**Additional information about the Contract Notice**

**Contract title: Construction of bicycle road in Subotica for project OPTI-BIKE 3 in Subotica  
Location – City of Subotica, AP Vojvodina, Republic of Serbia**

1. **Nature of contract**

**unit price**

1. **Programme title**

INTERREG VI-A IPA HUNGARY-SERBIA PROGRAMME

1. **Financing**

Financing agreement

1. **Legal basis, eligibility and rules of origin**

The legal basis of this procedure is REGULATION (EU) 2021/1529 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 September 2021 establishing the Instrument for Pre-Accession assistance (IPA III)

Rule of Nationality: participation is open to all natural persons who are nationals of and legal persons (participating either individually or in a grouping) who are effectively established in a Member State of the European Union or in an eligible country or territory as defined under Article 11 of Regulation (EU) No [2021/1529] establishing the Instrument for Pre-accession Assistance (IPA III).

Participation in the award of procurement contracts, grants and other award procedures for actions financed under the for IPA III shall be open to international and regional organisations and to all other legal entities who are nationals of and, in the case of legal persons, who are also effectively established in, the following countries or territories:

a) EU Member States

b) Beneficiaries listed in the Annex I of the IPA III

c) European Economic Area

d) Neighbourhood partner countries and territories covered by NDICI (annex I of NDICI)

e) Countries for which Commission has adopted a decision approving the request for reciprocal access to external assistance. Currently there are no such countries.

f) Where an agreement on widening the market for procurement of goods or services to which the Union is party applies, the procurement procedures for contracts financed by the budget shall also be open to natural and legal persons established in a third country other than those specified in the basic instruments governing the cooperation sector concerned, under the conditions laid down in that agreement.

Rule of Origin: Goods and materials supplied under a procurement or a grant contract, financed under the INTERREG VI-A IPA HUNGARY-SERBIA PROGRAMME are fully untied and can originate in any country. All supplies and materials are fully untied and no verification of origins required.

**\*\*\*\*\***

1. **Candidature**

**All eligible natural and legal persons (as per item 4 above) or groupings of such persons (consortia) may participate or tender.**

**A consortium may be a permanent, legally established grouping or a grouping which has been constituted informally for a specific procurement procedure. All members of a consortium (i.e., the leader and all other members) are jointly and severally liable to the contracting authority.**

**The participation or tender of an ineligible natural or legal person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.**

1. **Number of requests to participate or tenders**

**No more than one request to participate or tender can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting a request to participate or tender). In the event that a natural or legal person submits more than one request to participate or tender, all requests to participate or tenders in which that person has participated will be excluded.**

In case of lots, the candidates or tenderers may submit only one request to participate or tender per lot. Contracts will be awarded lot by lot and each lot will form a separate contract. If the tenderer is awarded more than one lot, a single contract may be concluded covering all those lots.

1. **Grounds for exclusion**

**Candidates must submit a signed declaration, included in the request to participate form, to the effect that they are not in any of the situations listed in Section 2.6.10.1 of the practical guide (PRAG). Where the candidate intends to rely on capacity providing entities or subcontractor(s), he/she must provide the same declaration signed by this/these entity(ies).**

**Candidates included in the lists of EU restrictive measures (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract.**

1. **Sub-contracting**

Sub-contracting is allowed.

1. **Number of candidates to be short-listed**

**Not applicable**

1. **Short-list alliances prohibited**

**Not applicable**

1. **Provisional date of invitation to tender**

Not applicable

1. **Provisional commencement date of the contract**

April 2025

1. **Period of implementation of tasks**

12 months

1. **Language of the procedure**

All written communications for this tender procedure and contract must be in English.

1. **Additional information**

Financial data to be provided by the candidate in the request to participate form or in the tender submission form must be expressed in RSD. If applicable, where a candidate refers to amounts originally expressed in a different currency, the conversion to RSD shall be made in accordance with the InforEuro exchange rate of January 2025, which can be found at the following address: http://ec.europa.eu/budget/graphs/inforeuro.html.

Please note that participation at the tender opening session is restricted to authorised representatives of the companies that are tendering for the contract. Each representative will have to submit the document of authorisation.

Tenders must be submitted using the standard tender form included in the tender dossier, whose format and instructions must be strictly observed.

**SELECTION CRITERIA**

1. **Selection criteria**

Capacity-providing entities

An economic operator (i.e. candidate or tenderer) may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. If the economic operator relies on other entities, it must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment by those entities to place those resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality as the economic operator relying on them and must fulfil the selection criteria for which the economic operator relies on them. **Furthermore, the data for this third entity for the relevant selection criterion should not be included in the request to participate form but in a separate document**. Proof of the capacity will also have to be provided when requested by the contracting authority.

With regard to technical and professional criteria, an economic operator may only rely on the capacities of other entities where the latter will perform the tasks for which these capacities are required.

With regard to economic and financial criteria, the entities upon whose capacity the economic operator relies, become jointly and severally liable for the performance of the contract.

\*\*\*\*\*

The following selection criteria will be applied to candidates. **In the case of requests to participate submitted by a consortium, these selection criteria will be applied to the consortium as a whole, unless specified otherwise.** The selection criteria will not be applied to natural persons and single-member companies when they are sub-contractors.

The candidate shall not use previous experience which caused breach of contract and termination by a contracting authority as a reference for selection criteria.

The selection criteria are described in section 12.2 of the instruction to tenderers.

\*\*\*\*\*

1. **Award criteria**

Please refer to Section 24 of the instructions to tenderers.

**\*\*\*\*\***