

УДРУЖЕЊЕ БАШТОВАНА СЕНТА

KERTÉSZEK EGYESÜLETE ZENTA • ASSOCIATION OF GARDENERS SENTA

24400 Senta • Jesenja 18.

CLARIFICATION No. 1

Clarification date: 23.05.2026.

Publication reference: UBS-RORS00200-03

Tender: **Purchase of Solar system for powering the education studio**

Subject: Clarification regarding Section 20 of the Instructions to Tenderers and pre-financing provisions

A request for clarification was received from the tenderer Oto Horvat Pr Proizvodnja Metalnih Konstrukcija Gemini-Gm Bačko Petrovo Selo concerning an apparent inconsistency between Section 20 of the Instructions to Tenderers and Article 26 of the Special Conditions of the Draft Contract.

Question:

Section 20 of the Instructions to Tenderers states:

"No documentary evidence of the selection criteria shall be submitted but no pre-financing will be granted."

However, Article 26 of the Special Conditions of the Draft Contract provides for a 40% pre-financing payment. Please clarify whether pre-financing is available under this tender procedure.

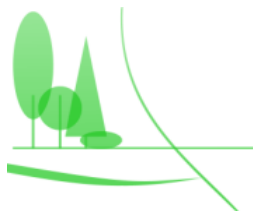
Answer:

The Contracting Authority confirms that pre-financing is available under this tender procedure in accordance with Article 26 of the Special Conditions of the Draft Contract, which provides for a 40% pre-financing payment and a 60% balance payment.

The sentence contained in Section 20 of the Instructions to Tenderers stating that "no pre-financing will be granted" was included in the tender dossier due to an administrative oversight and does not reflect the intended payment arrangements of this procurement procedure.

Accordingly, the above-mentioned sentence shall be disregarded and replaced by the following text:

"At any time during the procurement procedure and before the award of the contract, the contracting authority may request documentary evidence on compliance with the exclusion criteria and selection criteria (financial, economic, technical and professional capacity) set out in these instructions. Please note that a request for evidence in no way implies that the tenderer has been successful. All tenderers are invited to prepare in advance the documents related to



УДРУЖЕЊЕ БАШТОВАНА СЕНТА

KERTÉSZEK EGYESÜLETE ZENTA • ASSOCIATION OF GARDENERS SENTA

24400 Senta • Jesenja 18.

the evidence, since they may be requested to provide such evidence within a short deadline. In any event, the tenderer proposed by the evaluation committee for the award of the contract will be requested to provide such evidence at short notice.

When requested, regarding the exclusion criteria, the tenderers should be able to provide the documentary proof or statements required under the law of the country in which the company (or, for consortia, each of the companies) is established, to show that it does not fall into any of the exclusion situations listed in Section 2.6.10.1 of the Practical Guide.

This evidence, documents or statements must be dated no more than one year before the date of submission of the tender.

The above-mentioned documents must be submitted for every member of a joint venture/consortium, all subcontractors and every capacity-providing entity.

The contracting authority may waive the obligation of any tenderer to submit the documentary evidence referred to above if such evidence has already been submitted for the purposes of another procurement procedure, provided that the issue date of the documents does not exceed one year and that they are still valid. In this case, the tenderer must declare on his/her honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that his/her situation has not changed.

Where the documentary evidence submitted is in an official language of the European Union other than the language of the procedure, it is strongly recommended to provide a translation into the language of the procedure in order to facilitate the evaluation of the documents.

Failure to provide valid documentary evidence at the request and within the deadline set by the Contracting Authority shall lead to the rejection of the tender for the award of the contract, unless the tenderer can justify the failure on the grounds of material impossibility.

If the successful tenderer fails to provide this documentary proof or statement, or if the successful tenderer is found to have provided false information, the award will be considered null and void. In this case, the Contracting Authority may award the contract to the next-ranked tenderer or cancel the tender procedure."

This clarification forms an integral part of the tender dossier and shall be taken into account when preparing and submitting tenders.

For the avoidance of doubt, the payment arrangements set out in Article 26 of the Special Conditions have formed part of the tender dossier since its publication and remain unchanged.