



**TENDER DOCUMENTATION MODEL**

**RESTRICTIVE PROCEDURE**

**Technique:** Dynamic procurement system

Instrument: Electronic catalogue

**Public procurement**

**Paper accessories for maintaining personal hygiene**

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1. **INFORMATION REGARDING THE DYNAMIC PROCUREMENT SYSTEM**

The subject of SDN is the paper accessories for maintaining personal hygiene listed in the Technical Specification, which is an integral part of this tender documentation.

SDN is established for a period of 48 months, or by 20\_\_.

The contracting authority establishes and manages the SDN exclusively by electronic means through the Public Procurement Portal.

The electronic equipment and technical connections required for the participation of business entities in SDN correspond to the minimum technical conditions for using the Public Procurement Portal, and no additional technical conditions are required. (see Instructions on the use of the Public Procurement Portal (<http://www.ujn.gov.rs/wp-content/uploads/2021/02/Uputstvo-za-koriscenje-Portala-> javnih-nabavki-93\_2020-372.pdf)

The SDN is open throughout the duration for the admission of candidates who meet the qualitative selection criteria without charge.

SDN is not divided into categories.

Estimated quantities of goods to be procured within SDN are listed in the electronic catalogue for each position of the catalogue. The specified quantities are indicative and are determined according to the assumed needs of the Contracting Authority during the duration of the SDN and they are not binding on the side of the Contracting Authority or on the side of the candidates admitted to the SDN. The contracting authority reserves the right to change the duration of the SDN or to terminate it before the deadline.

## Establishment and management of SDN

1. The contracting authority publishes the public invitation and this documentation on the Public Procurement Portal.
2. Direct access to procurement documentation is free, unlimited and unhindered on the Public Procurement Portal for the entire duration of the SDN.
3. All interested business entities can submit an application during the entire period of its duration, and all candidates who have been admitted to the system have access to the system during the duration of the SDN.
4. The number of business entities for admission to the SDN system is not limited.
5. The minimum initial deadline for submitting applications is 30 days from the day of sending the public invitation for publication on the Public Procurement Portal.
6. After the initial application deadline, any interested business entity can submit an application at any time during the SDN period and no additional application deadlines apply.
7. Along with the application for participation in SDN, business entities should also attach an electronic catalogue in accordance with the Technical Specification and in the form determined by the Contracting Authority.
8. The business entity is not obliged to offer every position in the electronic catalogue attached to the application, but only those from its range of products. During the duration of the SDN, the business entity can supplement or update the delivered catalogue.
9. Within ten working days from the date of receipt of the applications, the contracting authority will evaluate the applications, in accordance with the criteria for the qualitative selection of the business entity.





1. The deadline for evaluating applications can be extended to 15 working days if the need arises in a specific case, especially due to the necessity of studying additional documentation or checking whether the criteria for the qualitative selection of a business entity are met.
2. The contracting authority reserves the right to additionally extend the deadline for the evaluation of applications received within the initial deadline by 10 working days until it sends an invitation to submit bids for the first individual procurement within the SDN.
3. After the evaluation of the applications, the Contracting Authority shall without delay deliver to all business entities through the Public Procurement Portal a decision on the results of the evaluation of the applications, whereby all candidates who meet the criteria for qualitative selection are admitted to SDN.
4. During the duration of the SDN, the contracting authority may request from the candidates admitted to the SDN, via the Public Procurement Portal, the submission of a renewed and harmonised statement on the fulfilment of the criteria for the qualitative selection of the business entity.
5. Candidates admitted to the SDN must, within 5 working days from the date of receipt of the request of the Purchaser, submit through the Public Procurement Portal an updated and harmonised statement on the fulfilment of the criteria for the qualitative selection of the business entity or confirm that the situation regarding the fulfilment of the criteria from the previous statement has not changed.
6. A candidate who does not respond to the Contracting Authority's request within the requested period will be excluded from the SDN, but may re-submit the application at any time during the duration of the SDN.
7. During the process from items 13-15, the contracting authority must not carry out a new single purchase in the framework of the SDN.
8. The positions of the e-catalogue are not final, and during the period of SDN, the Contracting Authority may periodically revise the e-catalogue and, in accordance with its needs, may enter new positions, as well as change or delete existing ones.
9. In the event that the contracting authority has revised the e-catalogue, all candidates admitted to the SDN will be automatically notified through the Public Procurement Portal about the e-catalogue amendments and can supplement their e-catalogues that they submitted with the application.
10. New business entities, along with their application for participation in the SDN, attach an electronic catalogue that is in accordance with the currently valid positions of the e-catalogue.
11. During the entire duration of the SDN, the Contracting Authority may ask the candidates admitted to the SDN to submit all or part of the evidence on the fulfilment of the criteria for the qualitative selection of the economic entity in order to check the data specified in the statement on the fulfilment of the criteria, if this is necessary for the proper implementation of the procedure.
12. Before making a decision on the recognition of the qualification, the contracting authority will require all candidates to submit, within 5 working days, evidence of the fulfilment of the criteria for the qualitative selection of the business entity, in uncertified copies.
13. The contracting authority will not require the candidate to provide evidence of the fulfilment of the criteria for the qualitative selection of the business entity, if based on the data specified in the statement of the fulfilment of the criteria, he can obtain evidence, i.e.,





inspect the evidence on the fulfilment of the criteria for the qualitative selection of the business entity or already have valid relevant evidence.

