**TENDER DOCUMENTATION MODEL**

**OPEN PROCEDURE**

**Public procurement – REAL ESTATE INSURANCE**

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1. **GENERAL INFORMATION ON THE SUBJECT MATTER OF PROCUREMENT**

**Name:** Property insurance

**Type of procurement subject matter:** Service

**Description:** Public procurement conducted for the purpose of concluding a property insurance public procurement contract

**Other notes**: *(enter any other remarks relevant to the subject of public procurement, for example: information on possible options and possible contract extensions (Article 30, paragraph 1 in conjunction with Article 156 of the PPL), information on conducting reserved public procurement (Article 37 of the PPL), that an e-auction will be conducted (Articles 71-73 and Annex 5 of the PPL), information on the address and time of site visit, deadline for making a decision on contract award if longer than prescribed by the PPL (Article 146, paragraph 3 of the PPL), etc.)*

**2.TYPE, TECHNICAL CHARACTERISTICS (SPECIFICATIONS), QUALITY, QUANTITY AND DESCRIPTION OF SERVICE, METHOD OF CONTROL, DEADLINE**

**OF EXECUTION, POSSIBLE ADDITIONAL SERVICES ETC.**

Subject matter of service refers to insurance of property of the Contracting Authority

|  |  |
| --- | --- |
| **INSURANCE RISK** | **INSURED SUM (in RSD)** |
| **Construction buildings and equipment:**   * fire, lightning strike, storm, explosion and some other dangers * flood   With purchase of franchise and amortisation | for buildings  *(enter the total insured amount)* |
| for equipment  *(enter the total insured amount)* |
| **Construction buildings and equipment:**  – additional risk (outflow of water from the installation at the first risk) | for construction buildings  *(enter the amount of insurance)* |
| for equipment  *(enter the amount of insurance)* |
| **Furniture and appliances with machines and appliances, paintings and art objects:**  - from burglary and robbery at the first risk  With purchase of franchise | *(enter the amount of insurance)* |
| **Machines, telephones and electrical devices, appliances:**  - from breakage and some other dangers;  With purchase of franchise and amortisation | *(enter the amount of insurance)* |
| **Electrical machine equipment in the composition of buildings**  With purchase of franchise and amortisation | *(enter the amount of insurance)* |
| **Computer equipment:**  - combined insurance electronic computers, processors and similar devices  With purchase of franchise and amortisation | *(enter the amount of insurance)* |
| **Glasses:**  - breakage, regardless of type, up to 10 mm thick at the first risk | *(enter the amount of insurance)* |

***NOTE:***

*In this part, the contracting authority may also state other data on its property which it owns and which is the subject of providing insurance services.*

**Buildings of the Contracting Authority that are the subject matter of insurance**: (*enter the city, address where the building(s) is/are located*).

Deadline for issuing an insurance policy: maximum 6 (six) days from the day of concluding the contract.

(Note: *The Contracting Authority may specify another deadline).*

**Insurance period**: one year from the date of issuance of the insurance policy.

*(****Note****:**The Contracting Authority may specify a longer period).*

**Deadline for payment of the insured amount**: maximum 10 (ten) days from the date of receipt of documentation.

(Note: *The Contracting Authority may specify another deadline).*

The policy should be entitled to:

*(enter the full name, seat and address of the Contracting Authority)*

The bidder undertakes to provide reinsurance coverage of insured assets for risk and catastrophe for risks above its own retention with a reinsurance company based in the country, or with a reinsurance company based abroad for risks that the reinsurance company in the country cannot cover.

The scope of reinsurance coverage is at least class A+ rating A+.

**3. CRITERIA FOR QUALITATIVE SELECTION OF THE ECONOMIC OPERATOR (GROUNDS FOR EXCLUSION AND CRITERIA FOR SELECTION OF THE ECONOMIC OPERATOR), WITH INSTRUCTIONS ON HOW TO PROVE THE FULFILMENT OF THESE CRITERIA**

***3.1 GROUNDS FOR EXCLUSION***

**3.1.1. Final verdict for one or more criminal offences**

**Legal basis:**

Article 111, paragraph 1, item 1) of the PPL-Contracting Authority is obliged to exclude an economic operator from the public procurement procedure if the economic operator does not prove that it and its legal representative in the previous five years from the deadline for submission of bids, i.e., applications is not convicted, unless no other period of ban on participation in the public procurement procedure has been determined, for:

(1) a criminal offence committed as a member of an organised criminal group and a criminal offense of association for the purpose of committing criminal offences;

(2) criminal offence of abuse of office of a responsible person, criminal offence of abuse in connection with public procurement, criminal offence of accepting bribes in performing economic activities, criminal offence of giving bribes in performing economic activities, criminal offence of abuse of official position, criminal offence of trading in influence, criminal offence bribing and the criminal offence of receiving bribe, the criminal offence of fraud, the criminal offence of unjustified obtaining and using credit and other benefits, the criminal offence of fraud in economic activities and the criminal offence of tax evasion, the criminal offence of terrorism, the criminal offence of public incitement to commit terrorist acts, the crime the act of recruiting and training for committing terrorist acts and the crime of terrorist association, the crime of money laundering, the crime of financing terrorism, the crime of trafficking in human beings and the crime of establishing slavery and transporting persons in slavery.

**Method of proving the fulfilment of the criteria:**

The economic operator is obliged to compile and submit an application through the Portal on the fulfilment of the criteria for qualitative selection of the economic operators, which confirms that there is no ground for exclusion.

Prior to making a decision in the public procurement procedure, the contracting authority is obliged to request from the bidder who submitted the most economically favourable bid to submit evidence of fulfilment of the criteria for qualitative selection of the economic entity.

It is considered that the economic operator that is entered in the register of bidders has no grounds for exclusion from Article 111, paragraph 1, item 1) of the Law on Public Procurements.

The absence of this ground for exclusion is proved by the following evidence:

Legal entities and entrepreneurs:

1. Certificate of the competent Basic Court in whose territory the seat of the domestic legal entity or entrepreneur is located, i.e., the seat of the representative office or branch of the foreign legal entity confirming that the bidder has not been convicted in the previous five years from the deadline for submission of bids, i.e., applications, that it has not been convicted by an enforceable decision, except if the final period of prohibition of participation in the public procurement procedure has not been determined by a final judgment, for the following criminal offences: criminal offence of tax evasion; the criminal act of fraud; the criminal act of unjustified obtaining and using credit and other benefits; criminal offence of abuse of official position; the criminal act of influence peddling; the crime of bribery; the criminal offense of trafficking in human beings (for forms referred to in Article 388, paragraphs 2, 3, 4, 6, 8 and 9 of the Criminal Code) and the criminal offence of establishing slavery and transporting persons in slavery (for forms referred to in Article 390, paragraph 1 and 2 of the Criminal Code).
2. Certificate of the competent High Court in whose territory the seat of the domestic legal entity or entrepreneur is located, i.e., the seat of the representative office or branch of the foreign legal entity confirming that the bidder has not been convicted in the previous five years from the deadline for submission of bids, i.e., applications, that it has not been convicted by an enforceable decision, except if the final period of prohibition of participation in the public procurement procedure has not been determined by a final judgment, for the following criminal offences: criminal offence of tax evasion; the criminal act of fraud; the criminal act of unjustified obtaining and using credit and other benefits; criminal offence of abuse of official position; if the value of the obtained property gain exceeds 1,500,000.00 dinars; criminal offence of trafficking in human beings (for forms referred to in Article 388, paragraphs 1, 5 and 7 of the Criminal Code); the criminal offence of establishing a slave relationship and transporting a person in a slave relationship if it was committed against a minor and the criminal offence of accepting bribes.

