

**CORRIGENDUM No: 1**  
**to the**  
**CONTRACT NOTICE**

**PUBLICATION REF: EUROPEAID/137100/DH/SUP/RS**  
**SUBJECT: ELECTRICAL EQUIPMENT FOR THE REACTION IN EMERGENCY SITUATIONS**  
**LOCATION – SERBIA**

**The following alterations are made to the Contract Notice:**

**15. Period of implementation of tasks (partially)**

**The former text:**

For Lot 1 - 336 days is the period from commencement date until the delivery of supplies.

For Lot 2 - 336 days is the period from commencement date until the delivery of supplies.

For Lot 3 - 728 days is the period from commencement date until the delivery and installation of supplies.

For Lot 1 the implementation period of tasks is 336 days from commencement date till contractor's application for provisional acceptance certificate.

For Lot 2 the implementation period of tasks is 336 days from commencement date till contractor's application for provisional acceptance certificate.

For Lot 3 the implementation period of tasks is 728 days from commencement date till contractor's application for provisional acceptance certificate.

In the period between the delivery on site and the issuance of the provisional acceptance certificate, testing, commissioning and training will be performed. Provisional acceptance certificate will be issued after satisfactory performed tests and commissioning.

**Shall read as new text:**

For Lot 1 the implementation period of tasks is 336 days from commencement date till contractor's application for provisional acceptance certificate.

For Lot 2 the implementation period of tasks is 336 days from commencement date till contractor's application for provisional acceptance certificate.

For Lot 3 the implementation period of tasks is 728 days from commencement date till contractor's application for provisional acceptance certificate.

In the period between the delivery on site and the issuance of the provisional acceptance certificate, testing, commissioning and training will be performed. Provisional acceptance certificate will be issued after satisfactory performed tests and commissioning.

## 16. Selection criteria

### The former text:

The following selection criteria will be applied to tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole:

1) Economic and financial capacity of tenderer (based on i.a. item 3 of the Tender Form for a Supply Contract). In case of tenderer being a public body, equivalent information should be provided.

(a) The average annual turnover of the tenderer for the last three years (2013, 2014 and 2015) must exceed EUR 6,000,000 if tendering for all three lots.

For Lot 1: The average annual turnover of the tenderer for the last three years (2013, 2014 and 2015) must exceed EUR 1,200,000

For Lot 2: The average annual turnover of the tenderer for the last three years (2013, 2014 and 2015) must exceed EUR 1,200,000

For Lot 3: The average annual turnover of the tenderer for the last three years (2013, 2014 and 2015) must exceed EUR 2,500,000

2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the Tender Form for a Supply Contract)

(a) At least 5 permanent Engineers staff currently working for the tenderer in fields related to this contract

(b) The tenderer must provide evidence of his own, or the manufacturer's (if the tenderer is not a manufacturer) current quality management system certificate according to ISO 9001 or national equivalent.

3) Technical capacity of tenderer (based on i.e. items 5 and 6 of the Tender Form for a Supply Contract). The reference period which will be taken into account will be the last 3 years from submission deadline.

(a) The tenderer has completed successfully in the past five years at least:

- For Lot 1 the tenderer has delivered supplies under at least 1 contract with a budget of at least EUR 500,000 in supplying X/Y ( $X \geq 110$  kV,  $Y \geq 10$  kV) mobile substations which was implemented during the following period: August 2011 - up to the deadline for submission of offers.

- For Lot 2 the tenderer has delivered supplies under at least 2 contracts with a budget of at least EUR 300,000 in supplying X/Y ( $X \geq 35$  kV,  $Y \geq 6,3$  kV) mobile substations which were implemented during the following period: August 2011 - up to the deadline for submission of offers.

- For Lot 3 the tenderer has delivered supplies under at least 1 contract with a budget of at least EUR 500,000 in medium voltage grid control and automatization which was implemented during the following period: August 2011 - up to the deadline for submission of offers.

This means that the contract the tenderer refers to could have been started or completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, final acceptance). In case of projects still on-going only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value.

#### Capacity-providing entities

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. Some examples of when it may not be considered appropriate by the Contracting Authority are when the tenderer relies in majority on the capacities of other entities or when they rely on key criteria. If the tenderer relies on other entities it must prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing a commitment on the part of those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the Contracting Authority.

With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies become jointly and severally liable for the performance of the contract.

- (b) For Lot 3 the legal person proposed by the tenderer who will carry out the detailed design, control, protection, monitoring and metering and telecommunication system must possess necessary licenses from the relevant Ministries and local authorities.

It is to be noted that for the implementation of the contract, the Contractor will have to carry out the detailed design, control, protection, monitoring and metering and telecommunication system according to the Serbian legislation which requires that the legal person doing it must have the necessary licenses issued by the relevant national authorities.

The Contractor must obtain and comply with all relevant permits, licenses, authorizations and approvals necessary to carry out the installation of supplies in accordance with the Contract and Serbian Law.

#### **Shall read as new text:**

The following selection criteria will be applied to tenderers. In the case of tenders submitted by a consortium, these selection criteria will be applied to the consortium as a whole unless specified otherwise. The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors:

- 1) Economic and financial capacity of tenderer (based on i.a. item 3 of the Tender Form for a Supply Contract). In case of tenderer being a public body, equivalent

information should be provided.

- (a) The average annual turnover of the tenderer for the last three years (2013, 2014 and 2015) must exceed EUR 6,000,000 if tendering for all three lots.