## Individual procurements within SDN

1. When there is a need for goods that are the subject of SDN, the Contracting Authority will simultaneously, by electronic means through the Public Procurement Portal, invite all candidates who have been admitted to SDN to submit an offer for each individual procurement within the system.
2. Individual procurements are procurement procedures carried out within SDN and on the basis of which public procurement contracts are concluded, in which only candidates who have previously been admitted to SDN can participate.
3. The contracting authority estimates that during the duration of this SDN, it will carry out more than five individual procurements depending on the contracting authority's needs for the items that are the subject matter of this procurement. *(It is recommended that the customer determine the approximate number of individual procurements that will be carried out during the duration of the dynamic procurement system)*
4. The minimum deadline for submitting bids in individual procurements will be ten days from the day of sending the call for bids.
5. For each individual procurement, along with the invitation to submit bids, the Contracting Authority makes available to candidates through the Public Procurement Portal and other documentation required for the purpose of concluding an individual contract.6.
6. Other documentation in individual procurements contains all conditions for the delivery of goods, including the subject of individual procurement, quantity, place and term of delivery, etc.
7. The subject of procurement in individual procurements is created by the Purchaser based on its current needs and in accordance with the currently valid positions of the e-catalogue.
8. Candidates are not required to submit an offer based on the invitation and this does not affect their status as a candidate in SDN.
9. Prices in electronic catalogues in individual procedures cannot be higher than 10% of the prices listed in the electronic catalogue submitted with the application. If prices increase by more than 10% during the duration of the dynamic procurement system, bidders are required to submit appropriate evidence when submitting bids in the second phase to prove the increase in prices on the search site. The contracting authority checks the submitted evidence, as well as researches the market related to the subject of the specific procurement (checks the prices of at least three bidders in the territory of the Republic of Serbia), and if it determines that it has not been proven that there has been an increase in the price or an increase in the price in the proposed amount, will reject the submitted offer as unacceptable. A bidder whose bid is rejected for this reason may still submit bids during the dynamic procurement system. *(The contracting authority defines the method of adjusting the prices in accordance with its needs.* *Prices in electronic catalogues in individual procedures cannot be higher than 10% of the prices listed in the electronic catalogue submitted with the application.* *It may limit the percentage of price increases that will be acceptable in*





*certain procedures.* *It can define a different way of checking market prices, etc.)*

*In order to determine the acceptability of the application, it is recommended that the ordering parties determine the estimated value of each individual position in the electronic catalogue.*

1. If, during the duration of the dynamic procurement system, and based on the results of the market research, the contracting authority determines that there have been significant changes in the prices of the items in question, it has the option of requiring all candidates who have been recognised as qualified to submit updated applications, as well as the prices from the delivered catalogues. After updating the applications and the catalogue, in the second stage of the procedure, the rules on price changes defined in the previous point of this information are applied.
2. Candidates who, in their basic e-catalogue submitted with the application or subsequently supplemented e-catalogue, did not offer a position that is the subject of individual procurement within SDN, will not be invited to submit an offer in the form of updated e-catalogues for that specific position.
3. The criterion for awarding contracts in individual procurements is the most economically advantageous offer, which is determined based on the price for each position in the updated e-catalogue that was submitted following the invitation to submit bids. *(In addition to this method of application of the criteria, the Contracting Authority has the option of applying criteria at the level of categories that are formed during the implementation of individual procedures.* *The decision on the method of application of the criteria is made by the Contracting Authority during the implementation of individual purchases.* *The proposed way of applying the criteria implies that the ordering party will award the contract to the bidder with the lowest price for each item.* *Applying criteria at the category level means awarding the contract to the bidder who offered the lowest price for a group of items from the specified category, which does not mean that it is the lowest price for each individual item.)*
4. The public procurement contract is awarded in each individual procurement within SDN to the bidder who offered the lowest price for the position of the e-catalogue. One contract is concluded for all positions of the e-catalogue for which a specific bidder offered the lowest price in an individual procurement.

***Note:*** ***This information is prepared by the contracting authority on its computer and uploaded to the Portal at the appropriate step.***





# GENERAL INFORMATION ON THE SUBJECT MATTER OF PROCUREMENT

**Name:** Paper accessories for maintaining personal hygiene, ORN: 33760000 - Toilet paper, tissues, hand towels and napkins

## Type of procurement subject matter: Goods

**Type of public procurement procedure:** Restrictive procedure

**Technique:** Dynamic procurement system

**Instrument:** Electronic catalogue

**Description:** The public procurement procedure is carried out in order to establish a system of dynamic procurement, for a period of 48 months.

**Other notes**: *(enter any other remarks relevant to the subject matter of public procurement, for example: data on possible changes to the contract (Article 30, paragraph 1, in connection 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 PPL (Article 146 paragraph 3 of the* *PPL), etc.)*

***Note:*** ***This part of the tender documentation is created by the Portal based on the data that the customer enters into the system.*** ***In that case, this part contains only the mandatory data prescribed by the Rulebook on the Content of Tender Documents in Public Procurement Procedures.***

***If the contracting authority wants this part of the tender documentation to contain some other data, the client prepares this document on his computer and uploads it to the Portal at the appropriate step.***





# 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 FULFILLMENT OF THESE

**CRITERIA**

* 1. ***EXCLUSION GROUNDS***

## 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.

Before recognising the qualification, the contracting authority is obliged to require all candidates to provide evidence of the fulfilment of the criteria for the qualitative selection of the business 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).

1. 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.
2. 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 offences; 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.
3. 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 business entity established in another state:

If the economic operator 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 operator, i.e., in the state whose citizen he/she is. If the said evidence is not issued in the country in which the business operator 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 operator.

## Taxes and contributions Legal basis:

Article 111, paragraph 1, item 2) of the PPL - the Contracting Authority shall exclude an economic operator from

the 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 a special regulation.

## 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.

Before recognising the qualification, the contracting authority is obliged to require all candidates to provide evidence of the fulfilment of the criteria for the qualitative selection of the business 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 Procurement.

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 operator 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 operator’s registered office.

If the said evidence is not issued in the country in which the business operator 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 operator.

## 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 operator 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 Procurement.

## 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. The absence of this ground for exclusion is established by the contracting authority.

## 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 the Law 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. The absence of this ground for exclusion is established by the contracting authority.

## 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. The absence of this ground for exclusion is established by the contracting authority.

**Note:** The contracting authority is not obliged to use the grounds for exclusion prescribed by Article 112 of the PPL, 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.





* 1. ***ECONOMIC OPERATOR SELECTION CRITERIA***

## Financial and economic capacity - other economic or financial conditions 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:

The business entity is obliged to dispose of financial capacity, that is, in the period of the previous 6 months preceding the month of the deadline for submission of applications/bids, it was not blocked for more than 7 days.

## 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.

Before recognising the qualification, the contracting authority is obliged to require all candidates to provide evidence of the fulfilment of the criteria for the qualitative selection of the business entity.

This criterion is proven by:

- A certificate on the number of days of blockade issued by the National Bank of Serbia, with information that in the period of the previous 6 months preceding the month of the deadline for submission of applications/offers, the bidder was not blocked for more than 7 days. In the event that the bidder is a natural person, as evidence, he submits a signed statement given under full material and criminal responsibility that he has the financial capacity necessary to perform the contractual obligations under the public procurement in question. If, for justified reasons, the business entity is not able to provide the above-mentioned documents and evidence required by the contracting authority, it can prove its financial and economic capacity with any other document from the content of which the contracting authority can undoubtedly determine the fulfilment of the required financial and economic capacity.

