

Based on the Financial Agreement concluded between the Republic of Serbia and the European Investment Bank FI n ° 25.610 ("Official Gazette of RS-International Agreements", No. 8-10, 12-15 and 11/17), Annex I of the Financial Agreement signed on March 27 2015, Annex II of the Financial Agreement signed on March 6, 2017, Annex III of the Financial Agreement signed on November 1, 2017 and Annex IV of the Financial Agreement signed on January 31, 2019, Article 11, paragraph 2. Law on Public Procurement ("Official Gazette of RS" No. 91/2019), Article 5, paragraph 1, item 5) and Article 7, paragraph 1, item 4) of the Project Management Agreement "School Modernization Program" in the Republic of Serbia financed from the European Investment Bank (concluded between the Ministry of Education, Science and Technological Development and the Public Sector Project Management Unit d.o.o. Belgrade, registered with the Ministry under number 401-00-374/2020-17 dated 19 October 2020, with the Project Management Unit in the public sector d.o.o. Belgrade registered under number 6915 on 19 October 2020) Article 16, paragraph 1, item 2) of the Decision on the establishment of a limited liability company for project management in the public sector ("Official Gazette of RS", No. 51/10, 72/13, 24/14, 65/14, 110/2016 and 26 / 2017), Article 53 of the Rulebook on more detailed regulation of the public procurement procedure, in accordance with the rules of the European Investment Bank described in the Procurement Guide of the Bank, Evaluation report number: 1650/1 from March 25, 2021. and "No objection" of the European Investment Bank registered with the Purchaser under number 1649 on March 25, 2021. year acting Director of the "Public Sector Project Management Unit" d.o.o. Belgrade brings

## DECISION ON CONTRACT AWARD AND CANCELLATION OF THE PROCEDURE

1. In the international open procurement procedure, number N / D / 02/20, whose subject is: Procurement of equipment for the development of regional training centers and modernization of secondary vocational schools within the "School Modernization Program", in accordance with the policy of the European Investment Bank described in The EIB Procurement Guide contract is awarded:

- **For Lot No. 2** – Group of Bidders: EWE comp doo Belgrade, Cara Dušana 212, 11080 Zemun as a leading member, Oblak tehnologije doo Belgrade, Cara Dušana 212, 11080 Zemun as a member and DOO MALNED BAČKA PALANKA , Šafarikova 86, 21400 Bačka Palanka as a member, offer number 684 from 3.02.2021. year, with the offered price of 956,352.74 euros without VAT;

- **For Lot No. 3** - Group of bidders: EWE comp doo Belgrade, Cara Dušana 212, 11080 Zemun as a leading member and Oblak tehnologije doo Belgrade, Cara Dušana 212, 11080 Zemun as a member, bid number 685 from 3.02.2021. year, with the offered price of 1,080,293.00 euros without VAT;

- **For Lot No. 4** - Group of bidders: EWE comp doo Belgrade, Cara Dušana 212, 11080 Zemun as a leading member and Oblak tehnologije doo Belgrade, Cara Dušana 212, 11080 Zemun as a member, bid number 686 from 3.02.2021. year with the offered price of 467,027.00 euros without VAT;

2. In the international open procurement procedure, number N/D/02/20, whose subject is: Procurement of equipment for the development of regional training centers and modernization of secondary vocational schools within the "School Modernization Program", in accordance with the policy of the European Investment Bank described in The EIB Procurement Guide procedure is cancelled for Lot No. 1.
3. This decision shall be published on the Portal of the Public Procurement Administration and on the website of the Contracting Authority within three days from the day of its adoption.

## R A T I O N A L E

**Purchaser:** Ministry of Education, Science and Technological Development, Nemanjina 22-26, 11000 Belgrade.

**Procurement subject:** Procurement of equipment for the development of regional training centres and modernisation of secondary vocational schools within School Modernisation Programme, in accordance with the policy of the European Investment Bank described in the EIB's Guide to procurement.

### **The procurement has been formed into lots:**

**Lot 1** – Medical school Andra Jovanović Šabac;

**Lot 2** – Technical school Valjevo;

**Lot 3** – Technical school Ivan Sarić Subotica;

**Lot 4** – Technical school Vlasotince;

**Type of procedure:** International open procedure for the procurement of goods, initiated by the Decision on initiation of the procedure number: 5933 dated 19.10.2020.

**Estimated value of the procurement is: 2,762,962.00 EUR VAT excluded**

### Estimated value per lot:

Lot 1 – 254,610.47 EUR VAT excluded;

Lot 2 – 956,567.40 EUR VAT excluded;

Lot 3 – 1,080,627.72 EUR VAT excluded;

Lot 4 – 471,156.42 EUR VAT excluded.

