

REPUBLIC OF SERBIA
MINISTRY OF EDUCATION, SCIENCE AND TECHNOLOGICAL DEVELOPMENT
PUBLIC SECTOR PROJECTS IMPLEMENTATION UNIT LTD. BELGRADE
Br. 5636/1
29.10.21 год.
BEOGRAD, NEMANJINA 22-26

Based on the Financial Agreement concluded between the Republic of Serbia and the European Investment bank FI no 25.610, („Official Gazette – International contracts“ number 8-10,12-15 and 11/17) Annex I of the Financial Agreement signed on 27th March 2015., Annex II of the Financial Agreement signed on 6th March 2017., Annex III of the Financial Agreement signed on 1st November 2017., Annex IV of the Financial Agreement signed on 31st January 2019., Annex V of the Financial Agreement signed on 24th February 2021., article 11. paragraph 2. of the Law on public procurement („Official Gazette“ no. 91/2019), article 5. paragraph 1. clause 4) Contract on management of the project School Modernisation Programme in the republic of Serbia, financed by the European Investment bank (concluded between Ministry of Education, Science and Technological Development and the Public Sector Projects Implementation Unit ltd. Belgrade, filed at the Ministry under the number 401-00-374/2020-17 dated 19.11.2020., and at the Public Sector Projects Implementation Unit ltd. Belgrade filed under number 6915 on 19.11.2020.), article 16. paragraph 1. clause 2) Decision on establishing the limited liability company for the public sector projects implementation („Official Gazette“, no. 51/10, 72/13, 24/14, 65/14, 110/2016 and 26/2017), article 54. of the Rulebook on closer regulation of the public procurement procedure, and in accordance with the rules of the European Investment bank described in the EIB's Guide to procurements, Evaluation report number: 5558 dated 26.10.2021. as well as Non-objection letter of the competent authority of the European Investment bank number 5550 dated 25.10.2021., for and on the behalf of Ministry of Education, Science and Technological Development, Acting Director of the Public Sector Projects Implementation Unit ltd. Belgrade delivers the:

DECISION ON CONTRACT CANCELLATION

1. International open procurement procedure of goods number: N/D/01/20 IS BEING CANCELLED, the subject of which is Procurement of furniture and equipment for the third group of schools within School Modernisation Programme - component 3, due to all the submitted Bids being substantially non-responsive to the conditions and requests from the Bidding Document, which makes them unacceptable.
2. This decision shall be published on the website of the Purchaser, within three days from its delivery.

R A T I O N A L E

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

Subject of the procurement: Procurement of furniture and equipment for the third group of schools within School Modernisation Programme - component 3, in accordance with the policy of the European Investment bank described in EIB's Guide to procurement.

Procurement is not divided into lots.

Type of procedure: International open procurement procedure of goods, initiated by Decision on conducting the international open procedure of procurement of goods, number 7996 dated 31.12.2020.

Estimated value of the procurement: 792,000.00 EUR VAT excluded.

Public Invitation was published on the website of the Official Journal of the European Union and the website of the Purchaser, on 22.06.2020., with bid submission deadline until 04.08.2021. at 11:00 am.

During the bid submission period, two Clarifications of the Bidding Document were published on the website of the Purchaser.

Bid opening procedure was conducted in the premises of the Public Sector Projects Implementation Unit ltd. Belgrade, Veljka Dugosevića 54, 11000 Belgrade, on 04.08.2021. starting at 11:30 am, by:

Name and last name	Committee position
Predrag Knežević	Committee President and member
Sanja Popović	deputy Committee Secretary

Bids by the following Bidders were submitted in a timely manner i.e. until 04.08.2021. at 11:00 am, to the address of the Purchaser: Veljka Dugosevića 54, 11000 Belgrade, in the following order:

