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Republic of Serbia

**MINISTRY OF FINANCE**

**ADMINISTRATION FOR THE PREVENTION**

**OF MONEY LAUNDERING**

**24 Resavska St, Belgrade**

**No:** **05-552/4/2019**

**1 October 2019**

**TENDER DOCUMENTS**

**LICENCE TO USE A SOFTWARE PLATFORM**

**Ref No.** **P/2-2019**

|  |  |
| --- | --- |
| *Time limit for submission of bids* | **10 October 2019, until 10.00h** |
| *Public opening of bids* | **10 October 2019, 10.30h** |

**October 2019**

Pursuant to Article 36, paragraph 1, item 2) and Article 61 Of the Law on Public Procurement (iOfficial Gazette of RS, nos. 124/12, 14/15 and 68/15, hereinafter referred to as: The Law), Article 5 Of the Rulebook on mandatory elements of tender documents in the porcedures of public procurments and the manner of proving the compliance with consitions required (*Offcial Gazette of RS, nos. 86/15 and 41/19),* Opinion of the Public Procurement Administration no. 404-02-3970/19 of 19 September 2019, Decision on Initiating Negotiations Procedure of Public Procurement no. 05-552/1/2019 of 25 September 2019 and Decision on establishing a Commission for the public procurement no. 05-552/2/2019 of 25 September 2019,

**TENDER DOCUMENTS have been prepared**

**IN NEGOTIATed PROCEDURE WITHOUT A PUBLIC CALL FOR BIDS IN THE PUBLIC PROCUREMENT OF GOODS**

***LICENCE TO USE A SOFTWARE PLATFORM***

**Ref No. P/2-2019**

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| **I GENERAL INFORMATION ON THE PUBLIC PROCUREMENT** |

**DATA ON THE PROCURING AUTHORITY**

* Ordering party: Ministry of Finance - Administration for the Prevention of Money Laundering
* Address of the Procuring authority: 24 Resavska St, Belgrade
* Reg. No. 17862146
* TAX ID: 104193397
* Website: www.apml.gov.rs

**TYPE OF PUBLIC PROCUREMENT PROCEDURE**

The public procurement is conducted in a negotiations procedure without a public call for submitting bids, in line with Aticle 36, para. 1, item 2) of the Law.

The procedure concerned is conducted for the purpose of concluding a public procurement agreement.

**NOTE FOR RESERVED PUBLIC PROCUREMENTS**

The procurement concerned is not a reserved public procurement

**CONTACT PERSON**

Tanja Ogrizović

e-mail: togrizovic@apml.gov.rs

**Information on the person to whom the call for the submission of the bid is addressed and the reasons**

* Bureau van Dijk, Editions Electronques SA, Avenue de Frontenex 8, 1207 Geneva, Switzerland
* Reg. No. CH-660-1044991-1
* TAX ID: CHE-101.976.861 TVA

-Company Bureau van Dijk, Editions Electronques SA, Avenue de Frontenex 8, 1207 Geneva, Switzerland, is the sole authorized distributor of licences to use Orbis software platform in the territory of Serbia and reserves all the copyright and other intellectual property rights over the information, software and other data compiled in Orbis and T-Rank database.

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| **II INFORMATION ON THE SUBJECT MATTER OF THE PUBLIC PROCUREMENT** |

**SUBJECT MATTER OF THE PUBLIC PROCUREMENT**

Subject matter of the public procurement is the procurement of goods, licemce to use the software platform, in the period of 12 (twelve) months.

Name and designation from the General Public Procurement Glossary: 48210000 - Software packages for networking.

**LOTS**

Public procurement is not organized by lots.

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| **TYPE, CHARACTERISTICS AND DESCRIPTION OF GOODS** |

**TYPE OF PUBLIC PROCUREMENT**

Subject matter of the public procurement is the procurement of goods, licence to use the software platform, in the period of 12 (twelve) months.

**SPECIFICATION OF PUBLIC PROCUREMENT**

**1.** **Type of goods**

Licence to use the software platform fpr access to data described in item 4. of this chapter (Technical specification).

