



**Youth federation of associations  
„European Youth Capital Novi Sad – OPEHC“  
No: 1162.2-19/JN  
Date: 5th of July 2019**

**TENDER DOCUMENTS  
IN PUBLIC PROCUREMENT OPEN PROCEDURE**

**SERVICES - ORGANIZATION OF STREET ART FESTIVAL  
NO. OP.06/2019**

**BID SUBMISSION DEADLINE: 5th of August 2019 at 09.00 hours**

Pursuant to Article 61 of the Law on Public Procurement (RS Official Gazette, Nos 124/2012, 14/2015 and 68/2015), hereinafter the Law and Article 2 of the Rules on Mandatory Elements of Tender Documents in Public Procurement Procedures and the Manner of Proving the Fulfilment of Requirements (RS Official Gazette, No 86/2015 and 41/2019), Decision on Initiating the Public Procurement Procedure No. 1162-19 /JH of 03.07.2019. and Decision on Establishing the Public Procurement Committee No. 1162.1-19/JH of 03.07.2019, the following was prepared:

**TENDER DOCUMENTS FO PUBLIC PROCUREMENT OF  
SERVICES - ORGANIZATION OF STREET ART FESTIVAL  
- OP 06/2019 -**

Tender documents for OP 06/2019 contains:

<b>Chapter</b>	<b>Name of the chapter</b>	<b>Page</b>
<b>I</b>	GENERAL INFORMATION ON PROCUREMENT	3
<b>II</b>	TECHNICAL SPECIFICATION	4
<b>III</b>	PARTICIPATION REQUIREMENTS AND INSTRUCTIONS ON PROVING THE FULFILMENT OF THE REQUIREMENTS	5
<b>IV</b>	CONTRACT AWARD CRITERIA	8
<b>V</b>	FORMS	9
	Form 1 – Bid Form	9
	Form 2 – Form of Statement on fulfilment of participation requirements in public procurement procedure	15
	Form 3 – Form on Statement of Bid Preparation Costs	16
	Form 4 – Form of Statement on Independent Bid	17
	Form 5 – Form of Statement on Compliance with Regulations	18
	Form 6 – Form of Statement on Legal Representatives – only for foreign bidders	19
	Form 7 – Team for provision of services	20
<b>VI</b>	PUBLIC PROCUREMENT MODEL CONTRACT – OP 06/2019	21
<b>VII</b>	INSTRUCTIONS TO BIDDERS ON PREPARING THE BID	25

## I GENERAL INFORMATION ON PROCUREMENT

### - DATA ON CONTRACTING AUTHORITY

Contracting Authority: **Youth federation of associations „European Youth Capital Novi Sad – OPENS“**

Address: Laze Teleckog Street 2, Novi Sad

Website: [www.opens2019.rs](http://www.opens2019.rs)

Registration Number: 28202717

Tax Identification Number: 109499809

### - TYPE OF PUBLIC PROCUREMENT PROCEDURE

This public procurement is being implemented through open procedure in line with the Law and implementing regulation on public procurement.

### - INFORMATION IF IT IS A RESERVED PUBLIC PROCUREMENT

This public procurement is not a reserved public procurement in the sense of the Law.

### - CONTACT

E - mail: [administracija@opens2019.rs](mailto:administracija@opens2019.rs)

## 1. SUBJECT OF PUBLIC PROCUREMENT

Subject of public procurement, OP: 06/2019 are services - organization of Street Art Festival, Services of festival organization (CPV - 79953000), in line with specification for this procurement.

## 2. LOTS

This public procurement is not divided in lots.

## II TECHNICAL SPECIFICATION

### Addendum 2 of the Public procurement contract, OP: 06/2019

The subject of public procurement is the organization of Street Art Festival, and the supplier is obliged to organize a two days festival, on September 14 and 15, 2019, in the open air, in Novi Sad.

Supplier obligations:

- Designing and implementing an event that will include a combination of professional athletes and free clinics to give local people the opportunity to discover these sports
- The event should consist of Spine Ramp Shows, with athletes at BMX, Skateboard, Scooter and Roller and BMKS Flatland
- Maintain at least 3 professional performances of 20 minutes per day
- Performances should be animated by Master of Ceremony and DJ
- Free clinics in Skateboards and BMKS Flatland will be organized during periods between professional performances, during which visitors of all ages will be able to enter the Skateboard or BMX and try out sports, with the supervision of professionals

Services shall be provided by Team members with following qualification:

- Minimum 10 Professional Athletes:
  - o 3 BMX Flatland
  - o 2 BMX Freestyle
  - o 2 Scooter
  - o 1 Skateboard
  - o 2 Roller
- Minimum 1 English speaking Master of Ceremony, specialized in Action Sports
- Minimum 2 Action Sports Teachers
- Minimum 2 Managers:
  - o Event manager
  - o Sports management manager

The fulfilment of these requirements is being proved by providing a Statement and CV's of Team members – Form 7 in Tender Documents.

In the case of changing a Team member, followed by objective reasons, suggested (new) Team member shall have equivalent qualifications as a Team member being changes. Prior agreement of Contracting Authority on a change is needed.

The obligation of the supplier is to provide professional backgrounds, ramps, stages and other necessary requisites in accordance with the achievements of the profession, mounting and putting them up respecting the highest standards of safety and health, and dismantling it.

Its consent with the requirements of the Contracting Authority, a Bidder gives by taking involvement in public procurement procedure.

