

Reconstruction and modernization of railway line “Niš-Dimitrovgrad” – Design, Supply and Installation of Signalling and Telecommunication Equipment FOR THE Sections Nis Bypass and Prosek - Dimitrovgrad, Serbia

CLARIFICATIONS TO TENDERERS QUERIES No 1. to No 79.

TABLE OF CLARIFICATIONS	
Question No 1: In particular, point d1) and d2) refer to ETCS Level 2 railway signaling and GSM-R equipment. We can provide a declaration from our customer stating we are at the 80% of completion of another ETCS L2 project for a public railway. Does this experience would be accepted to participate the tender for this contract?	Answer No 1: Stated experience will not be acceptable to participate in the tender for this contract. Required experience for items d1) and d2) must be „successfully completed“, which is explained in third paragraph of page 9 of the Contract notice.
Question No 2: Having reviewed all the attachments and websites available to us, we have not found anywhere the Bill of Quantities and Estimates for the procurement of these works. We only have part of the documentation, and other data for the procurement of works and the quantities of works are not available to us. We only found attachments that are available on the website: https://infrazs.rs/medjunarodne-nabavke/ and nothing more than that. Can we get instructions on where the quantities and scope of works for this project are located, so that we can participate in the tender? Or at least send us the missing part of the tender documentation.	Answer No 2: There is no missing parts of tender documents. All documents needed for EXPRESION OF INTERES in this PREQUALIFICATION STAGE can be found on our website: https://infrazs.rs/medjunarodne-nabavke/ . Bill of Quantities and Estimates for the works will be part of second stage of tender procedures.
Question No 3: Please confirm that - At all stations on the Prosek-Dimitrovgrad railway section, listed in point 6.2 of the Contract Notice, it is assumed that the new CBI will be delivered/installed, including the Dimitrovgrad station.	Answer No 3: Yes, we are confirming that: At all stations on the Prosek-Dimitrovgrad railway section, listed in point 6.2 of the Contract Notice, the new CBI will be delivered/installed, including the Dimitrovgrad station.
Question No 4: We need you help me to clarify the questions as below: 2) Professional capacity of applicant: b) the applicant must carry out at least 50% of the contract works using its own resources, which means that it must have the equipment, materials, human and financial resources necessary to carry out that percentage of the contract. As the client didn't showing the BOQ of the whole project, could you help us to clarify how we	Answer No 4: In his Offer, the Applicant must present that he own the necessary recourse (equipment, materials, human and financial recourse) to perform the works independently and that he does not plan to hire subcontractors for the execution of scopes of stated works in point 6.2 of the Contract notice.

calculate the 50% of the contract works? Is there any Transmission substation or line work? Please help us to clarify.	
Question No 5: Regarding point 18. 1) c) of the tender document “contract notice” for the tender EIB-GtP/27/22/SS&TK, we indicate that we do not maintain a credit line with any external bank. Instead, all financing is handled exclusively through our corporate group via a cash pooling arrangement with our group headquarter. All financing activities are managed internally within the group. Consequently, any financial statements or related documentation can only be provided by our corporate headquarters. Please note that our bank is solely used for processing payment transactions and issuing bank guarantees. For bank guarantees we have available other financial facilities amounting to more than 15 MEUR. Question: Would our bank guarantee facility or financial documentation from our group be sufficient in order to meet the tender requirements? If yes, please clarify what exactly we need to provide in terms of information or document.	Answer No 5: The document that needs to be submitted is the Bank's Letter of Intent that they are aware that their client (full name and headquarters) intends to submit a bid for participation in the tender for the project Reconstruction and modernization of the Niš-Dimitrovgrad railway line, Design, delivery and installation of signaling and telecommunication equipment, and that they are ready to provide the Bidder with financial support in the amount of at least 15 million euros, all according to the conditions of the tender documents. The bank's letter of intent is submitted on the bank's letterhead, signed by an authorized person and must be valid for at least 6 months from the date of issue. Bank guarantees are submitted only by selected Bidders.
Question No 6: As the tender documentation requires that applications be submitted in hard copy, we kindly request clarification regarding the following matter. Specifically, part of our documentation exists only in electronic format, signed with a qualified personal electronic signature, official electronic signature from a state authority or municipal authority or even only with the note “electronically manufactured”. Considering that the tender conditions require physical submission of the documentation, we would like to inquire how we should submit these documents given that the electronic signature cannot be verified electronically when printed. Is our understanding correct that in such cases you would accept a hardcopy of relevant document indicating “original true copy” with the company stamp of the applicant on it? Please confirm or advise otherwise.	Answer No 6: Tender documents are requested to be submitted in hard copy. For part of applicant documentation that exists only in electronic format must be printed, marked with "original true copy" and submitted with rest of the documentation. Each page of hard copy tender documents must be initialed and numbered. The complete tender documentation must also be submitted on CD or memory stick so that all electronic signatures can be verified.
Question No 7: We are writing to formally request an extension of at least 3 (three)weeks for the submission of Applications for the Reconstruction and modernization of railway line “Nis-Dimitrovgrad”-	Answer No 7: The Contracting authority is of the opinion that the requested data for application in this pre-qualification procedure do not represent the need for significant time commitment.

Design, Supply and Installation of Signaling and Telecommunication Equipment as outlined in the work contract notice published on August 27th, 2025. After thoroughly reviewing the project requirements and the complexity of the scope, it has become clear that the current deadline may not allow enough time for us to prepare a comprehensive, competitive Application. To ensure that all candidates, including ourselves, have adequate time to develop proposals that fully meet the tender requirements without compromising quality, we respectfully propose extending the submission deadline. There are several critical factors driving this request: This project is highly complex, involving multiple facets of design, construction, and implementation. As detailed in the tender documentation, the Applicant preparation requires the submission of many extensive documents, all of which must be tailored to meet your specific requirements. An extension would allow us to gather necessary documents and certifications from external institutions. Ensuring the quality of the proposal is paramount. The current timeline restricts our ability to conduct a thorough review and validation of all documents, and assumptions. A deadline extension would provide the necessary time for quality assurance, resulting in more accurate and compliant Application. Given these factors, we respectfully request an extension of at least 3 weeks for the Application submission deadline. This additional time, we believe, will enable us and other candidates to submit well-informed, high-quality Applications, ultimately ensuring a more competitive and successful process.	In addition to the application form, it is necessary to submit forms of general information about the Applicant, data on JV, data on specialist subcontractors participating in this procedure, financial capacity, general construction experience, specific contract administration experience, specific construction experience and specific design experience, as well as Personnel capacities. The required forms are intended to demonstrate that all the Selection criteria are fully met and satisfy the required scope and experiences. The position of the Contracting authority is that the time provided for the delivery of the requested data is more than enough for a successful application in this pre-qualification procedure.
Question No 8: We kindly request clarification regarding the documentation required under point 8 of the <i>Conditions of Participation</i>. Are resident legal entities in the Republic of Serbia required to submit all the documents listed under this point, or is a different approach applicable to resident entities?	Answer No 8: Yes. All resident legal entities in the Republic of Serbia must submit all the documents listed under point 8. in accordance with the national law.
Question No 9: In the tender rules published by EIB it is stated that “<i>applicants are required to take note that the principles of the EU toolbox for cybersecurity of 5G networks, taking into account the</i>	Answer No 9: Based on the proposal of the EIB and the decision of the Contracting Authorities, the application of the principle of the EU toolbox for cybersecurity of 5G networks is set as a condition for this Works Contract.

