



REPUBLIC OF SERBIA
GOVERNMENT AVIO SERVICE

**TENDER DOCUMENTATION
FOR PUBLIC PROCUREMENT NUMBER P-03/2016**

**PUBLIC PROCUREMENT OF SERVICES
“Additional maintenance services, technical support and worldwide support for the aircraft
from Government Avio-Service fleet and procurement of spare parts and materials”**

Deadline for bids submission:	15 December 2016 until 12:00
Public opening:	15 December 2016 until 12:30

Belgrade, December 2016



Pursuant to Article 36, paragraph 1, item 5 and, subitem 1 and Article 61 of the Public Procurement Law (the Official Gazette of the Republic of Serbia, Nos. 124/2012, 14/15 and 68/15, hereinafter referred to as: the Law), Article 5 of the Rulebook on Compulsory Elements of Tender Documentation in Public Procurement Procedures and Method of Evidence of Fulfilment of Requirements (the Official Gazette of the Republic of Serbia, no. 86/15), Decision on initiation of public procurement procedure, no. 404-02-18/2016-01 of 09 December 2016 and Decision on establishment of the Public Procurement Commission, no. 404-02-18/2016-01/1, dated 09 December 2016, Procurement number P-03/2016, the following:

**TENDER DOCUMENTATION
FOR PUBLIC PROCUREMENT number P - 03/2016**

Public Procurement of services

“Additional maintenance services, technical support and worldwide support for the aircraft from Government Avio-Service fleet and procurement of spare parts and materials” has been prepared

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PUBLIC PROCUREMENT GENERAL DATA

Procuring Entity: Republic of Serbia, Government, **Government Avio Service**, New Belgrade, Boulevard Mihajla Pupina 2, TIN Number 104625603, Company registration number 07020171, webpage www.aviosluzba.gov.rs

Public procurement type – Negotiated procedure in accordance with Article 36, paragraph 1, item 5, subitem 1 of the Public Procurement Law (“Official Gazette of the Republic of Serbia”, Nos.124/12, 14/15 and 68/15) and by-laws governing public procurements.

Public procurement subject: Procurement of services.

Purpose of public procurement: Procedure is conducted for the conclusion of a contract on public procurement.

Contacts: Contact person is Jovanka Perušinović, phone number 011/2289 840, every working day from 7:30 to 15:30.

II PUBLIC PROCUREMENT SUBJECT DATA

Public procurement subject: Subject of public procurement no. P - 03/2016 are services - “Additional maintenance services, technical support and worldwide support for the aircraft from Government Avio-Service fleet and procurement of spare parts and materials”, according to specification and Tender Documentation.

Name and label from Common procurement dictionary: 50211000 - Repair and Maintenance Services of Aircraft.

The Bid must be completely prepared in accordance with tender documentation and invitation.

The subject of procurement is not shaped in lots.

The following section of tender documentation describes subject of this procurement in more details - Type, technical characteristics (specification), quantity, description and quality assurance guarantee.



III TYPE, TECHNICAL CHARACTERISTICS (SPECIFICATION), QUANTITY, DESCRIPTION AND QUALITY ASSURANCE GUARANTEE

Government Avio Service (hereinafter: Procuring Entity) conducts public procurement of additional maintenance services, technical support and worldwide support for the aircraft from Government Avio-Service fleet and procurement of spare parts and materials.

Services that are subject of the Public procurement shall be performed on LearJet 31A aircraft, reg. mark YU-BRZ, consist of rectification of defects, such as: fractures, delaminations, corrosions and similar, identified and determined during the regular check within base maintenance of the aircraft LearJet 31A (D1-D6 check).

Current standards in terms of air traffic related to the upgrade of level of air traffic safety and enlargement of aircraft usage quality system demand service type, scope and quality in accordance with aircraft's technical characteristics.

According to this, procurement of additional maintenance services, technical support and spare parts and materials relies on technical characteristics of the mentioned aircraft and current needs. Otherwise, the aircraft LearJet 31A would be grounded.

Taking into account the above mentioned it is necessary to state technical characteristics of the airplane:

LEAR JET 31A:

- Reg. mark: YU-BRZ; s/n: 045
- Aircraft Manufacturer: BOMBARDIER AEROSPACE
- Year of manufacture: 1991
- Capacity: 7 passengers
- Services: Air taxi and Medical flights
- Dimensions:
 - Length: 14,85 m
 - Height: 3,73 m
 - Wing span: 13,36 m
- Powered by: 2 engine units HONEYWELL TFE731-2-3B
(each engine provides max. 3500lbs of thrust)
- Weights:
 - maximum take-off weight: 7711 kg
 - maximum empty weight: 4785 kg
 - maximum payload: 1036 kg
 - maximum fuel load: 2614 l
- Performance limits:
 - MMO: 0,81
 - BMO: 325 kts
 - Cruising (high speed)
 - Speed (TAS): 456 kts
 - Fuel consumption (FF): 1119
 - Cruise height 43000 ft
 - Range (NBA VFR) at maximum payload:
 - Length: 900 nm



-Cruise speed: 406 kts

“Additional maintenance services, technical support and worldwide support for the aircraft from Government Avio-Service fleet and procurement of spare parts and materials” should be completely performed in compliance with current international standards and regulations valid for that kind of service.

