**Public Invitation – sectoral procurement**

SECTORAL EMPLOYER

# Section I: Sectoral Employer

* 1. **Name and address** (please specify all sectoral employers responsible for procedure)

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| Name: **PUC BELGRADE METRO AND TRAIN** | | | Tax Identification Number (TIN): **111091167** |
| Address: **SVETOZARA MARKOVIĆA, 38-40** | | | |
| Place: **Belgrade (Vračar)** | NUTS: **RS11** | ZIP code: **11000** | Country: **Serbia** |
| Contact person: **Slavko Kozomara** | | | Telephone: **+381 11 4250 553** |
| E-mail: [**nabavke@bgmetro.rs**](mailto:nabavke@bgmetro.rs) | | | Fax: |
| **Website(s):**  Main page [**www.bgmetro.rs**](http://www.bgmetro.rs/)  Employer profile page: [**https://jnportal.ujn.gov.rs/postupci-moji**](https://jnportal.ujn.gov.rs/postupci-moji) **and**  [**https://www.bgmetro.rs/index.php/sr/o-nama-lat/javne-nabavke-lat**](https://www.bgmetro.rs/index.php/sr/o-nama-lat/javne-nabavke-lat) | | | |

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| Name: CITY OF BELGRADE, CITY ADMINISTRATION, SECRETARIAT FOR PUBLIC TRANSPORT | | | Tax Identification Number (TIN): **100065430** |
| Address: **27. MARTA, 43-45** | | | |
| Place: **Belgrade** | NUTS: **HR043** | ZIP code: **11000** | Country: **Serbia** |
| Contact person: **Staniša Drageljević** | | | Telephone: **+381 113238524** |
| E-mail : **sjp.javnenabavke@beograd.gov.rs** | | | Fax: **+381 112752582** |
| **Website(s):**  Main page **https://www.bgprevoz.rs/**  Employer profile page: | | | |

* 1. **Centralized or joint public procurement**

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| Procurement is carried out jointly by several Employers  In case of procurement involving the employers from the Member States of the European Union - specify the applicable national regulation on public procurement:  Procurement is carried out by the centralized public procurement body |

* 1. **Communication**

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| Procurement documentation is available with free, unlimited and uninterrupted direct access to:  **https://jnportal.ujn.gov.rs/**  Access to procurement documentation is limited  **The manner of downloading the tender documentation and the measures required for the purpose of protecting confidential data:**  The Client is obliged to enable the greatest possible competition and transparency of the public procurement procedure, respecting the obligations of the basic principles of the Law on Public Procurement. Accordingly, the Employer has published public Invitation for submission of applications / offers in English and on a foreign website: [www.ted.europa.eu](http://www.ted.europa.eu)  More information is available on:  <https://jnportal.ujn.gov.rs/tender-eo/61581> |
| **Additional information is available**  aforementioned address  other address: |
| **Offers or applications shall be submitted**  electronically: **https://jnportal.ujn.gov.rs/** aforementioned address  other address: |
| Electronic communication requires the use of tools and devices that are not widely available. Free, unlimited and uninterrupted direct access to these tools and devices is provided at: |

I.6) Main activity

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| Production, transmission and distribution of gas and heat Railway services  Power supply City rail, tram, trolleybus and bus services  Extraction of gas and oil Port related activities  Exploration and extraction of coal and other solid fuels Airports related activities  Other activity: **PUC for construction and operation of**  Water supply **passenger transport by metro and urban**  **railway development in Belgrade**  **„Belgrade Metro and Train“**  Postal services |