The subject matter of the procurement is to obtain one licence to use the Orbis software platform, the bidder being obliged within one year from the day the agreement is signed to grant uninterrupted operations in the said system, making it available 24 hours a day, 7 days a wek, 365 days in year.

The bidder is obliged to provide training for the Administration staff to use the software platform, and, in case a functionality is modified and/or added, to provide additional training of the staff or provide necessary documentation for the functionality.

**2.** **Quality**

As per the requirements from technical specification.

**3.** **Quantity and description of goods**

Quantity and description of goods which are teh subject matter of this procurement have been provided in item 4 of this chapter of tender documents (Technical specification).

**4.** **Technical specification**

For the purpose of a more effective exercise of its core functions, the Administration need to have access to an external source of information which would contain the following:

-data on at least 200 mln companies worlldwide, including banks and insurance companies;

- indicators of financial strength of companies and their projected finances, shown through balance sheets and profit-and-loss accounts;

- information on the ownership structure and beneficial ownership of companies (in percentages), including the data on the changes in the ownership countries in the last five years, as well as identified natural persons related with the companies.

-visualisation of links between corporate structures and direct ownership of business entities, with a possibility to calculate and illustrate indirect and beneficial ownership of companies;

-information on changes in the ownership structure/company’s activities, inlcuding mergers and acquisitions;

- data on business activiites and changes in companies’ ownership structures from unofficial sources and results of independent research;

-original official documents of companies, plus the export function in the formats of TXT, PDF, DOCX, etc;

- up-to-date lists of designated natural and lotal persons listed on the lists of relevant organizations (UN, EU, etc), PEPs and persons related to PEPs, information on persons from final convictions or adverse media, as well as the information on persons subject to freezing;

The bidder shall provide the access to the database for the Administration employees from the Analytics sector and will enable simultaneous access for three employees.

**Note:** **The bidder is required to provide technical characteristics of the offered goods in a free form when submitting the bid.**

**Time limit for delivery:**

The bidder is required to provide necessary access parametres for using the platform to the ordering party within 30 days at the latest from the mutual signing of the agreement.

Access parameters for the use of the platform - usernames and passwords, shall be delivered by mail and electronically.

**Exercising control and quality assurance**

The control of the delivered goods is exercised by the authorized persons of the ordering party.

**Guarantee period and conditions for guarantee maintenance**

The bidder guarantees that the software platform will be available for 24 hours a day, 7 days a week, all year round and that in the event of unexpected circumstances, the platform will be restored at the shortest notice.

Guarantee period must not be shorter than 12 months from the day of delivery since the day the access was granted.

**Monitoring the implementation and controlling the execution of the contract:**

The Ordering party shall appoint persond for monitoring the implementation and controlling the execution of the contract:

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| **IV CONDITIONS FOR PARTICIPATION IN THE PUBLIC PROCUREMENT PROCEDURE**  **REFERRED TO IN ARTICLE 75** **OF THE LAW AND INSTRUCTION ON PROVING THE COMPLIANCE WITH MANDATORY REQUIREMENTS**  **‘** |

**Conditions for participation in the public procurement procedure**

In the procurement procedure the bidder must prove that it meets the conditions required for participation, as defined in Article 75 Of the Law.

The bidder proves that it meets manadatory conditions for participation in the procurement procedure, as defined in the following table:

|  |  |  |
| --- | --- | --- |
| **Ref.** **NO** | **MANDATORY CONDITIONS** | **HOW IS IT PROVED** |
| 1. | That it has been registered with a relevant authority, and/or, recorded in an appropriate register  (Article 75, para.1, item 1 of the Law) | Statement (Form no. 4 is provided under Chapter VI of tender documents), where the bidder confirms, under full material and criminal liability, that it meets the conditions for participating in the procurement procedure, referred to i Article 75, para.1, item 1) to 4) and para.2 Of the Law, as defined by this tender documents. |
| 2. | That it and its lotal representative have not been convicted for a criminal offence as a member of an organized crime group, for criminal offences against economy, environment, accepting or offering bribes, fraud  (Article 75, para.1, item 2 of the Law) |
| 3. | That it has paid taxes due, contributions and other public duesin line with the regulations of Serbia or a foreign country, when it has its registered seat in the foreign country.  (Article 75, para.1, item 4 of the Law) |
| 4. | That it has complied with requirements stemming from regulations in force on safety at work, on employment and working conditions, protection of environment, and that it has not been barred from engaging in its professional activities at the time when the bid was submitted.  (Article 75, para.2 Of the Law. |