Bidder

Contracting authority

\_\_\_\_\_  
Signature of the authorized person

\_\_\_\_\_  
Signature of the authorized person

### III PARTICIPATION REQUIREMENTS AND INSTRUCTIONS ON PROVING THE FULFILMENT OF THE REQUIREMENTS

No.	Requirements and evidence of meeting the requirements under Articles 75 and 76 of the Law
1	<p><b>Requirement: The bidder must be registered with the competent authority, i.e. entered in the appropriate business register.</b></p> <p>Evidence:</p> <p>FOR LEGAL ENTITIES AND ENTREPRENEURS: Excerpt from the registry of the competent authority – Business Registers Agency;</p> <p>FOR A NATURAL PERSON: /</p> <p>FOR A FOREIGN BIDDER: Excerpt from register.</p>
2	<p><b>Requirement: The bidder and its legal representative have not been convicted of any criminal act as members of an organised crime group, nor convicted of a commercial criminal offence, criminal offence against the environment, criminal offence of receiving or offering bribe, or a criminal offence of fraud;</b></p> <p>Evidence:</p> <p>FOR LEGAL ENTITIES:</p> <p>For offences of organised crime – CERTIFICATE OF THE SPECIAL DEPARTMENT (FOR ORGANISED CRIME) OF THE HIGHER COURT IN BELGRADE, Ustanička 29, Belgrade, certifying that the bidder has not been convicted of any criminal offence of organised crime.</p> <p>For commercial criminal offences, criminal offences against the environment, criminal offences of receiving or offering bribe, or criminal offence of fraud – CERTIFICATE OF THE COURT OF FIRST INSTANCE (which includes information from criminal records under the competence of the Crime Department of the Higher Court) on whose territory the head office of the domestic legal entity or a branch office of the foreign legal entity is located, confirming that the bidder has not been convicted of any commercial criminal offence, criminal offence against the environment, criminal offence of receiving or offering bribe, or a criminal offence of fraud.</p> <p>Note: If the Certificate issued by the Court of First Instance does not include information from criminal records for the criminal offences falling within the scope of work of the regular Crime Department of the Higher Court, the bidder shall submit the Certificates issued by the Court of First Instance and the Higher Court.</p> <p>FOR LEGAL REPRESENTATIVES OF LEGAL ENTITIES:</p> <p>Excerpt from criminal records, i.e. the relevant POLICE ADMINISTRATION OF THE MINISTRY OF THE INTERIOR (by place of birth or residence) confirming that the he/she has not been convicted of any criminal offence as a member of an organised crime group, nor convicted of a commercial criminal offence, criminal offence against the environment, criminal offence of receiving or offering bribe, or a criminal offence of fraud.</p> <p>FOR ENTREPRENEURS AND NATURAL PERSONS:</p> <p>Excerpt from criminal records, i.e. the relevant POLICE ADMINISTRATION OF THE MINISTRY OF THE INTERIOR (by place of birth or residence) confirming that the</p>

	<p>he/she has not been convicted of any criminal offence as a member of an organised crime group, nor convicted of a commercial criminal offence, criminal offence against the environment, criminal offence of receiving or offering bribe, or a criminal offence of fraud.</p> <p>NOTE: If there is more than one legal representative, an excerpt from criminal records shall be submitted for each of them.</p> <p>FOR A FOREIGN BIDDER: Appropriate evidence that the requirements are met.</p> <p>(Evidence may not be older than two months prior to bid opening)</p>
3	<p><b>Requirement: Full payment of due taxes, contributions and other public charges in accordance with regulations of the Republic of Serbia or a foreign country where its head office is located.</b></p> <p>Evidence:</p> <p>FOR LEGAL ENTITIES AND ENTREPRENEURS:</p> <p>A) Certificate of payment issued by the Tax Administration of the Ministry of Finance of the Republic of Serbia (taxes, contributions and other public charges) and</p> <p>B) Certificate of payment issued by the relevant local government unit – city/municipality (local public revenues),</p> <p>or</p> <p>C) Certificates issued by the competent authority confirming that the bidder is undergoing privatisation.</p> <p>FOR NATURAL PERSONS:</p> <p>A) Certificate of payment issued by the Tax Administration of the Ministry of Finance of the Republic of Serbia (taxes, contributions and other public charges) and</p> <p>B) Certificate of payment issued by the relevant local government unit – city/municipality (local public revenues).</p> <p>FOR A FOREIGN BIDDER: Appropriate evidence that the requirements are met.</p> <p>(Evidence may not be older than two months prior to bid opening)</p>
4	<p><b>The bidder has fulfilled obligations under applicable regulations on safety at work, employment and working conditions, and environmental protection, and no measure prohibiting the performance of the activity has been pronounced against it which is in force at the time of bid submission.</b></p> <p>Form of Statement of Compliance with Regulations (signed).</p>
5	<p><b>Business capacity:</b> That in the last five years from the day of the announcement of the call for bids, it has implemented at least 50 international projects that had a similar subject as well as the subject public procurement, attended by at least 1 million viewers yearly.</p> <p>Form of statement</p>
6	<p><b>Technical capacity</b> – That at the time of the announcement of the invitation to tender, the tenderer has at least:</p> <ul style="list-style-type: none"> <li>- 1 Spine Ramp</li> <li>- 1 BMX Flatland stage for official competitions</li> <li>- 1 Mini Ramp</li> </ul>

	<ul style="list-style-type: none"> <li>- 10 Ramps for Wakeboarding</li> <li>- 30 Ramps which can be used for BMX Freestyle, Roller, Skateboard and/or Scooter</li> </ul> <p>Form of statement</p>
--	---

**Bidders shall prove the requirements by, in line with Article 44 Paragraph 4 of the Law, providing a statement that bidders under full financial and criminal responsibility confirms that it fulfills requirements (Form 2).**

