Based on Articles 22 and 35 of the Law on Public-Private Partnerships and Concessions   
("Official Gazette of the Republic of Serbia", No. 88/11, 15/16, and 104/16)

**REPUBLIC OF SERBIA  
CITY OF KRAGUJEVAC**

**announces**

**PUBLIC CALL FOR THE AWARD OF A CONCESSION FOR THE PROVISION OF PHARMACEUTICAL HEALTH SERVICES AT THE PRIMARY LEVEL ON THE TERRITORY OF THE CITY OF KRAGUJEVAC AND THE MUNICIPALITIES OF BATOČINA, LAPOVO, RAČA, TOPOLA, AND KNIĆ**

**(public call code 01/25)**

1. **Contact Information of the Concession Grantor:**  
   CITY OF KRAGUJEVAC, registration number: 07184069, TIN number: 101982436, Trg Slobode 3, Kragujevac  
   Concession Grantor's website: https://kragujevac.ls.gov.rs/ e-mail: [jppapoteke@kragujevac.ls.gov.rs](mailto:jppapoteke@kragujevac.ls.gov.rs) mailing address: Gradska uprava Grada Kragujevca – Sekretarijat za poslove javnih nabavki/ Kragujevac City Administration Secretariat for Public Procurement/, Kragujevac Trg Slobode 3 via Registry Office
2. **Subject of the Concession, Nature and Scope of the Concession Activity, Place of Performance of the Concession Activity, and Duration of the Concession:**

Article 10, paragraph 1 of the Law on Public-Private Partnerships and Concessions (hereinafter: the Law on PPP) stipulates that a concession, in the sense of this law, is a contractual or institutional public-private partnership with elements of a concession, where the commercial use of natural resources, goods in public use that are in public ownership i.e. goods in the ownership of a public body, or the performance of activities of the public interest is regulated by a public contract that the public partner grants to a private partner for a specified period, under special specified conditions, with payment of a concession fee by the private i.e. public partner, whereby the private partner bears the risk associated with the commercial use of the concession subject.

The subject of the Project of public-private partnership with elements of a concession i.e. the Concession Act (hereinafter: the Concession Act), is the provision of pharmaceutical health services at the primary level on the territory of the City of Kragujevac and the municipalities of Batočina, Lapovo, Rača, Topola, and Knić.

The intention of the Concession Grantor is to conclude a public-private partnership agreement with the selected bidder as a private partner – concessionaire (hereinafter referred to as: Concessionaire), with elements of a concession, i.e., a Concession Agreement for the provision of pharmaceutical health services at the primary level on the territory of the City of Kragujevac and the municipalities of Batočina, Lapovo, Rača, Topola, and Knić (hereinafter: the Agreement).

The concession activity refers to the provision of pharmaceutical health services at the primary level, specifically the continuous supply of the population, healthcare institutions, private practices, and other legal entities for which special laws stipulate the performance of health-related activities, with medicines and medical devices in accordance with the law, i.e. ensuring rational pharmacotherapy for the treatment, improvement, and maintenance of the quality of life of patients, either independently or in cooperation with other healthcare professionals, as well as the ongoing process of dispensing and applying medicines and medical devices, and reporting adverse reactions to medicines and medical devices within the territory of the City of Kragujevac **and** on the territories where the **Pharmaceutical Institution of Kragujevac** carries out its activities (hereinafter: the **Concession Activity**), to the extent and under the conditions stipulated in the model **Concession Agreement**, which is an integral part of the call for bids documentation.

The **Concessionaire** is granted the concession to carry out the **concession activity** for a period of 15 years from the date of conclusion of the agreement, with the **Concessionaire** assuming the risk related to the commercial use of the subject of the concession. The **Concession Grantor** shall under no circumstances provide guarantees that the **Concessionaire**, under normal operating conditions, directly or indirectly, will achieve a return on invested funds or costs incurred in performing the **Concession Activity**, nor will the **Concession Grantor** be liable for any damage that may arise to the **Concessionaire** on this basis.