<i>Communication from the European Commission of 15 June 2023 on the Implementation of the Toolbox will apply for this project. This means offers including equipment from the vendors mentioned in the Communication will be considered to have a high cybersecurity risk, and therefore will not be technically compliant".</i> That being said, having in mind that European Investment Bank (EIB) procurement guidelines in article 3.7.6 requires that technical specifications must be based on international or EU standards and that references leading to discrimination between suppliers should be avoided, how is this requirement in line with such procurement guidelines?	Our position is that the stated conditions are in accordance with the EIB Procurement Guidelines, and that we do not discriminate against suppliers.
Question No 10: The Law on the confirmation of the financial agreement for the Nis-Dimitrovgrad railway between the republic of Serbia and the European investment bank ("Official gazette RS, International contracts" no. 3/2018), stipulates that "the terms and conditions of the Bank's lending operations must be harmonized with the relevant policies of the European Union. 5G Toolbox and communication from 15 June 2023 is communication, not policy. Please clarify.	Answer No 10: In the Railway Nis-Dimitrovgrad - Amendment and Restatement of Project Implementation Agreement, in Article 1, point 1.5 Procurement procedure the new paragraph was added, which is quoted in Question No 9.
Question No 11: Serbian Public Procurement Law ("Official gazette RS" no. 91/2019 and 92/2023) stipulates that contracting authorities are prohibited from restricting competition by using discriminatory criteria, technical specifications, or award criteria to unfairly favour or disadvantage certain economic operators. Please clarify how this provision of EIB tender rules are in line with Serbian Public Procurement Law?	Answer No 11: On the basis of the ratified Financial Agreement on the financing of works on the reconstruction and modernization of the Nis - Dimitrovgrad railway line between the Republic of Serbia and the EIB, the procedures of the EU PRAGUE as well as the EIB Guide to procurement are applied in the implementation of tender procedures, as it is stated in point 2. of the Works Contract Notice.
Question No 12: In the tender rules published by EIB it is stated that "principles of the EU toolbox for cybersecurity of 5G networks..." shall be applied. Please clarify why is this requirement since equipment that will be part of the project is GSMR, which is not 5G technology.	Answer No 12: Please see Answer No 10.
Question No 13: In Form 2, Financial capacity, point 4, it is requested to fill in the table with the financial data, to which the auditor's report will be attached. 4 ^[1]Please attach copies of the company's certified financial statements of account for the last three financial years for which accounts have been closed (with translations into the procedural language, if necessary), with an independent audit report, from which the following basic data will be	Answer No 13: Yes. We confirm that the <i>Current Year</i>, field values should be your estimates, as required for the next two years.

*abstracted. Please provide estimates of the same information for the next **two years**.*

Euro or NC	Year-2	Year-1	Last year	Current year	Year+1	Year+2
1. Total assets						
2. Total liabilities						
Net value (1 minus 2)						

Please clarify how to fill in the field - *Current Year* - given that the financial year has not yet ended.

Please confirm that the values for the - *Current year* - field should be our estimates, as it is requested for the next two years.

Question No 14:

We kindly ask the Investor to clarify if and which forms should be used to describe the capability and resources for the named specialist subcontractor for the points (a), (b) and (c) stated in the Form 1.2. Please confirm that for point (a) appropriate form is Form 3.1, for point (b) appropriate form is Form 4, and that for point (c) appropriate form is Form 2?

Answer No 14:

Yes. For presenting the request from Form 1.2, fifth point - (a) you can use adjusted Form 3.1.

For presenting the request from Form 1.2, fifth point - (b) for personnel you can use Form 4, but for equipment and construction you must use some similar form.

For presenting the request from Form 1.2, fifth point - (c) you can use adjusted Form 2 without submission of an independent audit reports.

Question No 15:

According to the Component 3 - WORKS CONTRACT NOTICE, at the point 18 item 2):

“d) the applicant should demonstrate availability of a valid ISO certification or internationally recognized equivalent (equivalency to be demonstrated by the applicant), such as:

- *Quality Management Certificate ISO 9001;*
- *Environmental management certificate ISO 14001;*
- *Health and Safety Certificate ISO 45001.*

In absence of the above certificates, availability of in-house policies and procedures for ESHS management.”

We need you help me to clarify the questions as below:

For fulfilment the above-mentioned point 18. Item 2) – d), if the applicant is a JVCA, is it required that each member of the JVCA meets the above requirements, or is it sufficient for at least one member of the JVCA to meet the requirements, or can the subcontractor meet the requirements instead?

Alternatively, if the two companies forming the JVCA belong to the same parent company, and one of them holds a valid ISO certification while the other does not possess the above-mentioned evidence, can the JVCA be considered as meeting the requirements?

Answer No 15:

For fulfilment the point 18. Item 2) – d) of Works Contract Notice, if the applicant is a JVCA formed out of two companies of the same parent company, it is sufficient that at least one member of the JVCA to meet the requested requirements, with providing prove to the another company a commitment to place at its disposal their own resources necessary to perform for ESHS management for this contract.

Question No 16: As a foreign enterprise (non-resident applicant), we are fully aware that the current deadline may not provide us with sufficient time to prepare all the required supporting documents, such as: According to the Component 3 - WORKS CONTRACT NOTICE, point 8 Eligibility and rules of origin: All applicants must comply with the requirements of Article 111, paragraphs 1 to 5, Article 112 paragraph 1 and Article 121 of the Law on Public Procurement of the Republic of Serbia or, in case of non-resident applicants, provide an appropriate document issued by an authorised body/institution in the country where they are registered. According to the Component 3 - WORKS CONTRACT NOTICE, point 18 Selection criteria: 1) Economic and financial capacity of applicant: As evidence, applicants must provide certified financial statements for relevant years, with an independent audit report; and the statement on available funds in Euro which provided by the bank. As a foreign enterprise (non-resident applicant), we need sufficient time to prepare a complete and duly certified set of documents meeting the above requirements. In order to ensure that all candidates (including ourselves) have adequate time to prepare proposals that fully comply with the tender requirements without compromising quality, we kindly request that the application submission deadline be extended by at least four weeks.	Answer No 16: Deadline for receipt of applications is extended until 31 October, 2025 by Corrigendum No 1 to the Works Contract Notice, published on our website: https://infrazs.rs/medjunarodne-nabavke/.
Question No 17: Would you accept that a candidate meets the requirement for the net value of a completed project set out in point 3.1. General experience in the case that he meets the minimum requirements, has participated as a partner in a JVCA (with a certain share - for example 40%) and the total net value of the entire completed contract/project is at least 50 million euro equivalent?	Answer No 17: No. For individual applicant, or any partner in JVCA, experience as a contractor in executed one (1) public railway SS&TC construction / reconstruction / modernisation contract according to Technical Specification for Interoperability (TSI), with the net value of the Works, implemented by the applicant of at least 50 million EUR equivalent, that have been successfully completed is acceptable.
Question No 18: Would you accept that a candidate meets the requirement for the types of implemented works set out in point 3.1. General experience in the case that the completed contract/project includes not just public railway SS&TC construction / reconstruction / modernisation contract according to Technical Specification for Interoperability (TSI), but also other activities such as railways, catenary network and other construction works and is of total net value is at least 50 million euro equivalent?	Answer No 18: No. For fulfilment of the requirements set out in point 3.1 contracts under which the applicant participated as a JVCA member, only the applicant's share, by its net value and role, shall be considered to meet this requirement.

