



*Montenegro*  
*Ministry of Economy*

**PREQUALIFICATION DOCUMENTATION  
FOR CONCESSION AWARD FOR EXPLOITATION OF WATER FLOWS FOR  
CONSTRUCTION OF SMALL HYDROPOWER PLANTS IN MONTENEGRO**

September, 2009

## PREQUALIFICATION DOCUMENTATION FOR CONCESSION AWARD FOR EXPLOITATION OF WATER FLOWS FOR CONSTRUCTION OF SMALL HYDROPOWER PLANTS IN MONTENEGRO

The Ministry of Economy of the Government of the Montenegro published the Public announcement for prequalification for awarding concessions for exploitation of water flows for construction of small hydropower plants (SHPPs) in Montenegro (Public announcement for prequalification). The object of concession is designing, implementation, usage, and maintenance of SHPPs on ten separate water flows, which represent locations where the concession activity will be taking place, according to the Law of Concessions (“Official Gazette of Montenegro”, no. 08/09). Designing is defined as doing the technical documentation and all the required research until receiving the construction permit; implementation is defined as construction of the structure of SHPP until receiving the use permit, usage is defined as techno-economic exploration of water-energy potential of the water flow for the production of electrical energy by SHPPs. SHPPs are the hydropower plants with the installed capacity up to 10 MW (Law of Energy, “Official Gazette of Montenegro”, no. 39/03). The water flow is defined as the bed of flowing water along with the banks, namely a noticeable cavity in the ground that is temporarily or permanently filled with water (Water law, “Official Gazette of Montenegro”, no. 08/09).

The purpose of concession is techno-economic exploitation of water-energy potential of the water flow for the production of electrical energy by SHPPs. Water flows are divided in three groups: Savnik group, Berane group and Plav group. Savnik-first group consists of four, and Berane-second and Plav-third group each consists of three water flows.

The list of the water flows along with their catchments areas are presented in Table 1.

Table 1. List of water flows for concessionary activities

Ref.	Water flows	Catchement area	P [MW]	E [GWh]
1	Vrbnica	Piva lake	2,8	12,7
2	Bukovica	Komarnica	3,2	14,2
3	Tušina		0,5	2,5
4	Bijela		1,4	5,4
G1	Savnik group		7,9	34,8
5	Trepačka rijeka	Lim (Berane municipality )	2,9	12,1
6	Kraštica		0,8	3,1
7	Murinska rijeka	Lim (Plav municipality)	2,1	8,8
G2	Berane group		5,8	24,0
8	Velička rijeka	Lim (Plav municipality)	0,3	1,5
9	Komarača		2,6	10,8
10	Đurička rijeka sa pritokama		1,4	6,0
G3	Plav group		4,3	18,3

Prequalification documentation for concession award for exploitation of water flows for construction of small hydropower plants in Montenegro (Prequalification documentation) explains the procedure of receiving the status of qualified bidder in a two-stage process of public bidding for receiving the concession for of water flows for construction of small hydropower plants (SHPPs) in Montenegro. Prequalification documentation prescribes the proofs that bidder uses to prove the fulfillment of the requirements for eligibility and includes the forms that bidder uses to prove the fulfillment of prequalification requirements.

Moreover, prequalification documentation describes the public bidding process and defines more precisely the content of two envelopes that are the constituting components of the application. This document as well as the individual forms that are an integral part of the application in prequalification can be found at the web site of the Ministry of Economy of

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Montenegro (Authorized body) [www.minekon.gov.me](http://www.minekon.gov.me) and the web site for the renewable energy sources in Montenegro [www.oie-cg.me](http://www.oie-cg.me). The application for the Public announcement is submitted in a closed cover to the archive office of the Ministry of Economy of Montenegro, Rimski trg 46, Podgorica. **The deadline for submitting the application is 23.10.2009 until noon (12:00h).**

**1. THE DESCRIPTION OF THE PUBLIC BIDDING PROCESS**

The process of receiving concessions through the public bidding process is a two-stage process, which comprises of:

- public announcement for prequalification;
- prequalification process when tender committee evaluates the application for prequalification, and accepts or rejects applications based on previously determined criteria;
- submission of Concessionary Act to qualified bidders, purchase of Tender documentation and bid submission by qualified bidders within a given deadline;
- evaluation and ranking of bids submitted by qualified bidders; and
- determination of the submitted proposal for concession award, and selection of bidders for concessionaries.

The public bidding in a two-stage process is conducted by the Tender committee. The two-stage process of awarding concession starts with the publication of the Public announcement for prequalification. The Public announcement for prequalification is published for groups of the water flows. The water flows are divided in three groups. Savnik, Berane and Plav group. The groups of water flows are given in the Table 2.

Table 2. Groups of water flows

Ref No.	The name of the group
1	Savnik group
2	Berane group
3	Plav group

The bidder submits the application clearly indicating in the Form P.2. which groups of water flows the application is for.