3) Certificate of the Special Department of the High Court in Belgrade for Organised Crime confirming that the legal entity or entrepreneur has not been convicted of any of the following criminal offences: criminal offences of organized crime; the criminal offense of association for the purpose of committing criminal offenses; criminal offense of abuse of official position, trading in influence, accepting bribes and giving bribes if the defendant or the person to whom the bribe is given is an official or responsible person performing a function based on election, appointment or appointment by the National Assembly, President, General Session of the Supreme Court of Cassation , The High Judicial Council or the State Prosecutors' Council; criminal offenses against the economy, if the value of property exceeds 200,000,000 dinars, or if the value of public procurement exceeds 800,000,000 dinars for: criminal offence of abuse in connection with public procurement, criminal offence of accepting bribes in performing economic activities, criminal offence of giving bribery in performing economic activity, criminal offense of fraud in performing economic activity, criminal offence of abuse of position of a responsible person, criminal offense of money laundering - if the property subject to money laundering originates from all the above criminal offences; the criminal offence of public incitement to commit terrorist acts; the criminal act of terrorist financing; the criminal act of terrorism; the criminal act of recruitment and training for terrorist acts and the crime of terrorist association.

4) Certificate of the Special Department of High Courts in Belgrade, Novi Sad, Niš and Kraljevo for the Suppression of Corruption, confirming that the legal entity or entrepreneur has not been convicted of any of the following criminal offences: bribery in the course of economic activity; the criminal offence of bribery in the performance of economic activity; the criminal offence of abuse in connection with public procurement; the criminal offence of fraud in the performance of economic activity; the criminal offence of abuse of the position of a responsible person and the criminal offence of money laundering.

Legal representatives and natural persons:

1) Excerpt from the criminal records, i.e., the certificate of the competent police administration of the Ministry of the Interior, which confirms that the legal representative or natural person has not been convicted of the following criminal offences:

1. a criminal offence committed as a member of an organised criminal group and a criminal offense of association for the purpose of committing criminal offences;
2. criminal offence of abuse of position of a responsible person, criminal offence of abuse in connection with public procurement, criminal offence of accepting bribes in performing economic activities, criminal offence of giving bribes in performing economic activities, criminal offence of abuse of official position, criminal offence of trading in influence, criminal offence of bribery and the crime of bribery; the criminal offence of fraud, the criminal offence of unjustified acquisition and use of credit and other benefits, the criminal offence of fraud in the performance of economic activity and the criminal offence of tax evasion; the criminal offence of terrorism, the criminal offence of public incitement to commit terrorist acts, the criminal offence of recruitment and training for the commission of terrorist acts and the criminal offence of terrorist association; the criminal act of money laundering, the criminal offence of terrorist financing; the criminal offence of trafficking in human beings and the criminal offence of establishing a slave relationship and transporting persons in a slave relationship.

The request can be submitted according to the place of birth or the place of residence of the legal representative or natural person. If the bidder has several legal representatives, the bidder is obliged to submit evidence for each of them.

The economic operator established in another state:

If the economic entity has its registered office in another state, the contracting authority shall accept the excerpt from the criminal record or other appropriate register or, if this is not possible, the relevant document of the competent judicial or administrative body in the state of the economic entity, i.e., in the state whose citizen he/she is. If the said evidence is not issued in the country in which the business entity is established, or in the country of which the person is a citizen, or if the evidence does not include all data regarding the lack of grounds for exclusion, the business entity may submit its written statement criminal and material liability, certified before a judicial or administrative body, notary public or other competent body of that state, in which it is stated that there are no stated grounds for exclusion of the economic entity.

**3.1.2. Taxes and contributions**

**Legal basis:**

Article 111, paragraph 1, item 2) of the PPL - the Contracting Authority shall exclude an economic operator from public procurement procedure if the economic operator does not prove that it has paid due taxes and contributions for compulsory social insurance or that it has been granted a deferral of debt payment by a binding agreement or resolution, in accordance with special regulation, including all accrued interest and fines.

**Method of proving the fulfilment of the criteria:**

The economic operator is obliged to compile and submit an application through the Portal on the fulfilment of the criteria for qualitative selection of the economic operators, which confirms that there is no ground for exclusion. Prior to making a decision in the public procurement procedure, the contracting authority is obliged to request from the bidder who submitted the most economically favourable bid to submit evidence of fulfilment of the criteria for qualitative selection of the economic entity. It is considered that the economic operator that is entered in the register of bidders has no grounds for exclusion from Article 111, paragraph 1, item 2) of the Law on Public Procurements. The absence of this ground for exclusion is proved by the following evidence: 1) confirmation by the competent tax authority that the bidder has paid due taxes and contributions for compulsory social insurance or that it has been granted a deferral of debt payment, including all accrued interest and fines, by a binding agreement or decision, in accordance with a special regulation. 2) confirmation by the competent tax authority of the local self-government body that the bidder has settled the due obligations of public revenues or that it has been granted a deferral of debt payment, including all accrued interest and fines, by a binding agreement or decision, in accordance with a special regulation. A legal entity that is in the process of privatisation, instead of the evidence referred to in items 1) and 2), shall enclose a certificate from the competent authority that it is in the process of privatisation.

If the economic entity has its registered office in another state as proof that there are no grounds for exclusion from Article 111, paragraph 1, item 2) of this Law, the contracting authority shall accept the certificate of the competent authority in the state of the economic entity's registered office.

If the said evidence is not issued in the country in which the business entity is established, or in the country of which the person is a citizen, or if the evidence does not include all data regarding the lack of grounds for exclusion, the business entity may submit its written statement criminal and material liability, certified before a judicial or administrative body, notary public or other competent body of that state, in which it is stated that there are no stated grounds for exclusion of the economic entity.

**3.1.3. Obligations in the field of environmental protection, social and labour law**

**Legal basis:**

Article 111, paragraph 1, item 3) of the PPL - the Contracting Authority shall exclude an economic operator from public procurement procedure if it determines that the economic entity in the period of the previous two years from the expiration of the deadline for submission of bids, i.e., applications, violated obligations in the field of environmental protection, social and labour law, including collective agreements, and in particular the obligation to pay contracted wages or other mandatory payments, including obligations in accordance with the provisions of international conventions listed in Annex 8 of the Law on Public Procurements.

**Method of proving the fulfilment of the criteria:**

The economic operator is obliged to compile and submit an application through the Portal on the fulfilment of the criteria for qualitative selection of the economic operators, which confirms that there is no ground for exclusion. Exclusion grounds

**3.1.4. Conflict of interest**

**Legal basis:**

Article 111, paragraph 1, item 4) of the PPL - the Contracting Authority shall exclude an economic operator from public procurement procedure if there is a conflict of interest, in terms of the Law on Public Procurement, which cannot be eliminated by other measures.

**Method of proving the fulfilment of the criteria:**

The economic operator is obliged to compile and submit an application through the Portal on the fulfilment of the criteria for qualitative selection of the economic operators, which confirms that there is no ground for exclusion. Exclusion grounds

**3.1.5. Undue influence on the procedure**

**Legal basis:**

Article 111, paragraph 1, item 5) of the PPL - the Contracting Authority shall exclude an economic operator from public procurement procedure if it determines that the economic operator has undertaken to unduly influence the decision-making process of the contracting authority/entity or obtain confidential information that may confer upon it undue advantage in the public procurement procedure or to has provided misleading information that may have effect on decisions concerning the exclusion of economic operator, the selection of an economic operator or the award of a contract.