**Instruction on proving the compliance with mandatory requirements**

The compliance with mandatory requirements for participation in the procurement procedure, as listed in the table under nos.1, 2, 3 and 4 in line with Article 77, para.4 Of the Law, **is proved by providing the Satement (Form no. 4 is provided under Chapter VI of tender documents)**, where the bidder confirms, under full material and criminal liability, that it meets the conditions for participating in the procurement procedure, referred to i Article 75, para.1, item 1) to 4) and Article 75, para.2 Of the Law, as defined by this tender documents.

The Bidder is required to inform the ordering party in writing without delay on any change related to the compliance with mandatory requirements, which occurs before the decision is made and/or the contract is concluded, and/or in the duration of the contract and to document it properly.

The ordering party may, before the decision on awarding the contract is made, request the bidder to provide the photocopy of the proof of the fulfilment of requirements with mandatory requirements and to request the original or certified copy of all or specific proof for an inspection.

If the bidder fails to provide the requested proof in the given, appropriate time limit, the ordering party shall refuse the bid as unaccepatable.

The proof that the ordering party may request is as follows:

Mandatory conditions

1. That it has been registered with a relevant authority, and/or, recorded in an appropriate register;

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| Proof: | An excerpt from the register of relevant authority. |

2) That it and its lotal representative have not been convicted for a criminal offence as a member of an organized crime group, for criminal offences against economy, environment, accepting or offering bribes, fraud

|  |  |
| --- | --- |
| Proof: | Certificate issued by a relevant authority - court and/or police directorate |
| The proof cannot be older than 2 months before the opening of bids | |

3) That it has paid taxes due, contributions and other public duesin line with the regulations of Serbia or a foreign country, when it has its registered seat in the foreign country;

|  |  |
| --- | --- |
| Proof: | Certificates issued by relevant tax authority on having paid taxes due, contributions and other public dues in line with the regulations of Serbia or a foreign country, when it has its registered seat in the foreign country. |
| The proof cannot be older than 2 months before the opening of bids | |

Bidders registered with the Register of Bidders kept by Serbian Business Registers Agency shall not submit the proof of the fulfilment of requirements with conditions referred to in Article 75, para.1, items 1) to 4) of the Law on Public Procurement, pursuant to Article 78 of the Law on Public Procurement.

The bidder is not required to provide proof which is publicly available on the websites of relevant authorities, if it cites the webpage where the requested data (proof) is publicly available.

If the bidder has its registered seat in another country, the ordering party can verify if the documents by which the bidder proves the compliance with mandatory requirements have been issued by the country’s relevant authorities. If the bidder was unable to obtain the requested documents within the time limit for bid submission because they could not be issued by the time the bid was submitted by regulations of the country of its registered seat and if the proof of it is porvided along the bid, the ordering party shall allow the bidder to provide the requested documents on a later date, within appropriate time limit.

If the country of the bidder’s registered seat does not issue the proof referred to in Article 77 of the Law, Instead of the proof, the bidder can porvide a written statement under criminal and material liability certified by the court, or an administrative authority, a notary public or another relevant authority of the country. The statement concerned must be translated into Serbian and certified by a sworn-in court interpreter if it was not made in the Serbian authority.

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| **V GUIDANCE FOR BIDDERS ON HOW TO PREPARE A BID** |

1. **Language of the bid**

The bidder shall submit the bid in Serbian or in English.

1. **How the bids are submitted**

The bidder shall submit the bid in person or by mail in a closed envelope, closed in such a manner that it can be said with certainty, at its opening, that it is being opened for the first time.

The name and address of the bidder shall be indicated on the back of the envelope.

