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BOSNIA AND HERZEGOVINA
FEDERATION OF BOSNIA AND HERZEGOVINA
Federal Ministry of Agriculture, Water
Management and Forestry



PROCUREMENT PROCEDURES GUIDE

For Project Water and Sanitation in the Federation of
Bosnia and Herzegovina

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BOSNIA AND HERZEGOVINA
FEDERATION OF BOSNIA AND HERZEGOVINA
FEDERAL MINISTRY OF AGRICULTURE WATER MANAGEMENT AND FORESTRY
PROJECT MANAGEMENT UNIT - PMU

PROCUREMENT PROCEDURES GUIDE
for Project
WATER AND SANITATION IN THE FEDERATION OF
BOSNIA AND HERZEGOVINA

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Abbreviations

BiH	Bosnia and Herzegovina
EC	European Community
EIB	European Investment Bank
EU	European Union
FBiH	Federation of Bosnia and Herzegovina
FMF	Federal Ministry of Finance
FMAWMF	Federal Ministry of Agriculture, Water Management and Forestry
OJEU	Official Journal of the European Union
PIT	Project Implementation Team
PMU	Project Management Unit
PN	Procurement Notice
PPG	Procurement procedure Guide
PPL	Public procurement law of BiH
TA	Technical Assistance
TD	Tender Documents
WATSAN FBiH	Project Water and Sanitation in the Federation of Bosnia and Herzegovina

1 Preface

Purpose

The purpose of the Procurement Procedures Guide (PPG) is to explain the Procurement Strategy as required by the Finance Contract concluded between Bosnia and Herzegovina, Federation of Bosnia and Herzegovina and European Investment Bank.

Since, during the implementation of the Project there will be a large number of tender documents, the PMU in the cooperation with EIB representatives developed the Procurement Procedures Guide (PPG) for the Project, as well as templates of tender documents (TD) for the procurement of works and services, standard procurement notice template and standard template of notice for local papers and/or for publishing in the Official Journal of the European Union (OJEU) with the main aim to make easier and more uniform procurement implementation and to select tendering procedure in accordance with the requirements of the EIB. All above mentioned documents are the supplements of the PPG.

PITs shall use PPG for preparation of tender documents for the procurement of all works and services of the Project. Implementation of all tender procedures must be in accordance with provisions given in PPG.

1.1 Definitions

In this guide, the following words and expressions shall have the meanings hereby assigned to them, except where the context otherwise requires:

<i>Project</i>	refers to the Project WATSAN FBiH
<i>Finance Contract</i>	Lending Agreement between EIB and BiH
<i>Contract</i>	Finance Contract
<i>Bank</i>	European Investment Bank
<i>Final Beneficiaries</i>	Municipalities
<i>Promoter</i>	Federal Ministry of Agriculture, Water Management and Forestry

2 Selection of the procurement procedure

In compliance with the Clause 6.04 of the Finance Contract, the Federal Ministry of Agriculture, Water Management and Forestry shall cause the Final Beneficiaries to purchase equipment, secure services and order works for the Project by open international tender or other acceptable procurement procedure complying with the “Guide to Procurement” of the European Investment Bank.

2.1 Requirements by the EIB

Generally, the Bank accepts national procurement procedure if they insure economy, efficiency and transparency and if the estimated values of tenders are below certain thresholds. These thresholds vary in accordance of the nature of the project. For the implementation of this Project these thresholds are set as follows:

- 5.000.000 EUR for works;
- 200.000 EUR for services.

For the tenders with estimated value above these thresholds international procurement procedure must be applied, except for the tenders for plants (DWTP/WWTP).

The contracts will not be split without an acceptable reason, just aiming to reduce the tender values for works below the thresholds. Splitting of contracts into procurement of works components, aiming to reduce the tender values for works below the threshold should be strictly avoided.

In case the EIB procurement rules are to be applied a copy of the signed contract must be sent to EIB, together with the Covenant of Integrity and the award notice as the tender was advertised in the OJEU.

