

National Tourism Organisation of Serbia

## **BIDDING DOSSIER**

FOR PUBLIC PROCUREMENT:

“Project of Serbia's inclusion on the map of world gastronomic destinations”

**- Negotiated Public Procurement Procedure -**

**-Number PPJN 5/2019-**

1- 25

JUNE 2019

## **BIDDING DOSSIER**

FOR A NEGOTIATED PUBLIC PROCUREMENT PROCEDURE FOR SERVICES WITHOUT  
THE PUBLISHING OF A CALL FOR BIDS (Article 36 paragraph 1 item 2 of PPL)  
No. JNPP 5/2019

Pursuant to Articles 39 and 61 of the Public Procurement Law (*Official Gazette of RS*, Nos. 124/2012, 14/15 and 68/15, hereinafter referred to as “the Law”), Article 5 of the Bylaw on Mandatory Elements of Bidding Dossiers in Public Procurement Procedures and the Manner of Demonstrating Compliance with the Requirements, the Decision on Initiation of the Public Procurement Procedure No.: 1443/1 of 3 June 2019 and the ruling on formation of the public procurement committee No.: 1443/2 of 3 June 2019, we issue the following

### **BIDDING DOSSIER**

for negotiated public procurement procedure for project of Serbia's inclusion on the map of world gastronomic destinations

THE BIDDING DOSSIER CONTAINS:

<b>1. GENERAL INFORMATION ON PUBLIC PROCUREMENT</b>
<b>2. INFORMATION ON SUPPLIES</b>
<b>3. TECHNICAL SPECIFICATIONS</b>
<b>4. REQUIREMENTS FOR PARTICIPATION IN THE PUBLIC PROCUREMENT PROCEDURE UNDER ARTICLE 75 OF THE PUBLIC PROCUREMENT LAW AND INSTRUCTIONS FOR EVIDENCING COMPLIANCE WITH THE REQUIREMENTS</b>
<b>5. ELEMENTS OF THE CONTRACT WHICH WILL BE NEGOTIATED</b>
<b>6. INSTRUCTIONS TO BIDDERS</b>
<b>7. FORMS TO BE FILLED Bid form with financial bid and price structure form and Annex 1</b>

## 1. GENERAL INFORMATION ON PUBLIC PROCUREMENT

Contracting Authority: **National** Tourism Organisation of Serbia

Address: 11003 Belgrade, Čika Ljubina 8, P.O. Box 90

TIN: 101824761

Registration number: 17062867

Website: [www.serbia.travel](http://www.serbia.travel)

Type of public procurement procedure: negotiated public procurement procedure, without the publishing of a call for bids (Article 36 paragraph 1 item 2 of PPL), on the basis of the opinion of the Public Procurement Office No.: 404-02-2223/19 of 24 May 2019.

A notice of initiation of this procedure was posted on 2 August 2019 on the Public Procurement Portal and the official website of the Contracting Authority.

The time limit for submission of bids expires on **12 August 2019** at 11:00AM.

This public procurement is for the procurement of services of project of Serbia's inclusion on the map of world gastronomic destinations.

Public procurement No.: PPN 5/2019

Contact persons: Ljiljana Čerović [ljicerovic@serbia.travel](mailto:ljicerovic@serbia.travel), Zorica Jovanov [zjovanov@serbia.travel](mailto:zjovanov@serbia.travel), Jelena Bogdanović [jbogdanovic@serbia.travel](mailto:jbogdanovic@serbia.travel), on working days (Monday-Friday), from 8:00AM to 3:00PM.

## 2. INFORMATION ON SUPPLIES

### 2.1 Description of Supplies, Designation and Mark in the Common Procurement Vocabulary

This public procurement is for the procurement of services of project of Serbia's inclusion on the map of world gastronomic destinations.

Designation and mark in the Common Procurement Vocabulary: CPV: 7980000 – Printing and Related Services.

The Bidding Dossier can be downloaded at the Public Procurement Portal: [portal.ujn.gov.rs](http://portal.ujn.gov.rs) and the official website of the Contracting Authority at: <http://www.serbia.travel/about-us/about-us/public-tendering>.

### 2.2. Statement Indicating the Procedure is Conducted for the Purpose of Signing a Public Procurement Contract

This procedure is conducted for the purpose of signing a Public Procurement Contract.

A contract will be entered into with those bidders that are awarded the contract under a decision of the Contracting Authority.

### **2.3. Information on the Manner, Place and Time Limit for Submission of Bids**

Bidders submit their bids in person or by mail.

Regardless of the manner of submission of the bid, the bidder must ensure that the bid is received at the Contracting Authority's address by **12 August 2019 until 11:00AM**.

