

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 54. of Rulebook on regulating the public procurement procedure, Decision on public procurement procedure no. 7469 dated 09.12.2015. (Amendment to decision on public procurement procedure, number 7621 dated 16.12.2015.), European Investment Bank Guide to procurement, consistently with Evaluation report of public procurement IOP/10-2015/G number 6404 dated 06.04.2016. Director delivers the

### **DECISION ON CANCELLATION OF THE INTERNATIONAL OPEN PUBLIC PROCUREMENT PROCEDURE**

1. International open procedure with publishing in the OJEU, number IOP/10-2015/G, the subject of which is: Procurement of toners for scientific and research organizations within the Project Research and Development, Sub-project of the centralized system for stock and purchasing consumables for scientific and research activities, for LOT 2 – remanufactured toners, is being cancelled.
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” d.o.o. Beograd, Nemanjina 22-26, Belgrade

Subject of the procurement: Procurement of toners for scientific and research organizations within the Project Research and Development, Sub-project of the centralized system for stock and purchasing consumables for scientific and research activities.

Procurement is organized in 2 lots.

Estimated value of the procurement: 25,494,000.00 dinars VAT excluded, 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 until 16.11.2014 by the project managers, which was updated through the questionnaire conducted in the period from 3rd December until 9th December 2015. done by the project managers who are the users of the goods being procured.

Names and estimated values per lots:

No.	NAME OF LOT	Estimated value (in €)
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1	Lot 1 – Original toners	173,085.00
2	Lot 2 – Remanufactured toners	39,365.00

Type of procedure: International open procedure, initiated based on Decision on public procurement procedure number IOP/10-2015/G published in the Official Journal of the European Union, decision number 7469 dated 09.12.2015. (Decision on amending the decision on public procurement procedure number IOP/10-2015/G published in the OJEU, decision number 7621 dated 16.12.2015.), in accordance with the article 7. paragraph 1. clause 2. sub clause (1) Law on public procurement („Official Gazette of RS”, number 124/12, 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 EIB Guide to procurement.

Decision on forming the Committee for the international open procedure, published in the Official Journal of the European Union, number IOP/10-2015/G, number 7470 dated 09.12.2015. formed the Committee for the public procurement of goods (hereinafter: Committee), including the following persons:

- Nikola Maksimović – president;
- Dušanka Lončarević – deputy president;
- Miljan Simonović– member;
- Aleksandar Grubač– deputy member;
- Jelena Marušić– member;
- Predrag Knežević– deputy member;
- Rade Bulatović– member;
- Stefan Trmčić – deputy member;
- Ivana Radulović – secretary and
- Olivera Bojović – deputy secretary.

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).

This public procurement is planned in the Procurement plan for 2015, and the resources for the realization of the public procurement are provided by the Financial plan for 2015.

## **I. BASIC DATA ON BIDDERS**

Procurement notice was published in the Official Journal of the European Union (OJEU) on 29.12.2015., on the website of the Purchaser and on the Portal of public procurements on 29.12.2015. with deadline for bid submission until 08.02.2016. until 11,00am. Due to the

amendments and addenda to the Bidding document, the Committee extended the bid submission period until 02.03.2016. until 11,00 am.

The bid opening procedure was conducted in the premises of the Purchaser, JUP Istraživanje i razvoj d.o.o Beograd, in Belgrade, Veljka Dugoševića street no 54 on 02.03.2016. starting at 13,00 by the Committee, including the following persons:

- Nikola Maksimović – president,
- Radomir Bulatović – member,
- Stefan Trmčić – deputy member,
- Olivera Bojović – deputy secretary.

Bid opening procedure was also attended by Uroš Đurović, deputy director of Procurement department of the Purchaser and Bogdan Vujović, technical preparation officer.