When the local procurement procedures are applied, the Promoter will send a copy of the main elements of the contract together with the evaluation or justification report to the Bank prior to his request for disbursement (See EIB GP Annex 2). Also, the Covenant of Integrity must be always signed (see EIB GP Chap.3.4.1) and made available to the Bank, regardless of the procurement procedure used.

Regardless of applied procurement procedure (national or international) the Bank does not allow for preference to be given to works (even if they include the supply of goods) or services originating in the beneficiary country.

2.2 Requirements for national tendering procedure

The basic legal act regulating the award of public contracts in Bosnia and Herzegovina is the Law on Public Procurement of Bosnia and Herzegovina (PPL) published in the *Official Gazette of BiH* on 2 November 2004. This legislative framework is completed by a number of secondary legislative acts issued on the basis of the PPL, implementing regulations, instructions, and standard forms.

The applicable procedure according to the local law differs for tenders depending on their estimated value. Threshold values are set as follows:

Works

- 40.000 EUR;
- 1.000.000 EUR.

Services

- 25.000 EUR;
- 350.000 EUR (for local authorities or public entities).

For tenders valued below these first thresholds, contracting authorities may have recourse to simplified procedures: competitive request for quotations and direct agreement.

For tenders valued above second thresholds, summary of the procurement notice must be published in English in papers available to international tenderers.

The PPL specifies the open procedure as the basic award procedure. The restricted procedure is allowed only if special circumstances defined in the PPL are met.

2.3 Selected procurement procedure

Based on the above mentioned requirements by EIB, and in accordance with the National Law, the PMU selected the following tendering procedures for the implementation of this Project:

Works

- For the tenders valued up to 1.000.000 EUR – open procedure;
- For the tenders valued from 1.000.000 EUR – 5.000.000 EUR – open procedure with publishing of the summary of the procurement notice in English;
- For the tenders valued above 5.000.000 EUR – international open tender procedure.

Services

- For the tenders valued up to 25.000 EUR –negotiation procedure (with publishing of the procurement notice);
- For the tenders valued from 25.000 EUR to 200.000 EUR – open tender procedure;
- For the tenders valued above 200.000 EUR – international open or restricted procedure.

Water and wastewater treatment plants

PMU decided that open or restricted international procurement procedures will be applied for design & construction of water and wastewater treatment plants with estimated works' value (estimated budget of tenders) over 1.500.000 EUR, using FIDIC Conditions of Contract for Plant and Design-Build (Yellow Book).

Explanations related to the selected procedures

In the order to ensure transparency of the tender evaluation and selection of the best tenderer, PMU has decided that the Head of PMU reserves the right to observe any evaluation of tender or delegate this right to a person of his/her choice. The choice of the person receiving the delegation is solemnly up to the Head of PMU, considerations about the experience and qualification of such person is assumed to be made in an appropriate way. In accordance with selected tendering procedures and with aim to make easier implementation of the Project, the PMU recognized the need for harmonisation of tender documents from more than 20 municipalities. This is the reason why PMU, together with the Technical Assistance team in this project, started to prepare the templates of Tender documents for tendering of works and services (design as well as the services for supervision of the works). These documents are given as supplements of PPG.

It is important to note that in case of the procurement procedure in accordance to local legislation, the procurement procedure is approved within the approval of the Project Implementation Plan (Procurement Plan). The Promoter will send a copy of the main elements of the contract together with the evaluation or justification report to the Bank prior to his request for disbursement.

In the case of international tender procedure, the procurement procedure is also approved within the approval of the Project Implementation Plan (Procurement Plan). The following steps must be respected:

- Procurement Notice, the documents relating to the pre-qualification and the tender documents (including the Contract) must be sent to the Bank for approval before official publishing;

- Evaluation of bids and the proposed decision on the award of contracts must obtain the written no-objection from the Bank;
- The award notice of the tender must be advertised in OJEU;
- The Contract to be signed must include the Covenants of Integrity and the Award Notice, as the tender was advertised in the OJEU in accordance with the EIB rules.

