



Republic of Serbia

Government

Working group for the implementation of
the selection of a strategic partner for the
implementation of the project of the
construction of self-balancing large-
capacity solar power plants with battery
systems for the storage of electricity in the

Republic of Serbia

No.: 119-01-62/2023-07

Date: 07 September 2023

SUBJECT: Clarification regarding the Public Call for the selection of a strategic partner for the execution of the project of construction without management (operation) or maintenance of self-balanced high-capacity solar power plants with battery systems for electricity storage in the Republic of Serbia

In accordance with the Public Call, we are issuing the following answers to the questions submitted:

Question No: 1.

Requirements for qualifications and performance record

As a subsidiary, we would like to know whether it is acceptable to use the performance record of the parent company and its other subsidiaries?

Answer:

In case of a branch of a foreign legal entity, only the references of the parent company that founded the branch, as well as the references of the branch (published in Clarification No. 3 dated 29 August, 2023), will be recognized.

Question No: 2.

1.2 In Clause 9, Section 5 of Tender documents, it states “the bidder should submit a statement on completed preliminary works on the project development for solar power plants and battery systems for electricity storage which should have equal or higher capacity than the capacity of the Project. The report or reports on completed preliminary works shall be submitted in the electronic form on a CD, which shall be a part of the bid;”

We kindly request you to clarify whether this Clause requires the bidder to submit a statement stating that the bidder have completed preliminary works on the project development for solar

power plants and battery systems for electricity storage which should have equal or higher capacity than the capacity of the Project, and the documents for completed preliminary works shall be submitted in the electronic form on a CD?

Answer:

The Bidder needs to submit a statement on the previously completed works on the preparation of the design for solar power plants and battery systems for the storage of electricity, which should have an equal or greater capacity than the capacity of the Project at the sites located on the territory of the Republic of Serbia that the Bidder is considering as potential locations for the implementation of this Project. (published in Clarification No. 1 dated 11 August, 2023).

Question No: 3.

Bank Guarantee

Is direct bank guarantee acceptable? Could you please provide the format of bank guarantee? Is the standard format of bank guarantee acceptable if no special requirements from the client?

Request: Due to the changes in the Public call for Strategic partner which are connected with necessary Bank Guarantee we are kindly asking for 10 days extension of time limit for delivery date. The reason for this extension is required by bank because changing of Bank Guarantee amount is for them a new process which we need to start from the very beginning. Having all of this as a fact we are afraid the bank cannot close this process on time which we reflect our delay.

Answer:

The Working group of the Government did not predefine the form of a bank guarantee for the seriousness of the bid (Bid Bond). It is necessary to submit an irrevocable, unconditional, first-demand bank guarantee for the seriousness of the bid (Bid Bond), without the right of objection and pursuant to Article 1087 of the Law on Contract and Torts, in accordance with the Public Call (published in Clarification No. 1 dated 11 August, 2023).

The Working Group has altered the Public Call in the bank guarantee for the seriousness of the bid section on 16 August 2023. Considering the fact that the deadline for bid submission is 20 September 2023, the Working Group is of the opinion that bidder has been given enough time to provide the bank guarantee for the seriousness of the bid in time, especially when bearing in mind the fact that the conditions have been eased with this alteration.

Question No: 4.

Others

The last sentences of Section 2 in Tender documents state that “The strategic partner will, as a part of the agreement with the suppliers of equipment which cannot be properly stored or recycled, at the request of the Government or EPS, incorporate a contractual provision on mandatory acquisition of that equipment by the manufacturer at the end of the life cycle of the facility. EPS will conclude a separate agreement on mandatory acquisition of equipment that cannot be properly stored or recycled with the equipment manufacturer with which the strategic partner has concluded the agreement.”

We kindly request you to clarify whether it is the strategic partner or EPS to sign the agreement on mandatory acquisition of equipment that cannot be properly stored or recycled with the equipment

supplier?

Answer:

Based on the request of the Government or EPS, the Strategic Partner will include into the contract with suppliers of equipment that cannot be properly stored or recycled, a contractual provision on the mandatory takeover of that equipment by the manufacturer at the end of the facility's service life. EPS will conclude a special contract on mandatory takeover of equipment that cannot be properly stored or recycled with the equipment manufacturer with whom the strategic partner has concluded a contract.

Question No: 5.

Are there any referenced formats of various statements to be submitted? Or the bidder has to prepare it on his own?

Answer:

Statements shall be submitted in free form, it is important that they contain all the elements proving beyond doubt that the required conditions have been met.

These answers are an integral part of the Public Call.

Government Working Group