# Section II: Subject

* 1. **Subject of procurement**

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| II.1.1) Name:  **Project Management and Site Supervision of the Belgrade Metro Project – Makiš Depot and Line 1** | Reference number: **PMC 01/21** |
| II.1.2) Main CPV code: **71541000 – Construction Project Management Services** Additional CPV code: | |
| II.1.3) Type of subject of procurement  **Works**  **Goods**  **Services** | |
| * + 1. **Brief description:**   The purpose of the public procurement procedure is to provide the professional resources necessary for the fulfillment of the  duties and obligations of the Project Manager under the terms of the Civil Works Contracts and Systems Contracts:   * + - * to provide the necessary support to the Client during the negotiation process with Contractors;       * to fulfill obligations and duties related to Construction Permits Designs, Detailed design control and Construction Supervision according to the terms of the Civil Works Contracts and Systems Contracts and in accordance with the legislation in the Republic of Serbia;       * to provide the Client with the necessary support for the fulfillment of its duties and obligations under the terms of the Civil Works Contracts and Systems Contracts, and       * to support the Client with professional and efficient management of testing, commissioning and implementation programme with due care and attention, taking care that all activities are completed on time in order to fulfill the obligations of the Client. | |
| II.1.5) **Estimated total value**  Value without VAT: Currency:  *(in case of framework agreements or dynamic procurement systems - estimated total maximum value for the total duration of the framework agreement or dynamic procurement system)* | |
| II.1.6) **Information about lots**  This procurement is divided in several lots  **yes**  **no**  Possibility for submitting offers for  **all lots**  **several lots**:  **only one lot**   Maximum number of lots that can be awarded to a tenderer: | |

* 1. **Description**

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| II.2.1) Name:  **Project Management and Site Supervision of the Belgrade Metro Project – Makiš Depot and Line 1** | Lot number: |
| II.2.2) **Additional CPV codes**  Main CPV code: Additional CPV code:  **71541000 - Construction Project Management Services** | |
| II.2.3) **Place of execution**  NUTS: **RS11**  Main place of execution of works or delivery of goods or provision of services:  **Territory of the City of Belgrade on the entire route of Belgrade Metro Line 1 and Makiš Depot** | |
| * + 1. **Procurement description:** *(nature and scope of works, goods, or services or indication of needs and requirements; only for goods –* *indicate whether offers are required for the purpose of purchasing, leasing, leasing of goods or installment purchases or any combination thereof)*   The Consultant will be responsible for the performance of all duties and responsibilities of the Engineer defined in the relevant Conditions of Contract and in Scope of Services. The expected results include, but are not necessarily limited to the following:   * monitoring of all aspects of the Contracts in force between the Client and the Contractors; * review and approval of the designs for any component of the works for which the Contractors have been assigned responsibility, and all Contractors Documents; * coordination of time programmes for Works execution between Contractors; * achievement of full implementation of the Contracts within time, cost and quality in full compliance with the Technical Specifications and standards, approved design, Тerms and Deadlines of the relevant Civil Works Contract and Systems Contracts; * timely identification and risk analysis of and proposed mitigation measures to save time and money; * completion of the construction by safeguarding the quality of construction and overseeing the safety of the works. | |

