Pursuant to Articles 20 and 22 of the Law on Public-Private Partnership and Concessions (Official Gazette of RS, no. 88/11, 15/16 and 104/16), Article 55, Paragraph 1, Item 2, Article 57 and Article 60, Paragraph 1, Item 1 of the Law on Public Procurement (Official Gazette of RS, no. 124/12, 14/15 and 68/15) and the Decision of the Municipal Assembly Bečej no: I 011-149/2018 as of 5 November 2018, by which the Public-Private Partnership Project of reconstruction and long-term maintenance of part of the street lighting system in the territory of the Municipality of Bečej has been approved and which has received a positive response from the Public-Private Partnership Commission, number 152/2018 as of 2 October 2018, the Municipality of Bečej publishes the following

**INVITATION TO TENDER NO. IV 09 404-16/19 IN THE OPEN PROCEDURE –**

**PRIVATE PARTNER SELECTION FOR PUBLIC-PRIVATE PARTNERSHIP IMPLEMENTATION**

**(published on March 15, 2019 in the "Official Gazette of the Republic of Serbia")**

**I GENERAL INFORMATION ON PUBLIC PROCUREMENT**

1. The Procuring Entity “Municipality of Bečej” invites all interested private partners/bidders to submit their bids for the implementation of Public-Private Partnership Project of reconstruction and long-term maintenance of part of the street lighting system in the territory of the Municipality of Bečej, under the terms and conditions set out in this Invitation to Tender and tender documentation for the public procurement in question.
2. Type of public procurement procedure: open procedure. Public procurement subject: Private partner selection for the implementation of Public-Private Partnership Project of reconstruction and long-term maintenance of part of the street lighting system in the territory of the Municipality of Bečej.
3. Name, that is, designation from the general dictionary of public procurement:
* 71314200 Energy Management Services
* 71314300 Energy Efficiency Consulting Services
* 50232100 Street Lighting Maintenance Services
* 50232110 Putting into operation Street Lighting Devices
* 45316000 Lighting and Signaling Systems Installation Works

Energy service that is the subject of the public procurement, in accordance with the additional vocabulary, has been classified in section K (Other characteristics for energy and water distribution), in group A (Characteristics for energy and water distribution) as follows:

* KA03 For electrical equipment
* KA04 For electrical installations

The subject matter of the Public-Private Partnership Contract without the element of concession refers to the implementation of measures with the aim of using more efficient energy (Energy Conservation Measures, hereinafter: ECM), a decrease in CO2 emission and reduction in overheads regarding functioning and maintenance of part of the street lighting system in the territory of the Municipality of Bečej.

1. All interested legal entities and private individuals that fulfil the requirements set out in Article 75, Paragraph 1 of the Law on Public Procurement and additional requirements set out in Article 76, Paragraph 2 of the Law on Public Procurement specified in the tender documentation are entitled to participate in the procedure.
2. As proof of eligibility for participation in the tender set out in Article 75, Paragraph 1 and Article 76 of the Law on Public Procurement, the bidder shall submit the documents specified in the tender documentation and prescribed by law for the selection of private partner/public procurement in question.
3. All interested parties may collect the tender documentation in the premises of the Municipality of Bečej, at the address Trg oslobođenja 2, Bečej, every working day from 8 a.m. to 2 p.m., from the portal and website of the Procuring Entity. The Invitation to Tender will be published in the Official Gazette of the Republic of Serbia, as well as in the media that is distributed in the territory of the Republic of Serbia, on the Internet page of the public authority and public procurement portal, specifying the date when the publishing date of the Invitation to Tender in the Official Gazette of the Republic of Serbia.
4. The deadline for bid submission is within 60 days from the day of publishing the Invitation to Tender in the Official Gazette of the Republic of Serbia, not later than the last day of deadline at noon. The bids submitted after the expiration of the submission date and hour specified in this Invitation to Tender, shall be deemed untimely and will be returned to the bidders unopened upon the completion of the bid opening procedure, with the remark that they have been untimely submitted.
5. The bids should be submitted in a closed envelope sent by post or in person at the address of the Procuring Entity, with a remark “Do not open – a bid in the open procedure of the public procurement for the private partner selection and the award of a public contract on the Public-Private Partnership Project of reconstruction and long-term maintenance of part of the street lighting system by implementing measures for saving energy using LED technology in the territory of the Municipality of Bečej, JN no. 16/19”. Name, address and telephone of the bidder should be put at the back of the envelope. A bid with options is not allowed. Public opening of the bids will occur on the last day prior to the expiration of the tender at 1:00 p.m. at the address of the Procuring Entity set out in Article 8 of this Invitation to Tender. The records regarding the opening of the bids are taken pursuant to Article 104 of the Law on Public Procurement.
6. The right to participate in the bid opening is granted to the authorised representatives of the bidder, which is proved by providing a signed and certified power of attorney, only in an original form. Faxes and photocopies will not be accepted.
7. The most favourable bidder selection will be performed in accordance with the “the lowest price offered” criterion, which is expressed as the highest offered net current value of the total contract expenses.

The decision on the most favourable bid will be made within 60 days from the expiration date for bid submission.

1. The Procuring Entity reserves the right to withdraw from the public contract award, should the circumstances under which the public procurement procedure has been initiated change, in the event of receiving all unacceptable bids or for any other reason. Should the Procuring Entity withdraw from the private partner selection procedure for no reason, the Procuring Entity shall reimburse the bidders all costs incurred in the course of bid preparation within 90 days from the withdrawal from the procedure.

