda, realizovao najmanje 1 (jedan) saobraćajno-infrastrukturni projekat (izgradnje novih železničkih pruga, autoputeva ili metro sistema), pojedinačne vrednosti veće od 400.000.000,00 eura, pružajući usluge Nadzora na poziciji inženjera prema žutom FIDIC ugovoru. Pojašnjenje kriterijuma: Prilikom stručne ocene ponuda Naručilac priznaje isključivo broj realizovanih nadzora prema žutom FIDIC ugovoru, koji odgovaraju traženom opisu.</p> <p>Navedeni poslovni kapacitet nije naveden u Opisu kriterijuma za kvalitativni izbor privrednog subjekta. Napominjemo da je prema članu 117 ZJN određeno da Naručilac može da zahteva da privredni subjekt ima dovoljno iskustva u pogledu ranije izvršenih ugovora.</p> <p>Navedeni poslovni kapacitet mora da bude uključen i Opis kriterijuma i za njega se moraju primeniti ista pravila iz člana 118 ZJN u pogledu načina dokazivanja ispunjenosti kriterijuma.</p> <p>Molimo Vas da izmenite konkursnu dokumentaciju i predmetni poslovni kapacitet uključite i dokument Opis kriterijuma u okviru tačke 3.</p>	
<p>Poštovani,</p> <p>U odgovorima od 15.12.2022. godine naveli ste da se prilikom rangiranja pondera broj određuje prema matematičkom modelu na dve decimale, što je apsolutno u skladu sa svim pravnim i tehničkim normativima.</p>	<p>Poštovani,</p> <p>Naručilac je definisao jedinicu mere u "km". Naime, pojedinačne projekte izgradnje metroa mašinom za gradnju tunela (TBM) izkazujete u celosti (npr. 8,8 + 2,4 + 10,2 + 15,9 = 37,3 km), dok zbir svih deonica na projektima izgradnje metroa mašinom za gradnju tunela (TBM) prema</p>

<p>Sa druge strane, u Uputstvu u rubrici „instrukcije za dokazivanje ispunjenosti traženog uslova“ na strani 8 u pogledu poslovnog kapaciteta br. 1 navodite sledeće:</p> <p>Prilikom upisivanja zbirne vrednosti po jedinici mere "km", potrebno je uneti isključivo celi broj. Naime, iskazan zbir deonica na projektima izgradnje metroa mašinom za gradnju tunela(TBM) od 30km i 800m, Naručilac u stručnoj oceni ponuda ceni kao celi broj - 30 km.</p> <p>Molimo Vas za pojašnjenje zašto u pogledu instrukcije za dokazivanje ispunjenosti odstupate od matematičkog modela i 30,80 gledate kao 30 a tenderom je propisana minimalna zbirna ? Zbirna dužina bi morala označava i mogućnost predavanja 2 reference na projektima izgradnje metroa prema kojima 1 projekat ima primera radi 20, 6 km a drugi 8,9 km to bi u zbiru moralo da se računa kao 30,5 km i da je taj ponuđač u prednosti u odnosu na ponuđača koji ima manji iznos.</p> <p>Molimo Vas da uskladite rangiranje ponuda i način vršenja stručne ocene ponuda.</p>	<p>instrukciji Naruciocu upisujete tako da glasi 37 km.</p> <p>Ovim smatramo da su nedoumice u vezi sa instrukcijama Narucaioca pri iskazavanju ukupne vrednosti po jednici mere "km" u potpunosti otklonjene.</p> <p><i>Dear all,</i></p> <p><i>The Employer defined the unit of measure in "km". Namely, individual metro construction projects with tunnel boring machine (TBM) are shown in their entirety (e.g. 8.8 + 2.4 + 10.2 + 15.9=37.3 km), while the sum of all sections on metro construction projects with tunnel boring machine (TBM), according to the instructions of the Employer, is written so that it reads 37 km.</i></p> <p><i>Having said this, we consider that the doubts regarding the instructions of the Employer regarding showing the total value per unit of measure "km" have been completely removed.</i></p>
<p>Contract conditions, PC 5.2.6</p> <p>Please confirm our understanding of clause 4.4.3 of Particular Conditions that in case of exhaustion of the man days agreed in the Staffing Plan (clause 8.2 of Scope of Services) and the request of the Client to provide further services (e.g. due to extension/delays in construction works), the Consultant would be entitled to receive an additional remuneration to be agreed in a variation.</p>	<p>Klauzula 1.1.24 Ugovora predvidja ukupno trajanje Ugovora.</p> <p>Ukoliko nastupi neka okolnost predvidjena u pod-klauzuli 4.4.1 koja utice na produzetak Roka za zavrsetak, strane su u obavezi da potpisu Aneks Ugovora, kako je to definisano u 4.4.2 Posebnih Uslova.</p> <p><i>Clause 1.1.24 of the Agreement provides for the overall duration of the Agreement.</i></p> <p><i>In case circumstances referred to in Sub-clause 4.1.1 occur, which affect the extension of Time for Completion, the Parties are obliged to sign the Annex of the Agreement as defined in 4.4.2 of the Particular Conditions.</i></p>

<p>Contract conditions, GC, PC 4.4.1</p> <p>Please confirm that the references to clause 4.1.1 in clause 4.4.2 of Part B of the Particular Conditions is actually meant to be clause 4.4.1.</p> <p>Further, please confirm the understanding that despite the use of the word “can” in 4.4.2 and 4.4.3 of Part B of the Particular Conditions shall not impair the Consultant’s claim for an extension of time pursuant to clause 4.4.1.</p>	<p>- Potvrđujemo vaše razumevanje.</p> <p>U slučaju odstupanja u prevodu teksta, merodavna je srpska verzija Modela ugovora.</p> <p><i>We confirm your understanding.</i></p> <p><i>In the event of a discrepancy in the translation of the text, the Serbian version of the Model Agreement is prevailing.</i></p> <p>- Navedeno se odnosi na mogućnost Naručioca kao javnog preduzeća da produžetak krajnjeg Roka za završetak i povećanje ugovorne cene može sprovesti samo kroz formu aneksiranja Ugovora.</p> <p><i>The stated refers to the possibility of the Employer, as a public company, that the extension of the Time for Completion and increase of the contract price can be implemented only through the form of annexing the Contract.</i></p>
<p>Contract conditions, PC 6.1.3.</p> <p>Suspension of services: please confirm the compensation of costs incurred to the Consultant in case of suspension of services not attributable to the Consultant.</p>	<p>Ukoliko Naručilac postupi shodno klauzuli 6.1.3. (slanjem Obaveštenja Konsultantu, 28 dana pre datuma koji je prema Programu bio planiran kao datum početka pružanja te faze i dela Usluga), Konsultant neće imati pravo na naknadu troškova.</p> <p><i>If the Employer acts according to Clause 6.1.3 (by sending Notice to the Consultant, 28 days prior to day that commencement of that phase of Services was planned for), the Consultant will not be entitled to reimbursement of expenses.</i></p>
<p>Contract conditions, App 3 para 2, PC 4.5.2</p> <p>Please specify the period in which the monthly report (as referred to in clause 2 of Appendix 3 and clause 4.5.2 of Particular Conditions), which is the basis for the payment, shall be accepted or rejected by the Client.</p>	<p>Naručilac nije predvideo rok za postupanje u konkretnom slučaju. Međutim, kako bi osigurao nesmetanu realizaciju predmetne usluge Naručilac će postupati u najkraćem mogućem, odnosno primerenom i blagovremenom roku.</p> <p><i>The Employer did not foresee a deadline for action in the specified case. However, in order to ensure the smooth implementation of the service</i></p>

	<i>in question, the Employer will act in the shortest possible, that is, appropriate and timely period.</i>
<p>Contract conditions, GC, PC 10</p> <p>Please confirm that in clause 10.2.4 of Part B of the Particular Conditions in the first sentence shall read “either” instead of “neither”.</p>	<p>Potvrđujemo vaše razumevanje.</p> <p>U slučaju odstupanja u prevodu teksta, merodavna je srpska verzija Modela ugovora.</p> <p><i>We confirm your understanding.</i></p> <p><i>In the event of a discrepancy in the translation of the text, the Serbian version of the Model Agreement is prevailing.</i></p>
<p>Draft Client / Consultant Services Agreement, Part B, PC 9.1</p> <p>Could you please confirm that for the purpose of compliance with this requirement, the amount covered by the professional indemnity insurances of the Joint-Venture members can be aggregated?</p> <p>Could you please confirm that it is acceptable that the said insurances are renewed on a yearly basis as it is the standard within the engineering sector?</p>	<p>Naručilac, ne može potvrditi vaše razumevanje.</p> <p>Naime, iznos pokriven osiguranjem od profesionalne odgovornosti potrebno je da ispuni Nosilac grupe ponuđača.</p> <p>Takođe, potvrđujemo da je prihvatljivo da se navedena osiguranja obnavljaju na godišnjem nivou.</p> <p>The Employer cannot confirm your understanding.</p> <p>Namely, the amount covered by professional indemnity insurance must be fulfilled by the Holder of the group of bidders.</p> <p>Also, we confirm that it is acceptable for the mentioned insurances to be renewed on an annual basis.</p>

Prečišćeni tekst svih odgovora na zahteve za pojašnjenjenjima ili dodatnim informacijama

Tekst zahteva	Odgovor - pojašnjenje

Poštovani,

ispred kompanije "CHINA RAILWAY DESIGN CORPORATION SERBIA OGRANAK BEOGRAD-SAVSKI VENAC" iznosim sledeći zahtev, u nadi da ćete ga uzeti u razmatranje.

Naša kompanija u ovom trenutku veoma aktivno proučava i priprema tendersku dokumentaciju, međutim zbog velike količine dokumentacije koju je potrebno pripremiti, prevesti i overiti, a za šta je potrebno dosta vremena, smatramo da je u datom roku za predaju iste veoma teško to ostvariti na kvalitetan način. Ovim putem Vas molimo da dati rok za predaju dokumentacije produžite za jedan mesec, kako bismo izrazili naše pozitivno interesovanje i učestovali u potpunosti na ovom tenderu.

Unapred zahvalni.

Poštovani,

Naručilac je razmotrio vaš zahtev.

Na osnovu propisanih uslova iz dokumentacije o nabavci i javnog poziva, ističemo da je Naručilac prilikom određivanja roka za podnošenje ponuda, uzeo u obzir sve okolnosti na koje se pozivaju privredni subjekti, vodeći se pri tome značaju postupka za zajedničke Naručioca, Grad Beograd i Republiku Srbiju.

U daljem tekstu, obrazložemo stav naručioca:

Naručilac je ranije obustavio restriktivni postupak javne nabavke i pristupio izradi konkursne dokumentacije u cilju ponovljenog sprovođenja predmeta javne nabavke u otvorenom postupku - Projekt menadžer za liniju 1 – Upravljanje projektom i nadzor nad izgradnjom beogradskog metroa na lokacijama depo Makiš i Linija 1. Dokumentacijom o nabavci propisano je da svi privredni subjektu moraju uz Obrazac ponude dostaviti isključivo dokaze kojim potvrđuju ispunjenost kriterijuma za dodelu ugovora (cena-kvalitet) u pogledu ponuđene cene, poslovnog i kadrovskog kapaciteta. Naručilac upravo na osnovu dostavljenih dokaza (overa i prevod na srpski jezik), pristupa stručnoj ocenu podnetih ponuda i vrši rangiranje istih.

Ističemo da je dokazivanje preostalih uslova i zahteva iz dokumentacije o nabavci, svi privredni subjekti prolaze Izjavom o ispunjenosti kriterijuma za kvalitativni izbor privrednog subjekta, dok će isti biti razmatrani po otvaranju ponuda, na zahtev Naručioca putem Portala za javne nabavke, upućen na adresu prvorangiranog ponuđača po kriterijumu (cena-kvalitet).

Imajući u vidu način dokazivanja ispunjenosti uslova i zahteva iz dokumentacije o nabavci, kao i činjenicu da je reč o ponovljenom postupku javne nabavke, mišljenja smo da je Naručilac ostavio primeren rok za prikupljanje neophodnih dokaza.

Shodno navedenom, ostajemo pri definisanom roku za podnošenje ponuda, koji glasi 26.12.2022. godine do 12:00 časova.

Napominjemo da će Naručilac javnom otvaranju ponuda pristupiti 26.12.2022. godine u 12:30 časova.

Zaključak: Odlaganjem roka za podnošenje ponuda, Naručilac bi ugrozio planirane rokove za zaključenje ugovora o izvođenju radova na izgradnji beogradskog metroa. Shodno iznetom, ističemo da je isključivo Naručilac odgovaran za rokove pri realizaciji predmetnog postupka.

Dear all,

The Employer has considered your request.

On the basis of the prescribed conditions from the procurement documentation and the public invitation, we point out that the Employer, when determining the deadline for submitting bids, took into account all the circumstances referred to by legal entities, taking into account the importance of the procedure for the joint Employers, the City of Belgrade and the Republic of Serbia.

In the following text, we explain the Employer's position:

The Employer had earlier suspended the restrictive public procurement procedure and began to prepare the tender documentation in order to repeat the implementation of the subject-matter of the public procurement in an open procedure - Line 1 Project Manager – Project Management and Supervision Over the Development of the Belgrade Metro at the Makiš Depot and Line 1 Locations. The procurement documentation prescribed is that all legal entities must submit only evidence with the offer form that confirms the fulfillment of the criteria for awarding the contract (price-quality) in terms of the offered price, business and personnel capacity. Based on the submitted evidence (certification and translation into Serbian), the Employer accesses the expert

	<p><i>evaluation of the submitted offers and ranks them.</i></p> <p><i>We emphasize that proving the remaining conditions and requirements from the procurement documentation, all legal entities pass the Statement on the Fulfilment of the Criteria for the Qualitative Selection of a Business Entity, while the same will be considered after the opening of bids, at the request of the Employer via the Public Procurement Portal, sent to the address of the first-ranked bidder according to the criteria (price-quality).</i></p> <p><i>Bearing in mind the method of proving the fulfillment of the conditions and requirements from the procurement documentation, as well as the fact that it is a repeated public procurement procedure, we are of the opinion that the Employer has left an appropriate deadline for gathering the necessary evidence.</i></p> <p><i>Accordingly, we remain with the defined deadline for submitting bids, which is December 26, 2022 until 12:00 p.m.</i></p> <p><i>Please note that the Employer will start the public opening of bids on December 26, 2022 at 12:30 p.m.</i></p> <p><i>Conclusion: By postponing the deadline for submitting bids, the Employer would jeopardize the planned deadlines for concluding the contract on the construction of the Belgrade metro. Accordingly, we point out that the Employer is solely responsible for the deadlines for the implementation of the procedure in question.</i></p>
<p>3. OPIS KRITERIJUMA ZA KVALITATIVNI IZBOR PRIVREDNOG SUBJEKTA</p> <p>1. Osnovi za isključenje</p> <p>1.1. Pravosnažna presuda za jedno ili više krivičnih dela</p>	<p>Potvrde, apostili i izvodi Nadležnog Organa kojim Ponuđač dokazuju ispunjenost kriterijuma, moraju biti izdate u 2022. godini, odnosno u tekućoj godini u kojoj je Naručilac objavio javni poziv. Upućujemo sve privredne subjekte na odredbu Člana 121. Zakon o javnim</p>

<p>1.2. Porezi i doprinosi</p> <p><i>Način dokazivanja ispunjenosti kriterijuma</i></p> <p><i>Naručilac je dužan da pre donošenja odluke u postupku javne nabavke zahteva od ponuđača koji je dostavio ekonomski najpovoljniju ponudu da dostavi dokaze o ispunjenosti kriterijuma za kvalitativni izbor privrednog subjekta.</i></p> <p>Koliko stari treba da budu POTVRDE / IZVODI Nadležnog Organa koji dokazuju ispunjenost kriterijuma za osnov neisključenja?</p> <p>3. CRITERIA FOR QUALITATIVE SELECTION OF A LEGAL ENTITY</p> <p>1. Exclusion grounds</p> <p>1.1. Final judgment for one or more criminal offences</p> <p>1.2. Taxes and contributions</p> <p><i>Means of proof of the fulfilment of criteria</i></p> <p><i>Before making a decision in the public procurement procedure, the Client shall require the tenderer which has submitted the most economically advantageous offer, to submit evidence on fulfilment of the criteria for qualitative selection of legal entity.</i></p> <p>How old should be the CERTIFICATES / EXCERPTS from the Competent Authority proofing the fulfilment of criteria for Non-Exclusion grounds?</p>	<p>nabavkama („Sl.glasnik RS“, broj 91/19) – nadalje ZJN.</p> <p><i>Certificates, apostilles and extracts from the Competent Authority proving that the Bidder has fulfilled the criteria must be issued in 2022, that is, in the current year in which the Employer announced the public invitation. We refer all legal entities to the provisions of Article 121 of the Law on Public Procurement ("Official Gazette of RS", number 91/19) – hereinafter PPL.</i></p>
<p>3. OPIS KRITERIJUMA ZA KVALITATIVNI IZBOR PRIVREDNOG SUBJEKTA</p> <p>2. Finansijski i ekonomski kapacitet</p> <p>2.1. Ukupni prihod</p> <p><i>Dodatni opis kriterijuma: Ukupan prihod privrednog subjekta za traženi broj finansijskih</i></p>	<p>Odredbom Člana 130. ZJN, koji definiše „Korišćenje kapaciteta drugih subjekata“, propisano je da Privredni subjekti mogu da dokazuju kriterijume za kvalitativni izbor iz čl. 116. i 117. ovog zakona koristeći kapacitete članova grupe privrednih subjekta ili koristeći kapacitete drugih subjekata na način propisan ovim članom.</p>

godina (2021, 2020, 2019) mora iznositi najmanje 250.000.000,00 eura.

Molimo potvrdite kriterijume da pravno lice individualno ili Konzorcijum treba ostvariti kumulativno ukupan prihod od najmanje 250.000.000,00 evra u poslednje tri godine, ili ukupan prihod od najmanje 250.000.000,00 evra da pravno lice individualno ili Konzorcijum treba ostvariti godišnje?

3. CRITERIA FOR QUALITATIVE SELECTION OF A LEGAL ENTITY

2. Financial and economic capacity

2.1. Total income

Additional criterion description: Total income of the legal entity for the demanded number of financial years (2021, 2020, 2019) has to be at least EUR 250,000,000.00.