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| II.2.5) **Criteria for the contract award**  Criteria listed below  Quality criterion – Name: Ponder:  **Project Manager - staff capacity 1 20.00**  **Chief Engineer 1 Civil works – staff capacity 2 10.00**  **Chief Engineer 2 Systems – staff capacity 3 10.00**  **Claims Expert – staff capacity 4 10.00**  **Civil Engineer for Tunnels – staff capacity 5 5.00**  **Civil Engineer for Railways and Roads –**  **staff capacity 6 5.00**  **Geotechnical Engineers – staff capacity 7 5.00**  **Power Supply Expert – staff capacity 5.00**  Price Criterion – Name: Ponder:  Price – Ponder: **30.00**  The price is not the only criterion for the contract award, and all criteria are specified in tender documentation |
| II.2.6) **Estimated value**  Value without VAT: Currency:  *(in case of framework agreements or dynamic procurement systems - estimated total maximum value for the total duration of this lot)* |
| II.2.7) Duration of contract, framework agreement **or dynamic procurement system**  Duration in months: **108** *or* Duration in days:  *or* Commencement:  / Completion:  This contract is subject to extension  **yes**  **no Extension description:**  The Client may during the term of this Contract in accordance with the provisions of Art. 156-161 of the Law on Public Procurement ("Official Gazette of RS", No. 91/19) amend the Contract without conducting a public procurement procedure. |
| II.2.9) **Data on the reduction of the number of candidates to be invited** *(except in open procedures)*  Estimated number of candidates:  *Or estimated minimum number*: / Maximum number:  **Objective and non-discriminatory criteria or rules for reducing the number of candidates:**  THE CLIENT IN ACCORDANCE WITH THE PROVISION OF ART. 53 PARAGRAPHS 6 AND 64 OF THE LPP LIMITS THE NUMBER OF CANDIDATES IN THE SECOND OF THE RESTRICTIVE PROCEDURE TO 5 (FIVE) CANDIDATES  The Client may, in the restrictive procedure, limit the number of candidates who will apply to submit their offers.  In case the Client uses this possibility, in the restrictive procedure, the minimum number of candidates is five.  The Client shall limit the number of participants in the second phase of the restrictive procedure to 5 (five) applicants.  EXPLANATION OF THE MANNER OF RANKING OF APPLICANTS BY CLIENT IN THE FIRST PHASE OF THE RESTRICTIVE PROCEDURE  The ranking of the applicants will be done on the basis of who submits more pieces of relevant evidence:  MAIN CRITERION 1:  -The Tenderer has the largest total length of succesfully completed underground metro pojects where it has managed construction projects or has been the main contractor for the underground metro construction with a tunnel boring machine / mole (TBM).  ADDITIONAL CRITERION NO.1 IN CASE OF TWO APPLICATIONS WITH THE SAME WEIGHT OF EVIDENCE:  -That in the last 15 (fifteen) years until the deadline for submission of applications, it has successfully performed supervision in the role of the Engineer under FIDIC Yellow Book Contract on transport-infrastructure projects of minimum unit price of at least EUR 100.000.000,00.  ADDITIONAL CRITERION NO.2 IN CASE OF TWO APPLICATIONS WITH THE SAME WEIGHT OF EVIDENCE:  -Having performed a number of underground metro construction projects according to European standards (EN Codes), in the last 15 (fifteen) years until the deadline for submission of applications. |
| II.2.10) **Data on variants**  Variants are allowed  **yes**  **no** |
| II.2.11) **Data on options**  Options  yes  no  Option description:  Any changes or amendments of terms of the Agreement including any eventual changes of the Scope of Services and extension of Time for Completion can only be done based on written agreement of the contractual parties in accordance with the applicable law, in form of the annex of the Agreement.  All eventual changes and amendments of this Agreement are binding if done in writing, in form of the Annex of this Agreement, and shall not produce effect on providing of services until conclusion of Annex of the Agreement.  The Consultant as service provider has no right to ask for extension of Time for Completion in regards to the term defined in this agreement, except in case of postponement of works that are supervised under Scope of Services of this Agreement or due to the reasons Consultant has no influence on, which reasons were not known to the Consultant at the moment of submission of the proposal.  Any deadline inside of which, in accordance with this Agreement, contractual party was obliged to perform any activity or task, shall be prolonged for the period which is equal to the period for which that contractual party was unable to perform named activity, due to the circumstances which prevented it to perform its obligation. |

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| II.2.12) **Data on electronic catalogue**  Tender offers shall be submitted in a form of electronic catalogue or shall contain an electronic catalogue |
| II.2.13) **Data on the European Union funds**  Procurement is related to project and/or programme financed from European Union funds  **yes**  **no Project identification:** |
| II.2.14) **Additional data:**  PARTICULAR CONDITIONS  PART B Additional or amended Clauses  Standard model: FIDIC 2017 Model Services Agreement between the Client and Consultant  5 Variations during the term of the Agreement |