**Method of proving the fulfilment of the criteria:**

The economic operator is obliged to compile and submit an application through the Portal on the fulfilment of the criteria for qualitative selection of the economic operators, which confirms that there is no ground for exclusion. Exclusion grounds

**Note:** The contracting authority is not obliged to use the grounds for exclusion prescribed by Article 112 of the Law, but if it uses them it is obliged to state them in the documentation and to exclude the economic operator from the public procurement procedure if in any way at any time of the procedure it determines that there are grounds for exclusion.

***CRITERIA FOR SELECTION OF A BUSINESS OPERATOR***

**3.2.1. Performing professional activities**

**Legal basis:**

Article 115, paragraph 2 of the PPL - in so far as economic operator has to possess a particular authorisation, or a permit issued by the competent authority for the performance of activity which is the subject-matter of public procurement, or to be a member of a particular organisation in order to be able to perform the activity concerned, contracting authority may require them to prove that they hold such authorisation, permit, or membership.

**Additional description of criteria:**

An economic operator that participates in the public procurement procedure in question must meet the conditions for performing professional activity, as follows:

1. to have a valid permit from the competent authority to perform the activity that is the subject matter of public procurement.

**Method of proving the fulfilment of the criteria:**

The business operator is obliged to compile and submit with the offer a statement on the fulfilment of the criteria for the qualitative selection of the business entity, which confirms that it meets this criterion for the selection of the business operator.

Prior to making a decision in the public procurement procedure, the contracting authority is obliged to request from the bidder who submitted the most economically favourable bid to submit evidence of fulfilment of the criteria for qualitative selection of the economic operator.

This criterion is proven by submitting:

a) a copy of the valid licence of the National Bank of Serbia for conducting insurance activities which are the subject of this public procurement (Article 20 of the Law on Insurance (“Official Gazette of the Republic of Serbia”, Nos. 139/14 and 44/2021).

**3.2.2. Financial and economic capacity**

**Legal basis:**

Article 116, paragraph 1 of the PPL - the contracting authority may determine in the procurement documentation the financial and economic capacity which ensures that economic operators have the financial and economic capacity necessary for the execution of the public procurement contract.

**Additional description of criteria:**

An economic operator participating in the public procurement procedure in question must meet the requirements in terms of financial and economic capacity, as follows:

1. that on 31 December 20\_\_ *(enter the last day of the previous year in relation to the year when the procurement is conducted)* had capital adequacy for non-life insurance (absolute difference between available and required solvency margin for non-life insurance), in the amount of at least dinars *(the contracting authority enters the amount).*

**Method of proving the fulfilment of the criteria:**

The business operator is obliged to compile and submit with the offer a statement on the fulfilment of the criteria for the qualitative selection of the business entity, which confirms that it meets this criterion for the selection of the business operator.

Prior to making a decision in the public procurement procedure, the contracting authority is obliged to request from the bidder who submitted the most economically favourable bid to submit evidence of fulfilment of the criteria for qualitative selection of the economic operator.

This criterion is proven by submitting:

a) the Capital Adequacy Form for Non-Life Insurance/Reinsurance AK-NO/RE for 20\_\_.

**3.2.3. Technical and professional capacity**

**Legal basis:**

Article 117, paragraph 1 of the PPL - the contracting authority 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.

**Additional description of criteria:**

An economic operator participating in the public procurement procedure in question must meet the criteria related to technical and professional capacity, as follows:

1. that during the last three years before the deadline for submission of bids, it provided property insurance against fire and some other hazards or insurance of machinery against breakage and some other hazards, within the agreed time and quality, with at least 3 insured persons with an insurance policy of at least one year and with the total amount of insurance per insured/per policy of at least dinars (*the contracting authority enters the amount of value for the required reference*);
2. to have promptness in resolving damages in 20\_\_ *(enter the previous year in relation to the year when the procurement is conducted)* (more than 90%);
3. must have:

* a minimum of 2 civil engineers,
* a minimum of 2 electrical engineers,
* a minimum of 2 mechanical engineers,
* a minimum 2 certified actuaries.

**Method of proving the fulfilment of the criteria:**

The business operator is obliged to compile and submit with the offer a statement on the fulfilment of the criteria for the qualitative selection of the business entity, which confirms that it meets this criterion for the selection of the business operator.

Prior to making a decision in the public procurement procedure, the contracting authority is obliged to request from the bidder who submitted the most economically favourable bid to submit evidence of fulfilment of the criteria for qualitative selection of the economic operator.

This criterion is proven by:

1. that during the last three years before the deadline for submission of bids, provided property insurance against fire and some other hazards or insurance of machinery against breakage and some other hazards, within the agreed time and quality, with at least 3 insured persons with an insurance policy of at least one year and with the total amount of insurance per insured/per policy of at least dinars, the economic operator will submit:

a) a list of clients/users of the service to whom the service was provided, and

b) certificates(s) issued by the contracting authorities/users listed on the List.

1. to have promptness in resolving damages in 20\_\_ (more than 90%), the economic operator submits:

a) report “Number of claims by insurance companies in 20\_\_” from the NBS website ([www.nbs.rs](http://www.nbs.rs/) ) - insurance supervision - insurance company operations - annual reports.

Promptness is calculated according to the following formula:

A = number of resolved damages in 20\_\_.

B = number of rejected and reversed damages in 20\_\_ C = number of reported damages in 20\_\_

D = number of reserved claims at the end of 20\_\_

If the bid is submitted by a group of economic operators, the members of the group of economic entities meet the set condition together, by entering the amounts of items A, B, C and D of each member of the group in the formula and calculating them together.

(***Example:*** if a group of economic entities consists of two members, the timeliness in resolving claims will be determined according to the following formula:

A1 = number of resolved damages in 20\_\_ of one member of the group,

A2 = number of settled damages in 20\_\_ of another group member, etc.

1. must have:

* a minimum of 2 civil engineers,
* a minimum of 2 electrical engineers,
* a minimum of 2 mechanical engineers,
* a minimum 2 certified actuaries.

The business entity submits:

a) (for all persons) copies of the M-A form or employment contract or engagement contract

or other evidence in accordance with positive regulations,

b) (for persons referred to in paragraphs 1-3) in the event that based on the submitted evidence from the previous

item/indent, professional qualification cannot be determined, it is necessary to submit a copy

of diploma on the acquired professional education

c) (for persons referred to in indent 4) a copy of the NBS authorisation to perform actuarial activities.

1. **DATA REGARDING THE CRITERIA FOR AWARDING THE CONTRACT**

The criterion for awarding the contract is “economically the most favourable offer”.

In the public procurement procedure, the contracting authority awards the contract to the economically most advantageous tender on the basis of the ratio of the offered premium and quality, which are weighted on the basis of the following criteria:

|  |  |
| --- | --- |
| **Criteria** | **Number of weights** |
| Premium (P) | 80% |
| Preventive investments (PI) | 20% |
| Total | 100% |

The bidder enters the data on the amount of preventive investments in the Contract Model.

When calculating the number of weights (weighting), the Contracting Authority will take into account only those bids that after examination and expert evaluation were not rejected as unacceptable.

## Premium:

The bid with the lowest offered premium is valued at 80 weights, and other values ​​are calculated according to the formula:

Rounding will be done to two decimal places.