Please confirm if the criteria “total income of at least EUR 250,000,000.00” shall be met by the legal entity individually or Consortium cumulative in the last three years, or if “total income of at least EUR 250,000,000.00” shall be met by the legal entity individually or Consortium per year?

The provision of Article 130 of the PPL, which defines "Using the capacity of other entities", prescribes that Economic operators can prove the fulfilment of the criteria for qualitative selection referred to in Articles 116 and 117 of this Law by using the capacities of participants in a group of economic operators or by using the capacities of other entities in a manner prescribed by this Article.

3. OPIS KRITERIJUMA ZA KVALITATIVNI IZBOR PRIVREDNOG SUBJEKTA

3. Tehnički i stručni kapacitet

3.1. Obrazovne i stručne kvalifikacije

Način dokazivanja ispunjenosti kriterijuma

Kriterijumi za tačke 1.1), 1.2), 1.3) i 1.4) dokazuju se dostavljanjem (PO OTVARANJU PONUDA, NA OSNOVU ZAHTEVA NARUČIOCA UPUĆENOG PUTEM PORTALA):

Naručilac upućuje sve privredne subjekte da prilikom dokazivanja ispunjenosti traženih uslova iz dokumentacije o nabavci, koriste prvenstveno modele Potvrda koje čine sastavni deo tenderske dokumentacije. Međutim za slučaj da iste nije moguće obezbediti, Naručilac upućuje sve da Potvrde u razlicitom formatu dostavite prema instrukciji iz dokumentacije o nabavci:

„Instrukcije za dokazivanje ispunjenosti traženog uslova (OBAVEZA UČESNIKA U POSTUPKU):

• Dokumentacija kojom Ponuđač dokazuje ispunjenost traženih uslova opisanih pod

- POTVRDE od Poslodavaca (OPCIJA 1), izdate na obrascima koji čini sastavni deo dokumentacije o nabavci, ili

- POTVRDE referentih Naručilaca/Investitora (OPCIJA 2), izdate na obrascima koji čini sastavni deo dokumentacije o nabavci

Gde god je to moguće, mi ćemo POTVRDE obezbediti koristeći obrasce koji su sastavni deo dokumentacije o nabavci, ali neki Poslodavci / Klijenti / Investitori ne izdaju POTVRDE u obrascima koji su dati u dokumentaciji o nabavci. Takođe bi moglo biti teško dobiti nove POTVRDE za projekte koji su završeni pre nekoliko decenija.

Molimo Vas da potvrdite da će POTVRDE od Poslodavaca / Naručioca / Investitora biti prihvaćeni u različitom formatu, sve dok sadrže potrebne informacije (realizaciju radnog angažovanja nominovanih lica na traženim pozicijama 1.1), 1.2), 1.3) i 1.4), godine radnog iskustva, nazive projekata, podaci referentnog Naručioca/Investitora (naziv firme, ime i prezime odgovornog lica koje izdaje Potvrde, sa upisanim podacima za kontakt: e-mail, telefon, fax)?

3. CRITERIA FOR QUALITATIVE SELECTION OF A LEGAL ENTITY

3. Technical and professional capacity

3.1. Educational and professional qualifications

Means of proof of the fulfilment of criteria

Criteria for items 1.1), 1.2), 1.3) and 1.4) are proven by submission (UPON THE OPENING OF OFFERS, ON THE BASIS OF REQUESTS OF THE ORDERER SUBMITTED THROUGH THE PORTAL):

- CERTIFICATES from Employers (OPTION 1), issued on forms that is an integral part of procurement documentation, or

tačkama 1.1), 1.2), 1.3) i 1.4), mora biti dostavljena na srpskom jeziku (prevedena i overena od strane sudskog tumača za srpski jezik),

- Dokumentacija mora biti dostavljena sa obeležavanjem stranice ili dela teksta kojim se dokazuje ispunjenost traženog uslova (uokvireno i obeleženo flomasterom),

- Na osnovu člana 142. Zakona o javnim nabavka ("Sl. glasnik RS", broj 91/19) Naručilac zadržava pravo da nakon uvida u izdate Potvrde i Spisak pruženih usluga, po potrebi, zatraži od ponuđača kopije Ugovora, odnosno referentne delove dokumentacije u cilju utvrđivanja spunjenosti traženog uslova“

Zaključak: Potvrđujemo da će Naručilac prihvatiti i potvrde u različitom formatu, koje sadrže informacije iz potvrda navedenih u dokumentaciji o nabavci ili više potvrda kojima se dokazuje ispunjenost traženih uslova.

The Employer instructs all legal entities to use primarily the Certificate models that form an integral part of the tender documentation when proving the fulfillment of the required conditions from the procurement documentation. However, in the event that it is not possible to provide them, the Employer instructs everyone to submit the Certificates in a different format according to the instructions in the procurement documentation:

“Instructions for proving the fulfilment of the required condition (OBLIGATION OF PARTICIPANTS IN THE PROCEDURE):

- The documentation by which the Bidder proves the fulfilment of the required conditions described under points 1.1), 1.2), 1.3) and 1.4), must be submitted in the Serbian language (translated and certified by a court interpreter for the Serbian language),

- The documentation must be submitted with the marking of the page or part of the text proving the fulfilment of the required condition (framed and marked with a felt-tip pen),

- CERTIFICATES from reference Clients/Investors (OPTION 2), issued on forms that is an integral part of procurement documentation.

Wherever possible, we will provide the CERTIFICATES using the forms that are an integral part of procurement documentation, but some Employers / Clients / Investors may be reluctant to issue CERTIFICATES in forms that are provided within the procurement documentation. It could also prove difficult to obtain new CERTIFICATES for projects completed several decades ago.

Please confirm that CERTIFICATES from Employers / Clients / Investors will be accepted in different format, as long as they contain the required information (completion of work engagement of nominated persons in required positions 1.1) , 1.2), 1.3) and 1.4), years of work experience, the names of the projects, data of the reference Employer (name of the company, name and surname of the responsible person issuing the Certificates, with entered contact information: e-mail, telephone number, fax)?

• Pursuant to Article 142 of the Law on Public Procurement ("Official Gazette of the RS", number 91/19), the Employer reserves the right, after inspecting the issued Certificates and the List of Services provided, if necessary, to request from the Bidder copies of the Contract, i.e. reference parts of the documentation in order to determine the fulfillment of the required condition".

Conclusion: We confirm that the Employer will also accept certificates in a different format, which contain information from the certificates specified in the procurement documentation or more certificates that prove the fulfillment of the required conditions.

3. OPIS KRITERIJUMA ZA KVALITATIVNI IZBOR PRIVREDNOG SUBJEKTA

3. Tehnički i stručni kapacitet

3.1. Obrazovne i stručne kvalifikacije

Način dokazivanja ispunjenosti kriterijuma 1.1), 1.2), 1.3) i 1.4):

- DOKAZ O RADNOM ANGAŽOVANJU kod Ponuđača u zavisnosti od oblika radnog angažovanja

U nekim zemljama, Zakoni o radu zabranjuju Poslodavcima da otkrivaju kopije individualnih ugovora zaposlenih na neodređeno vreme. U ovom slučaju, mogli bismo da damo izjavu pod zakletvom od strane sektora za ljudske resurse koja potvrđuje da je osoba zaposlena u kompaniji.

Naručilac je u pod tačkom "3. Tehnički i stručni kapacitet", pod stavkom "3.1. Obrazovne i stručne kvalifikacije" u delu "Način dokazivanja ispunjenosti kriterijuma", na jasan i nedvosmislen način dao instrukcije svim privrednim subjektima za dokazivanje uslova i zahteva iz dokumentacije o nabavci.

S tim u vezi, ponavljamo da je Naručilac za dokazivanje ispunjenosti traženog uslova predvideo dostavljanje Potvrda izdatih od strane poslodavaca, odnosno Potvrda izdatih od strane referentnih naručioca, Spisak pruženih usluga, dokaza o radnom angažovanju, diploma univerziteta iz odgovarajućih oblasti i radnih biografija.

Shodno iznetom, upućujemo sve privredne subjekte da propisane zahteve u dokumentaciji o nabavci nije moguće dokazati Izjavama datim pod zakletvom od strane sektora za ljudske

<p>Molimo potvrdite da je ovo prihvatljivo.</p> <p><i>3 CRITERIA FOR QUALITATIVE SELECTION OF A LEGAL ENTITY</i></p> <p><i>3. Technical and professional capacity</i></p> <p><i>3.1. Educational and professional qualifications</i></p> <p><i>Means of proof of the fulfilment of criteria 1.1), 1.2), 1.3) and 1.4):</i></p> <p><i>- EVIDENCE OF WORK ENGAGEMENT at the Bidder, depending on the form of work engagement</i></p> <p>In some countries, Labour Laws forbid Employers from disclosing copies of permanent employees' individual contracts. In this case, we would be able to provide a Sworn Statement from HR Department certifying that the person is employed by the company.</p> <p>Please confirm this is acceptable.</p>	<p>resurse koja potvrđuje da je osoba zaposlena u kompaniji.</p> <p><i>The Employer has under point "3. Technical and professional capacity", under item "3.1. Educational and professional qualifications" in the part "Means of proof of the fulfilment of criteria", in a clear and unambiguous way, given instructions to all legal entities for proving the conditions and requirements from the procurement documentation.</i></p> <p><i>In this regard, we reiterate that the Employer has foreseen the submission of Certificates issued by employers, i.e. Certificates issued by reference clients, List of services provided, proof of employment, university diplomas in relevant fields and work biographies to prove the fulfillment of the required condition.</i></p> <p><i>Accordingly, we instruct all legal entities that the prescribed requirements in the procurement documentation cannot be proved by statements given under oath by the human resources department confirming that the person is employed by the company.</i></p>
<p><i>6.6 Obrazac 6v Spisak pruženih usluga KE4</i></p> <p><i>6.6 Obrazac 7v Spisak pruženih usluga KE5</i></p> <p><i>6.6 Obrazac 8v Spisak pruženih usluga KE6</i></p> <p><i>6.6 Obrazac 9v Spisak pruženih usluga KE7</i></p> <p><i>Deo Napomena:</i></p> <p>Sadrži sledeće formulacije</p> <p><i>- Ponuđac je dužan da Spisak pruženih usluga, dostavi uz Obrazac Ponude putem portala za javne nabavke</i></p> <p>Razumemo iz Opisa kriterijuma za kvalitativni izbor privrednog subjekta sa uputstvima / 3. Tehnički i stručni kapacitet / 3.1. Obrazovne i stručne kvalifikacije / Način dokazivanja ispunjenosti kriterijuma. da se ovi obrasci ne dostavljaju uz Ponudu i Naručilac je dužan da</p>	<p>Potvrđujemo vaše razumevanje.</p> <p><i>We confirm your understanding.</i></p>

zahteva samo od ponuđača koji je dostavio ekonomski najpovoljniju ponudu (cena-kvalitet) da dostavi dokaze o ispunjenosti kriterijuma za kvalitativni izbor privrednog subjekta.

Molimo potvrdite naše razumevanje.

6.6 Form 6v List of services provided KE4

6.6 Form 7v List of services provided KE5

6.6 Form 8v List of services provided KE6

6.6 Form 9v List of services provided KE7

Section Note:

Contain the following wording

- The Tenderer is obliged to submit the Certificate proving the fulfilment of the required conditions with the Offer Form via the Public Procurement Portal;

We understand from criteria for qualitative selection of a legal entity and the instruction / 3. Technical and professional capacity / 3.1 Educational and professional qualifications / Means of proof of the fulfilment of criteria, that these forms are not to be submitted with the Proposal and the Client is obliged only to require the bidder who submitted the most economically advantageous offer (price-quality) to submit evidence of the fulfilment of the criteria for the qualitative selection of the business entity.

Please confirm our understanding.

3. OPIS KRITERIJUMA ZA KVALITATIVNI IZBOR PRIVREDNOG SUBJEKTA

3. Tehnički i stručni kapacitet

3.1. Obrazovne i stručne kvalifikacije

Naručilac ponavlja da je odredbom Člana 130. ZJN, koji definiše „Korišćenje kapaciteta drugih subjekata”, propisano je da Privredni subjekti mogu da dokazuju kriterijume za kvalitativni izbor iz čl. 116. i 117. ovog zakona koristeći kapacitete članova grupe privrednih subjekta ili

<p>Da li podizvođači Konzorcijuma mogu da ispune kriterijume za tačke 1.1), 1.2), 1.3) i 1.4)?</p> <p>3. CRITERIA FOR QUALITATIVE SELECTION OF A LEGAL ENTITY</p> <p>3. Technical and professional capacity</p> <p>3.1. Educational and professional qualifications</p> <p>Can the criteria for items 1.1), 1.2), 1.3) and 1.4) be fulfilled by Subcontractors to the Consortium?</p>	<p>koristeći kapacitete drugih subjekata na način propisan ovim članom.</p> <p><i>The Employer reiterates that by the provision of Article 130 of the PPL, which defines "Using the capacity of other entities", it is prescribed that Economic operators can prove the fulfilment of the criteria for qualitative selection referred to in Articles 116 and 117 of this Law by using the capacities of participants in a group of economic operators or by using the capacities of other entities in a manner prescribed by this Article.</i></p>
<p>4. KRITERIJUMI ZA DODELU UGOVORA I OSTALI ZAHTEVI NABAVKE</p> <p>Kriterijumi kvaliteta</p> <p>Način dokazivanja ispunjenosti traženog uslova</p> <p>- Poslovni kapacitet br. 1 - Upravljanje i/ili stručni nadzor nad izvođenjem radova na projektima izgradnje metroa</p> <p>§ POTVRDE referentih Naručioca / Investitora, izdate na obrascu koji čini sastavni deo dokumentacije o nabavci (Obrazac 1a)</p> <p>§ 6.1 Obrazac 1a Potvrda investitora TBM</p> <p>- Poslovni kapacitet br. 2 - Nadzor na poziciji inženjera prema žutom FIDIC ugovoru</p> <p>§ POTVRDE referentih Naručilaca / Investitora, izdate na obrascu koji čini sastavni deo dokumentacije o nabavci (Obrazac 2a)</p> <p>§ 6.2 Obrazac 2a Potvrda investitora Yellow FIDIC</p> <p>Gde god je to moguće, mi ćemo POTVRDE obezbediti koristeći obrasce koji su sastavni deo dokumentacije o nabavci, ali neki Klijenti / Investitori ne izdaju POTVRDE u obrascima koji su dati u dokumentaciji o nabavci. Takođe bi</p>	<p>Naručilac upućuje sve privredne subjekte da prilikom dokazivanja ispunjenosti traženih uslova iz dokumentacije o nabavci, koriste prvenstveno modele Potvrda koje čine sastavni deo tenderske dokumentacije. Međutim za slučaj da iste nije moguće obezbediti, Naručilac upućuje sve da Potvrde u razlicitom formatu dostavite prema instrukciji iz dokumentacije o nabavci:</p> <p>Instrukcije za dokazivanje ispunjenosti traženog uslova (OBAVEZA UČESNIKA U POSTUPKU):</p> <ul style="list-style-type: none"> • Dokumentacija kojom Ponuđač dokazuje ispunjenost traženog uslova, mora biti dostavljena na srpskom jeziku (prevedena i overena od strane sudskog tumača za srpski jezik), • Dokumentacija mora biti dostavljena sa obeležavanjem stranice ili dela teksta kojim se dokazuje ispunjenost traženog uslova (uokvireno i obeleženo flomasterom), • Prilikom upisivanja zbirne vrednosti po jedinici mere " broj realizovanih nadzora po žutom FIDIC-u", potrebno je uneti ukupan broj realizovanih ugovora, prema traženom uslovu. • Na osnovu člana 142. Zakona o javnim nabavka ("Sl. glasnik RS", broj 91/19) Naručilac zadržava pravo da nakon uvida u izdate Potvrde i Spisak pruženih usluga, po potrebi,

moglo biti teško dobiti nove POTVRDE za projekte koji su završeni pre nekoliko decenija.

Molimo Vas da potvrdite da će POTVRDE od Naručioca / Investitora biti prihvaćeni u različitom formatu, sve dok sadrže potrebne informacije?

4. CONTRACT AWARD CRITERIA AND OTHER PROCUREMENT REQUIREMENTS

Quality criteria

The method of proving the fulfilment of the required condition

- Business capacity 1 - management and/or professional supervision of the execution of works on metro construction projects

§ CERTIFICATES of references of the Client / Investor, issued on a form that is an integral part of the procurement documentation (Form 1a)

§ 6.1 Form 1a Certificate of Investor TMB

- Business capacity 2 - Supervision on the position of Engineer according to the FIDIC contract, Yellow Book

§ CERTIFICATES of references of the Client / Investor, issued on a form that is an integral part of the procurement documentation (Form 2a)

§ 6.2 Form 2a Certificate of Investor Yellow FIDIC

Wherever possible, we will provide the CERTIFICATES using the forms that are an integral part of procurement documentation, but some Clients / Investors may be reluctant to issue CERTIFICATES in forms that are provided within the procurement documentation. It could also prove difficult to obtain new CERTIFICATES for projects completed several decades ago.

zatraži od ponuđača kopije Ugovora, odnosno referentne delove dokumentaciju o realizaciji projekta iz kojih je moguće jasno potvrditi:

- da je ponuđač realizovao nadzor na poziciji inženjera prema žutom FIDIC ugovoru,

- naziv saobraćajno-infrastrukturnog projekta,- vrednost saobraćajno-infrastrukturnog projekta,

- datum zaključenja i realizacije ugovora (vremenski interval),

- tačnost unetih podataka od strane odgovornog lica koje izdaje Potvrdu.

Zaključak: Potvrđujemo da će Naručilac prihvatiti i potvrde u različitom formatu, koje sadrže informacije iz potvrda navedenih u dokumentaciji o nabavci ili više potvrda kojima se dokazuje ispunjenost traženih uslova.

The Employer instructs all legal entities to use primarily the Certificate models that form an integral part of the tender documentation when proving the fulfillment of the required conditions from the procurement documentation. However, in the event that it is not possible to provide them, the Employer instructs everyone to submit the Certificates in a different format according to the instructions in the procurement documentation:

Instructions for proving the fulfillment of the required condition (OBLIGATION OF PARTICIPANTS IN THE PROCEDURE):

- The documentation by which the Tenderer proves the fulfillment of the required condition, must be submitted in Serbian (translated and certified by a court interpreter),*
- The documentation must be submitted with marking of the page or part of the text proving the fulfillment of the required condition (framed and marked with a felt-tip pen),*
- When entering the total value per unit of measure "number of executed contracts according to the FIDIC contract, yellow book", it*

Please confirm that CERTIFICATES from Clients / Investors will be accepted in different format, as long as they contain the required information?

is necessary to enter the total number of realized contracts, according to the requested condition.