Committee conducted the bid opening procedure in the period from 13,00 until 13,15 on which it made Minutes of bid opening number 3838 dated 04.03.2016. and noted that the bids by the following bidders were submitted in a timely manner:

No.	Bid is filed under the number	Name or code of the Bidder	LOT	Date of receipt	Time (h)
1.	3590	Privredno društvo AIGO BUSINESS SYSTEM DOO Beograd (Kneginje Zorke 25-27, 11000 Belgrade)	1	02.03.2016.	8.35
2.	3591	Technology Experts doo Beograd (Hadži Đerina 2, 11000 Belgrade)	1	02.03.2016.	8.40
3.	3592	Consortium: Malex-city copy service d.o.o. Beograd (Mije Kovačevića 10, 11060 Belgrade - Palilula) and Preduzeće za proizvodnju, trgovinu i usluge I&D com d.o.o. (Viline vode bb, 11000 Belgrade)	2	02.03.2016.	8.45
4.	3593	Delfi Commerce doo (Jurija Gagarina 122, 11070 Belgrade)	2	02.03.2016.	9.18

Committee noted that there have been no untimely bids.

## II. EVALUATION OF THE BIDS

Upon opening the bids, the Committee started overview and evaluation of the bids. Evaluation was done in accordance with relevant provisions of the Bidding Document which define that - a substantially responsive - adequate and financially acceptable bid is the one that meets the

requirements, assumptions and specifications of the Bidding Documents without material deviation, reservation, or omission and in accordance with Section I – Instructions to bidders E. Evaluation and comparison of bids, as well as the Section III - Evaluation and Qualification Criteria.

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

Also, sub-clause (29.4) defines that if a bid is not substantially responsive to the requirements of Bidding Document or financially does not comply (is not acceptable) with the Purchaser's Procurement Plan, it shall be rejected by the Purchaser, and it cannot be made responsive, at a later time, after the corrections of material deviations, reservation or omission.

Committee conducted the evaluation procedure and noted as follows:

#### **LOT 1:**

##### **Bid by the bidder Privredno društvo AIGO BUSINESS SYSTEM DOO Beograd, Kneginje Zorke 25-27, 11000 Belgrade**

During the overview and evaluation, the Committee evaluated that the bid by the bidder Privredno društvo AIGO BUSINESS SYSTEM DOO Beograd, is in accordance with all the conditions and specifications requested in the Bidding document, and therefore notes that the bid is substantially responsive (adequate) bid and that it has no deficiencies.

Offered price is: 169,489.00 € VAT excluded.

Also, the Committee notes that the bid by the bidder Privredno društvo AIGO BUSINESS SYSTEM DOO Beograd is financially acceptable – acceptable bid.

According to the aforementioned, Committee notes that the bid by the bidder AIGO BUSINESS SYSTEM DOO Beograd, Kneginje Zorke 25-27, 11000 is substantially responsive - adequate bid and financially acceptable – acceptable bid.

##### **Bid by the bidder Privredno društvo Technology Experts doo Beograd, Hadži Đerina 2, 11000 Belgrade**

During the overview and evaluation, the Committee noted the following deficiencies:

- As an instrument of financial security for bid security, the bidder submitted the bill of exchange, while the Bidding document requests, for bids of value greater than 5,000.00 euros per lot, submission of bid security as an instrument of financial security;
- Bidder did not submit the evidence requested in the Bidding document regarding the fulfilment of conditions – business capability nor did he submit the filled Form EXP (Experience);
- Bidder did not submit the filled Form Manufacturer's authorization

Offered price is: 173,198.47 € VAT excluded.

Also, the Committee notes that the bid by the bidder Privredno društvo Technology Experts doo Beograd is financially unacceptable – unacceptable bid.

According to the aforementioned, Committee notes that the bid by the bidder Technology Experts doo Beograd Hadži Đerina 2, 11000 Belgrade is substantially not responsive - inadequate bid and financially unacceptable – unacceptable bid.