Public Invitation was published in the Official Journal of the European Union, on Public procurement portal and website of the Purchaser on 8.12.2020., with bid submission deadline until 11:00 a.m. on 20.01.2021. On 18.01.2021. Notice on change of the deadline for submission of bids was published, with the bid submission deadline until 11:00 a.m. on 3.02.2021.

During the Bid submission period one Clarification of the Bidding Document was published on the Public procurement portal and website of the Purchaser.

Bid opening procedure was conducted in the premises of the Purchaser, at the address Veljka Dugoševića 54, 11000 Belgrade, on 03.02.2021., starting at 11:30 am, by the following persons:

Name and last name	Committee position
Vladimir Lakčević	deputy President and member
Ivana Tripković	Secretary and member

Bids by the following Bidders were received in a timely manner, i.e. until 11:00 a.m. on 3.02.2021:

Ord. No.	Bid filed under number	Name or code of the Bidder	Receipt date	Time	Lot
1.	675	Group of bidders: USPON DOO, Bulevar oslobođenja 17, 32000 Čačak as a leading member and Derby Trade d.o.o, Jovana Dučića br. 1, 76100 Brčko as a member	3.02.2021.	9:35	1
2.	678	ORTOPEDIJA NOVI ŽIVOT DOO BEOGRAD, Ustanička 234a, 11050 Belgrade	3.02.2021.	10:15	1
3.	682	Group of bidders: Prointer Web doo Beograd, Dunavska bb, 11000 Belgrade as a leading member and SWG&M DOO, Loznička 18, 11000 Belgrade as a member	3.02.2021.	10:30	1
4.	683	Group of bidders: Prointer Web doo Beograd, Dunavska bb, 11000 Belgrade as a leading member and EUROSALON FABRIKA DOO, Dunavska bb, 11000 Belgrade as a member	3.02.2021.	10:31	2
5.	684	Group of bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member, Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as	3.02.2021.	10:40	2

		a member and DOO MALNED BAČKA PALANKA, Šafarikova 86, 21400 Bačka Palanka as a member			
6.	685	Group of bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as a member	3.02.2021.	10:40	3
7.	686	Group of bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as a member	3.02.2021.	10:40	4

None of the received Bids has been withdrawn by Bidders. No additions or modifications have been made to the Bids.

There have been no untimely Bids.

Committee created the Minutes of bid opening number: 696 dated 03.02.2021., which was handed to the Bidders who submitted the Bids.

Voting committee members conducted the overview and evaluation procedure in the period from 04.02.2021. to 19.02.2021. in the premises of the Purchaser, at the address Veljka Dugoševića 54, 11000 Belgrade.

During the evaluation procedure, in the aforementioned period, the following was determined:

#### **Lot 1 – Medical school Andra Jovanović Šabac**

**1) Bid by the group of Bidders: USPON DOO, Bulevar oslobođenja 17, 32000 Čačak as a leading member and Derby Trade d.o.o, Jovana Dučića br. 1, 76100 Brčko as a member, bid number 675 dated 3.02.2021.**

Offered price: 250,930.00 EUR VAT excluded

Considering that the estimated value of the procurement for Lot 1 is: 254,610.47 EUR VAT excluded, the Committee notes that the value of the Bid of the group of Bidders: Derby Trade d.o.o, Jovana Dučića br. 1, 76100 Brčko and USPON DOO, Bulevar oslobođenja 17, 32000 Čačak, is lower than the estimated value of the procurement for Lot 1.

Bid is complete, documents included in the bid are filled and signed. The Committee noted that the Bid is not in accordance with the requests from the Bidding Document and that the Bidder does not fulfil the conditions for the participation in the procurement procedure, due to the following reasons:

1) In accordance with the clause 21.1 Section I, Instructions to Bidders, the Bidder shall furnish as part of its bid, a Bid Security or a Bid-Securing Declaration, if required, as specified in the BDS.

In accordance with the clause 21.2 Section I, Instructions to Bidders, the Bid Security shall be in the amount specified in the BDS and denominated in the currency of the Purchaser's Country or a freely convertible currency and shall remain valid for a period of 28 days beyond the validity period of the bids, as extended, if applicable, in accordance with ITB Clause 20.2.

In accordance with the clause 20.1 Section I, Instructions to Bidders, Bids shall remain valid no less than 120 days after the bid submission deadline date.

As the clause 21.3 Section I, Instructions to Bidders foresees, if a Bid Security is required in accordance with ITB Sub-Clause 21.1, any bid not accompanied by a substantially responsive Bid Security, **shall be rejected by the Purchaser as non-responsive.**

Clause 24. Section I, Instructions to Bidders, defines that the Bids must be received by the Purchaser at the address and no later than the date and time specified in the BDS, as well as that the Purchaser may, at its discretion, extend the deadline for the submission of bids by amending the Bidding Documents in accordance with ITB Clause 8, in which case all rights and obligations of the Purchaser and Bidders previously subject to the deadline shall thereafter be subject to the deadline as extended.