Regardless of the procedure used, always the Promoter is entirely responsible for the procurement procedures of the Project and the results of their implementation. The Promoter will send a copy of the main elements of the contract together with the evaluation or justification report to the Bank prior to his request for disbursement (See EIB GP Annex 2). Also, the Covenant of Integrity must be always signed (see EIB GP Chap.3.4.1) and made available to the Bank, regardless of the procurement procedure used.

3 Local tendering procedure of works

As stated above local tendering procedure of works will be applied for:

- tenders valued up to 1.000.000 EUR;
- tenders valued from 1.000.000 EUR – 5.000.000 EUR.

If eligible foreign firms wish to participate in local procedures, they must be allowed to do so.

3.1 Main elements of the local tenders for works in the values less than 1.000.000 EUR

The main elements of the LOCAL TENDERING PROCEDURE OF WORKS for tenders valued up to 1.000.000 EUR are as follows:

- Tender procedure: OPEN TENDER;
- Main selection criteria: LOWEST PRICE OF TECHNICALLY ACCEPTABLE TENDER;
- Guarantees: AS PROVIDED IN THE SAMPLE TENDER FOR THE TENDER GUARANTY, PERFORMANCE SECURITY AND GUARANTEE FOR ADVANCE PAYMENT;
- Contract Agreement: AS PROVIDED IN THE SAMPLE TENDER;
- Annexes: AS PROVIDED IN THE SAMPLE TENDER, as
 - Supplement 1: Sample of the Letter of Invitation;
 - Supplement 2: Sample of tender for Works with the proposal of Contract Agreement.

3.2 Main elements of the local tenders for works in the values from 1.000.000 EUR to 5.000.000 EUR

The main elements of the LOCAL TENDERING PROCEDURE OF WORKS for tenders valued from 1.000.000 EUR to 5.000.000 EUR are the same as those for tenders valued less than 1.000.000 EUR, with the following important differences:

- Publishing of the procurement notice pursuant to Article 20 of the Public Procurement Law of BiH complements with publishing of the procurement notice summary in English language;
- Procurement notice shall be published in accordance with the paragraph 4, Article 20 of the Public Procurement Law of BiH;
- Deadlines stated in the Article 21, paragraphs (5) and (6), item a) and b) of the same Law shall be extended in each case for 12 days;
- Two deadlines stated in the Article 2, paragraph (6), item c) of the Law shall be extended and they will be 12 days, apropos 10 days.
 - Supplement 1: Sample of the Letter of Invitation;
 - Supplement 2: Sample of tender for Works with the proposal of Contract Agreement.

3.3 Tender documents

Tender documents will consist of the following parts:

- Instruction to tenderers;
- General conditions of the Contract / Particular conditions of the Contract;
- Employer's requirements;
- Bill of quantities (BoQ);
- Characteristic drawings.

The additional Bank requirement is that each tenderer or contract beneficiary must sign a Covenant of Integrity (Section 3.6 and Annex 3 of EIB Procurement Guide). The Employer's requirements, BoQ and characteristic drawings differ in each Work tender, depending on the specificity of the works. Employer's requirements should contain:

- Technical description of the system;
- Technical conditions of the execution of works.

4 Local tendering procedure for services

As stated above local tendering procedure for services will be applied for:

- tenders valued up to 25.000 EUR;
- tenders valued from 25.000 EUR to 200.000 EUR.

If eligible foreign firms wish to participate in local procedures, they must be allowed to do so.

