



**GOVERNMENT
Republic of Serbia
OFFICE FOR DUAL EDUCATION
AND NATIONAL
QUALIFICATIONS FRAMEWORK**

Number: 351-01-1/43-1/2024-03

Date: 15th July 2024

Nemanjina 22-26

Belgrade

Based on the Article 11. paragraph 2. Law on public procurements („Official Gazette of RS“, no. 91/2019), Law on Ratification of the Financial Contract on Serbian Education Infrastructure Framework Loan between the Republic of Serbia and the European Investment Bank on 19th January 2023, Contract no. (FI N°) 93.885 („Official Gazette of RS–International contracts“, number 3/23), in accordance with the policy of the European Investment bank, described in the Guide to procurement of the Bank, Article 2. Decision on establishing the Office for Dual Education and the National Qualifications Framework („Official Gazette of RS“, no. 124/2022 dated 10.11.2022), Evaluation report filed under no. 351-01-1/42/2024-03 dated 12.07.2024., Non-objection letter obtained by the European Investment Bank filed under no. 351-01-1/41/2024-03 dated 12.07.2024. and article 53. Rulebook on the closer regulation of the public procurement procedure of the Contracting Authority filed under number 110-00-00001/2023-003 dated 24.03.2023., Acting Director of the Office for Dual Education and the National Qualifications Framework, delivers the:

**CONTRACT AWARD DECISION IN THE INTERNATIONAL OPEN PROCUREMENT
PROCEDURE – CONSTRUCTION WORKS ON I GROUP OF DUAL EDUCATION
TRAINING CENTRES**

In this international open procurement procedure, the subject of which is execution of construction works on dual education training centers in Subotica and Požega, reference number SEI/EIB/W/01/23, the contract is awarded:

- For Lot 1 - Construction of dual education Training Centre within Technical school „Ivan Sarić“ - Subotica:

1. to the group of Tenderers: "TEMPO COMPANY" d.o.o, Beograd, Tošin Bunar no. 272b, 11070 New Belgrade (leading member), "Jadran" d.o.o, Beograd, Anrija Žamea no. 4, 11060 Palilula (member) "Almaks" d.o.o, Beograd, Gospodara Vučića no. 129, 11000 Belgrade (member) and "Gradina" d.o.o., Zemun, Masarikov trg no. 8, 11080 Zemun (member), Tender number 351-01-1/34/2024-03 dated 07.05.2024, with the offered price in the amount of 4.998.762,51 EUR VAT excluded.
- for Lot 2 - Reconstruction and extension of Training Centre within Technical school „Požega“ - Požega:
1. to the group of Tenderers: "TEMPO COMPANY" d.o.o. Beograd, Tošin Bunar no. 272b, 11070 New Belgrade (leading member), "Jadran" d.o.o, Beograd, Anrija Žamea no. 4, 11060 Palilula (member), "Almaks" d.o.o. Beograd, Gospodara Vučića no. 129, 11000 Belgrade (member), and "Intec" d.o.o., Novi Sad, Đorđa Magaraševića no. 8, 21000 Novi Sad (member), Tender number 351-01-1/35/2024-03 dated 07.05.2024. with the offered price in the amount of 1.990.092,88 EUR VAT excluded.

R A T I O N A L E

Contracting Authority: Office for Dual Education and National Qualifications Framework, Nemanjina 22-26, 11000 Belgrade

Procurement subject: Construction works on I group of Dual Education Training Centres

Type of procedure: international open procurement procedure of works, initiated by the Decision on conducting international open procedure of procurement of works number 351-01-1/2024-03 dated 11.01.2024, reference number SEI/EIB/W/01/23, in accordance with the policy of the European Investment bank described in the EIB Guide to procurement.

Estimated value of the procurement: 7.144.000,00 EUR VAT excluded.

The procurement has been formed in lots.

- **Lot 1 –Construction of dual education Training Centre within Technical school „Ivan Sarić“ - Subotica – 5.034.000,00 EUR VAT excluded;**
- **Lot 2 – Reconstruction and extension of Training Centre within Technical school „Požega“ - Požega – 2.110.000,00 EUR VAT excluded.**

Procurement Notice was published on the website of the Official Journal of the European Union and on the website of the Purchaser, on 21.03.2024., with tender submission deadline until 10.00 a.m. on 07.05.2024

During the tender submission period six Clarifications and two Corrigenda of the Tender Document were published.

The tender opening procedure was conducted in the premises of the Contracting Authority, Office for Dual Education and National Qualifications Framework, Jurija Gagarina no. 76, second floor, 11000 Belgrade, on 07.05.2024. starting at 11:00

Name and last name	Committee position
Predag Knežević	member
Vladimir Lakčević	member
Marija Petrović	deputy member
Stefan Trmčić	deputy member

Tenders by the following Tenderers were submitted in a timely manner i.e. until 10:00 on 07.05.2024. to the address of the Contracting Authority: Nemanjina 22-26, 11000 Belgrade, in the following order:

Ord. No.	Number under which the Tender is filed at the Contracting Authority	Lot	Name or code of the Tenderer	Date and time of Tender receipt
1.	351-01-1/34/2024-03	1	“Jadran“ d.o.o, Beograd, Anrija Žamea no. 4, 11060 Palilula, “Almaks“ d.o.o. Beograd, Gospodara Vučića no. 129, 11000 Belgrade, “TEMPO COMPANY“ d.o.o. Beograd, Tošin Bunar no. 272b, 11070 New Belgrade and “Gradina“ d.o.o. Zemun, Masarikov trg no. 8, 11080 Zemun	07.05.2024. at 08.40 a.m.

2.	351-01- 1/35/2024-03	2	“Jadran“ d.o.o, Beograd, Anrija Žamea no. 4, 11060 Palilula, “Almaks“ d.o.o. Beograd, Gospodara Vučića no. 129, 11000 Belgrade, “TEMPO COMPANY“ d.o.o. Beograd, Tošin Bunar no. 272b, 11070 New Belgrade and “Intec“ d.o.o., Novi Sad, Đorđa Magaraševića no. 8, 21000 Novi Sad	07.05.2024. at 08.45 a.m.
3.	351-01- 1/36/2024-03	1	KESZ Epito es Szerelo Zrt., Agutenberg str 25-7, 6722 Szeged, Hungary, “ KESZ Epito ZRt Ogranak Beograd“, Đorđa Stanojevića no. 12/III, 1070 Belgrade, “INOBAČKA“ d.o.o., Novi Sad, Železnička no. 3	07.05.2024. at 09.21 a.m.
4.	351-01- 1/37/2024-03	2	MPP “Jedinstvo“ a.d., Sevojno, Prvomajska no. 61a, 31205 Sevojno, DOO “SMB - Gradnja“ PO, Subotica, Čantavirski put bb, 24000 Subotica	07.05.2024. at 09.35 a.m.

None of the received Tenders was withdrawn by the Tenderer. There were no changes or addenda to the received Tenders.

Untimely tenders: None.

The Procurement Committee created Minutes of tender opening number 351-01-1/38/2024-03 dated 07.05.2024., which was handed to the Tenderers who submitted the Tenders.

Members and deputy members of the Committee conducted the evaluation procedure of the tenders in the period from 08.05.2024. until 14.06.2024. in the premises of the contracting Authority, at the address Juriša Gagarina no. 76, second floor, 10000 Belgrade.

In the tender evaluation procedure, in the abovementioned period, the following was determined:

For Lot 1 – Construction of dual education Training Centre within Technical school „Ivan Sarić“ - Subotica

1. Tender of the group of tenderers: “TEMPO COMPANY“ d.o.o, Beograd, Tošin Bunar no. 272b, 11070 New Belgrade (leading member), “Jadran“ d.o.o, Beograd, Anrija Žamea no.

4, 11060 Palilula (member) **“Almaks“ d.o.o, Beograd, Gospodara Vučića no. 129, 11000 Belgrade (member) and “Gradina“ d.o.o., Zemun, Masarikov trg no. 8, 11080 Zemun (member), Tender number 351-01-1/34/2024-03 dated 07.05.2024.**

Offered price: 4.998.762,51 EUR VAT excluded.

Considering that the estimated value of the procurement for Lot 1 is 5.034.000,00 EUR VAT excluded, the Committee noted that the value of the Tender of the group of Tenderers: **“TEMPO COMPANY“ d.o.o, Beograd, Tošin Bunar no. 272b, 11070 New Belgrade (leading member), “Jadran“ d.o.o, Beograd, Anrija Žamea no. 4, 11060 Palilula (member) “Almaks“ d.o.o, Beograd, Gospodara Vučića no. 129, 11000 Belgrade (member) and “Gradina“ d.o.o., Zemun, Masarikov trg no. 8, 11080 Zemun (member),** is lower than the estimated value of the procurement.

Considering that three members of the group of Tenderers who submitted the Tender for Lot 1, are at the same time the members of the group of Tenderers who submitted their Tender for Lot 2, the Committee, during the evaluation procedure, cumulatively and collectively took into consideration the fulfilment of the conditions and the submitted evidence for the mentioned members of the group of Tenderers, for both Lots, in accordance with the provisions of the Tender Document.

During the evaluation procedure, the Committee determined that the Tender is substantially responsive and technically compliant with the Tender Document.

In accordance with the clause 26.4 Instructions to tenderers, the Committee conducted the verification of the arithmetical correctness of the Tender and noted that there are no arithmetical errors.