• Pursuant to Article 142 of the Law on Public Procurement ("Official Gazette of the RS", number 91/19), the Client reserves the right to request copies of the Contract, i.e. reference parts of the documentation, from the bidder after inspecting the issued Certificates and the List of Services Provided on the realization of the project from which it is possible to clearly confirm:

- that the Bidder executed supervision of construction works in the position of Engineer according to the FIDIC contract, yellow book,
- the name of the traffic infrastructure project,
- value of the traffic infrastructure project,
- date of signing and completion of the Contract (time interval),

Conclusion: We confirm that the Employer will also accept certificates in a different format, which contain information from the certificates specified in the procurement documentation or more certificates that prove the fulfillment of the required conditions.

4. KRITERIJUMI ZA DODELU UGOVORA I OSTALI ZAHTEVI NABAVKE

Kriterijumi kvaliteta

Način dokazivanja ispunjenosti traženog uslova

- Poslovni kapacitet br. 1 - Upravljanje i/ili stručni nadzor nad izvođenjem radova na projektima izgradnje metroa

1) da je ponuđač u poslednjih 20 (dvadeset) godina do dana isteka roka za podnošenje ponuda, realizovao upravljanje i/ili stručni nadzor nad izvođenjem radova na projektima izgradnje deonica metroa izgrađenih mašinom za gradnju tunela (TBM), najmanje zbirne dužine

Postovani,

Narucilac neće prihvatiti POTVRDE izdate od Naručioca / Investitora, kojima potvrđuju da su građevinski radovi/tuneli završeni.

Shodno navedenom u dokumentaciji o nabavci, upućujemo sve privredne subjekte na propisan uslov i zahtev:

- da je ponuđač u poslednjih 20 (dvadeset) godina do dana isteka roka za podnošenje ponuda, REALIZOVAO upravljanje i/ili stručni nadzor nad izvođenjem radova na projektima izgradnje deonica metroa izgrađenih mašinom

15 km. Pojašnjenje kriterijuma: Prilikom stručne ocene ponuda Naručilac priznaje isključivo zbir deonica metroa izgrađenih mašinom za gradnju tunela (TBM).

Molimo Vas da potvrdite da li će dužine deonica metroa izgrađenih mašinom za gradnju tunela (TBM) biti prihvaćene čak iako ugovor nije završen, uz POTVRDU izdata od Naručioca / Investitora, koji potvrđuju da su građevinski radovi/tuneli završeni?

4. CONTRACT AWARD CRITERIA AND OTHER PROCUREMENT REQUIREMENTS

Quality criteria

The method of proving the fulfilment of the required condition

- Business capacity 1 - management and/or professional supervision of the execution of works on metro construction projects

1) that in the last 20 (twenty) years, until the deadline for submission of bids, the Tenderer has managed and/or expertly supervised the execution of works on construction projects of sections of the metro built with a tunnel boring machine (TBM), minimum total length of 15 km. Clarification of criteria: During the expert evaluation of the bids, the Client recognizes only the sum of the metro sections built with a tunnel boring machine (TBM).

Please confirm that lengths of the metro sections built with a tunnel boring machine (TBM) will be accepted even if the construction contract is not finished, providing CERTIFICATES issued by the Client / Investor confirm that the Civil Works / Tunnels are completed?

za gradnju tunela (TBM), najmanje zbirne dužine 15 km.

Dear all,

The Employer will not accept the CERTIFICATES issued by the Client/Investor, confirming that the construction works/tunnels have been completed.

In accordance with the procurement documentation, we refer all legal entities to the prescribed condition and requirement:

- that in the last 20 (twenty) years, until the deadline for the submission of bids, the Bidder HAS MANAGED and/or expertly supervised the execution of works on construction projects of sections of the metro systems built with a tunnel boring machine (TBM), in a minimum total length of 15 km.

4. KRITERIJUMI ZA DODELU UGOVORA I OSTALI ZAHTEVI NABAVKE

Poštovani,

Kriterijumi kvaliteta

Opis i pojašnjenje kriterijuma i dokazi potrebni za proveru:

- Poslovni kapacitet br. 2 - Nadzor na poziciji inženjera prema žutom FIDIC ugovoru

2) da je ponuđač u poslednjih 20 (dvadeset) godina do dana isteka roka za podnošenje ponuda, realizovao najmanje 1 (jedan) saobraćajno-infrastrukturni projekat (izgradnje novih železničkih pruga, autoputeva ili metro sistema), pojedinačne vrednosti veće od 400.000.000,00 eura, pružajući usluge Nadzora na poziciji inženjera prema žutom FIDIC ugovoru.

Možete li potvrditi da će Nadzor Ugovora o Radovima ekvivalentn žutom FIDIC ugovoru biti prihvaćeni, ako Nadležni Organ ili Inženjerska Komora, potvrđuju uslove ugovora da su ekvivalentni FIDIC-u?

4. CONTRACT AWARD CRITERIA AND OTHER PROCUREMENT REQUIREMENTS

Quality criteria

Description of criteria and evidence required for verification:

- Business capacity 2 - Supervision on the position of Engineer according to the FIDIC contract, yellow book

2) That in the last 20 (twenty) years, by the deadline for submitting bids, the Bidder has successfully completed supervision in the position of Engineer according to the yellow FIDIC contract on at least 1 (one) traffic-infrastructure project (construction of new railways, highways or metro systems) individual worth at least EUR 400,000,000.00

Can you confirm that Supervision of Works Contracts equivalent to FIDIC Yellow Book will be accepted, providing a Competent Authority or a Chamber of Engineers confirms the terms

Naručilac je jasno propisao uslov u okviru poslovnog kapaciteta i ostaje pri definisanom zahtevu iz dokumentacije o nabavci.

Shodno iznetom, prilikom stručne ocene ponuda Naručilac će priznati isključivo realizovane saobraćajno-infrastrukturni projekte (izgradnje novih železničkih pruga, autoputeva ili metro sistema), pojedinačne vrednosti veće od 400.000.000,00 eura, na kojim je privredni subjekat/Ponuđač pružao usluge Nadzora na poziciji inženjera prema žutom FIDIC ugovoru.

Dear all,

The Employer has clearly prescribed the condition within the business capacity and remains with the defined request from the procurement documentation.

Accordingly, during the expert evaluation of bids, the Employer will recognize exclusively implemented traffic-infrastructure projects (construction of new railways, highways or metro systems), of individual value greater than EUR 400,000,000.00, providing that the legal entity/Bidder provided Supervision services in the position of an engineer according to the Yellow FIDIC Contract.

<p>and conditions of contract are equivalent to FIDIC?</p>	
<p><i>4. KRITERIJUMI ZA DODELU UGOVORA I OSTALI ZAHTEVI NABAVKE</i></p> <p><i>Kriterijumi kvaliteta</i></p> <p><i>Način dokazivanja ispunjenosti traženog uslova:</i></p> <p>Možete li da potvrdite da će iskustva podizvođača konzorcijumu biti uzeta u obzir da ispune kriterijume za Poslovni kapacitet 1 - Upravljanje i/ili stručni nadzor nad izvođenjem radova na projektima izgradnje metroa i Poslovni kapacitet 2- Nadzor na poziciji inženjera prema žutom FIDIC ugovoru?</p> <p><i>4. CONTRACT AWARD CRITERIA AND OTHER PROCUREMENT REQUIREMENTS</i></p> <p><i>Quality criteria</i></p> <p><i>The method of proving the fulfilment of the required condition:</i></p> <p>Can you confirm that experiences of Subcontractors to the Consortium will be taken into account to fulfil the criteria for Business capacity 1 - management and/or professional supervision of the execution of works on metro construction projects and Business capacity 2 - Supervision on the position of Engineer according to the FIDIC contract, Yellow Book?</p>	<p>Potvrđujemo vaše razumevanje i upućujemo sve privredne subjekte na odredbe člana 131. ZJN.</p> <p>Imajući u vidu da je podizvođača/e moguće zameniti u toku realizacije ugovora, za slučaja da dođe do promene podizvođača u toku realizacije ovog Ugovora, Nosilca grupe ponuđača ima obavezu da obezbedi zamenu koja poseduje iste ili bolje kvalifikacije, naručito u oblasti koja je bila poverena zamenjenom podizvođaču.</p> <p><i>We confirm your understanding and refer all legal entities to the provisions of Article 131 of the Law on Public Procurement.</i></p> <p><i>Bearing in mind that it is possible to replace the subcontractor/s during the implementation of the contract, in the event that there is a change of subcontractor during the implementation of this Contract, the holder of the group of bidders has the obligation to provide a replacement with the same or better qualifications, preferably in the area that was entrusted to the replaced subcontractor.</i></p>
<p><i>4. KRITERIJUMI ZA DODELU UGOVORA I OSTALI ZAHTEVI NABAVKE</i></p> <p><i>Kriterijumi kvaliteta</i></p> <p><i>Način dokazivanja ispunjenosti traženog uslova za:</i></p>	<p>Naručilac upućuje sve privredne subjekte da prilikom dokazivanja ispunjenosti traženih uslova iz dokumentacije o nabavci, koriste prvenstveno modele Potvrda koje čine sastavni deo tenderske dokumentacije. Međutim za slučaj da iste nije moguće obezbediti, Naručilac upućuje sve da Potvrde u razlicitom formatu</p>

- Kadrovski kapacitet br. 1 - Menadžer projekta (vođa tima)

§ POTVRDE od Poslodavaca (OPCIJA 1) / POTVRDE referentih Naručioca / Investitora (OPCIJA 2) izdate na obrascu koji čini sastavni deo dokumentacije o nabavci (Obrazac 3a / 3b)

- Kadrovski kapacitet br. 2 - Rukovodilac izgradnje 1 građevina

§ POTVRDE od Poslodavaca (OPCIJA 1) / POTVRDE referentih Naručioca / Investitora (OPCIJA 2) izdate na obrascu koji čini sastavni deo dokumentacije o nabavci (Obrazac 4a / 4b)

- Kadrovski kapacitet br. 3 - Rukovodilac izgradnje 2 sistemi

§ POTVRDE od Poslodavaca (OPCIJA 1) / POTVRDE referentih Naručioca / Investitora (OPCIJA 2) izdate na obrascu koji čini sastavni deo dokumentacije o nabavci (Obrazac 5a / 5b)

Gde god je to moguće, mi ćemo POTVRDE obezbediti koristeći obrasce koji su sastavni deo dokumentacije o nabavci, ali neki Poslodavci / Klijenti / Investitori ne izdaju POTVRDE u obrascima koji su dati u dokumentaciji o nabavci. Takođe bi moglo biti teško dobiti nove POTVRDE za projekte koji su završeni pre nekoliko decenija.

Molimo vas da potvrdite da će POTVRDE od Poslodavca / Naručioca / Investitora biti prihvaćeni u različitom formatu, sve dok sadrže potrebne informacije?

4. CONTRACT AWARD CRITERIA AND OTHER PROCUREMENT REQUIREMENTS

Quality criteria

The method of proving the fulfilment of the required condition for:

dostavite prema instrukciji iz dokumentacije o nabavci.

Zaključak: Potvrđujemo da će Naručilac prihvatiti i potvrde u različitom formatu, koje sadrže informacije iz potvrda navedenih u dokumentaciji o nabavci ili više potvrda kojima se dokazuje ispunjenost traženih uslova.

The Employer instructs all legal entities to use primarily the Certificate models that form an integral part of the tender documentation when proving the fulfillment of the required conditions from the procurement documentation. However, in the event that it is not possible to provide them, the Employer instructs everyone to submit the Certificates in a different format according to the instructions in the procurement documentation.

Conclusion: We confirm that the Employer will also accept certificates in a different format, which contain information from the certificates specified in the procurement documentation or more certificates that prove the fulfillment of the required conditions.

- Personnel capacity 1 - Project Manager (Team Leader)

§ CERTIFICATES from Employers (OPTION 1) / CERTIFICATES of reference Clients / Investors (OPTION 2) issued on a form that is an integral part of the procurement documentation (FORM 3a / 3b)

- Personnel capacity 2 - Chief Engineer 1 Civil works

§ CERTIFICATES from Employers (OPTION 1) / CERTIFICATES of reference Clients / Investors (OPTION 2) issued on a form that is an integral part of the procurement documentation (FORM 4a / 4b)

- Personnel capacity 1 - Personnel capacity 3 - Chief Engineer 2 Systems

§ CERTIFICATES from Employers (OPTION 1) / Clients / Investors (OPTION 2) issued on a form that is an integral part of the procurement documentation (FORM 5a / 5b)

Wherever possible, we will provide the CERTIFICATES using the forms that are an integral part of procurement documentation, but some Employers / Clients / Investors may be reluctant to issue CERTIFICATES in forms that are provided within the procurement documentation. It could also prove difficult to obtain new CERTIFICATES for projects completed several decades ago.

Please confirm that CERTIFICATES from Employers / Clients / Investors will be accepted in different format, as long as they contain the required information?

4. KRITERIJUMI ZA DODELU UGOVORA I OSTALI ZAHTEVI NABAVKE

Kriterijumi kvaliteta

Način dokazivanja ispunjenosti traženog uslova

Upućujemo sve privredne subjekte da propisane zahteve u dokumentaciji o nabavci nije moguće dokazati Izjavama datim pod zakletvom od strane sektora za ljudske resurse koja potvrđuje da je osoba zaposlena u kompaniji.

Način dokazivanja ispunjenosti kriterijuma:

- Kadrovski kapacitet br. 1 - Menadžer projekta (vođa tima)

- Kadrovski kapacitet br. 2 - Rukovodilac izgradnje 1 građevina

- Kadrovski kapacitet br. 3 - Rukovodilac izgradnje 2 sistemi

*§ DOKAZ O RADNOM ANGAŽOVANJU kod
Ponuđača u zavisnosti od oblika radnog
angažovanja*

U nekim zemljama, Zakoni o radu zabranjuju Poslodavcima da otkrivaju kopije individualnih ugovora zaposlenih na neodređeno vreme. U ovom slučaju, mogli bismo da damo izjavu pod zakletvom od strane sektora za ljudske resurse koja potvrđuje da je osoba zaposlena u kompaniji.

Molimo potvrdite da je ovo prihvatljivo.

4. CONTRACT AWARD CRITERIA AND OTHER PROCUREMENT REQUIREMENTS

Quality criteria

*The method of proving the fulfilment of the
required condition*

Means of proof of the fulfilment of criteria:

*- Personnel capacity 1 - Project Manager (Team
Leader)*

*- Personnel capacity 2 - Chief Engineer 1 Civil
works*

*- Personnel capacity 1 - Personnel capacity 3 -
Chief Engineer 2 Systems*

*§ EVIDENCE OF WORK ENGAGEMENT at
the Bidder, depending on the form of work
engagement*

**In some countries, Labour Laws forbid
Employers from disclosing copies of permanent
employees' individual contracts. In this case,**

*We instruct all legal entities that the prescribed
requirements in the procurement documentation
cannot be proved by statements given under
oath by the human resources department
confirming that the person is employed by the
company.*

<p>we would be able to provide a Sworn Statement from HR Department certifying that the person is employed by the company.</p> <p>Please confirm this is acceptable.</p>	
<p>4. KRITERIJUMI ZA DODELU UGOVORA I OSTALI ZAHTEVI NABAVKE</p> <p><i>Kriterijumi kvaliteta</i></p> <p><i>Način dokazivanja ispunjenosti traženog uslova:</i></p> <p>Da li možete da potvrdite da podizvođači Konzorcijuma mogu da ispune kriterijume osoblja za Kadrovski kapacitet br. 1 - Menadžer projekta (vođa tima), Kadrovski kapacitet br. 2 - Rukovodilac izgradnje 1 građevina i Kadrovski kapacitet br. 3 - Rukovodilac izgradnje 2 sistemi?</p> <p>4. CONTRACT AWARD CRITERIA AND OTHER PROCUREMENT REQUIREMENTS</p> <p><i>Quality criteria</i></p> <p><i>The method of proving the fulfilment of the required condition:</i></p> <p>Can you confirm that personnel of Subcontractors to the Consortium will be taken into account to fulfil the criteria for Personnel capacity 1 - Project Manager (Team Leader), Personnel capacity 2 - Chief Engineer 1 Civil works and Personnel capacity 3 - Personnel capacity 3 - Chief Engineer 2 Systems?</p>	<p>Potvrđujemo vaše razumevanje i upućujemo sve privredne subjekte na odredbe člana 131. ZJN.</p> <p>Imajući u vidu da je podizvođača/e moguće zameniti u toku realizacije ugovora, za slučaja da dođe do promene podizvođača u toku realizacije ovog Ugovora, Nosilca grupe ponuđača ima obavezu da obezbedi zamenu koja poseduje iste ili bolje kvalifikacije, naručito u oblasti koja je bila poverena zamenjenom podizvođaču.</p> <p>We confirm your understanding and refer all legal entities to the provisions of Article 131 of the Law on Public Procurement.</p> <p>Bearing in mind that it is possible to replace the subcontractor/s during the implementation of the contract, in the event that there is a change of subcontractor during the implementation of this Contract, the holder of the group of bidders has the obligation to provide a replacement with the same or better qualifications, preferably in the area that was entrusted to the replaced subcontractor.</p>
<p>Nakon objave javnog tendera za izbor "Projekt menadžer za liniju 1 – Upravljanje projektom i nadzor nad izgradnjom beogradskog metroa na lokacijama depo Makiš i Linija 1 (PMC 1/22)", izražavamo veliko interesovanje za učešće na predmetnom tenderu. Naša kompanija ima veliku tradiciju u planiranju i izvodjenju vitalnih</p>	<p>Poštovani,</p> <p>Naručilac je razmotrio vaš zahtev.</p> <p>Na osnovu propisanih uslova iz dokumentacije o nabavci i javnog poziva, ističemo da je Naručilac prilikom određivanja roka za podnošenje ponuda, uzeo u obzir sve okolnosti</p>

infrastrukturnih projekata u svetu. Moramo takodje napomenuti da smo intezivno prisutni na tržištu Balkana zadnjih 20-tak godina a takodje imamo i našu kancelariju Beogradu od 2011 godine.