**Where bidder supplied declaration under Article 77, Paragraph 4 of this Law, prior to making its decision on awarding contract contracting authority is obliged to request the bidder whose bid was evaluated as most advantageous, to supply original documents of required evidence substantiating the fulfillment of requirements, and it may also request the originals or certified copies of all or of only some of proofs. Contracting authority may also request evidence from other bidders.**

List of other mandatory documents and forms to be enclosed with the bid:

No.	Other mandatory documents and forms to be enclosed with the bid
1	Bid Form (filled-in, signed), with enclosures
2	Form of Statement of Independent Bid (signed)
3	Form of Statement on fulfilment of participation requirements in public procurement procedure (signed)
4	Form of Statement on Legal Representatives (signed) - only for foreign bidders
5	Model Contract (filled-in, signed)
6	Agreement (IF PARTICIPATING AS GROUP OF BIDDERS)
7	Form of statement on team for provision of services with CV"s

NOTES:

1. If the bid is submitted jointly with the subcontractor:

- Along with the bid, the bidder shall submit evidence showing that its subcontractors meet the requirements referred to in Table 1, items 1 to 4.

2 If the bid is submitted by a group of bidders:

- All bidders in a group of bidders must meet the mandatory requirements referred to in Table 1, items 1 to 5, and prove it in the manner set forth in the Tender Documents (Table 1, items 1 to 5).

- Evidence proving the fulfilment of requirements under Article 75 of the Law may be in uncertified copies.

- The bidder is not obliged to submit evidence that is publicly available on the websites of competent bodies, such as the excerpt from the registry of the competent authority – Business Registers Agency.

- Bidder/subcontractor registered in the Registry of Bidders pursuant to Article 78, paragraph 5 of the Law is not obliged to submit the evidence listed in Table 1, numbers 1 to 3. The Committee shall verify that the bidder/subcontractor is entered in the Registry of Bidders.

- If the country where the bidder's head office is located does not issue the evidence set out under Article 77 of the Law, the bidder may, instead of evidence, submit its own written statement accepting full financial and criminal liability, certified by a court or

administrative authority, public notary or other competent authority of the country in question.

- If the bidder's head office is located in another country, the contracting authority may verify that the documents substantiating that the bidder meets the requirements have been issued by the competent authorities of that country, pursuant to Article 79, paragraph 8 of the LPP.
- The bidder shall immediately inform the contracting authority in writing about any change relating to the fulfilment of requirements pertaining to the public procurement procedure, occurring before the adoption of the decision and/or conclusion of the contract and/or during contract validity, and shall provide documents substantiating such change.

## **IV CONTRACT AWARD CRITERIA**

### **1. CRITERION**

The selection among the acceptable bids shall be performed by applying the criterion of "the lowest offered price".

### **2. TWO OR MORE BIDS WITH EQUAL LOWEST PRICE**

If the same lowest offered price is quoted in two or more bids, the contract shall be awarded to the bidder offering the longest payment term.

If the contract may not be awarded in the above manner because the bids are still equal in all aspects, the contract shall be awarded by drawing lots.

The Public Procurement Committee shall schedule the time and place of the draw and invite all bidders to attend the draw. During the draw, bidders' representatives will write the name of bidders on special pieces of paper. Members of the Public Procurement Committee shall give them identical envelopes in which they will each place their filled out piece of paper. These envelopes will be shuffled by hand in the presence of all bidders, after which the bidders' envelopes will be drawn at random and the bids ranked by the order in which the envelopes were drawn, of which a Record of the draw will be made.

If an invited bidder does not respond to the invitation to attend the draw, the members of the Public Procurement Committee shall, in front of the attending authorised bidders' representatives, put pieces of paper with the names of absent bidders in empty envelopes, which will be included in the draw procedure, along with the envelopes of the attending authorised representatives of bidders. The same procedure will be followed if no bidder attends the draw.



**V FORMS**

**Form 1**

**BID FORM**

On the basis of the notice for public procurement of services - organization of Street Art festival, OP 06/2019

I submit a bid as follows:

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

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

\_\_\_\_\_  
**Signature of authorized person**

Stamp place

NOTE: The bidder is obliged to complete and sign all parts of the form of the offer, which confirms that the exact data in the form of the bid is stated. If bidders submit a joint offer, a bidding group may specify that the tender form is signed by all bidders from a group of bidders or a group of bidders may designate one bidders from the group who will fill in and sign the bidding form.

## 1) DATA ON THE BIDDER

Bidder's business name:	
Address:	
Bidder's registration number:	
Bidder's tax identification number:	
Contact person:	
E-mail:	
Telephone:	
Fax:	
Account number and name of a bank:	
Bidder's representative authorised to sign the contract:	

## 2) I SUBMIT THE BID (designate):

- A) INDEPENDENTLY
- B) WITH A SUBCONTRACTOR
- B) AS A JOINT BID

Note: Complete the method of submitting the offer and enter the subcontract information, if the offer is submitted with the subcontractor, or information about all participants in the joint offer, if the offer is submitted by a group of bidders.

### 3) DATA ON THE SUBCONTRACTOR

1)	Subcontractor's business name:	
	Address:	
	Registration number:	
	Tax identification number:	
	Contact Person:	
	Percentage of the total value of the procurement to be outsourced to this Subcontractor:	
	Part of the subject of the procurement to be executed by this Subcontractor:	
2)	Subcontractor's business name:	
	Address:	
	Registration number:	
	Tax identification number:	
	Contact Person:	
	Percentage of the total value of the procurement to be outsourced to this Subcontractor:	
	Part of the subject of the procurement to be executed by this Subcontractor:	

**Note:**

The "subcontractors" table is filled out only by those bidders submitting a offer with a subcontractor, and if there are more subcontractors than the places provided in the table, it is necessary to copy the above form in sufficient number of copies, to be filled in and delivered to each subcontractor.

