

On the basis of the Decision on announcing a public tender for granting an Authorisation for radio frequencies utilisation for provision of radiocommunication service – transmission of digital television services via public communication network (DVB-T) No.11-233/1 of 05.12.2008 the Agency for Electronic Communications is announcing PUBLIC TENDER No. 02-4140/1

1. SUBJECT OF THE PUBLIC TENDER

1.1. Granting of one Authorisation for radio frequencies utilisation for 3 multiplexes for provision of radiocommunication service – transmission of digital television services via public communication network (DVB-T) on the territory of the Republic of Macedonia in the radio frequency band 470-862MHz.

1.2. The Authorisation for radio frequencies utilisation subject to this tender shall be granted for a period of 10 years, with a possibility of extension the validity of the Authorisation on the manner and procedure stipulated in the Law on Electronic Communications.

2. CONDITIONS, REQUIREMENTS AND QUALIFICATIONS OF THE BIDDERS

2.1 All domestic and foreign legal persons-operators of public electronic communication networks and services that shall purchase the tender documentation of item 7 of this tender shall have the right to participate in the public tender for granting an Authorisation for radio frequencies utilisation of item 1, sub-item 1.1 if they shall meet the conditions as follows:

- a) provision of electronic communication services to a minimum 500.000 subscribers;
- b) have an annual revenue of minimum Euro 300.000.000 (three hundred million euro) of provision of electronic communication services in the last two years (2006 and 2007).

2.2 Persons who have not the right to participate in the public tender are as follows:

- a) legal person providing or intends to provide distribution of TV and radio programs on parallel technical platforms in the Republic of Macedonia (cable distributive networks, IPTV);
- b) legal person that is a creator of contents and at the same time deals with the production and emission of audiovisual program.

3. CRITERIA FOR SELECTION

Criteria for selection of the most favourable bidder for granting an authorisation for radio frequencies utilisation of point 1 of this tender are as follows:

- the amount offered as the one-time fee for granting an authorization for radio frequencies utilisation (shall carry a weighting of 5 points);
- Time schedule for implementation and coverage (shall carry a weighting of 20 points);
- Referent package for households (shall carry a weighting of 75 points);

4. MINIMUM AMOUNT OF THE MARKET VALUE

4.1. The minimum amount of the market value of the radio frequencies as one-time fee for granting an authorisation for radio frequencies utilisation of item 1 sub-item 1.1 of this tender shall amount Euro 300.000 (three hundred thousand).

4.2. The Bidder must submit a bank guarantee in the amount of 10% of the offered value of the one-time fee for obtaining the authorisation for radio frequency utilisation of item 1 sub-item 1.1 of this tender with a validity of 4 (four) months of the day of opening the bids.

4.3. The bidder must submit a statement that it will provide a bank guarantee in amount of 5 (five) million euro for the period of 12 months of the day of granting the authorization for radio frequency utilization of item 1, sub-item 1.1 of this tender as a guarantee for implementation of the project in total.

5. DEADLINE AND MANNER OF SUBMISSION THE BID AND ADDITIONAL DOCUMENTATION

5.1. The deadline for submission of the bids is 50 days of the date of publishing the public tender in the "Official Gazette of the Republic of Macedonia".

5.2 The bidder shall have the right to submit one bid for granting an authorisation for radio frequencies utilisation of item 1, sub-item 1.1 of this tender.

5.3 The bid and additional documentation must be submitted in one original copy in written form in Macedonian language, and technical terminology may be in English language, undersigned and verified by the responsible person of the bidder.

5.4. The bid must be submitted in a closed envelope, which contains two closed and sealed envelopes. The first inner envelope contains the Bid and must be marked as "BID", and the second inner envelope contains the documentation and must be marked as "DOCUMENTATION".

5.5 On the front side of the envelope, at the upper left corner, it must be printed text "DO NOT OPEN", the reference number of the tender and in the middle of the envelope it must be written the address for submission of the bid as follows:

AGENCY FOR ELECTRONIC COMMUNICATIONS

(Commission for Performing the Public Tender - DVB-T)

13, Dimitrie Cupovski Street, 1000 Skopje, Republic of Macedonia

5.6. The required additional documentation shall be specified in the tender documentation.

6. ADDRESS, PLACE, DATE AND TIME OF PUBLIC OPENING OF THE BIDS

6.1. The Public Opening of the Bids shall be held in the Agency for Electronic Communications premises on 04.02.2009 at 11:00 a.m.

6.2 The representatives of the bidders attending the Public Opening of the Bids shall be obliged to hand over to the Commission for Performing the Public Tender a written authorisation by the Bidder for their participation in the Public Opening of the Bids.

7. TENDER DOCUMENTATION

7.1 The interested parties may obtain the tender documentation in the archives of the Agency for Electronic Communications every working day from 08:30 to 16:30 hours, starting from 19.12.2008 after performed payment of 500 (five hundred) Euro in MK Denars denomination according to the middle exchange rate of the National Bank of the Republic of Macedonia to one of the accounts of the Agency for Electronic Communications as follows:

Agency for Electronic Communications

Gyro account: 300000002366739

Recipient bank: Komercijalna Banka AD Skopje

Tax number: MK4030005556148

Agency for Electronic Communications

Gyro account: 210060052840142

Recipient bank: Tutunska Banka AD Skopje

Tax number: MK4030005556148

8. CONTACT PERSONS FOR ADDITIONAL INFORMATION

8.1 The interested parties may obtain additional information only in writing via e-mail by the contact persons employed in the Agency for Electronic Communications: Mrs. Liljana Denkovska (for legal issues) and Mr. Mile Veljanov (for technical issues) e- mail: tenderdvt@aec.mk

8.2 All questions and answers concerning the public tender shall be published anonymously on the web-site of the Agency, with the address www.aec.mk.

9. DEADLINE FOR INFORMATION ABOUT THE DECISION

The bidders shall be informed about the decision made upon the public tender within 7 days as of the date the decision has been made.

Agency for Electronic Communications