## Preventive investments:

(Preventive investments are funds that are formed and used to take measures to prevent and combat risks that endanger the subject matter of insurance.

The contracting authority will use the total obtained assets for

*(The contracting authority enters for what purposes it will use the obtained assets)*

The bid that has the highest prevention offered is valued at 20 weights, and the rest according to the formula:

## Calculation of the total number of weights in the offer:

The economically most advantageous bid (EMAB) is the bid that has the highest total number of weights, and is calculated according to the formula:

**EMAB = P + P**

***Note:***

*In addition to and instead of the proposed elements of the criterion “the economically most advantageous* *bid”, the contracting authority may use other elements.*

***See Articles 132 and 133 of the LPP***

## Reserve criteria on the basis of which the contract will be awarded in a situation where there are two or more bids that are equal after the application of the criteria:

If two or more bids have the same number of weights, the bid of the bidder who offered a shorter deadline for issuing an insurance policy will be selected as the most advantageous one.

If even after the application of the above-mentioned reserve criterion, it is not possible to make a decision on the award, the contracting authority will award the contract to the bidder who offers a shorter deadline for the payment of the insured amount.

If, even after the application of the above-mentioned reserve criteria, it is not possible to make a decision on the award, the contracting authority will award the contract to the bidder who will be drawn by lot. The contracting authority shall notify in writing all bidders who have submitted bids of the date when the draw will take place. The draw will include only those bids that have the same number of weights and the same deadline for issuing the insurance policy and the same deadline for the payment of the insured amount. The contracting authority will draw by lot in public, in the presence of the bidder, by writing the names of the bidders on separate papers of the same size and colour, and will fold all these papers and put them in a transparent box from where they will draw one paper and one in accordance with the order of the drawn names of the bidders, the ranking of bids will be performed, i.e., the bidder whose name will be on the first drawn paper will be the first ranked bidder.

The contracting authority will submit to the bidders who do not attend this procedure the minutes from the draw by lot.

**Note:** The contracting authority may define the draw procedure in another way.

1. **DATA ON THE BASIS OF WHICH THE BIDDERS PREPARE THE BID FORM**

The tender documentation contains data on the basis of which the bidders prepare the bid form, which contains the following data:

1) general data on the bidder, i.e., each bidder from the group of bidders, as well as subcontractors (business name or abbreviated name from the appropriate register, registered office address, identification number and tax identification number, contact, etc.);

2) the validity period of the bid expressed in the number of days from the day of bid opening, which may not be shorter than 30 days;

(3) subject matter of public procurement,

4) price and other criteria for awarding the contract, which can be expressed numerically;

5) other procurement requirements, which the contracting authority considers relevant for the conclusion of the contract and which can be expressed numerically;

6) data on the part of the contract that the bidder will entrust to the subcontractor (by subject or in quantity, value or percentage), data on the subcontractor, as well as data that the contracting authority will make payments directly to the subcontractor, in case the subcontractor requests direct payment of due receivables;

7) a statement of integrity by which the bidder confirms under full material and criminal responsibility that it submitted its bid independently, without agreement with other bidders or interested persons and to guarantee the accuracy of the data in the bid.

**Note:** The bid form is automatically formed on the Portal based on the data entered by the contracting authority in step: Criteria for contract award and other procurement requirements.

1. **DATA ON THE BASIS OF WHICH THE BIDDERS PREPARE THE FORM OF THE STATEMENT ON FULFILMENT OF THE CRITERIA FOR QUALITATIVE SELECTION OF THE ECONOMIC OPERATOR**

The form of the statement on the fulfilment of the criteria for the qualitative selection of the economic entity is automatically formed on the Portal on the basis of the data entered by the contracting authority in the step: Criteria for qualitative selection of the economic operator. The portal automatically forms part of the tender documentation: Criteria for qualitative selection of an economic operator and instructions on how to prove the fulfilment of these criteria, and

If the bid is submitted by a group of economic entities, a separate statement of each member of the group of economic entities shall be submitted in the bid, which shall contain data for the relevant capacities of the group member.

If an economic operator intends to entrust a part of the contract to a subcontractor or use the capacities of other entities, it is obliged to submit a separate statement for the subcontractor, i.e., the entity whose capacities it uses, containing data on the relevant capacities of the subcontractor or other entity it intends to use.

The economic operators shall state in the statement on the fulfilment of the criteria the issuers of evidence on the fulfilment of the criteria for qualitative selection of the economic operator and state that they will be able to submit that evidence to the contracting authority upon request and without delay.

In the statement on fulfilment of the criteria, the economic operator may state data on the internet address of the database, all necessary identification data and statement of consent, through which evidence can be obtained, i.e., inspect the evidence on fulfilment of the criteria for qualitative selection of the economic operator.

1. **FORM OF BID PREPARATION COSTS**

Pursuant to Article 138 of the In accordance with Article 138 of the Law, the bidder \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [*insert name*] shall submit the total amount and structure of costs of bid preparation, as follows in the table:

|  |  |
| --- | --- |
| **COST TYPE** | **AMOUNT OF COST IN RSD** |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
| **TOTAL AMOUNT OF BID PREPARATION COSTS** |  |

**Note:**

The costs of preparation and submission of the bid shall be borne exclusively by the bidder and may not require reimbursement of costs from the contracting authority. If the public procurement procedure is suspended due to reasons on the part of the contracting authority, the contracting authority shall reimburse the bidder for the costs of making the sample or model, if they were made in accordance with the technical specifications of the contracting authority and the costs of obtaining security, provided that the bidder in its offer asked for compensation of such costs.

**Submission of this form is optional.**

|  |  |  |
| --- | --- | --- |
|  |  |  |
|  |  |  |
|  |  |  |

1. **CONTRACT MODEL**

**PROPERTY INSURANCE PUBLIC PROCUREMENT CONTRACT**

## Entered into by and between:

1. Contracting Authority ..............................................................................

based in ,

Street,

represented by ...................................................................

## (hereinafter referred to as: Insured)

and

2. , (name of the bidder, i.e., all members of the group of bidders)

, (Place, street and number, of the bidder, i.e., of each member of the group of bidders) represented by

## (hereinafter referred to as: Insurer)

The Contracting Parties hereby agree

* That the Insured, in accordance with Article 52 of the Law on Public Procurement (“Official Gazette of the Republic of Serbia”, No. 91/19, hereinafter referred to as: the Law), conducted an open procedure for public procurement of services - **Property Insurance**;
* that the Insurer submitted Offer no. of \_\_\_\_\_\_\_\_\_\_, which is

filed with the Insured under number \_\_\_ of \_\_\_\_\_\_\_\_\_\_ (hereinafter referred to as: the Offer), which is an integral part of this Contract.

## Article 1

The subject matter of this contract is the provision of property insurance services (hereinafter referred to as: insurance service), in all respects according to the Offer and Specification.

## Article 2

The value of the insurance premium is /

dinars without premium tax

non-life insurance, i.e., / dinars with tax on non-life insurance premiums.

The value of the insurance premium is fixed and cannot be changed.

The amount of preventive investments is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

## Article 3

The insurer undertakes to issue an insurance policy to the Insured within days (maximum 6 (six) days) from the day of concluding the contract.

The insurance policy, together with this contract, constitutes a single insurance contract. The insurance period is one year from the date of issuance of the insurance policy.

The Insured undertakes to submit to the Insurer all the necessary documentation proving the damage caused as a result of the insured risk.

The Insurer undertakes to pay the Insured to the Insured within days (maximum 10 (ten) days) of the day of receipt of the documentation.