On 18.01.2021. the Purchaser made a change to the bid submission deadline mentioned in the BDS, prolonging it until 03.02.2021., by sending the Notice on change of the deadline for submission of bids to all the Bidders who obtained the Bidding Document, and publishing it on the website of the Purchaser and Public Procurement Portal (<http://portal.ujn.gov.rs>).

Through an insight into the Bid by the Bidder, it has been determined that the submitted Bid Security number: 04777-02-0165761, by the guarantor Unicredit Bank Srbija a.d., has a validity period until 28.06.2021.

Since the Bid submission period was extended until 03.02.2021., the Committee notes that the minimum period of validity of the Bid Security foreseen by the Bidding Document is 30.06.2021.

According to the aforementioned, the Committee notes that the submitted Bid Security has a shorter validity deadline than the one requested by the Bidding Document, therefore it is unacceptable.

2) Bidding Document, Section III, Evaluation and Qualification Criteria, Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders – additional conditions, b), 2. Bankruptcy and liquidation, foresees:

- That no bankruptcy or liquidation procedure, i.e. previous bankruptcy procedure has been initiated against the Bidder at the moment of publishing the Public Invitation, and that as evidence it is necessary to submit the Statement of the Bidder made under criminal and material liability that no bankruptcy or liquidation procedure has been initiated against the Bidder, i.e. a previous bankruptcy procedure at the moment of publishing the Public Invitation.

Furthermore, it states that this provision applies to all members of a joint venture/consortium, as well as subcontractors.

Through an insight into the Bid by the Bidder, it has been determined that the leading member of the Consortium - Uspon doo, Bulevar oslobođenja 17, 32000 Čačak, did not submit the aforementioned Statement.

3) Bidding Document, Section II, Bidding Data Sheet (BDS), ITB 4.1, foresees that the Bidders must submit, within their Bid, the Agreement/Contract on forming the Joint Venture/Consortium, which must contain the information on:

- 1) member of the group who shall submit the Bid and who shall represent the Joint Venture/Consortium in front of the Purchaser.
- 2) member of the group who shall, on the behalf of the Joint Venture/Consortium, sign the Contract;
- 3) member of the group who shall, on the behalf of the Joint Venture/Consortium, submit the Bank guarantees;
- 4) member of the group who shall issue an invoice;
- 5) account to which the payments shall be done;
- 6) obligations of each of the members of the Joint Venture/Consortium regarding the Contract execution;
- 7) joint and several liability of the members for the execution of the Contract.

Through an insight into the Bid by the Bidder, it has been determined that the Bidder, within his Bid, submitted the Agreement on forming a temporary group - consortium for joint submission of bid and execution of works until 15.01.2021., which does not name the member of the group who shall sign the Contract on the behalf of the Joint Venture/Consortium, also the obligations of each of the members of the Joint Venture/Consortium regarding the Contract execution are not listed.

According to the abovementioned, the Committee notes that the submitted Agreement on forming the Consortium does not contain all necessary elements foreseen by the Bidding Document.

4) Bidding Document, Section III, Evaluation and

Qualification Criteria, Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders – additional conditions, c) Business capability, foresees:

- that the Bidder must prove Business capability in the form of supply contracts successfully completed, in the last three years (2018, 2019 and 2020 - until the date for the submission of bids), For LOT 1: Total value no less than 750,000.00 EUR, out of which one contract with value no less than 50.000,00 EUR, and that as evidence it is necessary to submit the copies of the Contracts and Investor certificates. In case of JV/Consortium the Leading member of the JV/Consortium must fulfil the minimum of 50% of this qualification criteria.

Through an insight into the Bid by the Bidder, it has been determined that the Bidder, within his Bid, submitted the evidence requested by the Bidding Document – copies of Contracts and Investor certificates, confirming the delivery of the goods in total amount of 421,566.00 EUR (out of which the requested evidence in the amount of 335,166.00 EUR are submitted for the Leading member of the Consortium – Uspon doo, Bulevar oslobođenja 17, 32000 Čačak, and for the member of the Consortium - Derby Trade d.o.o, Jovana Dučića br. 1, 76100 Brčko in the amount of 86,400.00 EUR).

According to the aforementioned, the Committee notes that the Bidder did not prove the fulfilment of the condition of Business capability.

According to the aforementioned, the Committee notes that the Bid by the group of Bidders: Derby Trade d.o.o, Jovana Dučića br. 1, 76100 Brčko and USPON DOO, Bulevar oslobođenja 17, 32000 Čačak, bid number: 675 dated 3.02.2021. is substantially non-responsive and unacceptable.

