



**GOVERNMENT OF
MONTENEGRO**

Public Procurement Directorate

STANDARD FORM

Article 35 of the Public Procurement Law

Ministry of Economy
Number: 01-1854/3
Podgorica, 20 June 2011

PUBLIC TENDERING INVITATION FORM

Based on Article 35 of the Law on Public Procurement (Official Gazette of the Republic of Montenegro, 46/06) the Ministry of Economy announces:

INVITATION

No 10/11

to

Public procurement open procedure for selection of the most advantageous bid for provision of consulting services for implementation of the tender procedure for exploration and production of hydrocarbons in the offshore of Montenegro

1. Contracting Authority information

Contracting Authority: Ministry of Economy	Contact person/s: Vladan Dubljević Radosav Čović
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City: Podgorica	Identification number: 02010780
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2. Public procurement subject

Provision of consulting services for implementation of the tender procedure for exploration and production of hydrocarbons in the offshore of Montenegro

The public procurement subject is procured as:

- a whole
- in lots (list the lots)

3. Estimated public procurement value, including VAT:

EUR 400,000.00 (four hundred thousand euro)

4. Information on the conclusion of the framework agreement

The public procurement envisages the conclusion of the framework agreement:

- yes
- no

5. Terms for participation and suitability requirements for tenderers

Any legal entity and natural person having experience and qualifications in accordance with the Public invitation and Tender documents is entitled to participate in the public procurement open procedure.

During the public procurement procedure, each tenderer must prove the following:

1. that it neither has the record of criminal convictions for criminal acts referred to in Article 46 of the Law on Public Procurement, nor has been imposed the measure of injunction for the activities that are subject to the public procurement concerned;
2. that it has business and professional capacity;
3. that it meets all the liabilities related to tax and contributions in due time;
4. that it has economic-financial capability.

The evidence that the requirements referred to in the above paragraph of this Item have been met is to be submitted in the form as laid down by Article 51 of the Public Procurement Law:

1. Certificate that the legal entity is not registered in the penal records of the Commercial Court Central Register, according to Article 42 of the Law on Liability of Legal Entities for Criminal Acts, to be issued by the Commercial Court;
2. Extract from the court, guild, or trade register of the country where the Tenderer is headquartered, or a valid permit or license issued by the relevant authority responsible for professional performance of activities,
 - certificate of registration of the Tenderer-legal entity, to be issued by the Commercial Court,
 - evidence that the legal entity is not under bankruptcy or liquidation proceedings – certificate from the Commercial Court or relevant authority in the country of the headquarters that no bankruptcy or liquidation proceedings have been initiated against the Tenderer (legal entity);

- evidence that payments to the tenderer have not been blocked – adequate bank statements, certificate or statement of financial suitability from the tenderer's banker;
- 3. Evidence by the administration authority responsible for taxation affairs and organisations of pension and health insurance that the obligation of tax and social contributions payments were fulfilled (unified evidence of the Tax Administration on settled liabilities);
- 4. Statement of accounting and financial condition – income statement and balance sheet, as well as audit report prepared by an authorized auditor, if prescribed by the law governing accounting and auditing matters, for the last three years, or from the registration date, if the legal entity has been registered later.

If the country where the tenderer is headquartered does not issue the mentioned evidences, such evidences may be replaced by the tenderer's statement given under criminal and material responsibility, or if the country of tenderer's headquarter does not have legal provisions related to statements given under criminal and material responsibility, then such statement may be replaced by the tenderer's statement given before a competent court or administrative authority or notary public.

The evidences are to be submitted in original or as authenticated copy and the date thereof cannot be older than the six months before the day this Invitation for public tendering is published.

If the tenderer fails to submit any of the evidences concerning the suitability as envisaged by the Invitation for public tendering and Tender documents, such bid shall be dismissed as invalid.

6. Submission of joint bid (consortium)

The bid may be submitted by a group of tenderers, which are jointly and severally liable for any obligation deriving from the Invitation for public tendering and potential delivery of the Contract.