Obzirom na veoma kompleksan obim usluga koji se traži predmetnim tenderom, značajan multidisciplinarni tim stručnjaka sa zahtevanim iskustvom koje je potrebno obezbediti, potrebnu dokumentaciju koju je potrebno pribaviti i prevesti na srpski jezik, nadolazeće Božićne i Novogodišnje praznike, molimo Vas da produžite rok za podnošenje ponuda za najmanje 8 (osam) nedelja.

U roku koji je predviđen tenderom, na žalost nije moguće pripremiti kvalitetnu ponudu koja bi zadovoljila Vase zahteve ali i naš standard vezan za pripremu ponuda.

Unapred Vam se zahvaljujemo na razumevanju i nadamo se pozitivnom ishodu našeg zahteva.

na koje se pozivaju privredni subjekti, vodeći se pri tome značaju postupka za zajedničke Naručioca, Grad Beograd i Republiku Srbiju.

U daljem tekstu, obrazložemo stav naručioca:

Naručilac je ranije obustavio restriktivni postupak javne nabavke i pristupio izradi konkursne dokumentacije u cilju ponovljenog sprovođenja predmeta javne nabavke u otvorenom postupku - Projekt menadžer za liniju 1 – Upravljanje projektom i nadzor nad izgradnjom beogradskog metroa na lokacijama depo Makiš i Linija 1. Dokumentacijom o nabavci propisano je da svi privredni subjektu moraju uz Obrazac ponude dostaviti isključivo dokaze kojim potvrđuju ispunjenost kriterijuma za dodelu ugovora (cena-kvalitet) u pogledu ponuđene cene, poslovnog i kadrovsog kapaciteta. Naručilac upavo na osnovu dostavljenih dokaza (overa i prevod na srpski jezik), pristupa stručnoj ocenu podnetih ponuda i vrši rangiranje istih.

Ističemo da je dokazivanje preostalih uslova i zahteva iz dokumentacije o nabavci, svi privredni subjekti prolaze Izjavom o ispunjenosti kriterijuma za kvalitativni izbor privrednog subjekta, dok će isti biti razmatrani po otvaranju ponuda, na zahtev Naručioca putem Portala za javne nabavke, upućen na adresu prvorangiranog ponuđača po kriterijumu (cena-kvalitet).

Imajući u vidu način dokazivanja ispunjenosti uslova i zahteva iz dokumentacije o nabavci, kao i činjenicu da je reč o ponovljenom postupku javne nabavke, mišljenja smo da je Naručilac ostavio primeren rok za prikupljanje nepochodnih dokaza.

Shodno navedenom, ostajemo pri definisanom roku za podnošenje ponuda, koji glasi 26.12.2022. godine do 12:00 časova.

Napominjemo da će Naručilac javnom otvaranju ponuda pristupiti 26.12.2022. godine u 12:30 časova.

Zaključak: Odlaganjem roka za podnošenje ponuda, Naručilac bi ugrozio planirane rokove

	<p>za zaključenje ugovora o izvođenju radova na izgradnji beogradskog metroa. Shodno iznetom, ističemo da je isključivo Naručilac odgovaran za rokove pri realizaciji predmetnog postupka.</p>
<p>Poštovani,</p> <p>molimo vas da nam razjasnite sledeće pitanje:</p> <p>Prema navikama u objavljivanju tendera u Kini, mnogi tenderi za velike projekte metroa se dele na više lotova i na taj način se potpisuju ugovori o nadzoru. Na primer, dužina tunela za kopanje metodom TBM je veća od 15km na određenom projektu i Investitor ga je podelio u dva lota, gde je naša kompanija preuzela jedan od lotova. Da li u ovom slučaju Investitor smatra da su uslovi za tender beogradskog metroa u pogledu referenci ispunjeni?</p>	<p>Poštovani,</p> <p>Naručilac će prilikom stručne ocene ponuda uzeti u obzir lotove za koje postoji Potvrda referentnog naručioca/Investitora da je određenom privrednom subjektu poveren deo projekta koji je realizovan, a u potpunosti odgovora uslovima i zahtevima iz dokumentacije o nabavci.</p> <p><i>Dear all,</i></p> <p><i>During the expert evaluation of bids, the Employer will take into account the lots for which there is a Confirmation from the reference client/Investor that a certain legal entity has been entrusted with a part of the project that has been implemented, and fully meets the conditions and requirements from the procurement documentation.</i></p>
<p>Poštovani,</p> <p>šaljemo dopunu našeg prethodnog pitanja u cilju što boljeg razumevanja zahteva za dodelu ugovora:</p> <p>Prema navikama u objavljivanju tendera u Kini, mnogi tenderi za velike projekte metroa se dele na više lotova i na taj način se potpisuju ugovori o nadzoru. Na primer, dužina tunela za kopanje metodom TBM je veća od 15km na određenom projektu i Investitor ga je podelio u dva lota, gde je naša kompanija preuzela jedan od lotova. Da li u ovom slučaju Investitor smatra da su uslovi za tender beogradskog metroa u pogledu referenci ispunjeni? Pored toga, da li se najmanja zbirna dužina deonica metroa građenih TBM metodom odnosi na akumulativnu dužinu ranije izvedenih projekata</p>	<p>Poštovani,</p> <p>Na prvi deo pitanja je ranije dat odgovor, u pogledu drugog dela pitanja Naručilac potvrđuje da je ispunjenost traženog uslova u pogledu upravljanja i/ili stručnog nadzora nad izvođenjem radova na projektima izgradnje deonica metroa izgrađenih mašinom za gradnju tunela (TBM), moguće dokazati iz VIŠE REALIZOVANIH PROJEKATA najmanje zbirne dužine 15 km.</p> <p>„Pojašnjenje kriterijuma: Prilikom stručne ocene ponuda Naručilac priznaje isključivo zbir deonica metroa izgrađenih mašinom za gradnju tunela (TBM).“</p> <p>Dear all,</p>

<p>a ne na najmanju dužinu od 15 kilometara po pojedinačnom projektu?</p>	<p>The first part of the question was answered earlier, with regard to the second part of the question, the Employer confirms that the fulfillment of the required condition in terms of management and/or expert supervision of the execution of works on projects for the construction of sections of the metro built with a tunnel-building machine (TBM), can be proven by A NUMBER OF FINISHED PROJECTS with a total length of at least 15 km.</p> <p>“Clarification of criteria: During the expert evaluation of the bids, the Client recognizes only the sum of the metro system sections built with a tunnel boring machine (TBM).”</p>
<p>Dear Sirs,</p> <p>Bearing in mind the size of the Tender and Project and its significance for Republic of Serbia and capital city Belgrade, can we have at least one month extension of time to submit the bid? Furthermore, the tender period crosses the Christmas and New year period where it is very difficult to obtain clients certificates, prepare translation and certification of document for international Bidders.</p>	<p>Poštovani,</p> <p>Naručilac je razmotrio vaš zahtev.</p> <p>Na osnovu propisanih uslova iz dokumentacije o nabavci i javnog poziva, ističemo da je Naručilac prilikom određivanja roka za podnošenje ponuda, uzeo u obzir sve okolnosti na koje se pozivaju privredni subjekti, vodeći se pri tome značaju postupka za zajedničke Naručiocce, Grad Beograd i Republiku Srbiju.</p> <p>U daljem tekstu, obrazložemo stav naručioca:</p> <p>Naručilac je ranije obustavio restriktivni postupak javne nabavke i pristupio izradi konkursne dokumentacije u cilju ponovljenog sprovođenja predmeta javne nabavke u otvorenom postupku - Projekt menadžer za liniju 1 – Upravljanje projektom i nadzor nad izgradnjom beogradskog metroa na lokacijama depo Makiš i Linija 1. Dokumentacijom o nabavci propisano je da svi privredni subjektu moraju uz Obrazac ponude dostaviti isključivo dokaze kojim potvrđuju ispunjenost kriterijuma za dodelu ugovora (cena-kvalitet) u pogledu ponuđene cene, poslovnog i kadrovskog kapaciteta. Naručilac upravo na osnovu dostavljenih dokaza (overa i prevod na srpski jezik), pristupa stručnoj ocenu podnetih ponuda i vrši rangiranje istih.</p>

Ističemo da je dokazivanje preostalih uslova i zahteva iz dokumentacije o nabavci, svi privredni subjekti prolaze Izjavom o ispunjenosti kriterijuma za kvalitativni izbor privrednog subjekta, dok će isti biti razmatrani po otvaranju ponuda, na zahtev Naručioca putem Portala za javne nabavke, upućen na adresu prvorangiranog ponuđača po kriterijumu (cena-kvalitet).

Imajući u vidu način dokazivanja ispunjenosti uslova i zahteva iz dokumentacije o nabavci, kao i činjenicu da je reč o ponovljenom postupku javne nabavke, mišljenja smo da je Naručilac ostavio primeren rok za prikupljanje nepochodnih dokaza.

Shodno navedenom, ostajemo pri definisanom roku za podnošenje ponuda, koji glasi 26.12.2022. godine do 12:00 časova.

Napominjemo da će Naručilac javnom otvaranju ponuda pristupiti 26.12.2022. godine u 12:30 časova.

Zaključak: Odlaganjem roka za podnošenje ponuda, Naručilac bi ugrozio planirane rokove za zaključenje ugovora o izvođenju radova na izgradnji beogradskog metroa. Shodno iznetom, ističemo da je isključivo Naručilac odgovaran za rokove pri realizaciji predmetnog postupka.

Dear all,

The Employer has considered your request.

On the basis of the prescribed conditions from the procurement documentation and the public invitation, we point out that the Employer, when determining the deadline for submitting bids, took into account all the circumstances referred to by legal entities, taking into account the importance of the procedure for the joint Employers, the City of Belgrade and the Republic of Serbia.

In the following text, we explain the Employer's position:

The Employer had earlier suspended the restrictive public procurement procedure and

began to prepare the tender documentation in order to repeat the implementation of the subject-matter of the public procurement in an open procedure - Line 1 Project Manager – Project Management and Supervision Over the Development of the Belgrade Metro at the Makiš Depot and Line 1 Locations. The procurement documentation prescribed is that all legal entities must submit only evidence with the offer form that confirms the fulfillment of the criteria for awarding the contract (price-quality) in terms of the offered price, business and personnel capacity. Based on the submitted evidence (certification and translation into Serbian), the Employer accesses the expert evaluation of the submitted offers and ranks them.

We emphasize that proving the remaining conditions and requirements from the procurement documentation, all legal entities pass the Statement on the Fulfilment of the Criteria for the Qualitative Selection of a Business Entity, while the same will be considered after the opening of bids, at the request of the Employer via the Public Procurement Portal, sent to the address of the first-ranked bidder according to the criteria (price-quality).

Bearing in mind the method of proving the fulfillment of the conditions and requirements from the procurement documentation, as well as the fact that it is a repeated public procurement procedure, we are of the opinion that the Employer has left an appropriate deadline for gathering the necessary evidence.

Accordingly, we remain with the defined deadline for submitting bids, which is December 26, 2022 until 12:00 p.m.

Please note that the Employer will start the public opening of bids on December 26, 2022 at 12:30 p.m.

Conclusion: By postponing the deadline for submitting bids, the Employer would jeopardize the planned deadlines for concluding the contract on the construction of the Belgrade metro. Accordingly, we point out that the

	<p>Employer is solely responsible for the deadlines for the implementation of the procedure in question.</p>
<p>We kindly request to include a red book contract experience as Engineer/Supervision as sufficient in reference along with yellow book. Please take into account that obligations Contractor and Employer may differ in terms of red or yellow book terms, but for Engineer (or Project Manager) which service is a subject of this Tender, both per red and yellow book obligations are 100% the same in terms of Contract Administration for Engineer, so we do not see a valid reason on insisting only on yellow book experience. Article 7 of Law on Public Procurement clearly prescribes the principle of ensuring competition and prohibition of discrimination, therefore insisting only on yellow book experience, may constitute a violation of this principle. From technical and quality level aspect, there are no difference between 2 books administration for this type of Service. The Contract is administered by the Engineer (appointed by the Employer) who shall determine any claim for extension of time and additional payment, certify payments and issue taking over and performance certificates both red and yellow book.</p>	<p>Naručilac ostaje pri definisanom uslovu iz dokumentacije o nabavci, uz napomenu da će u prilikom stručne ocene ceniti samo ugovore po Yellow FIDICu.</p> <p><i>The Employer keeps the defined condition from the procurement documentation, with a note that during the expert evaluation, he will evaluate only contracts according to Yellow FIDIC.</i></p>
<p>Is it acceptable Bidder to have 15 km of tunnel built with a tunnel boring machine (TBM) both on metro and railway project, not metro only?</p>	<p>Naručilac ostaje pri definisanom uslovu iz dokumentacije o nabavci, uz napomenu da će u pogledu upravljanja i/ili stručnog nadzora nad izvođenjem radova na projektima izgradnje deonica METROA izgrađenih mašinom za gradnju tunela (TBM), najmanje zbirne dužine 15 km.</p> <p><i>The Employer keeps the defined condition from the procurement documentation, with a note that during the expert evaluation, it will only evaluate contracts regarding the management and/or expert supervision of the execution of works on construction projects of METRO</i></p>

	<p><i>sections built with a tunnel-building machine (TBM), with a minimum total length of 15 km.</i></p>
<p>Dear Sirs,</p> <p>Kindly provide information on estimated value of this public procurement.</p>	<p>Naručilac neće objavljivati procenjenu vrednost javne nabavke.</p> <p><i>The Employer will not publish the estimated value of the public procurement.</i></p>
<p>For Key Expert 1. Civil Engineer for tunnels you have defined as follows: Civil engineer for tunnels must prove that he has spent at least 5 years in the position of responsible contractor and/or expert supervision on underground metro construction projects or on road/railway tunnel projects, executed using the TBM construction method, which is fully in accordance with Article 117 of the Law. On the other hand, for other 3 Key experts, you have defined only experience in metro project as relevant which does not make any sense in technical and quality levee aspect of this type of services. We kindly ask you to alternate requirements for key experts 1.2, 1.3, and 1.4 and align with requirement for Key expert 1 and include experience on road/railway tunnel projects, executed using the TBM construction method as relevant along with metro construction projects</p>	<p>Ističemo da je Naručilca definisao navedene kriterijume za utvrđivanje kvaliteta privrednih subjekata vodeći se isključivo zakonskim odredbama i propisima, kao i zančajem i važnošću predmeta javne nabavke za zajedničke Naručioce, Grada Beograd i Republiku Srbiju.</p> <p>Upućujemo sve privredne subjekte da je Naručilac pod tačkom “3. Tehnički i stručni kapacitet”, u delu “3.1. Obrazovne i stručne kvalifikacije”, propisao uslove i zahteve iz dokumentacije o nabavci vodeći se navedenim zakonskim odredbama:</p> <p>- Članom 114. stav 1. ZJN je propisano da kriterijumi za izbor privrednog subjekta u postupku javne nabavke mogu da se odnose na: 1) ispunjenost uslova za obavljanje profesionalne delatnosti; 2) finansijski i ekonomski kapacitet; 3) tehnički i stručni kapacitet. Stavom 2. istog člana ZJN je propisano da naručilac određuje kriterijume za izbor privrednog subjekta iz stava 1. ovog člana uvek kada je to potrebno imajući u vidu predmet javne nabavke.</p> <p>Stavom 3. istog člana ZJN je propisano da prilikom određivanja kriterijuma za izbor iz stava 1. ovog člana, naručilac može da zahteva samo nivo kapaciteta koji obezbeđuje da će privredni subjekt biti sposoban da izvrši ugovor o javnoj nabavci.</p> <p>- Članom 114. stav 4. ZJN propisano je da kriterijumi za izbor iz stava 1. ovog člana moraju da budu u logičkoj vezi sa predmetom</p>

nabavke i srazmerni predmetu nabavke, dok je u stavu 5. istog člana ZJN propisano da ako naručilac odredi kriterijume za izbor iz stava 1. ovog člana, dužan je da u javnom pozivu odredi potrebni nivo kapaciteta i odgovarajuće načine njihovog dokazivanja.

- Članom 117. stav 1. ZJN propisano je da naručilac može da odredi uslove u pogledu tehničkog i stručnog kapaciteta kojima se obezbeđuje da privredni subjekt ima potrebne kadrovske i tehničke resurse i iskustvo potrebno za izvršenje ugovora o javnoj nabavci sa odgovarajućim nivoom kvaliteta, a naročito može da zahteva da privredni subjekt ima dovoljno iskustva u pogledu ranije izvršenih ugovora.

- Članom 124. stav 1. tačka 2) ZJN propisano je da se tehnički i stručni kapacitet dokazuje dostavljanjem spiska isporuka relevantnih dobara ili pruženih usluga tokom perioda od najviše tri poslednje godine pre isteka roka za podnošenje ponuda, sa iznosima, datumima i nazivima korisnika, a ako je potrebno da bi se obezbedio odgovarajući nivo konkurencije, naručioci mogu da naznače da će se uzeti u obzir dokaz o relevantnim dobrima ili uslugama isporučenim, odnosno pruženim u periodu dužem od tri godine.

Imajući u vidu sve ranije izneto, ističemo da se uslovi i zahtevi iz dokumentacije o nabavci, opisani pod tačkom "3. Tehnički i stručni kapacitet", u delu "3.1. Obrazovne i stručne kvalifikacije" odnose na neophodni kadrovski kapacitet privrednih subjekata i da kao takvi predstavlja realnu potrebu Naručioca, utemeljenu u ranije navedenim zakonskim odredbama.

Shodno iznetom, Naručilac ostaje pri navedenom u dokumentaciji o nabavci.

We emphasize that the Employer defined the criteria for determining the quality of business entities based exclusively on legal provisions and regulations, as well as the significance and importance of the subject of public procurement

for the joint Employers, the City of Belgrade and the Republic of Serbia.

We refer all legal entities to the fact that the Employer has under point "3. Technical and professional capacity", under item "3.1. Educational and professional qualifications", given instructions to all legal entities for proving the conditions and requirements from the procurement documentation.

- Article 114, paragraph 1 of the Public Procurement Law stipulates that the criteria for selection of the economic operator in a public procurement procedure may relate to: 1) fulfilment of conditions to pursue the professional activity; 2) economic and financial capacity; 3) technical and professional capacity. Paragraph 2 of the same Article of the LPP stipulates that the contracting authority/entity shall determine the criteria for selection of economic operator referred to in paragraph 1 of this Article whenever necessary, bearing in mind the subject-matter of public procurement.