**2) Bid by the Bidder: ORTOPEDIJA NOVI ŽIVOT DOO BEOGRAD, Ustanička 234a, 11050 Belgrade, bid number 678 dated 3.02.2021.**

Offered price: 208,990.00 EUR VAT excluded

Considering that the estimated value of the procurement for Lot 1 is: 254,610.47 EUR VAT excluded, the Committee notes that the value of the Bid by the Bidder ORTOPEDIJA NOVI ŽIVOT DOO BEOGRAD, Ustanička 234a, 11050 Belgrade, is lower than the estimated value of the procurement for Lot 1.

Bid is complete, documents included in the bid are filled and signed. The Committee noted that the Bid is not in accordance with the requests from the Bidding Document and that the Bidder does not fulfil the conditions for the participation in the procurement procedure, due to the following reasons:

1) In accordance with the clause 21.1, Section I, Instructions to Bidders, the Bidder shall furnish as part of its bid, a Bid Security or a Bid-Securing Declaration, if required, as specified in the BDS.

In accordance with the clause 21.2 Section I, Instructions to Bidders, the Bid Security shall be in the amount specified in the BDS and denominated in the currency of the Purchaser's Country or a freely convertible currency and shall remain valid for a period of 28 days beyond the validity period of the bids, as extended, if applicable, in accordance with ITB Clause 20.2.

In accordance with the clause 20.1 Section I, Instructions to Bidders, Bids shall remain valid no less than 120 days after the bid submission deadline date.

As the clause 21.3 Section I, Instructions to Bidders foresees, if a Bid Security is required in accordance with ITB Sub-Clause 21.1, any bid not accompanied by a substantially responsive Bid Security, **shall be rejected by the Purchaser as non-responsive.**

Clause 24. Section I, Instructions to Bidders, defines that the Bids must be received by the Purchaser at the address and no later than the date and time specified in the BDS, as well as that the Purchaser may, at its discretion, extend the deadline for the submission of bids by amending the Bidding Documents in accordance with ITB Clause 8, in which case all rights and obligations of the Purchaser and Bidders previously subject to the deadline shall thereafter be subject to the deadline as extended.

On 18.01.2021. the Purchaser made a change to the bid submission deadline mentioned in the BDS, prolonging it until 03.02.2021., by sending the Notice on change of the deadline for submission of bids to all the Bidders who obtained the Bidding Document, and publishing it on the website of the Purchaser and Public Procurement Portal (<http://portal.ujn.gov.rs>).

Through an insight into the Bid by the Bidder, it has been determined that the submitted Bid Security number: 265-60-16022-26, by the guarantor Raiffeisen banka a.d. Beograd, has a validity period until 21.06.2021.

Since the Bid submission period was extended until 03.02.2021., the Committee notes that the minimum period of validity of the Bid Security foreseen by the Bidding Document is 30.06.2021.

According to the aforementioned, the Committee notes that the submitted Bid Security has a shorter validity deadline than the one requested by the Bidding Document, therefore it is unacceptable.

2) Bidding Document, Section III, Evaluation and Qualification Criteria, Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders – additional conditions, d) Personnel Capability, foresees:

- that the Bidder, in the month preceding the month of publication of the Public Invitation, has employed at least, for Lot 1, 10 persons and that as evidence on fulfilment of this condition he must submit the Certificate or excerpt from the Central registry of compulsory social security, for resident Bidders, i.e. certificate or excerpt from the competent institution of the state of the Bidder for non-resident Bidders, for the month preceding the month of publication of the Public Invitation.

Through an insight into the Bid by the Bidder, it has been determined that a screenshot is submitted of the Portal of Central registry of compulsory social security, with a date, in the upper left corner of the screenshot, being 12.2020., but not the Certificate or excerpt from the Central registry of compulsory social security for the month preceding the month of publication of the Public Invitation, as is requested by the Bidding Document.

According to the aforementioned, the Committee notes that the Bidder did not prove the fulfilment of the condition of Personnel Capability.

According to the aforementioned, the Committee notes that the Bid by the Bidder ORTOPEDIJA NOVI ŽIVOT DOO BEOGRAD, Ustanička 234a, 11050 Belgrade, Bid number 678 dated 3.02.2021., is **substantially non-responsive and unacceptable**.

**3) Bid by the group of Bidders: Prointer Web doo Beograd, Dunavska bb, 11000 Belgrade as a leading member and SWG&M DOO, Loznička 18, 11000 Belgrade as a member, bid number 682 dated 3.02.2021.**

Offered price: 253,048.00 EUR VAT excluded

Considering that the estimated value of the procurement for Lot 1 is: 254,610.47 EUR VAT excluded, the Committee notes that the value of the Bid of the group of Bidders: Prointer Web doo Beograd, Dunavska bb, 11000 Belgrade and SWG&M DOO, Loznička 18, 11000 Belgrade, is lower than the estimated value of the procurement for Lot 1.