#### 4) DATA ON A BIDDER IN A JOINT BID

1)	Business name:	
	Address:	
	Registration number:	
	Tax identification number:	
	Contact person:	
2)	Business name:	
	Address:	
	Registration number:	
	Tax identification number:	
	Contact person:	
3)	Business name:	
	Address:	
	Registration number:	
	Tax identification number:	
	Contact person:	

Note: The table "Data on participant in the joint offer" is filled out only by those bidders submitting a joint offer, and if there are more participants in the joint offer than the places provided in the table, it is necessary to copy the above form in sufficient number of copies, to fill in and deliver for each bidder who is a participant in a joint offer.

**5) BID / PRICE AND OTHER DATA RELEVANT FOR BID EVALUATION**  
**– Services - organization of Street Art festival, OP 06/2019**

Service description	Total price, exclusive of VAT (tax) in RSD or EUR ( <u>designate the currency of the bid</u> )	Total price, inclusive of VAT (tax) in RSD or EUR ( <u>designate the currency of the bid</u> )
Organization of Street Art festival, in line with the Technical specifications of this tender documents		

<p><b>Terms of payment:</b>            (circle the number of the payment option and fill out the corresponding fields)</p>	<p><b>1. Advance payment:</b></p> <p>I. 50%, upon contract signing and submission of a valid advance invoice and a bank guarantee for advance payment refund</p> <p>II. 50%, after the service is performed, upon verification on provided services.</p> <p>Deadline for payment of items II and III, (minimum 8 days, maximum 45 days):</p> <p>_____days from the day of receipt of a valid invoice and bank guarantee/valid invoice given upon verification on provided services</p> <p><b>2. Payment upon provided services</b></p> <p>Payment term (minimum 8 days, maximum 45 days):</p> <p>_____days from the day of receipt of a valid invoice submitted upon verification on provided services</p>
<p><b>Deadline to deliver the advance invoice and bank guarantee:</b>            (This item is filled out only if advance payment is requested)</p>	<p>up to _____ days from the date of contract conclusion</p>
<p><b>Bid validity deadline</b> (minimum 60 days)</p>	<p>_____ days from the bid opening</p>

	date
<b>Deadline for provision of services</b>	d/m/y

Place: \_\_\_\_\_

Bidder

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

Stamp

\_\_\_\_\_  
 Signature of the authorized person

Notes:

The tender form must be completed and signed by the tenderer, confirming that the exact data in the tender form is indicated. If bidders submit a joint offer, a bidding group may specify that the tender form is signed by all bidders from a group of bidders or a group of bidders may designate one bidders from the group who will fill in and sign the bidding form.

**FORM OF STATEMENT ON FULFILMENT OF PARTICIPATION REQUIREMENTS IN PUBLIC  
PROCUREMENT PROCEDURE**

Accepting full financial and criminal liability, I hereby declare that the Bidder

Identification Number \_\_\_\_\_

fulfils all requirements stated in the Tender Documents for public procurement of services - organization of Street Art Festival:

- ✓ The bidder is registered with the competent authority, i.e. entered in the appropriate business register;
- ✓ The bidder and its legal representative have not been convicted of any criminal act as members of an organised crime group, nor convicted of a commercial criminal offence, criminal offence against the environment, criminal offence of receiving or offering bribe, or a criminal offence of fraud;
- ✓ The Bidder fully payed due taxes, contributions and other public charges in accordance with regulations of the Republic of Serbia or a foreign country where its head office is located;
- ✓ The bidder has fulfilled obligations under applicable regulations on safety at work, employment and working conditions, and environmental protection, and no measure prohibiting the performance of the activity has been pronounced against it which is in force at the time of bid submission;
- ✓ The bidder has, in the last five years from the day of the announcement of the call for bids, implemented at least 50 international projects that had a similar subject as well as the subject public procurement, attended by at least 1 million viewers yearly.
- ✓ The bidder has, at the time of the announcement of the invitation to tender, at least: 1 Spine Ramp, 1 BMX Flatland stage for official competitions, 1 Mini Ramp, 10 Ramps for Wakeboarding and 30 Ramps which can be used for BMX Freestyle, Roller, Skateboard and/or Scooter

If the bid is submitted by a group of bidders, the Statement must be signed by each bidder's authorised representative.

This statement shall be copied and submitted for each bidder from the group of bidders, with adjustment of text in part of business and technical capacity.

If the bid is submitted with a subcontractor, the Statement (except parts - business and technical capacity) shall be submitted and it shall be signed by bidder's authorised representative and subcontractors authorised representative.

Place: \_\_\_\_\_

Bidder

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

Stamp

\_\_\_\_\_  
Signature of the authorized person

**FORM OF STATEMENT OF BID PREPARATION COSTS**

Accepting full financial and criminal liability, I hereby declare that in this public procurement procedure I had the following costs:

<b>COST ITEM</b>	<b>COST AMOUNT IN RSD</b>
<b>TOTAL AMOUNT OF COSTS OF BID PREPARATION</b>	

In accordance with Article 88 of the Law, the Bidder may include in its bid the total amount and structure of bid preparation costs.

The costs of preparation and submission of the bid are borne exclusively by the bidder and shall not be reimbursed by the contracting authority.

If the public procurement procedure is cancelled due to reasons related to the contracting authority, the contracting authority shall reimburse the bidder for the costs of manufacturing a sample or model, if these were made in accordance with the technical specifications of the contracting authority, and for the costs of acquiring collateral, provided that the bidder requested the reimbursement of these costs in its bid.

