Appendix 2 to the Public call- Conditions for the participation in the Concession award procedure and evidence of their fulfilment

1. Obligatory conditions for participation

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| **No.** | **Condition** | **Evidence** |
| ***Notice for all the bidders:*** *Listed evidence has to be delivered pursuant to the requests from the Section 3 below****.*** | | |
| ***Notice for the consortiums***: Evidence listed below has to be delivered related to each consortium member***.*** | | |
|  | The bidder is an active legal entity, entered in the competent business registry in the country of origin. | FOR DOMESTIC LEGAL ENTITIES: an excerpt form the Registry of business entities of the Agency for business registries (APR), that is, a competent court or other registry.  FOR FOREIGN LEGAL ENTITIES: an excerpt from the competent business registry in the country of origin, or an equivalent document issued in the legal system of the bidder's country of origin.  ***NOTE:*** An excerpt or its corresponding equivalent cannot be older than 30 days, counting from the day of issue to the day of the deadline for submitting bids, that is, until December 1, 2021. |
|  | The bidder and his legal representatives have not been convicted of a felony as members of an organized criminal group, have not been convicted for commiting felonies against economy, felonies against the environment, giving or receiving bribe, or for a fraud. | FOR DOMESTIC LEGAL ENTITIES:   1. For offences of organized crime – A CERTIFICATE BY A SPECIAL DEPARTMENT (FOR ORGANIZED CRIME) OF THE HIGHER COURT IN BELGRADE, which confirms that the bidder as not been convicted of any of the offences of organized crime; 2. For offences against economy, against the environment, an offence of receiving or giving bribe, an offence of a fraud- A CERTIFICATE BY THE BASIC COURT (which also contains information of the penal records in the jurisdiction of the regular criminal department of the Higher court), in whose territory is the seat of the domestic bidder, which confirms that the bidder has not been convicted of offences against economy, against the environment, the offence of receiving or giving bribe, or the offence of a fraud;   ***NOTE:*** *In case the Clearance by the Basic court does not contain data from the penal records for felonies in jurisdiction of the regular crime council of the Higher court, the Bidder has to enclose a Clearance by the Higher court, too****.***  FOR DOMESTIC LEGAL REPRESENTATIVES OF LEGAL ENTITIES:  A Police clearance, that is a Clearance by the AUTHORIZED POLICE ADMINISTRATION OF THE MISNITRY OF INTERNAL AFFAIRS( pursuant to the birthplace or the place of residence), to prove that he/ she has not ben convicted of a felony as a member of an organized criminal group, felonies against economy, against the environment, a felony of bribery, or a felony of a fraud.  ***NOTE:*** *The above Clearance has to be delivered for each bidder's legal representative.*  FOR FOREIGN LEGAL ENTITIES:  A corresponding equivalent proof which is issued in the legal system of the bidder’s country of origin.  FOR FOREIGN LEGAL REPRESENTATIVES OF LEGAL ENTITIES:  A Police clearance by an AUTHORIZED POLICE ADMINISTRATION OF INTERNAL AFFAIRS( pursuant to the birthplace or the place of residence), to prove that he/she has not been convicted of a felony as a member of an organized criminal group, felonies against economy, against the environment, a felony of bribery, or a felony of a fraud, or a corresponding equivalent proof that is issued in the legal system of the bidder’s/ bidder’s legal representative’s country of origin.  ***NOTE:*** *The above Clearance has to be delivered for each bidder's legal representative.*  ***NOTE:*** *Proof or its corresponding equivalent must not be older than 30 days, starting from the date of issue until the Deadline for bidding, that is, December 1, 2021****.*** |
|  | The bidder has paid all his due taxes, contributions, and other public revenues pursuant to the regulations of the Republic of Serbia, or other bidder's country of origin. | FOR DOMESTIC LEGAL ENTITIES:   1. A Certificate by the Tax administration of The Ministry of Finance of the Republic of Serbia (for taxes, contributions, and other public revenues); and 2. A Certificate by the authorized local self-government of the city/ municipality (for local public revenues).   FOR FOREIGN LEGAL ENTITIES:  A corresponding equivalent proof which is issued in the legal system of the bidder's country of origin.  ***NOTE:*** *Evidence must not be older than 30 days, counting from the date of issue until the Deadline for bidding, that is, December 1, 2021.* |
|  | The bidder respects the obligations which result from the valid regulations on the occupational safety, employment and work conditions, environment protection, and does not have the ban to perform the activity which is in force at the time of bidding. | FOR ALL THE BIDDERS:  A regularly signed and certified Statement, whose draft is enclosed in the corresponding Appendix to the Tender documentation. |