As part of the concession subject, the **Concession Grantor** will provide the **Concessionaire** with 13 properties owned by the **Concession Grantor**, and in good faith, will attempt to ensure that the **Concessionaire** continues to use 15 properties that are not owned by the **Concession Grantor**, under the same terms under which these properties are currently used by the **Pharmaceutical Institution of Kragujevac**, Kralja Aleksandra Karađorđevića 36, 34000 Kragujevac (hereinafter: **Pharmacy Kragujevac**), based on lease or other usage agreements.

The **Concession Grantor** will enable the **Concessionaire** to use the movable property located in the real estate provided for use without any obstacles. Detailed information about the real estate and movable property is provided in Appendices 1, 1a, and 3, which are an integral part of the tender documentation.

The **Concessionaire** will be required to offer permanent employment contracts to at least 77 employees pharmacists (pharmacists, specialist pharmacists, graduate pharmacists, pharmaceutical technicians) at **Pharmacy Kragujevac** out of total 104 employees for an indefinite period (information in attachment no. 2 - "Employees in the Pharmacy") ensuring at least the same level of agreed salary as that received by employees of the **Concessionaire**, and during the period of at least two years from the date of conclusion of the Agreement, the **Concessionaire** will not be able to terminate their employment contracts due to technological redundancy. The **Concessionaire** may, in accordance with its interests, offer employment to other employees from the shared services. The **Concessionaire** may offer severance packages to employees before the expiration of the two-year period in accordance with its internal regulations, and employees may accept the offered terms. A list of employees is provided in Appendix 2, which is an integral part of the call for bid documentation. The **Concessionaire** is obligated to maintain the necessary staff throughout the duration of the Agreement, in accordance with the requirements for performing the activity and Good Pharmaceutical Practice, to comply with all applicable regulations concerning employees, and to obtain all necessary permits, licenses, certificates, and similar documents required for the performance of the **Concession Activity.**

The **Concession Activity** will be carried out on the territory of the City of Kragujevac and in the municipalities of Batočina, Lapovo, Rača, Topola, and Knić.

In order to ensure the permanent and uninterrupted performance of the **concession activity**, the **Concessionaire** undertakes to carry out the **concession activity** in all the real estate provided for its use for the entire duration of the Agreement, with the possibility that in certain real estate, the **Concession Activity** may be performed in a reduced scope and working regime (for example, only on days when a general practitioner is working in that location, during shortened working hours, etc.), subject to prior approval by the City Council of the City of Kragujevac.

The **Concessionaire** will be obligated to conclude an appropriate agreement each year, for the duration of the Agreement, with the **Republic Fund for Health Insurance** for the provision of health services from compulsory health insurance to insured persons.

The **Concessionaire** will be required to establish and maintain a high level of quality in providing services during the performance of the **Concession Activity**, in accordance with applicable regulations and **good pharmaceutical practice**, in the interest of all citizens in the territory of the City of Kragujevac and the municipalities of Batočina, Lipovo, Rača, Topola, and Knić, as well as the users of the services.

The **Concessionaire** has the freedom to determine the prices of medicines, medical devices, and other related products, in accordance with market conditions and the general price level of medicines, medical devices, and other related products in the Republic of Serbia, in order to ensure accessibility and uniformity of primary healthcare.

The basic principles of performing the concession activity and the goals sought to be achieved by concluding the Agreement are: the realization and protection of the public interest in the form of ensuring the continuous and efficient performance of the concession activity by the Concessionaire, i.e. the supply of the population with medicines, medicinal products, and medical aids, especially in the populated areas within the territory of the City of Kragujevac and the municipalities of Batočina, Lapovo, Rača, Topola, and Knić, more efficient and comprehensive procurement of medicines and medical devices that can be prescribed and dispensed at the expense of mandatory health insurance, more efficient procurement and expansion of the product range for further sale of commercial producers, transfer of market and operational risks to the Concessionaire, and the establishment of a profitable, efficient, and optimally organized business and management system, through the knowledge and experience of the Concessionaire.

The Concessionaire will be obligated to pay the established concession fee for performing the concession activity. The concession fee consists of the total initial concession fee and the total variable annual concession fee. The method and deadlines for payment will be defined in the Agreement, in accordance with the offer of the selected Concessionaire.

The offered value of the initial and variable concession fees is stated in euros, and payment will be made in RSD equivalent, based on the middle exchange rate of the National Bank of Serbia on the day of payment.

