



**Public Invitation - Call for Bidders' Admission to the Qualification
System
through a Web-based Platform**

**for the Conclusion of Agreement on Current Day (Intraday) Electricity
Supply regarding the Needs of Universal Electricity Supplier**

Public Invitation - Call No: PIC(OKS) 3/19

Skopje, April 2020

Notice No.: OKS 03/19

PART I: CONTRACTING AUTHORITY

I.1) Contracting Authority's Information

I.1.1) Name of Contracting Authority: **EVN HOME DOO Skopje, Company for Provision of Universal Electricity Supply Service**

I.1.2) Address: **Lazar Lichenoski no. 11**

I.1.3) City and zip code: **Skopje 1000**

I.1.4) Internet address: **www.evn.mk**

I.1.5) Contact Person:

Blagica Popovska, email: **blagica.popovska@evn.mk** Phone: +389 72 933 667
Marjan Stojanov, email: **Marjan.Stojanov@evn.mk** Phone: +389 72 931 347

I.1.6) Additional information and Tender Documents may be obtained at

email: **bids.home@evn.mk**

PART II: SUBJECT OF PUBLIC PROCUREMENT NOTICE

Pursuant to Article 101 paragraph (1) item 6) of the Law on Energy (Official Gazette of the Republic of Macedonia No. 96/2018 and 96/2019) and Article 3 paragraph (3) of the Electricity Supply Rules for Universal Supplier (Official Gazette of the Republic of Macedonia No. 172/2018 and 126/2019), EVN Home DOO Skopje as a Licensee for the Universal Electricity Supplier makes the following:

Public Notice for Bidders' Admission to the Qualification System

through a Web-based Platform

for the Conclusion of Agreement on Current Day (Intraday) Electricity Supply regarding the Needs of the Universal Electricity Supplier

1. Subject of Procurement

EVN Home DOO Skopje is making a Call for admission of Bidders to a qualification system through a web-based platform for the purpose of concluding a Framework Agreement on electricity supply regarding the needs of households and small consumers in an organized market in the current day (Intraday).

2. Definitions and abbreviations

(1) The terms used in this Agreement shall have the following meanings:

Framework Agreement on Intraday Electricity Supply (FA)	The agreement concluded by and between the US and the Qualified Bidder
Bidder	Any electricity producers, suppliers and/or traders from the Republic of North Macedonia or foreign countries registered in accordance with the legislation of the Republic of North Macedonia that own adequate licenses issued by the Energy and Water Services Regulatory Commission of the Republic of North Macedonia and an EIC code issued by AD MEPSO or by relevant foreign countries' institutions
Qualified Bidder	The bidder that has concluded an Intraday Electricity Supply Framework Agreement with the US
Selected Bidder	The eligible bidder which shall be selected as the best bidder in the electricity procurement procedure and invited to sign an Individual Contract with the US
Public Notice for Bidders to be accepted in the Qualification System for the purpose of intraday energy supply	This document shall be published through the web-based platform and in two daily newspapers of the Republic of North Macedonia and available on the website www.evn.mk
Current Day (Intraday) Electricity Supply	The procedure implemented by the US in accordance with the Universal Electricity Supplier's Electricity Supply Rules adopted by the ERC
Individual Current Day (Intraday) Electricity Supply Contract (IC)	The purchase agreement between a Qualified Bidder and the US stipulating the conditions for sale of electricity in the current day
Bid	A Trading Service Fee Bid regarding the electricity quantity required during the day and delivered by a Qualified Bidder
Invitation to Qualified Bidders to make a Bid for the supply of electricity in the current day	An electronic form document sent by the US to all Qualified Bidders by email and/or web-based platform that accurately defines the conditions under which the current day (intraday) electricity supply procedure shall

(Invitation to Bid (IB))	be conducted
Best Current Day (Intraday) Trading Service Bid Selection Procedure (Trading Service Fee)	Sequence of events related to the procurement of electricity, beginning with an IB by the US, and continuing with bids submitted by Qualified Bidders, evaluation, selection of the best qualified bidder and ending with a conclusion of an IC with the selected bidders or a delivery of Notice that none of the bidders was selected to conclude an IC
Hourly Schedule regarding the current day (intraday) supply of electricity and power	An hourly schedule regarding the supply of electricity in certain trade volumes per hour depending on the US' needs for the current day supply
Transparent markets	Transparent markets for current day (Intraday) electricity in the EU shall mean the markets specified in the IB and IC

