

JSC Belgrade Nikola Tesla Airport
Public Procurement Commission 48/2013

10 Reference number: 306

Date: 17. 01. 2014

Belgrade

Subject: Additional information and clarifications for public procurement in open procedure "BAG MESSAGE SERVICE – BMS" No. 48/ 2013

Acting upon request of the Tenderer in line with the article 63 of the Public Procurement Law ("Official Gazette of the Republic of Serbia" no. 124/12), we are forwarding a clarification of the tender documentation for the public procurement in open procedure No. 48/2013 "BAG MESSAGE SERVICE – BMS".

Question:

Dear Sirs,

This is a template that will be part of our bid. Our bank has announced, in a very strict sense, that the template contained in the tender may not be legally effective. Our intention is to send you this version with the completed final amounts as part of our bid.

The content of the submitted form:

"LETTER OF INTENT

In case the tenderer concludes the contract with AD Aerodrom "Nikola Tesla" Beograd, 11180 Belgrade 59, Serbia, for BAG MESSAGE SERVICE, BMS for PROCUREMENT NUMBER 48/2013, and provided we receive the respective instructions from tenderer, we mxe "Bank" will issue a performance bond for 5% of the value of the Tender, i.e. EUR xxxx (within a 8 day time span after receipt of said instructions) as per the following text:

QUOTE

TO: BENEFICIARY

AD AERODROM "NIKOLA TESLA"
BEOGRAD 11180 BELGRADE 59

Republic of Serbia

FOR ACCOUNT OF: Tenderer

REGARDING:

*PUBLIC PROCUREMENT OF BAG MESSAGE SERVICE FOR
NEEDS OF AD AERODROM "NIKOLA TESLA", BEOGRAD*

Performance Bond (Sample)

We are informed that tenderer will enter into a contract with you for the supply of the "Bag Message Service", at AD AERODROM NIKOLA TESLA BEOGRAD, 11180 BELGRADE 59, Republic of Serbia (the "Contract") which provides inter alia for the issuance of a performance bond in the amount of EUR xxxx equivalent to 5% of the total Contract price, to guarantee the due and faithful performance of tenderer supplying equipment as per the contractual obligations in due time limit and quality

Now, therefore, we bank, hereby give you our irrevocable guarantee (the "Guarantee") to pay any amount up to a maximum of:

EUR xxx (<amount in words>)

upon receipt of your first demand to us provided by registered letter at this office (stating that you have sent a copy of this demand to tenderer), provided that your demand shall include:

Beneficiary's additional statement

- (a) specifying the particular article(s) of the Contract by which tenderer is in default, and*
- (b) confirming that tenderer has been given no less than the period allowed by the Contract to remedy such default, and*
- (c) confirming that tenderer has not remedied the default within the period allowed by the Contract*

2) copy/photocopy of beneficiary's letter to tenderer advising tenderer of the default and expressly advising tenderer of the period allowed under the Contract to remedy such default (but in any case not less than 30 days)

Our maximum liability under this Guarantee is limited to the amount of EUR xxxx

This Guarantee will remain valid until 30th April 2014 (two thousand fourteen) and will thereafter be null and void.

Any and all written demands under this Guarantee as set out above must be received by us on or before the validity date.

This Guarantee is subject to the Uniform Rules for Demand Guarantees (URDG) 2010 revision, ICC Publication

No. BANK

UNQUOTE

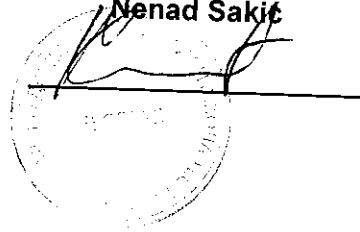
This Letter of Intent is valid until receipt by us of your written confirmation that the above-mentioned contract has not been concluded or until the issuance of said Performance Bond, whichever is the earlier, however it expires on 31st March 2014 at the latest

BANK”

Clarification:

The Purchaser will accept a bank statement on the issuance of performance bond that has a validity of at least 90 days after the bid opening. Content of the bank guarantee cannot be conditioned with the bank statement on the issuance of performance bond.

**Committee president
Nenad Sakic**

A handwritten signature in black ink is written over a circular stamp. The signature is stylized and appears to read 'N. Sakic'. The stamp is partially obscured by the signature and a horizontal line drawn through it.