

On the basis of Article 35, with reference to Article 10, Paragraph 1 and Article 20, Paragraph 3 of the Law on Public-Private Partnerships and Concessions of the Republic of Serbia (“Official Gazette of RS” no. 88/2011, 15/2016 and 104/2016) (“Law on Concessions”), City of Belgrade – City Administration of the City of Belgrade – Secretariat for Public Transport (the “Secretariat”), in the capacity of Concedent, announces this:

**PUBLIC CALL**

to tender for

awarding the Concession for the provision of utility service of passenger public transport at express minibus lines within the territory of the City of Belgrade

The Secretariat invites all interested national and international legal and natural persons that meet the requirements specified in this Public call (the “public call”) to participate in the procedure of awarding the concession for providing the passenger public transport services at express minibus lines within the territory of the City of Belgrade, per lots (the “concession”).

1. Contact for the Secretariat

Expert team, Secretariat for Public Transport

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2. Information about the Concession

2.1 Scope/ The nature and the scope of concession activity, Article 10 of the Law on Concessions, provides that the Concession means the assignment to a private partner of, among other, the right to perform an activity of public interest. Article 2 of the Law on Public Utility Services (“Official Gazette of RS” no. 88/2011 and 104/2016) further provides that the utility services are of public interest, as well as that the “urban and suburban passenger transport “ is one of the utility services, that is, an activity of a public interest. Concession is awarded to a private partner by way of a Concession contract following the completion of the procedure for granting the concession and awarding the best bid. The scope of the concession is the provision of utility services of passenger public transport at express minibus lines within the territory of the City of Belgrade.

2.2 Location of the concession implementation

The concession activity covered by the concession will be performed within the territory of the city, specifically:

2.2.1 Lot – 1

The list of lines and statistics of express minibus lines are provided in the table below:

*Table presenting the statistics of express minibus lines*

Line number	LINE DESCRIPTION	Line distance in both directions 2Lsm(m)	Number of stops		Median exploitation distance of the line with terminals Lsm(m)	Average distance between stops ls(m)
		Total	A	B		
E1	USTANIČKA St. – BLOK 45	30,340	30	31	15,170	497
E2	PETLOVO BRDO – DUNAV STANICA	36,532	37	37	18,266	494
E6	MIRIJEVO 4 – NOVI BEOGRAD	38,538	42	39	19,269	476

Line number	LINE DESCRIPTION	Line distance in both directions 2Lsm(m)	Number of stops		Median exploitation distance of the line with terminals	Average distance between stops ls(m)
	/BLOK 45/					
E9	KUMODRAŽ – DORČOL "SRC MILAN GALE MUŠKATIROVIĆ"	26,128	30	30	13,064	446
A1	SLAVIJA SQUARE – NIKOLA TESLA AIRPORT	40,546	4	4	20,273	5,068

### 2.2.2 Lot – 2

The list of lines and statistics of express minibus lines are provided in the table below:

*Table presenting the statistics of express minibus lines*

Line number	LINE DESCRIPTION	Line distance in both directions 2Lsm(m)	Number of stops		Median exploitation distance of the line with terminals Lsm(m)	Average distance between stops ls(m)
			Total	A		
E4	MIRIJEVO 3– BEŽANIJSKA KOSA	35,202	38	42	17,601	441
E5	NOVI BEOGRAD /BLOK 70/ – ZVEZDARA (GREEN MARKET)	49,414	46	47	24,707	577
E8	NASELJE STEPA STEPANOVIĆ – NOVI BEOGRAD /BLOK 70 A/	34,116	36	39	17,058	453

### 2.2.3 Lot – 3

The list of lines and statistics of express minibus lines are provided in the table below:

*Table presenting the statistics of express minibus lines*

Line number	LINE DESCRIPTION	Line distance in both directions 2Lsm(m)	Number of stops		Median exploitation distance of the line with terminals Lsm(m)	Average distance between stops ls(m)
			Total	A		
E3	SLAVIJA SQUARE – KOSMAJ PLANT	14,888	11	12	7,444	647
E7	VIDIKOVAC – ŽS BEOGRAD CENTAR	25,120	25	25	12,560	504

## 2.3 Type of Concession and Concession award procedure

The concession award procedure will be conducted based on Article 20, Paragraph 3, with reference to Article 10, Paragraph 1 and in keeping with Articles 35 through 41 of the Law on Concessions, concerning the provision of utility services related to the passenger public transport at express minibus lines within the territory of the City of Belgrade.

The concession will not be awarded in phases. The concession award procedure will be conducted without the prequalification process.

#### 2.4 Concession fee

The concession fee will be paid by the concessionaire to the Secretariat in accordance with the time schedule set up by the Concession contract.

#### 2.5 Concession term

The term of the Concession will be 10 years.