*Note:* *The contracting authority may, instead of or in addition to this criterion, determine some other criteria of financial and economic capacity, depending on the needs of each specific public procurement.*

## Technical and professional capacity Legal basis:





Article 117, paragraph 1 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:

The business entity is obliged to fulfil the condition that, in the period of the last three years before the deadline for submission of applications, it has delivered paper accessories for maintaining personal hygiene, in everything in the manner defined by the contract, in the value of at least dinars. *(The value of the completed deliveries is defined by the contracting authority depending on the needs of each specific public procurement.* *The criterion must be defined in everything in the manner prescribed by the provisions of the PPL.)*

## 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.

Before recognising the qualification, the contracting authority is obliged to require all candidates to provide evidence of the fulfilment of the criteria for the qualitative selection of the business entity.

This criterion is proven by submitting:

* List of delivered goods - in the list of delivered goods, the candidate enters the number and date of the contract and/or invoice, the name of the customer to whom the delivery was made, the delivery period and the value of the delivered goods. This form is prepared by the candidate in free form.
* Certificate of delivered goods - The certificate confirms that the candidate delivered the goods in accordance with the agreed deadlines and quality, as well as the value of the delivered goods. This form is an integral part of the tender documentation. The form is copied in the required number of copies.

## Technical means and measures for quality assurance Legal basis:

Article 117, paragraph 1 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:





The business entity is obliged to dispose of technical capacity with:

* Minimum by one truck and
* Warehouse space, with a total area of ​​at least 100 m2.

## 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.

Before recognising the qualification, the contracting authority is obliged to require all candidates to provide evidence of the fulfilment of the criteria for the qualitative selection of the business entity.

This criterion is proven by submitting:

* Read traffic permits and pictures of the registration sticker showing the vehicle's registration number and the date of expiration of the registration. If the candidate is not the owner of the vehicle, in addition to these proofs, it is necessary to submit proofs of the legal basis for using the vehicle (rental agreement, leasing agreement and consent of the leasing company (if the vehicle is owned by the leasing company), etc.)
* Evidence of the legal basis for the use of warehouse space of at least 100 m2 (purchase agreement, lease agreement, cadastre extract or other appropriate evidence).

## Quality Assurance Systems and Environmental Management Standards

**4.1.** **Environmental management standards Legal basis:**

Article 127 Of the PPL - If the contracting authority requires the submission of certificates from independent bodies confirming the compliance of the business entity with certain systems or standards for environmental management, it is obliged to refer to the Environmental Management and Audit System (EMAS) or to other environmental management systems that are recognised, in accordance with the law governing environmental protection or environmental management standards based on appropriate European or international standards of accredited bodies.

## Additional description of criteria:

It is necessary for the business entity to comply with the following requirements of the standard:

- SRPS ISO 140001:2015 – environmental management system or equivalent issued by an accredited organisation.

## Method of proving the fulfilment of the criteria:

The business entity is obliged to compile a statement through the Portal and submit a statement with the application





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.

Before recognising the qualification, the contracting authority is obliged to require all candidates to provide evidence of the fulfilment of the criteria for the qualitative selection of the business entity.

This criterion is proven by submitting a copy of a valid certificate of compliance with SRPS ISO 140001:2015 - environmental management system or a corresponding one, issued by an accredited organisation.

***Note:***

*In addition to and instead of the proposed criteria for the selection of the business entity, the Contracting Authority may determine others that are logically related to the subject of procurement.*

***See Art. 114-117 of the*** ***LPP***

***Note: this part of the tender documentation is created by the Portal itself based on the data entered by the Contracting Authority in the system.***





# TYPE, TECHNICAL CHARACTERISTICS (SPECIFICATIONS), QUALITY, QUANTITY, DESCRIPTION OF GOODS, METHOD OF IMPLEMENTING CONTROL AND PROVIDING QUALITY GUARANTEE, CONDITIONS AND METHOD OF DELIVERY OF GOODS

|  |  |  |
| --- | --- | --- |
| **Paper accessories for maintaining personal**  **hygiene** | |  |
| **Reg.** **No.** | **Item name and description** | **Unit of measurement** |
|  | Folding toilet paper (in sheets) white, minimum two-layer, 100% cellulose, sheet dimensions 115mm (±3%) x 220 mm (±3%), 225 sheets (±7 sheets) in one package, mass of toilet paper in  one package min 176.00 gr | pack |
|  | Folding paper hand towel (in sheets) white, minimum two layers, 100% cellulose, towel dimensions 220 mm (±3%) x 220 mm (±3%), 230 sheets (±7 sheets) in one package, weight of folding  paper towels in one package min. 367.00 gr | pack |
| 3. | Paper toilet seat covers for the dispenser in a package of 125 pieces (±4 pieces), 100% cellulose, biodegradable. They are located on a cardboard support that allows hanging in the dispenser, dimensions  cover 39 cm (±5%) x 45 cm (±5%) | pack |
| 4. | Bags for feminine pads for the dispenser. Pack of 25 sachets (±1 sachet), in a cardboard box measuring 12.5 cm (±5%) x 8.5 cm (±5%)  x 2 cm (±5%), with a 5.5 cm (±5%) circular opening in the centre through which the pouches are drawn | pack |
| 5. | Toilet paper in a roll, white, minimum two-layer, perforated, 100% cellulose, pack of 10 to 20 pieces, width of the paper in the roll 95 mm (±3%), length of the paper in the roll 18.00 m (±3%), number slips in  rolls 150 (±5 sheets), mass of toilet paper in one roll (without liner) min 53.00 gr | roll |
| 6. | Toilet paper in a roll, white, minimum two-layer, perforated,  100% cellulose, paper roll width 95 mm (±3%), paper roll length 72.00 m (±3%), number of sheets per roll 600 (±18 sheets) | roll |
|  | Toilet paper in a roll, white, 100% cellulose, three-layer, width  of paper in a roll 95 mm (±3%), length of paper in a roll 21.60 m (±3%), number of sheets in a roll 180 (±6 sheets), pack of 10 rolls | roll |
| 8. | Paper towels, minimum two-layer, roll of white or finely patterned perforated paper, 100% cellulose, paper width | roll |





|  |  |  |
| --- | --- | --- |
|  | in a roll 230 mm (±3%), paper length in a roll 33.00 m (±3%), number  of towels in a roll is 150 (±5 towels) |  |
| 9. | Paper towels, minimum two-layer, roll of white or finely patterned perforated paper, 100% cellulose, width of paper in roll 230 mm (±3%), length of paper in roll 22.00 m (±3%), number  towels in a roll is 100 (±3 towels), packaging minimum 10 rolls | roll |
| 10. | Paper towels, minimum two-layer, roll of white or finely patterned perforated paper, 100% cellulose, width of paper in roll 230 mm (±3%), length of paper in roll 22.00 m (±3%), number  of towels in a roll is 100 (±3 towels), pack of 2 rolls, mass of paper towels in one roll (without liner) min 166.00 gr | roll |

