



Montenegro
Municipality of Bar

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Secretariat for Local Economic Development
No:10- 101

Date: 22/07/2026

Subject: **Response to Clarification Request**

Contract title: **Procurement and Installation of LED energy-efficient lighting**
Ref. number: **HR-BA-ME00475, Budget Lines: 5.1, 5.2, 5.3, 5.4, Tender no 1**

I. Question 1 – Selection Criteria (Technical Capacity)

Under Section 16.3 (Technical capacity), tenderers are required to have successfully implemented at least two projects with a budget of at least that of this contract.

However, the Contract Notice and the Tender Dossier do not appear to specify the budget or estimated value of this contract. Consequently, it is not possible for tenderers to determine the minimum value that the reference projects must have in order to comply with this selection criterion.

Could you please clarify the budget (or estimated contract value) to which this requirement refers, or specify the minimum value that each reference project must meet?

Answer to Question 1 – Selection Criteria (Technical Capacity)

For the purpose of the selection criterion set out in Section 16.3, the minimum value of each reference project shall be proportionate to the value of the tender submitted by the tenderer.

Accordingly, each of the two reference projects presented as evidence of technical capacity must have a value equal to or higher than the total value of the tenderer's financial offer for this contract.

Therefore, compliance with this criterion will be assessed by comparing the value of each submitted reference project with the total tender price offered by the respective tenderer.

II. Question 2 – Selection Criteria (Technical Capacity)

*Section 16.3 of the Contract Notice requires tenderers to have successfully implemented at least two (2) projects **in fields related to this contract**.*

*Could you please clarify what types of projects will be considered as being "**in fields related to this contract**" for the purpose of meeting this selection criterion?*



*In particular, would projects involving public **LED lighting, architectural LED lighting, industrial LED lighting, indoor or outdoor LED lighting installations, sports lighting, or other LED lighting and electrical installation projects** be considered as projects in fields related to this contract?*

Answer to Question 2 – Selection Criteria (Technical Capacity)

For the purposes of Section 16.3 of the Contract Notice, projects in fields related to this contract shall include projects involving the supply, delivery, installation, commissioning, reconstruction, modernization, maintenance or upgrading of lighting systems and associated electrical installations.

Without limitation, the following types of projects shall be considered as related to the subject of this contract, provided that they include comparable technical scope and complexity:

- indoor or outdoor LED lighting installations;
- sports lighting systems;
- public lighting systems;
- architectural and façade lighting systems;
- industrial lighting systems;
- commercial and institutional lighting systems;
- lighting systems for public buildings, educational, cultural, sports or administrative facilities;
- reconstruction or replacement of conventional lighting systems with LED technology;
- projects involving lighting control and management systems (including intelligent or programmable lighting control);
- electrical installation works related to lighting systems, including power supply, distribution boards, cabling, control equipment and commissioning;
- energy-efficiency projects involving the modernization or replacement of lighting installations.

The above list is not exhaustive. Any project demonstrating experience in the implementation of technically comparable LED lighting and electrical installation works may be considered acceptable, provided that it is relevant to the subject of this procurement and satisfies the remaining requirements of the selection criteria.

III. Question 3 – Language of Supporting Documents

Section 9 of the Instructions to Tenderers states that supporting documents and printed literature may be submitted in Montenegrin, provided that they are accompanied by a translation into the language of the procedure.

Could you please clarify whether the required translation must be prepared by a certified/sworn translator, or whether a non-certified translation is sufficient?

Answer to Question 3 – Language of Supporting Documents

A certified/sworn translation is **not** required.



Supporting documents and printed literature may be submitted in Montenegrin accompanied by a non-certified translation into the language of the procedure.

Where any doubt or discrepancy arises regarding the content of a supporting document, the Contracting Authority reserves the right to verify the relevant information against the original document submitted in Montenegrin.

IV. Question 4 – Professional Capacity

Section 11 of the Instructions to Tenderers requires proof of employed professionals, namely:

- *one (1) licensed electrical engineer - energy department; and*
- *one (1) licensed electrical engineer - electronics department.*

Could you please clarify whether tenderers are required to submit, in addition to the engineers' licences, certificates issued by the Chamber of Engineers and proof of employment in accordance with the Labour Law, or whether submission of the required licences alone is sufficient?

Answer to Question 4 – Professional Capacity

Tenderers are required to demonstrate compliance with the requirement for employed professionals.

Accordingly, the tender shall include:

- the valid licence(s) of the required electrical engineers; and
- documentary evidence demonstrating that the required professionals are available to the tenderer for the execution of the contract (e.g. employment contract, engagement contract, statement of availability, or equivalent document in accordance with national law).