### 3. Participation in the Concession Award Procedure

#### 3.1 Collection of tender documentation

Any interested party that fulfils the requirements set forth in Item 3.2. of this call may take part in the concession award procedure and collect the tender documentation (the “tender documentation”) at the Public Procurement Portal of the RS and the Portal of the City of Belgrade, as well as on the webpage of the Contracting Authority. The Group of Bidders, specifically the Consortium, may take part in the concession award procedure in line with the requirements set forth in the tender documentation and the Law on Concessions.

No fee will be charged for the collection of tender documentation.

#### 3.2 Requirements for the participation in the Concession Award Procedure

##### 3.2.1 Mandatory requirements for the participation

Any bidder must provide the following evidence:

- 1) that the Bidder has been registered with the responsible authority and/or recorded in the appropriate registry;
- 2) that the Bidder or its legal agent have not been convicted of any criminal offence as members of an organized criminal group, that they have not been convicted for any economic criminal offences, criminal offences against environment, criminal offences of receiving or giving a bribe, or a criminal offence of fraud;
- 3) that the Bidder settled any due taxes, contributions and other public charges imposed by the Republic of Serbia regulations or by a foreign country hosting the Bidder’s registered office within its territory;
- 4) that the Bidder holds a valid license (the LICENSE) issued by the Ministry responsible for transportation affairs related to the passenger public transport services;
- 5) the Bidder shall, when drafting its bid, specifically indicate (using Form no. 4 from the Tender Documentation) that it complied with the obligations in relation to the applicable occupational Health and Safety rules, employment and working conditions and environmental protection, as well as that the Tenderer has not been banned to perform its activities effective at the time of its submission of bid.

The detailed description of the evidence of fulfilling the mandatory requirements for the participation have been provided in Annex 1 of this public call.

##### 3.2.2 Additional requirements for the participation and/or qualification requirements

Any Bidder must fulfil the following qualification requirements:

- 1) that the Bidder has the financial capacity to participate in the concession award procedure, meaning that in the preceding three accounting years, (2015, 2016 and 2017), the Bidder generated the revenue in the aggregate amount of minimum RSD 2,400,000,000.00; in the event of submitting the joint bid, the specified financial capacity requirement regarding the generated revenue shall mean the aggregate amount fulfilled jointly by all the members,
- 2) that prior to the announcement of the public call, counting from the date of announcing the public call, it has achieved minimum 5 years of experience in providing the passenger public

transport services in the cities having the recorded census above 250,000 in the Republic of Serbia, (either independently or within another form of organization – a group, Consortium, Association etc.). In the event of submitting a joint bid, each member of such Bidder must fulfil this requirement.

3) That the Tenderer has technical capacities to take part in the concession award procedure, in particular:

- For Lot 1:

Number of bus

Type of bus	No. of deployed busses	Replacement busses	Total no. of required busses
Bus (16+5)	33	3	36
Bus (16+15)	6	1	7

– The age of vehicles the transport operator may participate with in the tender:

All the registered vehicles must not be older than 10 years as at the date of opening the bids. The information about the age of a vehicle is taken from the electronically read registration certificate card and/or from the copy of the registration certificate issued by the Ministry of Internal Affairs. The age of the vehicle is counted from the date of its first registration. Exceptionally, in the event that more than 1 year has elapsed between the vehicle manufacture date and the year of the first registration, the date of first registration shall be deemed to be 31<sup>st</sup> December of the year of manufacture.

Required number of service vehicles is 1

– All the registered vehicles must fulfil the requirements as set forth by the Technical Specification of Service Vehicles (Item 2.4. of the Tender Documentation).

- For Lot 2:

Number of busses

Type of bus	No. of deployed busses	Replacement busses	Total no. of required busses
bus (16+5)	22	2	24

– The age of vehicles the transport operator may participate with in the tender:

All the registered vehicles must not be older than 10 years as at the date of opening the bids. The information about the age of a vehicle is taken from the electronically read vehicle license and/or from the copy of the registration certificate issued by the Ministry of Internal Affairs. The age of the vehicle is counted from the date of its first registration. Exceptionally, in the event that more than 1 year has elapsed between the vehicle manufacture date and the year of the first registration, the date of first registration shall be deemed to be 31<sup>st</sup> December of the year of manufacture.

Required number of service vehicles is 1

– All the registered vehicles must fulfil the requirements as set forth by the Technical Specification of Service Vehicles (Item 2.4. of the Tender Documentation).

- For Lot 3:

Number of busses

Type of bus	No. of deployed busses	Replacement busses	Total no. of required busses
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bus (16+5)	12	1	13
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– The age of vehicles the transport operator may participate with in the tender:

All the registered vehicles must not be older than 10 years as at the date of opening the bids. The information about the age of a vehicle is taken from the electronically read vehicle license and/or from the copy of the registration certificate issued by the Ministry of Internal Affairs. The age of the vehicle is counted from the date of its first registration. Exceptionally, in the event that more than 1 year has elapsed between the vehicle manufacture date and the year of the first registration, the date of first registration shall be deemed to be 31<sup>st</sup> December of the year of manufacture.

Required number of service vehicles is 1

– All the registered vehicles must fulfil the requirements as set forth by the Technical Specification of Service Vehicles (Item 2.4. of the Tender Documentation).