(2) Abbreviations used in this Agreement shall have the following meanings:

US	Universal Supplier of electricity that is obliged to supply electricity as a universal service and power supply in a pinch (name of the legal entity)
ERC	Energy and Water Services Regulatory Commission of the Republic of North Macedonia
FA	Framework Agreement on current day (intraday) electricity supply regarding the needs of households and small consumers supplied by the Organized Market Universal Supplier in the current day
IC	Individual Contract on electricity sale in the current day
IB	Invitation to Qualified Bidders to make a Bid for the supply of electricity in the current day (Invitation to Bid)
QS	Qualification System
HSS	Hourly Supply Schedule regarding the electricity and power supply in the current day

3. Duration of the Qualification System

QS validity duration:

From the date of publication of the Notice for Bidders' Admission to a Qualification System through a Web-based Platform until the date of validity of the "License for performing energy business activity - electricity supply with obligations to provide electricity supply as a universal service and power supply in a pinch"- 1 July 2024.

Additional information

Any party interested in participating in the Qualification System regarding the subject above shall submit the required documents via a web-based platform no later than **16.04.2020 by 24:00** h local Macedonian time **as an initial deadline for submission of Applications for Participation**. After the expiry of the initial deadline for submission of their applications for admission to the QS, interested bidders may submit an application for admission in the established Qualification System additionally, at any time during the Qualification System duration.

Date of publication: 10.04.2020

4. Right to participate in the Public Call

Any electricity producers, suppliers and/or traders registered in the Republic of North Macedonia and/or abroad in accordance with the Energy Law that possess a license for the relevant energy activity issued by the the Energy and Water Services Regulatory Commission of the Republic of North Macedonia and an EIC code issued by AD MEPSO or relevant institutions abroad that meet the criteria for determining their capacity to be included in the Qualification System, shall have the right to participate in the Public Call for Bidders' Admission to the Qualification System through a Web-based Platform and to show interest in concluding an FA in an organized intraday electricity supply market.

The US shall reserve the right to change or complement the QS.

5. Procedure applicable to the award of Contract for Intraday Electricity Supply in an organized market

The US will procure electricity intended to supply consumers in the category of households and small consumers supplied by the Universal Supplier by applying transparent, non-discriminatory and competitive procedures.

This procedure is structured as follows:

A) Public Notice for Bidders' Admission to the Qualification System through a Web-based Platform

The US shall establish and maintain a Qualification System for bidders on a web-based platform for the period for which it was selected or appointed to provide a universal electricity supply service.

B) Application for Admission to the QS

All bidders interested in being admitted to the Qualification System regarding the subject above shall submit an Application for Admission to the Qualification System and the documents required under this Notice through a web-based platform as set out in the Guidelines for Use of the Web Platform attached to this Public Notice for Bidders' Admission to the QS.

In its Application for Admission to the QS, the applicant shall indicate its official email address to be used for communication regarding the subject matter of this Notice for Bidders' Admission to the QS.

C) Evaluation of Bidder's eligibility

Bidders' eligibility for admission to the Qualification System through a web-based platform shall be evaluated by the US authorized persons within 30 days as of the date of submission of Bidders' Applications. The US authorized persons shall, upon receiving Bidders' documents referred to in Item 6 of this Bidders' Admission Notice, verify that the submitted documents are valid (not older than 6 (six) months as from the date of submission of the Application for Admission to the QS).

If the Application for Admission to the Qualification System is incomplete, the US shall provide the Bidder a period of additional seven days to complete the Application. Such additional documents shall be submitted by the Bidder through the web-based platform.

Upon its evaluation, the US shall decide whether to accept the Bidder or to reject the Bidder's Application for Admission to the Qualification System.

US authorized persons shall inform the Bidder of its admission to the Qualification System and invite the Bidder to conclude an FA with the US, thus acquiring the status of Qualified Bidder that may participate in an organized market intraday electricity supply process related to the needs of households and small consumers.

The Bidder may file a complaint to the ERC against this decision.

D) Conclusion of an FA

Only the bidders meeting the requirements for admission to the Qualification System through a web-based platform shall be eligible to conclude an FA with the Universal Supplier of electricity covering the needs of households and small consumers.