## Article 4

The Insured undertakes to pay the value of the insurance premium to the Insurer in 12 monthly interest-free instalments, after the end of the month to which the invoice relates, as follows:

* **on the first payment**: within a maximum of 45 (forty-five) days from the date of receipt of the invoice, and on the basis of the submitted means of financial security for the fulfilment of contractual obligations,
* **for subsequent payments**: within a maximum of 45 (forty-five) days from the date of receipt of the invoice.

The invoice must be submitted to the Insured within 3 (three) days from the date of registration in the Central Register of Invoices.

Invoice address:\_

*(enter the invoice address of the insured).*

In addition to other data, the date that must be entered include Contract number, account number,

current account number of the Insurer, reference number (*insert reference number*) and tax

identification number of both contracting parties. Tax identification number of the Insured is \_

*(enter tax identification number).*

## Article 5

In case the Insurer hires a subcontractor:

The Insurer is fully liable to the Insured for the performance of obligations under this contract and in the case of entrusting certain obligations to a subcontractor:

from \_ , Street

number , tax identification number , registration number , from , Street

number , tax identification number , registration number , The Insurer will engage the specified subcontractor(s) to perform the following obligations:

(*by subject matter or in quantity*), in the value of or a percentage of %,

(*by subject matter or in quantity*), in the value of or a percentage of %,

The subcontractor requires/does not require the Insured to be paid directly the due receivables for the part of the contract that it has executed.

## Article 6

The Insurer undertakes to provide the service according to the needs of the Insured, with the care of a good businessman, quality and in accordance with regulations and standards for this type of service, and in all respects in accordance with the Offer and this contract.

The Insurer undertakes to provide reinsurance coverage of insured assets for risk and catastrophe for risks above its own retention with a reinsurance company based in the country, or with a reinsurance company based abroad for risks that the reinsurance company in the country cannot cover, with the volume of reinsurance coverage of at least class A + of rating A +.

## Article 7

In accordance with the Offer, the Insurer shall, upon receipt of a written request from the Insured, grant the Insured non-refundable means of prevention in the amount of dinars and pay it within no longer than one day (maximum 15 (fifteen) days) to the Insured’s account number *(enter account number)*, which is kept in \_\_ *(enter the name of the commercial bank)*.

The Insured will use the entire obtained funds for

(*The insured enters the purposes for which it will use the obtained funds*), and by conducting an appropriate procurement procedure in accordance with the Law.

## Article 8

## Means of security for fulfilment of contractual obligations:

The Insurer undertakes to submit with the signed Agreement a blank promissory note or an unconditional, on the first call, collectible bank guarantee as a guarantee for the fulfilment of contractual obligations.

The insurer is obliged to submit its own bill of exchange, which must be recorded in the Register of Bills of Exchange and Authorisations of the National Bank of Serbia. The blank promissory note should be signed by the person authorized to represent with the original signature (not a facsimile). The bill of exchange must be accompanied by a duly completed and signed bill of exchange authorisation - letter, with clauses “no protest”, in the name of contractual obligations and with the indicated amount of 10% of the total contract value without tax on non-life insurance premiums and bill of exchange registration certificate (listing from NBS website, not a registration request). A copy of the certified OP form and a copy of the card of deposited signatures, issued by the commercial bank specified by the Insurer in the bill of exchange authorization - letter, must be submitted with the bill of exchange. In case of change of the person authorized to represent the bill of exchange authorisation - the letter remains in force. The signature of the authorised person on the bill of exchange and the bill of exchange authorisation - the letter must be identical to the signature or signatures from the card of deposited signatures.

The Insurer may, as a guarantee for the fulfilment of contractual obligations, submit an unconditional, on the first call collectible bank guarantee in the amount of 10% of the total contracted value without tax on non-life insurance premiums.

The term of validity of the collateral is at least 30 days longer than the expiration date of the contract. In the event that the Insurer fails to perform its contractual obligations in all respects in accordance with the concluded contract, performs them in part or is late with the performance of contractual obligations, the Insured will activate the collateral.

Upon fulfilment of the contractual obligations of the Insurer, the collateral for the fulfilment of the contractual obligations will be returned, at the request of the Insurer.

## Article 9

If the Insurer does not fulfil its obligations within the deadlines referred to in Article 3, para. 1 and 5, is obliged to pay to the Insured for each day of delay in the name of the contractual penalty, the amount of 0.5% of the total contracted value without tax on non-life insurance premiums.

The total amount of the contractual penalty, which the Insurer pays to the Insured from the previous paragraph, may amount to a maximum of 20% of the total contracted value without tax on non-life insurance premiums.

## Article 10

The provisions of the Law on Contract and Torts, as well as other valid regulations governing this matter, will apply to everything that is not regulated by this contract.

## Article 11

The contract enters into force on the day of signing by both parties and is valid for one year from the date of issuance of the insurance policy.

## Article 12

All possible disputes of the contracting parties will be resolved amicably, otherwise the court in Belgrade has the jurisdiction.

## Article 13

This contract is made in 6 (six) identical copies, of which each contracting party keeps 3 (three).

*Note:*

*A public procurement contract may be concluded in electronic form, in accordance with the law governing electronic documents and the law governing electronic signatures.*

**INSURER INSURED**

1. **INSTRUCTION**

**TO BIDDERS ON HOW TO PREPARE A BID**

**Data on the contracting authority:**

|  |  |
| --- | --- |
| Contracting authority: | *(Portal withdraws the stated data)* |
| Tax identification number (TIN): | *(Portal withdraws the stated data)* |
| Address: | *(Portal withdraws the stated data)* |
| Website: | *(Portal withdraws the stated data)* |

**Basic information about the procedure**

|  |  |
| --- | --- |
| Name of the procedure: | **Property insurance** |
| Reference number: | *(Portal withdraws the stated data)* |
| Type of procedure: | **Open procedure** |
| Type of procurement subject matter: | **Service** |
| Description: | *(Portal withdraws the stated data)* |
| Deadline for submission: | *(Portal withdraws the stated data)* |

**Characteristics of the public procurement procedure** *(instruments and techniques)*

*(if applicable)*

**Description of subject matter / lot**

**Property insurance**

**Procurement description:**

*(Portal withdraws the stated data)*

The contracting authority defined the criteria for awarding the contract based on:

*(Portal withdraws the stated data)*

Method of ranking acceptable bids:

*(Portal withdraws the stated data)*

**Electronic communication and data exchange on the Public Procurement Portal**

Electronic communication is required in the procedure.

The bid / application is submitted through the Public Procurement Portal in the manner described in this instruction.

The user interested in the public procurement procedure communicates with the procuring entity exclusively through the Public Procurement Portal.

The user of the Public Procurement Portal may be interested in the published public procurement procedure by downloading the tender documentation or indicating his interest.

