



**EUROPEAN UNION**  
**DELEGATION TO THE REPUBLIC OF SERBIA**

**CONTRACTING AUTHORITY'S CLARIFICATIONS No. 3**

**Project title:**

**Supply of Equipment for the Serbian Probation Offices**

**Publication reference: EuropeAid/138412/DH/SUP/RS**

No.	Question	Answer
1.	1. LOT 1 – In Technical specification for both items (position 1 and position 2) stands that vehicles must be supplied equipped with CD/MP3 radio. Most of the manufacturers recently stopped manufacturing vehicles with CD/MP3 radio player, and instead of that they manufacture vehicles with multimedia radio center with touch screen, with connections to USB and/or AUX (line in connectors). Referring to purpose of use this vehicles and usage of modern technology we are kindly ask is it feasible to supply vehicles with multimedia radio center?	Please bear in mind that the technical specifications as they have been published cannot be changed.
2.	2. LOT 1 – Position 1 In Technical specification stands that vehicles must be supplied with 5 doors. We assume that 5 doors mean 4 doors (one for driver and three for passengers and back door). Referring that in automobile industry cars are defined as hatchback or sedan version, can you please be so kind and confirm us that vehicles with 5 doors (one for driver and three for passengers and back door) can be supplied either in hatchback or sedan version?	Please bear in mind that the technical specifications as they have been published cannot be changed.
3.	a) As regards to Lot. 1, and the requirement “the supplier must provide availability of spare part for vehicle for a period of minimum 5 years...” we seek your clarification because after sales services are not part of this contract.	Please bear in mind that the technical specifications as they have been published cannot be changed.

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4.	b) As regards to Lot 1, please clarify what class of vehicles are expected for passenger vehicles and off-road vehicles, since it is not clear from given specifications (this is usually defined by minimal length of a vehicle, type of body etc.)	Please bear in mind that the technical specifications as they have been published cannot be changed.
5.	c) As regards to Lot 2, please confirm if Manufacturer`s authorization form is needed to be submitted with tender proposal in order to prove that the Bidder is authorized for resale of the IT equipment for this tender and that the equipment will come with Manufacturer`s full standard warranty.	Confirmed.
6.	Article 8. As regards, Lot 2, please clarify if bidders can offer supplies amounting to less than 100,000 € from any country (e.g. vehicles, spare parts and consumables)?	Yes, supplies can be offered amounting to less than 100, 000.00 EURO. It need to be noted that the threshold of 100, 000, 00 EURO cannot be exceeded.
7.	Article 12. Please clarify, whether one or two separate Performance Guarantees have to be provided by the Contractor in case a successful tenderer is awarded both lots.	For each lot a separate Performance Guarantees needs to be provided.
8.	Article 16.3. First and second bullet points (unclear English) refer to term “delivered supplies”. Please clarify what does “delivered supplies” mean exactly, namely <b>which supporting documents the bidder has to provide with the tender proposal in order to prove to the Contracting Authority that supplies have been duly delivered</b> (e.g. handing-over certificate of supplies, final payment, successful contract closure certificate or else (please be specific)).	Please refer to the text as contained in the article 16 .3 <i>Tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (<u>statement or certificate from the entity which awarded the contract, final acceptance</u>). In case of projects still on-going only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (<b>similarly to projects completed</b>) also detailing its value.</i>
9.	The paragraph right under the bullet points under Article 16.3 is rather confusing. While bullet points above refer to completed supply contracts (subject to clarification 1(a)), the text below paragraph mentions “...projects still ongoing...”. Therefore:	Please consider that contracts and project shall be treated equally when references are assessed.  Please see answer to question 8 above for the second part of the questions i.e. the article 16. 3

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	<ul style="list-style-type: none"> <li>- Please clarify what is the difference (<b>in legal context</b>) between a “project” and a “contract”?</li> <li>- How the “...portion satisfactorily completed” of an ongoing supply contract can be proven to the Contracting Authority as acceptable reference? This question is linked with the above question 1(c) related to supporting documents.</li> </ul>	<p><i>In case of projects still on-going only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (<b>similarly to projects completed</b>) also detailing its value.</i></p>
10.	<p>Article 16.3. Several paragraphs related to “Capacity-providing entities”.</p> <p>The text related to “an <b>economic operator</b>” is different when comparing the text which is presented in the PRAG Annex D. Tender Form. Please clarify which text legally prevails for the purpose of the tender procedure.</p>	<p>Please consider the text provided in the Contract Notice as prevailing.</p>
11.	<p>The <b>published Tender Form</b> allows bidders to introduce financial offers for Lot 1 and Lot 2. On other hand, on the first page (first sentence) indicates that tender forms must be supplied per lot. Please clarify.</p>	<p>Please provide a filled Tender Form for each lot respectively should you submit an offer for each Lot.</p>
12.	<p><b>Annex IV (budget breakdown)</b>          Contrary to PRAG template, published Annexed IV for Lot 1 and Lot 2 does not allow to include prices for training, recommended spare parts and consumables. In order to ensure equal and transparent evaluation of bids, please provide revised templates, clearly listing all applicable budget lines as appropriate for the purpose of this tender including full list of required “Other services” (See PRAG template).</p>	<p>Please refer to Annex II &amp;III that do not provide for the services as you have listed in your question. Based on the above mentioned Annex II &amp;III, Annex IV-Budget has been provided for each Lot.</p>
13.	<p><b>Administrative Compliance Grid</b>          Please provide a concrete list all “other administrative requirements of the tender dossier” which are applicable for this tender.</p>	<p>Please bear in mind that the published Administrative Grid as provided is a standard documents that has been taken from PRAG.  <a href="http://ec.europa.eu/europeaid/prag/document.do?nodeNumber=4.7">http://ec.europa.eu/europeaid/prag/document.do?nodeNumber=4.7</a></p>
14.	<p><b>Evaluation Grid</b>          Please provide a concrete lists (per lot) of all “ancillary services as required” in order to facilitate tender preparation.</p>	<p>Please bear in mind that the published Evaluation Grid as provided is a standard documents that has been taken from PRAG.  <a href="http://ec.europa.eu/europeaid/prag/document.do?nodeNumber=4">http://ec.europa.eu/europeaid/prag/document.do?nodeNumber=4</a></p>

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15.	<p><b>Provisional/Final Accepted Certificate</b> Published Certificate includes column “Training”. In order to prepare the correct financial offer, please provide details regarding what kind of training is required for Lot 1 and Lot 2.</p>	<p>Please bear in mind that the Provisional/Final Accepted Certificate as provided is a standard documents that has been taken from PRAG. Regarding the training for Lot 2 as per the Annex II &amp; III it is not required.</p>
16.	<p>As regards to Lot 1, please specify how should the vehicles be marked that they are procured under the EU funded project. Please specify size, type and position of labels for this purpose.</p>	<p>All supplies shall comply with the visibility Manual for EU External Actions (<a href="https://ec.europa.eu/europeaid/communication-and-visibility-manual-eu-external-actions_en">https://ec.europa.eu/europeaid/communication-and-visibility-manual-eu-external-actions_en</a>) as well as the EU Visibility Manual produced by the EU Delegation to Serbia. Please refer to Annex II &amp; III that addresses this issue for each Lot.</p>
17.	<p><b>Contract Notice</b> Please provide the complete list of the requirements introduced in the last paragraph in Section 16 because <b>foreign companies/bidders</b> cannot know all issues related to Serbian Law, therefore it is discriminatory</p>	<p>Please bear in mind that the requirement as should not construed to be discriminatory but to avert potential bidders that during the implementation relevant Serbian legislation shall be applicable.</p>