

PUBLIC CALL

FOR GRANTING CONCESSION FOR EXPLOITATION OF MINERAL RESOURCES-ORES OF LEAD AND ZINC AT THE LOCALITY "ZLETOVO", MUNICIPALITY OF PROBISTIP AND MUNICIPALITY KRATOVO AND THE LOCALITY "TORANICA, SOKOL, BACILO AND SREDNO BRDO", MUNICIPALITY OF KRIVA PALANKA

Skopje, January 2016

Pursuant Article 28 paragraph 1 of the Law on Concessions and PPP (Official Gazette of the Republic of Macedonia No.6/12, 144/14, 33/15, 104/15 and 215/15), Article 41, point (1) of the Law on mineral resources (Official Gazette of the Republic of Macedonia No.136/12, 25/13, 93/13, 44/14, 160/14, 129/15 and 192/15), and the Decision for start of procedure for granting the concessions for exploitation of mineral resources – ores of lead and zinc at the locality “Zletovo, municipality of Probistip and municipality of Kratovo and the locality “Toranica, Sokol, Bacilo and Sredno Brdo”, municipality of Kriva Palanka (Official Gazette of the Republic of Macedonia No.230/15), the Commission for implementation of procedure for granting concessions for exploitation of mineral resource, announces

PUBLIC CALL

FOR GRANTING CONCESSION FOR EXPLOITATION OF MINERAL RESOURCES-ORES OF LEAD AND ZINC AT THE LOCALITY “ZLETOVO”, MUNICIPALITY OF PROBISTIP AND MUNICIPALITY KRATOVO AND THE LOCALITY “TORANICA, SOKOL, BACILO AND SREDNO BRDO”, MUNICIPALITY OF KRIVA PALANKA

1. Grantor is the Republic of Macedonia- Government of the Republic of Macedonia.
2. Subject to concession on this Public Call is granting of concessions for exploitation of mineral resources – ores of lead and zinc at the locality “Zletovo, municipality of Probistip and municipality of Kratovo and the locality “Toranica, Sokol, Bacilo and Sredno Brdo”, municipality of Kriva Palanka (Official Gazette of the Republic of Macedonia No.230/15), such as:
 - the locality “Zletovo, municipality of Probistip and municipality of Kratovo for the mineral resources – ores of lead and zinc, and
 - the locality “Toranica, Sokol, Bacilo and Sredno Brdo”, municipality of Kriva Palanka for the mineral resources – ores of lead and zinc.
3. The concession for exploitation of mineral resource from point 2 of this Public Call is granted for period of 30 (thirty) years, with possibility for extension for another period, but no longer then 30 (thirty) years, counted from the day of conclusion of the Concession Agreement for exploitation.
4. The right to participate at the Public Call has all domestic and foreign legal entities and consortiums that will obtain tender documentation through the electronic system www.e-koncesii.mk and will **fulfill** the conditions pursuant the determined in the tender documentation.
5. The tender documentation contains information regarding the location for which the concessions for exploitation of mineral resources are granted, as well as, the value of the concession project

expressed as starting value of the concession and the conditions to be fulfilled by the concessionaire.