The documentation in this public procurement procedure on the Public Procurement Portal can be accessed on the **procedure website**:

***https://jnportal.ujn.gov.rs/***

Actions in the public procurement procedure that you can carry out on that page of the procedure:

* sending a **request for additional information or clarification regarding the procurement documentation as well as pointing out to the contracting authority any deficiencies and irregularities in the procurement documentation**

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1246/Zahtev-za-dodatnim-informacijama-ili-poja%C5%A1njenjima-u-vezi-sa-dokumentacijom-o-nabavci)

* forming **a group of bidders**

see the general instructions for users of the Portal

* preparation and submission of **bid**

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1271/Priprema-i-podno%C5%A1enje-ponuda-i-prijava-putem-Portala)

* **filling in the e-Statement on fulfilment of the criteria for qualitative selection of the economic operator**

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1280/e-Izjava-o-ispunjenosti-kriterijuma-za-kvalitativni-izbor-privrednog-subjekta)

* **assignment of the right to a procedure** *(to a person in a business entity)*

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1284/Dodela-prava-na-postupak-%E2%80%93-ponu%C4%91a%C4%8Di)

* sending a **request for protection of rights**

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1352/e-Zahtev-za-za%C5%A1titu-prava)

* granting authorisation to the proxy for **representation in the procedure of protection of rights**

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1349/Punomo%C4%87nik-u-postupku-za%C5%A1tite-prava)

An economic operator may request additional information or clarifications from the contracting authority regarding the procurement documentation through the Public Procurement Portal, and may indicate to the contracting authority if it considers that there are deficiencies or irregularities in the procurement documentation, no later than **8** (*data specified by the contracting authority*) before the submission deadline.

**Email inbox in process**

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1220/Sandu%C4%8De)

The user interested in the procedure during the public procurement procedure receives the following information via the e-mail box on the Portal:

* Changes to the tender documentation
* Additional information or clarifications regarding procurement documentation
* Modifications to the electronic catalogue
* Award / suspension decision
* Public procurement notices published

The user or economic operator that participates in the procedure through the mailbox through the Portal receives:

* Confirmation of successfully submitted bid/application
* Confirmation of successfully submitted amendment/supplement to the bid/application
* Confirmation of revocation of bid/application
* Invitation to submit bids
* Invitation to participate in the e-auction
* Minutes on the opening of bids

The user also receives copies of messages to the e-mail address with which he registered on the Portal.

**Preparation and submission of bids/applications**

The economic operator makes a bid/application on the Public Procurement Portal according to the structure and content defined by the Contracting Authority during the preparation of the public procurement procedure on the Portal.

The economic operator submitting the bid/application must be registered on the Portal with at least one, and preferably more users (or user accounts).

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1291/Upravljanje-podacima-o-organizaciji-i-korisni%C4%8Dkim-nalozima-%E2%80%93-ponu%C4%91a%C4%8Di)

A bidder who has submitted a bid independently may not participate in a joint bid or as a subcontractor at the same time, nor may the same person participate in several joint bids.

The bidder may submit only one bid, except in the case when the submission of a bid with variants is allowed or required.

A detailed instruction on preparing an offer via the Portal:

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1276/Priprema-i-podno%C5%A1enje-ponude-u-otvorenom-postupku)

**Deadline for submission of bids or applications:** *(Portal withdraws the stated data)*

**Applications may be submitted: Serbian** (*information provided by the contracting authority*)

In the bid/application form, the bidder/candidate must confirm with a statement of integrity under full material and criminal responsibility that it has submitted its bid/application independently, without agreement with other bidders/candidates or interested parties and guarantee the accuracy of the bid/application data.

**Preparation and submission of a joint bid/application**

On the page of the public procurement procedure on the Portal, an economic operator may create a group of economic operators (bidders/candidates) in order to submit a joint bid/application.

A member of a group of economic operators submitting a bid/application must be authorized to submit a joint bid/application on behalf of the group. Authorisation to submit a bid/application on behalf of a group of economic operators, members of the group give through the Public Procurement Portal. All members of the group should be registered users of the Public Procurement Portal.

More about forming a group of business operators:

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1272/Formiranje-grupe-ponu%C4%91a%C4%8Da-i-podno%C5%A1enje-ponude-u-ime-grupe-ponu%C4%91a%C4%8Da)

The bid/application is prepared and submitted by a member of the group authorised to submit a joint bid/application on behalf of the group of economic operators.

In the case of a joint bid/application, the data on the members of the group are part of the bid/application form.

When filling in the bid form of a group of bidders on the Public Procurement Portal, the value or percentage of the procurement value and the subject or quantity of the procurement subject to be performed by each member of the group according to the agreement should be stated. When filling in the application form of a group of candidates, this information is stated if it is known.

All members of the group of economic operators should fill in the Statement on fulfilment of the criteria for qualitative selection of the economic operator.

**Preparation of bid/application with subcontractor**

If the bid/application includes subcontractors, they should be registered users of the Public Procurement Portal, but should not give consent to the economic operator to submit a bid/application through the Portal.

An economic operator that intends to entrust the execution of part of the contract to a subcontractor, is obliged to state for each individual subcontractor:

1. data on the subcontractor *(name of the subcontractor, address, identification number, tax identification number, name of the contact person).*
2. information on the part of the contract that will be entrusted to the subcontractor *(by subject matter or in quantity, value or percentage).*
3. data whether the subcontractor requires the contracting authority to pay him directly the due claims for the part of the contract which he has executed.

The economic operator is obliged to submit a Statement of compliance with the criteria for qualitative selection of the economic operator for each subcontractor in the bid/application.

**Preparation of documents within the bid/application**

The economic operator loads the bid/application documents according to the defined structure. Supported formats and sizes of documents are prescribed by the Instructions for the use of the Public Procurement Portal. In case an individual document exceeds the size provided on the Public Procurement Portal, it is recommended to use document compression or divide the document into smaller parts and upload smaller and/or compressed documents to the Public Procurement Portal.

Documents uploaded within the bid/application may not be encrypted by the economic operator. The Public Procurement Portal encrypts bids/applications and their parts and keeps the content of bids/applications secret, as well as information on the identity of the economic operator until the date and time of bid opening.

The economic operator may prepare, upload to the Portal (*Procedure Page  Bids or Applications  Preparation of documentation*) documents that it intends to submit within the bid/application.

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1276/Priprema-i-podno%C5%A1enje-ponude-u-otvorenom-postupku?anchor=7.-u%C4%8Ditajte-dokumente-koje-prila%C5%BEete-uz-ponudu)

**The contracting authority requires the bidder to enclose the following documents in its bid/application:**

* Bid form;
* Form of costs of bid preparation (submission of this form is not mandatory);
* Statement on fulfilment of criteria for qualitative selection of economic operator (SFC);
* Contract model;
* Bid bond: blank promissory note, signed with original signature (not facsimile), which must be recorded in the Register of Bills of Exchange and authorisations of the National Bank of Serbia (signed by an authorised person), promissory note authorisation - letter with clauses “no protest” and signed by an authorised person and with the indicated amount of 3% of the total value of the offer without tax on non-life insurance premium), certificate of registration of the bill (listing from the NBS website, as proof that the bill is registered), copy of the card of deposited signatures commercial banks specified in the bill of exchange authorization - letter) and a copy of the certified OP form or unconditional,bank guarantee **collectible at the first call** in the amount of 3% of the total value of the bid without tax on non-life insurance premium.

The economic operator shall submit the bid bond in accordance with Article 45, paragraph 4 of the Law, within the deadline for submission of bids.

With each requested document, the economic operator can upload more documents, if the document consists of several parts.

When uploading documents to the Public Procurement Portal, the economic operator on the Portal indicates whether a particular bid document is confidential (in accordance with Article 38 of the Law on Public Procurement), it states the legal basis on which the documents are marked confidential and explains the reason(s) for confidentiality. If a certain document has only certain parts confidential, before uploading that document to the Portal, it is necessary for the economic operator to separate the confidential parts into a separate document, mark it confidential, and thus upload it to the Public Procurement Portal. Parts that are not confidential need to be separated into a separate document or documents and thus uploaded to the Public Procurement Portal. No part of the electronic offer/application is signed, no stamp is required and no scanning of documents is required.

