

**AMENDMENTS OF THE PUBLIC CALL ON AWARDING AN AGREEMENT FOR RIGHT TO USE PREMIUM
FOR ELECTRIC POWER PRODUCED FROM PHOTOVOLTAIC POWER PLANT
CONSTRUCTED ON LAND OWNED BY THE REPUBLIC OF NORTH MACEDONIA**

Call No. 01/2019

PART I: CONTRACTING AUTHORITY

I.1) Information about the Contracting Authority

I.1.1) Name of Contracting Authority: Ministry of Economy

I.1.2) Address of the Contracting Authority:

15 Jurij Gagarin Str.

City: Skopje, Zip code:1000

I.1.3) Contact: Zhaneta Petrova and Ismail Ljuma, Tel:+389 2 30 93 426

E-mail: zaneta.petrova@economy.gov.mk, ismail.luma@economy.gov.mk

Website: www.economy.gov.mk

I.2) Category of contracting authority, its main activity:

State authorities – Economy and Finance

ДЕЛ II: SUBJECT OF AGREEMENT

II.1. Subject of agreement: Awarding the right to use premium for electric power produced from photovoltaic power plant constructed on land owned by the Republic of North Macedonia

II.2. Type of agreement: right to use the premium for electricity produced and sold by a photovoltaic power plant

II.3 Detailed description of the subject of agreement: The total installed power of photovoltaic power plant for which based on the present Tender procedure, premium is being awarded, amounts to 35 MW.

II.4 Procurement in lots: Yes

The subject of procurement is divided in lots as defined in the technical specifications, part of the Tender Documentation. The procedure is conducted for each parcel separately. The bidder may submit a bid for three photovoltaic power plants the most, at the location of Amzabegovo as well as for one photovoltaic power plant at the location Manastirec, being subject of the Agreement on awarding the right to use premium for electric power produced from photovoltaic power plant constructed on state owned land, in accordance with the instructions below.

No.	Parcel	Location	Surface [ha]	Installed power [MW]	Indicative annual generation [MWh]
1	AZ_10_1	Amzabegovo (Sveti Nikole)	~15,87	10	14.303
2	AZ_5_1		~9,52	5	7.153
3	AZ_2_1		~3,67	2	2.840
4	AZ_2_2		~3,37	2	2.841
5	AZ_1_1		~2,80	1	1.418
6	AZ_1_2		~1,81	1	1.421
7	AZ_1_3		~2,16	1	1.421
8	AZ_1_4		~1,72	1	1.421
9	AZ_1_5		~1,76	1	1.421
10	AZ_1_6		~2,04	1	1.422
11	MB_10_1	Manastirec (Makedonski Brod)	~19,37	10	13.578

The bidders who submit bids for the parcels under the serial numbers from 1 to 4 (AZ_10_1, AZ_5_1, AZ_2_1 and AZ_2_2) and the order number 11 (MB_10_1) cannot submit bids for the parcels under the serial numbers from 5 to 10 (AZ_1_1, AZ_1_2, AZ_1_3, AZ_1_4, AZ_1_5 and AZ_1_6).

The bidders who submit bids for the parcels under the serial numbers from 5 to 10 (AZ_1_1, AZ_1_2, AZ_1_3, AZ_1_4, AZ_1_5 and AZ_1_6) can offer only one bid for one of the listed parcels and cannot submit bids for the other parcels

II.5 Duration of the Contract for use a premium:

Period in years: 15 years

II.4. Place/location for construction of photovoltaic power plants:

The photovoltaic power plants shall be constructed on the locations in the following municipalities:

- From serial number 1 to 10 on the area of the municipality Sveti Nikole, Cadastral Municipality of Amzabegovo – out of town, Cadastral parcel 513/1 and
- Serial number 11 on the area of the municipality Makedonski Brod, Cadastral Municipality of Manastirec, Cadastral parcel 1/1 and cadastral parcel 303.