Upon expiration of the Agreement, all real estate, movable property, and other assets that represent the property of the Concession Grantor at the time of termination of the Agreement, and/or any other property within the scope of the Concession Act, except for movable property acquired by the Concessionaire during the term of the Agreement, will remain the property of the Concession Grantor.

**3) Method and deadline for submitting offers**:

Offers, along with the required documentation, must be submitted by mail or directly to the registry office of the City Administration, at the address: Gradska uprava Grada Kragujevca – Sekretarijat za poslove javnih nabavki, Kragujevac Trg Slobode 3, /Kragujevac City Administration - Secretariat for Public Procurement Affairs, Kragujevac, Trg Slobode 3. The envelope must be marked: “Ponuda u postupku davanja koncesije za obavljanje farmaceutske zdravstvene delatnosti na primarnom nivou na teritoriji Grada Kragujevca i opština Batočina, Lapovo, Rača, Topola i Knić/ "Offer in the procedure for granting the concession for performing pharmaceutical health services at the primary level on the territory of the City of Kragujevac and the municipalities Batočina, Lapovo, Rača, Topola, and Knić **(Public Call Code: 01/25) – DO NOT OPEN”** and on the back of the envelope, write the name of the bidder and the address, phone number of the bidder, as well as the name and surname of the contact person. In case the offer is submitted by a group of bidders, the envelope should indicate that it is a group of bidders and list the names and addresses of all participants in the joint offer. The offer must be prepared in the Serbian language. The procedure is conducted in the Serbian language.

The Bids must be submitted by April 11, 2025 at 12.00 hours p.m.

**4) Personal, professional, technical, and financial conditions that bidders must meet, as well as the documents proving their fulfillment:**

A participant in the procedure for awarding the Agreement can be any domestic or foreign legal entity or entrepreneur.

Conditions for participation in the procedure:

**1. That the bidder is registered with the competent authority i.e. entered in the relevant register, and that at least one participant in the joint offer is registered with the competent authority as a healthcare institution.**

***Proof for legal entities*:**

Extract from the register of the Business Registers Agency, i.e. an extract from the register of the competent Commercial Court or other relevant register.

***Proof for entrepreneurs*:**

Extract from the register of the Business Registers Agency i.e. an extract from the relevant register.

The documents must not be older than two months before the opening of offers.

***Note:*** *Bidders registered in the register maintained by the Business Registers Agency are not required to submit the extract from the Business Registers Agency, as it is publicly available on the website of the Business Registers Agency.*

*Bidders registered in a foreign country must submit proof of registration in the appropriate register of the country where they are based.*

**2**. **That the bidder and its legal representative have not been convicted of any criminal offenses** **as members of an organized criminal group, that they have not been convicted of criminal offenses against the economy, criminal offenses against the environment, the criminal offense of accepting or giving bribes, or the criminal offense of fraud.**

**Note:** In the case of a joint offer, the mentioned condition must be fulfilled by each member of the joint offer.

**Proof for legal entities:**

a) Extract from the criminal record i.e. certificate from the competent basic and higher court, in jurisdiction the registered office of the domestic legal entity is located, or the registered office of a representative office or branch of a foreign legal entity, confirming that the legal entity has not been convicted of criminal offenses against the economy, criminal offenses against the environment, the criminal offense of accepting or giving bribes, or the criminal offense of fraud. If the certificate from one of the competent courts contains data from the criminal record of both the basic and higher courts, it is sufficient to submit only that certificate;

b) Extract from the criminal record of the Special Department for Organized Crime of the Higher Court in Belgrade, confirming that the legal entity has not been convicted of any of the criminal offenses as a member of an organized criminal group;

c) Extract from the criminal record, i.e. certificate from the police department of the Ministry of the Interior, in jurisdiction the legal representative of the legal entity was born or has a residence, confirming that the *legal representative* of the legal entity has not been convicted of any criminal offenses as a member of an organized criminal group, for criminal offenses against the economy, criminal offenses against the environment, the criminal offense of accepting or giving bribes, or the criminal offense of fraud. The request can be submitted based on the place of birth or place of residence. If the legal entity has more than one legal representative, evidence must be provided for each of them.