*Note:* *This technical documentation is taken from the Public Procurement Portal as an example of a good example.* *The contracting authority defines the technical specification in accordance with its needs and in everything in accordance with the provisions of the PPL.*

***See Art. 98-104 of the*** ***LPP***

# METHOD OF PROVING THE FULFILLMENT OF THE REQUIRED TECHNICAL CHARACTERISTICS OF THE GOODS OFFERED

The offered goods must have the required technical characteristics, which the candidate proves by submitting product samples with a declaration in the application.

Candidates are obliged to submit with the application one sample of all goods that are the subject of public procurement (per unit of measure). The supplied product samples that are offered must be with declarations and must correspond in all respects to the required technical characteristics. The declaration should contain both the name of the product and the name of the manufacturer. If the product declaration, for the items listed in the Technical characteristics (specifications) table, under serial no. 1, 2, 3, 5, 6, 7, 8, 9 and 10 does not contain the composition of the product, i.e. for the article under serial number 3, it does not contain the information that the upholstery is biodegradable, candidates are obliged to provide a sample with a declaration for the above products, deliveries and a Test Report issued by an accredited laboratory or other appropriate evidence issued by the manufacturer of the offered product (manufacturer's statement, technical specification of the product signed by an authorized person of the manufacturer, etc.) which will state the composition of the product, i.e. for the article under serial number 3. and the information that the covers are biodegradable.

The samples must be packed in a box with a sticker affixed to it indicating the candidate's exact name, address, contact phone number, as well as the name and surname of the contact person, with





with the indication: "Samples for public procurement number (enter the procurement number) - goods - Paper haberdashery for maintaining personal hygiene "- DO NOT OPEN".

The Public Procurement Commission will evaluate whether the application is acceptable, i.e. whether the offered goods meet all the technical characteristics (specifications), in terms of composition, and for the article number 3, whether the upholstery is biodegradable, based on the data specified on the declaration of the sample, i.e. in the Test Report issued by the accredited laboratory, i.e. on the basis of the appropriate proof issued by the manufacturer of the offered product, while the fulfilment of other required technical characteristics will be determined by inspection of the submitted samples (by measuring the size of the slip, by measuring the weight of the items listed in the Technical Characteristics table (specifications) under serial numbers 1, 2, 5 and 10, determining the number of sheets, determining the number of layers, determining the colour, etc.).

If the Commission for Public Procurement, during the expert evaluation of the submitted samples, determines by examination of the sample that the sample does not have the characteristics specified in the Technical Specification, the application will be rejected as unacceptable, even if the data specified on the sample declaration, i.e. the test report issued by the accredited laboratory, i.e. on corresponding evidence issued by the manufacturer of the offered product, in all respects correspond to the technical description given in the tender documentation.

Samples of candidates who are accepted into the system remain with the Contracting Authority for the purpose of controlling the implementation of individual contracts, while samples of candidates who are not accepted into the system will be returned at their request.

The applicant is obliged to apply for all offered goods, except for the item in position 4. Bags for feminine pads for the dispenser, as proof that the offered goods are healthy and safe for use, submit reports on health and hygiene, which cannot be older than 3 (three) months from the date of the deadline for submitting applications, which prove that the goods are healthy and safe for use, issued by a laboratory accredited by the ATS.

\*Accredited laboratory means a laboratory accredited by the Accreditation Body of Serbia for issuing laboratory reports.

# DEADLINE AND PLACE OF DELIVERY

The delivery deadline is a minimum of 1 (one) and a maximum of 5 (five) days from the day of receipt of the written request for delivery.





The supplier will deliver the goods that are the subject of public procurement to the addresses of the customer's warehouses, at the address (enter the address).

# QUANTITATIVE AND QUALITATIVE RECEIPT

The Commission for Quantitative and Qualitative Acceptance of Goods, formed by the Contracting Authority and the representative of the Supplier, will carry out a quantitative and qualitative inspection of the delivered goods during delivery, which will be compiled into a Record of Quantitative and Qualitative Receipt, which will be signed by the members of the Commission and the representative of the Supplier.

The Commission for Quantitative and Qualitative Acceptance of Goods in question prepares the Minutes of Quantitative and Qualitative Acceptance of Goods, which confirms the receipt of a certain quantity and type of goods, as well as that the delivered goods correspond in all respects to the agreed upon.

The Commission draws up minutes in two identical copies, which are signed by all members of the committee and the representative of the Supplier, of which one copy is kept by each contracting party.

The minutes of the quantitative and qualitative receipt of the goods and the delivery note are the basis for issuing the invoice.

During the quantitative and qualitative acceptance, the commission performs a qualitative review of the delivered goods by determining whether the technical characteristics of randomly selected samples of each of the delivered goods are in accordance with the agreed characteristics and the sample submitted with the application.

In the event that the Commission for Quantitative and Qualitative Acceptance determines that the quality of the delivered goods does not correspond to the contract and sample, it does not draw up a Record of Quantitative and Qualitative Acceptance, but rather draws up and signs a Complaint Record, in which the defects are stated.

The supplier is obliged to remedy the defects listed in the Complaint Minutes and to deliver the goods in accordance with the supplier’s Offer and the Contract, no later than the deadline for delivery. After removing the defects and delivering the goods, Minutes of Quantitative and Qualitative Acceptance will be drawn up.