Bid is complete, documents included in the bid are filled and signed. The Committee noted that the Bid is not in accordance with the requests from the Bidding Document and that the Bidder does not fulfil the conditions for the participation in the procurement procedure, due to the following reasons:



1) Bidding Document, Section III, Evaluation and Qualification Criteria, Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders – additional conditions, b) Financial Capability, 3. Business revenue, foresees:

- that the Bidder, for Lot 1, shall show the Average annual revenue for the last 3 (three) years (2017, 2018, 2019), converted in EUR according to the middle exchange rate of the NBS at the end of reporting period, which is no less than 500,000.00 EUR, i.e. for Lot 2 Average annual revenue for the last 3 (three) years (2017, 2018, 2019), converted in EUR according to the middle exchange rate of the NBS at the end of reporting period, which is no less than 1,900,000.00 EUR, and that as evidence of the fulfilment of the mentioned condition he should submit the FIN form Total annual revenue and Profit and Loss Statement (Income statement) or Solvency report – form BON-JN which is issued by the Business Registers Agency for resident bidders i.e. Profit and Loss Statement (Income statement) or Solvency report of the competent authority, for non-resident bidders containing the income statements for the last 3 (three) years (2017, 2018, 2019).

If the Bidder submits the Bid for more Lots, he has to have at least the sum of Average annual revenues for lots for which he submits his Bid. Otherwise, the bids submitted for all lots will be rejected as non-compliant.

Leading member of the JV/Consortium must fulfil the minimum of 50% of this qualification criteria.

Through the insight into the Bid by the Bidder, it has been determined that the leading member of the Consortium - Prointer Web doo Beograd, Dunavska bb, 11000 Belgrade, has the average annual revenue for the last 3 (three) years (2017, 2018, 2019) in the amount of 626,149.00 EUR, which is less than 50% of the sum of average annual revenues for lots for which he submitted the Bid.

According to the abovementioned, the Committee notes that the Bidder did not prove the fulfilment of the condition of Financial Capability - Business revenue.

2) Bidding Document, Section III, Evaluation and Qualification Criteria, Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders – additional conditions, c) Business capability, foresees that:

- that the Bidder must prove Business capability in the form of supply contracts successfully completed, in the last three years (2018, 2019 and 2020 - until the date for the submission of bids), For LOT 1: Total value no less than 750,000.00 EUR, out of which one contract with value no less than 50,000.00 EUR, and that as evidence it is necessary to submit the copies of the Contracts and Investor certificates. In case of JV/Consortium Leading member of the JV/Consortium must fulfil the minimum of 50% of this qualification criteria.

Through the insight into the Bid by the Bidder, it has been determined that the Bidder, within his Bid, submitted the evidence requested by the Bidding Document – copies of the Contracts and Investor certificates, confirming that the delivery of the goods was in the total amount of 383,190.30 EUR.

According to the abovementioned, the Committee notes that the Bidder did not prove the fulfilment of the condition of Business capability.

3) Bidding Document, Section III, Evaluation and Qualification Criteria, Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders – additional conditions, (g) Certificate – Manufacturer's Authorisation (MAF) for the Bidder, foresees:

- that the Bidder must be authorised by the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia to offer and sell the goods which are the subject of the procurement and the authorisation shall be requested for the IT equipment specified in the document *List of Equipment for which the manufacturer's authorisation is needed*, as enclosure to bidding documents. So, as evidence it is necessary to submit the Certificate from the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia that the Bidder is authorized for selling the mentioned equipment. Certificate must be titled to the Bidder, with the stated number of the public procurement and signed by the authorized person of the manufacturer.

Through the insight into the Bid by the Bidder, it has been determined that the Bidder, within his Bid, did not submit the authorization for the item listed in the document *List of Equipment for which the manufacturer's authorisation is needed*, for Lot 1 (item under number 1.33 from the Technical Specification).

According to the abovementioned, the Committee notes that the Bidder did not prove the fulfilment of additional condition for participation, Certificate – Manufacturer's Authorisation (MAF) for the Bidder.

4) Bidding Document, Section III, Evaluation and Qualification Criteria, Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders – additional conditions, (e) Technical Capability, foresees:

- that the Bidder must own or have at his disposal no less than one road freight vehicle by which he shall conduct the delivery of the supplies in question, and that as evidence, if the vehicle is owned, a copy of the registration certificate of the registered vehicle or the read registration certificate of the registered vehicle, together with a copy of the valid vehicle compulsory insurance policy or a photocopy of the vehicle registration sticker must be submitted. If the bidder has a vehicle at his disposal, a contract with a third party on renting a vehicle is necessary to be submitted.