Paragraph 3 of the same Article of the LPP stipulates that when determining the selection criteria referred to in paragraph 1 of this Article, contracting authority/entity may only require level of capacities that will ensure that economic operator is capable of performing the public procurement contract.

- Article 114, paragraph 4 of the Public Procurement Law stipulates that the selection criteria referred to in paragraph 1 of this Article shall be logically related and proportionate to the subject-matter of procurement, while paragraph 5 of the same Article of the PPL stipulates that where contracting authority/entity determines the selection criteria referred to in paragraph 1 of this Article, in the contract notice it shall indicate the required level of capacities and the appropriate means of proof.

- Article 117, paragraph 1 of the PPL stipulates that with regard to technical and professional capacities, contracting authority/entity may set requirements ensuring that economic operators possess the necessary human and technical

	<p><i>resources and experience necessary to perform the public procurement contract to an appropriate quality level, and may require, in particular, that economic operator has sufficient experience in terms of contracts performed in the past.</i></p> <p><i>- Article 124, paragraph 1, point 2) of the PPL stipulates that the technical and professional capacity shall be proved by the list of deliveries of relevant supplies or services provided over a period at the most the past three years prior to the expiry of the time limit for submission of tenders, with the sums, dates and names of recipients, and where necessary in order to ensure an adequate level of competition, contracting authorities/entities may indicate that evidence of relevant supplies or services delivered or provided in the period longer than three years before will be taken into account.</i></p> <p><i>Bearing in mind everything stated earlier, we point out that the conditions and requirements from the procurement documentation, described under point "3. Technical and professional capacity", in the part "3.1. Educational and professional qualifications" refer to the necessary personnel capacity of legal entities and that as such it represents the real need of the Employer, based on the aforementioned legal provisions.</i></p> <p><i>Accordingly, the Employer remains with what was stated in the procurement documentation.</i></p>
<p>Dear Sirs,</p> <p>In Instruction to Tenderers for Business capacity no. 2 - Supervision at the position of engineer according to the Yellow FIDIC Contract you have prescribed criteria and evidence required for verification as follows:</p> <p>1) that in the last 20 (twenty) years, until the deadline for the submission of bids, the Bidder has implemented at least 1 (one) traffic-infrastructure project of individual value greater than EUR 400,000,000.00, providing supervision</p>	<p>Poštovani,</p> <p>Naručilac se prilikom određivanja uslova i zahteva iz dokumentacije o nabavci (Žuti FIDIC), vodio osnovnim načelima javnih nabaki, određujući značajno niži finansijski prag od ukupne vrednosti radova na izgradnji beogradskog metroa. Dodajemo da procenjena vrednost izvođenja radova na izgradnji beogradskog metra iznosi približno 2,5 milijarde evra.</p>

services in the position of an engineer according to the Yellow FIDIC Contract. Clarification of criteria: During the expert evaluation of the bids, the Client will recognize only the number of performed inspections according to the Yellow FIDIC Contract, which correspond to the requested description.

Kindly provide explanation for individual value which you defined EUR 400.000.000,00, based on which criteria was this value selected, bearing in mind that in previous tender for this service under PMC 01/21 you have defined EUR 100.000.000,00 for FIDIC reference?

Dodajemo da se Naručilac u predmetnom postupku, neće osvrutati na pitanja u vezi sa okončanim postupkom javne nabavke.

Dear all,

When determining the conditions and requirements from the procurement documentation (Yellow FIDIC), the Employer was guided by the basic principles of public procurement, setting a significantly lower financial threshold than the total value of the works on the construction of the Belgrade metro. We add that the estimated value of the work on the construction of the Belgrade metro is approximately 2.5 billion euros.

We would like to add that, in the procedure in question, the Employer will not refer back to the questions related to the completed public procurement procedure.

Dear Sirs,

kindly explain how are the weights defined in the Document Contract award criteria and other procurement requirements rounded up? For example, if the formula gives a result of 26.66667 (for Price), is that number calculated as such or is it rounded to a certain decimal, in accordance with the laws of mathematics?

Poštovani,

Naručilac upućuje sve privredne subjekte na dokument „Kriterijumi za dodelu ugovora“, gde je pod stavkom „Izabran način rangiranja prihvatljivih ponuda (formula) obeleženo „Automatsko rangiranje“.

Dodajemo da Portal za javne nabavke, prvoplasiranom dodeljuje celi broj 30 p, dok slabije plasirane ponudjace po kriterijumu cena rangira po matematickoj modelu na dve decimale.

NPR: 26,66667 automatskim rangiranjem na portalu, glasi 26,67

Imajući u vidu da se rangiranje prihvatljivih ponuda vrši automatskim putem Portala za javne nabavke (po zadatoj formuli), o istom će te biti informisani po donošenju Izveštaja o postupku nabavke od strane Naručioca, koji čini sastavni deo Obrazloženja Odluke o dodeli ugovora ili Odluke o obustavi postupka, u zavisnosti od krajnjeg ishoda predmetnog postupka.

	<p><i>Dear all,</i></p> <p><i>The Employer directs all legal entities to the document "Contract award criteria ", where under the item "Selected method of ranking acceptable offers (formula)" is marked "Automatic ranking".</i></p> <p><i>We add that the Public Procurement Portal assigns the whole number 30 p to the first-placed bidder, while the lower-placed bidders are ranked according to the price criterion by a mathematical model to two decimal places.</i></p> <p><i>E.g.> 26.66667 by automatic ranking on the portal, reads 26.67.</i></p> <p><i>Bearing in mind that the ranking of acceptable bids is done automatically through the Public Procurement Portal (according to the given formula), you will be informed about it upon the adoption of the Report on the procurement procedure by the Employer, which forms an integral part of the Explanation of the Decision on awarding the contract or the Decision on suspension of the procedure, depending on the final outcome of the procedure in question.</i></p>
<p><i>7 Obrazac str. cene PMC</i></p> <p><i>Kolona 3 - Okvirno vreme angažovanja stručnjaka po radnom danu</i></p> <p>Razumemo da je angažovanje dato u koloni 3 dokumenta "7 Obrazac str. cene PMC" samo indikativne vrednosti. Međutim, trajanje projekta je 7 godina + 2 godine DNP-a, a dodeljeni radni dani za Ključnog Stručnjaka 2 Rukovodilac izgradnje 1 građevine i Ključnih Stručnjaka 3 Rukovodilac izgradnje 2 sistema je 2.352 radna dana po poziciji, što odgovara preko 9 godina ili angažovanje tih ključnih stručnjaka sa punim radnim vremenom i tokom DNP-a, dok je Ključni Stručnjak 1 Menadžer projekta (Vođa Tima) ima 1.890 radnih dana.</p>	<p>Poštovani,</p> <p>Naručilac je dokumentacijom o nabavci definisao ukupan rok za pružanje usluge u trajanju od 112 meseci, odnosno 9 godina i 4 meseca.</p> <p>Tokom realizacije predmetne usluge, Naručilac će biti u stalnoj koordinaciji sa Izvršiocom. Izvršilac je dužan da blagovremeno formira tim stručnjaka u odnosu na fazu realizacije predmeta javne nabavke.</p> <p>Takođe, upućujemo sve privredne subjekte na navedeno u okviru „Obrasca strukture cene sa uputstvom kako da se popuni“ (Obrazac 10), pod alinejom jedan:</p> <p>„NAPOMENA:</p>

Možete li ponovo da potvrdite ili razjasnite okvirno vreme angažovanja u radnim danima za tri ključna stručnjaka?

7 Offered price structure PMC

Column 3 - Approximate time of engagement of the expert per working day

We understand that the engagement given in column 3 of document "7 Offered price structure PMC" are only indicative values. However, duration of the project is 7 years + 2 years of DNP, and assigned working days for the Key Expert 2 Construction Manager 1 Civil Engineering and Key Experts 3 Construction Manager 2 Systems is 2,352 working days per position, which correspond to over 9 years or engagement of those Key Experts full time during the DNP too, while the Key Expert 1 Project Manager (Team Lead) has 1,890 working days.

Can you please re-confirm or clarify the actual inputs in working days for three Key Experts?

- Količine iskazane u koloni broj 3. „Okvirno vreme angažovanja stručnjaka po radnom danu“ su okvirne i služe za ocenu ponuda, dok će se iste realizovati po jedničnim cenama iz ponude u skladu sa realnim potrebama Naručioca;“

Shodno iznetom, iz navedenog je moguće doneti zaključak da je reč o okvirnom vremenu angažovanja predstavljen u jednici mere „stručnjak/dan“, dok će se angažovanje svih stručnjaka realizovati po jedničnim cenama iz ponude u skladu sa realnim potrebama Naručioca.

Dear all,

With the procurement documentation, the Employer defined the total term for providing the service for the duration of 112 months, that is, 9 years and 4 months.

During the implementation of the service in question, the Employer will be in constant coordination with the Executor. The Executor is obliged to form a team of experts in a timely manner in relation to the stage of realization of the public procurement subject-matter.

Also, we refer all legal entities to the above in the "Price structure form with instructions on for completion" (Form 10), under paragraph one:

"NOTE:

- Quantities expressed in column number 3 "Approximate time of engaging expert per working day" are indicative and serve for the evaluation of tenders, while they will be realized at unit prices from the offer in accordance with the real needs of the Employer;“

Accordingly, it is possible to conclude from the above that the approximate time of engagement is presented in the unit of measure "expert/day", while the engagement of all experts will be realized at unit prices from the offer in accordance with the real needs of the Employer.

<p><i>Avansno plaćanje</i></p> <p>Konkursnom dokumentacijom nije predviđeno plaćanje avansa.</p> <p>Možete li potvrditi da li će Konsultant imati pravo na avansno plaćanje?</p> <p><i>Advance payment</i></p> <p>The Tender Documentation doesn't envisage advance payment.</p> <p>Can you please confirm whether the Consultant will be entitled to an advance payment?</p>	<p>Naručilac u konkursnoj dokumentaciji (Prilog 3 – Naknade i plaćanja) nije predvideo avansno plaćanje. Shodno iznetom, ostajemo pri navedenom u dokumentaciji o nabavci.</p> <p><i>In the tender documentation (Appendix 3 – Remuneration and Payment), the Employer did not envisage advance payment. Accordingly, we keep what was stated in the procurement documentation.</i></p>
<p><i>2 Obim usluga PMC (Prilog A-E)</i></p> <p><i>9.1.2. Stručnjaci koji nisu ključni</i></p> <p><i>Strana 57: Konsultant mora izabrati i angažovati druge stručnjake prema potrebi u skladu sa profilima navedenim u ovom Obimu usluga. Profili stručnjaka moraju biti jasno naznačeni.</i></p> <p>Razumemo da se ovaj paragraf odnosi na red 2.28 "7 Obrazac str. cene PMC-a" koji uključuje iznos od 19.908 stručnjak -dana za Angažovanje ostalih stručnjaka. Pošto je potrebno navesti profile stručnjaka, razumemo da se od nas očekuje da podelimo ovaj red 2.28 i da predstavimo detalje profila koje nameravamo da mobilizujemo kao „Ostale stručnjake“.</p> <p>Molimo potvrdite naše razumevanje.</p> <p><i>2 Scope of services PMC</i></p> <p><i>9.1.2. Non-Key Experts</i></p> <p><i>Page 57: The Consultant must select and hire other experts as required in accordance with the</i></p>	<p>Poštovani,</p> <p>Naručilac nije predvideo deljenje stavke 2.28 u okviru Obrasca str. cene, kako bi predstavili detalje profila stručnjaka koje nameravate da angažujete kao „Ostale stručnjake“. Shodno iznetom, pod stavkom 2.28 potrebno je upisati zbirnu vrednost.</p> <p>Instrukcija Naručioca, data na str. 57 Obima usluga odnosi se na planiranje angažovanja ostalih stručnjaka, nakon potpisivanja Ugovora sa Konsultantom, i glasi:</p> <p>“Konsultant mora izabrati i angažovati druge stručnjake prema potrebi u skladu sa profilima navedenim u ovom Obimu usluga. Profili stručnjaka moraju biti jasno naznačeni. Svi stručnjaci moraju biti nezavisni i oslobođeni sukoba interesa u odgovornosti koju preuzimaju.”</p> <p><i>Dear all,</i></p> <p><i>The Employer has not envisaged separating item 2.28 in the Offered Price Structure Form, so that you could introduce the details of the profiles of the experts you intend to hire as “Other</i></p>

profiles set out in this Scope of Services. The profiles of the experts must be clearly indicated.

We understand this paragraph is related to the line 2.28 of the "7 Offered price structure PMC" which includes an amount of 19,908 man-days for "Hiring other specialists". Since it is required to indicate the profiles of the experts, we understand we are expected to split this Line 2.28 and to present the detail of the profiles we intend to mobilize as "Other specialists".

Please confirm our understanding.

experts". Accordingly, under item 2.28 it is necessary to write the aggregate value.

The instruction of the Employer, given on page 57 of the Scope of Services refers to the planing of hiring other experts, after the Contract with the Consultant is signed, and it states:

"The Consultant must select and hire other experts as required in accordance with the profiles set out in this Scope of Services. The profiles of the experts must be clearly indicated. All experts must be impartial and free from any conflicts of interest related to the task they are given

We took note of the re-launch procedure for metro project no.PMC 1/22, with a direct open procedure, compared to the restrictive procedure for the first launch and a limited time for the preparation. We consider that the submission period of only 20 working days is not sufficient to prepare a compliant and qualitative offer for such a complex assignment, with a large team of experts. Moreover, the tender procedure is overlapping the Christian holidays of Christmas, and therefore it will create difficulties for consultants in the preparation, and gathering of documents and ensuring the required translation and authorization in a period of well-known holiday period not only for the companies but also for their experts, as well as for the authorized translation offices. It is also even more restrictive for international companies and thus the deadline is preventing fair treatment and competition.

Having into account all the above considerations and explanations, we are kindly requesting an extension of time, respectively with at least 4 weeks period, after the period of celebration for the New Year as well as the Serbian celebrations of Christmas and New Year in line with the old calendar, to allow for the proper gathering of the documents and translations.

Poštovani,

Naručilac je razmotrio vaš zahtev.

Na osnovu propisanih uslova iz dokumentacije o nabavci i javnog poziva, ističemo da je Naručilac prilikom određivanja roka za podnošenje ponuda, uzeo u obzir sve okolnosti na koje se pozivaju privredni subjekti, vodeći se pri tome značaju postupka za zajedničke Naručiocce, Grad Beograd i Republiku Srbiju.

U daljem tekstu, obrazložemo stav naručioca:

Naručilac je ranije obustavio restriktivni postupak javne nabavke i pristupio izradi konkursne dokumentaije u cilju ponovljenog sprovođenja predmeta javne nabavke u otvorenom postupuku - Projekt menadžer za liniju 1 – Upravljanje projektom i nadzor nad izgradnjom beogradskog metroa na lokacijama depo Makiš i Linija 1. Dokumentacijom o nabavci propisano je da svi privredni subjektu moraju uz Obrazac ponude dostaviti isključivo dokaze kojim potvrđuju ispunjenost kriterijuma za dodelu ugovora (cena-kvalitet) u pogledu ponuđene cene, poslovnog i kadrovskog kapaciteta. Naručilac upavo na osnovu dostavljenih dokaza (overa i prevod na srpski jezik), pristupa stručnoj ocenu podnetih ponuda i vrši rangiranje istih.

Ističemo da je dokazivanje preostalih uslova i zahteva iz dokumentacije o nabavci, svi privredni subjekti prolaze Izjavom o ispunjenosti kriterijuma za kvalitativni izbor privrednog subjekta, dok će isti biti razmatrani po otvaranju ponuda, na zahtev Naručioca putem Portala za javne nabavke, upućen na adresu prvorangiranog ponuđača po kriterijumu (cena-kvalitet).

Imajući u vidu način dokazivanja ispunjenosti uslova i zahteva iz dokumentacije o nabavci, kao i činjenicu da je reč o ponovljenom postupku javne nabavke, mišljenja smo da je Naručilac ostavio primeren rok za prikupljanje nepochodnih dokaza.

Shodno navedenom, ostajemo pri definisanom roku za podnošenje ponuda, koji glasi 26.12.2022. godine do 12:00 časova.

Napominjemo da će Naručilac javnom otvaranju ponuda pristupiti 26.12.2022. godine u 12:30 časova.

Zaključak: Odlaganjem roka za podnošenje ponuda, Naručilac bi ugrozio planirane rokove za zaključenje ugovora o izvođenju radova na izgradnji beogradskog metroa. Shodno iznetom, ističemo da je isključivo Naručilac odgovoran za rokove pri realizaciji predmetnog postupka.

Dear all,

The Employer has considered your request.

On the basis of the prescribed conditions from the procurement documentation and the public invitation, we point out that the Employer, when determining the deadline for submitting bids, took into account all the circumstances referred to by legal entities, taking into account the importance of the procedure for the joint Employers, the City of Belgrade and the Republic of Serbia.

In the following text, we explain the Employer's position:

The Employer had earlier suspended the restrictive public procurement procedure and

began to prepare the tender documentation in order to repeat the implementation of the subject-matter of the public procurement in an open procedure - Line 1 Project Manager – Project Management and Supervision Over the Development of the Belgrade Metro at the Makiš Depot and Line 1 Locations. The procurement documentation prescribed is that all legal entities must submit only evidence with the offer form that confirms the fulfillment of the criteria for awarding the contract (price-quality) in terms of the offered price, business and personnel capacity. Based on the submitted evidence (certification and translation into Serbian), the Employer accesses the expert evaluation of the submitted offers and ranks them.

We emphasize that proving the remaining conditions and requirements from the procurement documentation, all legal entities pass the Statement on the Fulfilment of the Criteria for the Qualitative Selection of a Business Entity, while the same will be considered after the opening of bids, at the request of the Employer via the Public Procurement Portal, sent to the address of the first-ranked bidder according to the criteria (price-quality).

Bearing in mind the method of proving the fulfillment of the conditions and requirements from the procurement documentation, as well as the fact that it is a repeated public procurement procedure, we are of the opinion that the Employer has left an appropriate deadline for gathering the necessary evidence.

Accordingly, we remain with the defined deadline for submitting bids, which is December 26, 2022 until 12:00 p.m.

Please note that the Employer will start the public opening of bids on December 26, 2022 at 12:30 p.m.