1. Addtional conditions for participation, that is qualification conditions

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| **No** | **Condition** | **Evidence** |
| 1) | **Business capacity**   * That the Bidder has been performing or has performed at least two of the four activities which are being entrusted, in the period for a minimum of 1 year: * Services related to the managing and maintenance of parking spots, and charging the use of parking services; * Services related to the communal activity of open markets; * Services of the environment cleaning and maintenance; * Collecting of waste which is not dangerous. * To be doing the business in the Republic of Serbia a minimum of 15 years | A written proof, that is, the contracts’ or certificates’ copies, based on which the bidder, that is the consortium member proves that he/she performs, or that he/ she has performed the relevant activites, which refer to the concession subject, which covers: cleaning of public areas, maintenance of public green areas, services related to maintenance and management of parking spots, charging the parking, as well as services related to the communal activity of the city open markets.  An excerpt form the Bussiness registry Agency.  Confidential data of the quoted evidence can be omitted. However, the evidence has to show and make visible the demanded data, that is meeting the additional conditions.  Aleternatively, the bidder, that is, a member of the consortium, can enclose a regularly signed and certified statement, made under penalty of perjury, certified by the competent public notary which confirms that the bidder, that is the consortium member, fulfills the prescribed conditions. |
| 2) | **Financial capacity**   * That in the period of three years preceeding the Public call, he/she has generated a turnover from the activity quoted in article 1 above of at least nine hundred million RSD. * Reference list for the last three years of business deals the value of 200 million RSD | (Audited) financial reports of the bidder, that is the relevant consortium members, enclosed with the Supporting documents with the bidding, as prescribed by the Tender documentation.  This criterion is proven by enclosing the list of services provided in the period of not more than the last three years before the expiry of the deadline for bidding, that is , applications with certificates on the satisfactory performance and outcome of the most important services.  Evidence:  Confirmation by the service users on the performed services. With the confirmations one has to also enclose receipts, which contain the total value of services before VAT, and the service purchaser's certification (signature of person in charge) (or other proof valid in the country where the bidder has been registered). |
| 3) | **Human resource capacity**   * To have a minimum of 150 employees and employed persons, with the necessary qualifications as follows:  |  |  |  | | --- | --- | --- | | No | Professional qualifications | No of executors | | 1 | Graduate plant protection engineer | 1 person | | 2 | Graduate engineer of landscape architecture | 2 persons | | 3 | Higher education | 2 persons | | **Proof:** Documents which prove the staff condition fulfilment.  - Staff capacity statement  - for graduate engineers: a diploma photocopy  As proof of the work engagement, it is necessary to eclose an excerpt of the application for obligatory social insurance (CROS) if the person is permanently employed, or a photocopy of a work contract on temporary or occasional jobs, or other contract which proves the engagement of persons in terms of positive legal regulations with applications for obligatory pension and social insurance, or an excerpt of the individual tax application for tax and contributions after the deduction of paid witholding taxes and social security contributions (PPP-PD) for the month preceeding the month of the Public call (or proof by the legal body in charge in the country of the bidder’s registration, with specially marked first names and surnames for people demanded with the tender documentation. |
| 4) | **Technical capacity**   |  |  |  | | --- | --- | --- | | No | Equipment | Necessary number | | 1. | Professional grass trimmers | 50 pieces | | 2. | Мotor mowers | 30 pieces | | 3. | Моtor air blowers | 15 pieces | | 4. | Chainsaw | 10 pieces | | 5. | Тelescopic chainsaw | 01 piece | | 6. | Smal freight vehicle (pickup van, heavy duty tricycle etc) | 15 pieces | | 7. | Small freight vehicle for workers’ transportation | 05 pieces | | 8. | 3,5 to 6t freight vehicle freight capacity 3.5 to 6t | 01 piece | | 9. | A cistern with the street washing equipment the capacity of min 8m3A | 02 pieces | | 10. | Operating machine (specialized communal operating machine with a snow plow, a salt or an ice melt spreader and mowing devices (mulchers)- Unimog or similar | 01 piece | | 11. | Combined construction machine | 01 piece | | 12. | Roto wash machine for cleaning and vacuuming with rotating brushes | 02 pieces | | 13. | Small rotary cultivator/ Motorcultivator | 03 pieces | | 14. | Тractor | 02 pieces | | 15. | Тractor mower | 03 pieces | | 16. | Mobile working platforms for work at heights (minimum reach of 20 metres) | 01 piece | | 17. | The „Spider“ - Vehicle for the removal of improperly parked vehicles | 01 piece | | Proof of fulfillment of criteria:  **Evidence to enclose for technical equipment**:  - A technical capacity statement (form)  - an excerpt form the List of inventory of fixed assets or analytical cards of fixed assets (**mark the necessary mechanization and equipment in the list of inventory)** or copies of contract on the purchase for mechanization and equipment in personal possession, that is, the copies of contract on lease for mechanization and equipment which are used by the bidders pursuant to regulations on lease, the contract of lease for the demanded equipment, that is, the contract with the person who shall make the equipment in question available to the bidder.  For the condition of equipment with transportation vehicles, to enclose copies of the vehicle registration together with the above requirments.  For the vehicle number 17, the proof is not demanded, unless the bidders already have one at the moment of submitting bids, in view of the fact that the prescribed obligations is for the awarded bidder to purchase the vehicle within 60 days from the day of the concession contract oncluding. |
| 5) | **Business standards**   * To have ISO standards: 9001; 14001; 45001 | Proofs of the conditions fulfilment:  A copy of the mentioned valid standards :  - An ISO 9001 certificate which refers to the quality management and focus on the users  - An ISO 14001 standard which refers to the environment protection  - A ISO 45001 standard which refers to the management of health protection and work safety and |