National or foreign business firms, other legal entities, entrepreneur or private person, can individually or in consortium or other form of business association submit the application for **at most two out of the three groups of water flows.**

According to the article 26 premise 10 and article 38 premise 10 of Law of Concessions (“Official Gazette of Montenegro”, no. 08/09), the bidders are required to submit the documentation needed by the Public announcement for the prequalification as well as the documentation required by this Prequalification documentation.

**1.1. The right of participation**

The right to submit the application for the Public announcement for prequalification have: national or foreign business firms or other legal entities, entrepreneur or private person individually, or in consortium or other form of business association that possesses the qualifications to prove the eligibility for participation at the given Public announcement. In agreement with the Article 23 of Law of Concessions, the bidder is not eligible to participate in the public bidding process for receiving concessions are:

- business firms, other legal entities and entrepreneurs against which bankruptcy or liquidation procedure was initiated, except for the reorganization procedure in line with the law that governs insolvency of business organizations;
- business firms, other legal entities, entrepreneurs, and private persons that were convicted by a final and binding judgment for a crime in performance of the professional practice;
- business firms, other legal entities, entrepreneurs, and private persons that have unsettled tax liabilities in a period of at least five years prior to publishing of public notice.

**2. THE NECESSARY DOCUMENTATION FOR THE APPLICATION**

2.1. The cover of the application

The applications must be submitted in Montenegrin language. If the documents from the application are submitted in a foreign language, the bidder is obliged to submit a certified translation in Montenegrin as well. In case of dispute, the certified translation will be used to interpret information and evidence.

The application responding to the Public announcement is delivered in the closed cover. The closed cover is clearly marked with the complete name of the bidder and “ZA JAVNI OGLAS ZA PRETKVALIFIKACIJU ZA DAVANJE KONCESIJA ZA KORIŠĆENJE VODOTOKA ZA IZGRADNJU MALIH HIDROELEKTRANA U CRNOJ GORI - POVJERLJIVO NE OTVARATI” (meaning FOR THE PUBLIC ANNOUNCEMENT FOR PREQUALIFICATION FOR CONCESSION AWARD FOR EXPLOITATION OF FOR CONSTRUCTION OF SMALL HYDROPOWER PLANTS IN MONETENEGRO – CONFIDENTIAL DO NOT OPEN). The closed cover consists of two separate envelopes; an envelope with the original application, which is clearly marked “ORIGINAL” (meaning ORIGINAL) and an envelope with the copy of the application which is clearly marked “KOPIJA” (meaning COPY). Each envelope is consists of the two separate envelopes as given in the Diagram 1. :

- an envelope with the documents used for confirming eligibility of the bidder, clearly marked “PODOBNOŠT PONUĐAČA” (meaning BIDDER’S ELIGIBILITY in Montenegrin), and
- an envelope with the documents used for confirming the fulfillment of the criteria for the prequalification, clearly marked “TEHNIČKA PONUDA” (meaning TECHNICAL APPLICATION in Montenegrin).

An integral part of the application represents the completed forms that can be found in Prequalification documentation. All forms must be signed by a person authorized by the bidder.