Place and date:

Bidder:

Seal and signature



IV CONDITIONS FOR PARTICIPATION IN PUBLIC PROCUREMENT PROCEDURE pursuant to Article 75 the PPL AND INSTRUCTIONS HOW TO PROVE COMPLIANCE WITH CONDITIONS

All interested parties who meet the mandatory conditions from Article 75 of the Public Procurement law are allowed to participate in the public procurement procedure - "Additional maintenance services, technical support and worldwide support for the aircraft from Government Avio-Service fleet and procurement of spare parts and materials".

MANDATORY CONDITIONS FOR PARTICIPATING IN THE PROCEDURE:

The bidder is obligated to submit the evidence that he meets mandatory conditions to participate in public procurement procedure according to Article 75 of the Law, i.e:

FOR LEGAL PERSONS:

- 1) that he is registered with the competent body, or entered in the appropriate register;
- 2) that he and his legal representative have not been convicted of a criminal act as a part of organized criminal organization, of a criminal act against commerce, environment, giving or accepting bribe, committing fraud;
- 3) that he has paid due taxes, contributions and other forms of public charges according to the laws of the Republic of Serbia or a foreign country if his head-quarters are on its territory;
- 4) that the bidder complies with the obligations arising from applicable regulations concerning protection at work, hiring and working conditions, environmental protection, as well as that he is not prohibited from performance of the specific activity, when submitting the bid.
- 5) that the bidder has the valid approval for the performance of the specific activity which is the subject of public procurement, issued by the competent authority.

FOR ENTREPRENEURS:

- 1) that he is registered with the competent body, or entered in the appropriate register;
- 2) that he has not been convicted of a criminal act as a part of organized criminal organization, of a criminal act against commerce, environment, giving or accepting bribe, committing fraud;
- 3) that he has paid due taxes and contributions arising from local public income;
- 4) that the bidder complies with the obligations arising from applicable regulations concerning protection at work, hiring and working conditions, environmental protection, as well as that he is not prohibited from performance of the specific activity, when submitting the bid.
- 5) that the bidder has the valid approval for the performance of the specific activity which is the subject of public procurement, issued by the competent authority.

FOR PHYSICAL PERSONS:

- 1) that he has not been convicted of a criminal act as a part of organized criminal organization, of a criminal act against commerce, environment, giving or accepting bribe, committing fraud;
- 2) that he has paid due taxes and contributions arising from local public income;
- 3) that the bidder complies with the obligations arising from applicable regulations concerning protection at work, hiring and working conditions, environmental protection, as well as that he is



not prohibited from performance of the specific activity, when submitting the bid.

4) that the bidder has valid approval for performance of the specific activity which is the subject of public procurement, issued by the competent authority.

INSTRUCTION HOW TO PROVE COMPLIANCE WITH CONDITIONS:

The bidder is required to prove compliance with mandatory conditions for participation in Public procurement in accordance with the Law by submitting following evidences in addition to the bid:

LEGAL ENTITY:

1) Excerpt from Business Register Agency, or the excerpt from the competent Commercial court register; for foreign bidders – excerpt from the competent authority register of the state of its head office;

2) Excerpt from penalty record, or the Certificate of the competent court and police department of the Ministry of domestic affairs that he and his legal representative have not been convicted of a criminal act as a part of organized criminal organization, of a criminal act against commerce, environment protection, giving or accepting bribe, committing fraud; for foreign bidders – certificate from the competent authority register of the state of its head office.

3) Approval of the competent tax authority – the Ministry of Finance and Economy that the bidder has settled all due taxes and other contributions and approval of the competent local self-government that it has settled all duties for source local public revenues; for foreign Bidders certificate of the competent tax authority of the state of its head office;

4) Form No. 3 – Statement; filled out, signed and sealed;

5) Document (certificate) of the competent authority for the performance of the specific activities which are the subject of particular public procurement.

Evidence from 2) and 3) cannot be older than two months at the time of bid opening.

ENTREPRENEUR:

1) Excerpt from Business Register Agency, or the excerpt from the competent Commercial court register;

2) Excerpt from penalty record, or the Certificate of the competent court and police department of the Ministry of domestic affairs that he and his legal representative have not been convicted of a criminal act as a part of organized criminal organization, of a criminal act against commerce, environment protection, giving or accepting bribe, committing fraud;

3) Approval of the competent tax authority – the Ministry of Finance and Economy that the bidder has settled all due taxes and other contributions and approval of the competent local self-government that it has settled all duties for source local public revenues;

4) Form No. 3 – Statement; filled out, signed and sealed;

4) Document (certificate) of the competent authority for the performance of the specific activities which are the subject of particular public procurement.

Evidence from 2) and 3) cannot be older than two months at the time of bid opening.

PHYSICAL ENTITY:



- 1) Excerpt from penalty record, or the Certificate of the competent court and police department of the Ministry of domestic affairs that he has not been convicted of a criminal act as a part of organized criminal organization, of a criminal act against commerce, environment, giving or accepting bribe, committing fraud;
- 2) Approval of the competent tax authority – the Ministry of Finance and Economy that the bidder has settled all due taxes and other contributions and approval of the competent local self-government that it has settled all duties for source local public revenues;
- 3) Form No. 3 – Statement; filled out, signed and sealed;
- 4) Document (certificate) of the competent authority for the performance of the specific activities which are the subject of particular public procurement.

Evidence from 1) and 2) cannot be older than two months at the time of bid opening.

NOTE: Pursuant to Article 78, paragraph 5 of the Public Procurement Law, the bidder registered in the Register of Bidders kept by the Business Registers Agency competent for registration of business entities (Legal Entities and Entrepreneurs) shall not be obliged to submit evidence on the fulfillment of the mandatory requirements stipulated by Article 75, paragraph 1, items 1 to 4 of the Law.