Pursuant to the Rulebook on Mandatory Elements of Tender Documents in Public Procurement Procedures and the Manner of Proving the Fulfilment of Conditions, this Statement is a mandatory element of the Tender Documents.

Place: \_\_\_\_\_

Bidder

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

Stamp

\_\_\_\_\_  
Signature of the authorized person

**NOTE:** SUBMISSION OF THIS STATEMENT IS NOT MANDATORY.



**STATEMENT  
OF INDEPENDENT BID**

Accepting full financial and criminal liability, I hereby declare that I have submitted the bid independently, without any agreement with other bidders or interested parties.

Place: \_\_\_\_\_

Bidder

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

Stamp

\_\_\_\_\_  
Signature of the authorized person

**Note:** Should there be reasonable doubt as to the truthfulness of the statement of independent bid, the contracting authority shall immediately inform the authority in charge of competition protection thereof. The authority in charge of competition protection may impose a measure prohibiting participation in the public procurement procedure to the bidder, i.e. interested party, if it establishes that the bidder, i.e. interested party has violated the competition in the PP procedure, within the meaning of the Law governing competition protection. The measure prohibiting participation can last up to two years. The violation of the competition represents a negative reference, within the meaning of Article 82, paragraph 1, item 2 of the Law.

If the bid is submitted by a group of bidders, the Statement must be signed by each bidder's authorised representative.

**STATEMENT  
OF COMPLIANCE WITH REGULATIONS**

Accepting full financial and criminal liability, I hereby declare that I have fulfilled the obligations under applicable regulations on safety at work, employment and working conditions and environmental protection, and no measure prohibiting me from performing the activity is in force at the time of the submission of this bid.

Place: \_\_\_\_\_

Bidder

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

Stamp

\_\_\_\_\_  
Signature of the authorized person

**NOTE:**

If the bid is submitted by a group of bidders, the Statement must be signed by each bidder's authorised representative.

If the bid is submitted with a subcontractor, the Statement must be signed by the authorised person of the bidder and the authorised person of the subcontractor.

**STATEMENT  
ON LEGAL REPRESENTATIVES  
(FOR FOREIGN BIDDERS ONLY)**

Accepting full financial and criminal liability, I hereby declare that pursuant to the regulations of the country in which our head office is located, our legal representatives are as follows:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Place: \_\_\_\_\_

Bidder

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

Stamp

\_\_\_\_\_  
Signature of the authorized person

**SUGGESTED TEAM FOR PROVISION OF SERVICES**

Suggested Team			
No.	Suggested Member (First and last name)	Requirement	Description on fulfilment
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			

Mandatory addendum: **Short CV's for every team member.**

Fulfilment of the requirement shall be clear from the description above and CV's. Bids that don't fulfil stated requirements shall be dismissed as unacceptable.

Place: \_\_\_\_\_

Bidder

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

Stamp

\_\_\_\_\_  
Signature of the authorized person

**VI MODEL CONTRACT ON PUBLIC PROCUREMENT – OP 06/2019**

**Concluded by:**

**Youth federation of associations „European Youth Capital Novi Sad – OPENS“** from Novi Sad, Laze Teleckog Street 2, Tax Ident. Number: 109499809, Registration Number: 28202717, represented by Vukasin Grozdanovic (hereinafter: Contracting Authority)

and

from \_\_\_\_\_, street

Tax Ident Number: \_\_\_\_\_, Registration Number:

Bank Account: \_\_\_\_\_ Name of the Bank: \_\_\_\_\_,

Phone: \_\_\_\_\_, Fax: \_\_\_\_\_

represented by \_\_\_\_\_

(hereinafter: Service Provider) **(fill by the Bidder)**

Basis for the Contract: OP. 06/2019

No and date of Decision on Awarding the Contract: \_\_\_\_\_ (filled by the CA)

Bid of the selected bidder No. \_\_\_\_\_ from \_\_\_\_\_ (filled by the CA)

**INTRODUCTION PROVISIONS**

**Article 1**

Parties jointly note:

- o that the Contracting Authority on the basis of the Law on Public Procurement (RS Official Gazette, No 124/12, 14/2015 and 68/2015) conducted an open procedure for public procurement of services - organization of Street Art Festival, OP 06/2019;
- o that the Bidder/Service Provider submitted a bid on \_\_\_\_\_ (fill by the CA) 2019, which is filed with the Contracting Authority under No. \_\_\_\_\_ (fill by the CA) (Addendum 1), which fully satisfies requirements set in the Tender documents, which is an integral part of this contract:
- o that the Contracting Authority in line with Art. 107 and 108 of the Law, applying the Lowest Price Criterion, adopted the Decision on Contract Award No. \_\_\_\_\_ from \_\_\_\_\_ 2019, awarding the Contract to the Bidder (fill by the CA)

**SUBJECT OF THE CONTRACT**

**Article 2**

The subject of this Contract is the provision of services - organization of Street Art Festival, in accordance with the Bid from the Article 1 of the Contract and Technical Specification from the Tender Documents.

(The Service provider participates with a Subcontractor \_\_\_\_\_, Street \_\_\_\_\_ from \_\_\_\_\_, which will execute a part of the procurement, namely the part: \_\_\_\_\_).

## **PRICE AND MANNER OF PAYMENT**

### **Article 3**

#### PAYMENT OPTION I (IN CASE OF ADVANCE PAYMENT)

The total price of the services is set in the Bid of the Service provider from Article 1 of the Contract and is \_\_\_\_\_ RSD/EUR, excluding tax (VAT).

