

Pursuant to Article 117 of the Public Procurement Law (Official Gazette of Montenegro 42/11), the Ministry of Finance hereby issues the

RULEBOOK ON THE RECORDS OF PUBLIC PROCUREMENT PROCEDURES

Article 1

This Rulebook shall lay down in more detail the content, the manner of keeping and the form of the records on public procurement procedures.

Article 2

The records of public procurement procedures shall be kept in the following forms:

- 1) Form A for the records of data regarding the awarded public contracts
- 2) Form B for the records of data regarding the awarded public contracts of small value (shopping method)
- 3) Form C for the records of data regarding the awarded public contracts using the direct agreement.

The forms referred to in paragraph 1 hereof, with instruction for their completing, are integral parts of this Rulebook.

Article 3

The data on contracts concluded in the open procedure, restricted procedure, negotiated procedure without prior publication of the contract notice, negotiated procedure with prior publication of the contract notice, framework agreement, consulting services as well as the data on the contracts awarded by the design contest, shall be entered in the form A for the records of data on awarded public contracts, in the year for which the report is being prepared.

The contracting authority shall enter the following data into the form A for the records on awarded public contracts:

- reference number of the public procurement;
- procedure type;
- type of subject of the contract;
- subject of the contract;
- estimated value of public procurement;
- contracted value without the VAT;
- contracted value with the VAT;
- number of received bids;
- number of rejected bids;
- number of dismissed bids;
- reference number and date of the decision on selection of the most favourable bid;
- name of the bidder whose bid was selected as the most favourable one;

- identification number of the selected bidder;
- date of contract conclusion;
- annex to the contract in case it was concluded (number, date and subject);
- the savings achieved (difference between estimated and contracted value of the public procurement without the VAT).

Article 4

The contracting authority shall enter the data on all awarded contracts of low value (shopping method) without VAT, separately for goods, services and works, in the form B for the records on awarded public contracts of low value, and these data are the following:

- reference number of the public procurement;
- type of subject of the contract;
- subject of the contract;
- estimated value of public procurement;
- number of received bids;
- number of rejected bids;
- number of dismissed bids;
- reference number and date of the decision on selection of the most favourable bid;
- name of the bidder whose bid was selected as the most favourable one;
- identification number of the selected bidder;
- estimated value without the VAT;
- estimated value with the VAT;
- date of contract conclusion;
- the savings achieved (difference between estimated and contracted value of the public procurement without the VAT);
- annex to the contract in case it was concluded (number, date and subject).

Article 5

The contracting authority shall enter the data on the awarded contracts using the direct agreement in the Form C for the records on awarded public contracts, and these data are the following:

- reference number of the public procurement;
- date and place of the award;
- type of subject of the contract;
- subject of the contract;
- estimated value of public procurement;
- name of the bidder;
- total value of all public contracts concluded using direct agreement during the previous year.

Article 6

The Forms referred to in Article 2 of this Rulebook shall be signed by the responsible person – the head of the contracting authority and the public procurement officer of that contracting authority .

The forms referred to in paragraph 1 hereof shall be submitted to the Public Procurement Administration both in written and electronic form no later than 28 February of the current year for the previous year.

Article 7

This Rulebook shall enter into force on the day following that of its publication in the Official Gazette of Montenegro, and it shall be implemented as of 1 January 2012.

MINISTRY OF FINANCE

No:
Podgorica,

Minister
Milorad Katnić, PhD



MONTENEGRO
Ministry of Finance
Public Procurement Administration

Standard form
 Article 117 of the Public Procurement Law

Contracting authority _____
 Reference number _____
 Place and date _____
 Activity code _____
 Identification number _____
 Tax identification number _____