4.1 Local tendering procedure for services in the values less than 25.000 EUR

The main elements of the COMPETITIVE PROCEDURE OF SERVICE TENDERS (DESIGN SERVICES), valued up to 25.000 EUR, are as follows:

- Tender procedure: COMPETITIVE WITH PUBLISHING OF THE PROCUREMENT NOTICE, THE CLIENT HAS A RIGHT – (knowing well the local market) – TO INVITE SOME SELECTED TENDERERS TO SUBMIT THEIR OFFERS;
- Participation and proofing material: AS GIVEN IN THE SAMPLE TENDER AND SATISFYING THE REQUEST OF THE ARTICLE 23 OF THE BASIC PPL, i.e. Registration for Professional activities, Required Economical and Financial conditions and Technical and Professional competence;
- Main selection criteria: LOWEST PRICE OF TECHNICALLY ACCEPTABLE TENDER;
- Contract Agreement: AS PROVIDED IN THE SAMPLE TENDER WITH THE DESCRIPTION OF THE DESIGN;
- The additional Bank requirement is that each tenderer or contract beneficiary must sign a Covenant of Integrity which is attached in the Sample Tender (Section 3.6 and Annex 3 of EIB Procurement Guide);
- Annexes: AS PROVIDED IN THE SAMPLE TENDER, INCLUDING THE PROPOSAL OF THE CONTRACT AGREEMENT, as follows:

- Supplement 3: Sample of the Letter of Invitation; and
- Supplement 4: Sample of the tender for Services with the proposal of Contract Agreement, Description of the basic duties and tasks for Design.

4.2 Local tendering procedure for services in the values from 25.000 EUR to 200.000 EUR

The main elements of the OPEN TENDER PROCEDURE OF THE DESIGN SERVICES, valued from 25,000 to 200,000 EUR, are as follows:

- Tender procedure: OPEN TENDER;
- Main selection criteria: LOWEST PRICE OF TECHNICALLY ACCEPTABLE TENDER;
- Guarantees: AS PROVIDED IN THE SAMPLE TENDER FOR THE TENDER GUARANTEE, PERFORMANCE GUARANTEE AND GUARANTEE FOR ADVANCE PAYMENT;
- The additional Bank requirement is that each tenderer or contract beneficiary must sign a Covenant of Integrity which is attached in the Sample Tender (Section 3.6 and Annex 3 of EIB Procurement Guide);
- Contract Agreement: AS PROVIDED IN THE SAMPLE TENDER WITH THE DESCRIPTION OF THE MAIN DUTIES AND TASKS FOR THE DESIGN SERVICES;
- Annexes: AS PROVIDED IN THE SAMPLE TENDER; as
 - Supplement 5: Sample of the Letter of Invitation;
 - Supplement 6: Sample of tender for Design with the proposal of Contract Agreement, Description of the basic duties and tasks for Design services.

5 Guidelines for preparation of tender documents according to local procedures

According to Public Procurement Law of Bosnia and Herzegovina (Official gazette BiH No. 49 from 02.11.2004.) Tender documents must contain clear and adequate information for selected contract award procedure. Tender documents should, in the most succinctly form, contain following information:

- a. Information about Contracting Authority;
- b. Method of communication with tenderers;
- c. Selected contract award procedure and information about it, and information whether a framework agreement is anticipated;
- d. Description of the products, services or works which are subject of the procurement with indication of value, scope or quantity;
- e. Quantity specifications, technical specifications, description of the tasks/works;
- f. Place of performance/construction or delivery;
- g. Indicating the possibility for submission of tenders by lots, with description of the lots;
- h. Deadlines for completion/delivery or duration of the contract;
- i. Indicating the possibility for submission of alternative tenders (variants);
- j. Protection of confidential information;
- k. Selection criteria which defines minimum conditions for qualification and information about the evaluation;
- l. Contract award criteria established as “economically most favourable proposal” or “lowest price only”;
- m. Contract conditions;
- n. Tender validity period;

- o. Tender guarantee; Performance guarantee and any other insurance for temporary payment;
- p. Place, date and time for submission of requests for participation;
- q. Place, date and time of tender submission;
- r. Place, date and time of tender opening;
- s. Currency of the prices;
- t. Information about price calculation; and
- u. Requirement regarding language.

5.1 Procurement notice

The Contracting Authority should publish Procurement notice (except in case when the contract is awarded through the negotiated procedures without publishing Procurement notice).

Procurement notice must provide the necessary information to interested tenderers to enable them to decide whether they wish to submit proposal for considered contract.