The Contracting authority shall make the advance payment to the Service Provider amounting to RSD/EUR \_\_\_\_\_ (50 % of the price of the services) within \_\_\_\_\_ days of the date of the receipt of a valid advance invoice and a bank guarantee for advance payment refund, while the remaining debt in the amount of 50% (of the price of the services) shall be paid after the service is performed, upon verification on provided services.

The Service Provider shall submit the advance invoice referred to in paragraph 1 hereof within up to \_\_\_\_ days from contract conclusion date, along with a bank guarantee for advance payment refund which covers the requested advance payment plus tax.

#### PAYMENT OPTION II (IN CASE OF PAYMENT UPON PROVISION OF SERVICES)

The total price of the services is set in the Bid of the Service provider from Article 1 of the Contract and is \_\_\_\_\_ RSD/EUR, excluding tax (VAT).

The Contracting Authority shall pay to the Service provider a total price, increased by the amount of calculated VAT, within \_\_\_\_\_ days from the date of the receipt of invoice, given upon verification on provided services.

### **Article 4**

If the offered price is expressed in euros – domestic bidder:

The payment of price, increased by the amount of calculated VAT, shall be made in the dinar equivalent value using the official middle EUR/RSD exchange rate of the National Bank of Serbia on the invoice date.

If the offered price is expressed in euros – foreign bidder:

The payment of price, increased by the amount of calculated VAT, shall be made in euros.

## **MANNER OF SERVICE PROVISION**

### **Article 5**

The Service provider shall provide services from this contract with quality and within deadline, in line with the Bid, tender documents and current acts and standards for this type of services, with the care of a good businessman.

Takeover of services shall be done by Minutes on takeover of the services provided.

## **CONTRACTUAL PENALTY**

### **Article 6**

If the Service provider fails to perform the contractual obligation in the agreed deadline, provided such failure is not caused by the Contracting Authority or due to force majeure, the Service provider shall pay to the Contracting Authority a penalty for each day of delay amounting to 0.5% of the total value of the contract.

The contractual penalty referred to in paragraph 1 hereof shall start from the first day after the expiry date of the agreed deadline for the performance of the contractual obligation and shall count until the day the contractual obligation is performed, and at most until the day when the value of the calculated contractual penalty reaches 10% of the value of the contract.

If the Service provider fails to perform a contractual obligation, the Contracting Authority may charge a contractual penalty of 10% of the total value of the contract.

The Contracting Authorities right to charge a contractual penalty shall not affect its right to demand damage compensation.

## **FINANCIAL COLLATERAL**

### **Article 7**

#### IN CASE OF ADVANCE PAYMENT – A BANK GUARANTEE FOR ADVANCE PAYMENT REFUND

A bank guarantee for advance payment refund in the amount of advance invoice with VAT included, which shall be submitted together with the advance invoice, and with the validity period of minimum 10 (ten) days from the deadline for provision of services.

The bank guarantee shall be unconditional and payable on first demand.

The bank guarantee may not contain additional payment conditions, deadlines shorter than those specified by the Contracting Authority, smaller amounts or a different court jurisdiction for dispute resolution, than specified by the Contracting authority herein.

When submitting the bank guarantee, copies of specimen signature cards of authorised persons of the bank that issued the bank guarantee shall also be enclosed.

The bank guarantee shall be kept in the Contracting authority's portfolio until contractual obligations have been performed, whereupon it shall be returned to the other party.

## **TERMINATION**

### **Article 8**

Either party may terminate this Contract in case of non-performance of obligations envisaged by the Contract by the other party. Non-performance is declared if a contractual obligation is not performed, if it is partially performed or if it is performed, but not in the manner stipulated by the Contract.

The Party terminating the Contract shall inform the other Party of Contract termination by sending a written notice via registered mail with a return receipt or via email.

## **OTHER PROVISIONS**

### **Article 10**

Issues not regulated by this Contract shall be governed by the Law on Contracts and Torts of the Republic of Serbia.

### **Article 11**

The Parties agree to resolve amicably any disputes under this Contract. Any disputes that are not resolved amicably shall be resolved by the Commercial Court in Novi Sad.

### **Article 12**

This Contract is made in four identical copies (in English and Serbian), of which two are intended for each party.

In Novi Sad,

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

**for Service Provider**

**for Contracting Authority**

\_\_\_\_\_

\_\_\_\_\_



## VII INSTRUCTIONS TO BIDDERS ON PREPARING THE BID

### 1. The Language

The language of the bid may be either Serbian or English.

### 2. Manner of Bid Submission and content of bid

Bidders shall submit their bids in a sealed and stamped envelope, either by post or in person, at the address of the contracting authority:

Youth federation of associations „European Youth Capital Novi Sad – OPENS“  
Laze Teleckog Street 2,  
21000 Novi Sad  
SERBIA

with the following note:

"Bid for the public procurement of services - organization of Street Art Festival, Services of festival organization, OP.06/2019 – do not open"

If the bidder submits the offer by post, he must ensure that the same is received by the contracting authority by the specified date and time.

The name of the bidder, address and telephone number, and the name of its authorised contact person shall be written on the back of the envelope.

The bid is made by submitting the requested information to the forms that are an integral part of the tender documentation and submitting evidence on the fulfillment of mandatory and additional conditions for participation in the procedure, in accordance with the law and the tender documentation.

It is desirable that all the documents submitted in the bid be connected in full and sealed, so that individual sheets or attachments can not be inserted, removed or replaced, and that the sheets or seal are not visibly damaged.

A bid shall be considered untimely if it has not received by the contracting authority by the specified date and time.

The Bidder can submit only one bid.