FORM A

**FOR SUBMISSION OF DATA
 ON AWARDED PUBLIC CONTRACTS**

| I | II | III | | | IV |
|--|--|-----------------|----------|-------|---------|
| Reference number of public procurement | Data on procedure type and subject of public procurement | | | | |
| | Procedure type | Type of subject | | | Subject |
| | | Goods | Services | Works | |
| | | | | | |
| | | | | | |
| | | | | | |

| V | VI | VII |
|--|--|---|
| Data on public procurement value (in euro) | | |
| Estimated value of public procurement | Contracted value of public procurement without the VAT | Contracted value of public procurement with the VAT |
| | | |
| | | |

| | | |
|--|--|--|
| | | |
|--|--|--|

| | | |
|--------------------------------|--------------------------------|---------------------------------|
| VIII | IX | X |
| Information on the bids | | |
| Number of received bids | Number of rejected bids | Number of dismissed bids |
| | | |
| | | |
| | | |

| | | | | | |
|--|---|--|--|---|--|
| XI | XII | XIII | XIV | XV | XVI |
| Data on the bidder whose bid was selected as the most favourable one and the data regarding the public procurement contract | | | | | |
| Reference number and date of the decision on selection of the most favourable bid | Name of the bidder whose bid was selected as the most favourable one | Identification number of the bidder whose bid was selected as the most favourable one | Date of the contract conclusion | Annex to the contract if it was concluded (reference number, date and subject) | Savings achieved (a gap between the estimated value and the contracted value of the public procurement without the VAT) |
| | | | | | |
| | | | | | |
| | | | | | |

Public procurement officer

Responsible person-
head of the contracting authority

stamp here

INSTRUCTIONS FOR COMPLETING THE FORM A FOR SUBMISSION OF DATA ON AWARDED PUBLIC CONTRACTS

FORM HEADING

The activity code shall be determined by the Statistical Office of Montenegro.

The identification number shall be determined by the Statistical Office of Montenegro.

The tax identification number shall be determined by the Tax Administration of Montenegro.

DATA ON PROCEDURE TYPE AND SUBJECT OF PUBLIC PROCUREMENT

The contracting authority shall enter the data on procedure type and subject of public procurement into columns II, III and IV of the Annex.

The column II (procedure type) shall contain one of the following numbers:

- 1 – open procedure (Article 22 of the Public Procurement Law)
- 2 – restricted procedure (Article 23 of the Public Procurement Law)
- 3 – negotiated procedure with prior publication of contract notice (Article 24 of the Public Procurement Law)
- 4 – negotiated procedure without prior publication of contract notice (Article 25 of the Public Procurement Law)
- 5 – framework agreement (Article 26 of the Public Procurement Law)
- 6 – consulting services (Article 27 of the Public Procurement Law)
- 7 – award of public contract by contest (Article 28 of the Public Procurement Law)

The column III (type of subject of public procurement) shall contain one of the following numbers:

- 1 - goods
- 2 - services
- 3 - works

The column IV (subject of public procurement) shall contain the codes from the Common Procurement Vocabulary (CPV).

DATA ON ESTIMATED VALUE OF PUBLIC PROCUREMENT

The Contracting authority shall enter data on estimated value of public procurement into columns V, VI and VII. The amounts entered into the columns shall be expressed in euro.

The column V (estimated value of public procurement) shall contain the estimated value of public procurement without the VAT as stated in the decision on initiating the public procurement procedure (Article 40 of the Public Procurement Law).

The column VI (estimated value without the VAT) shall contain the contracted value of public procurement without the VAT.

The column VII (contracted value with the VAT) shall contain the contracted value of public procurement with the VAT.

DATA ON THE BIDDER WHOSE BID WAS SELECTED AS THE MOST FAVOURABLE ONE

The data on the bidder whose bid was selected as the most favourable one shall be entered by the contracting authority into the columns XI, XII, XIII, XIV, XV and XVI.

The column XI (reference number and date of the decision on selection of the most favourable bid) shall contain the reference number and the date when the decision on selection of the most favourable bid was published.

The column XII (name of the bidder whose bid was selected as the most favourable one) shall contain a shortened name of the company, that is, the name and address of the bidder with whom the contract was concluded.

The column XIII (identification number of the bidder whose bid was selected as the most favourable one) shall contain:

- eight-digit identification number of the selected bidder, in case the bidder is from Montenegro;
- name of the country where the seat of the selected bidder is located, in case that the bidder is not from Montenegro (foreign bidder).

The column XIV (date of contract conclusion) shall contain the date when the contract was concluded between the contracting authority and the bidder.

The column XV (Annex to the contract if it was concluded – reference number, date and subject) shall contain the reference number, date and subject of the annex to the contract in case it was concluded.