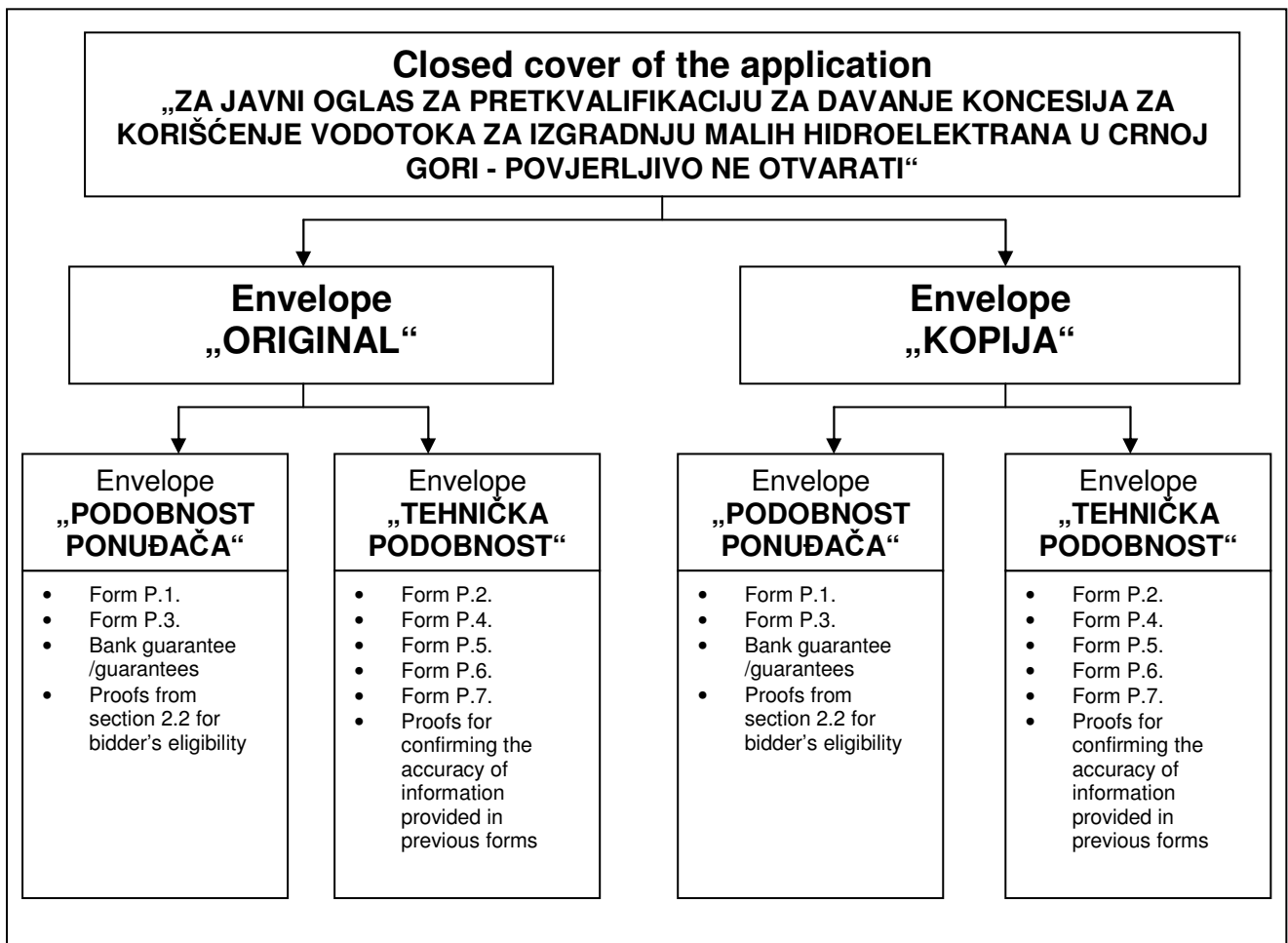


Diagram 1. Organization of forms and documentation submitted in the closed cover of the application

## 2.2. The envelope with the documents used for confirming eligibility of the bidder („PODOBNOST PONUĐAČA“)

The envelope „PODOBNOST PONUĐAČA" consists of the following documentation:

- a. general information about bidder (Form P.1)
- b. evidence that against company, other legal entity and entrepreneur the insolvency or liquidation process has not been initiated - evidence/certificate issued by the Commercial Court;
- c. evidence that company, other legal entity, entrepreneur and individual has not been indicted by the judiciary decision for the criminal offence carried out while performing professional function - evidence/certificate issued by the Commercial Court for companies, other legal entities and entrepreneurs and for individuals issued by the authorized Primary Court;
- d. evidence that company, other legal entity, entrepreneur and individual has no outstanding balances as a taxpayer – evidence/certificate by a tax authority of the administrative entity outlining that all taxpayer obligations are covered;
- e. evidence that company, other legal entity, entrepreneur and individual does not have outstanding balances based on declared penalties in obligations stemming from the penalties from felony or offense procedure in the period of at least three years before the Public announcement for prequalification is published:
  - a) bidder as a firm, other legal entity or entrepreneur:
    - evidence/certificate from the Central Registry of the Commercial Court proving that the bidder is not in its penalty records;
    - evidence/certificate of district office for offenses where the headquarters of the bidder are, proving that the bidder does not have outstanding balances based on declared penalties in obligations stemming from the penalties from offense procedure;
  - b) bidder as an individual:
    - evidence/certificate from the Primary Court proving that the bidder does not have outstanding balances based on declared penalties in obligations stemming from the penalties from felony procedure;
    - evidence/certificate of the authority in the place of residence of the bidder proving that the bidder does not have outstanding balances based on declared penalties in obligations stemming from the penalties from offense procedure.
- f. certificate from judiciary, professional or commercial registry of the country where the bidder has its headquarters;
- g. bank guarantee of application in the amount of 10.000 €, which will be activated in case the qualified bidder does not submit any bid for group/s of water flows for which the status of qualified bidder was granted, consisted in the Form P.8. – The Bank guarantee. In case the bidder is submitting the application for the two groups of water flows, the bidder is required to submit two Bank guarantees, one for the first group of water flows and the second one for the second group of water flows, namely two Forms P.8.;
- h. evidence that payments and disbursements to the bidder were not frozen- relevant bank certificates, confirmation or official statement on the financial eligibility from the bank whose client is a legal entity; and
- i. evidence on financial reporting- accounting and audit report and financial statements showing the financial capacity of the bidder – Balance sheet and income statement, that is the report of the certified auditor for legal entities required by the law, for the last three year, or from the day of the registration of the legal entity if the latter occurred later.

### 2.2.1. Joint participation

In the case the bidder is consortium or other form of business association they are obliged to submit evidence of the joint participation (Form P.3.) along with the proofs listed in the section 2.2..

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Along with the Form P.3., the bidder is required to submit the agreement of consortium or other form of business association which explicitly predicts:

- that all members of the consortium or other form of business participation are jointly responsible for the execution of the agreement, in accordance with agreement's provisions;
- that the roles and responsibilities of each member of consortium or other form of business association are clearly defined;
- that one of the members of consortium or other form of business association will be selected and authorized to, in the name of each individual member and all members of consortium, accept rights and obligations and follow instructions; and
- that the execution of the entire agreement, including payment procedure, will be conducted solely with the authorized member of the consortium or other form of business association.