Bids with evidence of compliance with requirements under the bidding dossier shall be submitted in closed envelopes on the following address: National Tourism Organisation of Serbia, Belgrade, Čika Ljubina 8, inscribed with the following wording: „Bid for the Public Procurement of Services – Project of Serbia's inclusion on the map of world gastronomic destinations”

PPJN No. 6/2019 “DO NOT OPEN”

Bids which are not received by the Contracting Authority by the date and hour specified in this invitation will be considered belated.

Upon completion of public opening of bids, the Contracting Authority will return to bidders untimely submitted bids unopened.

The bidder can submit only one bid. The time limit for submission of bids expires on **12 August 2019** at 11:00AM.

**Place, time and manner of opening of bids:** Opening of bids is public and will take place on **12 August 2019** at 11:15AM at the National Tourism Organisation of Serbia, Belgrade, Čika Ljubina 8, first floor, conference hall.

**Conditions under which representatives of bidders can participate in the procedure of opening of bids:** Only authorised representatives of bidders can actively participate in the procedure of opening of bids, who must provide the Contracting Authority's Committee with a power of attorney in writing for participation in opening of bids before beginning of public opening of bids, by which they demonstrate that they are authorised to participate in the procedure.

### 3. TECHNICAL SPECIFICATIONS

In view of the significant improvement of hospitality and catering services in Serbia and the quality of Serbia's gastronomic offer, as attested by tourists and the media who visit Serbia, featuring in the prestigious and internationally acclaimed Michelin Guide is seen as imperative for our country's promotion.

A Current State Report should be compiled according to the following methodology:

Stage 1: Collecting information in order to identify and make a preliminary selection of restaurants with gastronomic potential in selected cities (covering all price categories of restaurants and food establishments in the hospitality industry);

Stage 2: Selecting restaurants with the highest culinary potential (30 restaurants in Belgrade and Novi Sad), based on reputation of the master chef and the kitchen staff, local reputation and experiences of the reviewers (Michelin inspectors) and their knowledge of the subject matter;

Stage 3: Report on anonymous visits and reviewing of lunch and/or dinner at each of the selected restaurants and their rating according to the unique Michelin Guide methodology and criteria;

Stage 4: Report on the conclusions and key observations by all inspectors involved in the survey process according to the Michelin methodology;

Stage 5: A presentation to introduce, describe in detail and comment on the results of the study. The study must contain the following:

- A documented and illustrated presentation of the survey process;
- The number and list of reviewed restaurants;
- A list of survey findings, in particular findings relating to the kitchen, standards, services and prices;
- A description of the methodology used;
- Final conclusions based on the following: overall evaluation, quality of materials used in the preparation of meals, purity of flavours, technical skills and duration of meal preparation, compatibility of foods used, price, surroundings and ambiance, staff skills and quality of service.

The final report should be provided in hard copy and electronically

#### **Quality guarantee**

The bidder must guarantee for the professionalism of all provided services and tasks which are supplies of this public procurement.

#### **Quality control and quality assurance method**

Quality control will be done by the Contracting Authority's expert services.

## 4. REQUIREMENTS FOR PARTICIPATION IN THE PROCEDURE AND INSTRUCTIONS FOR EVIDENCING COMPLIANCE WITH THE REQUIREMENTS

(Article 75 of the Public Procurement Law)

### 4.1. Requirements for Participation in the Public Procurement Procedure under Articles 75 and 76 of the Public Procurement Law

The bidder is eligible for participation in the procedure if it complies with the mandatory requirements for participation in the procedure stipulated under Article 75 of PPL.

#### Mandatory requirements for participation in the procedure (Article 75 of PPL):

<b>1.</b>	<b>The bidder must be registered with the competent authority or registered with the relevant register</b> (Article 75, paragraph 1, item 1 of the Law)	
	<b>Evidence:</b>	<b>1.1.</b> An excerpt on registration of the bidder issued by the Business Registers Agency or other relevant document if other authority is competent for registration.

<b>2.</b>	<b>The bidder and its legal representative have not been convicted of a criminal offence as a member of an organized crime group, have not been convicted of a commercial criminal offence, an environmental criminal offence, bribery or fraud.</b> (Article 75, paragraph 1, item 2 of the Law)	
	<b>Evidence:</b>	<p style="text-align: center;"><i>- Legal entity as a bidder:</i></p> <p><b>2.1.</b> An excerpt from the criminal records or certificates issued by the competent court and the competent police administration of the Ministry of Internal Affairs evidencing that the legal entity and its legal representative have not been accused of a criminal offence as a member of an organized crime group and that they have not been accused of a commercial criminal offence, an environmental offence, bribery or fraud.</p> <p style="text-align: center;"><i>- Sole trader and natural person as a bidder:</i></p> <p><b>2.2</b> An excerpt from the criminal records or certificates issued by the competent police administration of the Ministry of Internal Affairs evidencing that he/she has not been accused of a criminal offence as a member of an organized crime group and that he/she has not been</p>