Pursuant to the abovementioned, the Committee noted that the Tender of the group of Tenderers: **“TEMPO COMPANY“ d.o.o, Beograd, Tošin Bunar no. 272b, 11070 New Belgrade (leading member), “Jadran“ d.o.o, Beograd, Anrija Žamea no. 4, 11060 Palilula (member) “Almaks“ d.o.o, Beograd, Gospodara Vučića no. 129, 11000 Belgrade (member) and “Gradina“ d.o.o., Zemun, Masarikov trg no. 8, 11080 Zemun (member),** is acceptable according to the requests from the Tender Document.

2. Tender of the group of Tenderers: “INOBAČKA“ d.o.o., Novi Sad, Železnička no. 3 (leading member), “KESZ Epito es Szerelo Zrt.“, Agutenberg str 25-27, 6722 Szeged, Hungary (member), “KESZ Epito ZRt Ogranak Beograd“, Đorđa Stanojevića no. 12/III, 11070 Belgrade (member), Tender number 351-01-1/36/2024-03 dated 07.05.2024.

Offered price: 3.257.864,49 EUR VAT excluded.

Considering that the estimated value of the procurement for Lot 1 is: 5.034.000,00 EUR VAT excluded, the Committee noted that the value of the Tender of the group of Tenderers:

“INOBAČKA“ d.o.o., Novi Sad, Železnička no. 3 (leading member), **“KESZ Epito es Szerelo Zrt.”**, Agutenberg str 25-27, 6722 Szeged, Hungary (member), **“KESZ Epito ZRt Ogranak Beograd”**, Đorđa Stanojevića no. 12/III, 11070 Belgrade (member), is lower than the estimated value of the procurement.

During the evaluation procedure the Committee determined the following deficiencies of the Tender:

1) In part I Tender Document, Section 2 – Instructions to Tenderers, part 2.2 Tender data, paragraph 10.1 Tender content, under B) Offer – technical part, clause e) Attachment 5, foresees that the Tenderers should submit the Tender which must contain, among other things, filled and signed Form 3.8 Covenant of integrity, fully submitted in form indicated in Tender Document in Form 3.8.

Examining the tender, it has been determined that the member of the group **“KESZ Epito es Szerelo Zrt.”**, Agutenberg str 25-27, 6722 Szeged, Hungary, in the submitted form 3.8 Covenant of integrity, did not specify to which lot the form relates.

Pursuant to the abovementioned, the Committee noted that the submitted Tender, in the mentioned part, is not in accordance with the requests from the Tender Document.

2) In part I Tender Document, Section 2 – Instructions to Tenderers, part 2.3 Qualification data, within the additional conditions for participation, under clause 2. Business capacity, under b) for all lots it was requested for the Tenderer to hold the following or equivalent certificates in the field of construction (execution of high-rise buildings, civil engineering, execution of thermotechnical and thermoenergy installations, in the field of design, distribution, development, integration, maintenance and supervision of the execution of installations of technical protection systems, fire protection systems, extinguishing systems as well as for the creation plan and risk assessment in the protection of persons, property and business):

- ISO 9001 - Quality management system
- ISO 14001- Environment protection management system
- ISO 45001- Health and safety at work management system
- ISO 50001 – Energy management system;

as well as that the fulfilment of the mentioned condition is proved by submitting the copy of the requested or equivalent certificates.

Examining the Tender, it has been determined that the Tenderer submitted certificates which do not include the abovementioned scope of certification, and as such are not in accordance with the requested ones in the Tender Document.

Pursuant to the aforementioned, the Committee noted that the Tenderer did not fulfil the additional condition for participation, that he holds the requested valid certificates from the field of construction (execution of high-rise buildings, civil engineering, execution of thermotechnical and thermoenergy installations, in the field of design, distribution, development, integration, maintenance and supervision of the execution of installations of technical protection systems, fire protection systems, extinguishing systems as well as for the creation plan and risk assessment in the protection of persons, property and business).

3)

a) In part I Tender Document, Section 2 – Instructions to tenderers, part 2.3 Qualification data, within the additional conditions for participation, under clause 3. Personnel Capabilities for Lot 1, under a) Total number of workers, it is foreseen that the Tenderer, in the month preceding the month of the Letter of invitation publication, has at least 150 persons employed/engaged, of which at least 120 persons are required to be technical personnel (staff), with the following qualifications/profiles:

- at least 100 (one hundred workers for construction and electrical and mechanical works, of which at least 40 workers are capable of working at heights);
- at least 10(ten) construction machinery operators;
- at least 10 (ten) drivers

It is foreseen that the fulfilment of the additional condition is proved by submitting:

- Form 3.5.6 B;
- Certificate/Excerpt from the Central Registry of compulsory social security with the summary overview of all insured persons, for the month proceeding the month of the publication of the Letter of invitation for workers steadily employed (this evidence applies to resident Tenderers - companies established in the employer's country; in case of non-resident tenders, appropriate evidence shall be provided, in accordance with the law of the country in which they are established, that they fulfil the abovementioned requirements;
- proof of hiring for all employed /engaged workers, e.g. copy of employment contract, service contract, consultancy contract or other temporary service agreement;
- for persons capable of working at heights - Medical certificates for working at heights no older than one year from the date of public opening of bids

Examining the submitted documentation within the Tender, the Committee determined that the Tenderer submitted the evidence on employment/engagement (e.g. copy of employment contract, service contract, consultancy contract or other temporary service agreement) for the following employed/engaged persons:

- out of total of 99 listed persons, for 27 persons it has been determined that they have not been employed/engaged in the month proceeding the month of the publication of the Letter of invitation;
- for 81 persons which, out of the total number of employees represent the technical staff, it has been determined for 27 of the persons that they have not been employed/engaged in the month proceeding the month of the publication of the Letter of invitation;
- for 61 persons, within technical staff, who are the workers for construction and electromechanical works, out of which for 11 it has been determined that they have not been employed/engaged in the month proceeding the month of the publication of the Letter of invitation;
- for 39 persons, within workers for construction and electromechanical works, who represent the workers capable of working at heights, for 2 of the persons it has been determined that they have not been employed/engaged in the month proceeding the month of the publication of the Letter of invitation;
- for 10 persons, within technical staff, who represent workers operating construction machinery, for 6 of the persons it has been determined that they have not been employed/engaged in the month proceeding the month of the publication of the Letter of invitation;
- for 10 persons, within technical staff, who represent drivers, for 9 of the persons it has been determined that they have not been employed/engaged in the month proceeding the month of the publication of the Letter of invitation.

Also, examining the submitted documentation, it has been determined that the Tenderer, for the persons employed at the member of the Consortium "INOBAČKA" d.o.o., Novi Sad, for who he submitted the employment contracts, he submitted the Excerpt from the Central Registry of compulsory social security dated 29.02.2024. on the total number of full-time and part-time employees of the member of the group of tenderers, and not the Excerpt from the Central Registry of compulsory social security with the summary overview of all insured persons, as is requested by the tender Document and which should contain the list of all employees at the member of the group of tenderers with the date of the employment. Based on the submitted document, the Committee was not able to determine whether the employees for who the employment contracts were submitted had been employed in the month preceding the month of the publication of the Letter of invitation.

Pursuant to the abovementioned, the Committee noted that the Tenderer did not prove that in the month preceding the month of the publication of the Letter of invitation, he had employed/engaged a minimum number of employed/engaged persons of appropriate profiles, in accordance with the requests from the Tender Document.

b) In part I Tender Document, Section 2 – Instructions to tenderers, part 2.3 Qualification data, within the additional conditions for participation, under clause 3. Personnel Capabilities for Lot 1, under b) Professional personnel, it is foreseen that the Tenderer, in the month preceding the month of the publication of the Letter of invitation, has employees/engaged workers with the following profiles and with the following engineer licences, as the key personnel for the purposes of realization of this contract:

1. 2 Civil engineers (licences 410 or 411,; licence number applies only for the resident tenderers – companies established in the employer's country; equivalent licences/certifications will be accepted from non-resident bidders)
2. 1 Civil engineer, (licences 413 or 414; licence numbers applies only for the resident tenderers – companies established in the employer's country; equivalent licences/certifications will be accepted from non-resident bidders)
3. 1 Architect (licences 400 or 401; licence number applies only for the resident tenderers – companies established in the employer's country; equivalent licences/certifications will be accepted from non-resident bidders)
4. 2 Electrical engineers (licence 450; licence number applies only for the resident tenderers – companies established in the employer's country; equivalent licences/certifications will be accepted from non-resident bidders)
5. 1 Electrical engineer (licence 453; licence number applies only for the resident tenderers – companies established in the employer's country equivalent licences/certifications will be accepted from non-resident bidders)
6. 2 Mechanical engineers (licence 430; licence number applies only for the resident tenderers – companies established in the employer's country; equivalent licences/certifications will be accepted from non-resident bidders)
7. 1 Energy Efficiency Engineer (licence 381; licence number applies only for tenderers residents – companies established in the country of the Employer; equivalent licences/certifications will be accepted from non-resident bidders)
8. 1 Health and Safety Officer – (the certificate of examination)

Furthermore, the Tender Document foresees that, for the needs of contract realization, it is necessary for at least one of the mentioned persons under clauses 1. or 3. to be named as Contractor Representative – and to have the work experience of minimum of 10 years as Responsible

Contractor; to possess at least one personal reference as the responsible contractor for the implementation of the contract whose subject was the newly built, extended (upgraded) or reconstructed school building/or building for scientific research activities (classification 1263 in accordance with Rulebook on the classification of objects ("Official Journal of the Republic of Serbia" no. 22/2015; classification number from Rulebook applies only for the resident tenderers – companies established in the employer's country) in the last 5 years before expiration of deadline for bid submission ;as well as the experience in realization of minimum of 2 contracts according to the FIDIC conditions ("Conditions of Contract for PLANT and DESIGN-BUILD for electrical and mechanical works and for building and engineering works designed by the contractor, including on site installation, with calculation of tender and contract" – yellow book; and/or "Conditions of Contract for CONSTRUCTION – for building and engineering works designed by the employer" – red book; and/or and "Conditions of Contract for CONSTRUCTION, MDB harmonized edition for building and engineering works designed by the employer, June 2010" – pink book).