Procurement notice shall contain maximum 650 words and shall be created according to standardized form (as given in supplements of this Guide).

Every Procurement notice must be published in “Official gazette of Bosnia and Herzegovina”.

5.2 Conditions for tenderer's qualification

The Contracting Authority should state within tender documents the minimum qualification conditions, upon which it checks whether a tenderer is competent, reliable and able to perform the contract.

Besides evidences requested by the PPL regarding situations for exclusion of a tenderer from participation in the public procurement procedure (Article 22-26 of the Law), the Contracting Authority may request that tenderers prove their abilities of performing professional activities, economic and financial suitability and technical and professional capacities.

Qualification conditions must be proportionate to the subject of the procurement and in accordance with it. They must not have restrictive effect on competition and must be reasonable, clear and precise.

Values related to economical and financial suitability and technical and professional capacities depends on each individual contract and type of procurement (services or works) and these values should be estimated based on the market, in a way that they do not jeopardize the possibility for submission of sufficient number of tenders to ensure effective competition.

5.3 Tender validity period

The Contracting Authority determines the validity period, provided that this period in no case be less than 30 days.

5.4 Tender Guarantee and Performance Guarantee

The Contracting Authority may request that tenderers, together with the proposal, submit Tender Guarantee. The amount for this Guarantee cannot be less than 2.000 BAM and larger than 1-2% of the estimated contract value.

Also, the Contracting Authority may request that selected tenderer submits the Performance Guarantee before signing the contract. Amount for this Guarantee cannot be larger than 10% of the contract value.

5.5 Advance payment

By the decision of PMU/EIB advance payment for all tenders will be 10% of the contracted value (without VAT).

5.6 Price of tender documents

The Contracting Authority shall determine price for purchasing tender documents, which will cover only real costs of copying and delivering to tenderers.

The price will depend on volume of the tender documents (number of pages, drawings, etc.) and must be defined for each case separately.

Price must be the same for each tenderer.

5.7 Technical Specifications

Technical Specifications are obligatory for all works tenders. Technical specifications are project depending but some general remarks are as follows:

- Precise and clear Specifications are a prerequisite for tenderers to respond realistically and competitively to the requirements of the Employer without limiting or conditioning their bids;

- Specifications must be drafted to permit the widest possible competition and, at the same time, present a clear statement of the required standards of materials, other supplies, and workmanship to be provided;
- The Specifications should ensure that all materials and other supplies to be incorporated in the Works are new, unused, of the most recent or up-to-date models, and incorporate all recent improvements in design and materials unless otherwise provided in the Contract;
- In the Specification of standards for materials, other supplies, and workmanship, recognized international standards should be used as much as possible. Where other particular standards are used, whether national standards of the Borrower's country or other standards, the Specifications should state that materials, other supplies, and workmanship meeting other authoritative standards, and which ensure substantially equal performance, as the standards mentioned, will also be acceptable;
- At the beginning of the Specifications a clause setting out the scope of the Works is often included, and it is customary to give a list of the Drawings;
- The scale of the drawings must not be reduced to the extent that details are rendered illegible;
- The construction drawing must show sufficient details to enable tenderers to understand the type and complexity of the work involved and to price the Bill of Quantities.

6 International tendering procedure

As mentioned in the previous text, the use of the International Procurement Procedure, as requested by the Bank, will be applied in the case of the tenders;

- for infrastructure works (construction of water supply systems, sewage systems and flood protection of smaller watercourses) with an estimated budget higher than 5.000.000 EUR;
- for services with the estimated budget higher than 200.000 EUR;
- for design & construction of water and wastewater treatment plants with estimated works' value (estimated budget of tenders) over 1.500.000 EUR, using FIDIC Conditions of Contract for Plant and Design-Build (Yellow Book).

Since the number of facilities in Bosnia and Herzegovina has been constructed according to standard contractual procedure prepared by the World Bank, and that procedure is accepted and recommended by the EIB, these World Bank standard tender documents are adopted for tenders with value above 5 million EUR in this Project. Along with the international procurement procedure, general contract conditions relating to FIDIC Red and Yellow Book will be applied.