	accused of a commercial criminal offence, an environmental offence, bribery or fraud. <i>Note:</i> <u><i>Evidence must not be issued more than two months before opening of bids.</i></u>
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3.	<b>Requirement</b>	
	<b>The bidder paid all due taxes and other public fees in accordance with regulations of the Republic of Serbia or of a foreign country if the bidder has its head office in the territory of a foreign country</b> (Article 75, paragraph 1, item 4 of the Law)	
	<table border="1"> <tr> <td><b>Evidence</b></td> <td> <p><b>3.1.</b> A certificate issued by the Tax Administration of the Ministry of Finance evidencing that the bidder paid due taxes and contributions.</p> <p><b>3.2.</b> A certificate issued by the competent local self-government administration evidencing that the bidder settled all local public revenue liabilities.</p> <p><i>Note:</i> <u><i>Evidence must not be issued more than two months before opening of bids.</i></u></p> </td> </tr> </table>	<b>Evidence</b>
<b>Evidence</b>	<p><b>3.1.</b> A certificate issued by the Tax Administration of the Ministry of Finance evidencing that the bidder paid due taxes and contributions.</p> <p><b>3.2.</b> A certificate issued by the competent local self-government administration evidencing that the bidder settled all local public revenue liabilities.</p> <p><i>Note:</i> <u><i>Evidence must not be issued more than two months before opening of bids.</i></u></p>	

4.	<b>Requirement</b>	
	<b>When compiling the bid, the bidder must specifically</b> state it has complied with the duties under applicable regulations on occupational safety and health, employment and working conditions and environment protection, as well as that there is no injunction in force at the time of submission of bids banning it from conducting business activities. (Article 75, paragraph 2 of the Law)	
	<table border="1"> <tr> <td><b>Evidence</b></td> <td>6.1. A statement <b>signed by the authorized officer of the bidder</b> (text of the statement is contained in the Form 2 which constitutes and integral part of the Bidding Dossier)</td> </tr> </table>	<b>Evidence</b>
<b>Evidence</b>	6.1. A statement <b>signed by the authorized officer of the bidder</b> (text of the statement is contained in the Form 2 which constitutes and integral part of the Bidding Dossier)	

		<p><i>Note:</i></p> <p>- If a bid is submitted by a consortium, all members of the consortium must give this statement.</p>
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**INSTRUCTIONS FOR DEMONSTRATING COMPLIANCE WITH REQUIREMENTS**

**4.2** To demonstrate compliance with the mandatory requirements for bidding set forth in **Article 75, paragraph 1, items 1), 2) and 4) of PPL, the bidder** must provide the abovementioned evidence.

When compiling the bid, the bidder **must** give a statement (Form 6.2) to the effect that it has complied with the duties under applicable regulations on occupational safety and health, employment and working conditions and environment protection, as well as that there is no injunction in force at the time of submission of bids banning it from conducting business activities (Article 75 paragraph 2 of PPL).

**4.3 Requirements which must be complied with by subcontractors in accordance with Article 80 of the Law**

For subcontractors, the bidder must provide evidence of compliance with the mandatory requirements under Article 75 paragraph 1 items 1), 2) and 4) of PPL.

**4.4 Requirements which must be complied with by each member of a consortium in accordance with Article 81 of the Law**

Members of a consortium must provide evidence of compliance with the mandatory requirements under Article 75 paragraph 1 items 1), 2) and 4) of PPL, and the requirements under Article 75 paragraph 2 of PPL (text of the statement is contained in the Form 6.2).

All members of a bidder consortium are required to provide a statement (Form 2) to the effect that they have complied with the duties under applicable regulations on occupational safety and health, employment and working conditions and environment protection.

**Bidders are advised of the following:**

When submitting their bids, bidders that are registered with the register of bidders maintained by the Business Registers Agency do not have to provide evidence under Article 75 paragraph 1 items 1), 2) and 4) of the Public Procurement Law, since this is publicly available at the official website of the Business Registers Agency. They can only give a statement on public availability of evidence where they should indicate website of the competent authority, i.e. to clearly indicate that they are included in the register of bidders.

The Contracting Authority shall not refuse as unacceptable a bid that does not contain evidence required by the Bidding Dossier, if the bidder specifies in the bid a website where such required information is publicly available.

Evidence of compliance with the requirements can be submitted as uncertified copies,



while the Contracting Authority can, before reaching a decision on the award of the contract, demand from the bidder whose bid is found to be the most advantageous to present for inspection the original or a certified copy of all or any individual evidence.

If the bidder does not present for inspection the original or a certified copy of the requested evidence within the specified time limit, the Contracting Authority will reject the bidder's bid as unacceptable.

**Note:** The bidder or the contractor must without delay inform the Contracting Authority in writing of any change regarding compliance with the requirements of the public procurement procedure which occurs before reaching of the decision or conclusion of the contract or during the term of the contract and must document such change in the stipulated manner.