CONDITIONS WHICH MUST BE FULFILLED BY EACH SUBCONTRACTOR OR BIDDERS' GROUP MEMBER: Each subcontractor must comply with mandatory conditions set forth in Article 75, paragraph 1, item 1) to 4) of the Law, by submitting the evidences stated in this section.

If the Bidder intends to entrust a partial execution of the procurement to the subcontractor, he is obliged to indicate:

- participation of subcontractor in his bid,
- percentage of the total bid value that is going to be entrusted to the subcontractor (maximum 50%), as well as the part of the procurement that will be performed by the subcontractor,
- subcontractor's name and if the contract is concluded between the procuring entity and the bidder, the subcontractor shall be named in the contract.

If the bid is submitted by a group of bidders, each bidder from the group must comply with mandatory conditions set forth in Article 75, paragraph 1, item 1) to 4) of the Law. The condition from Article 75, paragraph 1, item 5) of the Law must be fulfilled by the bidder from the group of bidders entrusted with the part of procurement which requires fulfillment of that condition.

Bidder is obligated to inform Procuring entity, in writing and without delay, of any change concerning fulfillment of requirements for participation in public procurement procedure, which occurs before the decision is made or the contract awarded or concluded, during the public procurement contract validity period, and shall document such change in the prescribed manner.

COMPLIANCE WITH CONDITIONS FROM ARTICLE 75, PARAGRAPH 2 OF THE LAW: Procuring Entity demands that the Bidders state that they have acted in accordance with legal acts of protection at work, hiring and working conditions, environmental protection, as well as to guarantee that they are entitled to intellectual property, when submitting the bid.

Related with this condition, the Bidder submits Form No.3 - Statement of Compliance with conditions from Article 75, paragraph 2 of the Law.



This Statement is submitted by each subcontractor and member of group of bidders, in his own name.

THE METHOD OF SUBMITTING THE EVIDENCE: Evidence of compliance with mandatory conditions are delivered as uncertified copies and, prior to decision on the contract signing, the Procuring Entity can demand from the Bidder whose bid is, according to the report of Commission, evaluated as the most advantageous one to submit the original or certified copies of all or several evidence.

If the bidder fails to submit the original or certified copy of the mandatory evidence within the period which cannot be shorter than five days, such bid shall be rejected as faulty.

If the evidence of compliance with mandatory conditions is in electronic form, the bidder submits the copy of that document in writing, in accordance with law regulating electronic document, unless he is submitting an electronic bid, in which case the evidence is submitted in the original electronic form.

If the Bidder's headquarters are in a foreign country, Procuring Entity can make sure if the evidence of compliance with mandatory conditions are issued by that country's competent authorities.

If the state of Bidder's headquarters does not issue evidence from Article 77, paragraph 1, item 1) to 4) of the law, the Bidder is allowed to submit the written Statement of compliance with mandatory conditions made under criminal and material liability, certified by the court or other authority, notary public or other legal authority of that state.

If the Bidder was not able to obtain necessary documents within the deadline for bid submission, since, according to regulations of the state of his head office, these documents could not be issued within the deadline for bid submission and if the Bidder submits necessary evidence for this, the Procuring entity shall allow the Bidder to submit the mandatory evidence subsequently within appropriate timeframe.

The bidder is obliged to inform Procuring Entity in writing, without any delay about any change related to the compliance with conditions set forth by the Public Procurement procedure, should this change take place prior to the decision or the contract conclusion, during the validity term of the contract on public procurement and to provide accompanying documents for such a change in the prescribed manner.

The Bidder is not responsible to submit the data which are available to the public at web pages of the authorities. In that case, he must first specify these evidences and then specify the web page at which these data are available to the public.



V. ELEMENTS OF THE CONTRACT THAT WILL BE NEGOTIATED AND NEGOTIATION MANNER

A “price” is the contractual element to be negotiated.

In the course of negotiated procedure Procuring Entity is obliged to ensure that the contracted price does not exceed the comparable market price

The negotiated procedure shall be conducted after opening and expert evaluation of bids, in the presence of Public procurement Commission and bidder’s representative duly authorized to negotiate if the submitted bid is correct and appropriate.

The negotiated procedure shall be conducted in two phases: in the first phase, the Commission shall invite a bidder’s authorized representative to state if he intends to retain the offered prices specified in the bid opening procedure or if he is going to offer any discounts; in the second phase, a bidder’s authorized representative shall be invited to offer his final offered price based on cost and prices analysis. However, he will be entitled to keep the offered price from the previous phase of negotiations or to reduce prices.

Procuring Entity shall take Minutes of the negotiations. Any remarks of the bidder’s authorized representative referred to negotiation procedure shall be entered into Minutes. If the authorized representative refuses to sign the Minutes of the negotiation, he must state the reasons for such a refusal.



VI INSTRUCTION FOR BID PREPARATION

1. LANGUAGE

Procuring Entity has prepared tender documentation in both Serbian and English language.

The procurement procedure shall be executed in Serbian language.

In case of participation of foreign Bidder in the process, the offer can be completely submitted in English language, i.e. all of bid forms and evidences attached to the offer, can be executed in English language.