# Section III: Legal, economic, financial and technical data

* 1. **Criteria for the selection of legal entity**

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| III.1.1) **Professional activity**  Ability to perform professional activity, including requirements related to the entry in the register of economic entities, court register, professional register or other appropriate register as specified in the tender documentation  **List and brief description of criteria:** |
| III.1.2) **Economic and financial capacity**  Criteria for the selection of legal entity as specified in the tender documentation  **List and brief description of criteria for selection:**  **Minimum level(s) of possibly required capacities:** |
| III.1.3) **Technical and professional capacity**  Criteria for the selection of legal entity as specified in the tender documentation  **List and brief description of criteria for selection:**  **Minimum level(s) of possibly required capacities:** |
| III.1.5) **Data on reserved contracts**  The right to participate is reserved for legal entities from Article 37 of the Law  The public procurement contract is executed within the framework of the protective employment programme |
| III.1.6) **Required deposits and securities:** |
| III.1.7) **Main conditions related to financing and payment** **and/or reference to relevant provisions including these conditions:**  Appendix 3 Remuneration and Payment - Model Agreement |
| III.1.8) **Legal form that a group of legal entities will have to take in case of contract award:** |

* 1. **Conditions related to the contract**

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| III.2.1) **Data on particular profession** *(only for contracts on public procurement for services)*  The provision of services is reserved for a certain profession  **Reference to the relevant law and regulation:** |
| III.2.2) **Conditions for contract execution:** |
| III.2.3) **Data on persons in charge of the contract execution**  Obligation to specify the names and professional qualifications of the persons responsible for the execution of the contract |

# Section IV: Procedure

* 1. **Description**

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| IV.1.1) **Type of procedure**  Open procedure  Restrictive procedure  Negotiated procedure with issuing public invitation Competitive dialogue  Innovation partnership  Applying shorter deadline due to justified urgency *(only in case of open procedure, restrictive procedure, or*  *negotiated procedure with issuing public invitation)*  **Explanation:** |
| IV.1.3) **Data on Framework Agreement** **or dynamic procurement system**  Procurement involves establishing Framework agreement Framework Agreement with a legal entity Framework Agreement with more legal entities  Estimated maximum number of candidates in Framework   Procurement involves establishing dynamic procurement system  Additional employers can apply dynamic procurement system  **In case of Framework Agreements – specify the reasons for duration longer than four years:** |
| IV.1.4) **Data on the reduction of number of offers or solutions during negotiations or dialogue**  Using successive phases to gradually reduce the number of offers to be negotiated or solutions to be discussed |
| IV.1.6) **Data on electronic auction**  Electronic auction shall be conducted  **Additional information on electronic auction:** |

* 1. **Administrative data**

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| IV.2.1) **Previously issued notices related to this procedure**  Number of notices on the Public Procurement Portal:  *(One of the following: Periodic indicative notice, Notice on the profile of Client)* |
| IV.2.2) **Deadline for submission of offers or applications**  Date: **18.01.2022** Local time: **12:00** |
| IV.2.3) **Indicative date for issuing the invitation for submission of tenders or participation in dialogue or negotiation with selected candidates**  Date: |
| IV.2.4) Languages that tender offers or applications may be submitted in: **Serbian** |
| IV.2.6) **Minimum tender offer validity period**  Tender offer shall be valid for **45** days from the tender opening date |
| IV.2.7) **Tender opening**  Date: **18.01.2022** Local time: **12:00**  Place:  **Data on authorized entities and opening procedure:**  The Client shall exclude the public in the tender opening procedure for the protection of data that represent the trade secret in terms of the law governing the protection of trade secrets or represent classified data in terms of the law governing data secrecy.  The exclusion of the public also applies to the representatives of tenderers. |

# Section VI: Additional information

VI.1) Recurrence Data

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| This procurement will be repeated  **da**  **ne Estimated time of publishing the next public invitation:** |