Question No 19: Would you accept that a candidate meets the requirements if he declares the same project to demonstrate both general and some of the specific experience, defined in 3.2.b., 3.2.c1, 3.2.c2, 3.2.d1, 3.2d2, provided that it meets the requirements for both the general and the relevant specific one/ones?	Answer No 19: Yes. It is acceptably if a candidate demonstrate fulfilment of the requirements in the same project for both general and some of the specific experience defined in point 3.1 and 3.2 of Works Contract Notice.
Question No 20: If the answer to the previous question (№ 19) is yes, how are the required number of points awarded in the case that there are more than 6 eligible applications, according to p. 3.3. of Works contract notice?	Answer No 20: For the fulfillment of each of the mentioned criteria in point 3.3, one point will be awarded for each of the criteria for the purpose of comparing applicants.
Question No 21: With reference to subcontractors, can you please provide a clear definition of specialist subcontractor? Does the contracting authority with specialist subcontractor refer to a subcontractor the capacity of the applicant intends to use?	Answer No 21: Yes. Applicant can refer to a specialist subcontractor on the capacity of the applicant intends to use.
Question No 22: In case the applicant could cover all requirements by itself and therefore do not need to rely on the capacity of other entities, please confirm the possibility to simply state the intention to subcontract some activities (civil works, design, supply and installation of telecommunication and GSM-R equipment) and that the applicant can indicate the supplier at a later stage.	Answer No 22: Applicant must demonstrate that by its own capacities can cover all requirements which, among others, include design, supply and installation of telecommunication and GSM-R equipment. Other types of smaller-scale works that do not include the basic types of works for this contract can be subcontracted if they meet the requirement that they are less than 10% of the estimated contract value.
Question No 23: Since the tender value in unknown and the extension of the scope of work is not clearly described, the % of works to be subcontracted to the possible subcontractors cannot be evaluated. We therefore ask confirmation that annex I - b shall be filled in and provided only for subcontractors the capacity of the applicant intends to use.	Answer No 23: Yes. We confirm that Annex I-b should be filled in and provided only for subcontractors the capacity of the applicant intends to use. Please take into account Answer No 22.
Question No 24: Please specify what civil works will be included in the scope of work of the tender in order to give us enough elements to better select possible subcontractors. Are civil works included in the tender only related to telecom? In particular only GSM-R bases and towers or something else?	Answer No 24: The construction works that are included in this tender refer to the construction of road crossing, buildings for the accommodation of signaling and telecommunication equipment and installations in each of railway station on the line, as well as works for installation of telecommunication and GSM-R foundations and towers.
Question No 25: With reference to the following extract from § 3.2 page 8, can you please confirm that the part in yellow is a typo and shall be deleted:	Answer No 25: Yes. In the point 18., item 3.2, the paragraph which reads: <i>“The technical capacity requirement under 3.2 c1), c2) and d1), for experience in design, supply and</i>

<i>The technical capacity requirement under 3.2 c1), e2) and d1), for experience in design, supply and installation of railway signaling and telecommunication equipment should be met by the applicant, and not by his specialist subcontractor(s).</i> <i>However, technical capacity requirement under 3.2 c2) and d2) for experience in design, supply and installation of telecommunication and GSM-R equipment can be met by the specialist subcontractor.</i>	<i>installation of railway signalling and telecommunication equipment should be met by the applicant, and not by his specialist subcontractor(s)."</i> should be replaced with the following paragraph: <i>"The technical capacity requirement under 3.2 c1) and d1), for experience in design, supply and installation of railway signalling equipment should be met by the applicant, and not by his specialist subcontractor(s)."</i>
Question No 26: You are kindly requested to provide a prolongation of the bid submission date of this stage by 3 weeks. Employer's request is specific and the bidder must secure technical experience certificates that need to be issued by the respective contracting authorities. Consortium scheme requires additional time to define the appropriate share of works in order to have the possibility to present leadership and corresponding ratio between the partners. Last but not least, various set of questions & answers by the Employer shall be required to be analyzed & defined in very close period of time.	Answer No 26: Deadline for receipt of applications is extended until 31 October, 2025 by Corrigendum No 1 to the Works Contract Notice, published on our website: https://infrazs.rs/medjunarodne-nabavke/ .
Question No 27: Tender document "WORKS CONTRACT NOTICE / EIB-GtP/27/22/SS&TK, section 3.3 Capacity-providing entities, states that <i>"If the applicant relies on other entities, it must prove to the contracting authority that it will have at its disposal the resources necessary to perform the contract by producing a commitment on the part of those entities to place resources at its disposal. Such entities, for instance the parent company of the economic operator, must respect the same rules of eligibility and notably that of nationality, as the economic operator relying on them and must comply with the selection criteria for which the economic operator relies on them. Furthermore, the application should include a separate document providing data on this third entity for the relevant selection criterion. Proof of capacity must be provided at the request of the contracting authority. With regard to technical and professional criteria, an applicant may rely on the capacities of other corporate group entities which performed the works for which these capacities are required."</i>.... You are kindly requested to clarify, if the any of the group entity that will support the applicant's declared references in order to meet a) the General construction experience, as set in section 3.1 & b) the Specific contract administration, design and construction experience as set in section 3.2, must	Answer No 27: Yes. Any of the group entity that will support the applicant's declared references in order to meet the General construction experience, as set in section 3.1 and the Specific contract administration, design and construction experience as set in section 3.2, must be necessarily declared as a member of the JVCA to apply for the bid.

be necessarily declared as a member of the JVCA scheme to apply for the bid.	
Question No 28: Tender document “WORKS CONTRACT NOTICE / EIB-GtP/27/22/SS&TK, section 3.2 Specific contract administration, design and construction experience, states that ...“The applicant is required to specify the specialist subcontractor(s) it intends to use for civil works, design, supply and installation of telecommunication and GSM-R equipment.”... You are kindly requested to clarify that, if the applicant brings full references for the telecommunication and GSM-R equipment, is it necessary at this stage of the bid, to specify the specialist subcontractor(s) that intends to use during project execution.	Answer No 28: Yes. It is necessary that applicants for this stage of the bid brings to specify the specialist subcontractor(s) that brings full references for the telecommunication and GSM-R equipment and who will use during project execution.
Question No 29: Tender document “WORKS CONTRACT NOTICE / EIB-GtP/27/22/SS&TK, section 3.2 Specific contract administration, design and construction experience, states that”<i>If shortlisted, the applicant will be required to provide evidence of subcontracting agreement(s) as part of his tender submission. As part of his tender submission, the shortlisted applicant and his prospective GSM-R supplier is required to provide a duly signed self-statement affirming their commitment to the support of the system, the delivery of spare parts, and the provision of potential maintenance services through the year 2040.”....</i> You are kindly requested to clarify on which precise stage the applicant shall be required to provide the evidence of subcontracting agreement(s) & a duly signed self-statement from GSMR supplier. Is it before the completion of the next stage of the invitation of tender approximately set in Jan26 (as indicated in section 15) or after award and contract signature with the preferred bidder?	Answer No 29: If shortlisted, the applicant will be required to provide evidence of subcontracting agreement(s) as part of his tender submission for second stage of tender procedure. As part of his tender submission, the shortlisted applicant and his prospective GSM-R supplier is required to provide a duly signed self-statement affirming their commitment to the support of the system, the delivery of spare parts, and the provision of potential maintenance services through the year 2040.
Question No 30: You are kindly requested to confirm that, in all requested application forms of general information about the Applicant, data on JV, data on specialist subcontractors participating in this procedure, financial capacity, general construction experience, specific contract administration experience, specific construction experience and specific design experience, as well as Personnel capacities, the use of APOSTILLE is not required	Answer No 30: Yes. The use of APOSTILLE is not required and the use of Signature & Companies stamps is enough for this Selection criteria process.