The bid shall be submitted to the following address: Republic of Serbia, Administration for the Prevention of Money Laundering, Belgrade, 24 Resavska St., indicating as follows: ‘License to use a software platform, public procurement No P/2-2019-DO NOT OPEN’.)

The bid shall be considered timely if it is received by the Procuring authority no later than 10 October 2019 at 10.00.

Upon receipt of the bid, the Procuring authority shall indicate on the envelope containing the bid the time of receipt and record the number and date of the bid. If the bid is delivered in person, the Procuring authority shall hand an acknowledgment of receipt to the bidder. The acknowledgment of receipt shall indicate the date and hour of receipt of the bid.

The bid that has not been received by the Procuring authority before the time limit for submission of bids or bids received upon expiry of the date and hour by which bids can be submitted, shall be considered untimely. An untimely bid shall be returned to the bidder by the Procuring authority, indicating that the bid was not timely.

The public opening of bids shall be conducted on the same day, upon expiry of the time limit for submission of bids, i.e. 10 October 2019 at 10.30, on the premises of the Administration for the Prevention of Money Laundering, Belgrade 24 Resavska St., meeting room, with the presence of authorised bidders’ representatives.

The representatives of the bidders attending the opening must submit to the public procurement commission, before the public opening, an original copy of the written authorisation to participate in the bid opening procedure and negotiation procedure.

The bid must contain the following certified and signed documents:

* Bid form (Form 1);
* Independent bid statement form (Form 3);
* Form of the bidder’s statement of eligibility to participate in the public procurement procedure - Article 75 of the Law on Public Procurement (Form 4)
* Confidentiality statement form (Form 5);

Note: Provision of the form concerning the cost of preparation of the bid (Form 2) is not mandatory.

1. **Bids with variants**

Bids with variants are not allowed.

1. **How bids are modified, complemented or withdrawn**

The bidder may at any time before the expiry of the time limit for submission of bids modify, complement or withdraw their bid in the same manner as it was submitted, indicating as follows: ‘BID MODIFICATION’, ‘BID COMPLEMENT’ or ‘BID REVOCATION’ for the purchase of goods: License to use a software platform, public procurement No P/2-2019-DO NOT OPEN’.) The bidder is required to clearly indicate to which part of the bid the modification or complement refers to or which documents are submitted subsequently. Upon expiry of the time limit for bids, the bidder may not modify, complement or withdraw their bid.

1. **Participating in a joint bid or as sub-contractor**

There is no option to take part in a joint bid or as sub-contractor in the present public procurement procedure.

1. **Manner and conditions of payment and other circumstances on which the eligibility of the bid depends**

**6.1.** **Requirements with respect to the manner, time limit and payment conditions**

Payment of the contract price shall be effected upon the delivery and installation of the goods and upon the drafting of a Record on the transfer of the goods. Payment time limit may not be shorter than 15 (fifteen) days or longer than 45 (forty-five) days upon the official receipt of the accurate bill/invoice in accordance with the Law on time-limits for the settlement of money claims in commercial transactions (Official Gazette of the Republic of Serbia, 119/12, 68/15 and 113/17).

Payment shall be effected by crediting the bidder’s bank account.

The bidder is not entitled to request an advance payment.

**6.2.** **Requirement with respect to the manner and time limit of performance**

The time limit for delivery of goods, i.e. licences, may not be longer than 30 days upon the date of conclusion of the contract.

The place of performance at the address of the Procuring authority: 24 Resavska St., Belgrade.

The delivery of the goods that are the subject-matter of the public procurement shall be performed electronically.

The delivery shall be accompanied by the the access parameters for the use of the platform - usernames and passwords, shall be delivered by mail and electronically.

**6.3.** **Requirements with respect to the time of validity of the bid**

The validity of the bid may not be shorter than 30 days following the date of opening of bids.

Where the time validity of the bid has expired, the Procuring authority shall request the bidder in writing to extend the time of validity of the bid. If the bidder accepts the request for extension of validity of the bid, the bidder cannot modify their bid.

1. **Currency of the bid and how the price must be indicated and shown in the bid**

The price must be shown in Serbian Dinars (RSD), with and without the related tax amount, with all costs incurred by the bidder included, irrespective of how they were incurred in relation to the implementation of this public procurement. The price without VAT shall be taken into account for the purpose of bid evaluation.