2. BID SUBMISSION

The bid is submitted in writing to the address of Procuring Entity – Government Avio Service, 11070 Novi Beograd, Bulevar Mihaila Pupina 2, istočno krilo, II sprat, kancelarija 209, closed in the envelope or box, in such manner that during bid opening it can be determined with certainty that it is being opened for the first time. On the front side of the envelope the following note shall be placed: **Bid for Public Procurement No. P - 03/2016 –Procurement of services – “Additional maintenance services, technical support and worldwide support for the aircraft from Government Avio-Service fleet and procurement of spare parts and materials” – and the label “BID - DO NOT OPEN”**. At the reverse side of the envelope, the name, address, contact person and telephone number of the Bidder must be indicated.

If the bid is submitted by a group of bidders, it is necessary to indicate on the envelope that it is a group of bidders, and give the names and addresses of all participants in a joint bid.

The bid shall be submitted directly or through postal services.

If the bid is submitted through postal services, the Bidder must provide that it is received by Procuring Entity within indicated date and time.

Bids are submitted until **16 December 2016 up to 12:00 o'clock**. Invitation to submit bids and tender documentation are published on the Oublic procurement internet portal and on the internet page of Government Avio Service on **09 December, 2016**: www.aviosluzba.gov.rs.

When receiving bid, Procuring entity shall note down on envelope or box containing the bid the time and date of receipt and register ordinal number of bid in order of reception. For hand delivered bid, Procuring entity shall issue confirmation of reception to the bidder. In the confirmation he shall indicate the date and the time of receipt of bid.

The bid not received by Procuring entity within date and hour specified in the invitation to bid shall be considered as untimely bid.

Procuring entity shall return untimely bid to the bidder unopened, after the bid opening procedure with a note stating that the bid has been submitted in an untimely manner.

3. INFORMATION ON THE BID SUBMISSION MODALITIES

Bidder can submit only one bid.

Bidder who has submitted bid individually cannot participate in the joint bid or as the subcontractor at the same time, nor can one person participate in several joint bids.

4. BID WITH SUBCONTRACTOR



The bidder is obligated to state in the bid whether he will entrust partial execution of the procurement to a subcontractor.

If the Bidder indicates in his bid that he will entrust a partial execution of the procurement to the subcontractor, he is obliged to indicate percentage of the total bid value that is going to be entrusted to the subcontractor, which cannot be over 50%, as well as the part of the procurement that will be performed by the subcontractor.

If the Bidder indicates in his bid that he will entrust a partial execution of the procurement to the subcontractor, he is obliged to indicate the subcontractor's name and if the contract is concluded between the procuring entity and the bidder, the subcontractor shall be named in the contract.

A bidder is obliged to, upon the procuring entity request, provide him access to subcontractors, in order to determine fulfillment of the required conditions.

The bidder must submit the evidence on compliance with the conditions from the tender documentation for subcontractors.

The bidder is fully responsible to the procuring entity for performance of the obligation from the public procurement procedure, i.e. performance of the contractual obligations, regardless of the number of subcontractors.

5. JOINT BID

A bid can be made by a group of bidders.

If a bid is submitted by a group of bidders, the agreement by which the bidders from the group undertake to each other and to the procuring entity to perform the public procurement must be the integral part of the joint bid. This agreement must contain the information from the Article 81. paragraph 4. item 1) to 6) of the Law.

Procuring entity may not request a group of bidders to associate themselves into a legal entity so that they may submit a joint bid.

If the joint bid is assessed as the most advantageous one, the procuring entity may require a group of bidders to submit a legal act binding them to execute jointly the procurement contract. The legal act shall specify the responsibility of each bidder for the contract execution.

The bidders forming a group of bidders shall bear unlimited joint liability towards the procuring entity.

A cooperative may submit a bid independently, in its own name and on behalf of members of the cooperative, or a joint bid on behalf of the cooperative members.

If a cooperative submits bid in its own name, for obligations arising from public procurement procedure and public procurement contract, both the cooperative and its members shall be liable, in accordance with the Law.

If a cooperative submits joint bid on behalf of its members, for obligations from public procurement procedure and public procurement contract, members of the cooperative shall have unlimited joint and several liability.

6. SPECIAL REQUIREMENTS OF PROCURING ENTITY ON HOW TO COMPILE THE BID

The bid is compiled by entering required data in forms which make the integral part of tender documentation. The bidder is required to complete forms clearly, i.e. to enter the data in empty fields or to circle already given elements, so that the forms are entirely completed and their content clear and unambiguous.



Besides that, the bidder is obliged to submit all annexes requested by tender documentation. Bidder is obligated to bound together as a whole all documents submitted along with the bid and to seal them in order to prevent additional insertion, removal or replacement of individual sheets of paper, i.e. annexes, without visible damage to the sheets or seal.

The bidder is obligated to state in the bid whether he will entrust partial execution of the procurement to a subcontractor.

If the bid is submitted by the bidder participating individually, each form must be sealed and signed by the bidder's responsible person or authorized representative.

If the bidder indicates in his bid that he will entrust a partial execution of the procurement to the subcontractor, he is obligated to indicate the subcontractor's name and if the contract is concluded between the procuring entity and the bidder, the subcontractor shall be named in the contract. In that case all forms related to subcontractors must be sealed and signed by the subcontractor's responsible person or authorized representative.

If the bid is submitted by a group of bidders, the integral part of joint bid is agreement whereby bidders from the group commit, between themselves and towards Procuring entity, to execute public procurement, which has to contain information on:

- 1) leading member of the group, or one who will make the bid and represent the group of bidders before Procuring entity;
- 2) bidder who will sign the contract on behalf of the group of bidders;
- 3) bidder who will provide collateral on behalf of the group of bidders;
- 4) bidder who will issue invoice;
- 5) account for the execution of payment;
- 6) liabilities of each bidder from the group of bidders for implementing contract.