Bidders that have concluded an FA with the Universal Supplier shall acquire the status of Qualified Bidders and be entitled to participate in the public procurement of electricity organized by the Universal Supplier.

E) Invitation to Qualified Bidders to make a Bid for the Supply of Electricity in the Current Day (IB)

All Qualified Bidders shall receive IBs via an electronic web platform and/or email in the event an electricity supply procedure and IC conclusion is initiated. Each IB shall contain information, guidelines and bidding rules of the Bidder. The Bidder shall, by submitting its Bid, fully accept the rules set out in the IB and undertake to act in accordance with such rules under the intraday electricity supply procedure.

F) Selection of the most favorable Bidder

The selection of the most favorable bidder shall be performed by compiling a Ranking List of Best Bidders by the US' authorized persons upon the evaluation of bids by way of a "Priority Ranking List". Such Priority Ranking List shall follow an ascending order, such that the first, i.e. most favorable bid shall be the one with the lowest fee for electricity trading service per MWh electricity delivered/traded (Trading Service Fee/MWh) in liquid and transparent energy markets for the current day (Intraday) in the EU, subject to the terms set out in this QS. Electricity Trading Service Fee shall be considered to be the sole criterion for selecting the most favorable bid. The time of Bid receipt shall be taken as a secondary criterion only if two or more Qualified Bidders offered the same Trading Service Fee. In this case, the most favorable Bid shall be the bid of the Qualified Bidder that submitted it first. Selection of best bidders shall be performed by the US legal representatives, taking into account the ranking of the most favorable bidders in accordance with the criteria of this Public Notice.

G) Publication and notification of results

The publication of the results in the procedure for selecting the most favorable Trading Service Fee Bid regarding the US' needs shall be performed by sending an email notification to all Qualified Bidders that participated in the bidding procedure and had valid Bids in accordance with the instructions and rules defined in the IB.

H) Signing of an Individual Electricity Supply Contract one day in advance

Pursuant to the IB, the US shall conclude an IC with two bidders meeting the requirements set out in the IB and offering the lowest trading service fee per delivered/traded MWh of electricity (Trading Service Fee/MWh).

The US shall deliver an IC to the Selected Bidder, and the Selected Bidder shall have five working days as from the date of IC receipt to sign and submit such Individual Contract to the US; otherwise, the Selected Bidder shall be deemed to have waived the Contract, and the US shall be entitled to collect the Bid Guarantee or keep the deposit. The IC shall define the rights and obligations between the US and the Qualified Bidder.

6. Criteria to establish Bidder's capacity to be admitted to the Qualification System

In order to be admitted to the Qualification System, Bidders shall submit the following documents:

1. Certificate that no bankruptcy procedure has been initiated against the Bidder by a competent authority;
2. Certificate that no liquidation procedure has been opened against the Bidder by a competent authority;
3. Certificate by the Register of penalties for criminal offenses committed by legal entities, stating that the Bidder has not been imposed a secondary sentence on temporary ban to perform a particular activity;

4. Certificate by the Register of penalties for criminal offenses committed by legal entities that no permanent ban on performing certain activity has been imposed on the Bidder;
5. Certificate by the Register of penalties for criminal offenses committed by legal entities that no secondary sentence has been imposed prohibiting the Bidder to participate in public procurement procedures, contract award procedures and awarding of public-private partnership contracts;
6. Certificate by the Register, confirming that the Bidder has not been imposed a final judgment issuing a misdemeanor sanction prohibiting the Bidder to perform a profession, activity or duty;
7. Certificate by the Register, confirming that the Bidder has not been imposed a final judgment issuing a misdemeanor sanction resulting in temporary prohibition to perform a particular activity;
8. A document for registered activity as proof that the Bidder was registered as a legal entity performing the activity related to the sale and purchase of electricity, issued by a competent authority;
9. Bidder's Current Status issued by a competent authority;
10. Certificate of paid taxes, contributions and other public dues issued by a competent authority of the country where the Bidder is registered;
11. Notification by AD MEPSO or by a foreign country regarding Bidder's approved and registered ENTSO-E Identification Code (EIC) or Statement of Approved and Registered ENTSO-E Identification Code (EIC), provided by the Bidder;
12. Statement that the Bidder irrevocably and unconditionally accepts the terms of the FC and IC;
13. Statement providing the Bidder's official email for communication with the US, as well as authorized contact persons and their electronic mails by which they will be able to participate in further electricity procurement procedures for the US' needs.