The price shall be fixed and may not be changed for the entire time of duration of the contractual relationship.

If the bid contains an unusually low price, the Procuring authority shall proceed as laid down in Article 92 of the Law. ‘

1. **Confidentiality of data made available to the bidder by the Procuring authority**

The bidder shall both during the public procurement procedure and during the implementation of the contract keep and protect as confidential all information and data obtained from the Procuring authority from unauthorised use and disclosure, as a business secret.

1. **Additional information or clarifications related to the preparation of the bid**

An interested party may, in line with Article 63, paragraph 2 of this Law Request from the Procuring authority, electronically on togrizovic@apml.gov.rs, additional information or clarification on preparing the bid, with the possibility of indicating deficiencies and irregularities in the tender documents, 5 days at the latest from the expiry of the submission time limit.

The procuring authority shall publish the reply on the Public Procurement Portal and on its own website within 3 (three days) from the day a request for additional information or explanation has been received.

Additional information or explanation are addressed citing *Request for additional information or explanation of tender documents,* ***P/2-2019.***

If the procuring authority modifies or supplements tender documents 8 (eight) days or less prior to the expiry of time limit for bid submission, it is required to extend the time limit for bid submission and publish the notice on the extention.

Upon the expiry of the time limit for bid submission, the procuring authority may not modify or supplement tender documents.

Requesting additional information or explanations on preparing the bid by telephone is not permitted.

The communication in the public procurement procedure is done solely in the manner defined in Article 20. Of the Law, and it entails the following:

-via electronic mail or regular mail, as well as by Procuring Authority’s communicating through the Public Procurement Portal and its website;

- if a document from the procedure is submitted by a procuring authority or a bidder using an e-mail, the sender is required to request the receiver to acknowledge the recipt in the same way, which the latter is required to do, as it is a proof of receiving the document.

1. **Additional explanations by the bidder after the opening of bids and examination at the bidder or their sub-contractors**

After the opening of bids, the procuring authority may, in the course of technical evaluation of bids, request from the bidder in writing additional explanations that will help the procuring authority when reviewing, evaluating and comparing bids, and it can perform an examination (inspection) on the bidder’s premises, in accordance with Article 93 of the Law. ‘

The procuring authority may, if agreed to by the bidder, make corrections to the accounting errors when considering the bid upon the completion of the opening procedure. In case of discrepancy between the unit price and total price, the unit price shall apply.

If the bidder does not agree to the corrections of the accounting errors, the procuring authority shall reject their bid as unacceptable.

1. **Use of patents and liability for infringement of protected third-party copyright**

The fee for the use of patents and liability for infringement of protected third-party copyright shall be borne by the bidder.

1. **Data concerning the state authority or organisation which can provide timely and accurate information about tax liabilities, environmental protection, employment protection, working conditions, etc. in relation to the performance of the public procurement contract.**

Information concerning tax liabilities can be obtained from the Ministry of Finance’s Tax Administration.

Information concerning environmental protection can be obtained from the Environmental Protection Agency and Ministry for Environmental Protection.

Information about employment protection and working conditions can be obtained from the Ministry of Labour, Employment, Veterans and Social Policy.

1. **Type of criteria for contract award, elements of criteria based on which a contract is awarded**

The decision to award a contract shall be made based on the criterion of ‘lowest price offered’, reached in the negotiations procedure.

1. **Elements of the contract to be negotiated and type of negotiation**

Upon the opening and review of a submitted bid, if the bid complies with all requirements set out in this tender documents, the negotiation procedure shall be opened.

**The representative of the bidder must submit to the Public Procurement Commission, before the opening of bids, a written authorisation to attend the opening of bids and authorisation for negotiations, that must be certified and signed by the bidder’s lotal representative.** **In addition, the bidder’s authorised representative on that occasion must have the stamp with them in order to certify the offer.**

The subject-matter of negotiations is the price offered.

Negotiations shall be conducted in two rounds (steps) for as long as the bidder taking part in the procedure provides its final price.

