

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>Poštovani,</p> <p>ispred kompanije "CHINA RAILWAY DESIGN CORPORATION SERBIA OGRANAK BEOGRAD-SAVSKI VENAC" iznosim sledeći zahtev, u nadi da ćete ga uzeti u razmatranje.</p> <p>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.</p> <p>Unapred zahvalni.</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 Naručioce, 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 kadrovske 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 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 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 Employer is solely responsible for the deadlines for the implementation of the procedure in question.

<p>3. OPIS KRITERIJUMA ZA KVALITATIVNI IZBOR PRIVREDNOG SUBJEKTA</p> <p><i>1. Osnovi za isključenje</i></p> <p><i>1.1. Pravosnažna presuda za jedno ili više krivičnih dela</i></p> <p><i>1.2. Porezi i doprinosi</i></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><i>1. Exclusion grounds</i></p> <p><i>1.1. Final judgment for one or more criminal offences</i></p> <p><i>1.2. Taxes and contributions</i></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>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 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. <i>Finansijski i ekonomski kapacitet</i></p> <p>2.1. <i>Ukupni prihod</i></p> <p><i>Dodatni opis kriterijuma: Ukupan prihod privrednog subjekta za traženi broj finansijskih godina (2021, 2020, 2019) mora iznositi najmanje 250.000.000,00 eura.</i></p> <p>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?</p> <p>3. CRITERIA FOR QUALITATIVE SELECTION OF A LEGAL ENTITY</p> <p>2. <i>Financial and economic capacity</i></p> <p>2.1. <i>Total income</i></p> <p><i>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.</i></p> <p>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?</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> <p><i>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.</i></p>
<p>3. OPIS KRITERIJUMA ZA KVALITATIVNI IZBOR PRIVREDNOG SUBJEKTA</p> <p>3. <i>Tehnički i stručni kapacitet</i></p> <p>3.1. <i>Obrazovne i stručne kvalifikacije</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>

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):

- 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):

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 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 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.

The Employer instructs all legal entities to use primarily the Certificate models that form an integral part of the tender documentation when proving the fulfilment 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*

<p>- CERTIFICATES from Employers (OPTION 1), issued on forms that is an integral part of procurement documentation, or</p> <p>- CERTIFICATES from reference Clients/Investors (OPTION 2), issued on forms that is an integral part of procurement documentation.</p> <p>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.</p> <p>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)?</p>	<p>and certified by a court interpreter for the Serbian language),</p> <ul style="list-style-type: none"> • 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 from the Bidder copies of the Contract, i.e. reference parts of the documentation in order to determine the fulfilment of the required condition". <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 fulfilment of the required conditions.</i></p>
<p>3. OPIS KRITERIJUMA ZA KVALITATIVNI IZBOR PRIVREDNOG SUBJEKTA</p> <p>3. Tehnički i stručni kapacitet</p> <p>3.1. Obrazovne i stručne kvalifikacije</p> <p><i>Način dokazivanja ispunjenosti kriterijuma 1.1), 1.2), 1.3) i 1.4):</i></p> <p>- DOKAZ O RADNOM ANGAŽOVANJU kod Ponuđača u zavisnosti od oblika radnog angažovanja</p> <p>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</p>	<p>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.</p> <p>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.</p>

<p>koja potvrđuje da je osoba zaposlena u kompaniji.</p> <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>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 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 fulfillment 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.</p>	<p>Potvrđujemo vaše razumevanje.</p> <p><i>We confirm your understanding.</i></p>

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 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

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

<p>3.1. <i>Obrazovne i stručne kvalifikacije</i></p> <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. <i>Technical and professional capacity</i></p> <p>3.1. <i>Educational and professional qualifications</i></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>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> <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><i>Kriterijumi kvaliteta</i></p> <p><i>Način dokazivanja ispunjenosti traženog uslova</i></p> <p>- <i>Poslovni kapacitet br. 1 - Upravljanje i/ili stručni nadzor nad izvođenjem radova na projektima izgradnje metroa</i></p> <p>§ <i>POTVRDE referentih Naručioca / Investitora, izdate na obrascu koji čini sastavni deo dokumentacije o nabavci (Obrazac 1a)</i></p> <p>§ <i>6.1 Obrazac 1a Potvrda investitora TBM</i></p> <p>- <i>Poslovni kapacitet br. 2 - Nadzor na poziciji inženjera prema žutom FIDIC ugovoru</i></p> <p>§ <i>POTVRDE referentih Naručilaca / Investitora, izdate na obrascu koji čini sastavni deo dokumentacije o nabavci (Obrazac 2a)</i></p> <p>§ <i>6.2 Obrazac 2a Potvrda investitora Yellow FIDIC</i></p> <p>Gde god je to moguće, mi ćemo POTVRDE obezbediti koristeći obrasce koji su sastavni deo dokumentacije o nabavci, ali neki Klijenti /</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