The above described international procurement procedure is adopted based on the following provisions from EIB's Guide to Procurement:

Sub-clause 3.7.4: "Promoters may use the conditions of contracts originating from their country's legislation, but they are encouraged to use internationally-recognised standard procurement documentation such as this prepared by the World Bank (website: www.worldbank.org)". Projects implementation in this case will be ensured through the use of FIDIC documents along with international procedure (in this case procedure by the World Bank).

Generally, the fundamental principles on which are based the local and international procurement procedures are that all tender documents must be prepared in such a way to enable a comprehensive international competition and be approved by the EIB. Following steps must be taken during the procedure:

- Advertisement in Official Journal of the European Union;

- Submission of the all Tender Documents including but not limited to the Terms of Reference, Draft Contract, Procurement Notice and the Request for Proposals to the EIB for review and to issue the “Letter of Comments”;
- Tender documents must be prepared in accordance to EIB’s “Guide to Procurement”;
- In case of the restricted procedure, submission of a pre-qualification report to the EIB for “No objection”;
- Submission of the tender evaluation report for the Bank’s “non-objection” before Contract Award;
- Submission of the copy of the signed contract with the Covenant of Integrity and the Award Notice to be published in Official Journal of the European Union.

6.1 International procurement procedure of works on water supply, sewage systems and the flood protection of the smaller water courses, in the values equal or higher than 5.000.000 EUR

- Tender procedure: Procedure of the World Bank or any other procedure approved by EIB (e.g. EBRD);
- Main elements of the procurement: WORKS;
- Main characteristic of the procurement: OPEN PROCEDURE;
- Main selection criteria: LOWEST PRICE OF TECHNICALLY ACCEPTABLE TENDER;
- Specific tender practices and terms: according to the EIB Guide;
- Approval for tendering: according to the EIB Guide;
- Covenant of Integrity: as given in the EIB Guide;
- Approval for tendering for projects financed by other Investors: according to the EIB Guide;
- Definitions of the public sector and its activities outside of the EU: according to the EIB Guide;
- Standard form of procurement notice is given in the official information EU (OJEU) and it has the following form “INTERNATIONAL INVITATION FOR TENDERS”;

- **PROCUREMENT NOTICE** (Invitation for tenders): as given in the Supplement 9;
- **STANDARD TENDER DOCUMENTS FOR PROCUREMENT OF WORKS**: has to be consistent with the FIDIC formats;
- **GUARANTEES**: tender guarantee, performance guarantee and guarantee for advance payment as given in the Supplement 7;
- **GENERAL CONDITIONS OF CONTRACT EXECUTION**: According to FIDIC – Red Book: as given in the Supplement 8.

6.2 International procurement procedure for design and construction of water or wastewater treatment plants

In accordance with the decision of PMU for Project “Water and sanitation in FBiH” international procurement procedure with open or restricted tenders will be applied for design and construction of water and wastewater treatment plants with estimated works’ value (estimated budget of tenders) over 1.500.000 EUR. The precondition for appliance of the international procurement procedure – tenders by Yellow Book (FIDIC 1999.) – will be the availability of Preliminary design for drinking water or wastewater treatment plants, or the elaboration of the Preliminary design must be immediately preceded of the preparation of international tender by using the Yellow Book.

- **Tender procedure**: Procedure of the World Bank or any other procedure approved by EIB (e.g. EBRD);
- **Main elements of the procurement**: DESIGN AND CONSTRUCTION OF WATER OR WASTEWATER TREATMENT PLANT;
- **Main characteristic of the procurement**: OPEN OR RESTRICTED PROCEDURE;
- **Main selection criteria**: LOWEST PRICE OF TECHNICALLY ACCEPTABLE TENDER CONSISTING OF:
 - Investment costs for the construction of the plant;
 - Operational and maintenance costs for a period of eight (8) years including power, labour, chemicals, consumables etc.
- **Specific tender practices and terms**: according to the EIB Guide;
- **Approval for tendering**: according to the EIB Guide;
- **Covenant of Integrity**: as given in the EIB Guide;