**Foreign bidders:**

If any evidence mentioned in Article 77 of the Law is not issued in a country where the bidder has its head office, instead of such evidence the bidder can enclose its statement in writing, given under threat of perjury or fraud and certified by a judiciary or administrative authority, notary public or other competent authority of that country.

If the bidder has its head office in a foreign country, the Contracting Authority can check whether documents demonstrating the bidder's compliance with the requested requirements were issued by competent authorities of that country.

#### **4.4. ELEMENTS OF THE CONTRACT WHICH WILL BE NEGOTIATED**

Negotiation shall proceed immediately upon bid opening. The element subject to negotiation shall be the quoted price.

Only authorised representatives of the bidders may participate in the negotiation and they must present to the Contracting Authority's commission their written authorisation for participating in the negotiation before the start of the negotiation procedure, to demonstrate they are duly authorised to participate in such procedure.

The negotiation shall take place with the bidder and the bidder's authorised representative shall communicate/submit his/her final bid.

If the bidder's authorised representative does not participate in the negotiation procedure and does not present a new bid, the price quoted in the bid already submitted will be deemed to be its final price.

Minutes shall be taken of the negotiation procedure.

### **5. INSTRUCTIONS TO BIDDERS**

#### **5.1. Language of bids**

The Bidding Dossier will be prepared in the Serbian and the English languages, while the public procurement procedure will be conducted in the Serbian language.

Minutes of bid opening will be prepared in the Serbian language, while the decision on contract award will be prepared in Serbian and English languages.

Replies to questions will be given in a language in which the question was made (Serbian or English). The contract will be signed in Serbian and English languages.

Documents issued by foreign competent public authorities in a country where the bidder has its head office which are originally in a foreign language must be translated into the Serbian language by a sworn-in-court or a certified translator for the Serbian language.

If during examination and evaluation of bids the Contracting Authority finds that a part of a bid submitted in a foreign language should be translated in the Serbian language, it will specify a time limit for the bidder to translate that part of the bid.

In case of dispute, the version of the bid in the Serbian language and enclosed evidence translated into the Serbian language shall prevail.

Bids with enclosed documents in a foreign language as required evidence without the original or a copy of certified translation can be rejected as unacceptable due to a material deficiency in accordance with Article 106 paragraph 1 item 5 (the bid contains a deficiency due to which is not possible to determine the actual contents of the bid or to compare it with other bids).

## **5.2. Submission of Bids**

Bidders submit their bids in person at the Contracting Authority's address Belgrade, Čika Ljubina 8, second floor, Financial Service or by mail.

**The bidder shall complete the price structure and price structure form.**

The bid must contain:

- 1) Completed and signed bid form and the financial bid and price structure form;
- 2) Evidence of compliance with the mandatory requirements for participation in the procedure stated under item 4.1. or notification on a website where such data are available;
- 3) Completed and signed Statement of Compliance with Duties under Applicable Regulations (Form 2);
- 4) Statement of Independent Bid (Form 3);
- 5) Form of Costs of Preparation of Bid (Form 4), submission not mandatory.

## **5.3. Manner of Filling in Information in Bids**

Bidders must fill in legibly forms and statements given in the Bidding Dossier, i.e. information which must constitute integral part thereof, while their authorised officers must sign them.

Each bidder can submit only one bid.

Bidders that bid independently cannot at the same time be part of a consortium or bid as a subcontractor or be a member of multiple consortiums.

## **5.4. Manner of Modifying, Supplementing and Withdrawal of Bids**

A bidder may modify, supplement or withdraw his/her bid at any time before the deadline for bid submission in the same manner in which he/she submitted a bid, by providing written notice marked "Bid Modification", "Bid Supplementation" or "Bid Withdrawal" (Public Procurement No. PPJN 5/2019). The bidder must clearly specify which parts of the bid are subsequently modified or which documents are subsequently provided. After the expiry of the deadline for bid submission, bidders cannot modify, supplement or withdraw their bids.

### **5.5. Requirements Regarding Validity Period of Bids, Time Limit for Delivery and Warranty Period**

The validity period of bids cannot be shorter than **30 days** from the date of opening of bids.

If shorter period is specified, the bid will be rejected due to a material deficiency. (*the validity period must be stated in the designated field in the Bid Form.*)

The selected bidder must provide the service to the extent, in the manner and within the timeframe set out in the Public Procurement Contract.

### **5.6. Currency and Indication and Presentation of the Price in the Bid**

The price in the bid may be specified in RSD or in a foreign currency, EUR.

The price shall be presented inclusive and exclusive of value added tax, inclusive of all costs for the bidder in the execution of this public procurement.

If the price is presented in EUR, for the purpose of bid comparison in the bid evaluation procedure, amounts shall be translated to RSD at the middle exchange rate of the National Bank of Serbia for EUR on the date of bid opening.

Payments to domestic bidders that quoted price EUR shall be made in dinar equivalent translated at the official middle exchange rate of the National Bank of Serbia on the invoicing date.