The column XVI (Savings achieved – the gap between the estimated and the contracted value of public procurement without the VAT), shall contain the savings if there were any, which represent the difference between the estimated and contracted value of public procurement without the VAT.

DATA ON THE BIDS

The contracting authority shall enter the data on the bids into the columns VIII, IX, X.

The column VIII shall contain the number of received bids.

The column IX shall contain the number of rejected bids.

The column X shall contain the number of dismissed bids.



MONTENEGRO
Ministry of Finance
Public Procurement Administration

Standard form
Article 117 of the Public Procurement Law

Contracting authority _____
Reference number _____
Place and date _____
Activity code _____
Identification number _____
Tax identification number _____

FORM B

**FOR SUBMISSION OF DATA
ON AWARDED PUBLIC PROCUREMENT CONTRACTS
OF SMALL VALUE (SHOPPING METHOD)**

| I | II | | | III |
|--------------------------------|-----------------|----------|-------|---------|
| Ref. No. of public procurement | Type of subject | | | Subject |
| | Goods | Services | Works | |
| | | | | |
| | | | | |
| | | | | |

| IV | V | VI |
|---|---|--|
| Data on public procurement value (in euro) | | |
| Estimated value of public procurement | Contracted value of public procurement without the VAT | Contracted value of public procurement with the VAT |
| | | |
| | | |
| | | |

| VII | VIII | IX |
|--------------------------------|--------------------------------|---------------------------------|
| Information on the bids | | |
| Number of received bids | Number of rejected bids | Number of dismissed bids |
| | | |
| | | |
| | | |

| X | XI | XII | XIII | XIV | XV |
|--|---|--|--|---|--|
| Data on the bidder whose bid was selected as the most favourable one and the data regarding the public procurement contract | | | | | |
| Reference number and date of the decision on selection of the most favourable bid | Name of the bidder whose bid was selected as the most favourable one | Identification number of the bidder whose bid was selected as the most favourable one | Date of the contract conclusion | Annex to the contract if it was concluded (reference number, date and subject) | Savings achieved (a gap between the estimated value and the contracted value of the public procurement without the VAT) |
| | | | | | |

| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
| | | | | | |
| | | | | | |

Public procurement officer

Responsible person-
head of the contracting authority

stamp here

INSTRUCTIONS FOR COMPLETING THE FORM B FOR SUBMISSION OF DATA ON AWARDED PUBLIC CONTRACTS OF SMALL VALUE (SHOPPING METHOD)

FORM HEADING

The activity code shall be determined by the Statistical Office of Montenegro.

The identification number shall be determined by the Statistical Office of Montenegro.

The tax identification number shall be determined by the Tax Administration of Montenegro.

DATA ON THE SUBJECT AND NUMBER OF PUBLIC PROCUREMENT PROCEDURES OF SMALL VALUE (SHOPPING METHOD)

The contracting authority shall enter the data on the type of subject, subject and number of public procurement procedures of small value (shopping method) into columns II and III of the Annex.

The column III (type of subject of public procurement) shall contain one of the following numbers:

- 1 - goods
- 2 - services
- 3 - works

The column III (subject of public procurement) shall contain the codes from the Common Procurement Vocabulary (CPV).

DATA ON THE PUBLIC PROCUREMENT VALUE

The Contracting authority shall enter data on the value of public procurement into columns IV, V and VI. The amounts entered into the columns shall be expressed in euro.

The column IV (estimated value of public procurement) shall contain the estimated value of public procurement without the VAT as stated in the decision on initiating the public procurement procedure (Article 40 of the Public Procurement Law).

The column V (estimated value without the VAT) shall contain the contracted value of public procurement without the VAT.

The column VI (contracted value with the VAT) shall contain the contracted value of public procurement with the VAT.

DATA ON THE BIDDER WHOSE BID WAS SELECTED AS THE MOST FAVOURABLE ONE

The data on the bidder whose bid was selected as the most favourable one shall be entered by the contracting authority into the columns X, XI, XII, XIII, XIV and XV.

The column X (reference number and date of the decision on selection of the most favourable bid) shall contain the reference number and the date when the decision on selection of the most favourable bid was published.