**II INFORMATION ON THE PUBLIC PROCUREMENT PROCEDURE FOR PRIVATE PARTNER SELECTION**

1. Public body/Procuring Entity: Municipality of Bečej, with the registered office in Bečej, at Trg oslobođenja 2, [www.becej.rs](http://www.becej.rs)
2. Type of public procurement procedure: open procedure
3. Public Procurement no: Private partner selection for the implementation of Public-Private Partnership Project of reconstruction and long-term maintenance of part of the street lighting system in the territory of the Municipality of Bečej.
4. Public procurement procedure is conducted for the purpose of the conclusion of the public contract.
5. Contact person: Jovana Topić and Tamara Perišić. Email: jovana.topic@becej.rs, tamara.perisic@becej.rs

**III INFORMATION ON THE PUBLIC PROCUREMENT SUBJECT**

1. Subject and name of public procurement: Private partner selection for the implementation of Public-Private Partnership Project of reconstruction and long-term maintenance of part of the street lighting system in the territory of the Municipality of Bečej.
2. Name, that is, designation from the general dictionary of public procurement:
* 71314200 Energy Management Services
* 71314300 Consulting Services in connection with Energy Efficiency
* 50232100 Street Lighting Maintenance Services
* 50232110 Putting into operation Street Lighting Devices
* 45316000 Lighting and Signaling Systems Installation Works

Energy service that is the subject of the public procurement, in accordance with the additional vocabulary, has been classified in section K (Other characteristics for energy and water distribution), in group A (Characteristics for energy and water distribution) as follows:

* KA03 For electrical equipment
* KA04 For electrical installations

**IV MINIMUM TECHNICAL AND FINANCIAL QUALIFICATIONS, EXPERIENCE THAT A PARTICIPANT IN THE PROCEDURE IS REQUIRED TO POSSESS AND EXPIRATION DATE OF THE PUBLIC-PRIVATE PARTNERSHIP**

* The bidder must fulful all minimum requirements regarding the **financial capacity,** as follows:
* the financial capacity is proved by showing that there have not been any losses in the course of doing business in the last year from the day this Invitation to Tender has been published on the public procurement portal.
* **Total annual operating income** of the Bidder must be equal or higher than RSD 200,000.00 in the last 3 (three) years.

The bidder must fulfil all minimum requirements regarding **business, technical and staffing capacity,** as follows:

**BUSINESS CAPACITY:**

1. the bidder has concluded public contracts by which energy saving implementation has successfully been performed, pursuant to the Contract Template1 on energy service for implementing energy efficiency improvement measures and saving overhead costs of street lighting, with regard to public sector users, with LED lights, and not only with light sources, that is, LED “bulbs”, nor light sources, or straps and has started the period of warranties and system maintenance in the last three (3) fiscal years (2016, 2017 and 2018) and during which the implementation with the scope of work of at least 9,000 pieces of LED lights in total has been performed and at least two (2) contracts in relation to the he installed management system has been concluded. The term light post is defined in the Rulebook on electrical bulbs energy efficiency designation and 24/14.
2. The bidder has to possess the integrated quality management system SRPS ISO 9001; SRPS ISO 14001; SRPS OHSAS 18001; SRPS ISO/IEC 27001; SRPS EN ISO 50001 or the appropriate ones.
3. The bidder should have the appropriate capacity – reputation, that is, such reputation so that the bidder, each member in the group of bidders, subcontractor and all associated parties have absolutely transparent ownership and management structure and that the bidder and all associated parties have fulfilled and fulfil their obligations under the contracts and business affairs with the Republic of Serbia as well as direct and indirect users of the budget of the Republic of Serbia in the course of a ten-year period prior to publishing this Invitation to Tender.

The expiration date of the public-private partnership is 13 years from the day public contract is concluded.

**V PREPARATION OF BIDS**

Bids are prepared in accordance with the invitation and tender documentation for the public procurement in question. Invitation to Tender for bid submission has been published in the Serbian and English language. The same text of the Invitation to Tender is published in the Official Gazette of the Republic of Serbia, as well as in the media that is distributed over the territory of the Republic of Serbia, on the Internet page of the public authority and the public procurement portal, specifying the publishing date of the Invitation to Tender in the Official Gazette of the Republic of Serbia. The bidder shall bear all costs in relation to preparing and submitting bids. The interested party may, in writing, request from the public authority / procuring entity additional information or clarification regarding preparing and submitting bids, not later than 5 (five) days prior to the bid submission expiration date. Communication with regard to additional information, clarification and responses is performed in the manner set out in Article 20 of the Law on Public Procurement. The bid pages must be numbered, tied together with red tape so that subsequent insertion, removal or replacement of individual pages is not possible.

*Pursuant to Article 67, Paragraph 8 of the Law on Efficient Energy Use (Official Gazette of the Republic of Serbia, no. 25/13), the Ministry of Mining and Energy has rendered the Rulebook on determining the contract template on energy services for energy efficiency improvement measures implementation with regard to public sector users (Official Gazette of the Republic of Serbia, no. 41/2015) and which stipulates the contract template on energy services for energy efficiency improvement measures implementation and saving overhead costs with regard to public lighting and public sector users.*