Payments to foreign bidders shall be made in EUR.

Prices shall be quoted in the financial bid form.

The Contracting Authority shall not allow for price increases and the quoted price shall be final.

If it considers a price quoted in a bid to be unusually low, the Contracting Authority shall act in accordance with Article 92 of the PPL, i.e. it will demand a detailed explanation for all its elements it considers relevant.

### **5.7. Information on Ways in which Additional Explanations may be Requested from Bidders after Bid Opening and in which Bidders and Their Subcontractors May be Controlled**

The Contracting Authority may demand from bidders to provide additional explanations which will help to examine, evaluate and compare bids and may furthermore conduct controls (inspection) of bidders.

With the bidder's consent, the Contracting Authority may correct arithmetic errors identified during bid examination after the bid opening procedure.

### **5.8. Costs of Preparation of Bids**

Costs of preparation and submission of bids will be exclusively borne by bidders.

The bidder cannot request from the Contracting Authority to reimburse costs of preparation of the bid.

### **5.9. Protection of Confidentiality of Data of Bidders and Contracting Authority**

The Contracting Authority shall keep as confidential all bidders' data contained in the bids which are to be treated as confidential under a special regulation and which are marked by the bidder as such in the bid with the word "CONFIDENTIAL". The Contracting Authority shall refuse to provide any information that would breach the confidentiality of data received in the bid.

Evidence of compliance with the mandatory requirements, the quoted price and other data contained in the bid which are relevant for the application of bid evaluation and ranking criteria shall not be considered confidential.

The Contracting Authority demands confidentiality for the data it makes available to the bidders, including their subcontractors.

#### **5.10. Additional Information or Clarifications Concerning Bid Preparation**

An interested party may request in writing additional information or clarifications concerning bid preparation, where it can also point to the Contracting Authority any possible observed shortcomings or irregularities in the Tender Dossier, not later than 5 days before the expiry of the bid submission period.

Submitted requests for additional information or clarifications concerning bid preparation shall contain the interested person's address, e-mail and phone and fax number in accordance with Article 20 of the Public Procurement Law which provides for communication in the public procurement procedure.

The Contracting Authority shall publish its reply within three days on the Public Procurement Portal and on its website.

Interested parties shall send any such request for additional information or clarifications concerning bid preparation to the Contracting Authority's address: Tourism Organisation of Serbia, Belgrade, Ćika Ljubina 8 or e-mail address: Ljiljana Ćerović [ljcerovic@serbia.travel](mailto:ljcerovic@serbia.travel), Zorica Jovanov [zjovanov@serbia.travel](mailto:zjovanov@serbia.travel), Jelena Bogdanović [jbogdanovic@serbia.travel](mailto:jbogdanovic@serbia.travel), on weekdays days (Monday-Friday), from 8:00AM to 3:00PM.

#### **5.11. Criterion for Contract Award**

The criterion for evaluation of bids is the total quoted price exclusive of VAT.

The maximum score based on this criterion will be assigned to the bid with the lowest quoted price exclusive of VAT. All other bidders will be assigned a proportionately lower score and their bids will be ranked accordingly.

If two or more bids receive the same score, the more advantageous bid will be the one which states a longer payment period (as indicated in the Bid Form). If bids still receive the same score, the selection will be made by draw.

#### **5.12. Technical Evaluation of Bids**

After technical evaluation, only those bids that were submitted timely and full comply with the requirements set out in the Bidding Dossier, i.e. bids which are considered appropriate and acceptable, will be taken into consideration. Inappropriate bids will not be taken into consideration and will be rejected.

#### **5.13. Reasons for Bid Rejection**

Bids will be rejected if:

- 1) They are untimely

- 2) They are materially deficient
- 3) They are inappropriate
- 4) They restrict the Contracting Authority's rights
- 5) They impose conditions on the Contracting Authority's rights
- 6) They restrict the bidder's rights
- 7) They exceed the estimated public procurement value

#### **5.14. Motion for the Protection of Rights**

A motion for the protection of rights should be submitted to the Contracting Authority, with a copy to the Republic Committee.

A motion for the protection of rights may be filed throughout the public procurement process against any action of the Contracting Authority, unless provided otherwise by the Law.

A motion for the protection of rights which challenges the type of the procedure or the content of the Call for Bids or the Bidding Dossier will be considered timely if received by the Contracting Authority not later than seven days before expiry of the bid submission period, while in case of small value public procurement or qualification procedures such motion shall be considered timely if received by the Contracting Authority three days before the expiry of the bid submission period, regardless of the mode of their receipt, provided however that the person who submitted the motion had previously notified any identified defects and irregularities in accordance with Article 63 paragraph 2 of the Law and the Contracting Authority failed to remedy them.