The Bidder who submits the application as a consortium or other form of business association, is required to submit all evidence proving the eligibility as well as other documentation referred to in this chapter, for each of members of the consortium or other form of business association individually. The listed evidence can not be older than ninety (90) days from the day of the publication of the Public announcement. Forms and the proofs (evidences) are submitted in the closed envelope which is clearly marked, in capital letters, "PODOBNOST PONUĐAČA" (meaning BIDDER'S ELIGIBILITY).

**Note:** In case the bidder is a foreign business firm or other legal entity, the proofs from b) to and including f) from section 2.2 are provided by the authorized body of the country where the bidder is situated. Moreover if that country does not provide the needed proofs, these proofs can be replaced by the testimony of the bidder under criminal and material obligation; if that country does not have the legal regulations in regards to criminal and material obligation, replace with the notarized testimony of the bidder.

### **2.3. An envelope with the documents used for confirming the fulfillment of the criteria for the prequalification, ("TEHNIČKA PONUDA")**

This envelope should consist of the following filled out forms:

- Form P.2 The choice of groups of water flows
- Form P.4 Technical capacity
- Form P.5 Financial capability
- Form P.6 Positive participation on the market of a firm registered in Montenegro
- Form P.7 Experience in construction of complex objects and/or design and planning of hydropower plants in Montenegro

In order to prove the accuracy of information provided in the forms (Form P.4, P.5, P.6, P.7) the bidder is required to submit evidence that needs to be clear, precise and unambiguous.

By request of the Tender committee, the bidder is required to submit additional clarification of the application in order to better explain the unclear parts. However the bidder is not allowed to change or add to the original application.

Forms and evidence (proofs) are submitted in a sealed envelope that is clearly marked in capital letters "TEHNICKA PONUDA" (meaning TECHNICAL APPLICATION).

## **3. THE PROCEDURE OF ACQUIRING THE STATUS OF A QUALIFIED BIDDER**

### **3.1. The process of opening the application and confirming the bidders' eligibility**

The bidder, represented by official representatives, has the right to attend the ceremony of opening the applications which implies: opening the covers of the applications, opening the envelopes with the documentation used for confirming the eligibility of the bidder, as well the inspection of such documentation.

Tender committee primarily confirms that every application has been received by the deadline assigned by the Public announcement for prequalification. The committee opens only the applications that have been received in the timely manner. The applications received after the deadline assigned by the Public announcement for prequalification, the Tender committee will reject as invalid and will return to the bidders unopened.

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The applications will be opened in the order they were received in the archive office of the Ministry of Economy (Authorized body). After the opening of the cover of the application, Tender committee confirms that every application consists of an envelope "ORIGINAL" (meaning ORIGINAL) and envelope "KOPIJA" (meaning COPY) and that each one of them is consisted of two separate envelopes: an envelope "PODOBNOST PONUDACA" (meaning the BIDDER'S ELIGIBILITY) and an envelope "TEHNICKA PONUDA" (meaning TECHNICAL APPLICATION). In case that, after opening the applications, Tender committee confirms that the application does not consist of an envelope "ORIGINAL" and an envelope "KOPIJA" that are properly sealed or that each one does not consist of two separate envelopes: an envelope "PODOBNOST PONUDACA" and an envelope "TEHNICKA PONUDA", Tender committee will reject such application as ineligible and it will not be taken into consideration during the rest of the process of public bidding.

Once Tender committee has confirmed the validity of the cover of the application, they continue by opening the envelope "PODOBNOST PONUDACA", inspects submitted documentation and confirms that the bidder, in agreement with the Public announcement for prequalification and Prequalification documentation submitted:

- all the documentation needed for confirming the bidder's eligibility signed by the official representative of the bidder and
- bank guarantee/guarantees for the application of 10.000 €.

Tender committee confirms if the application in question is valid, namely confirms the bidder's eligibility. If the Tender Commission, after opening the envelope and checking the necessary documentation used for confirming the eligibility of the bidder, discovers that the submitted documentation is not in agreement with the Public announcement and the Prequalification documentation, such application will be rejected as ineligible and it will not be taken into consideration during the rest of the process of public bidding.

The process of opening the applications, opening the envelopes with the documentation used for confirming the eligibility of the bidder as well as the inspection of such documentation ends by signing the record. Tender committee is required to deliver the record to the bidders at most three days after the day of the end of the ceremony of opening the applications. The invalid applications will be delivered to the respective bidders in the state as written in the record.

### 3.2. Evaluation of the applications

After the end of the process of opening the applications, inspection of the documentation and confirming the eligibility of the bidders, Tender committee opens the envelopes „TEHNICKA PONUDA“ (meaning TECHNICAL APPLICATION“), inspects, evaluated and ranks the applications. Opening of the envelopes with the documentation used for confirming the fulfillment of the criteria for the prequalification (“TEHNIČKA PONUDA” - meaning TECHNICAL APPLICATION in Montenegrin), inspection, examination, and evaluation of the applications will take place without the presence of the bidders' official representatives.