- Approval for tendering for projects financed by other Investors: according to the EIB Guide;
- Definitions of the public sector and its activities outside of the EU: according to the EIB Guide;
- Standard form of Procurement notice is given in the official information EU (OJEU) and it has the following form “INTERNATIONAL INVITATION FOR TENDERS”;
- PROCUREMENT NOTICE (Invitation for tenders): as given in the Supplement 9;
- STANDARD TENDER DOCUMENTS FOR PROCUREMENT OF WORKS AND SERVICES: has to be consistent with the FIDIC formats;
- GUARANTEES: tender guarantee, performance guarantee and guarantee for advance payment as given in the Supplement 7;
- CONTRACT: as provided in the sample of tender documents (Supplement 9);
- GENERAL CONDITIONS OF CONTRACT EXECUTION: According to FIDIC – Yellow Book for design and construction of plants by engineering works design by the Contractor: as given in the Supplement 9.

6.3 International tendering procedure for services in the values over 200.000 EUR

With the tenders for services valued over 200.000 EUR, international tendering procedures will be applied.

The main elements of the OPEN OR RESTRICTED TENDER PROCEDURE OF THE SERVICE TENDERS, for the tenders valued above 200,000 EUR, are as follows:

- Tender procedure: International Tender Procedures to be approved by EIB;
- Main elements of the procurement: SERVICES;
- Main characteristic of the procurement: OPEN or RESTRICTED PROCEDURE;
- Main selection criteria: according to the EIB Guide;
- Specific tender practices and terms: according to the EIB Guide;
- Approval for tendering: according to the EIB Guide;
- Covenant of Integrity: must be included as instructed in the EIB Guide;

- Definitions of the public sector and its activities outside of the EU: according to the EIB Guide;
- Standard form of Procurement notice is given in the Official journal of the EU (OJEU) and it has the form as described in EIB Guide for Procurement;
- **STANDARD TENDER DOCUMENTS FOR PROCUREMENT OF SERVICES:** Internationally-recognised standard procurement documentation such as the one prepared by the World Bank (website: www.worldbank.org);
- **CONDITIONS OF THE CONTRACT:** Internationally-recognised standard procurement documentation such as this prepared by the World Bank (website: www.worldbank.org).

7 Evaluation of tenders

The Contracting Authority will evaluate tenders of qualified tenderers according to evaluation criteria and award criteria given in procurement notice and tender dossier.

For the purpose of the evaluation of tenders Contracting Authority will appoint Evaluation Committee.

The evaluation committee will be consisted of three members representatives of the Municipality and two members representatives of the Ministry.

Members of the Committee must fulfil conditions stated in the Procurement Procedure Law BiH and bylaws.

The Committee acts on behalf of the Contracting Authority within the given authority.

Minutes of the Meeting from the opening of tenders must be delivered to PMU and all tenderers on the same day.

The Minutes of the Meeting will be prepared in the form according to template that PMU will deliver to PITs.

Committee must prepare evaluation report and decision on contract award and submit it to PMU.

Template of the evaluation report PMU will deliver to PITs.

Committee will inform all qualified tenderers about any decision no later than seven (7) days. Notification must provide necessary information in accordance with Procurement Procedure Law BiH and bylaws.

List of supplements

Supplement 1: Template of Procurement Notice for works (open procedure)

Supplement 2: Template of Tender Documents for works (open procedure)

Supplement 3: Template of Procurement Notice for services (competitive procedure)

Supplement 4: Template of Tender Documents for services (competitive procedure)

Supplement 5: Template of Procurement Notice for services (open procedure)

Supplement 6: Template of Tender Documents for services (open procedure)

Supplement 7: Invitation for tenderers & Tender Documents for works (international procedure)

Supplement 8: FIDIC Conditions of Contract (Red Book)

Supplement 9: FIDIC Conditions of Contract (Yellow Book)