***Proof for entrepreneurs:***

Extract from the criminal record, or a certificate from the police department of the Ministry of the Interior, in whose jurisdiction the individual was born or has a residence, confirming that the individual has not been convicted of any criminal offenses as a member of an organized criminal group, for criminal offenses against the economy, criminal offenses against the environment, the criminal offense of accepting or giving bribes, or the criminal offense of fraud. The request can be submitted based on the place of birth or place of residence.

The evidence must not be older than two months before the opening of the bids.

***Note*:** *Bidders registered in a foreign country must submit appropriate evidence of non-conviction issued by the competent authority of the country where they have their seat or residence.*

**3. That all due taxes, contributions, and public charges have been settled in accordance with the regulations of the Republic of Serbia or the foreign state in which the bidder has its registered office.**

**Note:** In the case of a joint offer, this condition must be met by each participant in the joint offer.

***Proof for legal entities and entrepreneurs:***

Certificate from the Tax Administration of the Ministry of Finance of the Republic of Serbia confirming that the bidder has settled due taxes and contributions, as well as a certificate from the competent local authority confirming that the bidder has settled obligations related to local public incomes taxes (certificates from all relevant local self-governments where the bidder is registered as a taxpayer of local taxes).

A taxpayer who has exercised the right to suspend the tax debt under the law regulating the waiver of interest and suspension of tax debt must submit a certificate from the Tax Administration of the Ministry of Finance of the Republic of Serbia i.e. from the competent local authority, regarding the suspension of the tax debt.

A taxpayer who has the right to write off the debt under the law governing privatization must submit a confirmation from the Ministry of Economy of the Republic of Serbia stating that the bidder is in the process of privatization.

Evidence cannot be older than two months before the opening of the offers.

**Note:** *Bidders registered in a foreign country must submit the appropriate evidence of fulfilling tax obligations, contributions, and other public duties issued by the competent authority of the country where they have their registered office or residence.*

**NOTE ON POINTS 1 TO 3:**

*Bidders registered in the Bidders Register maintained by the Business Registers Agency are not required to submit evidence of meeting the conditions from points 1 to 3, but it is recommended to submit proof of registration in the Bidders Register or a statement (in free form) confirming that they are registered in the Bidders Register.*

**4. To have complied with the obligations arising from the applicable regulations on occupational safety, employment and working conditions, environmental protection, as well as not having a ban on performing activities that is in force at the time of submitting the offer.**

**Note:** In the case of a joint offer, this condition must be met by each participant in the joint offer.

***Evidence for legal entities, entrepreneurs:***

A statement confirming compliance with the obligations arising from the applicable regulations on occupational safety, employment and working conditions, environmental protection, as well as confirming that there is no ban on performing activities that is in force at the time of submitting the offer – completed, signed, and stamped, if a stamp is used (form included in the call for bid documentation).

**5. That no bankruptcy or liquidation proceedings have been initiated against them, or that they have not previously been subject to bankruptcy proceedings**

**Note:** In the case of a joint offer, this condition must be met by each participant in the joint offer.

***Evidence for legal entities and entrepreneurs:***

A certificate from the Business Registers Agency confirming that no bankruptcy or liquidation proceedings are registered against the bidder, nor that the bidder has ceased to exist due to a court decision or decision by another authority with binding force, and a certificate from the competent Commercial Court confirming that no previous bankruptcy proceedings are ongoing against the bidder.

***Note*:** *Bidders registered in a foreign country must submit the appropriate evidence of bankruptcy or liquidation proceedings, or prior bankruptcy proceedings issued by the competent authority of the country where they are registered.*

**6.** **To meet the financial capacity requirements:**

a) The bidder must have achieved revenue from the sale of goods and services of at least 2,000,000,000.00 RSD in each of the previous 3 (three) business years (2021, 2022, and 2023).

**Note:** In the case of a joint bid, at least one participant in the joint bid must fully meet this requirement.

***Proof for legal entities:***

Income statement for the years 2021, 2022, and 2023, on the prescribed form, with the opinion of an authorized auditor

or

report on creditworthiness for public procurement (BON JN) for the years 2021, 2022, and 2023, issued by the Agency for Business Registers or another competent authority.