A motion for the protection of rights which challenges actions undertaken by the Contracting Authority before the expiry of the bid submission period, but after the expiry of the period referred to in paragraph 3 of Article 149 of the Public Procurement Law, will be considered timely if submitted by the expiry of the bid submission period.

The provisions of paragraphs 3 and 4 of Article 149 of the PPL shall not apply in case of negotiated procedures without a call for bids, if the person who submitted the motion or his/her related party did not participate in that procedure.

After the passing of a decision to award contract, a decision to enter into a framework agreement, a decision to recognise qualifications and a decision to terminate the procedure, the time limit for filing motions for the protection of rights shall be 10 days from publication of the respective decision on the Public Procurement Portal, or five days in case of a small value public procurement or in case of a decision to awards a contract under a framework agreement in accordance with Article 40a of the Law.

A motion for the protection of rights may not challenge actions undertaken by the Contracting Authority in the public procurement procedure if the person who submitted the motion was aware or should have been aware of the reasons for filing such motion before the expiry of the period for making such motions in accordance with paragraphs 3 and 4 of Article 149 of the PPL and the person had not filed the motion before the expiry of that period.

If a motion for the protection of rights is repeated in the same public procurement procedure by the same person, such motion cannot challenge any actions of the Contracting Authority of which the person who submitted the motion was aware or should have been aware at the time of filing the previous motion.

A motion for the protection of rights shall not stop further activities of the Contracting Authority in the public procurement procedure in accordance with Article 150 of the PPL.

The Contracting Authority shall post notice of filed motions for the protection of rights on the Public Procurement Portal and on its website not later than two days of receipt of any motion for the protection of rights which contains the information required in Annex 3N.

A motion for the protection of rights shall be filed directly by e-mail to [jbogdanovic@serbia.travel](mailto:jbogdanovic@serbia.travel) and [vninic@serbia.travel](mailto:vninic@serbia.travel) during the working hours of the Contracting Authority, on weekdays from Monday to Friday from 07:30AM to 3:30PM or by registered mail with receipt confirmation to the following address: National Tourism Organisation of Serbia, Belgrade, Čika Ljubina 8, with a designation of the supplies and the public procurement number. **If a motion for the protection of rights is sent by e-mail, preferably this document should be provided as a scanned copy bearing the signature of the authorised officer of the bidder (the person who files the motion) and as a MS Word document, to enable faster and more efficient handling of the motion by the Contracting Authority (without having to retype the claims made in the motion).**

### **Fee Amount**

A person filing a motion for the protection of rights shall pay a fee in the following amount to the designated account of the budget of the Republic of Serbia:

- 1) RSD 60,000 in small-value public procurement procedure and negotiated public procurement without the publishing of a call for bids;
- 2) RSD 120,000 if the motion for the protection of rights is filed before bid opening and if the estimated value is not higher than RSD 120,000,000; (Note: the estimated value of this public procurement is less than RSD 120,000,000).

**Fee payment: link to the website of the Republic Commission for the Protection of Rights in Public Procurement Procedures: <http://www.kjn.gov.rs/ci/uputstvo-o-uplati-republicke-administrativne-takse.html> INSTRUCTIONS FOR PAYING THE FEE CHARGED ON FILING A MOTION FOR THE PROTECTION OF RIGHTS**

Under Article 151 of the Public Procurement Law, a motion for the protection of rights must *inter alia* include a certificate of payment of the fee required in Article 156 of the PPL. A person filing a motion for the protection of rights must pay the amount required in Article 156 of the PPL to the designated account of the budget of the Republic of Serbia.

**The following shall be acceptable as evidence of payment of the fee within the meaning of Article 151 paragraph 1 item 6) of the PPL:**

**1. A certificate of payment of the fee required in Article 156 of the PPL which contains the following elements:**

- (1) It was issued by a bank;
- (2) It constitutes evidence of payment of the fee, which means it must contain information that the payment or transfer order was executed and the date on which it was executed. *\* The Republic Commission may examine the relevant statement of a recording account provided by the Treasury Administration of the Ministry of Finance and thus additionally verify the execution of the transfer order.*

- (3) The amount of the relevant fee required in Article 156 of the PPL;
- (4) Account number: 840-30678845-06;
- (5) Payment code: 153 or 253;
- (6) Reference: information on the number or mark of the public procurement in respect of which the motion for the protection of rights is filed;
- (7) Purpose: ZZZ; name of the Contracting Authority; the number or mark of the public procurement in respect of which the motion for the protection of rights is filed;
- (8) Recipient: budget of the Republic of Serbia;
- (9) Name of the payer/person who files the motion for the protection of rights in respect of which the fee is paid;
- (10) Signature of the bank's authorised officer.

**2. Payment order, first copy**, certified by the signature of the authorised officer of the respective bank or post, which contains also all other elements required from a certificate of payment in accordance with item 1.

