



Pursuant to **Bid Evaluation Report No. 1155 of 18 April 2013, „No objection” statement of the Council of Europe Development Bank No. 923 of 21 March 2013 on the proposal of the evaluation** and Article 16 Item 2) of the Decision on Establishing a Limited Liability Company for Managing the Public Sector Research and Development Project 05, No. 02-5424/2010 dated 22 July 2010 (*Official Gazette of the Republic of Serbia*, No. 51/10), regarding the Framework Loan Agreement between the Republic of Serbia and the Council of Europe Development Bank (*Official Gazette of the Republic of Serbia – International Agreements*, No. 13/10), Agreement on financing and managing the activities on the Subproject: New capital equipment for research from EIB and CEB funds signed on 28 November 2011 No. 451-02-3991/2011-14 between the Ministry of Education, Science and Technological Development and PIU Research and Development Ltd., Belgrade, and in line with Article 7 Paragraph 1 Item 2(b) of the Public Procurement Law (*Official Gazette of the Republic of Serbia* No. 116/08), the European Investment Bank’s Guide to Procurement and the Bidding Documents, the Director of the PIU Development and Research Ltd., Belgrade, 22-26 Nemanjina street, issues

DECISION
on Public Procurement No. **IOP/5-2012/G**

1. **Bid Evaluation Report for part of the lots No. 1155 of 18 April 2013, with a Tabular Report as its constituent part**, made in the International Open Procedure, Public Procurement No. IOP/5-2012/G initiated under Decision No. 3650 of 6 August 2012, the subject of which is: "The Procurement of Laboratory Equipment", Sub-project (Component 1): New Capital Equipment (Research Equipment), organised through 189 lots and confirmed with the **"No objection" statement by the competent authorities of the Council of Europe Development Bank No. 923 of 21 March 2013, is adopted.**
2. In the part of the procedure for the Procurement of Laboratory Equipment, Sub-project (Component 1): New Capital Equipment (Research Equipment), in which the tender procedure was successfully completed, contracts for the procurement of goods are awarded to and will be concluded with the bidders who were declared successful in the Bid Evaluation Report from Paragraph 1 of this Decision, immediately after the expiry of the term for the submission of requests for clarification by unsuccessful bidders.
3. This Decision and the Bid Evaluation Report with the Tabular Report are a Notification to the Bidders on the award from item 41.3 of the Bidding Documents and shall be delivered to every concerned party by the announcement thereof on the Purchaser’s web site.

Statement of Reasons

The Republic of Serbia and the European Investment Bank signed on 4 March 2010 the Financial Agreement between the European Investment Bank and the Republic of Serbia on the realization of the Project: Public Sector Research and Development, ratified under the Law on Ratification of the Financial Agreement between the European Investment Bank and the Republic of Serbia (*Official Gazette of the Republic of Serbia*, no. 5/10).

The Government of the Republic of Serbia on 22 July 2010 adopted the Decision to establish „PIU Research and Development Ltd.” for managing the Project: Public Sector Research and Development (Official Gazette of the Republic of Serbia, no. 51/10).

One of the sub-projects within the Public Sector Research and Development project is “New Capital Equipment”.

The Republic of Serbia and the Council of Europe Development Bank signed on 15 October 2010, the Framework Loan Agreement between the Republic of Serbia and the Council of Europe Development Bank ratified under the Law on Ratification of the Framework Loan Agreement between the Council of Europe Development Bank and the Republic of Serbia (Official Gazette of the Republic of Serbia, no. 13/10).

The Framework Loan Agreement between the Council of Europe Development Bank and the Republic of Serbia stipulates partial funding for qualified investments for improving scientific and educational infrastructure and for provision of accommodation for young researchers in Serbia, and within that, the purchase of research equipment for public research institutions and laboratories, thus providing the means for the implementation of the Project: Public Sector Research and Development.

The Agreement on financing and managing the activities on the Subproject: New capital equipment for research from EIB and CEB funds signed on 28 November 2011 No. 451-02-3991/2011-14 between the Ministry of Education, Science and Technological Development and PIU Research and Development Ltd., Belgrade stipulates that PIU Research and Development Ltd., Belgrade will perform all tasks related to the management of the Subproject: (Component 1): Research Equipment in accordance with the European Investment Bank’s Guide to Procurement, the Public Procurement Act and other regulations, as well as, among other tasks, preparation, publishing and evaluation of the tender for the purchase of equipment.

Under Decision No. 3650 of 6 August 2012, the Purchaser, PIU Research and Development Ltd., Belgrade, Nemanjina 22-26, in collaboration with the Ministry of Education, Science and Technological Development and the Council of Europe Development Bank initiated, as part of the Public Sector Research and Development Project, a public procurement procedure to award contracts for the Procurement of Laboratory Equipment”, Sub-project (Component 1): New Capital Equipment (Research Equipment).

Public procurement No. IOP/5-2012/G – Procurement of Laboratory Equipment”, Sub-project (Component 1): New Capital Equipment (Research Equipment), organised through 189 lots, has been conducted in an open international procedure pursuant to Article 7 Paragraph 1 Item 2(b) of the Public Procurement Act (*Official Gazette of the Republic of Serbia*, No. 116/08), the Framework Loan Agreement between the Republic of Serbia and the Council of Europe Development Bank (*Official Gazette of the Republic of Serbia – International Agreements*, No. 13/10), the European Investment Bank’s Guide to Procurement and the Bidding Documents.

Following the opening of the bids, the Commission proceeded in line with the relevant provisions of the Bidding documents, and in the period from 27 September to 4 December 2012 examined and professionally evaluated a part of the lots, which was stated in the

Evaluation report No. 5964 of 5 December 2012, and after which the Purchaser adopted Decision No. 6233 on 19 December 2012.

In the period from 5 of December 2012 to 13 February 2013, the Public Procurement Commission conducted an examination and technical evaluation procedure for the bids for the remaining lots in which the conditions for evaluation were met, after which the Purchaser informed the competent authorities of the Council of Europe Development Bank about the results of the review and on 21 March 2013 received the "No objection" statement of the Council of Europe Development Bank registered under the number: 3706.

The results of the expert review and evaluation of the bids in the previous paragraph were presented in the Bid Evaluation Report for part of the lots No. 1155 of 18 April 2013, which contains all the relevant information on the conduct of the public procurement process, primarily the observations and recommendations of the Commission towards making a contract award or termination of the proceedings, depending on the circumstances.

The results of the examination and professional evaluation of the remaining lots will be the subject of the next bid evaluation report.

Section 3.5 of the Guide for the procurement of the European Investment Bank stipulates the obligation of Purchaser to obtain the approval of the Bank in all material decisions regarding the acquisition, which includes the "non-opposing" statement to the evaluation of bids and the proposed decision on the award of the contract.

Item 41.3 of the Bidding Documents stipulates that Purchaser shall notify bidders of the results identifying the bid by lot numbers.

On the basis of the everything above, and in response to the Public Procurement Commission's proposal represented in the Bid Evaluation Report for part of the lots No. 1155 of 18 April 2013 and the "No objection" statement of the competent authorities of the Council of Europe Development Bank dated 3706 of 21 March 2013, it has been decided as in the wording of this decision.

Due to this decision, and within five (5) working days of receipt or publication of the results, unsuccessful bidders may request in writing to the contracting authority to obtain clarification of explanations based on which their bids were not selected.

Director

Prof. Dr. Aleksandar Simonović