

In accordance with Article 16. clause 2) Decision on the establishment of a limited liability company for managing of the project Research and Development in Public Sector (Official gazette of RS, No. 51/2010, 72/2013, 24/2014 and 65/2014), Article 7, Paragraph 1, Clause 2.(2) of the Law on public procurement („Official Gazette of the Republic of Serbia, No. 124/12 and 14/15) Law on Ratification of the Financial Loan Agreement (Public sector research and development) concluded between the Republic of Serbia and the European investment bank („Official Gazette of RS”, number 5/10), article 53. of Rulebook on regulating the public procurement procedure, Decision on public procurement procedure no. 6912 dated 12.10.2015. (Amendment to decision on public procurement procedure, number 7576 dated 14.12.2015.), European Investment Bank Guide to procurement, consistently with Evaluation report of public procurement IOP/07-2015/G no. 5237 dated 18.03.2016., Director delivers the

DECISION ON CONTRACT AWARD

1. Contract is awarded in the international open procedure of the public procurement, number IOP/07-2015/G, the subject of which is: Procurement of electrical devices for scientific and research organizations, within the Sub-project of the centralized system for stock and purchasing consumables for scientific and research organizations:
 - **For LOT 2** to the bidder „Ewe comp” d.o.o. Belgrade, Cara Dušana 212, 11080 Belgrade, Zemun, with offered price 37,900.00 € VAT excluded;
2. This decision is to be published on the website of the Purchaser within three days from the day of its delivery.

R A T I O N A L E

Purchaser: JUP „Istraživanje i razvoj “ doo Beograd, Nemanjina 22-26, 11000 Belgrade.

The subject of the procurement: Procurement of electrical devices for scientific and research organizations, within the Sub-project of the centralized system for stock and purchasing consumables for scientific and research organizations.

Type of procedure: International open public procurement procedure.

Estimated value of procurement: 10,812,348.00 dinars excluding VAT, i.e. 90,102.90 euros, in accordance with Financial plan for 2015. and Procurement plan for 2015.

Estimated value per lot was determined based on the individual values of goods inserted in the recording system during the project cycle until 16th November 2014, by the project managers who are also the users of the goods being procured, which was updated through a questionnaire conducted in the period from 26th November to 1st December 2015, calculated in the currency euro on the day of inserting the requests by the end users.

Names and estimated values per lot:

No.	NAME OF LOT	Estimated value (in €)
1	Lot 1 – Air Conditioning	29,250.00
2	Lot 2 – Household appliances	38,795.00
3	Lot 3 – Small electrical appliances	16,585.00
4	Lot 4 – Cooling chambers	5,472.90

Type of procedure: International open procedure of the public procurement, initiated based on Decision on public procurement procedure number 6219 dated 12.10.2015. (Amendment to the decision on public procurement procedure number 7576 dated 14.12.2015.), according to the article 7. paragraph 1. clause 2. sub clause (1) Law on public procurement („Official Gazette of RS”, number 124/12 and 14/15 and 68/15), Law on Ratification of the Financial Loan Agreement (Public sector research and development) concluded between the Republic of Serbia and the European investment bank („Official Gazette of RS”, number 5/10) and clause 3.4. of EIBs Guide to procurement.

The means for conducting the public procurement are provided by Financial agreement (Public sector research and development) made between the Republic of Serbia and the European investment bank, on 04.03.2010, which was ratified by the Law on Ratification of the Financial Loan Agreement (Public sector research and development) made between the Republic of Serbia and the European investment bank („Official Gazette of RS”, number 5/10).

I. BASIC DATA ON THE BIDDERS

Procurement notice was published in the Official Journal of the European Union (OJEU) on 12.12.2015., on the website of the Purchaser, as well as on the Portal of public procurements on 14.12.2015., with deadline for bid submission until 27.01.2016. until 11,00 am.

The Committee, upon the expiration of the bid submission deadline, conducted the bid opening procedure:

- for all lots on 27.01.2016. starting at 13,00

In the minutes of bid opening filed under the number 724 dated 27.01.2016. the Committee noted that the bids of the following bidders are submitted in a timely manner:

No.	Bid is filed under the Purchaser's number	Name or code of the Bidder	LOT	Date of receipt	Time (h)
1.	559	„Soko Inžinjering“ d.o.o. Beograd	4	26.01.2016.	12.00
2.	711	„Ewe comp“ d.o.o. Beograd, Zemun	2	27.01.2016.	10.30

Committee noted that there have been no untimely bids.

II. EVALUATION OF THE BIDS

After the conducted bid opening procedure, the Committee started evaluation of the bids i.e. the overview of timely bids and submitted bid addenda which prove the requested mandatory and additional conditions, and noted as follows:

- **LOT 1:** no bids submitted
- **LOT 2:** Bid by the bidder „Ewe comp“ d.o.o. Beograd, Cara Dušana 212, 11080 Belgrade, Zemun

During the evaluation, the Committee noted that in the Section VII Schedule of requirements 2. Technical specification for two items – device vertical freezer, there are discrepancies between the requested and the offered technical specification (vertical freezer FS225320 – requested preservation time in case of power failure is 24h, while the offered time is 16h-24h; vertical freezer FN126920 - requested preservation time in case of power failure is 24h, while the offered time is 13h-24h).

Having this in mind, the Committee on 03.03.2016. sent the request for additional clarification to the bidder.