Conclusion: By postponing the deadline for submitting bids, the Employer would jeopardize the planned deadlines for concluding the contract on the construction of the Belgrade metro. Accordingly, we point out that the

	<p><i>Employer is solely responsible for the deadlines for the implementation of the procedure in question.</i></p>
<p>Quality Criteria - Business capacity 1 - management and/or professional supervision of the execution of works on metro construction projects</p> <p>Please confirm that construction projects used for this criterion can be overall still in progress while the tunnel section is completed.</p> <p>Please confirm that the minimum total length of 15 KM of TBM tunnel could be fulfilled by multiple construction projects.</p>	<p>1) Postovani,</p> <p>Narucilac nece prihvatiti POTVRDE izdate od Narucioaca/Investitora, kojima potvrđuju da su završeni tuneli.</p> <p>Shodno navedenom u dokumentaciji o nabavci, upucujemo sve privredne subjekte na propisan uslov i zahtev:</p> <p>- "da je ponuđač u poslednjih 20 (dvadeset) godina do dana isteka roka za podnošenje ponuda, REALIZOVAO upravljanje i/ili stručni nadzor nad izvođenjem radova na projektima izgradnje deonica metroa izgrađenih mašinom za gradnju tunela (TBM), najmanje zbirne dužine 15 km."</p> <p><i>Dear all,</i></p> <p><i>The Employer will not accept the CERTIFICATES issued by the Client/Investor, confirming that the tunnels have been completed.</i></p> <p><i>In accordance with the procurement documentation, we refer all legal entities to the prescribed condition and requirement:</i></p> <p><i>- that in the last 20 (twenty) years, until the deadline for the submission of bids, the Bidder HAS MANAGED and/or expertly supervised the execution of works on construction projects of sections of the metro systems built with a tunnel boring machine (TBM), in a minimum total length of 15 km.</i></p> <p>2) Najmanja zbirna dužina od 15 km odnosi se na ZBIRNU DUŽINU SVIH PROJEKATA na kojima je ponuđač u poslednjih 20 (dvadeset) godina do dana isteka roka za podnošenje ponuda, realizovao upravljanje i/ili stručni nadzor nad izvođenjem radova na projektima izgradnje deonica metroa izgrađenih mašinom za gradnju tunela (TBM) i za koje je ponuđač dostavio</p>

	<p>dokaze o ispunjenosti uslova koji su precizno definisani tenderskom dokumentacijom.</p> <p>The minimum total length of 15 km refers to the total length of all the projects that in the last 20 (twenty) years, until the deadline for the submission of bids, the Bidder has managed and/or expertly supervised the execution of works on construction projects of sections of the metro systems built with a tunnel boring machine (TBM) and for which the bidder has submitted evidence of fulfillment of the conditions precisely defined in the tender documentation.</p>
<p>Quality Criteria - Business capacity 2 - Supervision on the position of Engineer according to the FIDIC contract, Yellow book</p> <p>Please confirm that construction projects used for this criterion could be substantially complete, for example 85% complete or above.</p>	<p>Neće se prihvatati delimično završeni projekti.</p> <p><i>Partially completed projects will not be accepted.</i></p>
<p>Quality Criteria - Business capacity 1&2</p> <p>Given the possible difficulty to obtain clients signatures using RFP forms (Forms 1a,2a) for references within the last 20 years, please confirm that the Client would accept references certificates (completion certificates signed by the clients issued at time of the project completion) using other similar formats to the one provided by the client or other justifications (contract extract etc.), given that these certificates/documents show the same data required by the Client.</p>	<p>Naručilac upućuje sve privredne subjekte da prilikom dokazivanja ispunjenosti traženih uslova iz dokumentacije o nabavci, koriste prvenstveno modele Potvrda koje čine sastavni deo tenderske dokumentacije. Međutim za slučaj da iste nije moguće obezbediti, Naručilac upućuje sve da Potvrde u razlicitom formatu dostavite prema instrukciji iz dokumentacije o nabavci:</p> <p>„Instrukcije za dokazivanje ispunjenosti traženog uslova (OBAVEZA UČESNIKA U POSTUPKU):</p> <ul style="list-style-type: none"> • Dokumentacija kojom Ponuđač dokazuje ispunjenost traženih uslova opisanih pod tačkama Poslovni kapacitet br. 1 i br. 2 mora biti dostavljena na srpskom jeziku (prevedena i overena od strane sudskog tumača za srpski jezik),

• Dokumentacija mora biti dostavljena sa obeležavanjem stranice ili dela teksta kojim se dokazuje ispunjenost traženog uslova (uokvireno i obeleženo flomasterom),

• Na osnovu člana 142. Zakona o javnim nabavka ("Sl. glasnik RS", broj 91/19) Naručilac zadržava pravo da nakon uvida u izdate Potvrde i Spisak pruženih usluga, po potrebi, zatraži od ponuđača kopije Ugovora, odnosno referentne delove dokumentacije u cilju utvrđivanja spunjenosti traženog uslova“

Zaključak: Potvrđujemo da će Naručilac prihvatiti i potvrde u različitom formatu, koje sadrže informacije iz potvrda navedenih u dokumentaciji o nabavci ili više potvrda kojima se dokazuje ispunjenost traženih uslova.

The Employer instructs all legal entities to use primarily the Certificate models that form an integral part of the tender documentation when proving the fulfillment of the required conditions from the procurement documentation. However, in the event that it is not possible to provide them, the Employer instructs everyone to submit the Certificates in a different format according to the instructions in the procurement documentation:

“Instructions for proving the fulfilment of the required condition (OBLIGATION OF PARTICIPANTS IN THE PROCEDURE):

• *The documentation by which the Bidder proves the fulfilment of the required conditions described under points no. 1 and no. 2 Business capacity, must be submitted in Serbian language (translated and certified by a court interpreter for the Serbian language),*

• *The documentation must be submitted with the marking of the page or part of the text proving the fulfilment of the required condition (framed and marked with a felt-tip pen),*

• *Pursuant to Article 142 of the Law on Public Procurement ("Official Gazette of the RS", number 91/19), the Employer reserves the right, after inspecting the issued Certificates and the List of Services provided, if necessary, to request*

	<p><i>from the Bidder copies of the Contract, i.e. reference parts of the documentation in order to determine the fulfillment of the required condition".</i></p> <p><i>Conclusion: We confirm that the Employer will also accept certificates in a different format, which contain information from the certificates specified in the procurement documentation or more certificates that prove the fulfillment of the required conditions.</i></p>
<p>Personnel capacity 1 – Project Manager</p> <p><i>“...With the obligation to prove the completion of its contracts in the position of Project Manager (Team Leader) and/or Team Leader for professional supervision of the execution of works”</i></p> <p>It’s our understanding that the proposed expert could have started the reference project serving in a position (other than project manager) and ended the project as the Project manager. In this case, the total time on the project (in all positions) would count towards the experience. Please confirm our understanding.</p>	<p>Ne potvrđujemo Vaše razumevanje.</p> <p>Za poziciju Kadrovski kapacitet br. 1 – Menadžer projekta (Vođa tima) priznavaće se samo vreme provedeno na poziciji Prodžekt menadžera i/ili Vođe tima stručnog nadzora.</p> <p><i>We do not confirm your understanding.</i></p> <p><i>For the position of Personnel capacity no. 1 – Project Manager (Team Leader) only the time spent on the position of Project Manager and/or Team Leader for professional supervision.</i></p>
<p>Personnel capacity 2 – Chief Engineer 1 Civil works</p> <p><i>“that the Bidder has the necessary personnel capacity by the deadline for submitting bids employed or engaged key expert - Chief Engineer 1 Civil works with work experience of at least 5 (five) years, in the position of TEAM LEADER for expert supervision”</i></p> <p>Please confirm that the expert who provided services on positions such as “Construction Manager”, “Supervision Manager”, “Civil Works Manager” etc..., where his job description matched fully the description the Client provided would be acceptable? Additionally, we found a slightly different rewording of the criteria for this position in “Instructions to</p>	<p>Naručilac će prihvatiti sve reference u kojima opis posla ponuđenog eksperta u potpunosti odgovara traženom opisu posla koji je dat u tenderskoj dokumentaciji.</p> <p>Ispravan, Chief Engineer 1 Civil Work.</p> <p><i>The Employer will accept all references in which the job description of the offered expert fully corresponds to the requested job description given in the tender documentation.</i></p> <p><i>Correct, Chief Engineer 1 Civil Work.</i></p>

<p>Tenderers” document, where this position is called “Construction Manager 1 Civil Engineering” as opposed to “Chief Engineer 1 Civil Works” and “Team Leader” in the description is replaced with “Construction Manager”, so please clarify.</p>	
<p>Personnel capacity 3 - Chief Engineer 2 Systems</p> <p><i>“that the Bidder has the necessary personnel capacity by the date of the deadline for submission of tenders, having an employee or working key expert in the position - Chief Engineer 2 Systems with work experience of at least 5 years in the position of TEAM LEADER for expert supervision.....”</i></p> <p>Please confirm that the expert who provided services on positions such as “Construction Manager”, “Supervision Manager”, “Systems Manager” etc..., where his job description matched fully the description the Client provided would be acceptable? Additionally, we found a slightly different rewording of the criteria for this position in “Instructions to Tenderers” document, where this position is called “Construction Manager 2 Systems” as opposed to “Chief Engineer 2 Systems” and “Team Leader” in the description is replaced with “Construction Manager”, so please clarify.</p>	<p>Naručilac će prihvatiti sve reference u kojima opis posla ponuđenog eksperta u potpunosti odgovara traženom opisu posla koji je dat u tenderskoj dokumentaciji.</p> <p>Ispravno, Chief Engineer 2 Systems.</p> <p><i>The Employer will accept all references in which the job description of the offered expert fully corresponds to the requested job description given in the tender documentation.</i></p> <p><i>Correct, Chief Engineer 2 Systems.</i></p>
<p>Scope of Services. Section 9.3. offices.</p> <p>Please confirm the contractor will provide offices at the site for the Consultant’s staff on the project during the whole project duration.</p>	<p>Potvrđujemo da će Izvođač obezbediti prostorije za Konsultanta na gradilištu, od trenutka otvaranja gradilišta.</p> <p><i>We confirm that the Contractor will provide premises for the Consultant at the construction site, from the moment the construction site opens.</i></p>
<p>Scope of Services. Section 9.3. offices.</p>	<p>Potvrđujemo da ključni eksperti mogu da rade u zemlji prebivališta pre faze formiranja</p>

<p>Please confirm that some of the international Key Expert activities for example activity .1.1 to 1.3. (preparation of Project Management plan, design review, etc.) can be performed from the experts home country until they are mobilised full time at site as this would allow to optimise the budget and mobilisation period.</p>	<p>gradilišta, uz obavezu prisustvovanja važnim sastancima na zahtev Naručioca.</p> <p><i>We confirm that key experts can work in the country of residence before the stage of construction site formation, with the obligation to attend important meetings at the request of the Employer.</i></p>
<p>Contract conditions</p> <p>We note that the Contracting Authority did not take into consideration the possibility of price changes, inflation, price indexation and similar. Having in mind the length of the service contract and current inflation rates, locally and internationally, we would kindly ask you to include a price escalation clause in the contract.</p>	<p>Naručilac nije predvideo formulu za usklađivanje cena.</p> <p><i>The Employer did not provide a formula for price harmonization.</i></p>
<p>Scope of Services</p> <p>Please advise in which phase of the project should Line II be considered (phase I or phase II)?</p>	<p>Jedino mesto gde se po ovom ugovoru pojavljuje linija 2 je stanica Savski trg koja je deo faze 1, linije 1 i stanica Mirjevo koja je deo faze 2, linije 1. Obe stanice su zajedničke stanice Linije 1 i Linije 2.</p> <p><i>The only instance where Line 2 appears, according to this contract, is Savski trg station which is part of phase 1 line 1 and Mirijevo station which is part of phase 2 line 1. Both stations are joint stations of Line 1 and Line 2.</i></p>
<p>Scope of Services</p> <p>Is it correct to consider that a separate PMC for Line II will be established?</p>	<p>Da, tačno je Linija 2 će imati poseban ugovor za PMC.</p> <p><i>Yes, it is correct that Line 2 will have a separate contract for PMC.</i></p>
<p>Scope of Services</p>	<p>Linija 3 nije deo ove tenderske dokumentacije.</p>

<p>Please confirm that the rolling stock for all three projected lines will be the same fleet series. In addition, please advise projected numbers for line III (assuming Line I and II are provided already in the tender documents).</p>	<p><i>Line 3 is not a part of this tender documentation.</i></p>
<p>Scope of Services</p> <p>Please advise when the start of HVAC and SCADA systems works will be initiated?</p>	<p>Tačan datum instalacije navedenih Sistema biće naknadno definisan, dok se okvirni vremenski raspored može videti u dokumentu Prilog C - Okvirni vremenski raspored.</p> <p><i>The exact date of installation of the mentioned Systems will be defined later, while the approximate time schedule can be seen in document Appendix C – Tentative timetable.</i></p>
<p>Scope of Services</p> <p>Please advise when the OCC (Operations control center) works will begin?</p>	<p>Prema okvirnoj dinamici radova, kojom raspoložemo u ovom trenutku, građevinski radovi na izgradnji objekta Administrativne zgrade i OCC-a počinju u 1. Kvartalu 2024.</p> <p><i>According to the tentative dynamics of the works, which we have at this moment, construction works on the construction of the Administrative Building and the OCC will begin in the 1st quarter of 2024.</i></p>
<p>Scope of Services</p> <p>Please confirm whom from the contracting parties will be responsible for delivering and overseeing works related to the power systems (e.g. substations, etc)?</p>	<p>Upućujemo vas na navedeno u Prilogu D – RACI MATRIX.</p> <p><i>We refer you to the text in Appendix D – RACI MATRIX.</i></p>
<p>Scope of Services</p> <p>Could you please confirm that the Consultant will be provided the access to the Client ERP and the selected Electronic Document management</p>	<p>Nije planirano da Naručilac Konsultantu obezbedi navedeni softver.</p>

<p>software at no cost for the performance of the services.</p>	<p>Naručilac je predvideo softversko rešenje 3DEXPERIENCE Dassault Systèmes za potrebe planiranja i upravljanja projektom.</p> <p><i>It is not planned for the Employer to provide the Consultant with the mentioned software.</i></p> <p><i>The Employer envisaged the software solution 3DEXPERIENCE Dassault Systèmes for the needs of planning and project management.</i></p>
<p>Appendix D – RACI Matrix Between Contractors</p> <p>The first row of the Matrix (Table Heading) has 7 Contractors mentioned while it's mentioned in the "Scope of Services" document that the works will be performed by 2 main contractors. Please clarify.</p>	<p>Upućujemo sve na prvi red RACI matrice gde se vide dva izvođača, jedan izvođač za građevinske radove i jedan izvođač za sisteme.</p> <p><i>We refer everyone to the first row of the RACI matrix shows two contractors, one contractor for construction works and one contractor for systems.</i></p>
<p>Subcontracting</p> <p>Please advise, will it be allowed to nominate new/additional subcontractors during the Project implementation stage? Namely, having in mind the length of the Project, and Project implementation phases, does all subcontractors that will be engaged during the project implementation stage need to be nominated in the offer?</p>	<p>Nije moguće angažovati nove/dodati podizvođače u toku realizacije Ugovora.</p> <p>Imajući u vidu da je podizvođača/e moguće zameniti u toku realizacije ugovora, za slučaj da dođe do promene podizvođača u toku realizacije ovog Ugovora, Nosilca grupe ponuđača ima obavezu da obezbedi zamenu koja poseduje iste ili bolje kvalifikacije, naručito u oblasti koja je bila poverena zamenjenom podizvođaču (uz saglasnost Naručioca).</p> <p>Upućujemo sve privredne subjekte na odredbe člana 131. ZJN.</p> <p><i>It is not possible to hire new/add subcontractors during the implementation of the Agreement.</i></p> <p><i>Bearing in mind that it is possible to replace the subcontractor/s during the implementation of the contract, in the event that there is a change of subcontractor during the implementation of this Contract, the holder of the group of bidders</i></p>

	<p><i>has the obligation to provide a replacement with the same or better qualifications, preferably in the area that was entrusted to the replaced subcontractor (with the consent of the Client)</i></p> <p><i>We refer all legal entities to the provisions of Article 131 of the Law on Public Procurement.</i></p>
<p>Professional Qualifications & Personnel Capacity 1 & 2</p> <p>Given the possible difficulty to obtain previous Employers/clients signatures using RFP forms (Forms 3a,3b,4a.... etc.) for proving employment and work experience within the last 30 years, please confirm that the Client would accept other employment proofs using other similar formats to the one provided by the client or other justifications (employment certificates, end of service certificates.... etc.), given that these certificates/documents show the same data required by the Client.</p>	<p>Naručilac upućuje sve privredne subjekte da prilikom dokazivanja ispunjenosti traženih uslova iz dokumentacije o nabavci, koriste prvenstveno modele Potvrda koje čine sastavni deo tenderske dokumentacije. Međutim za slučaj da iste nije moguće obezbediti, Naručilac upućuje sve da Potvrde u razlicitom formatu dostavite prema instrukciji iz dokumentacije o nabavci:</p> <p>„Instrukcije za dokazivanje ispunjenosti traženog uslova (OBAVEZA UČESNIKA U POSTUPKU):</p> <ul style="list-style-type: none"> • Dokumentacija kojom Ponuđač dokazuje ispunjenost traženih uslova opisanih pod tačkama 1.1) , 1.2),1.3) i 1.4), mora biti dostavljena na srpskom jeziku (prevedena i overena od strane sudskog tumača za srpski jezik), • Dokumentacija mora biti dostavljena sa obeležavanjem stranice ili dela teksta kojim se dokazuje ispunjenost traženog uslova (uokvireno i obeleženo flomasterom), • Na osnovu člana 142. Zakona o javnim nabavka ("Sl. glasnik RS", broj 91/19) Naručilac zadržava pravo da nakon uvida u izdate Potvrde i Spisak pruženih usluga, po potrebi, zatraži od ponuđača kopije Ugovora, odnosno referentne delove dokumentacije u cilju utvrđivanja spunjenosti traženog uslova“ <p>Zaključak: Potvrđujemo da ce Naručilac prihvatiti i potvrde u različitom formatu, koje sadrže informacije iz potvrda navedenih u dokumentaciji o nabavci ili više potvrda kojima se dokazuje ispunjenost traženih uslova.</p>

	<p><i>The Employer instructs all legal entities to use primarily the Certificate models that form an integral part of the tender documentation when proving the fulfillment of the required conditions from the procurement documentation. However, in the event that it is not possible to provide them, the Employer instructs everyone to submit the Certificates in a different format according to the instructions in the procurement documentation:</i></p> <p><i>“Instructions for proving the fulfilment of the required condition (OBLIGATION OF PARTICIPANTS IN THE PROCEDURE):</i></p> <ul style="list-style-type: none"> <i>• The documentation by which the Bidder proves the fulfilment of the required conditions described under points 1.1), 1.2), 1.3) and 1.4), must be submitted in the Serbian language (translated and certified by a court interpreter for the Serbian language),</i> <i>• The documentation must be submitted with the marking of the page or part of the text proving the fulfilment of the required condition (framed and marked with a felt-tip pen),</i> <i>• Pursuant to Article 142 of the Law on Public Procurement ("Official Gazette of the RS", number 91/19), the Employer reserves the right, after inspecting the issued Certificates and the List of Services provided, if necessary, to request from the Bidder copies of the Contract, i.e. reference parts of the documentation in order to determine the fulfillment of the required condition".</i> <p><i>Conclusion: We confirm that the Employer will also accept certificates in a different format, which contain information from the certificates specified in the procurement documentation or more certificates that prove the fulfillment of the required conditions.</i></p>
<p>1. Poštovani,</p> <p>Konkursnom dokumentacijom za predmetnu nabavku odabrali ste otvoreni postupak kao</p>	<p>Poštovani,</p> <p>Naručilac upućuje sve privredne subjekte na navedeno u dokumentaciji o nabavci, u</p>

vrstu postupka i odredili ste rok 26.12.2022. godine. Javni poziv je poslat na objavljivanje 25.11.2022. godine i isti je objavljen 26.11.2022. godine.