**3. A certificate issued by the Treasury Administration of the Ministry of Finance of the Republic of Serbia**, signed, which contains all elements required from a certificate of payment in accordance with item 1, except those stated under (1) and (10), for entities filing a motion for the protection of rights that hold a sub-account within the relevant consolidated treasury account, administered by the Treasury Administration (budget spending units, spending units receiving funds of compulsory social insurance organisations and other spending units receiving public funds);

**4. A certificate issued by the National Bank of Serbia, which contains all elements required from a certificate of payment in accordance with item 1**, for entities filing a motion for the protection of rights (banks and other entities) that hold an account with the National Bank of Serbia in accordance with the law and other regulations.

A model of a duly completed transfer order is available at:

<http://www.kjn.gov.rs/ci/uputstvo-o-uplati-republicke-administrativne-takse.html>

**Payment of fee for filing a motion for the protection of rights from a foreign country**

The fee for the filing of motions for the protection of rights may be paid from a foreign country to the foreign exchange account of the Treasury Administration of the Ministry of Finance:

BANK'S NAME AND ADDRESS: National Bank of Serbia (NBS) 11000 Belgrade, Nemanjina 17, Serbia

SWIFT CODE: NBSRRSBGXXX

INSTITUTION'S NAME AND ADDRESS: Ministry of Finance, Treasury Administration, Pop Lukina 7-9, 11000 Belgrade

IBAN: RS 35908500103019323073

NOTE: The following information should be provided in "FIELD 70: DETAILS OF PAYMENT" when making the payment:

– The number of the public procurement procedure in respect of which the motion for the protection of rights is filed and the name of the Contracting Authority in the public procurement procedure.

Instructions for payment in EUR and USD are available at:

<http://www.kjn.gov.rs/sr/uputstvo-o-uplati-republicke-administrativne-takse.html>

The Contracting Authority shall post notice of any motions for the protection of rights it received on the Public Procurement Portal and on its website within 2 days of receipt of each motion for the protection of rights.

#### **5.15. Time Limit for Execution of the Public Procurement Contract**

The Contracting Authority shall execute the Public Procurement Contract with the bidder to which the Contract was awarded within 8 days of the final date for filing motions for the protection of rights at the latest.

The Contracting Authority may execute the Public Procurement Contract before expiration of the time limit for filing motions for the protection of rights if only one bid is submitted and if such bid is acceptable.

#### **5.16. Changes to the Public Procurement Contract**

If, during the term of the Contract, the Contracting Authority requires an increased volume of the services subject to this procedure, the Contracting Authority may, after the signing of the Public Procurement Contract, increase the volume of the supplies by 5% of the total contract value without conducting a public procurement procedure, which shall be provided for by an amendment to the Contract.

#### **5.17. Applicable Law**

Any issues not specifically provided for in this Bidding Dossier shall be governed directly by the provisions of the Public Procurement Law.



## **6. FORMS AND STATEMENTS**

## BID FORM

### PUBLIC PROCUREMENT PPJN No. 5/2019

Pursuant to the Public Procurement Law, I hereby submit a bid for the public procurement Project of Serbia's inclusion on the map of world gastronomic destinations, as follows:

**Bid No.:** \_\_\_\_\_

**Date:** \_\_\_\_\_

*(bidder enters its registration number and date of preparation of the bid)*

#### 1. BIDDER INFORMATION

<b>Bidder</b>		
<b>Bidder</b>	<b>City/town,</b>	
	<b>street and number</b>	
<b>Bidder's registration number</b>		
<b>Bidder's tax identification number (TIN)</b>		
<b>Contact person</b>		
<b>Phone, telefax</b>		
<b>E-mail address</b>		
<b>Account number and bank</b>		
<b>Person authorized to sign contracts</b>		
<b>Person authorized to negotiate</b>		
<b>Legal entity is classified as:</b> <i>(to be entered if the bidder is a legal entity)</i>	<b>micro, small, medium-sized or large</b> <i>(mark bidder's classification)</i>	

### 6.3.SUBCONTRACTOR INFORMATION

1)	Subcontractor:	
	Address:	
	Registration number:	
	Tax identification number (TIN):	
	Contact person	
	Percentage of the total value of the procurement carried out through the subcontractor	%
	Part of the supplies which will be provided by through the subcontractor:	

2)	Subcontractor:	
	Address:	
	Registration number:	
	Tax identification number (TIN):	
	Contact person	
	Percentage of the total value of the procurement carried out through the subcontractor	%
	Part of the supplies which will be provided by through the subcontractor:	

The table “Subcontractor Information” **shall be completed only by bidders that submit bids with subcontractors.**

In case of multiple subcontractors, copy the form.

#### 6.4. CONSORTIUM MEMBER INFORMATION

1)	Participant in a joint bid:	
	Address:	
	Registration number:	
	Tax identification number (TIN)	
	Contact person	

2)	Participant in a joint bid:	
	Address:	
	Registration number:	
	Tax identification number (TIN)	
	Contact person	

3)	Participant in a joint bid:	
	Address:	
	Registration number:	
	Tax identification number (TIN)	
	Contact person	

**To be completed only by bidders who submit joint bids.**

In case there are more members of the consortium, copy the form.

