

Phase 2 questions / Pitanja iz faze 2

VDR INDEX: 1107.35

QUESTION #1

Dear Sirs, In the context of the Procedure conducted by the Republic of Serbia, represented by the Government of the Republic of Serbia, and AD Aerodrom Nikola Tesla Beograd ("ANT") (jointly referred to as the "Public Body") with respect to a potential granting of a concession for the financing, development through the construction and reconstruction, maintenance and management of the infrastructure of ANT and performance of the activity of airport operator at the Belgrade Nikola Tesla airport, In accordance with the Instructions to bidders for Phase 2 of the Procedure, the Public Body expects Phase 2 Qualified Bidders to submit their Binding Bid Applications to ANT no later than on the Binding Bid Submission Deadline, that is not later than 3:30 pm CET on the 4th of September 2017. In our experience in this type of tender, we believe that the current timeline is not sufficient to allow submission of Binding Bid Applications of the highest quality. Therefore, we kindly request an extension of Phase 2 and the postponing of the deadline for submission of the Binding Bid Applications to 29th of September 2017.

PITANJE BROJ 1

Poštovani, U kontekstu Postupka sprovedenog od strane Republike Srbije, koju predstavlja Vlada Republike Srbije i AD Aerodrom Nikola Tesla Beograd ("ANT") (zajednički označeni kao "Javno telo") u vezi sa potencijalnom dodelom koncesije za finansiranje, razvoj kroz izgradnju i rekonstrukciju, održavanje i upravljanje infrastrukturom AD Aerodrom Nikola Tesla Beograd i obavljanje delatnosti aerodromskog operatera na aerodromu Beograd Nikola Tesla, u skladu sa Uputstvima za ponuđače za Fazu 2 Postupka, Javno telo očekuje da Kvalifikovani ponuđači Faze 2 podnesu Prijavu za Obavezujuću ponudu ANT-u najkasnije do isteka Roka za podnošenje Obavezujuće ponude, dakle ne kasnije od 4. septembra 2017. godine u 15.30 časova. Prema našem iskustvu u ovakvoj vrsti tendera, smatramo da postojeći vremenski rok nije dovoljan za podnošenje Prijave za Obavezujuću ponudu najvišeg kvaliteta. Imajući to u vidu, ljubazno tražimo produženje Faze 2 i odlaganje roka za podnošenje Prijave za Obavezujuću ponudu do 29. septembra 2017. godine.

ANSWER TO QUESTION #1

About any possible extension of the deadlines in the procedure, the participants will be duly and timely informed.

ODGOVOR NA PITANJE BROJ 1

O bilo kom eventualnom produženju rokova u postupku, učesnici će biti pravovaljano i blagovremeno obavješteni.

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QUESTION #2

Most of the documents in the Virtual Data Room - Phase II are not printable or downloadable. Could you please make them printable and downloadable?

PITANJE BROJ 2

Većina dokumenata u Virtualnoj sobi sa podacima - faza II se ne mogu štampati ili preuzeti. Da li biste mogli da omogućite njihovo štampanje i preuzimanje?

ANSWER TO QUESTION #2

Request under consideration. Please note that some documents will remain in "view only" for confidentiality reasons.

ODGOVOR NA PITANJE BROJ 2

Razmotrićemo zahtev. Imajte na umu da će neki dokumenti ostati u "view only" modu zbog poverljivosti.

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QUESTION #3

We are in process of selecting advisors for preparation of our binding bid and are evaluating to engage the services of KPMG for the financial and tax due diligence and related advisory activities. As KPMG is involved with Financial Vendor Due Diligence report preparation and is a recipient of bidders' comments and draft amendments to the Concession Agreement, we request your prior confirmation for engaging KPMG in order to avoid any potential conflict of interest situation that may arise in the process.

PITANJE BROJ 3

Trenutno smo u procesu odabira savetnika za pripremu naše obavezujuće ponude i procenjujemo da li da angažujemo usluge KPMG-a za finansijsku i poresku due diligence analizu i srodne savetodavne aktivnosti. Kako je KPMG uključen u pripremu Vendor Due Diligence i predstavlja primaoca komentara ponuđača i nacрте izmena i dopuna ugovora o koncesiji, tražimo vašu prethodnu potvrdu za angažovanje KPMG-a kako bi izbegli potencijalnu situaciju konflikta interesa koja može nastati u procesu.

ANSWER TO QUESTION #3

The possibility of the engagement of KPMG exists, in case of meeting the condition provided in the article 11 of Public procurement of consultancy services agreement (number 17 – 62/2016, date: 25.04.2016.), concluded between JSC Belgrade Nikola Tesla Airport and Lazard Feres Sas. According to the article 11, The adviser may render professional services to other clients with respect to the scope of this Agreement in accordance with the Law and subject to the following conditions being collectively fulfilled:

- a) rules and procedures of the Advisor on protecting confidential information relating to the Client are put into effect,
- b) any member of the team serving the Client shall not put at disposal such confidential information to the other teams of the selected Advisor without prior written consent of the Client, and
- c) members of the team of the selected Advisor rendering servicing to the Client are not part of the team rendering services to other clients.

ODGOVOR NA PITANJE BROJ 3

Mogućnost angažovanja KPMG-a postoji, ukoliko se ispune svi uslovi predviđeni članom 11. Ugovora o javnoj nabavci konsultantskih usluga broj 17 – 62/2016 od 25.04.2016. godine, zaključenim između AD Aerodroma Nikola Tesla Beograd i Lazarda. Naime, navedenim članom je predviđeno da Konsultant može da pruža usluge drugim klijentima u vezi sa predmetom ovog ugovora, u skladu sa Zakonom, pod uslovom da se kumulativno ispuni sledeće:

- a) Da se primenjuju pravila i procedure Konsultanta o zaštiti poverljivih informacija o klijentu,
- b) Da članovi tima koji pružaju usluge klijentu ne stave na raspolaganje drugim timovima izabranog Konsultanta takve poverljive informacije bez prethodne pisane saglasnosti klijenta,
- c) Da članovi tima izabranog konsultanta koji pružaju usluge klijentu nisu deo tima koji pruža usluge drugim klijentima.