In the event that the Committee for Quantitative and Qualitative Acceptance determines that the quantity of delivered goods does not correspond to the requested quantity, it may draw up the Minutes of Quantitative and Qualitative Acceptance for the delivered goods. In that case, the Supplier is obliged to deliver the remaining requested and undelivered goods in accordance with the Supplier's Offer and the contract, no later than the deadline for delivery. Upon delivery of the goods





Minutes of Quantitative and Qualitative Acceptance will be prepared for the delivered remaining requested goods.

During the implementation of the contract, the customer can have a sample of the delivered goods tested by an accredited\* laboratory.

In the event that at least two laboratory test results show that the tested sample/s\*\* are not healthy and hygienically correct, i.e., if they do not meet the agreed quality of the goods, the customer reserves the right to unilaterally cancel the contract, with a notice period of at least 10 (ten) days. In the aforementioned case, the contracting authority will activate the means of financial security for the good performance of the work delivered on the basis of the concluded contract.

In the event that the results of the laboratory test show that the tested sample/s are not healthy and hygienic, that is, if they do not meet the agreed quality of the goods, the Supplier is obliged to compensate the customer for the costs incurred during the testing of the samples.

*\*Accredited laboratory means a laboratory accredited by the Accreditation Body of Serbia for issuing laboratory reports.*

*\*\* Sampling refers to samples of goods delivered in at least two deliveries, based on two consecutively concluded individual contracts.*

***Note:*** ***The contracting authority prepares this part of the tender documentation on his computer and uploads it to the Portal at the appropriate step.***





# DATA REGARDING THE CRITERIA FOR AWARDING THE

**PUBLIC PROCUREMENT CONTRACT**

**Course name:** Paper accessories for maintaining personal hygiene

# CONTRACT AWARD CRITERIA

The contracting authority defined the criteria for awarding the contract based on the **price.**

Reserve criterion on the basis of which the contract will be concluded - longer payment term.

If the contracting authority, after applying the contract award criteria when concluding an individual contract on public procurement, cannot determine with which tenderer it will conclude the contract, the contract will be concluded with the tenderer who offered a longer payment term.

If, after ranking based on the criteria for awarding the contract and the reserve criteria, it is not possible to make a decision on awarding the contract, the contracting authority will make a decision on awarding the contract by drawing lots. The contracting authority will inform the bidders about the date when the draw will take place by lot.

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 only one paper. The bidder whose name is on the drawn paper will be awarded a contract. After the first paper is drawn, the contracting authority draws the remaining papers one by one and ranks the remaining bidders in the order in which they were drawn.

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.***

***This part of the tender documentation is created by the Portal based on the data that the customer enters into the system.***





# INFORMATION ON THE BASIS OF WHICH CANDIDATES, OR BIDDERS PREPARE THE APPLICATION FORM, I.E., OFFER

The tender documentation contains data on the basis of which candidates, i.e., bidders, prepare the application form, i.e., offer, which contains the following information:

1. general data on the candidate/bidder, i.e., each candidate/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 offer/application expressed in the number of days from the day of offer/application opening, which may not be shorter than 30 days;
3. subject matter of public procurement;
4. price;
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 candidate/bidder confirms under full material and criminal responsibility that it submitted its application/bid independently, without agreement with other bidders or interested persons and to guarantee the accuracy of the data in the bid.

***Note:*** ***The application/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.***





# DATA ON THE BASIS OF WHICH THE CANDIDATES PREPARE THE FORM OF THE STATEMENT ON THE FULFILLMENT OF THE CRITERIA FOR THE QUALITATIVE SELECTION OF THE

**ECONOMIC OPERATOR**

The form of the statement on the fulfilment of the criteria for the qualitative selection of the economic operator 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 application 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 application, 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.

***Note:*** ***This part of the tender documentation is created by the Portal based on the data that the customer enters into the system.***





# ELECTRONIC CATALOGUE

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **I. No.** | **II. Item name and description** | **III.**  **Product manufacturer** | **IV.**  **Unit of measurement** | **V.**  **Quantity** | **VI. Price per unit of measurement without VAT** | **VII.**  **Unit price with VAT** | **VIII.**  **Total price without VAT** | **IX. Total price with VAT** |
| 1 | Folding toilet paper (in sheets) white, minimum two-layer, 100% cellulose, sheet dimensions 115mm (+-3%) x 220 mm (+-3%), 225  sheets (+-7 sheets) in one package, weight of toilet paper in one package min 176.00 gr |  | pack |  |  |  |  |  |





|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 2 | Folding paper hand towel (in sheets) white, minimum two-layer, 100% cellulose, towel dimensions 220mm (+-3%) x 220mm (+-  3%), 230 sheets (+-7 sheets) in one package, mass of folding paper towels in one package  min. 367.00 gr |  | pack |  |  |  |  |  |
| 3 | Paper toilet seat covers for the dispenser in a package of 125 pieces (±4 pieces), 100% cellulose, biodegradable. They are located on a cardboard support that allows hanging in the dispenser, cover dimensions 39 cm (+-5%) x 45  cm (+-5%) |  | pack |  |  |  |  |  |





|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 4 | Bags for feminine pads for the dispenser. Pack of 25 sachets (+-1 sachet), in a cardboard box measuring 12.5 cm (+-5%) x 8.5 cm (+-  5%) x 2 cm (+-5%), with a circular opening in the middle with a diameter of 5.5 cm (+- 5%) through which they are pulled out  pouches |  | pack |  |  |  |  |  |
| 5 | Toilet paper in a roll, white, minimum two-layer, perforated, 100%  cellulose, packaging 10 to 20 pieces, width of paper in roll 95mm (+- 3%), length of paper in roll 18.00m (+- 3%), number of sheets in roll 150 (+-5 sheets), weight of toilet paper in one roll (without sleeve) min  53.00 gr |  | roll |  |  |  |  |  |





|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 6 | Toilet paper in a roll, white, minimum two-layer, perforated, 100% cellulose, width of the paper in the roll 95mm (+- 3%), length of the paper in the roll 72.00m (+- 3%), number of sheets in the roll  600 (+- 18 sheets) |  | roll |  |  |  |  |  |
| 7 | Toilet paper in a roll, white, 100% cellulose, three-layer, width of the paper in the roll 95mm (+- 3%), length of the paper in the roll 21.60m (+- 3%), number of sheets in the roll 180 (+-6 sheets), packaging  10 rolls |  | roll |  |  |  |  |  |
| 8 | Paper towels, minimum two-layer, roll of white or finely patterned perforated paper, 100% cellulose, width of paper in roll 230mm (+-3%), length of paper in roll 22.00m (+-3%), number of towels in roll is 150 (+-3 napkins), |  | roll |  |  |  |  |  |





