

Pursuant to Article 27 paragraph 2 of the Law on Public Procurement ("Official Gazette of the Republic of Macedonia", no. 136/07), the Minister of Finance adopted the following

R U L E B O O K

ON THE MANNER OF ESTIMATING THE VALUE OF PUBLIC CONTRACTS*

Article 1

This Rulebook shall stipulate the manner of estimating the value of public contracts.

Article 2

The contracting authority shall estimate the value of the public contract by calculating the total amount that should be paid for executing the respective contract, without VAT included, taking into account any option and any possible extension or increase of the contract value, if they can be anticipated at the moment of the estimation.

If the contracting authority envisages a possibility to award certain prizes for the economic operators, it shall include them in the estimated value of the public contract.

If the contracting authority procures supplies, services or works by awarding many public contracts in the form of separate lots within one contract award procedure, the estimated value shall be calculated as the total value of all lots from the contract award procedure.

Article 3

The estimated value of the public contract shall be calculated when preparing the annual procurement plan.

Before making the procurement decision, the contracting authority shall adjust the estimated value of the respective public contract indicated in the annual procurement plan if any changes in the value occur.

Article 4

If by awarding the supply contract, the contracting authority procures supplies, including also their putting into operation, the estimated value of the contract shall also include the estimated value of the operations regarding their setting or installation.

If, at the time of estimating the value of the supply contract, the contracting authority has not established whether it will procure the supplies by immediate purchase, purchase with deferred payment or rental with or without the option to purchase the supply, than the estimated value of such contract shall be considered as the highest value corresponding to each option for procurement of the supplies.

The estimated value of the public supply contract by purchase with deferred payment or rental with or without the option to purchase the supply shall depend on the duration of the respective contract, as follows:

* Published in "Official Gazette of the Republic of Macedonia" no. 154/07.

- in the case of a fixed-term contract up to 12 months, the estimated value shall be calculated by taking into consideration all payments that should be carried out during the contract duration;
- in the case of a fixed-term contract more than 12 months, the estimated value shall be calculated by taking into consideration all all payments that should be carried out during contract duration, including the estimated residual value of the supplies, or
- in the case of a contract which duration cannot be determined at the moment of the estimation, the estimated value shall be calculated by multiplying the monthly value that must be paid, by 48.

If the contracting authority awards a public supply contract, which must be renewed within a certain period of time, the estimation of the contract value shall be carried out on the basis of:

- the total realized value of all successive similar supply contracts of same type, awarded in the last 12 months, adjusted, if possible, with the changes in quantities or values that could occur within 12 months following the conclusion of the contract, or
- the total estimated value of all successive similar supply contracts anticipated to be awarded in the next 12 months, starting from the moment of the first delivery or in the course of the financial year if it is longer than 12 months.

Article 5

If the contracting authority awards a public service contract, the total value of which cannot be estimated, whereas the average monthly imbursement can, then the method of estimating the value shall depend on the duration of the respective contract, as follows:

- in the case of a fixed-term contract, if the contract duration does not exceed 48 months, the estimated value shall be calculated taking into account the whole duration of the contract; or
- in the case of a contract without fixed-term or if the duration exceeds 48 months, the estimated value shall be calculated by multiplying the monthly estimated value by 48.

If the contracting authority awards a public service contract, which must be renewed within a certain period of time, the estimation of the value of this contract shall be carried out on the basis of:

- the total realized value of all successive similar service contracts awarded in the previous 12 months, adjusted, if possible, with the changes in quantities or values that could occur within 12 months following the conclusion of the contract; or
- the total estimated value of all successive similar service contracts anticipated to be awarded in the next 12 months, starting from the moment of the performing the first service or in the course of the financial year if it is longer than 12 months.

If the contracting authority awards public contract for insurance services, the estimated value of these service contracts shall be calculated on the basis of insurance premiums to be paid, as well as all other forms of imbursement referring to the respective services.

If the contracting authority awards public contract for banking services or other financial services, the estimated value of these service contracts shall be calculated on the basis of the duties, fees, interests and any other forms of imbursement referring to the respective services.

If the contracting authority awards services contract for preparation of project or plan in the field of spatial or urban planning, architecture, or engineering, the estimated value these service contracts shall be calculated on the basis of duties or fees to be paid, as well as all other forms of imbursement referring to the respective services.

Article 6

Total estimated value of a public works contract shall be determined by calculating the costs for carrying out the construction activities and the total estimated value of all supplies and services necessary to execute the contract and being placed at the contractor's disposal by the contracting authority.

Article 7

If the contracting authority carries out a design contest, the estimated value shall be calculated as follows:

- if the design contest is organized as an independent procedure, the estimated value shall include the total value of all prizes or payments to be awarded to the contest participants, as well as the estimated value of the services contract that would be subsequently awarded, if the contracting authority envisaged awarding of such contract in the design contest announcement, or
- if the design contest is organized as a part of an awarding procedure of a service contract, the estimated value of the respective service contract shall be considered as estimated value, as well as any possible prize or payment to the contest participants.

Article 8

If the contracting authority concludes a framework agreement, the estimated value shall be calculated as a sum of the maximum estimated value, without VAT included, of all public contracts intended to be awarded on the basis of that framework agreement for its duration.

Article 9

The day this Rulebook begins to apply, the Rulebook on the detailed rules for estimating the value of the procurement ("Official Gazette of the Republic of Macedonia" no. 10/05) shall cease to be valid.

Article 10

This Rulebook shall enter into force on the day of its publication in the "Official Gazette of the Republic of Macedonia" and shall apply from 1st January, 2008.

No. 23-48779/1
19 December 2007
Skopje

MINISTER,
Trajko Slaveski, Ph.D.,
(in his own hand)