The average annual turnover of the tenderer for the last three years (2013, 2014 and 2015) must exceed EUR 3,000,000 if tendering for Lot 1 and Lot 2.

For Lot 1: The average annual turnover of the tenderer for the last three years (2013, 2014 and 2015) must exceed EUR 1,200,000

For Lot 2: The average annual turnover of the tenderer for the last three years (2013, 2014 and 2015) must exceed EUR 1,200,000

For Lot 3: The average annual turnover of the tenderer for the last three years (2013, 2014 and 2015) must exceed EUR 2,500,000

- 2) Professional capacity of tenderer (based on i.a. items 4 and 5 of the Tender Form for a Supply Contract). The reference period which will be taken into account will be the last 5 years from submission deadline.

For all lots:

- (a) At least 5 permanent Engineers staff currently working for the tenderer in fields related to this contract
- (b) The tenderer must provide evidence of his own, or the manufacturer's (if the tenderer is not a manufacturer) current quality management system certificate according to ISO 9001 or national equivalent.

For Lot 3 only:

- (c) The legal person proposed by the tenderer who will carry out the detailed design, control, protection, monitoring and metering and telecommunication system must possess necessary licenses from the relevant Ministries and local authorities.

It is to be noted that for the implementation of the contract, the Contractor will have to carry out the detailed design, control, protection, monitoring and metering and telecommunication system according to the Serbian legislation which requires that the legal person doing it must have the necessary licenses issued by the relevant national authorities.

The Contractor must obtain and comply with all relevant permits, licenses, authorizations and approvals necessary to carry out the installation of supplies in accordance with the Contract and Serbian Law.

**The Tenderer shall supply with the offer copies of the necessary certificates, licenses, authorizations and approvals issued by the relevant authorities evidencing the essential elements required by the professional capacity criterion 2 b) and 2 c) above.**

- 3) Technical capacity of tenderer (based on i.e. items 5 and 6 of the Tender Form for a Supply Contract).

a)

- For Lot 1 the tenderer has delivered supplies under at least 1 contract with a budget of at least EUR 500,000 in supplying X/Y ( $X \geq 110$  kV,  $Y \geq 10$  kV) mobile substations which was implemented during the following period: August 2011 - up to the deadline for submission of offers.
- For Lot 2 the tenderer has delivered supplies under at least 2 contracts with a budget of at least EUR 300,000 in supplying X/Y ( $X \geq 35$  kV,  $Y \geq 6,3$  kV) mobile substations which were implemented during the following period: August 2011 - up to the deadline for submission of offers.
- For Lot 3 the tenderer has delivered supplies under at least 1 contract with a budget of at least EUR 500,000 in medium voltage grid control and automatization which was implemented during the following period: August 2011 - up to the deadline for submission of offers.

**The Tenderer shall supply with the offer copies of the certificates of provisional or final acceptance issued by the Client/Employer/Contracting Authority of the projects concerned and/or a written letter of satisfaction from the Client/Employer/Contracting Authority evidencing the essential elements required by the technical capacity criterion 3 a) above.**

This means that the contract the tenderer refers to could have been started or completed at any time during the indicated period but it does not necessarily have to be started and completed during that period, nor implemented during the entire period. Tenderers are allowed to refer either to projects completed within the reference period (although started earlier) or to projects not yet completed. In the first case the project will be considered in its whole if proper evidence of performance is provided (statement or certificate from the entity which awarded the contract, final acceptance). In case of projects still on-going only the portion satisfactorily completed during the reference period will be taken into consideration. This portion will have to be supported by documentary evidence (similarly to projects completed) also detailing its value.

#### Capacity-providing entities

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. Some examples of when it may not be considered appropriate by the Contracting Authority are when the tenderer relies in majority on the capacities of other entities or when they rely on key criteria. If the tenderer relies on other entities it must prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing a commitment on the part of those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator. Furthermore, the data for this third entity for the relevant selection criterion should be included in the tender in a separate document. Proof of the capacity will also have to be furnished when requested by the Contracting Authority.

With regard to technical and professional criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the tenderer relies become jointly and severally liable for the performance of the contract.

## **19. Deadline for submission of tenders**

### **The former text:**

12:00 Central European Time on 02/02/2017.

Any tender received by the Contracting Authority after this deadline will not be considered.

### **Shall read as new text:**

12:00 Central European Time on 24/02/2017.

Any tender received by the Contracting Authority after this deadline will not be considered.

## **20. Tender opening session**

### **The former text:**

**14:00 Central European Time on 02/02/2017** at Delegation of the European Union to the Republic of Serbia (GTC Avenue Building Block 19a - Vladimira Popovica Street 40, 11070 New Belgrade, Republic of Serbia).

### **Shall read as new text:**

**15:00 Central European Time on 24/02/2017** at Delegation of the European Union to the Republic of Serbia (GTC Avenue Building Block 19a - Vladimira Popovica Street 40, 11070 New Belgrade, Republic of Serbia).

## **22. Legal basis<sup>1</sup>**

### **The former text:**

Regulation (EU) N°236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action and IPA II.

### **Shall read as new text:**

Regulation (EU) N°236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action and Regulation (EU) No 231/2014 of the European parliament and of the Council of 11 March 2014 establishing an Instrument for pre-accession Assistance (IPA II).

**All other terms and conditions of the Contract Notice remain unchanged.**

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<sup>1</sup> Please state any specificity that might have an impact on rules on participation (such as geographic or thematic or long/short term).