If Tender committee, after opening the envelope and checking the necessary documentation used for confirming the fulfillment of the criteria for the prequalification, discovers that the submitted documentation is not in agreement with the Public announcement and the Prequalification documentation, such application will be rejected as invalid and it will not be taken into consideration during the rest of the process of public bidding.

In the prequalification phase application are evaluated and ranked based on the prequalification criteria for evaluation of applications. Ranking of applications is done for each group of water streams, that is, three rankings of bidders are formed.

Prequalification criteria for evaluation of applications are: technical capacity, financial capacity and participation on the Montenegrin market. Prequalification criteria are given in the Table 4. For each prequalification criteria there are sub-criteria with an assigned number of evaluation points.

Table 4. Prequalification criteria for evaluation of applications

Ref.	Criteria/ Sub-criteria	No. of points
<b>P.1.</b>	<b>Technical capacity</b>	<b>0-45</b>

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P.1.1.	Experience in the design and planning and construction of sHPP	0-15
P.1.2.	Experience in the management of sHPP	0-5
P.1.3.	Capacity of constructed hydro-energy facilities	0-15
P.1.4.	Capacity of managed hydro-energy facilities	0-10
<b>P.2.</b>	<b>Financial capacity</b>	<b>0-30</b>
<b>P.3.</b>	<b>Participation on Montenegrin market</b>	<b>0-25</b>
P.3.1.	Positive business operations of the firm registered in Montenegro	0-15
P.3.2.	Experience in construction of complex objects and/or design and/or planning of hydropower plants in Montenegro	0-10

**Note:** In case two or more applications have equal number of points, there will be no further ranking, and bidders who submitted such applications will be treated in equal way. This means that is two or more applications have equal number of points and share one place within five first-ranked positions, such bidders will be granted the status of qualified bidder in the same group of water streams.

Tender committee evaluates applications based on the documentation submitted for confirming the fulfillment of the criteria for the prequalification. If requested by the Tender committee, the bidder is required to submit any documents clarifying the Technical Application.

Ranking of bidders is conducted for three groups of water flows given in Table 2, that is, three ranking lists are formed, each for Savnik, Berane and Plav group. The bidder, whose application receives 85 (eighty-five) or more points, receives the status of a qualified bidder on a specific group of water flows. If this requirement is not fulfilled by five bidders on a given group of water flows, the bidder whose application is ranked among first five will receive the status of a qualified bidder.

In case the bidder, whose application receives less than 85 points and is not ranked among first five, Tender committee rejects such application on a given group of water flows. Theoretically, it may happen that an application on one group of water flows is rejected, whilst the same application on a second group of water flows is accepted, all in accordance with the prequalification criteria.

Tender committee prepares the report on the process conducted for the evaluation of applications with the list of qualified bidders eligible for the further participation in the process of concession award, as well as with the list of the bidders whose applications were rejected, with the explanation. Tender committee notifies qualified bidders on deadline, place and method where the Tender documentation may be purchased, as well as on the deadline for bid submission. More detailed instructions of further steps of the procedure for concession award for exploitation of water flows for construction of sHPPs on the territory of Montenegro will be given in the Tender documentation.

**Description of the evaluation in prequalification**

*P.1. Technical capacity*

P.1.1. Experience in the design and planning and construction of sHPP

Number of points in this sub-criterion will be awarded as a sum of Experience in the design and planning and experience in construction of sHPP. For each constructed sHPP, bidder as the investor of construction will be awarded 2 points. If the number of constructed sHPP by the bidder is more than 7, a maximum number of points to be awarded is 15. Furthermore, if the bidder was the carrier of the project to design technical documentation used to construct sHPP or the bidder directly realized the construction of sHPP object, the bidder will be awarded 1 point for each object. The number of points awarded for the experience in design and planning or direct construction of sHPP object is limited to 5 points. The number of points that can be awarded for each constructed sHPP is 2 points.

P.1.2. Experience in the management of sHPP

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Number of points corresponds to the number of sHPP that the bidder managed or manages, and if this number is over 5, a maximum of 5 points will be awarded.

**P.1.3. Capacity of constructed hydro-energy facilities**

Methodology for the calculation of the number of points to be awarded for capacity of constructed hydro-energy facilities by the bidder as the investor ( $P_i$  [MW]) is given in Table 5,

Table 5. Number of points for the hydro-energy facility capacity

Constructed hydro-energy capacity	Number of points
$P_i < 0,2$	0
$0,2 \leq P_i \leq f_i \times P_{Gn}$	$15 \times \frac{P_i - 0,2}{f_i \times P_{Gn} - 0,2}$
$P_i > f_i \times P_{Gn}$	15

where  $P_{Gn}$  [MW] is the sum of capacities of individual water streams in the group of water streams n from Table 2, for which the application is submitted. Factor  $f_i$  for big hydropower plants is 20, and for sHPP is 4.