1. Additional notes related to the evidence delivery
2. Domestic natural persons (that is, entrepreneurs) who participate as the bidders in the Concession award procedure deliver only: (i) A police clearance, that is, the competent POLICE ADMINISTRATION OF THE MINISTRY OF INTERNAL AFFAIRS ( in accordance with the birthplace or the place of residence) as proof that they have not been convicted of a felony as members of an organized crime group, felonies against economy, felonies against the environment, felonies of bribery, of a felony of a fraud; (ii) a certificate by the Tax administration of the Ministry of finance of the Republic of Serbia (for taxes, contributions, and other public revenues); and (iii) a certificate by the competent local self-government- city/ municipality (for original local public revenues).
3. Foreign natural persons who participate as the bidders in the Concession award procedure deliver equivalent evidence to the ones from Clause 1 of this Section, which are issued in the legal systems of the bidders' countries of origin.
4. All evidence is delivered in the form of simple uncertified photocopies, unless explicitly requested otherwise. The City maintains the right to request from the bidder whose bid is assessed as the most favourable, to enclose the originals or certified photocopies of all or some of the evidence from Clause 1 above, before making the decision on the concession award.
5. In case the bidder does not deliver the requested document originals or certified photocopies of the documents from the previous section within the prescribed deadline which cannot be shorter than five (5) days, the City can reject the bidder's bid as unacceptable.
6. The bidder entered in the Bidders' registry at the Business registry agency is not obliged to prove the fulfilment of the obligatory conditions from Points 1-4 in Section 1 when submitting the bid. Instead, it is desirable for the bidders who have been entered in the Bidders' registry to explicitly state that fact, so that the fulfilment of conditions from Points 1-4 can be established through the insight into the Bidders' registry.
7. In case of any change related to the fulfilment of the conditions from Sections 1 and 2 for the participation in the Concession award procedure, occurring before making the decision on awarding the most favourable bid, or the decision on annullment of the Concession award procedure, that is, before the moment of signing of the Contract on concession, the Bidder is obliged to inform the City about it in writing, and enclose the relevant documentation not later than five (5) days from the day of the change occurence.
8. If the bidder has the seat outside the Republic of Serbia, the City has the right to check whether all the evidence issued by the legal bodies of that country have been delivered.
9. In case the bidder does not deliver the requested proof until the end of the bidding deadline, due to the inability of the legal body of jurisdiction in the bidder's country of origin to issue such a document within the deadline, the City can extend the deadline for delivering such proof for a specific additional time, only in case the bidder delivers the proof of this inabiity within the bid.
10. In case any of the evidence from Points 1-4 from the Chart in Section 1 above is not issued in the legal system of the bidder's country of origin, the bidder can deliver a written statement to confirm that such a document is not issued in the bidder's country of origin, and which confirms the fulfilment of the relevant condition that proof refers to, made under penalty of perjury, certified before the competent certification body (public notary or court).
11. Any public document (e.g. a document issued by the state organs, a document certified by a public notary, court, etc), which has not been issued in the Republic of Serbia, has to be legalized for its further use in the Republic of Serbia. The applicable legalization procedure depends on the country in which such a document has been issued, that is, whether that country is the signatory of the Convention on abolishing the requirement of legalization for foreign public documents signed in the Hague on October 5, 1961, and whether there is a confirmed bilateral contract on mutual release of the obligation to legalize public documents between that country and the Republic of Serbia (or its legal predecessors). Further information can be downloaded from the official Internet page of the Ministry of foreign affairs of the Republic of Serbia at the following link:

<https://mfa.gov.rs/lat/gradjani/usluge/overa-dokumenata>