



Republic of Serbia

**MINISTRY OF FINANCE**

**Department for Contracting and Financing of EU Funded Programmes (CFCU)**

Belgrade, 16/11/2016

**CONTRACTING AUTHORITY'S CLARIFICATIONS No. 1**

**“Technical Assistance to AERS – Approximation of NRA Tasks to the Third Energy Package”**

**Publication ref.: EuropeAid/138046/IH/SER/RS**

No.	Question	Answer
1	X is registered in the USA and is interested in bidding for this contract. However, we do not have a registered business/ branch in any of the Member States of the European Country. The eligibility criteria specified in the service contract notice are unclear to us and we would like to clarify whether we are eligible to participate in accordance with the highlighted language below?	<p>Please bear in mind that the USA is not listed among the countries and/or the territories that are considered to be eligible under IPA.</p> <p>Please refer to the PRAG, regulation in article 2.3. Participation in award procedures, exclusion criteria and other essentials at: <a href="http://ec.europa.eu/europeaid/prag/document.do?nodeNumber=2.3">http://ec.europa.eu/europeaid/prag/document.do?nodeNumber=2.3</a>.</p> <p>For additional information concerning the eligible countries / territories under IPA, please refer to the PRAG, specifically to the annex a2a available at: <a href="http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A">http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A</a></p>

No.	Question	Answer
2	<p>The articles 21.3.a and 21.3.b read as follows:</p> <p>The candidate has provided services under at least one contract with a budget of at least 750.000 EUR / 125.000 EUR in regulatory instruments/ information systems. Could you please clarify whether this budget refers to the value of the activities carried out by the candidate within each contract or to the total budget of the contract?</p>	<p>Amounts indicated under criterion 21 (3) , point (a) and (b) refer to the total budget of the referenced contracts.</p>
3	<p>Could you please clarify whether Selection Criterion 21.3.b of the aforementioned Procurement Notice refers to Information Systems in general (as it currently seems to) or in the energy sector specifically?</p> <p>Considering that the factors for reexamination of the EoIs submitted (last paragraphs of point 21 of PN) put equal weight to projects concerning the major subject of the specific tender (criterion 21.3.a) and to IT projects in general (criterion 21.3.b), there is a risk to create a shortlist comprising companies and/or consortia not aligned with the main needs of the Beneficiary with regards to this tender.</p>	<p>The Selection Criterion 21.3.b of the Contract Notice refers to the Information System in general.</p> <p>Please note that in line with the sub-section 3.3.1.2 of the PRAG, the contracting authority cannot give an opinion on the assessment of any aspect of application, bearing in mind that the section 3.3.2 of PRAG assigns responsibility exclusively to the Evaluation Committee.</p>