All employed engineers must have work experience as responsible contractors – minimum 5 years of work experience at the position of Responsible Contractor in accordance with the provided condition.

Health and Safety officer must demonstrate minimum 5 years of work experience at the position of certified Health and Safety officer.

Same person cannot be hired on multiple positions or multiple lots. If any of the listed persons on other positions owns the licence 381, they can be listed as key expert under ordinal number 7. - Responsible Energy Efficiency Engineer.

It is foreseen that the Tenderers shall submit:

- Qualification Form 3.5.6 and 3.5.6A;
- Certificate/Excerpt from the Central Registry of compulsory social security with summarized overview of all insured persons, for the month preceding the month of publication of the Letter of invitation, for workers steadily employed (this evidence applies to resident Tenderers - companies established in the employer's country; in case of non-resident tenders, appropriate evidence shall be provided, in accordance with the law of the country in which they are established, that they fulfil the abovementioned requirement);.
- Proof of hiring for all employed /engaged key personnel, e.g. copy of employment contract, service contract, consultancy contract or other temporary service agreement etc.
- Copies of licenses (or licences/certifications for non-resident tenderers, as the case may be);
- For Contractor representative – it is necessary to submit the evidence that he has been hired on the construction of school building/or building for scientific research activities, in the form of Certificate by the Employer and Decision on the appointment ;

- For Contractor representative – it is necessary to submit the evidence that he has been hired on the construction of the facilities according to the relevant FIDIC conditions of contract, in the form of Certificate by the Employer.
- Certificate on the passed professional exam for performing activities in accordance with the Law on Safety and Health at work as well as the Regulation on occupational safety and health on temporary and moving construction sites and other legal regulation.

Firstly, examining the submitted documentation, it has been determined that the Tenderer, for the persons listed as key personnel, and who are employed at the member of the Consortium “INOBAČKA“ d.o.o., Novi Sad, for who he submitted the employment contracts, he submitted the Excerpt from the Central Registry of compulsory social security dated 29.02.2024. on the total number of full-time and part-time employees of the member of the group of tenderers, and not the Excerpt from the Central Registry of compulsory social security with the summary overview of all insured persons, as is requested by the tender Document and which should contain the list of all employees at the member of the group of tenderers with the date of the employment. Based on the submitted document, the Committee was not able to determine whether the employees for who the employment contracts were submitted had been employed in the month preceding the month of the publication of the Letter of invitation.

Pursuant to the abovementioned, examining the submitted Tender, it has been determined that the Tenderer does not fulfil the foreseen condition that in the month proceeding the month of the publication of the Letter of invitation, has employees/engaged workers with the appropriate profiles and with the requested engineer licences, for the following persons listed as the key personnel:

- for the listed Z.S. person, at the position Civil engineer with the responsible contractor licence 410 or 411, through examining the submitted Contract dated 08.04.2024., signed between the member of the consortium KESZ Epito ZRt Ogranak Beograd (KESZ Epito Branch Beograd) and the mentioned person, it has been determined that the Tenderer – member of the consortium employed the mentioned person on 08.04.2024. for the needs of the realization of the project which is the subject of this procurement;
- for the listed M.M. person, at the position Architect with the responsible contractor licence 400 or 401, through examining the submitted Contract dated 03.04.2024. signed between the member of the consortium “INOBAČKA“ d.o.o., Novi Sad and the mentioned person, it has been determined that the Tenderer – member of the consortium employed the mentioned person on 03.04.2024. for the needs of the realization of the project which is the subject of this procurement;
- for the listed K.I. person, at the position Civil engineer with the responsible contractor licence 413 or 414, through examining the submitted Contract dated 08.04.2024. signed between

the member of the consortium KESZ Epito ZRt Ogranak Beograd (KESZ Epito Branch Beograd) and the mentioned person, it has been determined that the Tenderer – member of the consortium employed the mentioned person on 08.04.2024. for the needs of the realization of the project which is the subject of this procurement;

- for the listed Z.B. person, at the position Mechanical Engineer with the responsible contractor licence 430, through examining the submitted Contract dated 08.04.2024. signed between the member of the consortium KESZ Epito ZRt Ogranak Beograd (KESZ Epito Branch Beograd) and the mentioned person, it has been determined that the Tenderer – member of the consortium employed the mentioned person on 08.04.2024. for the needs of the realization of the project which is the subject of this procurement;

- for the listed R.P. person, at the position Mechanical Engineer with the responsible contractor licence 430, through examining the submitted Contract dated 08.04.2024. signed between the member of the consortium KESZ Epito ZRt Ogranak Beograd (KESZ Epito Branch Beograd) and the mentioned person, it has been determined that the Tenderer – member of the consortium employed the mentioned person on 08.04.2024. for the needs of the realization of the project which is the subject of this procurement;

- for the listed T.A-L, person, at the position Electrical engineer of telecommunication networks and systems with the responsible contractor licence 453, through examining the submitted Contract dated 08.04.2024. signed between the member of the consortium KESZ Epito ZRt Ogranak Beograd (KESZ Epito Branch Beograd) and the mentioned person, it has been determined that the Tenderer – member of the consortium employed the mentioned person on 08.04.2024. for the needs of the realization of the project which is the subject of this procurement;

- for the listed D.J, person, at the position electrical engineer - low and medium current - with the responsible contractor licence 450, through examining the submitted Contract dated 03.04.2024. signed between the member of the consortium "INOBAČKA" d.o.o., Novi Sad and the mentioned person, it has been determined that the Tenderer – member of the consortium employed the mentioned person on 03.04.2024. for the needs of the realization of the project which is the subject of this procurement;

- for the listed M.T person, at the position health and safety officer with a passed professional exam for the performance of the abovementioned tasks, through examining the submitted Contract dated 03.04.2024. signed between the member of the consortium "INOBAČKA" d.o.o., Novi Sad and the mentioned person, it has been determined that the Tenderer – member of the consortium employed the mentioned person on 03.04.2024. for the needs of the realization of the project which is the subject of this procurement.

Furthermore, for Z.S. person, at the position Civil engineer with the responsible contractor licence 410 or 411 and named as the Contractor representative, examining the submitted Qualification form 3.5.6A, it is not possible to determine whether he has a work experience of minimum of 10 years as responsible contractor. On the other hand, for the same person, Investor's certificate was

not submitted, stating that he has experience in realization of minimum of 2 FIDIC contracts, i.e. from the submitted certificates the mentioned experience was not determined.

Also, for the listed D.A, person, at the position Electrical engineer - low and medium current - with the responsible contractor licence 450, examining the submitted copy of the licence it has been determined that from acquiring the licence by the mentioned person until the day of submission of the tender in this procurement procedure, less than 5 years passed, so the mentioned person does not fulfil the condition of having minimum of 5 years of work experience as responsible contractor.

Besides the mentioned, for the listed M.T, person, at the position health and safety officer with a passed professional exam for the performance of the abovementioned tasks, examining the submitted Qualification form 3.5.6A, it is not possible to determine that he has work experience of minimum of 5 years work experience at the position of licenced health and safety officer.

4) In part I Tender Document, Section 2 – Instructions to tenderers, part 2.2 Tender data, paragraph 10.1 Tender content, clause A. Offer – financial part, Attachment 2, foresees that Tenderer shall submit the Tender which must include, among other things, the filled and signed Bill of Quantities (each page) of Part II of the Tender Documents (paper form), along with entire supporting documentation requested in Bill of Quantities - General Technical Conditions for Execution of Works.

The same was requested in part II Tender Document Section 1 – Bill of quantities.

Regarding the abovementioned, in the Bill of quantities - General Technical Conditions for Execution of Works, part AG works, in line 94 additional conditions have been foreseen (described from line 95 concluding with line 101 of the Bill of quantities) for certain types of equipment from the Bill of quantities and the documentation which was necessary to be submitted with the Tender.