The column XI (name of the bidder whose bid was selected as the most favourable one) shall contain a shortened name of the company, that is, the name and address of the bidder with whom the contract was concluded.

The column XII (identification number of the bidder whose bid was selected as the most favourable one) shall contain:

- eight-digit identification number of the selected bidder, in case the bidder is from Montenegro;
- name of the country where the seat of the selected bidder is located, in case that the bidder is not from Montenegro (foreign bidder).

The column XIII (date of contract conclusion) shall contain the date when the contract was concluded between the contracting authority and the bidder.

The column XIV (Annex to the contract if it was concluded – reference number, date and subject) shall contain the reference number, date and subject of the annex to the contract in case it was concluded.

The column XV (Savings achieved – the gap between the estimated and the contracted value of public procurement without the VAT), shall contain the savings if there were any, which represent the difference between the estimated and contracted value of public procurement without the VAT.

DATA ON THE BIDS

The contracting authority shall enter the data on the bids into the columns VII, VIII, IX.

The column VII shall contain the number of received bids.

The column VIII shall contain the number of rejected bids.

The column IX shall contain the number of dismissed bids.



MONTENEGRO
Ministry of Finance
Public Procurement Administration

Standard form
Article 117 of the Public Procurement Law

Contracting authority _____
Reference number _____
Place and date _____
Activity code _____
Identification number _____
Tax identification number _____

FORM C

FOR SUBMISSION OF DATA ON AWARDED PUBLIC PROCUREMENT CONTRACTS USING FRAMEWORK AGREEMENT

| I | II | III | | | IV | V | VI |
|------------------|----------------------------------|-----------------|----------|-------|---------|--|--------------------|
| Reference number | Date and place of contract award | Type of subject | | | Subject | Contracted value of public procurement | Name of the bidder |
| | | Goods | Services | Works | | | |
| | | | | | | | |

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

The contracted value of public procurement using framework agreement in _____ (year) was _____ euro, which is _____ % of the total executed annual public procurement budget with the VAT, that in _____ (year) amounted _____ euro.

(Note: The total annual value of public procurement using framework agreement may not exceed:

- 10% of the executed public procurement budget of the contracting authority during the previous year, in case that the amount of the public procurement budget is up to EUR 200 000.00;
- 9% of the executed public procurement budget of the contracting authority during the previous year, in case that the amount of the public procurement budget is from EUR 200 000.00 to EUR 500 000.00;
- 8% of the executed public procurement budget of the contracting authority during the previous year, in case that the amount of the public procurement budget is from EUR 500 000.00 to EUR 800 000.00;
- 7% of the executed public procurement budget of the contracting authority during the previous year, in case that the amount of the public procurement budget is above EUR 800 000.00.

Public procurement officer

Responsible person-
head of the contracting authority

stamp here

INSTRUCTIONS FOR COMPLETING THE FORM B FOR SUBMISSION OF DATA ON AWARDED PUBLIC CONTRACTS USING FRAMEWORK AGREEMENT

FORM HEADING

The activity code shall be determined by the Statistical Office of Montenegro.

The identification number shall be determined by the Statistical Office of Montenegro.

The tax identification number shall be determined by the Tax Administration of Montenegro

DATA ON THE SUBJECT, NUMBER AND TOTAL VALUE OF PUBLIC PROCUREMENT USING FRAMEWORK AGREEMENT

The contracting authority shall enter the data on the date and place of the contract award, type of subject, subject, contracted value of public procurement and the title of public procurement into the columns II, III, IV, V and VI of the Annex.

The column II (date and place of the contract award), shall contain the data on the date and place of the award of the public contract using framework agreement.

The column III (type of subject of public procurement) shall contain one of the following numbers:

- 1 - goods
- 2 - services
- 3 - works

The column IV (subject of public procurement) shall contain the codes from the Common Procurement Vocabulary (CPV).

The contracting authority shall enter the contracted value for each public contracts concluded using framework agreement into column V (contracted value of public procurement). The amounts entered into the columns shall be expressed in euro.

The column VI (name of the bidder) shall contain a shortened name of the company, that is, the name and address of the bidder with whom the contract was concluded.