1. In the first round, the bidder’s authorised representative orally presents the price offered. The bidder can remain at the price offered at the opening of bids or decrease the amount of the price offered.
2. In the second round, the bidder’s authorised representative indicates on the bid form their final offered price. The form must be filled-in and certified by stamp and signed. The bidder can remain at the price offered in the first negotiation round or decrease the amount of the price offered.

If the bidder’s authorized representative is not present at negotiations procedure, the price that the bidder listed in the submitted bid shall be regarded as final.

In negotiations procedure it is not possible to bid a higher price than the one listed in the submitted bid.

A procuring authority is required to ensure that the contracted price in negotiation procedure not be higher than a comparable market price and to verify the quality of the procurement subject matter with due care.

A procuring authority is required to keep minutes on negotiations.

1. **Deadline for the conclusion of the contract**

A public procurement contract shall be sent to the bidder who has been awarded the contract within 8 (eight) days of the date of expiry of the deadline for submission of requests for the protection of rights referred to in Article 149 of the Law.

1. **Financial security instrument**

***16.1.*** ***Bank guarantee for good performance***

The selected bidder shall at the time of conclusion of the contract deliver to the Procuring Authority a financial security instrument i.e. original bank guarantee for good performance amounting at 10% (ten percent) of the total contracted price without the related tax amount which shall last for 30 (thirty) days longer than the date of expiry of validity of this contract, or fulfillment of the contractual obligations.

The submitted bank guaranty shall be unconditional, irrevocable and payable at sight, without protest, and it forms the integral part of this contract.

The procuring authority can activate the financial security instrument if the selected bidder fails to comply or fails to comply properly with their contractual obligations.

***16.2.*** ***Bank guarantee for correcting defects within the warrantee period***

The selected bidder shall at the time of transfer of the subject matter of the public procurement deliver to the Procuring Authority a financial security instrument i.e. original bank guarantee for correcting defects within the warranty period amounting at 5% (five percent) of the total contracted price without the related tax amount, that shall last for 5 (five) days longer than the date of expiry of the warrantee deadline.

The submitted bank guaranty must be unconditional, irrevocable and payable at sight, without protest.

The procuring authority can activate the financial security instrument if the selected bidder fails to comply or fails to comply properly with their contractual obligations.

**Compliance with obligations under the applicable legislation**

The bidder shall provide in their bid a statement, given under criminal and material responsibility, that it has complied with requirements under applicable legislation on safety at work, on employment and working conditions, environmental protection, and that it has not been barred from engaging in its professional activities that is valid at the time of submission of the bid (Form 4 is provided in Section VI of the tender documents).

1. **How to and when to submit a request for protection of bidder’s rights**

A request for protection of rights can be submitted by the bidder or interested party that has an interest for the award of the contract in the specific public procurement procedure, who has suffered or could suffer damage due to the procuring authority’s actions that are contrary to the provisions of the Law on Public Procurement.

A request for protection of rights shall be submitted to the procuring authority, and a copy thereof at the same time is sent to the Republic Commission for the Protection of Rights in public procurement procedures.

A request for protection of rights can be submitted during the entire public procurement procedure against any procuring authority’s action, unless otherwise specified in the Law.

A request for the protection of rights challenging the type of procedure, content of the call for bids or tender documents, shall be considered timely if received by the procuring authority no later than seven days before the expiry of the deadline for submission of bids, regardless of the manner of submission and if the applicant indicated to the procuring authority in line with Article 63 paragraph 2 of the Law potential deficiencies and irregularities which the procuring authority did not rectify.

A request for protection of rights challenging actions taken by the procuring agency before the expiry of the deadline for submission of bids, after the expiry of the above deadline, it will be considered timely if submitted no later than the expiry of the deadline for submission of bids.

After the passing of the decision to award a contract or decision to terminate the procedure, the deadline to submit a request for protection of rights shall be ten days from the date of publishing of the decision on the Public Procurement Portal.

A request for protection of rights cannot challenge procuring authority’s actions taken in the public procurement procedure if the applicant knew or could have known the reasons for its submission before the expiry of the deadline for submission of the request whereas the applicant did not submit it before the expiry of the deadline.