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 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.

zadržava pravo da nakon uvida u izdate Potvrde i Spisak pruženih usluga, po potrebi, 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 is*

<p>Please confirm that CERTIFICATES from Clients / Investors will be accepted in different format, as long as they contain the required information?</p>	<p><i>necessary to enter the total number of realized contracts, according to the requested condition.</i></p> <ul style="list-style-type: none"> • <i>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:</i> <ul style="list-style-type: none"> - <i>that the Bidder executed supervision of construction works in the position of Engineer according to the FIDIC contract, yellow book,</i> - <i>the name of the traffic infrastructure project,</i> - <i>value of the traffic infrastructure project,</i> - <i>date of signing and completion of the Contract (time interval),</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>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><i>- Poslovni kapacitet br. 1 - Upravljanje i/ili stručni nadzor nad izvođenjem radova na projektima izgradnje metroa</i></p> <p><i>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.</i></p> <p><i>Pojašnjenje kriterijuma: Prilikom stručne ocene ponuda Naručilac priznaje isključivo zbir deonica</i></p>	<p>Postovani,</p> <p>Narucilac nece prihvatiti POTVRDE izdate od Naručioca / Investitora, kojima potvrđuju da su građevinski radovi/tuneli završeni.</p> <p>Shodno navedenom u dokumentaciji o nabavci, upućujemo 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>

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 i ako 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?

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

Kriterijumi kvaliteta

Poštovani,

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

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 and conditions of contract are equivalent to FIDIC?

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.

4. KRITERIJUMI ZA DODELU UGOVORA I OSTALI
ZAHTEVI NABAVKE

Kriterijumi kvaliteta

Način dokazivanja ispunjenosti traženog uslova:

Možete li da potvrdite da će iskustva podizvođača konzorcijumu biti uzeta u obzir da ispune kriterijume za Poslovni kapacitet 1 - Uravljanje i/ili stručni nadzor nad izvođenjem radova na projektima izgradnje metroa i Poslovni kapacitet 2- Nadzor na poziciji inženjera prema žutom FIDIC ugovoru?

4. CONTRACT AWARD CRITERIA AND OTHER
PROCUREMENT REQUIREMENTS

Quality criteria

The method of proving the fulfilment of the required condition:

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?

Potvrđujemo vaše razumevanje i upućujemo sve privredne subjekte na odredbe člana 131. ZJN.

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, naročito u oblasti koja je bila poverena zamenjenom podizvođaču.

We confirm your understanding and refer all legal entities to the provisions of Article 131 of the Law on Public Procurement.

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.

4. KRITERIJUMI ZA DODELU UGOVORA I OSTALI
ZAHTEVI NABAVKE

Kriterijumi kvaliteta

Način dokazivanja ispunjenosti traženog uslova za:

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

§ POTVRDE od Poslodavaca (OPCIJA 1) / POTVRDE referentih Naručioca / Investitora (OPCIJA 2) izdate na obrascu koji čini

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 različitom formatu dostavite prema instrukciji iz dokumentacije o nabavci.

Zaključak: Potvrđujemo da će Naručilac prihvatiti i potvrde u različitim formatu, koje sadrže informacije iz potvrda navedenih u

*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:*

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

*§ CERTIFICATES from Employers (OPTION 1)
/ CERTIFICATES of reference Clients /
Investors (OPTION 2) issued on a form that*

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.