**P.1.4. Capacity of managed hydro-energy facilities**

Methodology for the calculation of the number of points to be awarded for capacity of managed hydro-energy facilities by the bidder as the investor ( $P_u$  [MW]) is given in Table 6,

Table 6. Number of points for the hydro-energy facility capacity management

Managed hydro-energy capacity	Number of points
$P_u < 0,2$	0
$0,2 \leq P_u \leq f_u \times P_{Gn}$	$10 \times \frac{P_u - 0,2}{f_u \times P_{Gn} - 0,2}$
$P_u > f_u \times P_{Gn}$	10

where  $P_{Gn}$  [MW] is the sum of capacities of individual water streams in the group of water streams n from Table 2, for which the application is submitted. Factor  $f_u$  for big hydropower plants is 15, and for sHPP is 3.

This criterion takes into account hydropower plants that became operational after 01.01.1981. or the ones which were completely reconstructed in the given period.

**P.2. Financial capacity**

Number of evaluation points for the financial capacity of the bidder is determined by the average value of total gross revenue of the bidder in the last three years ( $V_{BP}$  [mil €]). Methodology for the calculation of the number of points in this criterion is defined in the Table 7.,

Table 7. Number of points for financial capacity of the bidder

Gross revenue	Number of points
$V_{BP} < 1,0$	0
$1,0 \leq V_{BP} \leq 2 \times P_{Gn}$	$30 \times \frac{V_{BP} - 1,0}{2 \times P_{Gn} - 1,0}$
$V_{BP} > 2 \times P_{Gn}$	30

where  $P_{Gn}$  [MW] is the sum of capacities of individual water streams in the group of water streams n from Table 2, for which the application is submitted.

### ***P.3. Participation on Montenegrin market***

#### **P.3.1. Positive business operations of the firm registered in Montenegro**

In this sub-criterion, the points are awarded to the bidder who has already or is still participating on the Montenegrin market. Positive business operations on the Montenegrin market are evaluated for the last three years. If the bidder had positive business operations for one, two, or three business years in the last three, the bidder will be awarded 5, 10, or maximum 15 points respectively. Minimum profit for each business year must be at least 1000 €.

#### **P.3.2. Experience in construction of complex objects and design and planning of hydropower plants in Montenegro**

Number of points in this sub-criterion corresponds to the number of constructed complex objects in Montenegro, and if this number is greater than 10, a maximum number of points, 10, will be awarded.

Under the term “complex object” are considered objects with construction costs over 500.000 €, such as:

Objects for production of electrical energy from renewable energy sources, electro-energetic objects, industrial objects, water management objects, water supply systems, sewage and drainage systems, as well as other infrastructural objects, as well as roads, ports, airports, railways, bridges, tunnels, residential-commercial buildings of smaller floor areas, but over 2000 m<sup>2</sup>.

Points are awarded to applications whose bidder was investor or the main contractor of civil works on complex objects defined in the previous paragraph. Furthermore, the maximum of points will be awarded to the applications whose bidder was an investor or the main contractor of civil works for the object, whose construction costs were over 20 mil €.

Also, in this sub-criterion the experience in the design and planning of construction of hydropower plants on the territory of Montenegro is being evaluated. Every preliminary/conceptual design is awarded 1 point. Only revised preliminary/conceptual design developed after 01.01.1981. is being evaluated. Number of points assigned to the experience in the design and planning of hydropower plants in Montenegro is limited to 5.

**Note:** Number of points in each criterion and sub-criterion in the prequalification phase is rounded to the first decimal point.

Application of the consortium or other form of business association consisting of domestic and/or foreign legal entities and/or individuals is evaluated in a manner that technical capability, financial capability, and participation on the Montenegrin market of all members of the consortium are added up and this joint capacity of the bidder is evaluated as outlined in this chapter and in the following example.

**Example:** Experience in the design and planning and construction of sHPP of a consortium, consisting of three members, Member 1, Member 2 and Member 3, is being evaluated. If we assume that Member 1 was the investor in the construction of two sHPP, Member 1 and Member 2 were carriers of the project in design and development of technical documentation for two different and realized sHPP, and that Member 3 directly constructed one sHPP, as given in Table 8, first the experiences of all members of consortium are being added up, and the total experience of the consortium bidder is seen on line 5, Table 8. Such bidder was an investor on two, carried out two, and directly constructed one sHPP. After this evaluation step, the bidder for this application in this sub-criterion receives 4 points as the investor, 2 points as the carrier of the project and 1 point as the contractor. Total number of points awarded in this sub-criterion is 7.