All required documents shall be submitted through a web-based platform in the original or as photocopies of the original notarized or stamped with "true to the original", containing the Bidder's signature and a stamp of the company submitting the documents. In the Republic of North Macedonia, the authority responsible for issuance of certificates in terms of documents under reference numbers 1 to 9 is the Central Registry, the document under number 10 is issued by the Public Revenue Office, while the documents under numbers 12 to 13 are issued by the Bidder.

If the country where the Bidder is registered does not issue any of the required documents referred to in this Item, or if such documents do not cover all the above cases, the Bidder may submit a Declaration of non-existence of some of the documents requested, certified by a competent authority in the country where it was registered.

These documents shall be in accordance with the legislation of the country where the head office of the entity applying for the Open Call is located, and such documents must not be older than six months.

Note: Incomplete applications for admission in the intraday qualification system via a web-based platform lacking complete documentation will not be considered valid until completed. Any attachments submitted will not be returned.

In case of any change to any of the above documents, the Qualified Bidder shall inform the US thereof within 7 (seven) days.

If a document is submitted in a foreign language, it must be translated by a certified court translator and notarized.

7. Prices and amounts

Trading Service Fee shall be an integral part of the price (P_{h1}) at which the US will purchase electricity delivered to the MEPSO network on an hourly basis from the Selected Vendor. The price per hour (P_{h1}) shall be the sum of electricity prices realized in:

→ Either of the EU transparent intraday energy markets, and

→ Trading Service Fee

$$P_{h1} = X_{ID} + \text{Trading Service Fee}$$

where:

X_{ID} - electricity price for the relevant hour realized in either of the EU transparent intraday energy markets listed in the IB and IC

Trading Service Fee – the trading service subject of this request expressed in EUR/MWh

In order to optimize its operation, the US may, through the Selected Qualified Bidder with which it will conclude a Current Day (Intraday) Electricity Supply IC for the US' needs, also request from the Selected Bidder to sell the surplus electricity in MEPSO's network that may arise during certain hours in the current day.

The Price (P_{h2}) at which the energy of the Selected Bidder will be sold, shall represent the price of energy in the EU transparent intraday energy markets in the respective hour, reduced by the Trading Service Fee

$$P_{h2} = X_{ID} - \text{Trading Service Fee}$$

Any additional costs arising in the Bidder's electricity delivery shall be included in the Trading Service Fee and be borne by the Bidder.

The hourly amount (in EUR) for the electricity delivered, shall be the product of the electricity quantity delivered and the hourly price (P_{h1}), while the hourly amount (in EUR) for electricity surplus sold, shall be the product of the electricity quantity sold and the hourly price (P_{h2}).

If the Hourly Price (P_{h1} or P_{h2}) has a negative value, then such value shall be taken as "0" (zero) in the calculations.

For each HSS, the Bidder may make a Bid from only one transparent market.

The monthly amount (in EUR) for the energy delivered shall be the sum of all hourly amounts for the energy delivered in the respective month of delivery, while the monthly amount (in EUR) for the electricity surplus sold shall be the sum of all hourly amounts for the energy sold in the respective month of delivery.

8. Minimum number of bidders

The minimum number of bidders to be admitted to the qualification system at the time of its establishment and for the duration of the system shall not be lower than three bidders.

9. Other provisions

All costs incurred by the Bidder in preparing and sending the documents related to this Notice shall be borne by the Bidder.

The US shall take into consideration only complete documents as per Item 6 of this Notice.

All questions regarding this Notice should be forwarded in writing through the respective web platform and/or the following email address bids.home@evn.mk

10. Administrative and additional information

Appendix 1 to this Notice includes the **Guidelines for Use of the Web Platform** by which interested bidders shall be introduced to the rules on using the qualification system and the web-based platform.

Appendix 2 to this Notice includes the Application for Admission in the QS.

11. Model Procurement Agreement

Appendix 3: Framework Agreement on electricity supply one day in advance

Appendix 4: Individual Contract on electricity supply one day in advance

12. Statement of Conditions Acceptance as attachment

The Bidder shall also submit a Statement of Conditions Acceptance when submitting its Bid Documents. (Appendix 5)