Članom 52 Zakona o javnim nabavkama jasno je određen minimalni rok za podnošenje ponuda u otvorenom postupku na sledeći način:

Minimalni rok za podnošenje ponuda u otvorenom postupku je:

1) 35 dana od dana slanja na objavljivanje javnog poziva, za javnu nabavku čija je procenjena vrednost jednaka ili veća od iznosa evropskih pragova;

Evropski prag za usluge u dinarskoj vrednosti koji je zvanično objavljen u Sl. glasnik RS", br. 127/2021 iznosi 88.185.750 din.

Uzimajući u obzir da ste u odgovorima od 15.12.2022. godine naveli da je vrednost izvođenja radova na Projektu preko 2,5 Milijarde evra, nesumnjivo je da je procenjena vrednost za predmetnu uslugu veća od iznosa navedenog evropskog praga.

Shodno svemu navedenom, minimalni rok za podnošenje ponuda u skladu sa Zakonom o javnim nabavkama je morao da bude minimalno određen kao 30.12.2022. godine računajući od 25.11.2022. godine.

Imajući u vidu složenost Projekta i pripreme tenderske dokumentacije, ta da smatramo da se ne poseduju valjani dokazi za skracenje zakonom definisanog roka

Molimo Vas da izvršite izmenu u skladu za Zakonom.

dokumentu „Javni poziv - sektorska nabavka“ gde je na jasan i nedvosmislen način Naručilac obrazložio:

„Odeljak IV: Postupak

IV.1) Opis

IV.1.1) Vrsta postupka

Otvoreni postupak x

Restriktivni postupak

Pregovarački postupak sa objavljivanjem javnog poziva

Konkurentni dijalog

Partnerstvo za inovacije

Korišćenje kraćeg roka iz razloga opravdane hitnosti (samo u slučaju otvorenog postupka, restriktivnog postupka, ili pregovaračkog postupka sa objavljivanjem javnog poziva) x

Obrazloženje:

Zaključkom Vlade Republike Srbije 05 br. 351-9638/2019-1 od 10. oktobra 2019. godine, utvrđuje se da je Projekat izgradnje beogradskog metroa, projekat od značaja za Republiku Srbiju.

Odredbom člana 34. Zakona o posebnim postupcima, definisan je rok za podnošenje ponuda u postupku iz člana 32. ovog zakona, koji ne može biti kraći od deset dana od dana objavljivanja poziva za podnošenje ponuda.

Poziv za podnošenje ponuda za javne nabavke iz člana 32. ovog zakona objavljuje se i na internet stranici naručioca, portalu Uprave za javne nabavke i portalu službenih glasila Republike Srbije i baza propisa.

Shodno iznetom, Naručilac je definisao primeren rok za dostavljanje ponuda, ne kraći od 25 dana od dana slanja javnog poziva i dokumentacije o nabavci na objavu.“

Nadalje, u cilju pojašnjenja i boljeg razumevanja uslova i zahteva iz dokumentacije

o nabavci, sve privredne subjekte upućuje da na odredbe člana 32.–36. Zakona o posebnim postupcima radi realizacije projekata izgradnje i rekonstrukcije linijskih infrastrukturnih objekata od posebnog značaja za Republiku Srbiju ("Sl. glasnik RS", br. 9/2020) – nadalje Zakon o posebnim postupcima, čiji je predlagač Ministarstvo građevinarstva, saobraćaja i infrastrukture, donosilac Vlada Republike Srbije, a koji je stupio na snagu dana 12.02.2020. godine.

Imajući u ranije izneto, ističemo da Naručilac sprovodi predmetni postupak javne nabavke prema odredbama Zakona o posebnim postupcima.

ZAKLJUČAK: Ponavljamo, odredbom člana 34. Zakona o posebnim postupcima, definisan je rok za podnošenje ponuda u postupku iz člana 32. Zakona o posebnim postupcima, koji ne može biti kraći od deset dana od dana objavljivanja poziva za podnošenje ponuda.

Takođe, da je Naručilac obrazložio svoje postupanje navodeći da je definisao primeren rok za dostavljanje ponuda, ne kraći od 25 dana od dana slanja javnog poziva i dokumentacije o nabavci na objavu, što je značajno više od zakonskog minimuma propisanog u članu 34. stav 1. Zakona o posebnim postupcima.

Napominjemo da se Republička komisija za zaštitu prava ponuđača u postupcima, u više navrata pozitivno izjašnjavala na osnovanost primene Zakona o posebnim postupcima, kojim je Projekat izgradnje beogradskog metroa, prepoznat kao projekat od značaja za Republiku Srbiju.

Ističemo da je obaveza svih savesnih privrednih subjekata, koji podnose ponudu u predmetnom postupku bila da se informišu o sadržini predmetnog Zakona.

Ovim smatramo da su nedoumice u vezi sa definisanjem roka za podnošenje ponuda u potpunosti otklonjene.

Dear all,

The Employer refers all legal entities to the text in the tender documentation, the document "Public Invitation - sectoral procurement", where the Employer has clearly and unambiguously stated:

"Section IV: Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure x

Restrictive procedure

Negotiated procedure with issuing public invitation

Competitive dialogue

Innovation partnership

Applying shorter deadline due to justified urgency (only in case of open procedure, restrictive procedure, or negotiated procedure with issuing public invitation) x

Explanation:

By the conclusion of the Government of the Republic of Serbia 05 no. 351-9638/2019-1 of October 10, 2019, it is determined that the Belgrade Metro Construction Project is a project of importance for the Republic of Serbia.

The provision of Article 34 of the Law on Special Procedures defines the deadline for submitting bids in the procedure referred to in Article 32 of this law, which cannot be shorter than ten days from the date of publication of the call for bids.

The invitation to submit bids for public procurement from Article 32 of this law is also published on the contracting authority's website, the portal of the Administration for Public Procurement and the portal of the official gazettes of the Republic of Serbia and the database of regulations.

In accordance with the above, the Employer has defined an appropriate deadline for the submission of bids, no shorter than 25 days from

the date of sending the public invitation and procurement documentation for publication.“

Furthermore, in order to clarify and better understand the conditions and requirements from the procurement documentation, all legal entities are directed to the provisions of Articles 32-36 of the Law on Special Procedures for the Implementation of Projects of Construction and Reconstruction of Line Infrastructure Facilities of Special Importance for the Republic of Serbia ("Official Gazette of RS", No. 9/2020) - hereinafter the Law on Special Procedures, proposed by the Ministry of Construction, Transport and Infrastructure, enacted by the Government of the Republic of Serbia, which entered into force on February 12, 2020.

Bearing in mind the above, we point out that the Employer conducts the said public procurement procedure according to the provisions of the Law on Special Procedures.

CONCLUSION: We reiterate that the provision of Article 34 of the Law on Special Procedures defines the deadline for submission of offers in the procedure referred to in Article 32 of the Law on Special Procedures, which cannot be shorter than ten days from the date of publication of the invitation to submit bids.

Also, the Employer explained its actions by stating that it defined an appropriate deadline for the submission of offers, no shorter than 25 days from the date of sending the public invitation and procurement documentation for publication, which is significantly more than the legal minimum prescribed in Article 34, paragraph 1 of the Law on Special Procedures.

We note that the State Commission for the Protection of the Rights of Bidders in Procedures has on several occasions positively supported the application of the Law on Special Procedures, by which the Belgrade Metro Construction Project was recognized as a project of importance for the Republic of Serbia.

We emphasize that it is the obligation of all conscientious legal entities, which submit an

	<p><i>offer in the said procedure, to inform themselves about the contents of the said Law.</i></p> <p><i>Having stated the above, we believe that the doubts regarding the definition of the deadline for submission of offers have been completely removed.</i></p>
<p>Poštovani,</p> <p>Uzimajući u obzir pitanja/ odgovore od 15.12.2022. godine u okviru kojih je značajan broj zahteva bio usmeren na produženje roka za dostavu ponuda, molimo Vas još jednom da razmotrite opciju minimalnog produženja roka za dostavu ponuda za npr 16.1.2023. godine. Smatramo da to nikako ne može da utiče negativno na rokove definisane u Obimu usluga PMC prema kojem je na strani 31 navedeno da PMC usluga počinje u okviru prvog kvartala 2023. godine. Prema Svetskom kalendaru koji se primenjuje i u Republici Srbiji, prvi kvartal ima 91 dan i završava se zaključno sa 1.4.2023. godine. Takođe određena pitanja su postavljena i 8.12. tako da u slučaju da postoji određena hitnost u postupanju, odgovore na pitanja mogli da postavite i pre 15.12.2022. godine (7 dana nakon postavljanja pitanja).</p> <p>Zaključak Vlade Republike Srbije 05 br. 351-9638/2019-1 od 10. oktobra 2019. godine koji pominjete u javnom pozivu, ni u jednoj tački ne navodi da je postupanje u vezi za izborom Ponuđača za predmetnu uslugu hitno. Rok za važenje ponuda koji ste odredili takođe odstupa od načela hitnosti jer ste naveli 120 dana, a prema zakonu minimalni rok za važenje ponude je 30 dana, što dodatno ukazuje da ne postoji valjan dokaz za insistiranje na kratkom roku. Produženje roka samo može pozitivno da utiče na povećanje konkurencije i da omogući da inostrani /domaći ponuđači pripreme dokumentaciju nakon božićnih i novogodišnjih praznika koji su neradni dani.</p>	<p>Poštovani,</p> <p>Naručilac je u više navrada istakao da Projekat izgradnje beogradskog metroa, predstavlja projekat od značaja za Republiku Srbiju, što je dokumentovano zaključcima Vlade RS. Ističemo da bez zaključenog ugovora za pružanje usluge upravljanja projektom i nadzora nad projektom izgradnje beogradskog metroa za lokacije depo Makiš i Linija 1, nije moguće pristupiti potpisivanju međudržavnih ugovora sa izvođačima radova, odnosno preuzimanju obaveza u cilju dalje realizacije projekta.</p> <p>Napominjemo da je prvi i osnovni zadatak pružaoca usluge (tima okupljenog oko Project managera - PM), da pruži stručnu pomoć naručiocu pri izradi ugovora o izvođenju radova, kako bi stečena iskustva PM primenili na otklanjanje ili umanjivanje rizika koji može doprineti nastanku posledica nesagledivih razmera po naručioca/investitora. S tim u vezi, Naručilac je prinuđen da najkraćem roku sprovede predmetni postupak, u cilju odabira pouzdanog partnera, sa odgovarajućim referencama i iskustvom.</p> <p>Nadalje, u pogledu definisanog roka važenja ponude od najmanje 90 dana, Naručilac je upravo poučen iskustvom iz ranije sprovedenog postupka nabavke, definisao primeren rok važenja ponude, kako bi osigurao da iste budu važeće i za slučaj da nastupe nepredviđene okolnosti, koje nisu na strani Naručioca. Savestan Naručilac, donosi odluke u interesu predmeta javne nabavke.</p>

Ovim smatramo da su nedoumice u vezi sa definisanim rokovima u okviru dokumentacije o nabavci u potpunosti otklonjene.

Dear all,

The Employer has repeatedly pointed out that the Belgrade Metro Construction Project is a project of importance for the Republic of Serbia, which is documented by the conclusions of the Government of the Republic of Serbia. We emphasize that without a signed contract for the provision of project management services and supervision of the construction project of the Belgrade metro for the Makiš depot and Line 1 locations, it is not possible to enter into the signing of interstate contracts with contractors, i.e. assuming obligations in order to further develop the project.

Please note that the first and basic task of the service provider (the team gathered around the Project Manager - PM) is to provide professional assistance to the Employer in the preparation of the contract for the execution of works, so that the acquired experience of the PM can be applied to the elimination or reduction of risks that may contribute to the occurrence of consequences of unfathomable proportions to the Employer/Investor. In this regard, the Employer is forced to carry out the relevant procedure as soon as possible, in order to select a reliable partner with appropriate references and experience.

Furthermore, with regard to the defined period of validity of the offer of at least 90 days, the Employer has, with the hindsight of the previously conducted procurement procedure, defined an appropriate period of validity of the offer, in order to ensure that the offers are also valid in case of unforeseen circumstances, which are not the responsibility of the Employer. A conscientious Employer, makes decisions in the interest of the subject of public procurement.

Having stated the above, we believe that the doubts regarding the definition of the deadlines in the tender documentation have been completely removed.

<p>Dear Sirs, after inspecting the tender documentation, we conclude that the description of the criteria for the qualitative selection of the subject procurement does not contain all the mandatory elements that you require within this procurement in terms of technical and professional capacity and that the document Criteria for qualitative selection and Instructions are not consistent.</p> <p>The instructions should define the way to prove the requirement set by the Investor in document Criteria for qualitative selection, however, the instructions also contain new 2 professional references that are not part of point 3. of Technical and professional capacity within the Criteria for the qualitative selection of the subject procurement.</p> <p>Such action is not in accordance to Law, and creates confusion for potential bidders and makes it impossible to generate a corresponding statement through the Portal, which the Bidder is obliged to submit.</p> <p>Please change the procurement documents and include professional references in point 3.1 Technical and professional capacity with a clear indication of the evidence that bidders are required to submit at this stage of the procedure. Procurement documentation must be consistent in all acts.</p>	<p>Poštovani,</p> <p>Naručilac je na jasan i nedvosmislen način u dokumentaciji o nabavci definisao:</p> <ul style="list-style-type: none"> - Kriterijume za dodelu ugovora i - Kriterijume za kvalitativni izbor privrednog subjekta <p>Shodno iznetom, naručilac upućuje sve privredne subjekte da je u okviru kriterijuma za dodelu ugovora, definisan kriterijum CENA 30 pondera i KVALITET 70 pondera (ekonomski najpovoljnija ponuda). Ističemo da je Naručilac u dokumentaciji o nabavci, dao jasne instrukcije za dostavljanje potrebne dokumentacije.</p> <p>U cilju razumevanja potreba Naručioca, navodimo da komisija naručioca ne može pristupiti rangiranju podnetih ponuda, po zadatom kriterijumu, bez dokaza na osnovu koji je moguće utvrditi ispunjenost traženih uslova. Naime, kako bi odmah po otvaranju ponuda Naručilac pristupio stručnoj oceni, odnosno rangiranju ponuda (po zadatim kriterijumima), neophodni su dokazi kojim privredni subjekti dokazuju ispunjenost traženih uslovima u okviru Kriterijuma za dodelu ugovora.</p> <p>Nakon izvršenog rangiranja, Naručila će putem Portala za javne nabavke zatražiti od najbolje plasiranog Ponuđača PRIHVATLJIVA PONUDA – RANG 1 (najviše pondera po zadatim kriterijumima za dodelu ugovora), da dostavi dokumentaciju kojom potvrđuje ispunjenost traženih uslova u okviru - Kriterijuma za kvalitativni izbor privrednog subjekta. Dodajemo da je Naručilac u dokumentaciji o nabavci, dao jasne instrukcije za dostavljanje potrebne dokumentacije za utvrđivanje ispunjenosti kriterijuma za kvalitativni izbor privrednog subjekta.</p>

Kako bi svi privredni subjekti bili informisani o zakonskom odredbi na osnovu koje je Naručilac definisao način dokazivanja, u daljem tekstu pružamo uvidu u odredbe člana 32. stav 3. Zakona o posebnim postupcima radi realizacije projekata izgradnje i rekonstrukcije linijskih infrastrukturnih objekata od posebnog značaja za Republiku Srbiju ("Sl. glasnik RS", br. 9/2020):

"U postupku javne nabavke iz stava 1. ovog člana ne primenjuju se odredbe zakona kojim se uređuju javne nabavke, a koje se odnose na plan nabavki, prethodno obaveštenje, način dokazivanja obaveznih i dodatnih uslova za učešće u postupku javne nabavke, rokove za podnošenje ponuda i rokove za odlučivanje Republičke komisije za zaštitu prava u postupcima javnih nabavki."

Ističemo, Naručilac je svim privrednim subjektima u dokumentu „Opšti podaci o predmetu javne nabavke“, pružio informaciju o zakonskim odredbama na osnovu kojih sprovodi predmetni postupak, pod stavkom „Vrsta postupka“, tako da glasi:

„Predmetnu nabavku sprovodi JKP „Beogradski metro i voz“ u otvorenom postupku javne nabavke u skladu sa odredbom člana 32. Zakona o posebnim postupcima radi realizacije projekata izgradnje i rekonstrukcije linijskih infrastrukturnih objekata od posebnog značaja za Republiku Srbiju ("Sl. glasnik RS", br. 9/2020), odredbama Zakona o javnim nabavkama ("Sl. glasnik RS", br. 91/2019) i podzakonskim aktima koji regulišu oblast javnih nabavki, u ime i za račun Grada Beograda, Gradske uprave grada Beograda, Sekretarijata za javni prevoz.“

Ovim smatramo da su nedoumice u vezi sa definisanim načina dokazivanja ispunjenost uslova i zahteva iz dokumentacije o nabavci u potpunosti otklonjene.