Then, in line 96 of the Bill of quantities – AG works it is foreseen that, among other things, the Tenderer, for the equipment for fire extinguishing with aerosols in electrical and distribution cabinets, should submit:

- photocopies of technical sheets, catalogues and such proving that the offered equipment corresponds in all respects to that requested in the Tender Documents;
- a copy of the certificate of compliance with the requirements of the Rulebook on Electromagnetic Compatibility EMC ("Official Gazette of the RS" no. 25/2016 and 21/2020), issued by a laboratory accredited in the RS;
- a copy of the toxicological report that the fire extinguishing agent is non-toxic;
- a copy of the certificate of an accredited EU institution such as 'KIWA' or similar for extinguishing class A, B fires;
- photocopy of the certificate that the products are manufactured in accordance with ISO 9001: 2015 and ISO 14001: 2015 standards;

- photocopy of the certificate that the equipment has a lifespan of at least 15 years;
- photocopy of the TUV certificate (or similar) for generators proving their level of safety and operational reliability (SIL level 2 and 3);
- a photocopy of the confirmation that the guarantee against defects is included for a period of 3 years and a guarantee for the functionality of the product for a duration of 5 years;
- photocopy of the declaration of conformity that the products have the CE mark;
- photocopy of the certificate of compliance with the SRPS EN 15276 standard - fire extinguishing installation - condensed aerosol fire extinguishing systems or equivalent;
- photocopy of the MAF issued by the manufacturer of the equipment Manufacturer's authorization (authorization or confirmation) by which the manufacturer guarantees that the bidder is authorized to sell, install and service the aerosol fire extinguishing system offered in the public procurement procedure. The authorization must be issued after the date of publication of the Procurement Notice for this public procurement and must be in the name of the bidder who submits the bid with the subject and number of the public procurement.

Examining the documentation submitted within the Tender, it has been determined that the Tenderer did not submit a copy of the certificate of compliance with the requirements of the Rulebook on Electromagnetic Compatibility EMC ("Official Gazette of the RS" no. 25/2016 and 21/2020), issued by a laboratory accredited in the RS, a photocopy of the TUV certificate (or similar) for generators proving their level of safety and operational reliability (SIL level 2 and 3), as well as a photocopy of the confirmation that the guarantee against defects is included for a period of 3 years, but he submitted the confirmation that the guarantee against defects is one year.

Furthermore, in line 97 of the Bill of quantities – AG works it is foreseen that, among other things, the Tenderer, for the equipment for fire alarm equipment, shall submit:

- photocopies of technical sheets, catalogues and such proving that the offered equipment corresponds in all respects to that requested in the Tender Documents;
- photocopy of the Certificate or Statement of Compliance with the Rulebook on Radio Equipment and Telecommunication Terminal Equipment in accordance with the norms of the Republic of Serbia, that the communication modem is permitted for use and therefore does not interfere with other frequencies, valid on the day of the publication of the Procurement Notice, issued to the name of the bidder;
- a Statement with proof of the existence of the manufacturer's Android mobile application and the manufacturer's IOS mobile application, with an attached link from Google Play to access the Android application developed before the publication date of the Procurement Notice for this public procurement in question, as well as a link from the IOS Store to access the IOS application developed before the date of publication of the Procurement Notice for this public procurement in

question and with the specified demo access to check the specified functionalities that are required within the framework of real-time fire alarm monitoring

- photocopy of the MAF issued by the equipment manufacturer Authorization (authorization or confirmation) of the manufacturer by which the manufacturer guarantees that the bidder is authorized to sell, install and service the fire alarm system equipment offered in the public procurement procedure. The authorization must be issued after the date of publication of the Procurement Notice for this public procurement and must be to the name of the bidder submitting the bid with the subject and number of the public procurement.

Examining the documentation submitted within the Tender, it has been determined that the Tenderer did not submit photocopy of the Certificate or Statement of Compliance with the Rulebook on Radio Equipment and Telecommunication Terminal Equipment in accordance with the norms of the Republic of Serbia, that the communication modem is permitted for use and therefore does not interfere with other frequencies, valid on the day of the publication of the Procurement Notice, issued to the name of the bidder, as well as the Statement with proof of the existence of the manufacturer's Android mobile application and the manufacturer's IOS mobile application, with an attached link from Google Play to access the Android application developed before the publication date of the Procurement Notice for this public procurement in question, as well as a link from the IOS Store to access the IOS application developed before the date of publication of the Procurement Notice for this public procurement in question and with the specified demo access to check the specified functionalities that are required within the framework of real-time fire alarm monitoring.

Also, in line 98 of the Bill of quantities – AG works it is foreseen that, among other things, the Tenderer, for the equipment for equipment for anti-burglary system, shall submit:

- photocopies of technical sheets, catalogues and such proving that the offered equipment corresponds in all respects to that requested in the Tender Documents;

- Photocopy of the Certificate or Statement of Compliance with the Rulebook on Radio Equipment and Telecommunication Terminal Equipment in accordance with the norms of the Republic of Serbia, that the communication modem is permitted for use and therefore does not interfere with other frequencies, valid on the day of the publishing of the Procurement Notice, issued to the name of the bidder;

- a Statement with proof of the existence of the manufacturer's Android mobile application and the manufacturer's IOS mobile application, with an attached link for Google Play to access the Android application developed before the publication date of the Procurement Notice for this public procurement in question, as well as a link for the IOS Store for access to the IOS application developed before the date of publication of the Procurement Notice for this subject public procurement and with the specified demo access to check the specified functionalities that are required within the monitoring for the anti-burglary system in real time;

- photocopy of MAF issued by the manufacturer of the equipment Manufacturer's authorization (authorization or confirmation) by which the manufacturer guarantees that the bidder is authorized to sell, install and service the anti-burglary system equipment offered in the public procurement procedure. The authorization must be issued after the date of publication of the Procurement Notice for this public procurement and must be to the name of the bidder who submits the bid with the subject and number of the public procurement.

Examining the documentation submitted within the Tender, it has been determined that the Tenderer did not submit a photocopy of the Certificate or Statement of Compliance with the Rulebook on Radio Equipment and Telecommunication Terminal Equipment in accordance with the norms of the Republic of Serbia, that the communication modem is permitted for use and therefore does not interfere with other frequencies, valid on the day of the publishing of the Procurement Notice, issued to the name of the bidder, but he submitted the Certificate of the competent authority which expired on 09.04.2024. Also, the tenderer did not submit the Statement with proof of the existence of the manufacturer's Android mobile application and the manufacturer's IOS mobile application, with an attached link for Google Play to access the Android application developed before the publication date of the Procurement Notice for this public procurement in question, as well as a link for the IOS Store for access to the IOS application developed before the date of publication of the Procurement Notice for this subject public procurement and with the specified demo access to check the specified functionalities that are required within the monitoring for the anti-burglary system in real time.

Furthermore, in line 99 of the Bill of quantities – AG works it is foreseen that, among other things, the Tenderer, for the equipment for electronic and mechanical locking, should submit:

- a photocopy of patent against unauthorized copying of keys;
- a photocopy of the certificate that the products are manufactured in accordance with ISO 9001 and ISO 14001 standards;
- a photocopy of the Declaration of Conformity with EN 1303;
- a photocopy of the technical documentation for all the offered products, which must contain all the technical characteristics provided for in the technical description of the project;
- a photocopy of the MAF issued by the equipment manufacturer. Authorization (authorization or confirmation) of the manufacturer by which the manufacturer guarantees that the bidder is authorized to sell, install and service the equipment of the electro-mechanical locking system that it offers in the public procurement procedure. The authorization must be issued after the date of publication of the Procurement Notice for this public procurement and must be to the name of the bidder who submits the bid with the subject and number of the public procurement.

Examining the documentation submitted within the Tender, it has been determined that the Tenderer did not submit photocopy of patent against unauthorized copying of keys and a photocopy of the Declaration of Conformity with EN 1303. Besides the mentioned the Tenderer did not submit also the photocopy of the MAF issued by the equipment manufacturer - authorization (authorization or confirmation) issued after the date of publication of the Procurement Notice for this public procurement with the subject and number of the public procurement, but he submitted the Authorization to submit the tender in another procurement procedure.

Finally, in line 101 of the Bill of quantities – AG works it is foreseen that, among other things, the Tenderer, for the equipment surveillance software, should submit:

- a photocopy of technical sheets, catalogues, manufacturer's statement or similar proving that the offered software corresponds in all respects to that requested in the Tender Documents;
- a photocopy of the ISO/IEC 25023:2016 Certificate for the quality of software development for the manufacturer of monitoring software;
- a photocopy of the MAF issued by the equipment manufacturer. The manufacturer's authorization (authorization or confirmation) by which the manufacturer guarantees that the bidder is authorized to sell, install and service the surveillance software it offers in the public procurement procedure. The authorization must be issued after the date of publication of the Procurement Notice for this public procurement and must be to the name of the bidder submitting the bid with the subject and number of the public procurement.

Examining the documentation submitted within the Tender, it has been determined that the Tenderer did not submit a photocopy of the ISO/IEC 25023:2016 Certificate for the quality of software development for the manufacturer of monitoring software.

Pursuant to everything abovementioned, the Committee noted that the Tenderer did not act in accordance with the abovementioned request of the Tender Document which relates to the submission of the complete following documentation foreseen in the Bill of quantities – General technical conditions for the execution of works, i.e. he did not submit the documentation which proves the fulfilment of the additional conditions (described from line 95 concluding with line 101 of the Bill of quantities – AG works) for certain types of equipment from the Bill of quantities.

Pursuant to the abovementioned, upon the conducted evaluation of tenders, the Committee noted that the tender of the group of Tenderers: **“INOBAČKA“ d.o.o., Novi Sad**, Železnička no. 3 (leading member), **“KESZ Epito es Szerelo Zrt.”**, Agutenberg str 25-27, 6722 Szeged, Hungary (member), **“KESZ Epito ZRt Ogranak Beograd”**, Đorđa Stanojevića no. 12/III, 11070 Belgrade (member) is substantially non-responsive and is not technically compliant with the Tender

Document, which makes the Tender unacceptable according to the requests from the Tender Document.