***Proof for entrepreneurs:***

Confirmation of turnover from a business bank for the years 2021, 2022, and 2023.

***Note:*** *If the bidder is not subject to auditing in accordance with the Accounting and Auditing Law, they are required to submit the corresponding act or decision on classification in accordance with legal regulations instead of the auditor's opinion.*

Bidders with a registered seat in a foreign country must submit appropriate proof in accordance with the regulations of the country in which they are based. For foreign bidders whose business income is expressed in foreign currency, the exchange rate used for conversion into RSD will be the average exchange rate of the National Bank of Serbia on the date the deadline for submitting bids expires.

b) That, within the 12-month period prior to the publication of the Public Invitation for submitting bids, the bidder has not had any account blocks.

**Note:** In the case of a joint bid, this condition must be met by each participant of the joint bid.

***Proof for legal entities and entrepreneurs:***

Confirmation from the National Bank of Serbia on the blocking of the account for the specified period.

***Note*:** *If the data on the number of days of illiquidity for the requested period is available on the National Bank of Serbia internal website, the bidder is not obliged to submit the specified proof.*

Bidders registered in a foreign country must submit corresponding proof of account blockage from the competent authority of the country in which they are based.

**7. To meet the staffing capacity condition:**

a) The bidder must have at least 500 employees (in employment or on another basis) on the date of submission of the bid, of which at least 100 employees must be from the pharmaceutical profession.

**Note:** In the case of a joint bid, the condition of at least 100 pharmaceutical professionals must be fully met by at least one participant in the joint bid.

**Proof for legal entities and entrepreneurs:**

***(a) For employees in the bidder's employment:*** a copy of the valid employment contract and the relevant "M" forms confirming registration, change, or de-registration of mandatory social insurance for the employees.

***(b) For individuals who are not in employment with the bidder:*** *a valid contract for employment or work engagement with the bidder.*

***Note:*** *Bidders registered in a foreign country must submit appropriate forms of employment i.e. work contracts in accordance with the regulations of the country in which they are registered.*

**8. To meet the technical and business capacity condition:**

a) The bidder must have at least 30 pharmacies where they perform pharmaceutical activities within the territory of the Republic of Serbia at the time of submission of the bid;

b) The bidder must not have been sanctioned by the Commission for Protection of Competition of the Republic of Serbia and must not be subject to any ongoing proceedings.

c) The bidder or a participant in the joint bid must have been engaged in the activity for at least 10 years.

**Note:** In the case of a joint bid, the condition from point a) and c) must be met by at least one participant in its entirety, while conditions from points b) must be met by each participant in the joint bid.

***Proof for legal entities, entrepreneurs***

a) An excerpt from the Agency for Business Registers showing the number of registered objects, business units;

b) A declaration from the bidder and participants in the joint bid that the bidder has not been penalized by the Commission for Protection of Competition of the Republic of Serbia and that no proceedings are being conducted against them;

c) Proof of registration and commencement of pharmaceutical activity from the business register.

***Note:*** *The contracting authority may verify the declaration from the bidder and participants in the joint bid with the Commission for Protection of Competition* *during the professional evaluation and through other legally permissible methods. If the contracting authority determines that the declaration is false, the bid will be rejected as unacceptable.*

**5. Criteria for selecting the most favorable offer:**

The criterion for awarding the concession is the economically most advantageous bid, which consists of the following elements of the criteria:

|  |  |  |
| --- | --- | --- |
| No. | Criteria Name | Maximum Number of Points |
| 1 | **AMOUNT OF THE CONCESSION FEE** | **TOTAL 80** |
| 1.1 | **Initial concession fee amount** | 60 |
| 1.2 | **Annual variable concession fee amount** | 20 |
| 2. | **PAYMENT SCHEDULE OF THE INITIAL CONCESSION FEE** | **TOTAL 10** |
| 3. | **NUMBER OF ACQUIRED NON-PHARMACEUTICAL WORKERS, AS FOLLOWS:**  **-FOR 50% OR MORE ACQUIRED NON-PHARMACEUTICAL WORKERS: 10 POINTS**  **-FOR LESS THAN 50% ACQUIRED NON-PHARMACEUTICAL WORKERS: 0 POINTS** | **TOTAL 10** |
|  | **TOTAL** | **100** |

**1. INITIAL CONCESSION FEE AMOUNT**

**1.1 Offered** **Initial concession fee amount**

The bid with the highest initial concession fee amount will receive the maximum number of points (60 points).