A request for protection of rights shall contain: name and address of the applicant and contact person details; name and address of the procuring authority; details of the public procurement which is the subject-matter of the request or procuring authority’s decision; infringements of the regulations governing the public procurement procedure; facts and proof to corroborate the infringements signature of the applicant and proof of payment of the fee specified in Article 156 of the Law.

For the purpose of Article 151 paragraph 1 item 6 of the Law, the following shall be accepted as proof of payment of the fee:

1) Certificate of payment of the republic administrative fee (RAT) specified in Article 156 of the Law that must:

- be issued and stamped by a bank;

- constitute proof of republic administrative fee payment (the certificate must clearly indicate that the fee payment was effected and contain the date when the payment was effected); - amount: RSD 60.000;

- Budget account number: 840-30678845-06;

- payment code: 153;

- reference number: P/2-2019 – Administration for the Prevention of Money Laundering;

- purpose: fee for protection of rights request, Administration for the Prevention of Money Laundering, P/2-2019;

- beneficiary: Republic of Serbia budget;

- name of payer, or name of applicant on whose behalf the payment of administrative fee;

- signature of the authorised banking clerk.

2) Payment order, original (first) copy, authorised by the signature of the banking clerk and bank stamp or Post, also containing other above mentioned elements of the certificate on the effected payment of administrative fee under 1).

3) Certificate issued by Ministry of Finance’s Treasury Department signed and stamped containing all above listed elements concerning the effected payment of the fee, listed under 1), other than those in listed in items 1 and 10, for applicants (budget beneficiaries, beneficiaries of mandatory social insurance organisations’ funds, and other public funds beneficiaries) who hold an account within a pertinent consolidated treasury account held at the Treasury Administration.

4) Certificate issued by the National Bank of Serbia containing all above listed elements concerning the effected payment of fee under 1) for applicants (banks and other entities) holding an account with the National Bank of Serbia in accordance with law or other regulation.

The procuring authority shall post a notice concerning the submitted request on the Public Procurement Portal and on its website within two days of the date of receipt of the request for protection of rights.

Instructions for payment of the fee can be found on the website of the Republic Commission for the Protection of Rights in Public Procurement Procedures at [www.kjn.gov.rs](http://www.kjn.gov.rs).

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| **VI FORMS THAT ARE AN INTEGRAL PART OF THE BID** |

Forms that are an integral part of the bid are as follows:

* Bid form (Form 1);
* Form concerning the cost of preparation of the bid (Form 2);
* Independent bid statement form (Form 3);
* Form of the bidder’s statement of eligibility to participate in the public procurement procedure - Article 75 of the Law on Public Procurement, listed in this tender documents (Form 4);
* Confidentiality statement form (Form 5);

**(FORM 1)**

**BID FORM**

The bid No \_\_\_\_\_\_\_\_\_\_\_\_of\_\_\_\_\_\_\_\_\_\_\_\_\_\_2019, for public procurement

‘Licence to use a software platform’

P/2-2019

1. General details of the bidder

|  |  |
| --- | --- |
| Bidder’s registered name: |  |
| Address of the registered office: |  |
| Bidders unique identifier (Reg. No.): |  |
| Bidder’s Tax Identification Number (TIN): |  |
| Contact person: |  |
| Bidder’s email address: |  |
| Telephone: |  |
| Telefax: |  |
| Account No and bank name: |  |
| Bidder’s representative authorised to sign the contract |  |

**2) DESCRIPTION OF THE SUBJECT MATTER OF THE PROCUREMENT: goods** - ‘Licence to use a software platform’

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Ref. No.** | **Name of gods** | **Quantity** | **Unit price in RSD without VAT** | **Unit price in RSD with VAT** |
| 1 | licence to use a software platform | 1 |  |  |

The total price of the goods offered with all costs included is: RSD \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , without VAT, or RSD \_\_\_\_\_\_\_\_\_\_\_\_\_\_ , with VAT;

Deadline for delivery: \_\_\_\_\_\_days from the date both parties sign the contract (*cannot be longer than 30 days).*

Deadline for payment: \_\_\_\_\_\_ days from the date of receipt of an accurate invoice *(minimum 15 days, maximum 45 days)*;

Warranty period:\_\_\_\_ months from the date of completion of installation (*cannot be shorter than 12 months*);

Bid validity period:\_\_\_\_\_\_\_ days from the date of public opening of bids *(minimum 30 days)*.