If the bidders are submitting a joint bid, the group of bidders may decide that all forms from the tender documentation are signed and sealed by all members of the group of bidders or a group of bidders can name one bidder from the group who will sign and seal the forms from tender documentation except the forms that involve making a statement under material and criminal liability (e.g. Statement on independent bid, Statement on compliance with conditions from Article 75, paragraph 2 of the Law), which must be signed and sealed by each bidder from the group of bidders. If the bidders name one bidder from the group who will sign and seal the forms from tender documentation (except the forms that involve making a statement under material and criminal liability), that must be defined in the agreement by which the bidders from the group undertake to each other and to the procuring entity to perform the public procurement. The agreement shall be the integral part of the joint bid according to Article 81 of the Law.

Bidders submit bids in compliance with tender documentation and conditions requested by the Procuring entity.

THE BID MUST CONTAIN:

1. Excerpt from Business Register Agency, or the excerpt from the competent Commercial court register; for foreign bidders –excerpt from the competent authority register of the state of its head office – **ANNEX 1.**
2. Excerpt from penalty record, or the Certificate of the competent court and police department of the Ministry of domestic affairs that he and his legal representative have not been convicted



of a criminal act as a part of organized criminal organization, of a criminal act against commerce, environment protection, giving or accepting bribe, committing fraud; for foreign bidders –certificate from the competent authority register of the state of its head office – **ANNEX 2.**

3. Approval of the competent tax authority – the Ministry of Finance and Economy that the bidder has settled all due taxes and other contributions and approval of the competent local self-government that it has settled all duties for source local public revenues; for foreign Bidders certificate of the competent tax authority of the state of its head office – **ANNEX 3.**

5. Document (certificate) of the competent authority for the performance of the specific activities which are the subject of particular public procurement – **ANNEX 4.**

6. Joint Procurement Agreement (it is submitted only if the bid is submitted by the group of bidders) – **ANNEX 5.**

7. Form No. 1 - Bid form; completed, signed and certified by a seal

8. Form No. 2 - Price breakdown form; completed, signed and certified by a seal

9. Form No. 3 - Statement of Compliance with conditions from Article 75, paragraph 2 of the Law; completed, signed and certified by a seal

10. Form No. 4 - Bid preparation costs; completed, signed and certified by a seal

11. Form No. 5 - Statement of the independent bid; completed, signed and certified by a seal

7) ALTERNATIVE BIDS

Alternative bids are not allowed.

8) DISCOUNT ON THE OFFERED PRICE

Discount on the offered price is not allowed.

9) MANNER OF MAKING CHANGE, AMENDMENT OR WITHDRAWAL OF THE BID

Bidder is entitled to make changes, amendments or withdrawal of the Bid within the deadline for bid submission in the manner specified for the bid submission.

Bidder is required to indicate clearly which part of the bid was changed, i.e. which documents will be submitted subsequently.

Change, amendment or withdrawal of the Bid shall be submitted to the address: **Government Avio Service, Bulevar Mihaila Pupina 2, 11070 Novi Beograd, istočno krilo, II sprat, kancelarija 209**, with label:



“Change of the bid for the public procurement of service - “Additional maintenance services, technical support and worldwide support for the aircraft from Government Avio-Service fleet and procurement of spare parts and materials” PP No. P - 03/2016 –“ **DO NOT OPEN**” or

“Amendment to the bid for the public procurement of service - “Additional maintenance services, technical support and worldwide support for the aircraft from Government Avio-Service fleet and procurement of spare parts and materials” PP No. P - 03/2016–“ **DO NOT OPEN**” or

“Withdrawal of the bid for the public procurement of service - “Additional maintenance services, technical support and worldwide support for the aircraft from Government Avio-Service fleet and procurement of spare parts and materials” PP No. P - 03/2016–“ **DO NOT OPEN**” or

“Change and amendment to the bid for the public procurement of service - “Additional maintenance services, technical support and worldwide support for the aircraft from Government Avio-Service fleet and procurement of spare parts and materials” PP No. P - 03/2016–“ **DO NOT OPEN**”.

At the reverse side of the envelope or on the box, the name, address, contact person and telephone number of the Bidder must be indicated. If the bid is submitted by a group of bidders, it is necessary to indicate on the envelope that it is a group of bidders, and indicate the names and addresses of all participants in a joint bid.

After the expiry of the bid submission deadline, the Bidder cannot withdraw or change his bid.

10) REQUIREMENTS IMPORTANT FOR BID ACCEPTABILITY

The offered services must comply with the requirements of the procuring entity and defined technical characteristics (specification), description, content and quality in all aspects. On contrary, the bid will be rejected as unacceptable.

11) REQUIREMENTS IN TERMS OF PAYMENT MODALITY AND CONDITION

The Procuring Entity shall effect the payment after the 100% of services has been performed, within 15 (fifteen) days from the date of receipt of the invoice, signed by the Procuring Entity’s authorized representative and the document which is valid evidence that the service has been performed. The payment shall be effected on the account number specified on the Invoice, in currency_____.

The Procuring Entity reserves the right to adjust payment to budget liquidity possibilities of the Republic of Serbia.

12) CURRENCY AND THE MANNER IN WHICH THE PRICE IN THE BID MUST BE INDICATED AND EXPRESSED

The price must be expressed in dinars, without VAT, including all costs bidder had in the realization of the public procurement.