For Lot 2 - Reconstruction and extension of Training Centre within Technical school „Požega“ – Požega

1. Tender of the group of tenderers: **“TEMPO COMPANY“ d.o.o. Beograd**, Tošin Bunar no. 272b, 11070 New Belgrade (leading member), **“Jadran“ d.o.o. Beograd**, Anrija Žamea no. 4, 11060 Palilula (member), **“Almaks“ d.o.o. Beograd**, Gospodara Vučića no. 129, 11000 Belgrade (member), and **“Intec“ d.o.o., Novi Sad**, Đorđa Magaraševića no. 8, 21000 Novi Sad (member), **Tender number 351-01-1/35/2024-03 dated 07.05.2024.**

Offered price: 2.106.728,09 EUR VAT excluded.

Considering that three members of the group of Tenderers who submitted the Tender for Lot 2, are at the same time the members of the group of Tenderers who submitted their Tender for Lot 1, the Committee, during the evaluation procedure, cumulatively and collectively took into consideration the fulfilment of the conditions and the submitted evidence for the mentioned members of the group of Tenderers, for both Lots, in accordance with the provisions of the Tender Document

During the evaluation procedure the Committee determined that the Tender is substantially responsive and technically compliant with the Tender Document.

In accordance with the clause 26.4 Instructions to tenderers, the Committee conducted the verification of the arithmetical correctness of the Tender and noted that there is an arithmetical inconsistency in individual positions and the total price of the Tender.

Upon the correction of the arithmetical error, the Committee, on 05.06.2024. sent to the Tenderer the Request for the submission of the consent to the correction of the arithmetical error, no later than 10.06.2024. at 12pm. In a timely manner, on 10.06.2024., the Tenderer submitted the consent to the correction of the arithmetical error, therefore the Committee notes that upon the corrected arithmetical error the offered price amounts to 1.990.092,88 EUR VAT excluded, so that the listed price is considered to be binding for the Tenderer.

Considering that the estimated value of the procurement for Lot 2 is 2.110.000,00 VAT excluded, the Committee noted that the value of the Tender of the group of Tenderers: **“TEMPO COMPANY“ d.o.o. Beograd**, Tošin Bunar no. 272b, 11070 New Belgrade (leading member), **“Jadran“ d.o.o. Beograd**, Anrija Žamea no. 4, 11060 Palilula (member), **“Almaks“ d.o.o. Beograd**, Gospodara Vučića no. 129, 11000 Belgrade (member), and **“Intec“ d.o.o., Novi Sad**, Đorđa Magaraševića no. 8, 21000 Novi Sad (member), is lower than the estimated value of the procurement.

Pursuant to the abovementioned, the Committee noted that the tender of the group of Tenderers: **“TEMPO COMPANY“ d.o.o. Beograd**, Tošin Bunar no. 272b, 11070 New Belgrade (leading member), **“Jadran“ d.o.o. Beograd**, Anrija Žamea no. 4, 11060 Palilula (member), **“Almaks“ d.o.o. Beograd**, Gospodara Vučića no. 129, 11000 Belgrade (member), and **“Intec“ d.o.o., Novi Sad**, Đorđa Magaraševića no. 8, 21000 Novi Sad (member), number 351-01-1/35/2024-03 dated 07.05.2024. is acceptable according to the requests from the Tender Document.

2. Tender of the group of tenderers: **MPP “Jedinstvo“ a.d., Sevojno**, Prvomajska no. 61a, 31205 Sevojno (leading member), **DOO “SMB - Gradnja“ PO, Subotica**, Čantavirski put bb, 24000 Subotica (member), Tender number 351-01-1/37/2024-03 dated 07.05.2024.

Offered price: 1.885.504,08 EUR VAT excluded.

Considering that the estimated value of the procurement for Lot 2 is 2.110.000,00 EUR VAT excluded, the Committee noted that the value of the Tender of the group of Tenderers: **MPP “Jedinstvo“ a.d., Sevojno**, Prvomajska no. 61a, 31205 Sevojno (leading member), **DOO “SMB - Gradnja“ PO, Subotica**, Čantavirski put bb, 24000 Subotica (member), is lower than the estimated value of the procurement.

During the evaluation procedure the Committee determined the following deficiencies of the Tender:

1) In part I of the Tender Document, Section 2 – Instructions to Tenderers, part 2.3 Qualification data, within additional conditions for participation, under clause 2. Business capacity, under a) for Lot 2 it is foreseen that the Tenderer has independently or as a leading contractor successfully performed and executed contracts (to the full functionality of the building) which include construction, construction craft and installation works (water supply and sewerage installations, power installations, telecommunication and signal installations, thermos-technical installations) on the construction, extension (upgrade) or reconstruction of public buildings (buildings for public purpose) with a total value of at least 4.000.000,00 EUR without VAT, in the last 5 years before expiration of deadline for bid submission, out of which one of the referent facilities must be of minimum total gross surface of 2.000 m² (two thousand square meters) of newly built, extended (upgraded) or reconstructed school building/or building for scientific research activities (classification 1263 in accordance with Rulebook on the classification of objects ("Official Journal of the Republic of Serbia" no. 22/2015).

Proving the fulfilment of the mentioned condition is foreseen to be through filling and submitting forms 3.5.3., 3.5.3.A and 3.5.4.including all appendices. Form 3.5.3.A foresees that along with the form listing the reference experience, it is necessary to submit construction contracts with accompanying amendments, Final certificates verified by Investor (signed first page, recap and last page) and Form 3.5.4 - Investor's Certificate filled and signed by Investor /Employers confirming reference provided in this form.

Examining the entire submitted documentation in the Tender, with Form 3.5.3.A for reference experience which the Tenderer listed – Contract on execution of works, reconstruction and adaptation of school facilities within the School Modernisation Programme, first group of schools – Lot 4 – reconstruction works on ES „Đura Jakšić“ Ravni, it has been determined that the tenderer did not prove that, according to this mentioned contract, he had executed installation works on telecommunication installations, due to which the mentioned reference cannot be considered as acceptable in accordance with the foreseen additional condition.

Pursuant to the abovementioned, the Committee noted that the Tenderer did not fulfil the additional condition of having independently or as a leading contractor successfully performed and executed contracts (to the full functionality of the building) which include construction, construction craft and installation works (water supply and sewerage installations, power installations, telecommunication and signal installations, thermos-technical installations) on the construction, extension (upgrade) or reconstruction of public buildings (buildings for public purpose) with a total value of at least 4.000.000,00 EUR without VAT, in the last 5 years before expiration of deadline for bid submission, out of which one of the referent facilities must be of minimum total gross surface of 2.000 m² (two thousand square meters) of newly built, extended (upgraded) or reconstructed school building/or building for scientific research activities (classification 1263 in accordance with Rulebook on the classification of objects ("Official Journal of the Republic of Serbia" no. 22/2015;).

2) In part I Tender Document, Section 2 – Instructions to Tenderers, part 2.3 Qualification data, within the additional conditions for participation, under clause 2. Business capacity, under b) for all lots it was requested for the Tenderer to hold the following or equivalent certificates in the field of construction (execution of high-rise buildings, civil engineering, execution of thermotechnical and thermoenergy installations, in the field of design, distribution, development, integration, maintenance and supervision of the execution of installations of technical protection systems, fire protection systems, extinguishing systems as well as for the creation plan and risk assessment in the protection of persons, property and business):

- ISO 9001 - Quality management system
- ISO 14001- Environment protection management system
- ISO 45001- Health and safety at work management system
- ISO 50001 – Energy management system;

as well as that the fulfilment of the mentioned condition is proved by submitting the copy of the requested or equivalent certificates.

Examining the Tender, it has been determined that the Tenderer submitted certificates which do not include the abovementioned scope of certification, and as such are not in accordance with the requested ones in the Tender Document.

Pursuant to the aforementioned, the Committee noted that the Tenderer did not fulfil the additional condition for participation, that he holds the requested valid certificates from the field of construction (execution of high-rise buildings, civil engineering, execution of thermotechnical and thermoenergy installations, in the field of design, distribution, development, integration, maintenance and supervision of the execution of installations of technical protection systems, fire protection systems, extinguishing systems as well as for the creation plan and risk assessment in the protection of persons, property and business).