Dear all,

The Employer has, in the tender documentation, clearly and unambiguously defined:

- *Contract award criteria*
- *Criteria for qualitative selection*

Accordingly, the Employer instructs all legal entities that within the Contract award criteria, the criterion PRICE-ponder 30 and QUALITY-ponder 70 (economically the most favorable offer) is defined. We emphasize that, in the tender documentation, the Employer gave clear instructions for submitting the necessary documentation.

In order to understand the needs of the Employer, we state that the Commission of the Employer cannot proceed with the ranking of submitted bids, according to the given criteria, without evidence on the basis of which it is possible to determine the fulfillment of the required conditions. Namely, in order for the Employer to be able to proceed to the professional evaluation, i.e., the ranking of the bids (according to the set criteria), immediately after the opening of the bids, evidence is necessary by which legal entities prove the fulfillment of the required conditions within the Contract award criteria.

After the ranking has been performed, the Employer will request through the Public Procurement Portal from the highest-ranked Bidder ACCEPTABLE OFFER - RANK 1 (highest weighting according to the given contract award criteria), to submit the documentation confirming the fulfillment of the required conditions within the Criteria for qualitative selection of a legal entity. We add that in the procurement documentation, the Employer gave clear instructions for submitting the necessary documentation to determine the fulfillment of the criteria for the qualitative selection of the legal entity.

In order for all legal entities to be informed about the legal provision on the basis of which the Employer defined the method of proof, in the following text we provide an insight into the provisions of Article 32, paragraph 3 of the Law on Special Procedures for the Implementation of Projects of Construction and Reconstruction of Line Infrastructure Structures of Particular

	<p><i>Importance for the Republic Serbia ("Official Gazette of RS", No. 9/2020):</i></p> <p><i>"In the public procurement procedure referred to in paragraph 1 of this article, the provisions of the law regulating public procurement, which refer to the procurement plan, prior notification, the method of proving mandatory and additional conditions for participation in the public procurement procedure, deadlines for submitting bids and deadlines for decisions by the State Commission for the Protection of Rights in Public Procurement Procedures, shall not be applied."</i></p> <p><i>We emphasize that, in the document "GENERAL INFORMATION ON THE SUBJECT MATTER OF THE PUBLIC PROCUREMENT", the Employer provided information on the legal provisions on the basis of which it conducts the procedure in question, under the item "Type of procedure", so that it reads:</i></p> <p><i>"The procurement in question is carried out by PUC "Belgrade Metro and Train" in an open public procurement procedure in accordance with the provisions of Article 32 of the Law on Special Procedures for the Implementation of Projects of Construction and Reconstruction of Line Infrastructure Structures of Particular Importance to the Republic of Serbia ("Official Gazette of RS", no. 9/2020), the provisions of the Law on Public Procurement ("Official Gazette of RS", no. 91/2019) and by-laws governing the field of public procurement, in the name and on behalf of the City of Belgrade, the City Administration of the City of Belgrade, the Secretariat for Public Transport."</i></p> <p><i>Having said this, we consider that the doubts regarding the defined way of proving the fulfillment of the conditions and requirements from the procurement documentation have been completely removed.</i></p>
	<p>Poštovani,</p>

Poštovani, u dokumentu Opis kriterijuma za tehnički i stručni kapacitet odredili ste tehničke i stručne uslove na sledeći način:

U rubrici dodatni opis kriterijuma navedena su 4 (ključna stručnjaka) za pozicije :

- Građevinski inženjer za tunele,
- Građevinski inženjer za konstrukcije,
- Inženjer geotehnike i
- Stručnjak za podsistem signalizacije, upravljanja i kontrolu metro sistema.

Predmetne pozicije ujedno su navedene i u obrascu strukture cena na pozicijama 1.4, 1.5., 1.6 i 1.7.

U navedenom opisu kriterijuma nigde ne navodite obavezu za raspolaganjem kadrovskog kapaciteta za pozicije iz strukture cena i to za :

1.1. Menadžer Projekta (Vođa tima)

1.2. Rukovodilac izgradnje 1- građevina,

1.3. rukovodilac izgradnje 2- sistemi .

Članom 114 Zakona o javnim nabavkama propisano je da se kriterijumi za izbor privrednog subjekta u postupku javne nabavke mogu odnositi na

- 1) ispunjenost uslova za obavljanje profesionalne delatnosti;
- 2) finansijski i ekonomski kapacitet;
- 3) tehnički i stručni kapacitet.

Član 117 Zakona o javnim nabavkama jasno propisuje da Naručilac može da odredi uslove u pogledu tehničkog i stručnog kapaciteta kojima se obezbeđuje da privredni subjekt ima potrebne kadrovske i tehničke resurse i iskustvo potrebno za izvršenje ugovora o javnoj nabavci sa odgovarajućim nivoom kvaliteta, a naročito može da zahteva da privredni subjekt ima dovoljno iskustva u pogledu ranije izvršenih ugovora.

Naručilac je ranije obrazložio svoje postupanje. Shodno iznetom, ostajemo pri navedenom u dokumentaciji o nabavci.

Dear all,

The Employer has explained its actions earlier. Accordingly, we are confirming the stated in the tender documentation.

Sve gore navedeno upućuje na Vašu obavezu da u dokumentu Opis kriterijuma navedete sve tehničke i stručne zahteve i iskustvo koje je potrebno za realizaciju usluge, što u konkretnom slučaju niste učinili.

Naime,

Napominjemo da pozicije 1.1. 1.2. i 1.3. iz obrasca strukture cena nisu navedene u okviru tačke 3.1. Obrazovne i stručne kvalifikacije, što je bilo obavezno u cilju sastavljanja zakonite izjave o ispunjenosti kriterijuma.

Takođe u uputstvu navodite numeričku vrednost pondera samo za pozicije 1.1. 1.2. i 1.3. koje niste propisali kao kriterijum za izbor privrednog subjekta u okviru tehničkog i stručnog kapaciteta. Podsećamo da ste kao kriterijum za tehnički i stručni kapacitet definisali samo pozicije 1.4. 1.5. 1.6 i 1.7. Napominjemo da je prema članu 133 ZJN pri ocenjivanju ponuda naručilac je dužan da primenjuje samo one kriterijume koji su sadržani u dokumentaciji o nabavci i to na način kako su opisani i vrednovani.

Molimo Vas da izmenite konkursnu dokumentaciju i u dokument opis kriterijuma za kvalitativni izbor privrednog subjekta uključite pozicije 1.1. 1.2. i 1.3. sa opisom kriterijuma.

Poštovani,

Određene uslove i dokaze za pozicije 1.1. 1.2. i 1.3. navodite u Uputstvu ponuđačima za sastavljanje ponuda, što nikako ne može biti protumačeno kao kriterijum za tehnički i stručni kapacitet, jer se ne nalazi u dokumentu Opis kriterijuma za kvalitativni izbor privrednog subjekta što je propisano članom 117 ZJN . Predmetne pozicije moraju biti navedene u okviru obrazovnih i stručnih kvalifikacija, a za koju se primenjuje obavezno pravilo iz člana 118 ZJN kako sledi:

Naručilac je dužan da pre donošenja odluke u postupku javne nabavke zahteva od ponuđača

Poštovani,

Naručilac je ranije obrazložio svoje postupanje. Shodno iznetom, ostajemo pri navedenom u dokumentaciji o nabavci.

Dear all,

The Employer has explained its actions earlier. Accordingly, we are confirming the stated in the tender documentation.

koji je dostavio ekonomski najpovoljniju ponudu da u primerenom roku, ne kraćem od pet radnih dana, dostavi dokaze o ispunjenosti kriterijuma za kvalitativni izbor privrednog subjekta, u neoverenim kopijama.

Molimo Vas da izmenite konkursnu dokumentaciju i definišete način dostavljanja dokaza za predmetne pozicije 1.1. 1.2. i 1.3. u okviru tačke 3. Opisa Kriterijuma a koji je u skladu sa članom 118 ZJN.

Poštovani, u okviru uputstva na strani 7 naveli ste poslovni kapacitet broj kako sledi:

Poslovni kapacitet br. 1 - Upravljanje i/ili stručni nadzor nad izvođenjem radova na projektima

izgradnje metroa

Jedinica mere: Broj km izgradnje metroa mašinom za gradnju tunela (TBM)

Opis i pojašnjenje kriterijuma i dokazi potrebni za proveru:

1) da je ponuđač u poslednjih 20 (dvadeset) godina do dana isteka roka za podnošenje ponuda, realizovao upravljanje i/ili stručni nadzor nad izvođenjem radova na projektima izgradnje deonica metroa izgrađenih mašinom za gradnju tunela (TBM), najmanje zbirne dužine 15 km. Pojašnjenje kriterijuma: Prilikom stručne ocene ponuda Naručilac priznaje isključivo zbir deonica metroa izgrađenih mašinom za gradnju tunela (TBM).

Poslovni kapacitet br.2 -- Nadzor na poziciji inženjera prema žutom FIDIC ugovoru

Jedinica mere: Broj realizovanih nadzora prema žutom FIDIC ugovoru

Opis i pojašnjenje kriterijuma i dokazi potrebni za proveru:

Poštovani,

Naručilac je ranije obrazložio svoje postupanje. Shodno iznetom, ostajemo pri navedenom u dokumentaciji o nabavci.

Dear all,

The Employer has explained its actions earlier. Accordingly, we are confirming the stated in the tender documentation.

2) da je ponuđač u poslednjih 20 (dvadeset) godina do dana isteka roka za podnošenje ponuda, realizovao najmanje 1 (jedan) saobraćajno-infrastrukturni projekat (izgradnje novih železničkih pruga, autoputeva ili metro sistema), pojedinačne vrednosti veće od 400.000.000,00 eura, pružajući usluge Nadzora na poziciji inženjera prema žutom FIDIC ugovoru. Pojašnjenje kriterijuma: Prilikom stručne ocene ponuda Naručilac priznaje isključivo broj realizovanih nadzora prema žutom FIDIC ugovoru, koji odgovaraju traženom opisu.

Navedeni poslovni kapacitet nije naveden u Opisu kriterijuma za kvalitativni izbor privrednog subjekta. Napominjemo da je prema članu 117 ZJN određeno da Naručilac može da zahteva da privredni subjekt ima dovoljno iskustva u pogledu ranije izvršenih ugovora.

Navedeni poslovni kapacitet mora da bude uključen i Opis kriterijuma i za njega se moraju primeniti ista pravila iz člana 118 ZJN u pogledu načina dokazivanja ispunjenosti kriterijuma.

Molimo Vas da izmenite konkursnu dokumentaciju i predmetni poslovni kapacitet uključite i dokument Opis kriterijuma u okviru tačke 3.

Poštovani,

U odgovorima od 15.12.2022. godine naveli ste da se prilikom rangiranja pondera broj određuje prema matematičkom modelu na dve decimale, što je apsolutno u skladu sa svim pravnim i tehničkim normativima.

Sa druge strane, u Uputstvu u rubrici „instrukcije za dokazivanje ispunjenosti traženog uslova“ na strani 8 u pogledu poslovnog kapaciteta br. 1 navodite sledeće:

Poštovani,

Naručilac je definisao jedinicu mere u "km". Naime, pojedinačne projekte izgradnje metroa mašinom za gradnju tunela (TBM) izkazujete u celosti (npr. $8,8 + 2,4 + 10,2 + 15,9 = 37,3$ km), dok zbir svih deonica na projektima izgradnje metroa mašinom za gradnju tunela (TBM) prema instrukciji Naručiocu upisujete tako da glasi 37 km.

Ovim smatramo da su nedoumice u vezi sa instrukcijama Naručioca pri iskazavanju

<p>Prilikom upisivanja zbirne vrednosti po jedinici mere "km", potrebno je uneti isključivo celi broj. Naime, iskazan zbir deonica na projektima izgradnje metroa mašinom za gradnju tunela (TBM) od 30km i 800m, Naručilac u stručnoj oceni ponuda ceni kao celi broj - 30 km.</p> <p>Molimo Vas za pojašnjenje zašto u pogledu instrukcije za dokazivanje ispunjenosti odstupate od matematičkog modela i 30,80 gledate kao 30 a tenderom je propisana minimalna zbirna? Zbirna dužina bi morala označava i mogućnost predavanja 2 reference na projektima izgradnje metroa prema kojima 1 projekat ima primera radi 20,6 km a drugi 8,9 km to bi u zbiru moralo da se računa kao 30,5 km i da je taj ponuđač u prednosti u odnosu na ponuđača koji ima manji iznos.</p> <p>Molimo Vas da uskladite rangiranje ponuda i način vršenja stručne ocene ponuda.</p>	<p>ukupne vrednosti po jedinici mere "km" u potpunosti otklonjene.</p> <p><i>Dear all,</i></p> <p><i>The Employer defined the unit of measure in "km". Namely, individual metro construction projects with tunnel boring machine (TBM) are shown in their entirety (e.g. 8.8 + 2.4 + 10.2 + 15.9=37.3 km), while the sum of all sections on metro construction projects with tunnel boring machine (TBM), according to the instructions of the Employer, is written so that it reads 37 km.</i></p> <p><i>Having said this, we consider that the doubts regarding the instructions of the Employer regarding showing the total value per unit of measure "km" have been completely removed.</i></p>
<p>Contract conditions, PC 5.2.6</p> <p>Please confirm our understanding of clause 4.4.3 of Particular Conditions that in case of exhaustion of the man days agreed in the Staffing Plan (clause 8.2 of Scope of Services) and the request of the Client to provide further services (e.g. due to extension/delays in construction works), the Consultant would be entitled to receive an additional remuneration to be agreed in a variation.</p>	<p>Klauzula 1.1.24 Ugovora predviđa ukupno trajanje Ugovora.</p> <p>Ukoliko nastupi neka okolnost predviđena u pod-klauzuli 4.4.1 koja utiče na produžetak Roka za završetak, strane su u obavezi da potpisu Aneks Ugovora, kako je to definisano u 4.4.2 Posebnih Uslova.</p> <p><i>Clause 1.1.24 of the Agreement provides for the overall duration of the Agreement.</i></p> <p><i>In case circumstances referred to in Sub-clause 4.1.1 occur, which affect the extension of Time for Completion, the Parties are obliged to sign the Annex of the Agreement as defined in 4.4.2 of the Particular Conditions.</i></p>
<p>Contract conditions, GC, PC 4.4.1</p>	<p>- Potvrđujemo vaše razumevanje.</p> <p>U slučaju odstupanja u prevodu teksta, merodavna je srpska verzija Modela ugovora.</p>

<p>Please confirm that the references to clause 4.1.1 in clause 4.4.2 of Part B of the Particular Conditions is actually meant to be clause 4.4.1.</p> <p>Further, please confirm the understanding that despite the use of the word “can” in 4.4.2 and 4.4.3 of Part B of the Particular Conditions shall not impair the Consultant’s claim for an extension of time pursuant to clause 4.4.1.</p>	<p><i>We confirm your understanding.</i></p> <p><i>In the event of a discrepancy in the translation of the text, the Serbian version of the Model Agreement is prevailing.</i></p> <p>- Navedeno se odnosi na mogućnost Naručioca kao javnog preduzeca da produžetak krajnjeg Roka za završetak i povećanje ugovorne cene može sprovesti samo kroz formu aneksiranja Ugovora.</p> <p><i>The stated refers to the possibility of the Employer, as a public company, that the extension of the Time for Completion and increase of the contract price can be implemented only through the form of annexing the Contract.</i></p>
<p>Contract conditions, PC 6.1.3.</p> <p>Suspension of services: please confirm the compensation of costs incurred to the Consultant in case of suspension of services not attributable to the Consultant.</p>	<p>Ukoliko Naručilac postupi shodno klauzuli 6.1.3. (slanjem Obaveštenja Konsultantu, 28 dana pre datuma koji je prema Programu bio planiran kao datum početka pružanja te faze i dela Usluga), Konsultant neće imati pravo na naknadu troškova.</p> <p><i>If the Employer acts according to Clause 6.1.3 (by sending Notice to the Consultant, 28 days prior to day that commencement of that phase of Services was planned for), the Consultant will not be entitled to reimbursement of expenses.</i></p>
<p>Contract conditions, App 3 para 2, PC 4.5.2</p> <p>Please specify the period in which the monthly report (as referred to in clause 2 of Appendix 3 and clause 4.5.2 of Particular Conditions), which is the basis for the payment, shall be accepted or rejected by the Client.</p>	<p>Naručilac nije predvideo rok za postupanje u konkretnom slučaju. Međutim, kako bi osigurao nesmetanu realizaciju predmetne usluge Naručilac će postupati u najkraćem mogućem, odnosno primerenom i blagovremenom roku.</p> <p><i>The Employer did not foresee a deadline for action in the specified case. However, in order to ensure the smooth implementation of the service in question, the Employer will act in the shortest possible, that is, appropriate and timely period.</i></p>

<p>Contract conditions, GC, PC 10</p> <p>Please confirm that in clause 10.2.4 of Part B of the Particular Conditions in the first sentence shall read “either” instead of “neither”.</p>	<p>Potvrđujemo vaše razumevanje.</p> <p>U slučaju odstupanja u prevodu teksta, merodavna je srpska verzija Modela ugovora.</p> <p><i>We confirm your understanding.</i></p> <p><i>In the event of a discrepancy in the translation of the text, the Serbian version of the Model Agreement is prevailing.</i></p>
<p>Draft Client / Consultant Services Agreement, Part B, PC 9.1</p> <p>Could you please confirm that for the purpose of compliance with this requirement, the amount covered by the professional indemnity insurances of the Joint-Venture members can be aggregated?</p> <p>Could you please confirm that it is acceptable that the said insurances are renewed on a yearly basis as it is the standard within the engineering sector?</p>	<p>Naručilac, ne može potvrditi vaše razumevanje.</p> <p>Naime, iznos pokriven osiguranjem od profesionalne odgovornosti potrebno je da ispuní Nosilac grupe ponuđača.</p> <p>Takođe, potvrđujemo da je prihvatljivo da se navedena osiguranja obnavljaju na godišnjem nivou.</p> <p>The Employer cannot confirm your understanding.</p> <p>Namely, the amount covered by professional indemnity insurance must be fulfilled by the Holder of the group of bidders.</p> <p>Also, we confirm that it is acceptable for the mentioned insurances to be renewed on an annual basis.</p>