Prices expressed in a foreign currency (CHF), shall be converted into dinars at the mean exchange rate of the National Bank of Serbia on the day of the bid opening.



The price expressed in the bid must comprise all costs that the Bidder had in the realization of procurement.

The price is fixed and cannot be changed.

If the price indicated in the bid is abnormally low causing the Procuring entity to doubt whether public procurement will be completed, the Procuring entity shall apply Article 92 of the Law.

Services which are the subject of this Public procurement are VAT free, according to Article 24, paragraph 1, point 10) of the Law on Value added tax (“Official Gazette of the Republic of Serbia”, No.84/04, 86/04-correction, 61/05, 61/07, 93/12, 108/13, 68/14-another Law, 142/14 and 83/15).

13) PROTECTION OF PROCURING ENTITY’S DATA CONFIDENTIALITY

Procuring entity shall require the protection of confidentiality of data placed at disposal to bidders, including their subcontractors.

Person who receives data specified as confidential is obliged to observe their confidentiality irrespective of the degree of this confidentiality.

14) PROTECTION OF BIDDER’S DATA CONFIDENTIALITY

The Procuring Entity shall keep as confidential all data on bidders contained in bids that are designated as confidential by a special regulation and designated as such in the bid with the label “**CONFIDENTIAL**” by the bidder. The Procuring entity shall refuse to disclose any information that would entail a breach of confidentiality of data received in the bid.

Data concerning compliance with mandatory conditions, price and other data from the bid relevant for the bid ranking shall not be deemed as confidential.

15) ADDITIONAL INFORMATION OR CLARIFICATIONS CONCERNING THE BID PREPARATION

Interested person may request from Procuring Entity, in writing (via e-mail jovanka.perusinovic@aviosluzba.gov.rs or on fax no. 011/3117529), additional information and clarifications concerning the preparation of bid up to 5 (five) days before the expiry of time limit for bid submission.

Procuring Entity is obligated to send written reply to the interested person within 3 (three) days from the day of reception of request for additional information and clarifications concerning the preparation of bid and at the same time publish this information on the Public Procurement Portal and on its own website.

Additional information or clarifications are submitted with a note “**Request for additional information or clarifications of tender documentation for the Public procurement of services - “Additional maintenance services, technical support and worldwide support for the aircraft from Government Avio-Service fleet and procurement of spare parts and materials”, P- 03/2016.**

Should the procuring entity change or amend the Tender Documents within 8 or fewer days before the deadline for the submission of bids, he will be obligated to extend the deadline for the submission of bids and publish a notice on extending the deadline for the submission of bids.



After the expiry of the deadline for the submission of bids, the procuring entity shall not alter nor amend the tender documents.

Requesting additional information or clarification regarding the preparation of the bid by phone shall not be allowed.

Communication during the public procurement procedure shall be carried out only in the manner provided in Article 20 of the Law.

16) ADDITIONAL EXPLANATIONS, CONTROL AND PERMITTED CORRECTIONS

A Procuring entity may request from bidders to supply additional explanations that will be useful in the course of examining, evaluating and comparing bids, and it may also conduct control (insight) of bidder or its subcontractor.

Subject to the bidder's consent, Procuring Entity may correct arithmetic errors noticed in the course of examining the bid after the concluded opening of bids.

In case of difference between unit price and total price, unit price will be considered valid.

If the Bidder does not agree with the correction of arithmetic errors, the Procuring Entity shall reject the bid as faulty.

17) ADDITIONAL EXPLANATIONS FROM BIDDER AFTER BID OPENING AND CONTROL MADE BY BIDDER OR HIS SUBCONTRACTOR

After opening of the bids, during expert evaluation of the bids, the Procuring entity can, in writing, demand from the bidder additional explanations which would help him in the review, evaluation and comparison of the bids, and he can also control (have insight) at the bidder, i.e. its subcontractor (Article 93. of the Law).

If the Procuring entity considers that there is need for additional explanations, or control (insight) at the bidder, i.e. its subcontractor, the Procuring entity will give an appropriate amount of time to the bidder to meet the request of the Procuring entity, i.e. to allow the Procuring entity to have control (insight) at the bidder, i.e. its subcontractor.

18) NEGATIVE REFERENCES

Procuring entity will reject a bid if it possesses evidence that, over the previous three years, in a public procurement procedure the bidder has:

- 1) acted contrary to prohibition under Articles 23 and 25 of this Law;
- 2) violated competition;
- 3) supplied false data in bid, or unjustifiably refused to sign a public procurement contract after it had been awarded to it;
- 4) refused to supply evidence and collateral to which it has previously committed in its bid.

Procuring entity will reject a bid where it possesses evidence that the bidder did not fulfill its obligations under the previously awarded public procurement contracts that related to the same subject of procurement, over a period of previous three years.

The evidence referred to in Paragraphs 1 and 2 of this Article may be:

- 1) final court decision or final decision of another competent body;
- 2) document on executed collateral for securing the fulfillment of obligations in public procurement procedure or contractual obligations;
- 3) document on the unpaid contractual penalty;
- 4) complaint from consumers, or users, where these were not rectified within the contracted deadline;



5) report by supervisory body on works that were not executed in accordance with the project or contract;

6) statement on termination of contract due to failure to observe essential contractual elements, given in the manner and under conditions prescribed by the law governing contracts and torts;

7) evidence on having commissioned the persons not named in bid, to implement public procurement contract as subcontractors or members of the group of bidders;

8) other appropriate evidence relevant to the subject of procurement, which is defined in the tender documents and refers to fulfillment of obligations in earlier public procurement procedures or in other previously awarded public procurement contracts.