Other bids will be evaluated according to the following formula:

**Offered initial concession fee, which is ranked x 60**

**the highest offered initial concession fee**

The offered initial concession fee cannot be less than €2,170,500.00.

Any bid offering an initial concession fee lower than €2,170,500.00 will be rejected as unacceptable.

**1.2 Offered amount of the one-year concession fee**

The offer with the highest proposed one-year concession fee receives the maximum number of points (20 points).

Other offers are evaluated according to the following formula:

**Offered one-year concession fee which is ranked x 20**

**highest offered one-year concession fee**

The proposed one-year variable concession fee cannot be lower than €62,000.00. The offer of a bidder who proposes a one-year variable concession fee lower than €62,000.00 will be rejected as unacceptable.

The total concession fee cannot be less than €3,100,500.00.

**2. PAYMENT SCHEDULE FOR THE INITIAL CONCESSION FEE**

Points for this criterion will be awarded as follows:

|  |  |
| --- | --- |
| **Payment Method** | **Number of Points** |
| Payment of the entire proposed amount of the initial concession fee in a lump sum, within 25 business days from the date of contract signing | 10 points |
| Payment of the proposed amount of the initial concession fee in two annual installments, with the first installment amounting to 70% of the total proposed initial concession fee, due within 25 business days from the date of contract signing, and the second installment due one year after the due date of the first installment | 5 points |
| Payment of the proposed amount of the initial concession fee in two equal annual installments, with the first installment due within 25 business days from the date of contract signing, and the second installment due one year after the due date of the first installment | 2 points |
| Payment of the offered amount of the initial concession fee in three equal annual installments, with the first installment due within 25 business days from the date of the contract conclusion, and each subsequent installment due on the same day and month in the following two years, relative to the date when the first installment of the initial concession fee became due. | 0 points |

**The payment schedule for the initial concession fee cannot be different from the offered options. The offer of a bidder who proposes a different payment schedule will be rejected as unacceptable.**

**3. NUMBER OF ACQUIRED NON-PHARMACEUTICAL WORKERS**

If the bidder acquires 50% or more non-pharmaceutical workers, they will receive 10 points, and if they acquire less than 50% non-pharmaceutical workers, they will receive 0 points.

**Note**: *The rounding of the obtained points will be done to two decimal places.*

If two or more offers have the same number of points, the offer of the bidder who received more points based on the concession fee criterion will be selected as the most favorable. If two or more offers have the same highest number of points based on the concession fee criterion, the offer of the bidder who received more points based on the sub-criterion of the initial concession fee will be selected.

If two or more offers have the same highest number of points based on the sub-criterion of the initial concession fee, the offer of the bidder who received more points based on the criterion of the number of non-pharmaceutical workers taken will be selected.

If the most favorable offer cannot be determined using the above methods, the Concession Grantor will select the offer with the higher estimated investment in the first year of conducting the concession activity.

If the most favorable offer cannot be determined by the previously defined methods, the Concession Grantor will apply a draw as a way to award the contract.

The Concession Grantor will issue a written invitation to the bidders who have submitted equal offers according to all the previously defined criteria, inviting them to attend the procedure for selecting the most favorable offer, i.e., awarding the contract through a draw.

The draw procedure will be conducted publicly at the Conceding Authority’s premises in Kragujevac, Trg Slobode 3. The procedure will be carried out by the Expert Team of the City of Kragujevac.

The Expert Team of the City of Kragujevac will keep minutes of the contract award procedure through the draw. The Expert Team will ensure the technical conditions for conducting the procedure of selecting the most favorable offer through a draw. The draw will be carried out publicly, in the presence of the bidders, by placing the names of the bidders on separate papers of the same size and color, which will be put in a box, from which only one paper will be drawn. The bidder whose name appears on the drawn paper will be awarded the contract. The same criteria will be applied to rank the offers of other bidders. For those bidders who do not attend this procedure, the Conceding Authority will send them the minutes of the draw.

