

Pursuant to Art. 9 of the Utilities Act (Official Gazette, No. 88/2011 and 104/2016), Art. 10, paragraph 1, Art. 22, Art. 35 of the Public Private Partnership(PPP) and concessions Act (“RS Official Gazette” No. 88/2011, 15/2016 and 104/2016, hereinafter: ZJPPK), Law on the Transportation of Passengers in Road Traffic ("Official Gazette of RS", No. 46/95,66/01, 91/05, 62/06, 31/11 and 68/15), pursuant to the provisions of the Statute of the Municipality of Mali Zvornik (Official Gazette of the Municipality of Mali Zvornik, No. 21/18) and Decisions on Public Transport of Passengers at the territory of the Municipality of Mali Zvornik («Official Gazette of the Municipality of Mali Zvornik», No. 21/18)

MUNICIPALITY OF MALI ZVORNIK  
28 KRALJA PETRA I St.  
15318 MALI ZVORNIK  
calls for

PUBLIC INVITATION

no. 06-2330/2019 - Public procurement procedure for PPP with elements of the concession for collecting bids for entrusting the communal activity of line passenger transport in the territory of the Municipality of Mali Zvornik

1. A public call for proposals for the selection of the most favorable bidder is launched for granting a concession for the entrustment of the communal activity of regular passengers line transport in the territory of the Municipality of Mali Zvornik for a period of 5 years.
2. The right to submit tenders by public invitation is regulated by Article 14 of LPPC, and it is owned by companies and other legal entities (hereinafter referred to as carriers) which are registered for public transport of passengers to the city-suburban traffic and meet the requirements set out in the Road Transport Traffic Act and other applicable legal regulations governing this matter.
3. Urban and suburban passenger transport will be operated on the fixed lines which are more closely defined in the tender documentation. The minimum number of departures per line is given in the tender documentation. Seasonal and non-scheduled lines will be contracted with a special contract with the carrier which be elected. The final version of a group of lines in scheduled passenger transport in urban and suburban traffic in the territory of the Municipality of Mali Zvornik will be defined by contract.
4. The carrier may only compete for all lines specified in the tender documentation. Formation of a consortium for participation in the procedure od the award of the public contract is permissible, noted that:
  - 1) the number of members of the consortium is limited to 3 members;
  - 2) changes to subcontractors whose capacities are required by the bidder or consortium are prohibited in order to meet the selection criteria.

5. The provision of public scheduled passenger transport shall be entrusted for a period of 5 years and will be more closely regulated by the conclusion of a public contract for the entrustment of communal services activities of regular passenger transportation in the territory of the Municipality of Mali Zvornik, whereby the procedure for termination of the contract before the expiry of the time for which it was concluded shall be regulated, as well as the resulting rights and obligations.

6. The provision of entrusted utility services will be carried out at the prices quoted in the offer, while the change thereof shall be made at the reasoned request of the carrier with the consent of the competent person bodies of the Municipality of Mali Zvornik, in accordance with the applicable legal regulations of the Republic Serbia, the Tender Documents and the Concession Act in the present procedure.

7. The Bidder is obliged, on the basis of accounting, financial, personnel, technical and legal normative documentation, prove his personal, professional, technical, and financial capacity to perform the entrusted utility activity.

**The offer must include:**

- name and seat of the company or legal entity, with information of the person authorized to represent and with all necessary information (telephone, fax, etc.) at the purpose of direct communication;
- proof that the bidder is registered with the competent authority, that is, registered to the appropriate register (Article 75, paragraph 1, item 1) of the PPL);
- evidence that the bidder and his legal representative have not been convicted of any of the criminal offenses as a member of an organized criminal group, not being convicted of criminal offenses against the economy, offenses against the environment, criminal offenses of receiving or bribery, criminal offense of fraud (Article 75, paragraph 1, item 2) of the PPL);
- evidence that the bidder has settled the taxes due, contributions and other public duties in accordance with the regulations of the Republic of Serbia or a foreign country when established at its territory (Article 75, paragraph 1, item 4) of the PPL);
- proof that the bidder has a valid permit from the competent authority for performing the activity which is the subject to concession - which means that it must have a license to perform road passenger transport activities as well as a license statement for each vehicle by which he will carry out the transport - or a temporary decision of the competent ministry (temporary Decision on determining the fulfillment of conditions for commencement and operation of public transport, which issued by the Ministry in charge of transport, in accordance with Art. 42 of the Transport Act in road traffic is issued with a validity period of one year from the date of issue, respectively until the expiry of the registration period for which it is issued), (Article 75, paragraph 1, item 5) of the PPL);
- proof that the bidder complied with the obligations which, when drawing up the tender

derive from current regulations on occupational safety, employment and working conditions, protection of environment, as well as to guarantee that there is no prohibition against pursuing the activity in force at the time of submission of the bid (Article 75, paragraph 2 of the PPL);