* 1. **Additional data:**

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| THE FIRST PHASE OF RESTRICTIVE PROCEDURE:  Restrictive procedure is a procedure that is carried out in two phases in which all interested legal entities can submit an application in the first phase, and only candidates whose qualifications have been recognized can be invited to submit tender offer in the second phase.  The Client is obliged to publish a public invitation in the first phase of the restrictive procedure.  The minimum deadline for filing applications in a restrictive procedure is 30 days after issuing the public invitation for public procurement whose estimated value is equal to or greater than the number of European thresholds.  The Client may set a shorter deadline for submitting applications, but not shorter than 15 days, if the deadline referred to in paragraph 3 of this Article is not appropriate due to justified urgency that the Employer has valid evidence for.  The Client evaluates the timely submitted applications based on the criteria for qualitative selection of the legal entity specified in the procurement documentation. Accordingly, the Client prepares a report and submits a notice on recognition of qualification to each candidate whose qualification was recognized, and to a candidate whose qualification was not recognized a decision explaining the reasons for not recognizing the qualification, taking care not to disclose information about other candidates.  The Client may, in accordance with Article 64 of this Law, limit the number of candidates who have been recognized a qualification that will be invited to submit tenders, in which case it is obliged to submit a reasoned decision to candidates who have not been granted a qualification and who will not be invited to submit tenders, taking care not to disclose information about other candidates.  IMPORTANT NOTICE:  The Client shall limit the number of participants in the second phase of the restrictive procedure to 5 (five) applicants.  EXPLANATION OF THE MANNER OF RANKING OF APPLICANTS BY CLIENT IN THE FIRST PHASE OF THE RESTRICTIVE PROCEDURE  The ranking of the applicants will be done on the basis of who submits more pieces of relevant evidence:  MAIN CRITERION 1:  -The Tenderer has the largest total length of succesfully completed underground metro pojects where it has managed construction projects or has been the main contractor for the underground metro construction with a tunnel boring machine / mole (TBM).  ADDITIONAL CRITERION NO.1 IN CASE OF TWO APPLICATIONS WITH THE SAME WEIGHT OF EVIDENCE:  -That in the last 15 (fifteen) years until the deadline for submission of applications, it has successfully performed supervision in the role of the Engineer under FIDIC Yellow Book Contract on transport-infrastructure projects of minimum unit price of at least EUR 100.000.000,00.  ADDITIONAL CRITERION NO.2 IN CASE OF TWO APPLICATIONS WITH THE SAME WEIGHT OF EVIDENCE:  -Having performed a number of underground metro construction projects according to European standards (EN Codes), in the last 15 (fifteen) years until the deadline for submission of applications.  THE SECOND PHASE OF RESTRICTIVE PROCEDURE:  In the second phase of the restrictive procedure, the Client shall submit an invitation for submission of tenders to the candidates that have not been excluded from the public procurement procedure.  The minimum deadline for the submission of tenders when the procedure is conducted by the sectoral employer is 30 days after sending the invitation for submission of tenders for public procurement whose estimated value is equal to or greater than the number of European thresholds;  Sectoral employers may set a deadline for the submission of tenders with the consent of all candidates so that all candidates in  the procedure have the same deadline for preparing and submitting their offers.  If there is no consent on the deadline for submission of tenders referred to in paragraph 3 of this Article, the minimum  deadline for submission of tenders is at least ten days from the date of sending the invitation for submission of tenders. |
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* 1. **Protection of rights**

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| VI.4.1) **Body in charge of protection of rights** | | |
| Name: **Republic Commission for Protection of Rights in Public Procurement Procedures** | | |
| Address: **Nemanjina 22-26** | | |
| Place: **Belgrade** | Zip code: **11 000** | Country: **RS** |
| E-mail: [**republicka.komisija@kjn.gov.rs**](mailto:republicka.komisija@kjn.gov.rs) | | Telephone: **+381 112060905** |
| Website: [**http://kjn.rs**](http://kjn.rs/) | | Fax: **+381 112060918** |