3) In part I of the Tender Document, Section 2 – Instructions to Tenderers, part 2.3 Qualification data, within the additional conditions for participation in tender procedure, clause 3. Personnel Capabilities for Lot 2, under b) Professional personnel, it is foreseen that the Tenderer in the month preceding the month of the publication of the Letter of invitation, has employees/engaged workers with the following profiles and with the following engineer licences, as the key personnel for the purposes of realization of the contract, as follows:

1. 1 Civil engineer (licences 410 or 411; licence number applies only for the resident tenderers – companies established in the employer's country ;equivalent licences/certifications will be accepted from non-resident bidders)
2. 1 Civil engineer, (licences 413 or 414; licence number applies only for the resident tenderers – companies established in the employer's country; equivalent licences/certifications will be accepted from non-resident bidders)
3. 1 Architect (licences 400 or 401; licence number applies only for the resident tenderers – companies established in the employer's country ;equivalent licences/certifications will be accepted from non-resident bidders)
4. 1 Electrical engineer (licence 450; licence number applies only for the resident tenderers – companies established in the employer's country; equivalent licences/certifications will be accepted from non-resident bidders)
5. 1 Electrical engineer (licence 453; licence number applies only for the resident tenderers – companies established in the employer's country ;equivalent licences/certifications will be accepted from non-resident bidders)
6. 1 Mechanical engineer (licence 430; licence number applies only for the resident tenderers – companies established in the employer's country; equivalent licences/certifications will be accepted from non-resident bidders)
7. 1 Energy Efficiency Engineer (licence 381; licence number applies only for tenderers residents – companies established in the country of the Employer; equivalent licences/certifications will be accepted from non-resident bidders)
8. 1 Health and Safety Officer – (the certificate of examination)

Also, within the mentioned additional condition Personnel capabilities, under b) Professional personnel, it is foreseen that, for the needs of contract realization, it is necessary for at least one of the mentioned persons under clauses 1. or 3. to be named as Contractor Representative and to fulfil the following condition, among other conditions:

- to possess at least one personal reference as the responsible contractor for the implementation of the contract whose subject was the newly built, extended (upgraded)or reconstructed school building/or building for scientific research activities (classification 1263 in accordance with Rulebook on the classification of objects ("Official Journal of the Republic of Serbia" no. 22/2015); classification number from Rulebook applies only for the resident tenderers – companies established in the employer's country) in the last 5 years before expiration of deadline for bid submission.

Furthermore, related to proving the fulfilment of the mentioned condition in the same part of the Tender Document, it is foreseen that the Tenderer should submit, among other evidence, the following:

- Certificate/Excerpt from the Central Registry of compulsory social security with summarized overview of all insured persons, for the month preceding the month of publication of the Letter of invitation, for workers steadily employed (this evidence applies to resident Tenderers - companies established in the employer's country; in case of non-resident tenders, appropriate evidence shall be provided, in accordance with the law of the country in which they are established, that they fulfil the abovementioned requirement);
- proof of hiring for all employed /engaged key personnel, e.g. copy of employment contract, service contract, consultancy contract or other temporary service agreement etc.;
- for Contractor representative – it is necessary to submit the evidence that he has been hired on the construction of school building/or building for scientific research activities, in the form of Certificate by the Employer and Decision on the appointment;

Pursuant to the abovementioned, examining the submitted Tender, firstly it was determined that the Tenderer did not fulfil the foreseen condition that he in the month preceding the month of the publication of the Letter of invitation, has employees/engaged workers of appropriate profiles and with the requested engineer licences, for the following persons listed as the key personnel:

- for P.Ž., person listed at the position Architect with the responsible contractor licence 400 or 401, examining the submitted excerpt from the Central registry of compulsory social security with the summary overview of the insured persons, issued on 29.02.2024., it has been determined that the mentioned person was not employed at the Tenderer in the month preceding the month of publication of the Letter of invitation, furthermore examining the submitted Contract no. 17079 dated 16.04.2024., signed between the Tenderer and the mentioned person, it has been determined that the Tenderer employed the mentioned

person on 16.04.2024. for the needs of the realization of the project which is the subject of this procurement;

- for P.N., Energy Efficiency Engineer licence 381, examining the submitted excerpt from the Central registry of compulsory social security with the summary overview of the insured persons, issued on 29.02.2024., it has been determined that the mentioned person was not employed at the Tenderer in the month preceding the month of publication of the Letter of invitation, furthermore examining the submitted Contract no. 17080 dated 16.04.2024. signed between the Tenderer and the mentioned person, it has been determined that the Tenderer employed the mentioned person on 16.04.2024. for the needs of the realization of the project which is the subject of this procurement.

Also, during the evaluation of Tenders, it has been determined that for the listed P.P. person listed as Contractor representative, no evidence was submitted in the form of Certificate by the Employer that he was engaged as responsible contractor for the realization of contract on the construction of school building/or building for scientific research activities.

According to the mentioned, starting with the date of publication of the Letter of invitation on 21.03.2024., the Committee notes that the Tenderer, for the mentioned engineers P.Ž. and P.N., did not fulfil the condition for them to be employed/engaged by the Tenderer in the month preceding the month of the publication of the Letter of invitation, i.e. no later than February of 2024., i.e. that for the mentioned Contractor representative P.P. he did not fulfil the request of possession at least one reference as responsible contractor on the realization of the contract on the construction of school building/or building for scientific research activities, (classification 1263 in accordance with Rulebook on the classification of objects ("Official Journal of the Republic of Serbia" no. 22/2015); classification number from Rulebook applies only for the resident tenderers – companies established in the employer's country) in the last 5 years before expiration of deadline for bid submission.

4) In part I of the Tender Documentation, Section 2 – Instruction to tenderers, part 2.3 Qualification data, within the additional conditions for participation, under clause 4. Equipment capabilities. For Lot 2 foresees that the Tenderer should possess, or to provide access to equipment in full working order, which is planned to be used for the Execution of works, among other things, 2 Concrete cutting machines with a valid expert report on the periodical inspection and testing of the equipment, the fulfilment of which is evidenced by submitting the Form 3.5.7 – Equipment capabilities, with all the addenda.

During the evaluation of Tenders, examining the submitted documentation with the Form 3.5.7. it has been determined that the Tenderer submitted the poof that he owns one concrete and asphalt cutting machine of the manufacturer „CEDIMA“ type CF 13.3B and one asphalt cutting machine of the manufacturer NTC, type RZ 200, by which he did not fulfil the mentioned additional condition regarding the Equipment capabilities that he owns two Concrete cutting machines with a valid expert report on the periodical inspection and testing of the equipment.

5) In part I of the Tender Document, Section 2 – Instructions to Tenderers, part 2.2 Tender data, paragraph 10.1 Tender content, clause A. Offer – financial part, Attachment 2, foresees that the Tenderer should submit the Tender which must contain, among other things, besides the filled and signed (each page) of the Bill of Quantities from part II Tender Document (paper form) along with entire supporting documentation requested in Bill of Quantities - General Technical Conditions for Execution of Works.

The same is required in part II of the Tender Document section 1 – Bill of quantities.

Regarding the aforementioned, in the Bill of quantities - General Technical Conditions for Execution of Works, AG works, line 35 foresees additional conditions (described starting at line 36 ending with line 47 of the Bill of quantities) for specific types of equipment from the Bill of quantities and the documentation which is necessary to be submitted with the Tender.

In line 36 of the Bill of quantities – AG works it is foreseen that the Tenderer should submit for the surveillance equipment

- Photocopies of technical sheets, catalogues and such proving that the offered equipment corresponds in all respects to that requested in the Tender Documents;
- Photocopy of the MAF issued by the equipment manufacturer. Authorization (authorization or confirmation) of the manufacturer by which the manufacturer guarantees that the bidder is authorized to sell, install and service the video surveillance equipment which he offers in the public procurement procedure. The authorization must be issued after the date of publication of the Procurement Notice for this public procurement and must be to the name of the bidder submitting the bid with the subject and number of the public procurement.

Examining the documentation submitted within the Tender, it has been determined that the Tenderer did not submit the photocopy of the MAF issued by the equipment manufacturer - authorization (authorization or confirmation) of the manufacturer by which the manufacturer guarantees that the bidder is authorized to sell, install and service the video surveillance equipment which he offers in the public procurement procedure

Then, in line 37 Bill of quantities – AG works it is foreseen, among other things, that the Tenderer should submit, for the equipment for fire extinguishing with aerosols in electrical and distribution cabinets:

- Photocopies of technical sheets, catalogues and such proving that the offered equipment corresponds in all respects to that requested in the Tender Documents;
- a copy of the certificate of compliance with the requirements of the Rulebook on Electromagnetic Compatibility EMC ("Official Gazette of the RS" no. 25/2016 and 21/2020), issued by a laboratory accredited in the RS;

- a copy of the toxicological report that the fire extinguishing agent is non-toxic;
- a copy of the certificate of an accredited EU institution such as 'KIWA' or similar for extinguishing class A, B fires;
- Photocopy of the certificate that the products are manufactured in accordance with ISO 9001: 2015 and ISO 14001: 2015 standards;
- Photocopy of the certificate that the equipment has a lifespan of at least 15 years;
- Photocopy of the TUV certificate (or similar) for generators proving their level of safety and operational reliability (SIL level 2 and 3);
- A photocopy of the confirmation that the guarantee against defects is included for a period of 3 years and a guarantee for the functionality of the product for a duration of 5 years;
- Photocopy of the declaration of conformity that the products have the CE mark;
- Photocopy of the certificate of compliance with the SRPS EN 15276 standard - fire extinguishing installation - condensed aerosol fire extinguishing systems or equivalent;
- Photocopy of the MAF issued by the manufacturer of the equipment Manufacturer's authorization (authorization or confirmation) by which the manufacturer guarantees that the bidder is authorized to sell, install and service the aerosol fire extinguishing system offered in the public procurement procedure. The authorization must be issued after the date of publication of the Procurement Notice for this public procurement and must be to the name of the bidder who submits the bid with the subject and number of the public procurement.;

Examining the documentation submitted within the Tender, it was determined that the Tenderer did not submit the following: a copy of the certificate of compliance with the requirements of the Rulebook on Electromagnetic Compatibility EMC ("Official Gazette of the RS" no. 25/2016 and 21/2020), issued by a laboratory accredited in the RS, photocopy of the certificate that the products are manufactured in accordance with ISO 9001: 2015 and ISO 14001: 2015 standards, photocopy of the TUV certificate (or similar) for generators proving their level of safety and operational reliability (SIL level 2 and 3), a photocopy of the confirmation that the guarantee against defects is included for a period of 3 years and a guarantee for the functionality of the product for a duration of 5 years, photocopy of the declaration of conformity that the products have the CE mark, photocopy of the MAF issued by the manufacturer of the equipment Manufacturer's authorization (authorization or confirmation) by which the manufacturer guarantees that the bidder is authorized to sell, install and service the aerosol fire extinguishing system offered in the public procurement procedure.