If the Bidder submits the Bid for more lots he must own or have at his disposal no less than one road freight vehicle per lot. Otherwise, the bids submitted for all lots will be rejected as non-compliant.

In case of Consortium/Joint Venture the Leading member of the Consortium/Joint Venture must fulfil this qualification criteria.

Through the insight into the Bid by the Bidder, it has been determined that the leading member of the consortium - Prointer Web doo Beograd, Dunavska bb, 11000 Belgrade has listed the same road freight vehicle for Lot 1 and for Lot 2 – Fiat Doblo Combi 1.3 MJTD, registration number BG889 – FD.

According to the abovementioned, the Committee notes that the Bidder did not prove the fulfilment of condition Technical Capability.

According to the aforementioned, the Committee notes that the Bid by the group of Bidders: Prointer Web doo Beograd, Dunavska bb, 11000 Belgrade and SWG&M DOO, Loznička 18, 11000 Belgrade, Bid number: 682 dated 3.02.2021., **is substantially non-responsive and unacceptable.**

## **Lot 2 – Technical school Valjevo**

**1) Bid by the group of Bidders: Prointer Web doo Beograd, Dunavska bb, 11000 Belgrade as a leading member and EUROSALON FABRIKA DOO, Dunavska bb, 11000 Belgrade as a member, bid number 683 dated 3.02.2021.**

Offered price: 955,552.50 EUR VAT excluded.

Considering that the estimated value of the procurement for Lot 2 is: 956,567.40 EUR VAT excluded, the Committee notes that the value of the Bid of the group of Bidders: Prointer Web doo Beograd, Dunavska bb, 11000 Belgrade and EUROSALON FABRIKA DOO, Dunavska bb, 11000 Belgrade, is lower than the estimated value of the procurement for Lot 2.

Bid is complete, documents included in the bid are filled and signed. The Committee noted that the Bid is not in accordance with the requests from the Bidding Document and that the Bidder does not fulfil the conditions for participation in the procurement procedure, due to the following reasons:

1) Bidding Document, Section III, Evaluation and Qualification Criteria, Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders – additional conditions, b) Financial Capability, 3. Business revenue, foresees:

- that the Bidder, for Lot 1, shall show the Average annual revenue for the last 3 (three) years (2017, 2018, 2019), converted in EUR according to the middle exchange rate of the NBS at the end of reporting period, which is no less than 500,000.00 EUR, i.e. for Lot 2 Average annual revenue for the last 3 (three) years (2017, 2018, 2019), converted in EUR according to the middle exchange rate of the NBS at the end of reporting period, which is no less than 1,900,000.00 EUR, and that as evidence of the fulfilment of the mentioned condition he should submit the FIN form Total annual revenue and Profit and Loss Statement (Income statement) or Solvency report – form BON-JN which is issued by the Business Registers Agency for resident bidders i.e. Profit and Loss Statement (Income statement) or Solvency report of the competent authority, for non-resident bidders containing the income statements for the last 3 (three) years (2017, 2018, 2019).

If the Bidder submits the Bid for more Lots, he has to have at least the sum of Average annual revenues for lots for which he submits his Bid. Otherwise, the bids submitted for all lots will be rejected as non-compliant.

Leading member of the JV/Consortium must fulfil the minimum of 50% of this qualification criteria.

Through the insight into the Bid by the Bidder, it has been determined that the leading member of the Consortium - Prointer Web doo Beograd, Dunavska bb, 11000 Belgrade, has the average annual revenue for the last 3 (three) years (2017, 2018, 2019) in the amount of 626,149.00 EUR, which is less than 50% of the sum of average annual revenues for lots for which he submitted the Bid

According to the abovementioned, the Committee notes that the Bidder did not prove the fulfilment of the condition of Financial Capability - Business revenue.

2) Bidding Document, Section III, Evaluation and Qualification Criteria, Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders – additional conditions, (e) Technical Capability, foresees:

- the Bidder must own or have at his disposal no less than one road freight vehicle by which he shall conduct the delivery of the supplies in question, and that as evidence, if the vehicle is owned, a copy of the registration certificate of the registered vehicle or the read registration certificate of the registered vehicle, together with a copy of the valid vehicle compulsory insurance policy or a photocopy of the vehicle registration sticker must be submitted. If the bidder has a vehicle at his disposal, a contract with a third party on renting a vehicle is necessary to be submitted.

If the Bidder submits the Bid for more lots he must own or have at his disposal no less than one road freight vehicle per lot. Otherwise, the bids submitted for all lots will be rejected as non-compliant.

In case of Consortium/Joint Venture the Leading member of the Consortium/Joint Venture must fulfil this qualification criteria.