<p><i>is an integral part of the procurement documentation (FORM 3a / 3b)</i></p> <p><i>- Personnel capacity 2 - Chief Engineer 1 Civil works</i></p> <p><i>§ 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)</i></p> <p><i>- Personnel capacity 1 - Personnel capacity 3 - Chief Engineer 2 Systems</i></p> <p><i>§ 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)</i></p> <p>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.</p> <p>Please confirm that CERTIFICATES from Employers / Clients / Investors will be accepted in different format, as long as they contain the required information?</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><i>Način dokazivanja ispunjenosti kriterijuma:</i></p> <p><i>- Kadrovski kapacitet br. 1 - Menadžer projekta (vođa tima)</i></p>	<p>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.</p> <p><i>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>

- 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
would be able to provide a Sworn Statement
from HR Department certifying that the person
is employed by the company.**

<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 sluča da dođe do promene podizvođača u toku realizacije ovog Ugovora, Nosilca grupe ponuđača ima obavezu da obezbedi zamenu koja poseduje iste ili bolje kvalifikacije, naročito 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 infrastrukturnih projekata u svetu. Moramo takodje napomenuti da smo intezivno prisutni na tržištu Balkana zadnjih 20-tak godina a takodje</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 Naručioce, Grad Beograd i Republiku Srbiju.</p>

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.

U daljem tekstu, obrazložimo 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,

	<p>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 a ne na najmanju dužinu od 15 kilometara po pojedinačnom projektu?</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><i>Dear all,</i></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</p>

	<p>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 Naručioce, 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> <p>Ističemo da je dokazivanje preostalih uslova i zahteva iz dokumentacije o nabavci, svi privredni subjekti prolaze Izjavom o ispunjenosti</p>

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 dokazaivanja 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 –

	<p>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.</p> <p>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).</p> <p>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.</p> <p>Accordingly, we remain with the defined deadline for submitting bids, which is December 26, 2022 until 12:00 p.m.</p> <p>Please note that the Employer will start the public opening of bids on December 26, 2022 at 12:30 p.m.</p> <p>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.</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 prilikom stručne ocene ceniti samo ugovore 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 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 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</p>

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 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.

	<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 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.</p>	<p>Poštovani,</p> <p>Naručilac se prilikom određivanja uslova i zahteva iz dokumentacije o nabavci (Žuti FIDIC), vodio osnovnim načelima javnih nabavki, 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> <p>Dodajemo da se Naručilac u predmetnom postupku, neće osvrutati na pitanja u vezi sa okončanim postupkom javne nabavke.</p> <p><i>Dear all,</i></p> <p><i>When determining the conditions and requirements from the procurement documentation (Yellow FIDIC), the Employer was</i></p>

<p>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?</p>	<p><i>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.</i></p> <p><i>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.</i></p>
<p>Dear Sirs,</p> <p>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?</p>	<p>Poštovani,</p> <p>Naručilac upućuje sve privredne subjekte na dokument „Kriterijumi za dodelu ugovora“, gde je pod stavkom „Izabran način rangiranja prihvatljivih ponuda (formula) obeleženo „Automatsko rangiranje“.</p> <p>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.</p> <p>NPR: 26,66667 automatskim rangiranjem na portalu, glasi 26,67</p> <p>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> <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>Možete li ponovo da potvrdite ili razjasnite okvirno vreme angažovanja u radnim danima za tri ključna stručnjaka?</p> <p><i>7 Offered price structure PMC</i></p> <p><i>Column 3 - Approximate time of engagement of the expert per working day</i></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 Izvršiocem. 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> <p>- 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;“</p> <p>Shodno iznetom, iz navedenog je moguće doneti zaključak da je reč o okvirnom vremenu angažovanja predstavljen u jednici mere</p>

<p>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.</p> <p>Can you please re-confirm or clarify the actual inputs in working days for three Key Experts?</p>	<p>„stručnjak/dan“, dok će se angažovanje svih stručnjaka realizovati po jedničnim cenama iz ponude u skladu sa realnim potrebama Naručioca.</p> <p>Dear all,</p> <p>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.</p> <p>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.</p> <p>Also, we refer all legal entities to the above in the "Price structure form with instructions on for completion" (Form 10), under paragraph one:</p> <p>"NOTE:</p> <p>- 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;"</p> <p>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>
<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>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</i></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><i>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 profiles set out in this Scope of Services. The profiles of the experts must be clearly indicated.</i></p> <p>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".</p> <p>Please confirm our understanding.</p>	<p>Poštovani,</p> <p>Narucilac 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 experts". Accordingly, under item 2.28 it is necessary to write the aggregate value.</i></p> <p><i>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:</i></p> <p><i>“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</i></p>

	<p><i>conflicts of interest related to the task they are given</i></p>
<p>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.</p> <p>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.</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 Naručioce, 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> <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).</p> <p>Imajući u vidu način dokazivanja ispunjenosti uslova i zahteva iz dokumentacije o nabavci, kao i činjenicu da je reč o ponovljenom postupku</p>

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 Employer is solely responsible for the deadlines for the implementation of the procedure in question.