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Table 8. Example of the consortium evaluation comprising 3 members

1		Investor	Carrier	Contractor
2	Member 1	2	1	0
3	Member 2	0	1	
4	Member 3	0	0	1
5	Sum of members' experiences	2	2	1
6	Number of points for consortium	$2 \times 2 = 4$	$2 \times 1 = 2$	$1 \times 1 = 1$
7	Total P.1.1.	<b><math>4 + 2 + 1 = 7</math></b>		

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**FORMS FOR APPLICATION SUBMISSION REQUIRED BY THE PUBLIC ANNOUNCEMENT  
FOR PREQUALIFICATION FOR CONCESSION AWARD FOR EXPLOITATION OF WATER  
FLOWS FOR CONSTRUCTION OF SMALL HYDROPOWER PLANTS IN MONTENEGRO**

**GENERAL INFORMATION ABOUT BIDDER**

Ministry of economy  
Rimski trg 46  
81000 Podgorica

**Application for Public announcement for prequalification for concession award for exploitation of  
water flows for construction of small hydropower plants in Montenegro**

NAME OF BIDDER \_\_\_\_\_

ADDRESS OF BIDDER \_\_\_\_\_

CONTACT PERSON \_\_\_\_\_

TELEPHONE \_\_\_\_\_

TELEFAX \_\_\_\_\_

E-MAIL \_\_\_\_\_

WEB SITE \_\_\_\_\_

TAX NUMBER OF BIDDER \_\_\_\_\_

NUMBER OF ACCOUNT \_\_\_\_\_

APPLICATION ID FOR VAT \_\_\_\_\_

OFFICIAL REPRESENTATIVE FOR CONTRACT SIGNING \_\_\_\_\_

PLACE AND DATE \_\_\_\_\_

STAMP AND SIGNATURE OF OFFICIAL REPRESENTATIVE \_\_\_\_\_

**THE CHOICE OF GROUPS OF WATER FLOWS**

Ministry of economy  
Rimski trg 46  
81000 Podgorica

**Application for Public announcement for prequalification for concession award for exploitation of  
water flows for construction of small hydropower plants in Montenegro**

I am hereby applying for water flow(s) from following group(s) of water flows (maximum two groups  
of water flows out of three):

1	Šavnik group
2	Berane group
3	Plav group

(please circle the number(s) of group(s) of water flows for which the application is being submitted)

SIGNATURE OF OFFICIAL REPRESENTATIVE

\_\_\_\_\_

STAMP

Date and place \_\_\_\_\_

**JOINT PARTICIPATION  
STATEMENT ON CONSORTIUM FORMATION**

Ministry of economy  
Rimski trg 46  
81000 Podgorica

**Application for Public announcement for prequalification for concession award for exploitation of water flows for construction of small hydropower plants in Montenegro**

**We, the members of the consortium,**

\_\_\_\_\_ (Name of the consortium)

state that:

- we are jointly and individually responsible towards the concession giver for the realization of the Concession Agreement;
- we shall jointly and individually fulfill obligations from the Concession Agreement;
- we shall not change the composition or legal status of the consortium before obtaining a written approval from the concession giver; and
- all communication originating from the concession giver toward the lead/authorized member of our consortium is considered legally and effectively given to the entire consortium.

We use this opportunity to name \_\_\_\_\_ (name of lead member of consortium) as the lead member, authorized to, on behalf of each and every member of consortium, take on the obligations prescribed as well as given instructions.

We supply, together with the given information, the following documents to prove the accuracy of the above given information:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

Legally binding signatures of the members of consortium:

Date and place _____	STAMP and signature _____
Date and place _____	STAMP and signature _____
Date and place _____	STAMP and signature _____
Date and place _____	STAMP and signature _____
Date and place _____	STAMP and signature _____

**TECHNICAL CAPACITY**

Ministry of economy  
Rimski trg 46  
81000 Podgorica

**Application for Public announcement for prequalification for concession award for exploitation of water flows for construction of small hydropower plants in Montenegro**

With the purpose of evaluation and ranking of my application I submit the following data:

<b>Number of constructed SHPP (as investor)</b>	
<b>Number of designed SHPP (as project contractor)</b>	
<b>Number of constructed SHPP (as direct sub-contractor)</b>	
<b>Number SHPP owned/managed/previously managed</b>	
<b>Capacity of constructed hydro-energy facilities (MW)</b>	
<b>Capacity of managed hydro-energy facilities (MW)</b>	

NOTE: This criterion takes into account hydropower plants operational since 01.01.1981 or which were reconstructed within the given period.

We supply, together with the given information, the following documents to prove the accuracy of the above given information (list of property, Construction contract, Lease contract, and the like):

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

(name the documents that are supplied for evidence)

SIGNATURE OF OFFICIAL REPRESENTATIVE

\_\_\_\_\_

STAMP

Date and place \_\_\_\_\_

**FINANCIAL CAPACITY**

Ministry of economy  
Rimski trg 46  
81000 Podgorica

**Application for Public announcement for prequalification for concession award for exploitation of  
water flows for construction of small hydropower plants in Montenegro**

With the purpose of evaluation and ranking of my application I submit the following data:

Average value of total gross revenue of the bidder in the last three years [mil €]	
---	--

We supply, together with the given information, the following documents to prove the accuracy of the above given information (financial statements, financial reports, other official reports and opinions of certified internal and external auditors and the like):

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

(name the documents that are supplied for evidence)