Through the insight into the Bid by the Bidder, it has been determined that the leading member of the consortium - Prointer Web doo Beograd, Dunavska bb, 11000 Belgrade has listed the same road freight vehicle for Lot 1 and for Lot 2 – Fiat Doblo Combi 1.3 MJTD, registration number BG889 – FD.

According to the abovementioned, the Committee notes that the Bidder did not prove the fulfilment of condition Technical Capability.

3) Bidding Document, Section III, Evaluation and Qualification Criteria, Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders – additional conditions, (g) Certificate – Manufacturer's Authorisation (MAF) for the Bidder, foresees:

- that the Bidder must be authorised by the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia to offer and sell the goods which are the subject of the procurement and the authorisation shall be requested for the IT equipment specified in the document *List of Equipment for which the manufacturer's authorisation is needed*, as enclosure to bidding documents. So, as evidence it is necessary to submit the Certificate from the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia that the Bidder is authorized for selling the mentioned equipment. Certificate must be titled to the Bidder, with the stated number of the public procurement and signed by the authorized person of the manufacturer.

Through the insight into the Bid by the Bidder, it has been determined that the Bidder, within his Bid, did not submit the authorization for the items listed in the document *List of Equipment for which the manufacturer's authorisation is needed*, for Lot 2 (items under numbers 9.1 and 10.4 from the Technical Specification).

According to the abovementioned, the Committee notes that the Bidder did not prove the fulfilment of additional conditions for participation, Certificate – Manufacturer's Authorisation (MAF) for the Bidder.

According to the aforementioned, the Committee notes that the Bid by the group of Bidders: Pointer Web doo Beograd, Dunavska bb, 11000 Belgrade and EUROSALON FABRIKA DOO, Dunavska bb, 11000 Belgrade, bid number: 683 dated 3.02.2021., **is substantially non-responsive and unacceptable.**

**2) Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member, Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as a member and DOO MALNED BAČKA PALANKA, Šafarikova 86, 21400 Bačka Palanka as a member, Bid number 684 dated 3.02.2021.**

Bid is complete, documents included in the bid are filled and signed. The Committee noted that the Bid is in accordance with the requests from the Bidding Document and that the Bidder fulfils the conditions for the participation in the procurement procedure.

Offered price: 956,352.74 EUR VAT excluded

Considering that the estimated value of the procurement for Lot 2 is: 956.567,40 EUR VAT excluded, the Committee notes that the value of the Bid of the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun, Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun and DOO MALNED BAČKA PALANKA, Šafarikova 86, 21400 Bačka Palanka, is lower than the estimated value of the procurement for Lot 2.

Committee conducted the check of the calculation correctness of the Bid and noted that there are no calculation errors.

According to the aforementioned, the Committee notes that the Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun, Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun and DOO MALNED BAČKA PALANKA, Šafarikova 86, 21400 Bačka Palanka, bid number: 684 dated 3.02.2021., **is substantially responsive and acceptable.**

### **Lot 3 – Technical school Ivan Sarić Subotica**

**1) Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as a member, Bid number 685 dated 3.02.2021.**

Bid is complete, documents included in the bid are filled and signed. The Committee noted that the Bid is in accordance with the requests from the Bidding Document and that the Bidder fulfils the conditions for the participation in the procurement procedure.

Offered price: 1,080,293.00 EUR VAT excluded

Considering that the estimated value of the procurement for Lot 3 is: 1,080,627.72 EUR VAT excluded, the Committee notes that the value of the Bid of the group of Bidders: EWE comp doo

Beograd, Cara Dušana 212, 11080 Zemun and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun, is lower than the estimated value of the procurement for Lot 3.

Committee conducted the check of the calculation correctness of the Bid and noted that there are no calculation errors.

According to the aforementioned, the Committee notes that the Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun, Bid number: 685 dated 3.02.2021., **is substantially responsive and acceptable.**

#### **Lot 4 – Technical school Vlasotince**

**1) Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as a member, Bid number 686 dated 3.02.2021.**

Bid is complete, documents included in the bid are filled and signed. The Committee noted that the Bid is in accordance with the requests from the Bidding Document and that the Bidder fulfils the conditions for the participation in the procurement procedure.

Offered price: 461,965.00 EUR VAT excluded

Considering that the estimated value of the procurement for Lot 4 is: 471,156.42 EUR VAT excluded, the Committee notes that the value of the Bid of the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun, is lower than the estimated value of the procurement for Lot 4.

1) Bidding Document, Section III, Evaluation and Qualification Criteria, Nonconformities, Errors, and Omissions (ITB 31.1), foresees:

- Provided that the Bid is substantially responsive, the Purchaser shall correct arithmetical errors on the following basis:

(a) if there is a discrepancy between the unit price and the line item total that is obtained by multiplying the unit price by the quantity, the unit price shall prevail and the line item total shall be corrected, unless in the opinion of the Purchaser there is an obvious misplacement of the decimal point in the unit price, in which case the line item total as quoted shall govern and the unit price shall be corrected;

(b) if there is an error in a total corresponding to the addition or subtraction of subtotals, the subtotals shall prevail and the total shall be corrected; and

(c) if there is a discrepancy between words and figures, the amount in words shall prevail, unless the amount expressed in words is related to an arithmetic error, in which case the amount in figures shall prevail subject to (a) and (b) above.