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| * + 1. **Protection of Rights procedure**   **Precise information about the deadline(s) for the protection of rights:**  The request for protection of rights may be submitted during the entire public procurement procedure, unless otherwise specified by the Law on Public Procurement, and no later than within ten days from the day of publishing the Decision on Public Procurement Procedure by Client, which terminates the public procurement procedure in accordance with the Law on Public Procurement. The request for protection of rights that disputes the actions of the Client in connection with definining the type of procedure, content of the public invitation and tender documentation shall be considered timely if it is received by the Client no later than three days before the deadline for submission of tenders, or claimants, regardless of the method of delivery. The request for protection of rights that disputes the actions of the Client undertaken after the deadline for submission of tenders shall be submitted within ten days from the date of publishing the 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 according to the Law on Public Procurement. After the expiration of the deadline for the submission of the request for protection of rights, the Claimant may not amend 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 Client that the Claimant can or could be acquainted with before the deadline for the submission of the request for the protection of rights, and which not being pointed out in the submitted request.  The request for protection of rights may not dispute the actions of the Employer undertaken in the public procurement procedure if the Claimant knew or could have known the reasons for its submission before the deadline for submission of the request, and the Claimant did not submit it before the deadline. If in the same public procurement procedure the request for protection of rights has been submitted again by the same Claimant, the actions of the Client that the Claimant knew or could have known about during the submission of the previous request cannot be disputed in that request. The subject of dispute in the procedure of protection of rights may not be possible deficiencies or irregularities of the procurement documentation that are not indicated in accordance with Article 97 of the Law on Public Procurement. The Client shall publish the notice on the submitted request for protection of rights on the Public Procurement Portal no later than a day from the day of receipt of the request for protection of rights. Submission of the request for protection of rights shall suspend the continuation of the public procurement procedure by the Client until the end of the protection procedure. The request for protection of rights must contain the data under Article 217 of the Law on Public Procurement.  If a Claimant undertakes actions in the procedure of protection of rights through an authorized representative, the Claimant shall submit the authorization along with the request for protection of rights. The Claimant who has a permanent residence, and/or headquarters abroad is obliged to appoint an authorized representative for the receipt of documents in the Republic of Serbia in the request for protection of rights, stating all the data necessary for communication with the designated person.  When submitting a request for protection of rights to the Client, a Claimant is obliged to submit the proof of fee payment.  The proof is any document determining that the payment was executed in the appropriate amount referred to in Article 225 of  the Law on Public Procurement and that it refers to the relevant request for protection of rights.  Valid proof of fee payment, in accordance with the Instructions on fee payment for submitting a request for protection of the rights to the Republic Commission, is published on the website of the Republic Commission.  Fee amount:   * + - 1. If the request for protection of rights is submitted in accordance with Article 214. Paragraph 2 and Paragraph 4 and Article 215 of the Law on Public Procurement:   - The fee is 120,000 dinars, regardless of the amount of the estimated value of the procurement  II. If the request for protection of rights is submitted in accordance with Article 214. Paragraph 3 of the Law on Public Procurement   * The fee is 0.1% of the estimated value of the procurement and a maximum of 1,200,000 dinars, if the   estimated value of the procurement is higher than 120,000,000 dinars | | |
| VI.4.4) **Information on protection of rights can be obtained by** | | |
| Name: **PUC BELGRADE METRO AND TRAIN** | | |
| Address: **SVETOZARA MARKOVIĆA, 38-40** | | |
| Place: **Belgrade (Vračar)** | Zip Code:  **11000** | Country: **Serbia** |
| E-mail: [**nabavke@bgmetro.rs**](mailto:nabavke@bgmetro.rs) | | Telephone: **+381 11 4250 553** |
| Website: [**www.bgmetro.rs**](http://www.bgmetro.rs) | | Fax: |

* 1. **Date of issuing the Notice: 16.12.2021**

*It is the responsibility of Client to ensure compliance with other applicable regulations*