6. The bidders are obliged through the system www.e-koncesii.mk to attach scanned version of the following documentation for confirmation of the personal, professional and financial conditions that they need to fulfill for participation at the Public Call:
 - 1) Document for registered activity and Current condition of the subject
 - for domestic legal persons: document for registered activity issued by the Central Register of the Republic of Macedonia;
 - for foreign legal persons: document from competent organ – certificate that is registered on the official trade register that is kept by competent organ of the state or certificate from competent organ for certification that fulfills the conditions stipulated by Law;
 - 2) Information for the economic – financial situation of the subject
 - for domestic legal persons: Information about the economic – financial situation of the subject issued by the Central Register of the Republic of Macedonia;
 - For foreign legal persons: positive audit report from renovated audit institution registered for practicing audit. Audit report contains data for the complete economic operation of the foreign bidder for the last year. If the legal person is registered in a period shorter than this, the financial reports to be submitted for the period of the registration;
 - 3) Certificate for paid taxes and contributions
 - For domestic legal persons issued by the Public Revenue Office of Republic of Macedonia;
 - For foreign legal persons document issued by competent organ of the domicile state.
 - 4) Document that for the person there is no open bankruptcy procedure
 - For domestic legal persons issued by the Central Register of Republic of Macedonia;
 - For foreign legal persons document issued by competent organ of the domicile state.
 - 5) Document that for the person there is no open liquidation procedure
 - For domestic legal persons issued by the Central Register of Republic of Macedonia;
 - For foreign legal persons document issued by competent organ of the domicile state.
 - 6) Document that for the person is not sentenced penalty for misdemeanor act:
 - For domestic legal persons Information for misdemeanor court decision issued by the Central Register of Republic of Macedonia;
 - For foreign legal persons document issued by competent organ of the domicile state.
 - 7) Document of effective court decision that the person is not sentenced penalty prohibition for performing professional activity:
 - For domestic legal persons issued by the Central Register of Republic of Macedonia;
 - For foreign legal persons document issued by competent organ of the domicile state.

8) Statement verified by notary from the responsible person in the legal person that the legal person or members of its management organ or supervision organ are not convicted with enforced court sentence for the following criminal acts: corruption, fraud or money laundering; (ANNEX D of the Tender documentation)

-For the foreign bidders is necessary such statement to be verified by notary or other organ if in the domicile state there is such institution that performs verification of such type of statements.

9) For consortium is necessary for each member of the group to fulfill all of the personal, professional and financial conditions from this point.

10) Statement, verified by notary that the legal person, including the foreign legal persons with affiliation registered in the Central Register of Republic of Macedonia, was not previously revoked a concession for detailed geological explorations or exploitation of mineral resources, as well as legal person that is connected with that legal person; (ANNEX G of the Tender documentation)

Only the bids of the Bidders which are assessed as capable will be subject to evaluation.

7. The complete bid has to be in Macedonian language. The auxiliary documentation to the bid, required pursuant the tender documentation, has to be a scanned version from the original. The bidder that is going to be selected as the most favorable should obtain the original documentation that has been previously scanned and attached on the web portal: www.e-koncesii.mk, within 5 days from the day of acceptance of the Notice and the Decision for selection of the most favorable bidder.

If the bidders are foreign, this documentation should be translated by authorized court translator in Macedonian language. The documentations must not be older than 6 months from the day of the opening of the Public Call, except for the Audit report.

8. The bidders can submit only one bid for the locality for granting concession for exploitation.

9. The tender documentation can be undertaken in electronic version from the web portal: www.e-koncesii.mk. The right to undertake the tender documentation has every entity that will register on the web portal: www.e-koncesii.mk. The right to participate in the following steps of the procedure of the Public Call has every registered entity on the web portal: www.e-koncesii.mk, which has undertaken the tender documentation, has applied with his own bid and has delivered a proof of payment for taking over the tender documentation. Tender documentation can be obtained on the portal: www.e-koncesii.mk

10. The bids need to be of validity of one year calculated from the date of public opening.

For applying on the Public Call, the interested bidder is obliged to make payment of non-refundable means in the amount of 6.000,00 (six thousand) Denars, to scan the proof of payment and to attach on the system on: www.e-koncesii.mk.

The payment needs to be made into favor of the Budget of Republic of Macedonia, with title: for tender documentation for Public Call for granting concessions for exploitation of mineral resources – ores of lead and zinc at the locality “Zletovo, municipality of Probistip and municipality of Kratovo and the locality “Toranica, Sokol, Bacilo and Sredno Brdo”, municipality of Kriva Palanka;

Treasury account: 100000000063095

Account of payment: 840 _____ 06163

Income code and program: 724125-00

Deponent: National Bank of the Republic of Macedonia

Tax number: 4030000392597

For the foreign companies:

Ministry of Economy

National Bank of the Republic of Macedonia

Bul. Kuzman Josifovski Pity No.1

1 000 Skopje, Republic of Macedonia

SWIFT BIC: NBRM MK 2X

IBAN: MK07 1007 0100 0028 009

11. The bids are submitted through the portal: www.e-koncesii.mk, at latest until the day and time for submission of the bid.
12. The deadline for submission of bids is until 14.03.2016. Only the bids submitted through the system www.e-koncesii.mk shall be reviewed at latest on 14.03.2016 until 10:00 local time.
13. The bid shall contain the following:
 - Bid,
 - Tender guarantee and
 - The documents that proof the fulfillment of the personal, professional and financial condition of the bidder, stated in point 6 of this Public Call.
14. During the selection of the most favorable bidder shall be reviewed only the bids that contain the complete documentation prescribed in the Tender Documentation.
15. Criteria pursuant to which will be made the selection of the most favorable bid is the highest offered concession fee, but not lower than the starting price for the locality and mineral resource subject to this Public Call.
Condition for evaluation of the bids is valid Tender guarantee.
16. The Public bidding through the system of electronic auction www.e-koncesii.mk, will be held on 16.03.2016 at 10:00 a.m. local time.
17. The liabilities of the concessionaire will be determined in the Concession Agreement for exploitation of mineral resources. The concessionaire is obliged to perform the exploitation of mineral resources pursuant the legislation in force in the Republic of Macedonia.
18. The Government of the Republic of Macedonia; may amend or supplement the tender documentation at latest 15 days prior to the expiry of the deadline for submission of the bids, not grant the concessions or terminate the procedure in complete.
19. Manner of evaluation of the bids:

The bids are submitted through the portal: www.e-koncesii.mk. The evaluation will be done on all of the submitted bids until 14.03. 2016 until 10:00 local time.

The evaluation of the bids will be in two steps, as follows:

In the first step is evaluated the Obligatory documentation. In this phase is evaluated only the completeness of the documentation.

If it is determined that the documentation is not complete, the financial offer will not be reviewed and the bidder will not be allowed to participate in the electronic bidding.

In the second step, after the confirmation of the completeness of the documentation from the Commission, is approved the entry in the system for participation in the electronic bidding. Every bidder in the system can see his current rank regarding the other financial bids and can bid according to the defined rules published in the system www.e-koncesii.mk .

The commission shall prepare Minutes of the evaluation of the bids in which will be described the procedure of the course of the evaluation, the electronic auction (bidding), the possible remarks and the explanations of the Commission. The evaluation of the bids the Commission shall perform at special session after which shall be performed initial ranking of the qualified bids for the locality in a period of 7 days after the expiry of the deadline for submission of bids and prior to the date of electronic auction.

20. Competent organ for deciding upon the complaints in procedure for granting concessions for exploitation of mineral resources is the State Commission for complaints on public procurements (Bul. "Ilinden" No. 63 A, 1000 Skopje, Republic of Macedonia). Complaint may be filed in deadline of eight days from the day of:
- Publishing of the Public Call for granting concession for exploitation of mineral resources in relation to the data, actions or omissions of undertaking actions from the Public Call;
 - Evaluation of the bids, in relation to actions or omissions for taking actions related to the tender documentation, i.e. the procedure for evaluation the bids and bidding;
 - Reception of the decision with which is decided about separate right of the procedure for granting concession for exploitation of mineral resources in relation to the determination of the capability of the applications for participation or evaluation of the bids and the decision, and
 - Knowledge of illegal leading of the procedure of granting concession for exploitation of mineral resources, at latest in deadline of one year from the day of completion of the implemented procedure.
21. For all issues related to this Public Call the interested candidates may address the authorized contact persons:

Mr. Jeton Kuci Tell: +389 2 3093 519

E-mail: jeton.kuci@economy.gov.mk

Ljupce Efnusev Tell: +389 3093 520

E-mail: ljupce.efnusev@economy.gov.mk

Commission for implementing the procedure for granting concession for exploitation of mineral resources