**6) Date of delivery of notification regarding the outcome of the procedure:**

The deadline for making a decision on the selection of the most favorable bid i.e. a decision to annul the concession granting procedure, is 90 (in words: ninety) days from the expiration of the deadline for bid submission.

**7) Name and address of the body responsible for resolving requests for protection of rights, and information on deadlines for submitting such requests:**

The procedure for the protection of bidders' rights is regulated by the provisions of Articles 204 - 235 of the Public Procurement Law (hereinafter referred to as: PPL).

**8) The concession is granted in accordance with Articles 35–41 of the Law on Public-Private Partnerships and Concessions and is not conducted in phases.**

**9) The procedure is conducted without prequalification.**

**10) Financial security for the seriousness of the offer:**

The bidder is required to submit a financial security for the seriousness of the offer along with the bid, in the form of a bank guarantee for the seriousness of the offer or a deposit payment to the following account: 840 -745141843-30, model 97, with the reference number 56 04974950, purpose of payment: Deposit for the seriousness of the offer, call code: 01/25, in the amount of 18.000 000 RSD (in words: eighteen million RSD 00/100) to protect the Concession Grantor from:

a) Risk of the bidder withdrawing from the submitted offer, and

b) Risk of failure to submit the Performance Guarantee from the concession award procedure.

The Concession Grantor will accept a bank guarantee for the seriousness of the offer in euros (EUR), provided that the amount of the guarantee, in RSD equivalent based on the exchange rate of the National Bank of Serbia on the bid opening day, is equal to or higher than the required amount.

The bank guarantee for the seriousness of the offer must be issued as irrevocable, unconditional, renewable, payable on first demand, and non-contestable, in favor of the Concession Grantor and it must also be valid for at least 30 (thirty) days longer than the expiration date of the offer. The Concession Grantor will enforce the bank guarantee for the seriousness of the offer if the bidder withdraws, revokes, or amends their offer after the deadline for the submission of offers. A bidder who agrees to extend the validity of the offer must also extend the validity of the bank guarantee.

The bank guarantee for the seriousness of the offer, if not used, or the paid deposit will be returned to the bidder no later than 10 days from the date of the decision on the selection of the most favorable bid, or the decision to annul the concession granting procedure.

The submitted bank guarantee must not contain additional conditions for payment, shorter validity periods than those specified by the Concession Grantor, a lower amount than that specified by the Concession Grantor, or a changed local jurisdiction for dispute resolution.

In the event that the bidder fails to provide the required financial security for the seriousness of the offer, their offer will be rejected due to significant deficiencies.

**11) Downloading the Tender Documentation**

Any interested party may download the call for documentation and its attachments by paying a fee of 100,000.00 RSD to the Concession Grantor’s account number: 840-745141843-30, model 97, with the reference number 56 04974950, purpose of payment: Tender documentation upon request, call code 01/25. Upon submission of the payment confirmation, the request for downloading the tender documentation, and the signed Confidentiality Agreement, the interested party should send to: Gradska uprava Grada Kragujevca – Sekretarijat za poslove javnih nabavki, Kragujevac, Trg Slobode 3 or e-mail [jppapoteke@kragujevac.ls.gov.rs](mailto:jppapoteke@kragujevac.ls.gov.rs)/City Administration of the City of Kragujevac - Secretariat for Public Procurement, Kragujevac, Trg Slobode no. 3, with the note: “Request for downloading the tender documentation in the concession award procedure – (specific public call code 01/25)." The potential bidder will then gain the right to download the tender documentation. The request must specify how the interested party wishes to receive the tender documentation and its attachments (by mail, in person, or by e-mail). Along with the request, it is necessary to submit the signed Confidentiality Agreement in two original copies and an extract from the registry of the competent authority, no older than 30 days, showing the details of the legal representative if they are the signatory of the agreement. If the agreement is signed by a person who is not the legal representative, it is necessary to submit a power of attorney for that person, certified by a notary public. If the original documents are in a foreign language, a certified translation into Serbian by a licensed court interpreter must be provided along with the original documents. The draft Confidentiality Agreement can be downloaded from the Concession Grantor’s website https://kragujevac.ls.gov.rs/. The Concession Grantor will provide the interested party with the tender documentation no later than 5 (five) business days after receiving the complete request.