### 3. Bid with variants is not allowed

### 4. METHOD OF AMENDING, SUPPLEMENTING AND WITHDRAWING BIDS

Pursuant to Article 87, paragraph 6 of the Law, a bidder may amend, supplement or withdraw its bid within the deadline for bid submission. The amendment, supplement or withdrawal of bids shall be effective provided the contracting authority receives the amendment, supplement or notice of bid withdrawal prior to the expiry of the deadline for bid submission.

Bids shall be amended, supplemented or withdrawn in the manner specified for bid submission.

No bid may be amended, supplemented or withdrawn after the expiry of the deadline for bid submission.

#### **4.1. Request regarding the validity period of the offer**

The validity period of the offer can not be shorter than 60 days from the day of opening the bids.

In case of expiration of the validity period of the offer, the contracting authority is obliged in written form to ask the bidder to extend the validity period of the tender.

A Bidder who accepts a request to extend the validity period of a Bid may change the Bid.

#### **5. Information to bidder about bid submission**

The bidder that independently submitted its bid may not at the same time participate in a joint bid or as a subcontractor, nor participate in several joint bids.

#### **6. Subcontractor**

If a bidder intends to outsource the procurement to a subcontractor, it must state in the bid that it will outsource a part of the procurement to a subcontractor, specifying the name of the subcontractor, the percentage of the total value of the procurement to be outsourced to that subcontractor, which may not exceed 50%, as well as the particular part of the procurement to be executed through that subcontractor.

If the contracting authority and the bidder sign a contract, the subcontractor shall be named in the contract.

The bidder shall be fully liable to the contracting authority for the execution of the contracted procurement, regardless of the number of subcontractors.

If, after bid submission, a longer-lasting payment incapacity occurs on the part of the subcontractor, the bidder may hire, as a subcontractor, a person not listed in the bid provided that such person meets all the requirements for a subcontractor and if it receives prior consent from the contracting authority.

Along with the bid, the bidder shall submit evidence showing that its subcontractors meet the requirements referred to in Table 1, items 1 to 4.

#### **7. Information on content of the joint bid**

An integral part of a joint bid is an agreement by which bidders in a group of bidders commit to each other and to the contracting authority to execute the public procurement. This agreement must contain data on:

- 1) the leading member of the group, i.e. the member that will submit the bid and sign the forms from the Tender Documents and represent the group of bidders before the contracting authority;
- 2) - obligations with respect to execution of the contract of each bidder in the group of bidders.

#### **8. Requests regarding terms and conditions of payment**

The deadline for payment can not be shorter than 8 or longer than 45 days from the date of receipt of a regular account, in accordance with the Law on the deadlines for settlement of financial obligations in commercial transactions ("Official Gazette of the Republic of Serbia", No. 119/12).

Payment is made by payment to the account of the supplier.

## **9. Currency**

Prices of the services that are the subject of the procurement may be expressed in dinars or a foreign currency – euros.

For bid-ranking purposes, the price shall be converted into dinars using the official RSD/EUR middle exchange rate of the National Bank of Serbia on the day of bid opening.

If an unusually low price is quoted in the bid, the contracting authority shall act in accordance with Article 92 of the Law.

## **10. FINANCIAL COLLATERAL**

The Service provider shall submit the following as financial collateral with which the bidder will guarantee the fulfilment of its obligations:

In case of advance payment – a bank guarantee for advance payment refund:

1) A bank guarantee for advance payment refund in the amount of advance invoice with VAT included, which shall be submitted with the advance invoice, and with the validity period of minimum 10 (ten) days from the deadline for provision of services.

Financial Collateral is not being asked for Payment option II (in case of payment upon provision of services)

## **11. Deadline for contract execution**

The service deadline is 14 - 15 September 2019.

## **12. Data Protection of the Contracting authority**

The Service Provider shall, during the duration of the Agreement and after the expiration of the Public Procurement Contract, keep the business secret of the Contracting authority.

Business secret is any document, that is, information in written, electronic or some other form related to the business of the Contracting authority, as well as a document, that is, information that is available to the Service Provider based on participation in the international and other bodies to which it is delegated, in respect of which there is no legal obligation to publish, as well as obligation to communicate in terms of the regulations on free access to information of public importance, and whose unauthorized disclosure to third parties due to the importance of documents or data could cause the or threaten the interests and reputation of the Contracting authority.

If the Service Provider fails to comply with the obligation to keep business secrets, the Contracting authority shall terminate the Public Procurement Contract, and initiate appropriate procedures to protect the interest and compensation of damages.

## **13. ADDITIONAL INFORMATION AND CLARIFICATIONS**

An interested person may request additional information or clarifications relating to bid preparation from the contracting authority, with the option of notifying the contracting authority of potential defects and irregularities in the Tender Documents, in writing, at the following address: Youth federation of associations „European Youth Capital Novi Sad – OPENS“, Laze Teleckog Street 2, 21000 Нови Сад, or via email [administracija@opens2019.rs](mailto:administracija@opens2019.rs), by no later than 5 (five) days before the expiry of the deadline for bid submission. The contracting authority will respond to the inquiry and publish the amendments and

supplements to the Tender Documents on the Public Procurement Portal and its website, every business day (Monday–Friday), from 8.00 a.m. to 4.00 p.m.

Interested persons/ bidders and the contracting authority shall communicate as prescribed in Article 20 of the LPP, specifically: - via email or post, while the contracting authority may also do so through the Public Procurement Portal and its website, if a document in the public procurement procedure was submitted by the contracting authority or bidder by email, the sender must request from the receiving party to acknowledge the receipt of such document using the same means, which the other party is obligated to do when this is needed as proof of delivery.