The detailed description of the evidence of fulfilling the mandatory requirements for the participation have been provided in Annex 1 of this public call.

#### 4. Criteria for the selection of the best bid

The criteria for the selection of the best bid will be the highest offered concession fee.

The amount of concession fee for different lots will be defined in proportion to the number of vehicles within the specific lot.

The Bidder may specify in its bid the amount of concession fee per vehicle that will be equal or higher than EUR 4,800, not counting the replacement vehicles.

The elements of the criteria based on which the Contracting Authority will award the contract in the case of two or more tenders with identical amounts of concession fee will be:

In the event that two or more bids within one lot have identical concession fees, the contract will be awarded to the bidder whose selected vehicle fleet (deployed busses) have less average age; the average age of the vehicle fleet will be calculated based on the age of each individual vehicle expressed in the number of years and months.

Where two or more bids have the same amount of concession fee and the same average age of their vehicle fleet, the Expert Team will award the contract to the bidder by random drawing.

The Contracting Authority will notify all the Bidders about the date of random drawing. The random drawing will be performed in public, in the presence of the Bidders, by writing down the names of the Bidders having equal concession fees and average age of their vehicle fleet on separate papers of the same size and colour. The papers will be put into a transparent box out of which all the papers will be drawn, while the Bidder having its name written on such paper that has been drawn first, will be awarded the Concession contract. The procedure of random drawing will be recorded in the appropriate Report.

The Contracting Authority will evaluate only those bids that comply with the requirements indicated by the public call for tender and the tender documentation – the qualified and acceptable bids.

A bid that the Contracting Authority has determined to be unacceptable will not be evaluated, while the Bidder will not be able to supplement it subsequently nor alter it in order to make it acceptable.

#### 5. Submission of Bids

Bid submission deadline is 60 days from day when the public call is announced in “Official Gazette of the Republic of Serbia”. Public call is announced in “Official Gazette of the Republic

of Serbia” no. 4 from 25.01.2019. year. Bid submission deadline is until 12.00h at 26.03.2019. year.

The bids will be submitted in person or via a registered mail with the mailing receipt in closed envelopes/boxes, as described in detail within the tender documentation. The bids will be considered delivered after they have been physically received by the Secretariat.

The bids must be delivered in Serbian language.

#### 6. Notification about the concession award outcome

The outcome of the concession award procedure will be announced within 40 days from the date of opening of bids. The Secretariat will communicate its relevant decision, along with the copy of the Report made on the opening and evaluation of tenders, to each Tenderer via e-mail and it will publish its decision on its official website and on the Public Procurement Portal.

#### 7. Protection of Bidder’s rights

The legal protection in the public contract award procedure will be provided in line with the law regulating the public procurement.

Any person interested in taking part or already taking part in the procedure of awarding the public contract based on this law, may file the request to the Republic Commission for Protection of Rights in Public Procurement Procedures, in order to protect its rights against the decisions of a public body that carries out this procedure, that may be contested separately, where in the opinion of such person such decisions have been adopted in an unlawful way.

The request for the protection of rights shall be filed to the Contracting Authority with the carbon copy concurrently submitted to the Republic Commission for Protection of Rights in Public Procurement Procedures, at the address: Nemanjina 22-26, 11000 Belgrade.

The request for the protection of rights may be filed throughout the entire course of the concession award procedure, against any act of the Contracting Authority, unless otherwise provided by the Law.

The deadlines for filing the Request for right protection are:

- No later than seven days prior to the bids submission expiry date, in the event that the request for the protection of rights refers to the tender documentation or any other act relating to the Concession Award Procedure performed prior to the expiry of the bids submission deadline and
- 15 days as of the date of publishing the outcome of the Concession Award Procedure, and-or as of the date of publishing the Decision on awarding the best bidder or Decision on cancelling the concession award procedure at the Public Procurement Portal.

In the event of a repeated submission of the request for the protection of rights in the same concession award procedure by the same requesting party, such request may not contest the acts of the Contracting Authority that the requesting party was aware of or could reasonably be aware of at the time of submitting the previous request.

#### 8. Bid Guarantee

Each Bidder shall submit the tender guarantee in favour of the Secretariat attached to its bid, specifically:

1. for lot 1, in the amount of 500,000.00 (five hundred thousand) dinars, with the validity period that is by 5 (days) longer than the bid validity period.
2. for lot 2, in the amount of 250,000.00 (two hundred and fifty thousand) dinars, with the validity period that is by 5 (days) longer than the bid validity period.
3. for lot 3, in the amount of 150,000.00 (one hundred and fifty thousand) dinars, with the

validity period that is by 5 (days) longer than the bid validity period.

ANNEX 1 – Requirements for participating in the concession award procedure and evidence of their fulfilment, can be downloaded from the website of the City of Belgrade [www.beograd.rs](http://www.beograd.rs), as well as on the website of the Secretariat for Public Transport [www.bgprevoz.rs](http://www.bgprevoz.rs)