and that the use of Signature & Companies stamps shall be enough for this Selection criteria process.	
Question No 31: Tender document “WORKS CONTRACT NOTICE / EIB-GtP/27/22/SS&TK, section 6.1 & 6.2, Contract Specifications states that ...” <i>System for centralized traffic control (CTC)</i> Is included in the scope of works. You are kindly requested to clarify whether it will be a dedicated CTC system for this railway line, or part of interface with separate project JDCU?	Answer No 31: System for centralized traffic control (CTC) will be used for the lines City of Niš Bypass and Prosek-Dimitrovgrad Section and later it will be used as part of the JDCU system.
Question No 32: You are kindly requested to confirm that in the section of Prosek – Dimitrovgrad and at City of Niš railway junction only the three (3) level road crossings shall be implemented. In Section 6.2 of the Works Contract notice, for the section Prosek – Dimitrovgrad, it is not mentioned that there are also existing level crossings which will be included in the scope of works. Can you confirm that this information is missing? You are kindly requested to clarify whether existing level crossings are part of planned Works for this tender and their replacement with electronic devices for level crossings and does Bidder needs to consider design for this part also?	Answer No 32: Yes. We are confirming that level crossing of the booth reconstructed and constructed lines are included in the scope of the works and 37 level crossing on the open line will be replaced with electronic devices for which Bidder needs to consider design also. In addition to the mentioned, three more road crossings in the territory of the City of Niš will be subject to reconstruction.
Question No 33: Interfaces with the neighboring stations (Trupale in Serbia and Dragoman in Bulgaria) are not described. You are kindly requested to clarify if the specific interfaces are within the scope of works of the present tender or totally excluded.	Answer No 33: Yes. Interfaces with the neighboring stations (Trupale in Serbia and Dragoman in Bulgaria) are within the scope of works of the present tender.
Question No 34: You are kindly requested to confirm whether there is any existing design for planned Works in the railway station Dimitrovgrad? Does Bidder need to consider this Design also?	Answer No 34: Yes. The available design of station Dimitrovgrad station will be made available for the needs of this project.
Question No 35: In tender notices, it’s not clear whether Bidder is obliged to list in PQD phase all subcontractors or only specialist subcontractor for GSMR? You are kindly requested to confirm If subcontractor holds less than 10 % of Works, is it obliged to nominate this company as Subcontractor?	Answer No 35: Please see Answer No 22.
Question No 36: Please confirm that for the participation to the prequalification, in case of JVCA, the JV can be a not yet legally constitute grouping. Can you please	Answer No 36: For the participation to the prequalification in case of JVCA, the JV must be a legally constitute grouping.

list the documents to be produced in such a case (i.e. a letter of engagement, signed by all the member of the JV, to legally constitute in case of award a grouping, where one member shall be appointed as the leader and where is specified the distribution of the Scope of work).	
Question No 37: Please confirm the possibility to replace, after the prequalification, the indicated subcontractor (including the specialized subcontractors) the applicant is not relying on the capacity of.	Answer No 37: In the case of a reasoned request for the replacement of an indicated subcontractor (including the specialized subcontractor), the replacement may be approved only in the case that such replacement does not cause any changes in the relationships to the pre-qualified Bidders.
Question No 38: Question/ related to 3.1 General construction experience: The requirements state that the experience in the execution of at least one contract has to be implemented according to TSI. Since ERTMS is not explicitly mentioned and thus, not requested for the form 3.1. Therefore, may we conclude that the referenced contract claimed for form 3.1 may be different from those claimed in the forms 3.2, 3.3 and 3.4? Please confirm or advise otherwise.	Answer No 38: Yes. Some of referenced contracts claimed for form 3.1 may be different from those claimed in the forms 3.3.
Question No 39: Question related to Application forms: Form 3.2 and 3.3 ask to attach copies of the respective certificates of the final acceptance signed by the client/contracting authority of the projects concerned. We understand that a stamped and signed copy of the original certificate is sufficient to be submitted. Please confirm.	Answer No 39: A stamped and signed copy of the original certificate is sufficient to be submitted only in case that original certificate is electronically signed and digital version of certificate submitted to be checked. Please see also Answer No 6.
Question No 40: Due to time constraints and the documentation which is not small and we need time to translate everything into English, we request an extension of the submission deadline by at least 2 weeks. Please confirm.	Answer No 40: Deadline for receipt of applications is extended until 31 October, 2025 by Corrigendum No 1 to the Works Contract Notice, published on our website: https://infrazs.rs/medjunarodne-nabavke/ .
Question No 41: According to the answer number 4 and the point 6.1. & 6.2. of the contract notice we kindly ask you to allow that the switch heating system can be subcontracted, because this product is not relevant for signaling & safety and therefore not in the portfolio of the signaling & telecommunication companies. Such kind of products are usually bought by some local sub suppliers.	Answer No 41: Yes. We allow that for the switch heating system services can be subcontracted.

Question No 42: In the technical specification, the following is stated: - Section 6.1: Delivery of a CTC - Section 6.2: Delivery of a CTC We would like to request clarification as to whether only one CTC is required for both track sections, or if two separate CTCs are intended. Based on the context, we assume that a single CTC will be sufficient to cover both sections. Kindly confirm whether this interpretation is correct.	Answer No 42: Yes. We are confirming that a single CTC will be sufficient to cover both track sections.
Question No 43: According to your response No. 3, it is necessary to also replace the Dimitrovgrad station, even though it is equipped with a modern electronic interlocking system that has not yet reached the end of its lifetime. We propose, as it is more economical/cheaper, to retain the internal and external installations and only implement the necessary interfaces. Alternatively, please confirm that the budget fully accounts for the costs of a complete replacement of all safety systems (Indoor, Outdoor, cables,...).	Answer No 43: The scope of work for the Dimitrovgrad station will be described in detail in the second phase of this tender procedure.
Question No 44: The Contracting Authority is kindly requested to confirm, that in case of an applicant incorporated in Serbia and registered in the Register of Public Bidders (in Serbian “Registar ponuđača”) held by Agency for Commercial Registries, it is sufficient to submit the proof on registration in such Registry of Public Bidders in order to prove compliance with the requirements from the Point 8 of the Works Contract Notice? This would be in accordance with the Law on Public Procurement of the Republic of Serbia.	Answer No 44: No. We cannot confirm your request, due to the fact that this procedure will be executed according Restricted Tender Procedure in accordance with EU PRAG procedures aligned with the European Investment Bank Guide to procurement, stated in Point 2 of the Works Contract Notice.
Question No 45: The Contracting Authority is kindly requested to confirm, that in case of an applicant not incorporated Serbia, it shall be deemed that such applicant complies with the requirements from the Point 8 of the Contract Notice, if it provides a written statement confirming, under criminal responsibility and liability, the non-existence of the exclusion grounds from Article 111 and 112 of the Law on Public Procurement of the Republic of Serbia, as far as such evidence are not issued, or not issued with the exact content as required, in the country of such applicants registration. If so, please confirm that such statement could be in a simple written form, i.e. that it has not to be verified in front of a notary.	Answer No 45: In case of an applicant not incorporated Serbia, it shall be deemed that such applicant complies with the requirements from the Point 8 of the Contract Notice, if it provides a written statement confirming, under criminal responsibility and liability, the non-existence of the exclusion grounds according all points from Article 111 and 112 of the Law on Public Procurement of the Republic of Serbia, as far as such evidence are not issued, or not issued with the exact content as required, in the country of such applicants registration. If so, such statement has to be verified in front of a notary.

Question No 46: After thoroughly reviewing the project requirements and the inherent complexity of the scope, it has become clear that the current deadline may not allow sufficient time for us to prepare a comprehensive and truly competitive Application. To ensure that all candidates, including ourselves, have adequate time to develop proposals that fully meet the tender requirements without compromising quality, we respectfully propose extending the submission deadline. There are several critical factors driving this request: 1) Project Complexity and Extensive Documentation: The provision of complete documentation in hard copy further necessitates significant time for thorough review, processing, and internal alignment. 2) Sub-Supplier and Partner Engagement: To formulate the strongest possible bid, we require adequate time to finalize contracts and agreements with potential sub-suppliers and partners. This crucial phase involves detailed negotiations and formalization to ensure seamless project delivery. 3) Bank Confirmation (Letter of Intent): Securing the required bank confirmation, or Letter of Intent, involves standard financial and procedural steps that demand a specific timeframe to complete accurately and without undue haste. Given these factors, we respectfully request an extension of at least 3 (three) weeks for the Application submission deadline. This additional time, we firmly believe, will enable us and other candidates to submit well-informed, high-quality Applications, ultimately ensuring a more competitive and successful tender process for all stakeholders.	Answer No 46: Deadline for receipt of applications is extended until 31 October, 2025 by Corrigendum No 1 to the Works Contract Notice, published on our website: https://infrazs.rs/medjunarodne-nabavke/.
Question No 47: With regard to the technical requirements of the subject procurement, we note the possibility that a certain part of the contract may potentially be performed only by a single supplier. We kindly ask the Contracting Authority to confirm that, should it become apparent during the tender evaluation that the involvement of such supplier is required for all qualified tenderers, the Contracting Authority shall provide reasonable efforts to ensure equal and transparent access to that supplier for all participants, so that all shortlisted tenderers are able to prepare valid and comparable offers in the second stage of the procedure.	Answer No 47: Yes. We are confirming that, should it become apparent during the tender evaluation that the involvement of only one supplier is required for all qualified tenderers, we shall provide reasonable efforts to ensure equal and transparent access to that supplier for all participants, so that all shortlisted tenderers are able to prepare valid and comparable offers in the second stage of the procedure.

Question No 48: Point 8 of the Contract Notice stipulates that all applicants must comply with Article 111 (paras. 1–5), Article 112 (para. 1) and Article 121 of the Law on Public Procurement of the Republic of Serbia. Article 112(1)(3) provides that an economic operator shall be excluded from the procedure if, under a decision of the competent authority for the protection of competition, it has been determined that the operator has entered into agreements with other economic operators aimed at distorting competition, within the three years prior to the tender submission deadline. Please confirm that, pursuant to the above, if an economic operator has been found by the competent competition authority in its country of registration to have engaged in bid-rigging and collusive tendering, such operator is ineligible to participate in this procedure.	Answer No 48: Yes. We are confirming that according Article 112 (1) 3) of the Law on Public Procurement of the Republic of Serbia an economic operator shall be excluded from the procedure if, under a decision of the competent competition authority in its country for the protection of competition, it has been determined that the operator has entered into agreements with other economic operators aimed at distorting competition, within the three years prior to the tender submission deadline.
Question No 49: Kindly consider the possibility of extending the deadline for submitting prequalification documentation due to the need for further alignment. We believe that an extension would contribute to improving the quality of the submitted documentation and enhance the overall competitiveness of the procedure.	Answer No 49: Deadline for receipt of applications is extended until 31 October, 2025 by Corrigendum No 1 to the Works Contract Notice, published on our website: https://infrazs.rs/medjunarodne-nabavke/ .
Question No 50: In footnote 2 of the form APPLICATION FOR EIB-FUNDED WORKS CONTRACT it is stated that any change in the identity of the leader and/or any consortium members between the deadline for receipt of applications indicated in the contract notice and the award of the contract is not permitted without the prior written consent of the contracting authority. We kindly request that the contracting authority clarify the reasons that may lead to withholding or granting such consent, in order to ensure transparency in the decision-making process.	Answer No 50: Any change in the identity of the leader and/or any member of the consortium between the deadline for receipt of applications specified in the contract notice and the award of the contract may constitute a change in the capacity of the Bidder in the pre-qualification procedure and the procedure for drawing up a Bid for the execution of the works. Any change which leads to the change in the competitiveness between the Bidders during the tender procedure is not permitted. Changes that have occurred for objective reasons and do not alter the competitiveness between the Bidders may be permitted. All such changes shall be posted on the tender procedure website and shall be available to the participants in the procedure.
Question No 51: Would the contracting authority consider changing the tender instructions to the effect that a JVCA / consortium meets the selection criteria, in particular regarding the economic and financial capacity of the applicant (18.1.b), if the leader of the JVCA / consortium alone reaches the criteria and the average ratio of all JVCA / consortium members together is >1.	Answer No 51: No. Defined criteria in point 18. Item 1) a) remain the same.

Question No 52: In Answer No 10, we didn't find the file named "Railway Nis-Dimitrovgrad - Amendment and Restatement of Project Implementation Agreement", could you please point out the official access for this file?	Answer No 52: By the conclusion of the Government of RS 05 Number: 48-10062/2025-1, draft the RAILWAY NIS-DIMITROVGRAD - Amendment and Restatement of Project Implementation Agreement was adopted, between the Government of the Republic of Serbia, "Infrastruktura Železnice Srbije" a.d. and the European Investment Bank. The text of this Agreement has not been officially published.
Question No 53: We would like to seek clarification regarding the requirement to submit estimated balance sheet and profit and loss statements for the next two years. (Form 2, financial capacity) For us as a large, globally operating corporation, the disclosure of such detailed, forward-looking estimates is governed by strict internal compliance protocols. These estimates are typically subject to confidentiality and regulatory constraints, particularly in relation to public dissemination. However, we would like to emphasize that our financial stability and capacity to successfully execute the project in question are beyond doubt. In accordance with the requirements, we will provide you with the audited consolidated financial statements of the last three fiscal years as well as a letter of intent from a reputable bank confirming our ability to finance the project. In light of the above, we kindly request your confirmation that the submission of estimated financial statements for the next two years may be waived, and that our alternative documentation will be deemed sufficient for the purposes of financial capacity assessment.	Answer No 53: We cannot confirm that the submission of estimated financial statements for the next two years may be waived, and that your alternative documentation will not be deemed sufficient for the purposes of financial capacity assessment. Your submitted offers with estimated financial statements for the next two years will be considered confidential documents and they can only be viewed by members of the Evaluation Committee whose members have signed Declarations of impartiality and confidentiality or by authorized representatives of the EIB.
Question No 54: With reference to §18.1.c of the WORKS CONTRACT NOTICE can you please clarify if, in case of a joint venture, the statement on available funds by the bank must be: addressed to the joint venture and therefore the requirement of availability of €15 million of funds in total for the consortium must be provided by the members of the JV or the grouping pro quota by the members in proportion to their share of the works. In this case, we kindly ask you to provide the estimated budget for the signaling works and the estimated budget for the telecom part. In case the contracting authority cannot provide the information about the budget we request at least to provide the % of signaling part and the % for telecom. Please notice that, without at least the information regarding the % of signaling part and the % for telecom the bank	Answer No 54: We can confirm that, in case of a JV (joint venture), must be provided a bank statement on credit availability funds specifically for this named project of at least €15 million for a period of not less than 6 months and must be addressed to the JV leader and valid for the entire JV.

will not be able to issue the statement on available funds; • addressed to the JV leader, for a total of €15 million and valid for the entire JV; • issued for each member of the JV for €15 million each.	
Question No 55: With reference to §18.1.c of the WORKS CONTRACT NOTICE can you please provide the following mandatory information requested by the bank in order to issue the statement on available funds: • Information regarding the duration of the contract; • Information regarding the bonds that will be required in the event of participation/award; • Information regarding the possibility of requesting an advance payment in the event of award and, if so, the percentage thereof.	Answer No 55: The duration of the contract is defined in §16 <i>Provisional commencement date of the contract</i> and §17 <i>Period of implementation of tasks</i> of the WORKS CONTRACT NOTICE. In the case of participation, it will be required only Bid Bond (in an approximate amount of €0,5 to €1 million) that will be specify in second stage of this tender procedure. In the case of contract award, it will be required a Performance Guarantee on 10% of the contract amount, and Advance Payment Guarantee on 20% of the contract amount.
Question No 56: With reference to Form 5 – Litigation History, the applicant is required to disclose the complete history of any litigation or arbitration arising from contracts performed, whether as the main contractor or as a consortium member, within the last five (5) years (2019–2024) or currently under execution. Could you please confirm whether the requirement to disclose the history of litigation or arbitration in Form 5 pertains solely to proceedings that have been finally adjudicated (i.e., where a final ruling or award has been issued), or whether it also extends to ongoing litigation and arbitration matters in which a final decision has not yet been rendered?	Answer No 56: We confirm that the requirement to disclose the history of litigation or arbitration in Form 5 pertains to proceedings that have been finally adjudicated and to the ongoing litigation and arbitration matters in which a final decision has not yet been rendered.
Question No 57: With reference to Form 5 – Litigation History, the applicant is required to disclose the complete history of any litigation or arbitration arising from contracts performed, whether as the main contractor or as a consortium member, within the last five (5) years (2019–2024) or currently under execution. For the sake of clarity, could you please confirm that the requirement to disclose the history of litigation or arbitration in Form 5 pertains exclusively to contracts awarded through public procurement procedures?	Answer No 57: We can confirm that the requirement to disclose the history of completed or currently under execution litigation or arbitration in Form 5 pertains to all awarded work contracts.
Question No 58: Tender document “WORKS CONTRACT NOTICE / EIB-GtP/27/22/SS&TK, section 3.1 General construction experience, states that <i>Experience as a contractor (individual applicant, or any partner in JVCA) in the execution of at least</i>	Answer No 58: Yes. We are confirming that the requested SS&TC reference by the Contractor does not necessarily include GSM-R equipment.

<i>one (1) public railway SS&TC construction / reconstruction / modernization contract according to Technical Specification for Interoperability (TSI),....</i> You are kindly requested to confirm that the requested SS&TC reference by the Contractor does not necessarily include GSM-R equipment. Meaning that if the Contractor holds a SS&TC reference for executed signaling works & conventional telecommunication equipment / installations (Fiber optic, CCTV, PIS/PAS, etc..) without GSM-R is acceptable.	
Question No 59: Concerning clarification question 22 and answer, is it mandatory to nominate in this phase, Subcontractor, which carry on more than 10 % of estimated Contract price and which technical capacity and references Applicant do not use?	Answer No 59: Yes. It is mandatory to nominate, in this phase, a Subcontractor which carry on more than 10% of estimated Contract price.
Question No 60: You are kindly requested to clarify if the Applicant is able to specify more than one specialist subcontractor(s) that brings full references for the telecommunication and GSM-R equipment and may use during project execution.	Answer No 60: Yes. Applicant can specify more than one specialist Subcontractor(s) for fulfilment of technical capacity requirement under 3.2 c2) and d2) for experience in design, supply and installation of telecommunication and GSM-R equipment.
Question No 61: You are kindly requested to clarify if the Contractor is obliged to connect the GSM-R into the existing infra (Cor and BSC) system already installed in the “Belgrade to Subotica” railway line or to deploy a totally independent system on the line of Nis – Dimitrovgrad based on his contractual obligation.	Answer No 61: The Contractor is obligated to deploy the GSM-R into independent system on the Nis-Dimitrovgrad line based on his contractual obligations.
Question No 62: <i>In the clarification to Tenderers Queries No 1. to No 53, specifically in answer No 45 is stated: “In case of an applicant not incorporated Serbia, it shall be deemed that such applicant complies with the requirements from the Point 8 of the Contract Notice, if it provides a written statement confirming, under criminal responsibility and liability, the non-existence of the exclusion grounds according all points from Article 111 and 112 of the Law on Public Procurement of the Republic of Serbia, as far as such evidence are not issued, or not issued with the exact content as required, in the country of such applicants registration. If so, such statement has to be verified in front of a notary.”</i> Given the time required for any applicant (not incorporated in Serbia) to consolidate all necessary notarized documents in order to meet the corresponding criteria, we respectfully request an additional extension of at least 3 (three) weeks to	Answer No 62: Notary verification is concerning only requested written statement of confirmation of the non-existence of the exclusion grounds according all points from Article 111 and 112 of the Law on Public Procurement of the Republic of Serbia, as it was stated in Answer No 45. Deadline for receipt of Applications is already extended until 31 October, 2025 by Corrigendum No 1 to the Works Contract Notice, published on our website: https://infrazs.rs/medjunarodne-nabavke/ .

31 October, 2025 as granted by Corrigendum No 1, for the Application submission deadline.	
Question No 63: According to Answer No. 36 (document: Clarification to Tenderers' Queries for K3 SS&TC NIS-DIM No. 1–53), the Contracting Authority requires that the JVCA be a legally constituted grouping in order to participate in the prequalification. Our interpretation is that this requirement goes beyond the general provision of Article 135 of the Law on Public Procurement (Official Gazette of the Republic of Serbia No. 91/2019), which allows economic operators to submit a joint bid or prequalification request without forming a separate legal entity, provided that they submit a joint statement identifying each member and their respective responsibilities. In particular, the Law states that: • The contracting authority/entity may not require a group of tenderers to adopt a specific legal form in order to submit a joint tender; and • The contracting authority/entity may require a group of tenderers to assume a specific legal form only after the contract has been awarded, to the extent that such form is necessary for contract performance. Accordingly, it appears that, in this tender, the requirement for a legally established JVCA constitutes an additional condition imposed by the Contracting Authority, rather than a legal obligation under the Law itself. In this context, we respectfully request confirmation as to whether, in the case of several companies belonging to the same corporate group intending to participate jointly in the tender, the requirement for a legally constituted JVCA is applicable. While Article 135 of the Law on Public Procurement allows participation without forming a separate legal entity, we seek clarification whether the stricter requirement imposed in Answer No. 36 applies to this specific situation, or if a letter of engagement signed by all participating companies would be sufficient to meet the prequalification requirements.	Answer No 63: In the Item No 2. of the Works Contract Notice it is stated that procedure for this Restricted Tender is accordance to the EU PRAG and EIB Guide to procurement. In same document, in Item No 8., Legal entities was understood as individuals or in a group – joint venture / consortium (JVC hereafter). Contracting Authority as a proof for legally constitute entities are requesting to be submitted Form 1 from Application Form with general information about the applicant as well as Form 1.1 Data on JVC as legally constitute entities. Article 135 of the Law on Public Procurement is not applicable to this Tender Procedure.
Question No 64: We are hereby asking for additional clarification regarding the legal status of the bidder community (Joint Venture / Consortium Association - JVCA). Specifically, according to response No. 36 in the document <i>Clarification to Tenderers Queries for K3 SS&TC Niš–Dimitrovgrad No. 1–53</i>, it is stated that:	Answer No 64: Request that the JVCA must be a legally constituted association in order to participate in the prequalification is refering to the Item 8. Works Contract Notice. We also confirm the following: 1. No. The requirement for the JVCA to be a “legally constituted association” mean that the consortium

<i>"The JVCA must be a legally constituted association in order to participate in the prequalification."</i> We would appreciate your confirmation on the following points: 1. Does the requirement for the JVCA to be a "legally constituted association" mean that the consortium must be formally registered as a legal entity prior to submitting the prequalification application? 2. If formal registration is not required, is it sufficient for the consortium members to provide a Joint Venture Agreement / Letter of Engagement, signed by all members, clearly defining their roles and responsibilities? 3. Please clarify what form of evidence is considered sufficient for a consortium to be regarded as a "legally constituted association" within the meaning of this tender.	must submit Form 1 from Application Form with general information about the applicant as well as Form 1.1 Data on JVCA as legally constitute entities. 2. Yes. A formal registration is not required, and it is sufficient for the consortium members to submeet signed a Joint Venture Agreement. 3. The Joint Venture Agreement is sufficient as evidence as a "legally constituted association" within the meaning of this tender
Question No 65: Namely, according to the Answer to Question No. 27 in the document we have noticed that the Tender document, "WORKS CONTRACT NOTICE / EIB-GtP/27/22/SS&TK, section 3.3 Capacity-providing entities," states that <i>"If the applicant relies on other entities, it must prove to the contracting authority that it will have at its disposal the resources necessary to perform the contract by producing a commitment on the part of those entities to place resources at its disposal..."</i> This whole section 3.3 implies role of the Capacity-providing entity itself, which is to provide necessary assistance to the applicant, rather than to become one of the applicants as a member of JVCA. In previous tendering practices, Capacity-providing entity, especially when it is the applicant's parent company, was not required to be a formal member of the JVCA. If Capacity-providing entity is member of JVCA, than the capacity providing entity is not the third party and it is contradictory to claim the capacity from him as relying on the third party. In other words, if Capacity-providing entity must be declared as a member of the JVCA, than usage of Capacity-providing entity is not allowed, which is opposite to the requirements from the tender documentation. Participant believes, according to previous experiences, that it is enough that the capacity-providing entity provides the commitment, as required under section 3.3, that the participant will have at its disposal the resources necessary to	Answer No 65: Please pay attention to the Item 18. Section 3.2 in which it is stated that: <i>"However, technical capacity requirement under 3.2 c2) and d2) for experience in design, supply and installation of telecommunication and GSM-R equipment can be met by the specialist subcontractor."</i> In the same Item 18. Section 3.2 it is also stated that: <i>"Specialized subcontractors for civil works, telecommunication equipment and GSM-R, as well as laying of cables and installation of trackside equipment may be proposed as subcontractor(s) in more than one application."</i>

perform the contract and it should not be member of the JVCA. We are kindly asking for additional clarification regarding this matter and for your answer No. 27.	
Question No 66: With reference to your answer No.48, please confirm that, in accordance with Article 112, paragraph 1, point 3 on Public Procurement of the Republic of Serbia, the economic operator shall be excluded from the procedure if the described offence was committed within 3 years prior to the deadline for submitting the Bid for this Project?	Answer No 66: Yes. We are confirming that in accordance with Article 112, paragraph 1, point 3 on Public Procurement of the Republic of Serbia, the economic operator shall be excluded from the procedure if the described offence was committed within 3 years prior to the deadline for submitting the Bid for this Project.
Question No 67: In Clarifications, Answer No. 21 defines a specialist subcontractor as an entity whose capacities the Applicant intends to rely upon (capacity-providing entity). We kindly ask you to confirm the following: 1.a) Does this tender procedure recognize the category of an “ordinary” (non-specialist) subcontractor, i.e. a subcontractor whose capacities (references) are not relied upon by the Applicant? 1.b) If such a category exists, can an “ordinary” subcontractor have a share exceeding 10 % of the estimated contract value (in a situation where the JVCA already possesses all required references and meets all necessary capacity criteria), considering that Answer No. 22 specifies that “other smaller types of works” may be subcontracted only if they are below 10 % and do not include the core types of works under this contract? 1.c) If an “ordinary” subcontractor may exceed 10 %, would such a subcontractor then be considered a capacity-providing (specialist) subcontractor and therefore have to be indicated in the forms (Annex I-b, Form 1.2), bearing in mind that Annex I-b requires completion for “each entity on whose capacities the Applicant relies and for each subcontractor performing more than 10 % of the contract value”?	Answer No 67: The answers are as follows: 1.a) Each nominated subcontractor is specialized for a particular type of works, but may not have to be the nominated subcontractor on whose references the applicant relies to fulfill the required references. 1.b) In a situation where the JVCA already possesses all required references and meets all necessary capacity criteria, nominated subcontractor can have share exceeding 10% of the estimated contract value. 1.c) Each subcontractor with share exceeding 10% of the estimated contract value must complete Annex I-b as well as to be listed in Form 1.2 regardless of his role on the project.
Question No 68: In Clarifications, Answer No. 22 states that the Applicant must have its own capacity to perform key tasks, including the design, supply and installation of telecommunication and GSM-R equipment, whereas the remaining “smaller” works (<10 %) may be subcontracted. We kindly ask you to confirm: a) Can an “ordinary” subcontractor without references perform any of the core works (e.g.	Answer No 68: The answers are as follows: a) Please see Answer No 65. b) If the subcontractor meets requirements from Item 8. of the Contract Notice, his technical qualifications must present his experience in similar jobs, as well as apply quality control systems and environmental protection in his work.

design, supply, or installation of telecommunication or GSM-R equipment), or is the execution of such works strictly limited to the Applicant (or to a specialist subcontractor whose capacities are relied upon)? b) If an ordinary subcontractor may in any way participate in such works, what minimum technical qualifications or references must it possess?	
Question No 69: a) Should “ordinary” subcontractors be indicated already at the Prequalification (PQ) stage, and if so, in which section of the Application Form (for example, in Form 1, in the table “companies involved in the project... subcontractor”), bearing in mind that Answer No. 23 states that Annex I-b shall be submitted only for subcontractors whose capacities the Applicant intends to rely upon? b) What documentation should be provided for an ordinary subcontractor with a share exceeding 10 %, should such subcontractors exist? Specifically, should such a subcontractor also complete Annex I-b (since the Application Form stipulates that every subcontractor performing more than 10 % must do so), and is Form 1.2 (intended for specialist subcontractors) also required at the PQ stage? c) Should subcontractors with a share below 10 % be indicated at all at the PQ stage, considering that Answer No. 35 refers to Answer No. 22, which categorizes such works as “smaller” and non-core?	Answer No 69: The answers are as follows: a) The subcontractors that the applicant intends to hire for the implementation of the project should be listed at the Prequalification stage, in Form 1.2 of the Application Form. b) Please see Answer No 67, point 1.c). c) Yes. Subcontractor with a share below 10% should be indicated in Form 1.2 of the Application Form.
Question No 70: In Clarifications, Answer No. 25 states that the Applicant must satisfy criteria 3.2 (c1) and (d1) itself, while criteria 3.2 (c2) and (d2) may be met through a specialist subcontractor. We kindly ask you to confirm: a) If the Applicant (or JVCA) already meets all relevant technical qualification requirements, including 3.2 (c2) and (d2), does the specialist subcontractor still have to possess its own references, or would such references be optional (i.e. required only if the Applicant relies on that subcontractor’s capacities)? b) If the capacities of the specialist subcontractor are not relied upon (because the JVCA already meets all qualification requirements), does any limitation apply to the specialist subcontractor’s share in the overall contract value — or does the restriction in Answer No. 22 (less than 10 % for “other smaller works”) apply only to ordinary subcontractors?	Answer No 70: The answers are as follows: a) The specialist subcontractor’s references are optional, i.e. required only if the Applicant relies on that subcontractor’s capacities. b) If the Applicant do not relied on capacities of the specialist subcontractor, no limitation apply to the specialist subcontractor’s share in the overall contract value.