Note: Prices are fixed and cannot be changed for the whole duration of the contract

Date Bidder

L. S.

***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***

***Notes:***

*The form of the bid must be filled-in, certified by stamp and signed by the bidder thereby confirming the accuracy of the data indicated in the bid form.*

**(FORM 2)**

**COST OF PREPARATION OF THE BID FORM**

Pursuant to Article 88 para 1 of the Law on Public Procurement, the bidder \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(name of bidder),* shall submit the total amount and structure of bid preparation costs, as shown in the table below:

|  |  |
| --- | --- |
| **TYPE OF COST** | **AMOUNT OF COST IN RSD** |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
| **TOTAL AMOUNT OF BID PREPARATION COSTS** |  |

The costs of preparation and submission of a bid shall only be borne by the bidder and it cannot claim reimbursement of the costs from the procuring authority.

If the public procurement procedure was terminated for the reasons for which the procuring authority is responsible, the procuring authority shall compensate the bidder for any costs of production of a sample or model, if they were produced in line with technical specifications of the procuring authority, and costs of obtaining of financial security instruments, under the condition that the bidder has requested compensation for such costs in its bid.

**Note:** **Provision of this form is not mandatory.**

|  |  |  |
| --- | --- | --- |
| Date: | L.S. | Bidder’s signature |
|  |  |  |

**(FORM 3)**

**INDEPENDENT BID STATEMENT FORM**

Pursuant to Article 26 of the Law on Public Procurement, the bidder \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of bidder*), hereby gives the:

**STATEMENT**

**OF INDEPENDENT BID**

We confirm under full material and criminal responsibility that we have submitted our bid in the tender procedure  **for ‘Licence to use a software platform’ P/2-2019**, independently, without collusion with other bidders or interested parties.

|  |  |  |
| --- | --- | --- |
| Date: | L.S. | Bidder’s signature |
|  |  |  |

**(FORM 4)**

**FORM**

**BIDDER’S STATEMENT OF ELIGIBILITY TO PARTICIPATE IN THE PUBLIC PROCUREMENT PROCEDURE REFERRED TO IN ARTICLE 75 OF THE LAW**

I, as the bidder’s representative, hereby give under full material and criminal responsibility the following

**STATEMENT**

Bidder*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of bidder)* in the public procurement procedure  **for goods ‘Licence to use a software platform’ P/2-2019**, meets all requirements set out in Article 75 of the Law on Public Procurement and those specified in the tender documents for the present public procurement, including:

1) The bidder is registered with a relevant authority, and/or recorded in an appropriate register (Article 75 paragraph 1, item 1 of the Law on Public Procurement);

2) The bidder and its legal representative have not been convicted for a criminal offence as a member of an organized crime group, for criminal offences against economy, environment, accepting or offering bribes, fraud (Article 75, para 1, item 2 of the Law on Public Procurement);

3) The bidder has paid taxes due, contributions and other public charges in line with the regulations of the Republic of Serbia or a foreign country, if its registered seat is in the foreign country (Article 75 paragraph 1, item 4 of the Law on Public Procurement)*.*

That it has complied with requirements under applicable legislation governing occupational safety, employment and working conditions, protection of environment, and that it has not been barred from engaging in its professional activities at the time of submission of bid for the public procurement (Article 4, para 2 of the Law on Public Procurement).

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

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_ L.S. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**(FORM 5)**

**CONFIDENTIALITY STATEMENT FORM**

**STATEMENT**

**concerning the protection of confidential data**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(name of bidder)*

I hereby state under full criminal and material responsibility that I shall keep all information that were made available to me, in the public procurement process, and/or to any of the employees or engaged persons in the legal entity that I represent, and protect as confidential from unauthorised use and disclosure as a business or official secret, regardless of the level of such confidentiality.

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

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_ L.S. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_