## **JOT 2**

**Bid by the bidder Consortium: Malex-city copy service d.o.o. Beograd, Mije Kovačevića 10, 11060 Belgrade-Palilula and Preduzeće proizvodnju, trgovinu i usluge I&D com d.o.o. Viline vode bb 11000 Belgrade**

During the overview and evaluation, the Committee evaluated that the bid by the bidder Consortium: Malex-city copy service d.o.o. Beograd and Preduzeće za proizvodnju, trgovinu i usluge I&D com d.o.o. is in accordance with all the conditions and specifications requested in the Bidding document, and therefore notes that the bid is substantially responsive (adequate) bid and that it has no deficiencies

Offered price is: 67,764.00 € VAT excluded.

According to the aforementioned, Committee notes that the bid by the bidder Consortium: Malex-city copy service d.o.o. and Preduzeće za proizvodnju, trgovinu i usluge I&D com d.o.o. is substantially responsive –adequate bid but financially unacceptable – unacceptable bid.

**Bid by the bidder Delfi Commerce doo Jurija Gagarina 122, 11070 Belgrade**

During the overview and evaluation, the Committee noted the following deficiencies:

- Bidding document foresees that the instrument of financial security for bid security shall be valid for twenty-eight (28) days beyond the original validity period of the bid. Considering that the bid validity period is 90 days from the day of expiration of deadline for bid submission, validity period of the bank guarantee is until 28.06.2016. However the bidder submitted the bank guarantee, as an instrument of financial security for bid security, with the validity period until 21.06.2016.
- Bidding document foresees that as evidence on fulfilment of requests – business capability bidder shall submit the copies of signed contracts (or exceptionally, copies of invoices in question and in that case the amount of the single invoice corresponds to a single contract), List of references and Confirmation Letters from Client. Bidder, as evidence on fulfilment of the requested condition, submitted the copies of the contracts and Form EXP (Experience).
- Bidding document foresees that as evidence on fulfilment of requests – personnel capability, the bidder shall submit copies of employment booklets, copies of labour

contracts or other appropriate evidence. Bidder, as evidence on fulfilment of the requested condition, submitted the copies of employment booklets.

Offered price is: 35,296.68 € VAT excluded.

According to the aforementioned, Committee notes that the bid by the bidder Delfi Commerce doo is substantially not responsive - inadequate bid and financially acceptable –acceptable bid.

### **III. EVALUATION CRITERIA**

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

The bids have been ranked from the lowest to the highest price. The lowest evaluated bid is the most favourable.

#### **LOT 1:**

<b>Ranking</b>	<b>Name of the bidder</b>	<b>Offered price VAT excluded</b>
1.	Privredno društvo AIGO BUSINESS SYSTEM DOO Beograd (Kneginje Zorke 25-27, 11000 Belgrade)	169,489.00 €

According to above mentioned, the Committee suggests to the Purchaser to, in the procedure of public procurement: Procurement of toners for scientific and research organizations, number IOP/10-2015/G, for Lot 1, deliver the Decision on contract award and to conclude the contract with the bidder AIGO BUSINESS SYSTEM DOO Beograd (Kneginje Zorke 25-27, 11000 Belgrade) – offered price 169,489.00 VAT excluded.


For Lot 2, for which two bids, one is substantially responsive –adequate bid but financially unacceptable – unacceptable bid and the other substantially not responsive - inadequate bid and financially acceptable –acceptable bid, the Committee suggests to the Purchaser to, in the procedure of public procurement: Procurement of toners for scientific and research organizations, number IOP/10-2015/G, deliver the Decision on cancellation.

Acting in accordance with the suggestion of the Committee provided in the Evaluation report, filed under the number 6404 dated 06.04.2016. 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.

The Purchaser has to report and submit the copy of every filed complaint to the competent authorities of European investment bank. The complaint does not delay the conducting of further procedure

 **DIRECTOR**  
dr Goran Kvirgić