|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 9 | Paper towels, minimum two-layer, roll of white or finely patterned perforated paper, 100% cellulose, width of paper in roll 230mm (+-3%), length of paper in roll 22.00m (+-3%), number of towels in roll is 100 (+-3 napkins),  packaging of at least 10 rolls |  | roll |  |  |  |  |  |
| 10 | Paper towels, minimum two-layer, roll of white or finely patterned perforated paper, 100% cellulose, width of paper in roll 230mm (+-3%), length of paper in roll 22.00m (+-3%), number of towels in roll is 100 (+-3 towels), pack of 2 rolls, mass of paper towels in one roll (without liner) min.  166.00 gr |  | roll |  |  |  |  |  |





|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |
| **TOTAL PRICE WITHOUT VAT:** | | | | | | |  | |
| **TOTAL PRICE WITH VAT:** | | | | | | |  | |
| ***\*The electronic catalogue is prepared by the contracting authority and filled out by candidates through the Public Procurement Portal.*** | | | | | | | | |





1. **FORM OF APPLICATION PREPARATION COSTS**

In accordance with Article 138 of the Law, the candidate [*insert name*] shall submit the total amount and structure of costs of bid/application preparation, as follows in the table:

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

## Note:

The costs of preparation and submission of the application/offer are borne exclusively by the candidate/offer and cannot claim reimbursement 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 candidate/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.

***Note:*** ***The contracting authority prepares this part of the tender documentation on his computer and uploads it to the Portal at the appropriate step.***

Paper accessories for maintaining personal hygiene

**Public procurement number:**

# BUYER'S CONFIRMATION OF DELIVERED GOODS

|  |  |
| --- | --- |
| Buyer’s name |  |
| Address of the buyer |  |
| Registration number |  |
| Tax identification number: |  |
| Contact person - function |  |
| Phone: |  |
| E-mail |  |

The buyer issues to the candidate:

# CONFIRMATION

(enter the name and address of the candidate)

in the period of the last 3 (three) years from the date of the deadline for submitting applications,

that is, in the period from

. .

to

, in

within the agreed time and quality, delivered to the customer paper haberdashery for maintaining personal hygiene, in the amount of dinars without VAT, number of contract and/or invoice: date of contract and/or invoice: year .



This certificate is issued at the request of the candidate, in order to participate in the restrictive procedure of public procurement number \_\_, goods - Paper haberdashery for maintaining personal hygiene and cannot be used for other purposes.

Signature of the authorised person of the buyer

*\*The form is filled in and signed by the buyer to whom the goods were delivered.*

*\*\*It is copied in the required number of copies.*

**Contract model**

# PUBLIC PROCUREMENT CONTRACT

Entered into by and between the contracting parties:

**1. Name of the contracting authority : ,** address at Street number: , tax identification number , represented by the director , (hereinafter referred to as: **Contracting Authority**)

and

from tax identification number, represented by (hereinafter referred to as: **Supplier**).

*(*

*in*

The Contracting Authority and the Supplier note:

, no. ,

that (insert the name of the contracting authority), implemented a restrictive public procedure



procurement of paper haberdashery for maintaining personal hygiene, public procurement number

\_ (enter the public procurement number), in order to establish a system of dynamic procurement,

- that (enter the name of the contracting authority) made a decision on the award of contract no

of from the bidder (specify the name

Supplier)

- hereby conclude this contract on public procurement in accordance with the adopted Decision on awarding the contract.

Article 1

The subject matter of the contract is the procurement of paper accessories for maintaining personal hygiene (hereinafter referred to as: goods), in all respects according to the Supplier's Offer no. of the year (hereinafter referred to as the Offer) and the Goods Specification, which form an integral part of this Contract.

Article 2

The Supplier undertakes to deliver the goods that are the subject of the Contract at unit prices from the Electronic Catalogue, in accordance with this contract, the eSupplier's Offer and the Goods Specification.

The total agreed price amounts to dinars without calculated VAT, that is

\_ dinars with calculated VAT (entered by the Contracting Authority).

*33 | Tender documentation model - Paper accessories for maintaining personal hygiene*

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Article 3

Delivery is made in accordance with the needs of the Contracting Authority, expressed in the electronic catalogue.

The Supplier is obliged to deliver the contracted goods to the contracting authority within a day of receiving the delivery request (minimum 1 day, maximum 5 days).

The supplier will deliver the goods to the following address/es:

During the period of validity of the contract, the customer reserves the right to change the delivery address from the previous paragraph of this article.

In the period of contract validity, the contracting authority reserves the right to change the address of the place of delivery from the previous paragraph of this article.

Article 4

The goods that are the subject of procurement must meet all the conditions stipulated by the valid Law on general use items (“Official Gazette of the Republic of Serbia”, Nos. 25/19 and 14/22) and the Rulebook on conditions regarding the health fitness of general use items that can be placed in traffic (“Official Gazette of the SFRY”, Nos. 26/83, 61/84, 56/86, 50/89, 18/91, 60/19 - other regulations and 78/19 - regulations).

Article 5

The Commission for Quantitative and Qualitative Acceptance of Goods, formed by the Contracting Authority and the representative of the Supplier, will carry out a quantitative and qualitative inspection of the delivered goods during delivery, which will be compiled into a Record of Quantitative and Qualitative Receipt, which will be signed by the members of the Commission and the representative of the Supplier.

The Commission for Quantitative and Qualitative Acceptance of Goods in question prepares the Minutes of Quantitative and Qualitative Acceptance of Goods, which confirms the receipt of a certain quantity and type of goods, as well as that the delivered goods correspond in all respects to the agreed upon.

The Commission draws up minutes in two identical copies, which are signed by all members of the committee and the representative of the Supplier, of which one copy is kept by each contracting party.

The minutes of the quantitative and qualitative receipt of the goods and the delivery note are the basis for issuing the invoice.

During the quantitative and qualitative acceptance, the commission performs a qualitative review of the delivered goods by determining whether the technical characteristics of randomly selected samples of each of the delivered goods are in accordance with the agreed characteristics and the sample submitted with the application.