Question No 71: We kindly seek clarification whether, a consortium member that does not independently fulfil the required financial ratio as stated in 18.1.b (average current ratio) may rely on the capacity of another consortium member (within the same consortium and within the same corporate group) to fulfil this selection criterion by providing a commitment letter, rather than relying only on external entities (i.e. entities not part of the consortium/JVCA)?	Answer No 71: The consortium member that does not independently fulfil the required average current financial ratio as stated in Item 18. 1. b) of the Contract Notice, based on Item 18. 3.3, may rely on the capacity of another consortium member within the same consortium and within the same corporate group who is putting at its disposal the resources necessary to fulfil this selection criterion by providing him a commitment letter from member within the same consortium stating that it fully and at all times provides support to the consortium member in the economic and financial sense for the entire duration of the implementation of this project.
Question No 72: In response no. 27, you confirmed that every company providing references must be part of the JVCA. Please specify: 1) Does this requirement also apply to participation in a consortium? 2) How is this requirement to be implemented if there is only one supplier for a specific technology? This supplier can only be represented once in a bidding consortium. 3) Does this requirement also apply to companies within a group of companies?	Answer No 72: Please see Answer No 65. The answers to your points are as follows: 1) No, taking into account paragraphs in Item 18. Section 3.2 stated in Answer No 65. 2) Please see Answer No 65. 3) Please see Answer No 65.
Question No 73: In case we have very big project (more than 300.000.000) with our share being more than 50%, with a completion rate of more than 85% and a NoBo certificate for the ETCS L2 trackside, axle counter systems, etc. part already issued. This was already confirmed in written by the contracting authority and the relevant NoBo. We kindly request to confirm that this would be accepted to claim the technical capacity of the applicant for 3.1 general construction experience to be fulfilled.	Answer No 73: To claim the technical capacity of the applicant for 3.1 general construction experience to be fulfilled, the references which has been submitted for TSI conformity must be supported by EC certificate of verification, and for the works must be supported by Taking-Over Certificate issued by Investor for the parts of the works to which they refer to.
Question No 74: Following answer No 27 from the table of clarifications we would like to request two additional questions: We want to claim the capacity and capability of a sister company from the same group (holding) operating worldwide with different entities and therefore sharing resources and capacities whenever needed. However, we would not form a consortium with our sister company for that reason since we are part of one and the same group (holding) already anyway. We kindly ask to confirm that the contracting authority would accept this approach?	Answer No 74: If sister company from the same group operate separately with different banking accounts, the sharing of resources and capacities of the company that provides resources and capacities must be defined as part of a consortium or as a subcontractor as stated in Answer No. 65. Making resources and capacities available to another sister company must be specified in a commitment letter with the specified activities in which they will participate during project realization.

Question No 75: With reference to Form 5 – Litigation History, the applicant wishes to emphasize that, in numerous instances, information pertaining to both ongoing and concluded arbitration or litigation proceedings may be subject to confidentiality obligations, which preclude disclosure. Accordingly, the applicant clarifies that, in such circumstances, only information not protected by confidentiality may be provided. Would Customer kindly confirm that, where applicable, the applicant may indicate in the relevant table that certain information is confidential?	Answer No 75: Yes. We can confirm that, where applicable, the Applicant may indicate in the relevant table that certain information and data is confidential. Please note that members of the Evaluation Committee have signed the Declarations of impartiality and confidentiality for realization of evaluation procedure.
Question No 76: The Applicant respectfully clarifies that all necessary information regarding the joint bid—including the participation of each party, identification of the lead partner, proposed allocation of responsibilities, date place of signature of the agreement and other relevant details—is fully disclosed within the forms submitted as part of the prequalification documentation, in particular Form 1.1 Data on Joint Venture. Accordingly, the Applicant kindly requests that the requirement to enclose a joint venture or consortium agreement, as set out in Form 1.1 Data on Joint Venture, point 6.iii, be deleted at this stage, as it is unnecessary for the purposes of prequalification and unduly broad at this early phase of the tender process.	Answer No 76: Joint Venture or Consortium Agreement are legal forms of the association of several companies and cannot be changed during this procedure until the end of the implementation of the Contract on the execution of works. For the stated reason, point 6 iii) in Form 1.1 of the Application Form cannot be deleted.
Question No 77: With reference to point 3 of the Declaration(s) in the Application for EIB-funded works contract, it is stipulated that Annex I, Annex II, and Annex III must be duly signed by each consortium member, as well as by each capacity-providing entity and, where already identified at this stage, each subcontractor. Conversely, e.g. Annex II (Covenant of Integrity of EIB) and Annex III provide that the declaration may be made by the lead tenderer on its own behalf and on behalf of its joint venture partners, if any. The Applicant respectfully requests clarification as to whether, under the applicable tender procedures, the relevant annexes must be executed solely by the lead member of the consortium on behalf of all consortium members, or whether each consortium member is required to sign and submit the annexes separately.	Answer No 77: Each legal entity identified under point 1 of Application for EIB-funded works contract, including every consortium member, as well as each capacity-providing entity and each subcontractor, must submit the signed: - Annex I-a Declaration referred to in point 3 of the application form, - Annex I-b Declarations on honour on exclusion criteria and selection criteria, - Annex II - Covenant of Integrity of EIB, - Annex III – Environmental and Social Covenant of EIB.
Question No 78: Annex I-a states in one of its points that: “We hereby declare that we: [have attached a current list	Answer No 78:

of the enterprises in the same group or network as ourselves] [are not part of a group or network]* and have only included data in the application form concerning the resources and experience of [our legal entity] [our legal entity and the entities for which we attach a written undertaking]*.” The Applicant respectfully seeks clarification as to whether, in the case of international companies, it is required to provide a list of all legal entities worldwide that are part of the group? If so, the Applicant wishes to emphasize that such a requirement is particularly broad and burdensome at the prequalification stage. Accordingly, the Applicant kindly requests that this requirement be reconsidered or deleted.	Application for EIB-funded works contract and all Annexes I-a, I-b, II and III are agreed with EIB cannot be changed or deleted any part of them.
Question No 79: The Applicant respectfully requests confirmation that, at actual stage of the tender process (prequalification), it is permissible for the Parties to enter into an agreement recording their intention to form a consortium or joint venture, as it is stated in Form 1.1 point 6 iii) Data on join venture: Enclosure - joint venture/consortium agreement or declaration of intention to form joint venture/consortium including details of the participation of each party, including capital contribution and profit/loss agreements. Also specify the financial commitment in terms of the percentage of the value of the contract, and the responsibilities for execution of the contract. Given the time required for any applicant (not incorporated in Serbia) to consolidate all necessary notarized documents in order to meet the corresponding criteria, we respectfully request an additional extension of additional 2 (two) weeks to November 14th, 2025 as granted by Corrigendum No 1, for the Application submission deadline.	Answer No 79: Yes, it is permissible for the Parties to enter into joint venture / consortium agreement or declaration of intention to form joint venture / consortium including details of the participation of each party, including capital contribution and profit/loss agreements. Also specify the financial commitment in terms of the percentage of the value of the contract, and the responsibilities for execution of the contract. It is our understanding that a period of 65 days is sufficient to collect all the necessary documents and make applications for this tender procedure.

End of clarifications No 1 to No 79