Furthermore, in line 38 of the Bill of quantities – AG works it is foreseen, among other things, that the Tenderer, for the fire alarm equipment should submit:

- Photocopies of technical sheets, catalogues and such proving that the offered equipment corresponds in all respects to that requested in the Tender Documents;
- Photocopy of the Certificate or Statement of Compliance with the Rulebook on Radio Equipment and Telecommunication Terminal Equipment in accordance with the norms of the Republic of Serbia, that the communication modem is permitted for use and therefore does not interfere with other frequencies, valid on the day of the publication of the Procurement Notice, issued to the name of the bidder;
- a Statement with proof of the existence of the manufacturer's Android mobile application and the manufacturer's IOS mobile application, with an attached link from Google Play to access the Android application developed before the publication date of the Procurement Notice for this public procurement in question, as well as a link from the IOS Store to access the IOS application developed before the date of publication of the Procurement Notice for this public procurement in question and with the specified demo access to check the specified functionalities that are required within the framework of real-time fire alarm monitoring;
- Photocopy of the MAF issued by the equipment manufacturer - Authorization (authorization or confirmation) of the manufacturer by which the manufacturer guarantees that the bidder is authorized to sell, install and service the fire alarm system equipment offered in the public procurement procedure. The authorization must be issued after the date of publication of the Procurement Notice for this public procurement and must be to the name of the bidder submitting the bid with the subject and number of the public procurement.

Examining the documentation submitted within the Tender, it was determined that the Tenderer did not submit the following: photocopy of the Certificate or Statement of Compliance with the Rulebook on Radio Equipment and Telecommunication Terminal Equipment in accordance with the norms of the Republic of Serbia, that the communication modem is permitted for use and therefore does not interfere with other frequencies, valid on the day of the publication of the Procurement Notice, issued to the name of the bidder, a Statement with proof of the existence of the manufacturer's Android mobile application and the manufacturer's IOS mobile application, with an attached link from Google Play to access the Android application developed before the publication date of the Procurement Notice for this public procurement in question, as well as a link from the IOS Store to access the IOS application developed before the date of publication of the Procurement Notice for this public procurement in question and with the specified demo access to check the specified functionalities that are required within the framework of real-time fire alarm monitoring, photocopy of the MAF issued by the equipment manufacturer - Authorization (authorization or confirmation) of the manufacturer by which the manufacturer guarantees that the bidder is authorized to sell, install and service the fire alarm system equipment offered in the public procurement procedure.

Moreover, in line 39 of the Bill of quantities – AG works it is foreseen, among other things, that the Tenderer for the equipment for anti-burglary system should submit:

- Photocopies of technical sheets, catalogues and such proving that the offered equipment corresponds in all respects to that requested in the Tender Documents;

- Photocopy of the Certificate or Statement of Compliance with the Rulebook on Radio Equipment and Telecommunication Terminal Equipment in accordance with the norms of the Republic of Serbia, that the communication modem is permitted for use and therefore does not interfere with other frequencies, valid on the day of the publishing of the Procurement Notice, issued to the name of the bidder

- a Statement with proof of the existence of the manufacturer's Android mobile application and the manufacturer's IOS mobile application, with an attached link for Google Play to access the Android application developed before the publication date of the Procurement Notice for this public procurement in question, as well as a link for the IOS Store for access to the IOS application developed before the date of publication of the Procurement Notice for this subject public procurement and with the specified demo access to check the specified functionalities that are required within the monitoring for the anti-burglary system in real time;

- photocopy of MAF issued by the manufacturer of the equipment - Manufacturer's authorization (authorization or confirmation) by which the manufacturer guarantees that the bidder is authorized to sell, install and service the anti-burglary system equipment offered in the public procurement procedure. The authorization must be issued after the date of publication of the Procurement Notice for this public procurement and must be to the name of the bidder who submits the bid with the subject and number of the public procurement.

Examining the documentation submitted within the Tender, it was determined that the Tenderer did not submit the following: photocopy of the Certificate or Statement of Compliance with the Rulebook on Radio Equipment and Telecommunication Terminal Equipment in accordance with the norms of the Republic of Serbia, that the communication modem is permitted for use and therefore does not interfere with other frequencies, valid on the day of the publishing of the Procurement Notice, issued to the name of the bidder, a Statement with proof of the existence of the manufacturer's IOS mobile application, with an attached link for the IOS Store for access to the IOS application developed before the date of publication of the Procurement Notice for this subject public procurement and with the specified demo access to check the specified functionalities that are required within the monitoring for the anti-burglary system in real time, photocopy of MAF issued by the manufacturer of the equipment - Manufacturer's authorization (authorization or confirmation) by which the manufacturer guarantees that the bidder is authorized to sell, install and service the anti-burglary system equipment offered in the public procurement procedure.

Also, in line 40 of the Bill of quantities – AG works it is foreseen, among other things, that the Tenderer for the equipment for electronic and mechanical locking should submit:

- photocopy of patent against unauthorized copying of keys;
- photocopy of the certificate that the products are manufactured in accordance with ISO 9001 and ISO 14001 standards;
- a photocopy of the Declaration of Conformity with EN 1303;
- a photocopy of the technical documentation for all the offered products, which must contain all the technical characteristics provided for in the technical description of the project;
- photocopy of the MAF issued by the equipment manufacturer. Authorization (authorization or confirmation) of the manufacturer by which the manufacturer guarantees that the bidder is authorized to sell, install and service the equipment of the electro-mechanical locking system that it offers in the public procurement procedure. The authorization must be issued after the date of publication of the Procurement Notice for this public procurement and must be to the name of the bidder who submits the bid with the subject and number of the public procurement.

Examining the documentation submitted within the Tender, it was determined that the Tenderer did not submit the following documentation which confirms the foreseen characteristics of the equipment for electronic and mechanical locking which is foreseen by the Bill of quantities.

Also, in line 42 of the Bill of quantities – AG works it is foreseen, among other things, that the Tenderer for the requested surveillance software should submit:

- Photocopy of technical sheets, catalogues, manufacturer's statement or similar proving that the offered software corresponds in all respects to that requested in the Tender Documents;
- a photocopy of the ISO/IEC 25023:2016 Certificate for the quality of software development for the manufacturer of surveillance software;
- A photocopy of the MAF issued by the equipment manufacturer. The manufacturer's authorization (authorization or confirmation) by which the manufacturer guarantees that the bidder is authorized to sell, install and service the surveillance software it offers in the public procurement procedure. The authorization must be issued after the date of publication of the Procurement Notice for this public procurement and must be to the name of the bidder submitting the bid with the subject and number of the public procurement.

Examining the documentation submitted within the Tender, it was determined that the Tenderer did not submit the following documentation: a photocopy of the ISO/IEC 25023:2016 Certificate for the quality of software development for the manufacturer of surveillance software and a

photocopy of the MAF issued by the equipment manufacturer. The manufacturer's authorization (authorization or confirmation) by which the manufacturer guarantees that the bidder is authorized to sell, install and service the surveillance software it offers in the public procurement procedure.

Furthermore, in line 43 of the Bill of quantities – AG works it is foreseen, among other things, that the Tenderer for the access control equipment should submit the following:

- photocopy of technical sheets, catalogues, manufacturer's statement or such proving that the offered software corresponds in all respects to that requested in the Tender Documents;
- photocopy of the MAF issued by the equipment manufacturer Authorization (authorization or confirmation) of the manufacturer by which the manufacturer guarantees that the bidder is authorized to sell, install and service the access control equipment that he offers in the public procurement procedure. The authorization must be issued after the date of publication of the Procurement Notice for this public procurement and must be in the name of the bidder submitting the bid with the subject and number of the public procurement.

Examining the documentation submitted within the Tender, it was determined that the Tenderer did not submit the following documentation: a photocopy of the MAF issued by the equipment manufacturer Authorization (authorization or confirmation) of the manufacturer by which the manufacturer guarantees that the bidder is authorized to sell, install and service the access control equipment that he offers in the public procurement procedure.

Moreover, in line 44 of the Bill of quantities – AG works it is foreseen, among other things, that the Tenderer for the door opening remote monitoring should submit:

- a photocopy of technical sheets, catalogues and such proving that the offered equipment corresponds in all respects to that requested in the Tender Documents;
- photocopy of the Certificate or Statement of compliance with the Rulebook on radio equipment and telecommunication terminal equipment in accordance with the norms of the Republic of Serbia, that the communication modem is approved for use and therefore does not interfere with other frequencies, valid on the day of the publishing of the Procurement Notice, issued to the name of the bidder
- a Statement with proof of the existence of the manufacturer's Android mobile application and the manufacturer's IOS mobile application, with an attached link from Google Play to access the Android application developed before the publication date of the Procurement Notice for this public procurement in question, as well as a link from the IOS Store for access to the IOS application developed before the date of publication of the Procurement Notice for this subject public procurement and with the specified demo access to check the specified functionalities that are required within the supervision for remote monitoring of the opening in real time.