During the evaluation of the Bids, Committee members conducted the verification of the arithmetical errors and determined that it is necessary to send a Request for obtaining the consent to the correction of calculation errors, so the Committee, on 22.02.2021., sent a Request to the Bidder with the deadline to submit the consent until 15h on 22.02.2021.

Acting according to the mentioned Request, the Bidder submitted the consent for the correction of calculation errors, within the foreseen deadline.

Pursuant to the abovementioned, the Committee notes that the Bidder's offered price, upon obtaining of consent to the correction of calculation errors, now amounts to: **467,027.00** EUR VAT excluded.

According to the aforementioned, the Committee notes that the Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun, Bid number: 686 dated 3.02.2021., **is substantially responsive and acceptable.**

**Contract award criteria is the lowest offered price.**

Most favourable Bid is the Bid for which it is determined to be acceptable i.e. Bid with the lowest offered price.

Bids which exceed the estimated value (available budget) of the public procurement are **unacceptable** to the Purchaser.

Through the application of the selection criteria for the most favourable bid, the ranking of the acceptable bids has been conducted:

#### **LOT 2 – Technical school Valjevo**

##### **Ranking list**

Rank	Bidder	Value of the Bid EUR VAT excluded
1.	Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member, Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as member and DOO MALNED BAČKA PALANKA, Šafarikova 86, 21400 Bačka Palanka as a member	<b>956,352.74</b>

#### **LOT 3 - Technical school „Ivan Sarić“ Subotica**

##### **Ranking list**

Rank	Bidder	Value of the Bid EUR VAT excluded
1.	Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as a member	<b>1,080,293.00</b>

## LOT 4 - Technical school Vlasotince

### Ranking list

Rank	Bidder	Value of the Bid EUR VAT excluded
1.	Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as a member	<b>467,027.00</b>

According to the aforementioned, the Committee noted that the Bids by the following Bidders are **substantially responsive and acceptable** with the lowest offered price:

#### LOT 2:

- Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member, Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as a member and DOO MALNED BAČKA PALANKA, Šafarikova 86, 21400 Bačka Palanka as member, Bid number 684 dated 3.02.2021., with the value of **956,352.74** EUR VAT excluded;

#### LOT 3:

- Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as a member, Bid number 685 dated 3.02.2021., with the value of **1,080,293.00** EUR VAT excluded;

#### LOT 4:

- Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as a member, Bid number 686 dated 3.02.2021., with the value of **467,027.00** EUR VAT excluded.

**Bidders whose Bids have been evaluated as most favourable, through the application of criteria for the selection of the most favourable Bid, fulfilled additional qualification criteria cumulatively for all lots, for which their Bid has been evaluated as most favourable.**

### Conclusion

Pursuant to everything aforementioned, the Committee suggests to the Purchaser to deliver the Decision on contract award and conclude the contracts with the following Bidders:

#### LOT 2:

- Bid by the group of Bidders: : EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member, Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as member and DOO MALNED BAČKA PALANKA, Šafarikova 86, 21400 Bačka Palanka as a member, Bid number 684 dated 3.02.2021., with the value of **956,352.74** EUR VAT excluded;



**LOT 3:**

- Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as a member, Bid number 685 dated 3.02.2021., with the value of **1,080,293.00** EUR VAT excluded;

**LOT 4:**


- Bid by the group of Bidders: EWE comp doo Beograd, Cara Dušana 212, 11080 Zemun as a leading member and Oblak tehnologije doo Beograd, Cara Dušana 212, 11080 Zemun as a member, Bid number 686 dated 3.02.2021. with the value of **467,027.00** EUR VAT excluded.

**as well as to deliver the Decision on cancellation of the procedure for LOT 1, taking into account that all submitted bids are substantially non-responsive with the conditions and requests from the Bidding Document, which makes them unacceptable.**

Based on all the above mentioned, and starting from the proposal of the Commission given in the Evaluation report number: 1650/1 from March 25, 2021. and "No objection" of the European Investment Bank registered with the Purchaser under number 1649 on March 25, 2021. year, it was decided as in the dispositive.

**Instruction on legal remedy:**

A request for protection of rights may be filed against this decision within 10 (ten) days from the day of its publication on the Public Procurement Portal, pursuant to Article 214 of the Law on Public Procurement, Official Gazette of RS, No. 91 / 2019).

acting Director  
  
Dušan Kovačević  