In the event that the Commission for Quantitative and Qualitative Acceptance determines that the quality of the delivered goods does not correspond to the contract and sample, it does not draw up a Record of Quantitative and Qualitative Acceptance, but rather draws up and signs a Complaint Record, in which the defects are stated.

The supplier is obliged to remedy the defects listed in the Complaint Minutes and to deliver the goods in accordance with the supplier’s Offer and the Contract, no later than the deadline for delivery. After removing the defects and delivering the goods, Minutes of Quantitative and Qualitative Acceptance will be drawn up.

In the event that the Committee for Quantitative and Qualitative Acceptance determines that the quantity of delivered goods does not correspond to the requested quantity, it may draw up the Minutes of Quantitative and Qualitative Acceptance for the delivered goods. In that case, the Supplier is obliged to deliver the remaining requested and undelivered goods in accordance with the Supplier's Offer and the contract, no later than the deadline for delivery. Upon delivery of the goods, Minutes of Quantitative and Qualitative Acceptance will be prepared for the delivered remaining requested goods.

During the implementation of the contract, the customer is authorised have a sample of the delivered goods tested by an accredited\* laboratory.

In the event that at least two laboratory test results show that the tested sample/s\*\* are not healthy and hygienically correct, i.e., if they do not meet the agreed quality of the goods, the customer reserves the right to unilaterally cancel the contract, with a notice period of at least 10 (ten) days. In the aforementioned case, the contracting authority will activate the means of financial security for the good performance of the work delivered on the basis of the concluded contract.

In the event that the results of the laboratory test show that the tested sample/s are not healthy and hygienic, that is, if they do not meet the agreed quality of the goods, the Supplier is obliged to compensate the customer for the costs incurred during the testing of the samples.

*\*Accredited laboratory means a laboratory accredited by the Accreditation Body of Serbia for issuing laboratory reports.*

*\*\* Sampling refers to samples of goods delivered in at least two deliveries, based on two consecutively concluded individual contracts.*

Article 6

In the case of hidden defects (deficiencies), which could not be observed when receiving the goods, the Customer will draw up a complaint record and deliver it without delay, and at the latest within 8 days, from the day of discovery of the hidden defects (deficiencies), to the Supplier (email, fax).

The supplier undertakes to remove the defects or to replace the defective goods with goods of the agreed quality within 5 (five) days after receiving the complaint at the latest.

Article 7

The contracting authority will pay the agreed price of the delivered goods to the supplier within a day of receiving the correct, registered invoice, based on the submitted signed record of quantitative and qualitative receipt of the goods in question.

The invoice must be registered and delivered through the electronic invoice system in accordance with the Law on Electronic Invoicing (“Official Gazette of the Republic of Serbia”, No. 44/21 and 129/21). The user code of the public funds of the contracting authority is .

The minutes of the quantitative and qualitative receipt of the goods and the delivery note are the basis for issuing the invoice.

Article 8

In case of delay by the Supplier in fulfilling the obligations from Article 3, paragraph 2, Article 5, paragraphs 7 and

8 and Article 6, paragraph 2 of this contract, the Supplier is obliged to pay the Customer for each day of delay an amount of 1% of the contracted value without VAT of the goods that cannot be put into operation, with the total amount of the contractual penalty cannot exceed 10% of the total value of the contract without VAT.

The Contracting Authority's right to collect a contractual penalty does not affect his right to demand compensation for damages.

Article 9

In the event that the Supplier entrusts the execution of part of the contract to a subcontractor:

The supplier is fully responsible to the customer for the performance of all obligations from the individual contract, including the obligations entrusted to the subcontractor:

from \_ ,



Tax identification number: .

„ “ tax identification number: .

, Str. no. ,

, Str. no. ,





The supplier will engage the specified subcontractor for the execution of the following part of the contract (by subject or in quantity, value or percentage):

;

.

Article 10

After the conclusion of the contract, the Contracting Authority may allow the delivery of goods that differ from those agreed upon, in the event of force majeure and if the Supplier, for objective reasons, which occurred after the submission of the offer and which it could not foresee before the submission of the offer (termination of the business entity - the manufacturer of the offered good), cessation of production of the offered goods by the manufacturer, etc.), is unable to deliver the contracted goods.

The new good must meet the technical requirements from the Technical Specification and have the same or better characteristics than the characteristics of the offered, contracted good, for which the Supplier is obliged to provide proof issued by the manufacturer of the good.

The supplier is obliged to provide appropriate evidence of the objective reasons for the impossibility of delivering the contracted goods and when those reasons occurred, as well as to provide the customer with health and hygiene reports issued by a laboratory accredited by ATS, which prove that the goods are healthy and safe for use.

Article 11

## Means of financial security for the fulfilment of contractual obligations:

If the value of the contract is 1,000,000.00 dinars or more than 1,000,000.00 dinars without calculated VAT, the Supplier provides a means of financial security for the fulfilment of contractual obligations.

Within 7 (seven) days from the date of conclusion of the contract, the Supplier is obliged to deliver to the Purchaser an original blank promissory note, certified in accordance with the status documentation and signed with the original signature, with a copy of the bank's deposit card, a copy of the certified OP form and a listing from the NBS website (not a request for registration) as proof that the promissory note is registered and the Authorisation to fill out and collect the promissory note, certified in accordance with the status documentation and signed by the original signature of the person who signed the promissory note, addressed to *(insert the name of the contracting authority)*, in the amount of 10% of the value of an individual contract without calculated VAT, with a validity period of at least 30 (thirty) days longer than the expiration of the contractual obligation in its entirety. In the event that the Supplier does not perform its contractual obligations in accordance with the agreement In case of change of the person authorised to represent the bill of exchange authorisation - the letter remains in force. In the event that the Supplier does not perform its contractual obligations in accordance with the concluded individual





contract, performs them partially, is late with the performance of contractual obligations or if it engages as a subcontractor a person not specified in the offer contrary to Article

161. Of the Law on Public Procurement, the contracting authority will activate the specified means of financial security. Upon fulfilment of the Supplier’s obligations from the contract, the means of financial security for the fulfilment of obligations will be returned to the Supplier, at its request.

Article 12

The occurrence of force majeure releases the contracting party from responsibility for the delay in the performance of contractual obligations. The contracting parties are obliged to notify each other in writing within 24 (twenty-four) hours of the date of onset, duration and termination of force majeure.