In case of submission of the joint bid, tenderers must present the Contract on the Consortium (which is legally binding for all consortium members) which explicitly envisages:

- that all members of the consortium will be jointly and severally liable for delivery of the Contract in accordance with the terms and conditions of the Contract;
- that one of the members of the consortium shall be nominated and authorized to assume obligations and receive instructions on behalf of any or all members of the consortium;
- that the implementation of the overall Contract, including payments, shall be performed only with the authorized member of the consortium.

The tenderers submitting a tender as a consortium are obliged to submit the evidences of suitability prescribed by the Invitation for public tendering and Tender documents for each member.

7. Sub-contracting

The Tenderer may engage sub-contractors in accordance with Article 55 of the Law on Public Procurements.

8. Possibility to submit alternative bids

yes

no

9. The criterion for the best tender is:

1) most economically advantageous tender
with the following sub-criteria, in the descending order:

1) number of points **60**

2) number of points **40**

10. Time and place for the review of tender documents (purchase)

Interested tenderers may take over the Tender documents at the Ministry of Economy - Podgorica, Rimski trg 46, from the contact persons, every business day starting from 22 June 2011, from 10:00h to 13:00h or the documents may be sent to them by e-mail, upon request.

To purchase the tender documents, it is necessary to pay the non-refundable fee of EUR 100 (one hundred euro), to the Montenegro Budget Account No. 832-978-76, with the indication: Naknada za otkup tenderske dokumentacije – Ministarstvo ekonomije (Fee for Tender documents - Ministry of Economy), and the note For Tender documents under Invitation no. 10/11.

Only the tenderers that purchase the Tender documents are entitled to participate.

If tenderers are to pay the non-refundable fee for purchase of Tender documents from abroad, relevant payment instructions shall be as follows:

Field 56A (intermediary)	SOGEFRPP SOCIETE GENERAL F-PARIS
Field 57A (Account wth Inst)	/FR7630003069900010129488311 PDBPMEPG Podgoricka banka ad Soeciete Generale Group Podgorica
Field 59 (Beneficiary)	/ME25550005220000032317 MIN. FINANSIJA PODGORICA MONTENEGRO
Field 70 (Remittance Information)	

11. Time and place for tender submission

Tenderers may submit their tenders every business day from 10:00 to 13:00h, by and including 22 July 2011, until 12:00 h, by personal delivery to the mailroom of the Ministry of Economy or by registered mail.

The Committee shall not consider the tenders received after the expiry of the deadline defined in the above paragraph.

The tenders are to be delivered in sealed envelopes marked "***Do not open before the official meeting of the Tender Opening and Evaluation Committee / Ne otvaraj prije zvanične sjednice Komisije za otvaranje i vrednovanje ponuda***", for the INVITATION no. 10/11 - provision of consultant services for implementation of tender procedure for exploration and production of hydrocarbons in the offshore of Montenegro.

12. Tender Guarantee

As the Tender Guarantee, the Tenderer is obliged to enclose to the Tender a bank guarantee in the amount of 2% of the total Tender value, which is to be valid for the period of 60 days from the end date determined for submission of tenders.

13. Time and place for public opening of tenders

Public opening of tenders will be conducted on 22 July 2011, at 12:30h, in the premises of the Ministry of Economy.

14. Deadline for the decision on contract award

30 days from the tender opening date at latest.

15. Amendments to tender documents

In accordance with Article 42 of the Law on Public Procurement, the Contracting Authority may make amendments to the Tender documents, by no later than five days prior to the expiry of the deadline determined for submission of tenders. The Contracting Authority will deliver the potential amendments to the tender documents to all tenderers that purchase the Tender documents.

16. Additional information

Tenderer may ask additional information or clarification, in writing, regarding tender preparation, by no later than five days before the expiry of the deadline for the submission of tenders.

17. Performance Guarantee

Pursuant to the provisions of Article 44 of the Law on Public Procurement, the first ranked Tenderer is obliged to submit a performance guarantee for 5% of the value of its tender.

18. Contact persons

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