Note: The bidder shall enter the requested data in blank fields in the bid form.

## FINANCIAL BID WITH PRICE STRUCTURE FORM

### **Project of Serbia's inclusion on the map of world gastronomic destinations**

The estimated value of the procurement is: RSD 15.000,000.00 exclusive of VAT.

- Prices are to be stated as nominal amounts in dinars or in euros, both exclusive of value added tax and inclusive of value added tax.

**The bidder must fill out all items in the Financial Bid and Price Structure Form, otherwise the bid will be considered invalid.**

- The bidder makes the bid:        **in dinars**                    in **euros**  
(please circle the currency of the bid)

No.	Description of service	Price exclusive of VAT	Amount of VAT	Price inclusive of VAT
	<b>Project of Serbia's inclusion on the map of world gastronomic destinations</b>			
	TOTAL			

- **Period of validity of bid:** \_\_\_\_\_ days of the date of opening of the bid  
(minimum 30 days)
- **The time limit for payment** (not shorter than 15 days) is \_\_\_\_\_ days of the date of receipt of a duly issued invoice.

Note: The bidder shall enter the requested data in blank fields in the bid form.

**Date:**

**BIDDER**  
**- signature -**

\_\_\_\_\_

**STATEMENT OF COMPLIANCE WITH DUTIES UNDER APPLICABLE  
REGULATIONS**

**JNPP No.: 5/2019**

In connection with Article 75, paragraph 2 of the Public Procurement Law, **as the representative** of the bidder

..... ,

*(bidder's name)*

**under threat of perjury or fraud**, I hereby confirm that the bidder named above has complied with the duties under applicable regulations on occupational safety and health, employment and working conditions and environment protection and it holds the relevant intellectual property rights.

**Date:**

**BIDDER  
- signature -**

\_\_\_\_\_

*Notes:*

- 1. The statement must be signed. Otherwise, the bid will be rejected.**

**STATEMENT OF INDEPENDENT BID**

**JNPP No.: 5/2019**

Pursuant to Article 26 of the Public Procurement Law and Article 2 of the Bylaw on Mandatory Elements of Bidding Dossiers in Public Procurement Procedures and the Manner of Demonstrating Compliance with the Requirements, as the bidder: \_\_\_\_\_, I hereby give this

**STATEMENT**

Under threat of perjury or fraud, I hereby confirm that I submitted a bid in the public procurement procedure **JNPP** No. 5/2019, independently, without agreement with other bidders or interested parties.

**Notes:**

*In case of reasonable doubt in truthfulness of the Statement of Independent Bid, the Contracting Authority will without delay notify the organisation competent for the protection of competition. The organisation competent for the protection of competition may impose a measure prohibiting participation in the public procurement procedure on the bidder or an interested party if it finds that the bidder or the interested party has violated competition in the public procurement procedure within the meaning of the law providing for the protection of the competition. Prohibition of participation in the public procurement procedure may be imposed for the period of up to two years. Violation of competition constitutes a negative reference within the meaning of Article 82 paragraph 1 item 2 of the Law.*

*If the bid is submitted by a consortium, the Statement must be signed by the authorised officer of each bidder in the consortium and certified by a stamp.*

**Date:**

**BIDDER**  
**- signature -**

\_\_\_\_\_

*Note:*

- The Statement must be signed. Otherwise, the bid will be rejected.

**Form 4**

**FORM OF COSTS OF PREPARATION OF BID JNPP No.: 5/2019**

**Pursuant to Article 88, paragraph 1 of the Public Procurement Law, we hereby declare that**

**The bidder**..... ,  
*(bidder's name)*

had the following costs in the public procurement procedure in question:

<b>No.</b>	<b>Description</b>	<b>Amount</b>
1.		
2.		
	<b>TOTAL:</b>	

**Date:**

**BIDDER**  
**- signature -**

\_\_\_\_\_

*Note:*

- Submission of this statement **is not mandatory!**

The bidder cannot request from the Contracting Authority to reimburse costs of preparation of the bid.



**Annex 1.**

**Date and hour of submission:**

**(to be filled by the Contracting Authority's Registry Office)**

**BID – DO NOT OPEN!**

**FOR THE PUBLIC PROCUREMENT “ Project of Serbia's inclusion on the map  
of world gastronomic destinations”**

**Negotiated Procedure NUMBER 5/2019**

**CONTRACTING AUTHORITY:**

**NATIONAL TOURISM ORGANISATION OF SERBIA  
ČIKA LJUBINA 8 11000 BELGRADE**

**BIDDER:**

Name:

City/town, address:

Phone:

E-mail:

Contact name and surname: