



REPUBLIC OF MACEDONIA
MINISTRY OF TRANSPORT AND COMMUNICATIONS

Pursuant to Article 17 paragraph 1 line 2 of the Law on Public Procurements (Official Gazette of Republic of Macedonia No.136/07, 130/08), the Ministry of Transport and Communications publishes the following

ANNOUNCEMENT FOR AWARDING PUBLIC PROCUREMENT CONTRACT NO. 51/2010

I. CONTRACTING AUTHORITY:
MINISTRY OF TRANSPORT AND COMMUNICATIONS
Str. Crvena Skopska Opstina, No. 4, 1000 Skopje

II. SUBJECT OF PUBLIC PROCUREMENT CONTRACT

II.1. Subject of the public procurement contract: Procurement of legal services by law firm registered in England or having an office in England, with experience in commercial law, in particular with experience in litigation of disputes arising out of international commercial contracts in front of The High Court of Justice Queen's Bench Division Commercial Court in London

The Contracting Authority intends to procure the legal services from:

Respected law firm, with experience in commercial law, in particular with litigation of disputes arising out of international commercial contracts;

Law firm experienced in advising and representing foreign clients, in commercial cases in litigations in front of English courts; Main activity of the law firm shall include, but is not limited to:

- Analysis of the claim which TARBS Europe SA has submitted against the Republic of Macedonia (and other defendants) to The High Court of Justice Queen's Bench Division Commercial Court in London, analysis of the case and all documents and proofs which are brought against Republic of Macedonia.
- Advising the Government of the Republic of Macedonia in selecting of defence strategy for this particular case in front of The High Court of Justice Queen's Bench Division Commercial Court in London, advising in selection and submitting proofs in favour of the defence of the Republic of Macedonia as well as analysis of these documents.
- Representing Republic of Macedonia in front of The High Court of Justice Queen's Bench Division Commercial Court in London in the procedure which TARBS Europe has brought;
- To carry out everything that is required and necessary to properly represent and defend the Government of the Republic of Macedonia in this case.

II.2. Type of public procurement contract: legal services – category 21.

III. LEGAL, ECONOMIC, FINANCIAL AND TECHNICAL INFORMATION

III.1. Criteria for defining the capacity of the economic operator

Documents needed for confirming the capacity for performing professional activity:

- The law firm is obliged to submit a document for registered activity as a proof that it is registered as a legal entity for performing the activity related to the subject of the public procurement contract or a proof that it belongs to a relevant professional association in accordance with the regulation of the country of registration.
- The law firm is obliged to submit a proof that it is duly authorised to represent clients in litigations in front of The High Court of Justice Queen's Bench Division Commercial Court in London;

Minimum criteria necessary for defining the technical or professional capacity:

-Referent list for same or similar services with enclosed certificates for the performed services issued by the recipients and if such certificates cannot be obtained than only a statement from the Law firm

-The Law firm has to have at least 10 highly professional employees (lawyers and legal assistants) and this should be proved with relevant documents

-The lawyers` team should consists of at least 3 professional and experienced lawyers (apart from the technical and assisting personnel)

-At least one of the lawyers engaged in this specific case, should have at least 10 years of experience in representing clients in cases of commercial law.

A CV should be submitted for each of the proposed members of the lawyers` team, containing at least name and surname, degree of education, area of professional activity and working experience

IV. CRITERIA FOR AWARDING THE CONTRACT:

1. PRICE 20 points, of which:

- price (1 man/hour) for the team leader **10 points**
- average price (1man/hour) for the remaining team members **10 points**

2. QUALITY.....80 points, of which:

- working experience of the Law firm in the area of commercial law 20 points
- working experience of the Law firm in representing commercial law cases in front of The High Court of Justice Queen's Bench Division Commercial Court in London 20 points

- working experience of the team leader , particularly in the area of representing of commercial cases 40 points

Prices are fixed and shall remain valid till the expiry of the contract and in this period there will be no changes of the offered prices.

The payment shall be executed following actual realization of the services.

V. ADMINISTRATIVE INFORMATION

The tender documentation is free of charge and can be obtained from the Ministry of Transport and Communications, each working day from 9am to 2 pm as well as on the web site of the Ministry of Transport and Communications www.mtc.gov.mk for the period of duration of the announcement.

The offers should be submitted at latest by 30.08.2010 by 12:00 (local time) at the archive office in the Ministry of Transport and Communications.

The public opening shall be held on the day and at time defined as a final deadline for submission of offers: 30.08.2010 at 12:00 (local time).

Commission for implementation of the
public procurement procedure