Procuring entity may reject a bid if it possesses evidence under Paragraph 3 Item 1) of this Article 82 which refers to procedure executed or contract awarded by another Procuring entity, where it refers to the same type of public procurement subject.

19) THE TYPE OF CRITERIA FOR AWARDING THE CONTRACT, THE ELEMENTS OF THE CRITERIA FOR AWARDING THE CONTRACT

The selection of the most advantageous bid is done by applying the criteria of “**The lowest bid price**”.

20) COMPLIANCE WITH THE OBLIGATIONS ARISING FROM THE APPLICABLE REGULATIONS

Within its bid, the bidder shall submit signed and verified statement (as the integral part of tender documentation) that he respected all the obligations arising from the applicable regulations on safety at work, employment and working conditions, environmental protection, as well as that he is not prohibited from performance of the specific activity, when submitting the bid.

21) REQUEST FOR PROTECTION OF RIGHTS

The request for protection of rights may be filed by the bidder, i.e. each interested person or the business association on their behalf.

The request for the protection of rights may be filed during the entire Public Procurement procedure, against any action of the Procuring Entity.

If the request for the protection of rights contests the type of procedure and the contents of the invitation to bid or tender documents of the Procuring entity, the request for the protection of rights can be filed not later than seven days before the expiry of time limit for the submission of bids. In that case, the bids timely received by the Procuring entity will not be returned to the bidders. After Procuring entity makes decision on contract awarding, time limit for filing request for the protection of rights shall be ten days from the receipt of decision.

The request for protection of rights is submitted directly, by e-mail on the address: jovanka.perusinovic@aviosluzba.gov.rs, by fax on the number 011/3117529 or by registered mail with the redelivery note.

Request for protection of rights is delivered to the Procuring entity and copy of the request for protection of rights is simultaneously submitted to the Republic Commission.

The payment is performed on the **current account number**: 840-30678845-06, **payment code**: 253 (if transfer order is filled out), **reference number** P032016 or 153 (if payment order is filled out), **reference no.** P032016, **purpose**: Law on Consumer Protection, Government Avio-Service,



P 03/2016, beneficiary: Budget of the Republic of Serbia and to submit a proof of business entity (bank or post office) that the payment of tax was made.

Such a proof must contain a clear seal of the bank (or post office) and signature of authorized person with legible date of payment and clearly indicated Public procurement number (**P-03/2016**) for which the request is filed.

The procedure of protection of rights is governed by provisions of articles 138 - 167 of the Law.

23) DEADLINE FOR THE CONTRACT CONCLUSION

Procuring entity shall conclude public procurement contract with the bidder to whom the contract was awarded within eight days from the day of expiry of the term for filing the request for the protection of rights.

If Procuring entity fails to submit signed contract to the bidder timely, pursuant to paragraph 1, the bidder is not obliged to sign the contract, which will not be considered as withdrawal of bid and bidder cannot sustain any consequences due to that, except in case of duly filed request for the protection of rights.

If the bidder to whom was awarded contract fails to conclude public procurement contract, Procuring entity may conclude the contract with the next most advantageous bidder.

24. CONTROL OF CONTRACT EXECUTION

Persons responsible for control and fulfillment of contractual obligations are Vladan Trifunović and Jovanka Perušinović, phone no.: 011/2289-840.



BID FORM

Bidder's full name: _____
Bidder's abbreviated name: _____
Headquarters address: _____
Registration number: _____
Identity number - TIN: _____
Contact person: _____
Telephone/ Telefax/ E-mail: _____

Based on the Notice on initiation of negotiated procedure without Invitation to submit bid for the public procurement no. P - 03/2016 – “Additional maintenance services, technical support and worldwide support for the aircraft from Government Avio-Service fleet and procurement of spare parts and materials” completely in accordance with Technical specification and Price Breakdown form, which are an integral part of this Public procurement, we are submitting the following

B I D

No. _____ dated _____ 2016

In order to perform all services in conformity with conditions set forth in tender documentation, respecting all applicable regulations and standards, in the following manner of participation:

- a) individually b) joint bid c) with subcontractor
(circle the type of participation)

Price of services:

No	DESCRIPTION	Price of total services
1.	Preformance of additional maintenance services on the LearJet 31 A aircraft, in line with the specification of services determined in the Status of services of 02 December 2016 (from 4000 to 4093), which comprises work hours of the authorized personnel and material used.	

The bid is indicated in RSD/ CHF (circle currency).



Manner of payment:

The payment is regularly effected after the performed services, in the amount 100% effected to the bidder's current account number specified on the Invoice, in _____ (currency) within 15 (fifteen) days from the receipt of the invoice signed by the Procuring Entity's authorized representative and the document which is a valid evidence that the service has been performed.

Bid validity deadline is _____ (_____) calendar days from the day of bid opening.
(not less than 30)

In order to perform the procurement, we are hiring _____ (_____) subcontractor.
(insert number of subcontractors in letters).