- proof that the applicant has valid certificates of application of the standard ISO 9001 and ISO 14001. - **Business condition for participation in the procedure.**
- proof that the bidder has been, for a period of at least 5 (five) years prior to the publication of the public invitation for the procurement in question, in continued transportation of passengers in public city and suburban transport in the territory of some of Local Self-Government in the Republic of Serbia - **Business Condition for Participation in the Procedure.**
- evidence that the bidder has provided at least 8 suburban- cities buses, capacity min. 90 seats (seating + standing) and 2 minibuses - **Technical requirement for participation in the proceedings.**
- evidence that the applicant has an intervention vehicle – **Technical condition for participation in the proceedings.**
- proof that the bidder has a vehicle maintenance facility - workshop and parking space for buses, on the territory of the Municipality of Mali Zvornik- **Technical requirement for participation in the procedure.**
- Proof that the Bidder has ensured that all departures are commenced or that they end up at the bus stop in Mali Zvornik, or have a passing station bus stop in Mali Zvornik - **Technical condition for participation in proceedings.**
- proof that all buses are equipped with video surveillance system - **Technical requirement to participate in the proceedings.**
- evidence that the bidder employed (on indefinite or definite time), or hired on another basis, 2 traffic engineers (graduates or professionals) - **Staffing requirement for participation in the procedure.**
- evidence that the bidder employed (on indefinite or definite time) at least 20 bus drivers, with a minimum of 3 years of work experience – **Personnel condition for participation in the proceedings.**
- evidence that the bidder employed (on indefinite or definite time), or employed on another basis: 2 car mechanics, 1 car electrician and 2 field controllers - **Staffing requirement for participation in the procedure.**

Means of Bid Security - Original Bank Guarantee for bid severity in the amount of RSD 1,000,000.00, with a 90-day validity period from the day of public bid opening.

Means of security for performance of obligations from the concluded contract - original letter of the intentions of the commercial bank, to issue a bank guarantee for the fulfillment of obligations under concluded contract in the amount of RSD 1,000,000.00, within the timeframe foreseen by the public model contract.

The required bank guarantees must be unconditional, irrevocable, payable at first

call without the right to object and must have duly completed deadline, amount and local jurisdiction and may not contain: additional conditions, shorter deadlines than those specified by the Purchaser, less than the amount specified by the Purchaser, changed local jurisdiction to resolve the disputes set out in the Contract Model, nor the business-related conditions bank policy.

8. The criterion for selecting a private partner is the most economically advantageous offer, in accordance with Article 39 paragraph 1 item 1) of the Law on Public and Private Partnership and Concessions ("RS Official Gazette", Nos. 88/2011, 15/2016 and 104/2016).

9. Deadline for making the decision on the selection of the best offer, i.e. the decision on canceling the procedure of granting the concession, it is 60 days, and it starts to run on the day of expiry of the period for the submission of tenders.

10. Legal protection in the award giving procedure shall be provided in accordance with the law governing public procurement. Any person interested in participating or participating in the award process of a public contract may apply for the protection of rights against decisions of a public body which conducts the procedure, and the deadline for submitting the request is 10 (ten) days from the day of the decision of the public body. The request for the protection of rights is submitted to the contracting authority, and a copy is submitted simultaneously to the Republic Commission for the Protection of Rights in Public Procurement Procedures. The address of the Republic Commission for the Protection of Rights in Public Procurement Procedures is: Government of the Republic of Serbia, Republic Commission for the Protection of Rights in Public Proceedings Procurement, 22 -26 Nemanjina St, Belgrade.

11. Interested carriers can download the tender documentation at the premises of the Municipality of Mali Zvornik, 28a Petar I St., Mali Zvornik - Service for public procurement, weekdays between 8am and 2pm. The tender documentation can be inspected at the premises of the Municipality of Mali Zvornik, 28 Kralja Petra I St., Mali Zvornik - Public Procurement Service, working days from 8am to 2pm, with proof of payment of 2.000,00 dinars to current account number 840-745151843-03 - with reference to 97/97- 065 with note - access to the tender documentation. Tender documentation can be downloaded after submission of proof of payment of the amount of 5.000,00 dinars to the current account number 840-745151843-03 - with reference to 97/97- 065, indicating - purchase of tender documentation. All additional notices regarding the Public Invitation can be obtained at the premises of the Municipality of Mali Zvornik, 28, Petar I St, Mali Zvornik, office no.27 and 24 - Public Procurement Office, (contact person: Zoran Brkić and Dragana Marković phone 015/7195188 local 124 or 127), e-mail: dragana.markovic@malizvornik.rs).

12. The deadline for submission of tenders is 60 days from the date of publication of the Public Invitation in the Official Gazette of the RS ;, until 12 hours. Tenders shall be submitted in person or by mail in sealed envelopes indicating: **COMPETITION OFFER FOR PASSENGER TRANSPORT - DO NOT OPEN**, at: Mali Zvornik Municipality, 28 Petra Kralja Street, Mali Zvornik, Public Procurement Service, in one instance. On the back, it is obligatory to write: name of the bidder, address of the bidder, telephone

number, contact person. Bids must be in Serbian.  
13. Public opening of tenders shall be carried out by the Commission on the same day after the deadline for submission of tenders at 12:30 hours, at the premises of Mali Zvornik Municipality, 28 Kralja Petra I St, Mali Zvornik. The bidder's representative may attend the public opening of the bid, whereby he must have an authorization signed by the Bidder's responsible person.