Examining the documentation submitted within the Tender, it was determined that the Tenderer did not submit the following documentation: a photocopy of the Certificate or Statement of

compliance with the Rulebook on radio equipment and telecommunication terminal equipment in accordance with the norms of the Republic of Serbia, that the communication modem is approved for use and therefore does not interfere with other frequencies, valid on the day of the publishing of the Procurement Notice, issued to the name of the bidder, a Statement with proof of the existence of the manufacturer's IOS mobile application, with an attached link from the IOS Store for access to the IOS application developed before the date of publication of the Procurement Notice for this subject public procurement and with the specified demo access to check the specified functionalities that are required within the supervision for remote monitoring of the opening in real time.

Also, in line 45 of the Bill of quantities – AG works it is foreseen, among other things, that the Tenderer for the equipment aggregates should submit:

- a photocopy of technical sheets, catalogues and such proving that the offered equipment corresponds in all respects to that requested in the Tender Documents

- photocopy of the Certificate or Statement of Compliance with the Rulebook on Radio Equipment and Telecommunication Terminal Equipment in accordance with the norms of the Republic of Serbia, that the communication modem is approved for use and therefore does not interfere with other frequencies, valid on the day of the announcement of the call, issued in the name of the bidder;

- a Statement with proof of the existence of the manufacturer's Android mobile application and the manufacturer's IOS mobile application, with an attached link from Google Play to access the Android application developed before the publication date of the Procurement Notice for this public procurement in question, as well as a link from the IOS Store for access to the IOS application developed before the date of publication of the Procurement Notice for this public procurement in question and with the specified demo access to check the specified functionalities that are required within supervision for remote monitoring of aggregates in real time.

Examining the documentation submitted within the Tender, it was determined that the Tenderer did not submit the following documentation: photocopy of the Certificate or Statement of Compliance with the Rulebook on Radio Equipment and Telecommunication Terminal Equipment in accordance with the norms of the Republic of Serbia, that the communication modem is approved for use and therefore does not interfere with other frequencies, valid on the day of the announcement of the call, issued in the name of the bidder, and Statement with proof of the existence of the manufacturer's Android mobile application and the manufacturer's IOS mobile application, with an attached link from Google Play to access the Android application developed before the publication date of the Procurement Notice for this public procurement in question, as well as a link from the IOS Store for access to the IOS application developed before the date of publication of the Procurement Notice for this public procurement in question and with the specified demo access to check the specified functionalities that are required within supervision for remote monitoring of aggregates in real time.

Along with the other things, in line 46 of the Bill of quantities – AG works it is foreseen, among other things, that the Tenderer for the equipment – elevator should submit:

- a photocopy of technical sheets, catalogues and such proving that the offered equipment corresponds in all respects to that requested in the Tender Documents
- a photocopy of the Certificate or Statement of compliance with the Rulebook on radio equipment and telecommunication terminal equipment in accordance with the norms of the Republic of Serbia, that the communication modem is approved for use and therefore does not interfere with other frequencies, valid on the day of publishing of the Procurement Notice, as well as on the day of Contract award, issued to the name of the bidder
- a Statement with proof of the existence of the manufacturer's Android mobile application and the manufacturer's IOS mobile application, with an attached link from Google Play to access the Android application developed before the publication date of the Procurement Notice for this public procurement in question, as well as a link from the IOS Store for access to the IOS application developed before the date of publication of the Procurement Notice for this subject public procurement and with the said demo access to check the said functionalities that are required in the scope of monitoring for the remote monitoring of the elevator in real time.

Examining the documentation submitted within the Tender, it was determined that the Tenderer did not submit the mentioned documentation which should confirm the foreseen characteristics of the elevator which is foreseen by the Bill of quantities.

Finally, in line 47 of the Bill of quantities – AG works it is foreseen, among other things, that the Tenderer for the equipment - active structural cable system should submit:

- Photocopy of technical sheets, catalogues and such proving that the offered equipment corresponds in all respects to that requested in the Tender Documents;
- Photocopy of MAF issued by the equipment manufacturer Authorization (authorization or confirmation) of the manufacturer by which the manufacturer guarantees that the bidder is authorized to sell, install and service the equipment for the active structural cable system offered in the public procurement procedure. The authorization must be issued after the date of publication of the Procurement Notice for this public procurement and must be to the name of the bidder submitting the bid with the subject and number of the public procurement.

Examining the documentation submitted within the Tender, it was determined that the Tenderer did not submit a photocopy of the MAF issued by the equipment manufacturer Authorization (authorization or confirmation) of the manufacturer by which the manufacturer guarantees that the bidder is authorized to sell, install and service the equipment for the active structural cable system offered in the public procurement procedure.

Pursuant everything aforementioned, the Committee notes that the Tenderer did not act in accordance with the abovementioned request of the Tender Document which relates to the submission of entire following documentation foreseen in the Bill of quantities – General technical conditions for the execution of works, i.e. he did not submit the documentation which proves the fulfilment of additional conditions (described starting from line 36 to line 47 of the Bill of quantities – AG works) for certain types of equipment from the Bill of quantities.

Pursuant to the abovementioned, the Committee noted that the tender of the group of Tenderers: **MPP “Jedinstvo“ a.d., Sevojno**, Prvomajska no. 61a, 31205 Sevojno (leading member), **DOO “SMB - Gradnja“ PO, Subotica**, Čantavirski put bb, 24000 Subotica (member) is substantially non-responsive and is not technically compliant with the Tender Document, which makes this Tender unacceptable according to the requests from the Tender Document.

Contract award criteria is the lowest offered price.

The most favourable Tender is considered to be the one for which it was determined to be acceptable and with the lowest offered price.

According to everything aforementioned, the Committee noted that the following Tenders are substantially responsive and technically compliant i.e. **acceptable** Tenders with the lowest offered price:

- **for Lot 1** - Construction of dual education Training Centre within Technical school „Ivan Sarić“ - Subotica:

1. Tender of the group of Tenderers: **“TEMPO COMPANY“ d.o.o, Beograd**, Tošin Bunar no. 272b, 11070 New Belgrade (leading member), **“Jadran“ d.o.o, Beograd**, Anrija Žamea no. 4, 11060 Palilula (member) **“Almaks“ d.o.o, Beograd**, Gospodara Vučića no. 129, 11000 Belgrade (**member**) and **“Gradina“ d.o.o., Zemun**, Masarikov trg no. 8, 11080 Zemun (member), Tender number 351-01-1/34/2024-03 dated 07.05.2024, with the offered price in the amount of **4.998.762,51 EUR VAT excluded**.

- **for Lot 2** - Reconstruction and extension of Training Centre within Technical school „Požega“ - Požega:

1. Tender of the group of Tenderers: **“TEMPO COMPANY“ d.o.o. Beograd**, Tošin Bunar no. 272b, 11070 New Belgrade (leading member), **“Jadran“ d.o.o, Beograd**, Anrija Žamea no. 4, 11060 Palilula (member), **“Almaks“ d.o.o. Beograd**, Gospodara Vučića no. 129, 11000 Belgrade (member), and **“Intec“ d.o.o., Novi Sad**, Đorđa Magaraševića no. 8, 21000 Novi Sad (member), Tender

number 351-01-1/35/2024-03 dated 07.05.2024. with the offered price in the amount of **1.990.092,88 EUR VAT excluded.**

Conclusion

Pursuant to everything aforementioned, the Committee suggests to the Contracting Authority to deliver the Contract award decision and conclude the contract with the following Tenderers:

- **for Lot 1 - Construction of dual education Training Centre within Technical school „Ivan Sarić“ - Subotica:**

1. Group of Tenderers: **“TEMPO COMPANY“ d.o.o, Beograd**, Tošin Bunar no. 272b, 11070 New Belgrade (leading member), **“Jadran“ d.o.o, Beograd**, Anrija Žamea no. 4, 11060 Palilula (member) **“Almaks“ d.o.o, Beograd**, Gospodara Vučića no. 129, 11000 Belgrade (member) and **“Gradina“ d.o.o., Zemun**, Masarikov trg no. 8, 11080 Zemun (member), Tender number 351-01-1/34/2024-03 dated 07.05.2024, with the offered price in the amount of **4.998.762,51 EUR VAT excluded.**

- **for Lot 2 - Reconstruction and extension of Training Centre within Technical school „Požega“ - Požega:**

1. Group of Tenderers: **“TEMPO COMPANY“ d.o.o. Beograd**, Tošin Bunar no. 272b, 11070 New Belgrade (leading member), **“Jadran“ d.o.o, Beograd**, Anrija Žamea no. 4, 11060 Palilula (member), **“Almaks“ d.o.o. Beograd**, Gospodara Vučića no. 129, 11000 Belgrade (member), and **“Intec“ d.o.o., Novi Sad**, Đorđa Magaraševića no. 8, 21000 Novi Sad (member), Tender number 351-01-1/35/2024-03 dated 07.05.2024. with the offered price in the amount of **1.990.092,88 EUR VAT excluded.**

Pursuant to the aforementioned, it has been decided as in the enacting clause.

Legal remedy: Against this Decision the Tenderer can file a complaint in accordance with the provisions of the Tender Document, Volume I, Section 2 Instructions to Tenderers, clause 29.3 and clause 29.4.

Acting Director

G. Grujić

Prof Gabrijela Grujić PhD