PART III: SUBMISSION OF BIDS

III. 1. Deadline for submission of bid

Date: August 30st 2019 till 10:00 o'clock local time

III.2. Address for submission of bid

III.1.2) Contracting authority's address:

15 Jurij Gagarin Str.

City: Skopje Zip code:1000

III.3. Language of the bid:

- Macedonian
- English
- Other

ДЕЛИV: PROCEDURE

IV.1) Type of procedure: Open procedure

IV.2) Criteria for selection of most favorable bid: Lowest offered fixed premium

3) E-procedure: No

IV.4) E-auction: Yes

ДЕЛ V: LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

V.1) Guarantees and advance payment

V.1.1) Bid guarantee: Yes (amount not lower than 1.200,00 MKD per kW, for foreign legal entities 20,00 € per kW planned installed power of photovoltaic power plant)

V.1.2) Performance guarantee: Yes (amount not lower than 4.650,00 MKD per kW, or for foreign legal entities 75,00 € per kW planned installed power of photovoltaic power plant)

V.1.3) Advance payment: No

V.1.4) Participation of domestic and foreign legal entity in the procedure: Yes

V.1.5) Association in a group of economic operators for the purpose of joint participation in this procedure: Yes

V.1.6) Establishment and registration in the Central Register of the Republic of North Macedonia of a company in case when the economic operator that is a foreign legal entity and / or when the group of bidders is selected as the most favorable bidder: Yes

PART VI: TERMS AND CONDITIONS FOR ESTABLISHING BIDDERS' CAPACITY

VI.1. Personal status

The Contracting Authority shall exclude from the procedure for awarding the right to obtain a premium for electricity produced from a photovoltaic power plant built on land in state ownership each economic operator that:

- has been convicted of participation in organized criminal activity, corruption, fraud or money laundering in the last 5 years;
- has ongoing bankruptcy or liquidation procedure;
- has unpaid taxes, contributions and other public dues, unless the economic operator received approval for the deferred payment of taxes, contributions or other public dues in line with the specific regulations and the same are being regularly paid;
- is subject to a secondary penalty – prohibiting it to participate in public announcement procedures, awarding of public procurement contracts and public-private partnership contracts;
- is subject to a secondary penalty – temporary or permanent prohibition to perform certain business activity;
- is subject to a misdemeanor sanction – prohibition to carry out a profession, business activity or duty, i.e. temporary prohibition to perform a particular business activity, or
- gives false data and fails to submit the data requested by the Contracting Authority.

In order to prove its personal status, the economic operator shall submit the following documents:

- Statement from the economic operator that he has not been imposed a legally valid verdict in the past 5 years for participation in criminal organization, corruption, fraud or money laundering;
- Certificate from competent body that bankruptcy procedure has not been initiated;
- Certificate from competent body that liquidation procedure has not been initiated;
- Certificate from competent body for paid taxes, contributions and other public duties from the country of registration of the economic operator;
- Certificate from the Register of penalties for criminal acts of legal entities that secondary penalty – prohibition to participate in public announcements procedures, awarding of public procurement contracts and public private partnership contracts, has not been imposed;
- Certificate from the Register of penalties for criminal acts of legal entities that secondary penalty – temporary or permanent prohibition to perform particular activity, has not been imposed;
- Certificate that with a legally valid verdict he has not been imposed misdemeanor sanction prohibition to perform profession, activity or duty, i.e. temporary prohibition to perform particular activity.

VI.2. Capacity to perform professional activity

In order to prove the capacity to perform professional activity, the economic operator shall submit a document for registered activity as a proof of registration as a legal entity in the Central register of RNM or a proof of registration in the respective register in the country where it has been incorporated if the economic operator is a foreign legal entity.

VI.3. Economic and financial capacity

Evidence to establish capacity:

- Report on the balance sheet and data on the Income statement. For foreign legal entities, Audit report issued by an audit institution registered to perform auditing business activity.

Minimum requirements:

- In the past three years, the economic operator shall have generated a total income equal to 500 € per KW installed power of photovoltaic power plant for which the bid has been submitted.
- In case one bidder submits bids for more locations, for evaluation purposes the total income refers to the total offered installed power for all locations.

PART VII: CRITERIA FOR SELECTION OF MOST FAVOURABLE BID

Criterion on selection of the most favorable bid: Lowers offered fixed premium

The economic operator offering the lowest amount of fixed premium in the course of the e-auction for particular parcel shall be selected as most favorable bidder.