**Statement on fulfilment of criteria for qualitative selection of economic operator (SFC)**

The statement on the fulfilment of the criteria for the qualitative selection of the economic operator is filled in electronically on the Portal.

Part of the tender documentation **Criteria for qualitative selection of an economic operator with instructions** was formed through the Portal and attached to the tender documentation.

How to fill in the e-Statement via the Portal:

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1280/e-Izjava-o-ispunjenosti-kriterijuma-za-kvalitativni-izbor-privrednog-subjekta)

Completion of the Statement through the Portal, according to the defined criteria, is carried out on the page of the procedure under

*Applications/Bids*  *New Statement or Statements under preparation* for updating the statement.

Members of the group, subcontractors or other entities whose capacities are used by the economic operator fill in each of their e-Statements, and the economic operator can download the completed e-Statement through the Portal and attach it to the bid/application.

**Parts of the bid/application that cannot be submitted electronically**

In the event that part or parts of the bid/application cannot be submitted by electronic means via the Public Procurement Portal (see Article 45, paragraph 3 of the Law on Public Procurement), the economic operator is obliged to state the exact part or parts of the bid/application in the bid/application that are submitted by non-electronic means.

Part or parts of the bid/application that cannot be submitted by electronic means through the Public Procurement Portal shall be submitted by the economic operator to the Contracting Authority by the deadline for submission of bids/applications by mail, courier service or directly, in an envelope or box closed in a way that when opening it can be determined with certainty that it is opening for the first time.

A part or parts of the bid/application that cannot be submitted by electronic means via the Public Procurement Portal shall be submitted by the economic operator to the address:

*(Portal withdraws the stated data)*

With a note:

Part of the bid/application for public procurement: *(Property insurance)*

DO NOT OPEN

When preparing the bid/application on the Portal, the economic operator specifies part or parts of the bid/application that will be submitted in non-electronic ways (by mail, courier service or directly).

The name and address of the economic operator should be stated on the back of the envelope or on the box. In case part or parts of the bid/application are submitted by a group of economic entities, the envelope must indicate that it is a group of economic entities and state the names and addresses of all members of the group.

Part or parts of the bid/application are considered timely if they are received by the contracting authority by (*Portal withdraws the information*).

The contracting authority will submit an acknowledgment of receipt to the economic operator. In the acknowledgment of receipt, the contracting authority shall state the date and time of receipt.

The part or parts of the bid/application that the contracting authority did not receive within the deadline for submission of bids/applications, i.e., which was received after the expiration of the day and hour by which bids/applications may be submitted, shall be considered untimely. Untimely part or parts of the bid/application will be returned unopened to the bidder by the contracting authority upon completion of the opening procedure, with an indication that they were submitted late.

**Filling in the bid form**

The price is expressed in dinars, with and without tax on non-life insurance premium, including all costs incurred by the bidder in the implementation of the public procurement.

## Other procurement requirements:

1. **Deadline for issuing an insurance policy**: maximum 6 (six) days from the day of concluding the contract. (Note: *The Contracting Authority may specify another deadline).*
2. **Insurance period**: one year from the date of issuance of the insurance policy. *(****Note****:* *The Contracting Authority may specify a longer period).*
3. **Deadline for payment of the insured amount**: maximum 10 (ten) days from the date of receipt of documentation. (Note: *The Contracting Authority may specify another deadline).*

**Application of the draw**

If, after ranking on the basis of the award criteria and the reserve criterion, it is not possible to make a decision on the award of the contract, the contracting authority will award the contract to the bidder who will be drawn by lot. The contracting authority shall notify in writing all bidders who have submitted bids of the date when the draw will take place. The draw will include only those bids that have the same number of weights and the same deadline for issuing the insurance policy and the same deadline for the payment of the insured amount. The contracting authority will draw by lot in public, in the presence of the bidder, by writing the names of the bidders on separate papers of the same size and colour, and will fold all these papers and put them in a transparent box from where they will draw one paper and one in accordance with the order of the drawn names of the bidders, the ranking of bids will be performed, i.e., the bidder whose name will be on the first drawn paper will be the first ranked bidder.

The contracting authority will submit to the bidders who do not attend this procedure the minutes from the draw by lot.

**Method and deadline of payment**: in 12 monthly interest-free instalments, after the end of the month to which the invoice refers, as follows:

* + **on the first payment**: within a maximum of 45 (forty-five) days from the date of receipt of the invoice, and on the basis of the submitted means of financial security for the fulfilment of contractual obligations,
  + **for subsequent payments**: within a maximum of 45 (forty-five) days from the date of receipt of the invoice.

The invoice must be submitted to the contracting authority within 3 (three) days from the date of registration in the Central Register of Invoices.

**The bid must be valid for 30 days from the day of bid opening.**

After entering all the data, the economic operator generates the bid/application form and can review the bid/application data before submitting the bid/application.

**Manner of amending the offer/application**

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1273/Ponuda-izmena-dopuna-ili-odustanak)

**Method of revoking bids/applications**

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1273/Ponuda-izmena-dopuna-ili-odustanak)

# Information on the type, content, manner of submission, amount and deadlines for ensuring the fulfilment of the bidder's obligations

***BID BOND:***

The bidder undertakes to submit a **blank promissory note or an unconditional, on the first call, collectible bank guarantee as a means of securing the seriousness of the bid.**

**The blank promissory note must be registered in the Register of Bills of Exchange and Authorisations of the National Bank of Serbia** and should be signed by a person authorised to represent with the **original signature (not a facsimile)**. The bill of exchange must be accompanied by a duly completed and signed **bill of exchange authorisation - letter**, with clauses “no protest”, for seriousness of the bid and with the indicated amount of 3% of the total contract value without tax on non-life insurance premiums and bill of exchange registration certificate (**listing from NBS website, not a registration request**). The bill of exchange must be accompanied by a **copy of the certified OP form and a copy of the card of deposited signatures**, issued by the commercial bank specified by the bidder in the bill of exchange authorisation - letter. In case of change of the person authorized to represent the bill of exchange authorisation - the letter remains in force. The signature of the authorised person on the bill of exchange and the bill of exchange authorisation - the letter must be identical to the signature or signatures from the card of deposited signatures.

Along with the bid, as a guarantee for the seriousness of the bid, the bidder may submit an **unconditional** bank guarantee **collectible on first call** in the amount of 3% of the total value of the bid without tax on non-life insurance premium.

**The bidder is obliged to submit one of the listed means of security for the seriousness of the bid.**

Security for the seriousness of the bid - bill of exchange (or bank guarantee), bill of exchange authorisation, card of deposited signatures and OP form are submitted to the contracting authority in the manner described in this section, i.e., submitted to the contracting authority by the deadline for submission of bids/applications by mail, courier or directly, in an envelope or box, closed in such a way that it can be determined with certainty that it is being opened for the first time.

The term of validity of the financial security is at least 30 (thirty) days from the day of opening the bids.

If the deadlines for the selection of bidders change during the contract award procedure, the validity of the financial security must be extended.

The bidder with whom the contract will be concluded is obliged to extend the security for the seriousness of the bid until it is replaced by the security for the fulfilment of the contractual obligations.

The contracting authority shall redeem the bill of exchange given with the bid if the bidder withdraws from his bid within the validity of the bid, fails to submit evidence of fulfilment of criteria for qualitative selection of economic operator in accordance with Article 119 of the Law, unreasonably refuses to conclude a contract or does not submit security for fulfilment of contractual obligations.

