



CONTRACTING AUTHORITY'S CLARIFICATIONS No. 4

**“Serbia Floods Rehabilitation Support”- Emergency works project
“Flood Protection System – Macva”**

Publication reference: EuropeAid/137976/DH/WKS/RS

No.	Question	Answer
1.	<p>As specified in WORK CONTRACT NOTICE - B Eligibility and rules of origin: "Participation is open to all legal persons (participating either individually or in a grouping - consortium - of tenderers) which are established in a Member State of the European Union or in a country or territory of the regions covered and/or authorized by the specified instruments applicable to the programmed under which the contract is financed (see item 22 below). All goods supplied under this contract must original in one or more of these countries. Participation is also open to international organizations. Participation of natural persons is directly governed by the specific instruments applicable to the programme under which the contract is financed.</p> <p>Our question is: the countries outside EU are not specifically mentioned, so we would like ask you to clarify that whether a Chinese company can participate in this tender as an individual or member of JV/consortium?</p>	<p>As clearly indicated in the quoted Contract Notice article 8- Eligibility and rules of origin and article 23 Legal Basis, the participation is limited on the companies originating from the mentioned territory.</p> <p>Unfortunately, this means that the Chinese companies are not invited to participate, either as an individual company or JV/consortium.</p> <p>The same approach of eligibility and rules of origin applies for all the goods supplied under this contract.</p>