

CLARIFICATION

QUESTIONS	ANSWERS
<p>Question No 1:</p> <p>I am contacting you in order to ask for clarification in respect to provided contract notice for EIB Nis Dimitrovgrad supervision works contract.</p> <p>In respect to given requirement that the national professional licensing is necessary to be obtained of the subject services, according valid national legislation, and also in respect to additional requirement that awarded tenderer cannot rely on the capacities of any other entities including the subcontractors, please provide us with clarification which is the list of specific licenses necessary for this services, during tender process.</p>	<p>Answer No 1</p> <p>Such specific national licenses are not required during tendering process as set in Section VI.3 of the Contract Notice, i.e. <i>“National professional licensing: the awarded tenderer will have to be licensed for performance of the subject services according to the valid national legislation (the Law on Planning and Construction and the related secondary legislation – https://www.mqsi.gov.rs/en/odsek/law-planning-and-construction) on the contract signing date at the latest. No national licenses are required until then. In this respect, the awarded tenderer cannot rely on the capacities of any other entities including the subcontractors.”</i></p> <p>Regarding a list of the specific licenses we would like to note that the Contract description in Section II.2.4) of the Contract Notice provides sufficient information about the scope of the services based on which the needed national licenses could be identified as well as that one of the basic assumptions of each tendering process is that candidates are fully familiar with the relevant national legal framework.</p>
<p>Question No 2:</p> <p>Considering that, In the Application Form, point 8 Statement (page 6), is written: <i>“We are fully aware that, for a consortium, the composition of the consortium cannot be changed in the course of the tender procedure, unless the contracting authority has given its prior approval in writing.”</i>, since in the contract notice at current phase, hasn’t been published requirements for company licenses needed for the subject service (list of required licenses), having on mind that <i>“tenderer cannot rely on the capacities of any other entities including the subcontractors”</i>, we may come to situation that in later phase, before contract signing, tenderers are obliged to change Consortium composition and member structure, in order to fulfill the next stage requirements.</p> <p>Furthermore, having above said, we ask confirmation that the Contracting Authority will allow to change the Consortium composition and</p>	<p>Answer No 2:</p> <p>For details about “Exceptional changes to the composition of the consortium” reference is made to the provisions of Section 2.6.3 of EU PRAG. The Contracting Authority notes that the Contract description in Section II.2.4) of the Contract Notice provides sufficient information about the scope of the services based on which the needed national licenses could be identified as well as that one of the basic assumptions of each tendering process is that candidates are fully familiar with the relevant national legal framework.</p>

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<p>member structure in next stage (when the list of required licenses will be provided), before contract signing.</p>	
<p>Question No 3: Given that the awarded tenderer will have to be licensed for performance of the subject services according to the valid national legislation, it is of great importance for candidates to be familiar with the specific licences which shall be requested already at this stage of procurement, in order to ensure proper Consortium setup. Accordingly, we kindly ask you to confirm our understanding that only following licenses are required: P141G2, P141S1, P141E1, P141E4, P142G1 and P143G1.</p>	<p>Answer No 3: Licences according to Law on Planning and Construction of Serbia will be required. Accordingly, it is noted that “Professional supervision can be performed by an entity who meets the requirements prescribed by this Law for responsible designer or responsible contractor”.</p>
<p>Question No 4: Please confirm our understanding that the requirement stipulated in the point a) under III.1.2) Economic and financial standing has to be met by the Consortium, while requirement under point b) has to be met by each Consortium member.</p>	<p>Answer No 4: Confirmed</p>
<p>Question No 5: Are the candidates allowed to introduce Sub-contractors at the later stage of the procurement i.e. upon invitation to submit the tenders?</p>	<p>Answer No 5: Yes</p>
<p>Question No 6: Please confirm that submission of one signed application, together with three copies, shall be done only to the address of the Contracting Authority, specified under the Section I: Contracting authority of the Contract Notice, point I.1) Name and addresses.</p>	<p>Answer No 6: Confirmed.</p> <p>Official name: Serbian Railway Infrastructure JSC Postal address: Nemanjina 6 Office No: 200 Town: Belgrade NUTS Code: RS REPUBLIKA SRBIJA Postal code: 11000 Country: Serbia</p> <p>Submissions by e-mail will not be accepted.</p>