SIGNATURE OF OFFICIAL REPRESENTATIVE

\_\_\_\_\_

STAMP

Date and place \_\_\_\_\_

**POSITIVE BUSINESS OPERATIONS OF THE FIRM REGISTERED IN MONTENEGRO**

Ministry of economy  
Rimski trg 46  
81000 Podgorica

**Application for Public announcement for prequalification for concession award for exploitation of water flows for construction of small hydropower plants in Montenegro**

With the purpose of evaluation and ranking of my application I submit the following data:

<b>Average value of total gross revenue of the bidder in the last three years of the firm registered/operating in Montenegro (mil €)</b>	
<b>Profit of the firm registered/operating in Montenegro (mil €) (2008)</b>	
<b>Profit of the firm registered/operating in Montenegro (mil €) (2007)</b>	
<b>Profit of the firm registered/operating in Montenegro (mil €) (2006)</b>	

We supply, together with the given information, the following documents to prove the accuracy of the above given information (financial statements, financial reports, other official reports and opinions of certified internal and external auditors and the like):

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

(name the documents that are supplied for evidence)

SIGNATURE OF OFFICIAL REPRESENTATIVE

\_\_\_\_\_

STAMP

Date and place \_\_\_\_\_

**EXPERIENCE IN CONSTRUCTION OF COMPLEX OBJECTS AND/OR DESIGN AND PLANNING OF HYDROPOWER PLANTS IN MONTENEGRO**

Ministry of economy  
Rimski trg 46  
81000 Podgorica

**Application for Public announcement for prequalification for concession award for exploitation of water flows for construction of small hydropower plants in Montenegro**

With the purpose of evaluation and ranking of my application I submit the following data:

<b>Number of constructed complex objects in Montenegro 1</b>	
<b>Number of approved design concepts of constructed hydropower plants on the territory of Montenegro (designs after 01.01.1981)</b>	

We supply, together with the given information, the following documents to prove the accuracy of the above given information (list of property, Construction contract, Lease contract, and the like):

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

(name the documents that are supplied for evidence)

SIGNATURE OF OFFICIAL REPRESENTATIVE

\_\_\_\_\_

STAMP

Date and place \_\_\_\_\_

<sup>1</sup> Under the term “complex object” are considered objects with construction costs over 500.000 €, such as: Objects for production of electrical energy from renewable energy sources, electro-energetic objects, industrial objects, water management objects, water supply systems, sewage and drainage systems, as well as other infrastructural objects, as well as roads, ports, airports, railways, bridges, tunnels, residential-commercial buildings of smaller floor areas, but over 2000 m<sup>2</sup>.

FORM P.8

**BANK GUARANTEE OF APPLICATION**

Ministry of economy  
Rimski trg 46  
81000 Podgorica

**Application for Public announcement for prequalification for concession award for exploitation of  
water flows for construction of small hydropower plants in Montenegro**

\_\_\_\_\_  
*[Name of the Bank and address of the branch]*

**Beneficiary:** \_\_\_\_\_ *[Name and headquarters]*

**Date:** \_\_\_\_\_

**Application guarantee no.:** \_\_\_\_\_

**Number and name of the group of water flows:** \_\_\_\_\_

We have been informed that \_\_\_\_\_ (hereinafter referred to as: Bidder) is submitting the application for prequalification phase of the two-stage public bidding procedure for concession award for exploitation of water flows for construction of small hydropower plants in Montenegro, in accordance with the Public announcement you published, and that you require that Bidder's application is secured with the bank guarantee of application (hereinafter referred to as: Guarantee).

As requested by the Bidder, we \_\_\_\_\_ (name of the Bank) irrevocably commit ourselves to disburse to you, the Beneficiary, the amount of 10 000 € (ten thousand euros), after we receive your written request and written statement (within the request) in which is stated that the Bidder has violated the obligations stipulated in the prequalification phase, namely:

- That the qualified bidder has not submitted at least one bid for water flows from group(s) of water flows for which the status of the qualified bidder was obtained.

Disbursement requests must contain the signature of your official/legal representative, whose authenticity must be validated by your bank officials or authorized person. Requests whose validity has been confirmed, as well as the statement with the request, must be arrive to the address of the branch of the Bank, supplied on this Guarantee, the latest on the day of the Guarantee expiration date. We commit ourselves to disburse the amount of the Guarantee 15 (fifteen) days after the receipt of the request.

Guarantee will remain valid 150 (hundred and fifty) days after the deadline for application submission, that is, after 23.10.2009. Guarantee will be returned to the Bidder in case the bidder withdraws the application before the final deadline, or if the application is pronounced inadequate or if the Bidder does not receive the qualified bidder status, or if the Public bidding process is annulled. Guarantee of an unsuccessful bidder will be returned 30 (thirty) days after the application opening date.

Any dispute concerning this Guarantee will be resolved by the Commercial Court in Podgorica, based on appliance of the Material and Procedural laws of Montenegro, as well as applying Uniform Rules for Demand Guarantees, ICC Publication No. 458, International Chamber of Commerce in Paris.

Date \_\_\_\_\_ SIGNATURE and STAMP \_\_\_\_\_