At the request of the bidders who are not selected, the security will be returned immediately after the conclusion of the contract with the selected bidder.

If the bidder does not submit a bill of exchange or a bank guarantee, the bid will be rejected as unacceptable.

***MEANS OF SECURITY FOR FULFILMENT OF CONTRACTUAL OBLIGATIONS:***

The selected bidder undertakes to submit with the signed Agreement a blank promissory note or an unconditional, on the first call, collectible bank guarantee as a guarantee for the fulfilment of contractual obligations.

The bidder may submit its own blank bill of exchange, which must be recorded in the Register of Bills of Exchange and Authorisations of the National Bank of Serbia. The blank promissory note should be signed with the original signature of the person authorised to represent (not by facsimile). The bill of exchange must be accompanied by a duly completed and signed bill of exchange authorisation - letter, with clauses “no protest”, in the name of contractual obligations and with the indicated amount of 10% of the total contract value without tax on non-life insurance premium and certificate of registration NBS website, as proof that the bill of exchange has been registered). The bill of exchange must be accompanied by a copy of the certified OP form and a copy of the card of deposited signatures, issued by the commercial bank specified by the bidder in the bill of exchange authorisation - letter. In case of change of the person authorized to represent the bill of exchange authorisation - the letter remains in force. The signature of the authorised person on the bill of exchange and the bill of exchange authorisation - the letter must be identical to the signature or signatures from the card of deposited signatures.

The bidder may, as a guarantee for the fulfilment of contractual obligations, submit an unconditional, on the first call collectible bank guarantee in the amount of 10% of the total contracted value without tax on non-life insurance premiums.

The term of validity of the collateral is at least 30 days longer than the expiration date of the contract.

In the event that the bidder does not fulfil its contractual obligations in all respects in accordance with the concluded contract, performs them in part or is late with the fulfilment of contractual obligations, the contracting authority will activate the collateral.

Upon fulfilment of contractual obligations, the security for the fulfilment of contractual obligations will be returned, at the request of the bidder.

**Opening of bids/applications**

**Data related to the opening of bids/applications as stated in the invitation**

Date: *(Portal withdraws the stated data)*

Place: *(Portal withdraws the stated data)*

**Information on authorised persons and opening procedure:**

The contracting authority did not exclude the public from the bid opening procedure. On the procedure page *Bids*  *Bid Opening*, the bidder can follow the countdown until the opening of bids. After the Portal opens the bids, a record on the opening of bids is formed, which can be downloaded from the page of the procedure and sent to the bidders at the same time.

**Clarifications of the offer/application, form and manner of submitting evidence**

After opening the bids/applications, the contracting authority may request additional explanations that will help it in reviewing, evaluating and comparing bids/applications, and may also perform control (insight) with the bidder or its subcontractor.

Where information or documentation submitted by an economic operator is incomplete or unclear, the contracting authority may, while observing the principles of equality and transparency, request the tenderers or candidates to supply necessary information or additional documents within an appropriate time limit which shall not be shorter than five days.

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1308/Komunikacija-naru%C4%8Dioca-i-ponu%C4%91a%C4%8Da-nakon-otvaranja-ponuda)

**Protection of rights**

The request for protection of rights may be submitted by an economic operator, i.e., a bidder who had or has an interest in awarding a contract in a specific public procurement procedure and who indicates that due to the contracting authority’s actions contrary to the PPL, the contract was damaged or LPP (hereinafter referred to as: the Applicant).

The request for protection of rights shall be submitted electronically via the Public Procurement Portal at the same time to the procuring entity and the Republic Commission for Protection of Rights in Public Procurement Procedures (hereinafter referred to as: Republic Commission), i.e., in writing, by direct delivery or registered mail to the contracting authority, in which case the applicant is obliged to submit a copy of the request to the Republic Commission.

**Applying for protection of rights electronically**

[see the general instructions for users of the Portal](https://gizsr.visualstudio.com/Uputstva/_wiki/wikis/Uputstva/1344/Za%C5%A1tita-prava-na-Portalu)

Steps:

* Enter the reference number of the request
* Data on the applicant, the contracting authority and the procedure for which the application is submitted are automatically withdrawn from the system
* If the applicant undertakes actions in the procedure through a proxy, it may authorise a proxy through the Public Procurement Portal
* If the request is submitted on behalf of a group of bidders, the applicant should upload the authorisation of other members of the group or an agreement which shows that he has the right to submit a request on behalf of the group.
* Define whether the request for protection of rights refers to the subject matter of procurement as a whole or to an individual lot of the subject matter of procurement (mark lots)
* Documents to download from your computer:
  + Document of the request for protection of rights (you can also upload additional documentation with the request)
  + Proof of payment of the fee

**Precise information on the deadline(s) for protection of rights**

A request for protection of rights may be submitted during the entire public procurement procedure, unless otherwise specified by the PPL, and no later than ten days from the date of publication on the Public Procurement Portal of the contracting authority's decision terminating the public procurement procedure in accordance with the PPL. The request for protection of rights which disputes the actions of the contracting authority in connection with determining the type of procedure, content of the public invitation and tender documentation will be considered timely if received by the contracting authority no later than three days before the deadline for submission of bids or applications. The request for protection of rights challenging the actions of the contracting authority undertaken after the deadline for submission of bids shall be submitted within ten days from the date of publication of the contracting authority’s decision on the Public Procurement Portal, or from the date of receipt of the decision in cases where publication on the Public Procurement Portal is not provided. After the expiration of the deadline for submitting the request for protection of rights, the applicant may not supplement the request by stating the reasons related to the actions that are the subject of dispute in the submitted request or disputing other actions of the contracting authority with which he was or could be acquainted before the deadline for the protection of rights, which he did not point out in the submitted request.

The request for protection of rights may not challenge the actions of the contracting authority undertaken in the public procurement procedure if the applicant was or could have known the reasons for its submission before the deadline for submission of the request, and the applicant did not submit it before the deadline. If in the same public procurement procedure, a request for protection of rights has been submitted again by the same applicant, that request may not challenge the actions of the contracting authority that the applicant knew or could have known when submitting the previous request. The subject of dispute in the procedure of protection of rights may not be possible deficiencies or irregularities of the procurement documentation that are not indicated in accordance with Article 97 of the Law on Public Procurement. The Contracting Authority shall publish the notice on submitted request for protection of rights on the Public Procurement Portal no later than the day after the receipt of the request for protection of rights. Submission of the request for protection of rights delays the continuation of the public procurement procedure by the contracting authority until the end of the protection procedure. The request for protection of rights must contain the data from Article 217 of the PPL. Law on Public Procurement.

If the applicant undertakes actions in the procedure through a proxy, it shall submit the authorisation for representation in the procedure of protection of rights with the request for protection of rights. The applicant who has a permanent or temporary residence, i.e., a seat abroad, is obliged to appoint a proxy for the receipt of letters in the Republic of Serbia in the request for protection of rights, stating all data necessary for communication with the designated person.

When submitting the request for protection of rights to the contracting authority, the applicant is obliged to submit proof of payment of the fee.

Evidence is any document from which it can be determined that the transaction was performed for the appropriate amount from the article

225. The LPP and to refer to the subject request for protection of rights.

Valid proof of payment of the fee, in accordance with the Instructions on payment of the fee for submitting a request for protection of the rights of the Republic Commission, was published on the website of the Republic Commission.

The fee is 120,000 dinars.