



Republic of Serbia
Ministry of Construction,
Transport and Infrastructure
Project Implementation Unit

Finance Contract:	SERBIAN INLAND WATERWAY INFRASTRUCTURE Finance Contract between the Republic of Serbia and European Investment Bank (Official Gazette of the Republic of Serbia - International Contracts No. 02/2019)
Title:	Reconstruction and expansion of Serbian port of Bogojevo
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Clarification No. 11 to the TD

ITT, Section 15 – Tender guarantee

Contract – Payment

Volume 1 - Section 4 - Form 4.3 Power of attorney

QUESTIONS	ANSWERS
<p>Question No 1</p> <p>1. In the case that the bidder is a Joint Venture formed by 2 parties and will issue a bid security on a pro rata basis in the name of the joint venture, is it acceptable to have 2 bid securities issued by the 2 parties of the Joint Venture on a pro rata basis, the total amount of which will be equivalent to the amount as required by the Bidding Document? And is it a must for the bid security to be issued by a bank located in Serbia?</p>	<p>Answer No 1</p> <p>Volume 1, Section 1, Instructions to Tenderers, Sub-Clause 15.1. quote: “The tenderer must provide, as a part of its tender, a tender guarantee in the form set out in Volume 1, Section 3 of the tender dossier, or in another form acceptable to the contracting authority that meets the essential requirements set out therein.” End of quote. In case of a Joint Venture all members represent “the tenderer”. The tenderer, as given above, must submit one tender guarantee.</p> <p>The bank/financial institution does not have to be located in Serbia. The choice of a bank/financial institution to issue a tender guarantee is responsibility of each tenderer. The tender guarantee shall be issued by a reputable bank/financial institution, located in an eligible country selected by the tenderer. In case it is issued by a bank/financial institution located outside of Serbia, the bank/financial institution shall have a correspondent financial institution located in Serbia, to make in enforceable.</p>



Question No 2

Please kindly provide the information about the method of the payment for works completed (is it on a monthly basis or in other ways?)

Answer No 2

Volume 2 of the Tender Dossier contains contracts forms:

- (i) Form Vol2_S3 General Conditions of Contract states that the applicable general conditions are quote: "The Conditions of Contract comprise the "General Conditions", which form part of the "Conditions of Contract for Construction for Building and Engineering Works Designed by Employer" (FIDIC, Red Book), First Edition 1999, published by the Fédération Internationale des Ingénieurs-Conseils (FIDIC), and the following Particular Conditions, which include amendments and additions to such General Conditions" end of quote.
- (ii) Form Vol2_S2 Particular conditions of contract does not modify period of payment; therefore, period of interim payments is the end of each month.

Question No 3

As to the Form 4.3, Section 4, Vol 1, the requested information for lead member and partner that need to be filled is on the same page, where the bidder can fill the information for both lead member and all other partners. However, the instruction for this form says that TO BE COMPLETED INDIVIDUALLY BY ENTITY/LEAD MEMBER/PARTNERS ON SEPARATE PAGES. Please kindly clarify how to fill this form in case of a joint venture.

Answer No 3

Volume 1, Section 1, Instruction to Tenderers, Sub-clause 11.1. 3rd paragraph states, quote: "The **tender must be signed on behalf of the tenderer/consortium by a person or persons duly authorized to do so, empowered by power of attorney** submitted in accordance with Form 4.3 in Volume 1, Section 4 of the tender dossier." End of quote.
In case of Joint Venture, each member shall prepare the Power of Attorney empowering the signatory of the tender.