Cases of force majeure are considered extreme and extraordinary events that cannot be foreseen, that occurred without the will and influence of the contracting parties and that could not have been prevented by the party affected by force majeure. *Force majeure* can be considered natural disasters (earthquakes, fires, floods), explosions, transport accidents, imperative decisions of authorities and other cases, which are determined by law as *force majeure.*

In case of force majeure, the contracting authority has the possibility of extending the delivery deadline, in the manner prescribed by Article 156 of the PPL. Law on Public Procurement.

Article 13

The contracting parties have agreed that the provisions of the Law on Contract and Torts, as well as other regulations that regulate this matter, apply to everything that is not provided for in this contract.

Article 14

This contract enters into force on the day of signing by both contracting parties and is valid until the realisation of the total contracted value.

Article 15

The contracting parties have agreed that all disputes related to the implementation of the contract are resolved amicably, otherwise the court in Belgrade shall have the jurisdiction.

Article 16

This contract is made in 4 (four) identical copies, 2 (two) for each contracting party.

# SUPPLIER CONTRACTING AUTHORITY





***Note:*** ***The contracting authority prepares this part of the tender documentation on his computer and uploads it to the Portal at the appropriate step.***

# INSTRUCTION

**TO BIDDERS HOW TO MAKE AN APPLICATION/OFFER**





## 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: | **Paper accessories for maintaining personal hygiene** |
| Reference number: | *(Portal withdraws the stated data)* |
| Type of procedure: | **Restrictive procedure** |
| Type of procurement subject matter: | **Goods** |
| Description: | *(Portal withdraws the stated data)* |
| Deadline for submission: | *(Portal withdraws the stated data)* |

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

A dynamic procurement system is being established.

Offers are submitted in the form of an electronic catalogue.



## Description of subject matter / lot

**Paper accessories for maintaining personal hygiene**

**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 contracting authority 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 page:

***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 user manual for the Portal

* forming **a group of bidders**

see the general user manual for the Portal

* preparation and submission of **bid**

see the general user manual for the Portal

## filling in the e-Statement on fulfilment of the criteria for qualitative selection of the



**economic operator**

see the general user manual for the Portal

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

see the general user manual for the Portal

## sending a request for protection of rights

see the general user manual for the Portal

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

see the general user manual for the Portal

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 the procedure

see the general user manual for the Portal

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 instruction for Portal users

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 user manual for the Portal

## 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 authorised 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 the formation of a group of economic entities: see the general instructions for users of the Portal



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 user manual for the Portal

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

* **Bid/application form,**
* **Electronic catalogue;**
* **Statement on fulfilment of criteria for qualitative selection of economic operator;**
* **Samples with evidence specified in the Technical Specification.**

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 user manual for the Portal

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 the business entity uses each fill out their e-Statement, and the business entity can take over



completed e-Declaration through the Portal and attach it to the offer / application.

## Preparation of the electronic catalogue

The use of the electronic catalogue is specified in the procedure.

The Bidder fills out the electronic catalogue separately from the bid in the format and with the content defined by the Contracting Authority during the preparation of the public procurement procedure on the Portal and links the electronic catalogue with its bid on the Portal. In the case of an electronic catalogue, the offer price structure form is not used.

Instructions for filling out electronic catalogues:

The bidder shall attach the completed electronic catalogue to the bid. When filling in the total price of the offer, the bidder can include the option of automatic calculation of the total price from the attached catalogue.

## 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 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: *(Facility cleaning service)*

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 offer/application are considered timely if received



by the contracting authority until (*The portal withdraws the specified data*).

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 VAT, including all costs incurred by the bidder in the implementation of the public procurement.

## Other procurement requirements/reserve criteria:

**Name:** **Delivery term**

Unit of measurement: day

Description and clarification of the criteria and evidence required for verification: the shorter delivery period specified in the application/offer form

Minimum allowed value. 1 day Maximum allowed value: 5 days

## Name: Payment term

Unit of measurement: day

Description and clarification of the criteria and evidence required for verification: a longer payment term specified in the application/offer form

Minimum allowed value. 15.00 Maximum allowed value: 45.00

The criterion will be applied as a backup criterion. Longer payment term

## Application of the draw

*(Portal withdraws the stated data)*

## Method and deadline for payment:



The contracting authority will pay the agreed price of the delivered goods to the supplier within

days from the date of receipt of the correct, registered invoice, and based on the submitted signed Minutes of Quantitative and Qualitative Receipt of the goods in question. The invoice must be registered and delivered through the electronic invoice system in accordance with the Law on Electronic Invoicing (“Official Gazette of the Republic of Serbia”, No. 44/21 and 129/21). The user code of the public funds of the contracting authority is

.

## 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 user manual for the Portal

## Method of revoking bids/applications

see the general user manual for the Portal

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

***MEANS OF FINANCIAL SECURITY FOR THE FULFILLMENT OF CONTRACTUAL OBLIGATIONS:***

The bidder shall deliver a means of security for the fulfilment of contractual obligations, if the value of the individual contract is 1,000,000.00 dinars or more than 1,000,000.00 dinars without calculated VAT. Within 7 (seven) days from the date of conclusion of the contract, the Supplier is obliged to deliver to the Purchaser an original blank promissory note, certified in accordance with the status documentation and signed with the original signature, with a copy of the bank’s deposit card, a copy of the certified OP form and a listing from the NBS website (not a request for registration) as proof that the promissory note has been registered and the Authorisation to complete and collect the promissory note, certified in accordance with the status documentation and signed by the original signature of the person who signed the promissory note, addressed to

*(enter the name of the contracting authority)*, in the amount of 10% of the value of the individual contract without calculated VAT, with a validity period of at least 30 (thirty) days longer than the expiration of the contractual obligation in its entirety. In case of change of the person authorised to represent the bill of exchange authorisation - the letter remains in force. In the event that the Supplier does not perform its contractual obligations in accordance with the concluded individual



contract, performs them partially, is late with the performance of contractual obligations or if it engages as a subcontractor a person not specified in the offer contrary to Article 161 of the Law on Public Procurement, the contracting authority will activate the specified means of financial security. Upon fulfilment of the Supplier’s obligations from the contract, the means of financial security for the fulfilment of obligations will be returned to the Supplier, at its request.

## 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 user manual for the Portal

## 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 contracting authority 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 user manual for the PortalSteps:

* 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 PPL. 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 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.

***Note:*** ***This part of the tender documentation is created by the Portal based on the data that the customer enters into the system.***