Bidder „Ewe comp“ d.o.o. Beograd submitted the clarification number 4033 dated 07.03.2016 in which he stated that considering that most manufacturers conduct the testing of their products in ideal laboratory conditions and that such results do not provide the real data on the characteristics of the device, especially in the mentioned cases, when there are more variables such as the room temperature, exposure of the device to the sun light, air humidity, the flow of hot / cold air through the room etc. Moreover, the bidder who is the distributor of the manufacturer, confirmed that the vertical freezer FS225320 in real conditions such as room temperature above 26 degrees has 16h of preservation time, while at the temperatures which are below 22 degrees has 24h of preservation time in case of power failure, while the vertical freezer FN126920, in the same conditions has 13h and 24h preservation time in case of power failure respectively.

Considering that the bidder in his clarification did not answer the Purchaser's question precisely, the Committee sent an additional request on 09.03.2016. On 11.03.2016 the bidder submitted an additional clarification number 4388, in which he stated that the preservation time in case of power failure for freezers FS225320 and FN126920 is 24h.

Pursuant to abovementioned, the Committee noted that the offered technical specification fulfils the requests from the Bidding document, and it noted that the bid is substantially responsive (adequate).

Also, the Committee noted that the bid by the bidder „Ewe comp“ d.o.o. Beograd is financially acceptable bid.

Offered price is: 37,900.00 € VAT excluded

According to the aforementioned, Committee noted that the bid by the bidder „Ewe comp“ d.o.o. Beograd, Cara Dušana 212, 11080 Belgrade, Zemun - is substantially responsive – adequate and financially acceptable – acceptable bid.

- **LOT 3:** no bids submitted

- **LOT 4:** bid by the bidder „Soko Inžinjeri“ d.o.o. Beograd, Bulevar Arsenija Čarnojevića 125, 11070 New Belgrade was submitted.

Committee conducted the evaluation procedure and noted as follows:

- Bidder information sheet is not submitted;
- Letter of Bid is submitted, signed and stamped, however it does not contain the elements foreseen by the form Letter of Bid in the bidding document;
- Price schedule and Technical Specification form is submitted in paper unsigned and unstamped by the bidder, it is not submitted in the form from the bidding document, the description of the offered goods is not in accordance with the requests from the technical specification;
- Instrument of financial security for Bid Security is not submitted;
- The CD with the electronic copy of the bid is not submitted;
- Model of contract on the procurement of goods is not submitted;
- Bidder did not submit the Statement under full criminal and material liability in which the Bidder states that he obeyed the rules under applicable legislation concerning safety at work, employment and working conditions, protection of environment, and that he is not under the prohibition of performance of activities during the bid submission;
- Other forms requested by the bidding document are not submitted.

Offered price is: 4,758.00 € VAT excluded.

According to the aforementioned, Committee noted that the bid by the bidder „Soko Inžinjeri“ d.o.o. Beograd, Bulevar Arsenija Čarnojevića 125, 11070 New Belgrade - is substantially not responsive – inadequate and financially acceptable – acceptable bid.

III. CLARIFICATION OF BIDS:

Evaluation was done in accordance with relevant provisions of the Bidding Documents - Section I. – Instructions to Bidders Clause E. Evaluation and comparison of the bids and Section III. – Evaluation and qualification criteria.

Section I, Instructions to Bidders, E. Evaluation and comparison of the bids, clause 29. Determination of Responsiveness, sub clause 29.2 foresees that the substantially responsive – adequate bid is the one that meets the requirements of the Bidding Documents without material deviation, reservation, or omission.

Section I. – Instructions to Bidders E. Evaluation and comparison of the bids, clause 29. Determination of Responsiveness, sub clause 29.4 foresees that if a bid is not substantially responsive to the requirements of Bidding Documents or financially does not comply with the Purchaser's Procurement Plan, it shall be rejected by the Purchaser.

IV. CONTRACT AWARD CRITERION

The criterion for evaluation of the bids is the **lowest offered bid price**.

Upon completed evaluation of the bids, the Committee made the Evaluation report, filed under the number 5237 dated 18.03.2016.

The Committee suggests to the Purchaser to accept the mentioned changes in respect of amounts, in accordance with the clause 39) sub clause (39.1) of the bidding document, which foresees the possibility of the Purchaser to change the stated amounts for +/- 100% in the time of contracting, under the condition that in this way the value of the bid is not changed for more than 25% of the original bid value.

According to above mentioned, the Committee suggests to the Purchaser to, in the procedure of the procurement of electrical devices for scientific and research organizations, procurement no. IOP/07-2015/G, in the part that refers to the bids, which were upon evaluation, evaluated as substantially responsive – adequate, financially acceptable and lowest evaluated bid, deliver the Decision on Contract Award and to conclude contract with the following bidder:

- **LOT 2** - with the bidder „Ewe comp“ d.o.o. Beograd, Cara Dušana 212, 11080 Belgrade, Zemun, with the offered price 37,900.00€ VAT excluded;

Acting according to the suggestion of the Committee given in the Evaluation report, filed under the number 5237 dated 18.03.2016. it has been decided as in the enacting clause.

Legal remedy:

Hereby we state that against this decision, the bidder can file a complaint to the Purchaser within 10 days from the day of publishing the Decision on the website of the Purchaser.

  **DIRECTOR**
Dr Goran Kvirgić