



Crna Gora
Ministarstvo ekonomije

Pursuant to Articles 21 and 38 of the Law on Concessions (Official Gazette of Montenegro 08/09), the Ministry of Economy announces

PUBLIC NOTICE

OF PREQUALIFICATION COMPETITION FOR AWARD OF THE CONCESSION FOR EXPLOITATION OF COAL FROM THE MAOČE BASIN, CONDITIONED BY THE CONSTRUCTION OF A THERMAL POWER PLANT OF ESTIMATED CAPACITY OF 500MW

The Ministry of Economy of Montenegro (hereinafter: the **Ministry**) hereby invites all interested tenderers to submit applications for prequalification competition (hereinafter: the **Prequalification Application**) for the award of the concession for exploitation of coal in the “Maoče” basin, the Pljevlja Municipality, conditioned by the construction of a thermal power plant of the estimated capacity of 500MW (hereinafter: the **Project**). The Concession Contract shall be awarded through an international, transparent and competitive, two-stage tender procedure, in accordance with the Montenegrin law (hereinafter: the **Tender**).

1. Concession subject matter description

The subject matter of the concession is the exploitation of coal in “Maoče” basin, the Pljevlja Municipality, conditioned by the construction of a thermal power plant of estimated capacity of 500MW.

The Maoče Basin is located in the north-east part of Montenegro, with the air distance of about 15 km from Pljevlja. The square area covered by this concession is 14.5 km².

2. Main Document basic elements

The main document “Concession for exploitation of the mineral resources of brown-lignite coal in the Maoče basin, the Pljevlja Municipality” (hereinafter: the **Concession Act**) was adopted in accordance with the Law on Public Sector Participation in Delivery of Public Services (Official Gazette of the Republic of Montenegro 30/02).

Since the Law on Concessions (Official Gazette of Montenegro 8/09) has been passed, the awarding procedure of the subject concession shall be implemented in accordance with this Law and enabling regulations.

3. Public competition procedure

The two-stage public competition procedure is set forth by the Decree on detailed procedure for implementing the public tender procedure in an open and two stage concession award (Official Gazette of Montenegro 67/09) and the Prequalification Documents. The documents containing the details on the prequalification procedure (hereinafter: the **Prequalification Documents**) shall be available at the premises of the Ministry and on its web-site www.minekon.gov.me . Successful download of the mentioned Prequalification Documents from the web-site is to be immediately confirmed by an e-mail to the address: projekat.maoce@gov.me. Such confirmation is necessary so that the interested Applicants could be registered and included into the list for distribution of notifications, questions and answers.

4. Prequalification criteria

Any company or other legal entity or consortium (hereinafter: the **Applicant**) is entitled to participate in the Public Prequalification Competition. The Applicant is to fulfil the prequalification criteria consisting of financial and technical criteria.

4.1. Financial criteria

- a) Applicant’s revenues must exceed the amount of EUR 500 million or its equivalent in other currency annually for the last 3 business years;
- b) Applicant’s total assets must exceed the amount of EUR 1.5 billion or its equivalent in other currency for the last business year;
- c) Applicant must be awarded the credit rating of no less than “BBB minus” by Standard and Poor’s or Fitch, or “Baa3” by Moody’s;

Applicant has to fulfil the financial criterion referred to in item 4.1. indent a) and one of the financial criteria referred to in the same item indent b) or c).

4.2. Technical criteria

4.2.1. Experience in the electricity generation from coal-fired thermal power plant

- a) The quantity of electricity generated from the coal-fired thermal power plant by the Applicant may be no less than 6,000 GWh per year for the last 3 business years.
- b) Applicant has under its ownership coal-fired thermal power plants of the total installed capacity of no less than 1,000MW.

4.2.2. Experience in exploitation and management of coal mines

The quantity of coal produced by the Applicant may be no less than 2,000,000 tons per year during the last 3 business years.

The Applicant must fulfil all technical criteria.

Fulfilment of criteria if the Applicant is a consortium

In the event that the Applicant is a consortium, the Consortium Lead Member needs independently to fulfil:

1. Financial criteria referred to in item 4.1 indent a) and one of the criteria referred to in the same item indent b) or c); and
2. One of the Technical Criteria referred to in item 4.2.1 indent a) or b).

5. Prequalification Application submission deadline

The Applicant may submit the Prequalification Application in person to the archive of the Ministry or via mail to the following address:

Ministarstvo ekonomije /Ministry of Economy/
Rimski trg 46, Podgorica,
Crna Gora

Applications are to be submitted in Montenegrin and English as specified by the Prequalification Documents.

End date for submission of Prequalification Applications is 6 February 2010, until 12 am (local time).

Submitted Prequalification Applications shall be opened in public on the same day at 2 pm, local time, in the premises of the Ministry. The procedure of opening the applications shall be implemented by the Tender Committee appointed by the Ministry. Authorized representatives of applicants may be present at the opening of the Prequalification Applications.

Applications that arrive after the End Date for submission of applications shall not be considered, and shall be returned to the Applicant unopened.

Detailed description of the preparation, contents and procedure for submission of the Prequalification Application is explained in the Prequalification Documents.

6. Public Competition Procedure for Qualified Tenderers

Applicants that fulfil the defined conditions and criteria of the prequalification procedure, prescribed by this Public Notice and Prequalification Documents, shall be nominated as the tenderers qualified for submission of tenders (hereinafter: the **Qualified Tenderers**). The Qualified Tenderers shall be invited to submit tenders for the Project.

The Qualified Tenderers shall be delivered the Concession Act and shall be enabled to purchase the tender documentation that will, *inter alia*, define how and when the locations may be visited, the contents of the tender, the deadline for submission and withdrawal of submitted tenders, the data on the amount and type of the deposit, or the guarantee and the period it is required for, the conditions, deadlines and manner for returning the deposit, or guarantee.

7. Amendments to the Public Notice

Potential amendments to the Prequalification Public Notice shall be published in the same way as the original text of the Prequalification Public Notice. In that case the deadline for submission of applications shall be extended by the period lapsed from the publication date of the same in the Official Gazette of Montenegro until the date of the amendment.

The Ministry reserves the right to cancel or declare the Tender unsuccessful at any phase of the procedure.

8. Contact persons and additional information

Any question and/or request for additional information regarding the Tender is to be delivered to the Ministry via e-mail to the following address:
projekat.maoce@gov.me

Contact persons:

MA Vladan Dubljević,
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