PART VIII: ADMINISTRATIVE INFORMATION

VIII.1) Conditions on collection of tender documentation and additional documents:

Every interested economic operator may collect the tender documentation following a submitted e-request sent to the contract person: Zhaneta Petrova, email. zaneta.petrova@economy.gov.mk. Accompanying the request, it shall submit an authorization for the person requesting the tender documentation with contact details, telephone and e-mail. The tender documentation shall be collected from the Ministry of Economy on a CD.

VIII.2) Condition for submission of bids

VIII.2.1) The bids shall be submitted not later than: August 30st 2019, at 10:00 hours local time

VIII.2.2) Deadline for clarification questions: August 14th 2019, 15:30 hours local time

VIII.2.3) Deadline for replies to clarification questions: August 23th 2019, 15:30 hours

VIII.3) Bid validity period: 150 days

VIII.4) Conditions for opening of bids:

The public opening of bids shall take place on the date and at the time set forth as deadline for submission of bids, i.e. August 30st 2019, 11:00 hours local time. Venue: Klub na pratenici, address: 45 Mitropolit Teodosij Gologanov, Skopje.

VIII.6) Date of publication: 30.07.2019

PART IX: COMPLAINT PROCEDURE

IX.1) COMPETENT AUTHORITY FOR DECISION MAKING IN CASE OF COMPLAINTS

IX.1.1) Name of authority: State committee for public procurement complaints
IX.1.2) Address of authority: 63 A Ilinden Blvd.
City/Municipality: Skopje Zip code: 1000
IX.1.3) Contact: Marjan Vitanov Tel:+389 (0) 2 3251 251 +389 (0) 2 3251259
E-mail: dkzjn@qs.gov.mk , marjan.vitanov@qs.gov.mk Fax:+389 (0)2 3251 250
VWebsite: www.dkzjn.gov.mk

XI.2) RIGHT TO A COMPLAINT

Each bidder having legal interest in being awarded the agreement for right to use premium for electricity produced from photovoltaic power plant constructed on a state owned land, who has suffered or might have suffered a damage from possible violation to the provisions of the Law on Public Procurement, the Law on Energy and the Decree on measures for support the production of electricity from renewable energy sources, may seek legal protection against the decisions, actions or omissions to take actions from the Contracting Authority in the procedure for awarding agreement for right to use premium, in line with the conditions and procedure anticipated in the Law on Public Procurement. The right to a complaint in a procedure that ends with electronic auction in terms of determining the capacity of the bidder and the complete evaluation of the initial proposals shall be exercised upon the adoption of decision on selection of the most favorable bidder or decision for annulment of the procedure.

ANNEX A

OTHER ADDRESSES AND CONTACTS

I. ADDRESS AND CONTACT WHERE ADDITIONAL INFORMATION CAN BE OBTAINED:

Name: Ministry of Economy		
Address: 15 Jurij Gagarin Str.		
Place: Skopje	Zip code:1000	Country: Republic of North Macedonia
Office/Contract point: Contract person: Zhaneta Petrova, Ismail Ljuma		Tel:+389 (0)2 3093 426
E-mail: zaneta.petrova@economy.gov.mk , ismail.luma@economy.gov.mk		Fax:
Website: www.economy.gov.mk		

II. ADDRESS AND CONTACT WHERE AMENDMENTS OF THE TENDER DOCUMENTATION ARE AVAILABLE:

Name: Ministry of Economy		
Address: 15 Jurij Gagarin Str.		
Place: Skopje	Zip code:1000	Country: Republic of North Macedonia
Office/Contract point: Contract person: Zhaneta Petrova, Ismail Ljuma		Tel:+389 (0)2 3093 426
E-mail: zaneta.petrova@economy.gov.mk , ismail.luma@economy.gov.mk		Fax:
Website: www.economy.gov.mk		

III. ADDRESS AND CONTACT FOR SUBMISSION OF BIDS:

Name: Ministry of Economy		
Address: 15 Jurij Gagarin Str.		
Place: Skopje	Zip code:1000	Country: Republic of North Macedonia
Office/Contract point: Contract person:		Tel:+389 (0)2 3093 426
E-mail: zaneta.petrova@economy.gov.mk , ismail.luma@economy.gov.mk		Fax:
Website: www.economy.gov.mk		