The Contracting Authority does not prescribe a specific form of such documentary evidence. Any official document(s) demonstrating both the required professional licence and the availability of the engineers for the execution of the contract will be considered acceptable.

V. Question 5 – Warranty and Maintenance

According to Article 13.2 of the Special Conditions, the Contractor is required to provide maintenance of the system for a period of two (2) years until the end of the contract. However, Article 32.7 of the Special Conditions states that the commercial warranty must remain valid for one (1) year after provisional acceptance, while Article 33.1 provides that maintenance and repair shall be performed in accordance with the commercial warranty.

Could you please clarify whether the Contractor is required to provide maintenance for the full two-year contract period regardless of the duration of the commercial warranty, or whether the commercial warranty is also expected to cover the entire two-year maintenance period?

Answer to Question 5 – Warranty and Maintenance

The Contractor shall provide maintenance of the system for a period of two (2) years, as specified in Article 13.2 of the Special Conditions.



The commercial warranty referred to in Articles 32.6 and 32.7 constitutes the minimum warranty period and shall remain valid for at least one (1) year after provisional acceptance.

Accordingly, the Contractor's maintenance obligation is independent of the minimum commercial warranty period and shall continue for the full two-year maintenance period provided under the Contract.

VI. Question 6 – FIBA Certificate

*Section 11 of the Instructions to Tenderers requires the submission of a **FIBA Equipment and Venue Certificate** as part of the supporting documentation. However, the Technical Specifications state that "It is recommended that the luminaire also possesses a FIBA certificate."*

Could you please clarify whether possession of a FIBA certificate is a mandatory requirement for the offered luminaires or only a recommended characteristic?

Answer to Question 6 – FIBA Certificate

The Technical Specifications define the minimum technical requirements applicable to the offered luminaires.

Accordingly, the wording stating that the luminaire "is recommended to possess a FIBA certificate" shall be understood as a recommendation rather than a mandatory requirement.

Tenderers may offer luminaires without a FIBA Equipment and Venue Certificate, provided that the offered equipment fully complies with all mandatory technical and performance requirements set out in the Technical Specifications and the approved project documentation.

VII. Question 7 – Financial Capacity

The Tender Submission Form requires tenderers to complete the table on economic and financial capacity based on their annual accounts. However, Section 11 of the Instructions to Tenderers does not explicitly list annual financial statements (balance sheets and profit and loss accounts) among the documents to be submitted with the tender.

Could you please clarify whether tenderers are required to submit annual financial statements (balance sheets and profit and loss accounts) as supporting evidence of their economic and financial capacity, or whether completion of the financial capacity table in the Tender Submission Form is sufficient?

Answer to Question 7 – Financial Capacity

For the purposes of tender submission, completion of the economic and financial capacity section in the Tender Form for a Supply Contract is sufficient.



Tenderers are not required to submit annual financial statements (balance sheets and profit and loss accounts) together with their tenders, unless specifically requested by the Contracting Authority.

In accordance with the Instructions to Tenderers and the applicable PRAG provisions, the Contracting Authority may request documentary evidence supporting the declared economic and financial capacity from the successful tenderer before contract signature, where considered necessary.

VIII. Question 8 – Capacity-providing Entity

Where a tenderer relies on the technical and professional capacity of a capacity-providing entity, could you please clarify:

- 1. whether a specific form of commitment or agreement between the tenderer and the capacity-providing entity is required;*
- 2. whether the capacity-providing entity must also be declared as a subcontractor where it performs part of the contract; and*
- 3. whether the tender documentation requires the tenderer to indicate the scope or proportion of the contract to be performed by the capacity-providing entity.*

Answer to Question 8 – Capacity-providing Entity

1. The Tender Dossier does not prescribe a specific template or form of commitment between the tenderer and the capacity-providing entity. Tenderers may submit any appropriate document (such as a letter of commitment, declaration or agreement) demonstrating that the necessary resources will be made available to the tenderer for the performance of the contract.
2. Where a tenderer relies on the technical and professional capacity of another entity, that entity shall perform the tasks for which its capacity is relied upon, in accordance with the Instructions to Tenderers. If those tasks are performed under subcontracting arrangements, the entity shall also be declared as a subcontractor.
3. The Tender Dossier does not require tenderers to specify a percentage or proportion of the contract to be performed by the capacity-providing entity. However, the tender should clearly identify the tasks and scope of activities for which the capacity of that entity is relied upon.

Respectfully,

For: Ana Živanović
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