Requesting additional information and explanations by telephone is not allowed.

#### **14. ADDITIONAL EXPLANATIONS, CONTROL AND PERMITTED CORRECTIONS**

The contracting authority may, upon bid opening, request from a bidder additional explanations in writing which will help in the examination and evaluation of bids and it may also perform control (inspection) of the bidder and/or its subcontractor (Article 93 of the LPP). Upon conclusion of the bid opening procedure, the contracting authority may, with the bidder's consent, correct arithmetic errors discovered during the examination of the bid. Where there is a difference between the unit price and total price, the unit price shall prevail. If the bidder does not accept the correction of arithmetic errors, the contracting authority shall reject such bid as unacceptable

#### **15. USE OF PATENTS AND INTELLECTUAL PROPERTY RIGHTS**

The patent fee and liability for the breach of intellectual property rights of third persons shall be borne by the bidder.

#### **16. REQUEST FOR THE PROTECTION OF RIGHTS**

The request for the protection of rights shall be submitted to the contracting authority, and at the same time a copy thereof shall be sent to the Republic Commission for the Protection of Rights in Public Procurement Procedures.

The request for the protection of rights may also be sent to the contracting authority by email to [administracija@opens2019.rs](mailto:administracija@opens2019.rs) every business day (Monday–Friday) from 8.00 a.m. to 4.00 p.m.

The request for the protection of rights may be filed during the entire public procurement procedure against any action of the contracting authority, unless otherwise specified by the LPP. The request for the protection of rights challenging the type of procedure, the content of the public invitation to bid or Tender Documents shall be considered timely if received by the contracting authority at least 7 (seven) days before the expiry of the deadline for bid submission, regardless of the manner of delivery, and if the claimant, in accordance with Article 63, paragraph 2 of the LPP, informed the contracting authority of potential defects and irregularities, which the contracting authority failed to remove. The request for the protection of rights challenging the actions taken by the contracting authority before the expiry of the bid submission deadline, and after the expiry of the deadline referred to in paragraph 4 hereof, shall be considered timely if submitted by the bid submission deadline at the latest. After making the decision to award the contract, conclude a framework agreement or suspend the procedure, the deadline for the submission of the request for the protection of rights is 10 (ten) days from publishing of the decision on the Public Procurement Portal and the website of the Contracting Authority.

The request for the protection of rights must contain:

- 1) name and address of the claimant and contact person;
- 2) name and address of the contracting authority;

- 3) data on the public procurement that is the subject of the request and/or on the decision of the contracting authority;
- 4) violations of regulations that govern the public procurement procedure;
- 5) information and evidence proving the violations;
- 6) proof of payment of the fee referred to in Article 156 of the LPP;
- 7) signature of the claimant.

A valid proof of payment of fee, in accordance with the Guidelines for payment of the fee for the request for the protection of rights issued by the Republic Commission for the Protection of Rights in public procurement procedures, published on the website of the Republic Commission for the Protection of Rights in public procurement procedures, within the meaning of Article 151, paragraph 1 item 6) of the LPP shall be:

1. Proof of payment of the fee set out in Article 156 of the LPP, which contains the following elements:

- (1) to be issued and certified by the bank;
- (2) as it is proof of payment, it must contain the information that the payment order for payment of the fee and/or transfer order has been executed, along with the date of order execution. \* The Republic Commission may inspect the relevant statement of the recording account from the Ministry of Finance – Treasury Administration to additionally verify that the transfer order has been executed.
- (3) the amount of the fee as set out in Article 156 of the LPP in respect to which the payment is executed – RSD 120,000;
- (4) account number: 840-30678845-06;
- (5) payment code: 153 or 253;
- (6) model and reference number: data on the number or designation of the public procurement in respect to which the request for the protection of rights is submitted;
- (7) purpose: RPR (request for the protection of rights); public procurement OP. 06/2019;
- (8) payee: budget of the Republic of Serbia;
- (9) name of the payer and/or name of the claimant who submitted the request for the protection of rights in respect of which the payment of the fee is executed;
- (10) signature of the bank's authorised person, or

2. Payment order, original copy, authenticated by the signature of the authorised person, which contains all other elements from the proof of payment of the fee referred to in item 1, or

3. Confirmation of the Republic of Serbia, Ministry of Finance, Treasury Administration, signed, which contains all elements from the proof of payment of fee referred to in item 1, except elements under (1) and (10), which is issued to the claimants who submitted the request for the protection of rights that have a sub account in the appropriate consolidated treasury account maintained by the Treasury Administration (budget beneficiaries, beneficiaries of funds of mandatory social insurance organisations and other public funds beneficiaries).

## **17. CONTRACT CONCLUSION**

The Contracting Authority shall submit the public procurement contract to the bidder that was awarded the contract within 8 (eight) days of the expiry of the deadline for the submission of the request for the protection of rights.

If only one bid is submitted, the contracting authority may conclude the contract prior to the expiry of the deadline for the submission of the request for the protection of rights, pursuant to Article 112, paragraph 2 item 5) of the LPP.

## **18. CHANGES DURING THE DURATION OF THE CONTRACT**

After the conclusion of the public procurement contract, the contracting authority may, without the implementation of the public procurement procedure, increase the scope of the subject of procurement to the limit prescribed in Article 115, paragraph 1 of the Law.

The Contracting authority may increase the volume of the subject of the public procurement from the Contract for a maximum of 5% of the total value of the Contract provided that it has secured financial means, in case of force majeure, changes in the applicable legal regulations, the measures of state authorities and changed circumstances on the market caused by force majeure.

#### **19. USE OF STAMP**

The bidder is not obliged to use a stamp when making a bid.