Place and date

Bidder
Seal and signature

DATA ON BIDDER

Business name or abbreviated name	
--	--

Headquarters address	Street and no.	
	Place	
	Municipality	



Bidder's registration number	
Tax identification number	
Responsible person	
Contact person	
Telephone	
Fax	
E-mail:	
Account number - Bank	
Legal entity type (micro, small, medium sized or large legal entity)	

Date: _____ 2016

Signature

Seal _____



DATA ON SUBCONTRACTOR

Business name or abbreviated name	
--	--

Headquarters address	Street and no.	
	Place	
	Municipality	
Bidder's registration number		
Tax identification number		
Responsible person		
Contact person		
Telephone		
Fax		
E-mail:		
Account number - Bank		
Legal entity type (micro, small, medium sized or large legal entity)		

NOTE: The required number of copies of this form shall be provided if the execution of the procurement is partly entrusted to several subcontractors.

Date: _____ 2016

Signature

Seal _____



DATA ON LEADING GROUP MEMBER

Business name or abbreviated name	
--	--

Headquarters address	Street and no.	
	Place	
	Municipality	
Bidder's registration number		
Tax identification number		
Responsible person		
Contact person		
Telephone		
Fax		
E-mail:		
Account number - Bank		
Legal entity type (micro, small, medium sized or large legal entity)		

Date: _____ 2016

Signature

Seal _____



DATA ON GROUP MEMBER

Business name or abbreviated name	
--	--

Headquarters address	Street and no.	
	Place	
	Municipality	
Bidder's registration number		
Tax identification number		
Responsible person		
Contact person		
Telephone		
Fax		
E-mail:		
Account number - Bank		
Legal entity type (micro, small, medium sized or large legal entity)		

NOTE: The required number of copies of this form shall be provided if the execution of the procurement is partly entrusted to several group members.

Date: _____ 2016

Signature

Seal _____



Form 2

PRICE BREAK DOWN FORM

No	DESCRIPTION	Price of service per hour	No of hours	Price of total number of hours	Material Total	Total (5+6)
1	2	3	4	5	6	7
1.	Preformance of additional maintenance services on the LearJet 31 A aircraft, in line with the specification of services determined in the Status of services of 02 December 2016 (from 4000 to 4093), which comprises work hours of the authorized personnel and material used.					

The bid is indicated in RSD/ CHF (circle currency).

Services which are subject of the particular public procurement are VAT free, according to the Article 24, paragraph 1, item 17 of the Law on Value Added Tax ("Official Gazette of the Republic of Serbia" No 84/04, 86/04-correction, 61/05, 61/07, 93/12, 108/13, 68/14-another law, 142/14 and 83/15).

Date: _____ 2016

Seal

Signature of the authorized person



Form 3

Pursuant to Article 75, paragraph 2 of the Law on Public Procurement (“Official Gazette of the Republic of Serbia”, No.124/12, 14/15 and 68/15), in the name and on behalf of the Bidder

I Hereby give the following

STATEMENT

Under complete financial and criminal liability that in the course of compilation of bid No. _____ dated _____ 2016, we have observed current obligations under applicable regulations concerning safety at work, employment and working conditions, protection of environment and that we are not prohibited from performance of the specific activity, when submitting the bid.

Date: _____ 2016

Signature

Seal _____

NOTE: The Statement is submitted (signed and sealed) by the bidder if he is participation individually and by each subcontractor and group member separately.



BID PREPARATION COSTS

Pursuant to Article 88, paragraph 1 of the Law, the Bidder

Is submitting the total amount and structure of bid preparation costs, as it is shown in the following table:

TYPE OF COSTS	AMOUNT OF COSTS in RSD
TOTAL AMOUNT OF BID PREPARATION COSTS:	

Costs for preparation and submission of bid are borne exclusively by the bidder and cannot be reimbursed by Procuring entity.

Where public procurement procedure was cancelled due to reasons related to Procuring entity, it shall reimburse the expenses for producing sample or model to the bidder, if these were made in compliance with the technical specifications of contracting authority, and expenses for acquiring financial security instruments, provided that bidder requested reimbursement of these expenses in its bid.

Date: _____ 2016

Bidder

Seal _____



Form 5

Pursuant to Article 26 of the Law on Public Procurement (“Official Gazette of the Republic of Serbia”, No.124/12, 14/15 and 68/15), the Bidder

Hereby gives

**STATEMENT
ON INDEPENDENT BID**

Under complete financial and criminal liability I declare that the bid for Public procurement of services - “Additional maintenance services, technical support and worldwide support for the aircraft from Government Avio-Service fleet and procurement of spare parts and materials”, No.P-03/2016, is submitted independently, without arrangement with other bidders or interested parties.

Date: _____ 2016

Bidder

Seal _____

NOTE: The Statement is submitted (signed and sealed) by the bidder if he is participation individually and by each subcontractor and group member separately.



ANNEX 1

Excerpt from Business Register Agency, or the excerpt from the competent
Commercial court register;
for foreign bidders –excerpt from the competent authority register of the state of its
head office



ANNEX 2

Excerpt from penalty record, or the Certificate of the competent court and police department that he and his legal representative have not been convicted of a criminal act as a part of organized criminal organization, of a criminal act against commerce, environment protection, giving or accepting bribe, committing fraud; for foreign bidders -certificatefromthecompetentauthorityregister of the state of its head office



ANNEX 3

Approval of the competent tax authority that the bidder has settled all due taxes and other contributions and approval of the competent local self-government that it has settled all duties for source local public revenues;
for foreign Bidders certificate of the competent tax authority of the state of its head office



ANNEX 4

Document (Certificate)
of the competent authority for the performance of the specific
activities which are the subject of particular public procurement



ANNEX 5

Joint Procurement Agreement (it is submitted only if the bid is submitted by the group of bidders)

