

The clarification of Tender documentation no. 0102-2741/6 from 20th May 2015, according to the request received by email from 11th June 2015, at 12:54 PM

Question 1: Could you please confirm whether there is a specific wording that you require on the bank guarantee, and if so, will you please email it over at your earliest convenience so that we can check if our bank can comply with it. Should the name of your organization be in English or Montenegrin on the guarantee?

Answer to question 1: As specified on page 5 of Tender documentation, a bidder is required to submit a bank guarantee, which is unconditional and payable on the first demand, in the amount of 2% (two percent) of the value of the bid, as a guarantee that the bid will be binding for the bidder within its validity period and 7 days after expiry of the bid validity period. There is no form of bank guarantee which we could send to you. The name of the Agency is necessary to be written in Montenegrin as follows: **Agencija za elektronske komunikacije i poštansku djelatnost Crne Gore**, but in the English version of the guarantee apart from being written in Montenegrin it may also be written in English as: **Agency for Electronic Communications and Postal Services of Montenegro**.

Question 2: When you say that the guarantee is unconditional and payable on the first call of the Contracting Authority after the occurrence of reasons to which it relates, it would be very useful for us to know what these reasons could be. Without knowledge of these reason, an 'unconditional' guarantee would seem to be inappropriate as it should be payable only under certain conditions. To avoid any potential ambiguity and misunderstanding down the line, it would be useful to specify the exact wording on the guarantee under which it would be payable. As it takes some time to obtain a bank guarantee, please let us know the exact wording of the conditions as soon as possible.

Answer to question 2: A bank guarantee, as a means of financial security given for the offer, will be activated if the bidder, after the deadline for the submission of bids, modify, amend or revoke its offer or if the bidder does not sign a contract in case that his bid was selected as the most favorable.

Question 3: For the avoidance of doubt, we charge VAT at an applicable rate of 0% for work outside of our country as this is a business to business service. We understand that EKIP is registered for VAT in Montenegro and is thus considered a business for accounting purposes. Can you confirm that in the pricing schedule (p.33) it is acceptable to have the same total price with and without VAT, and that EKIP will pay the full amount invoiced at a zero VAT rate.

Answer to question 3: As specified on page 45 of Tender documentation, the bidder shall submit a bid with a price in EUR, with separately presented VAT. In Montenegro, for the provision of services the VAT is calculated at the rate of 19% and the amount of tax at this rate shall be included in the total bid price. The total bid price, with VAT at the rate of 19% included, shall not exceed the estimated value of procurement of 150,000.00 EUR. A bidder may pay the amount of VAT expressed in the bid through a tax representative in Montenegro or the Agency may pay on behalf of the bidder.

Question 4: The fourth mandatory requirement (p.4 of the ITT) is that the bidder has a permit for the activity that is the object of the public procurement. We are not required to have a licence for the services we provide in our country. Do we have to mention this specifically in our proposal or is it okay to simply ignore this requirement?

Answer to question 4: As specified on page 4 of Tender documentation, submission of evidence of possession of a valid permit, license, authorization or other document issued by a competent authority (mandatory requirement 4) is not required.

This clarification is part of the Tender documentation.