Ord. No.	Number under which the Bid is filed at the Purchaser	Name or code of the Bidder	Date and time of Bid receipt
1.	4331	Group of Bidders: Uspon d.o.o. Čačak, Bulevar Oslobođenja 17, Čačak (leading member) and BMA trading d.o.o. Beograd, Svetozara Papića 3a, Zemun-Belgrade (member)	04.08.2021. at 10:20
2.	4333	Delight d.o.o., Olimpijskih brigada 90v, 11070 Belgrade	04.08.2021. at 10:45
3.	4334	Group of Bidders: Eurosalon fabrika d.o.o., Dunavska bb, 11000 Belgrade (leading member), Interglobus doo, Cedomira Vasovica 37, Čačak (member) and Ito-Coop d.o.o. Arilje, Miroslava Vujovića 8, 31230 Arilje (member)	04.08.2021. at 10:50

None of the received Bids was withdrawn by the Bidder. There were no amendments and addenda to the bids.

There were no untimely bids.

The Committee created the Minutes on Bid opening number: 4336 dated 04.08.2021., which was handed to the bidders who submitted their bids.

Voting Committee members signed the Statement, confirming that they do not have the conflict of interest while conducting the mentioned procurement, as well as that they have no relations with the interested persons bidders.

Voting committee members conducted the overview and evaluation procedure in the period from 05.08.2021. to 30.08.2021. in the premises of the Purchaser, at the address Veljka Dugosevića 54, 11000 Belgrade.

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

1. Bid by the Group of Bidders: Uspon d.o.o. Čačak, Bulevar Oslobođenja 17, Čačak as leading member and BMA trading doo Beograd, Svetozara Papića 3a, Zemun- Belgrade as member, bid number 4331 dated 04.08.2021.

Offered price is: 728,669.80 EUR VAT excluded.

Considering that the estimated value of the procurement is: 792,000.00 EUR VAT excluded, Committee noted that the value of the Bid by the Group of Bidders: Uspon d.o.o. Čačak, Bulevar Oslobođenja 17, Čačak and BMA trading doo Beograd, Svetozara Papića 3a, Zemun- Belgrade, is lower than the estimated value of the procurement.

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 VI Schedule of requirements, 2. Technical Specifications, foresees that all pages of the Form: Technical Specifications and Form: Price Schedule must be signed by the persons signing the Bid.

Overviewing the Bid by the Bidder, it was determined that the Bidder submitted the form Technical Specifications with signed and verified last page only, and not all pages as requested in the Bidding Document, as well as the form Price Schedule with signed and verified last page only, and not all pages as requested in the Bidding Document.

Pursuant to everything abovementioned, the Committee noted that the Bidder did not prove the fulfilment of the condition of Technical Specifications.

2) Bidding Document, Section III Evaluation and Qualification Criteria, 2. Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders - additional conditions under F) Certificate - Manufacturer's Authorisation (MAF) for the Bidder, foresees:

- 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. 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 this bidding documents. As evidence for the fulfilment of this condition 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.

Public Sector Projects Implementation Unit Ltd. Belgrade
Address: Nemanjina 22-26, Belgrade – Savski venac, Serbia
Telephone: (011) 3088 795, Fax: (011) 3088 653, E-mail: office@piu.rs Website: www.piu.rs
Registration no.: BD 25160/2017, Companies Registry, Serbian Business Registers Agency
ID no.: 20668890
Tax Identification Number: 106729004

Bank accounts: 285-1001000000216-50; 285-1001000000217-47; 285-1001000000218-44; 205-160097-44

- 1) Overiewing the Bid by the Bidder, it was determined that the Bidder, for item 7.1 submitted the Manufacturer's Authorisation form issued by the company HP Europe B.V. which is a non-exclusive HP authorized reseller. Also, the form of submitted form is not in accordance with the one requested in the Bidding Document, it is not addressed to the Ministry of Education, Science and Technological Development and does not state the number and name of the item to which it refers.
- 2) Overiewing the Bid by the Bidder, it was determined that the Bidder, for items 7.2 and 7.3 submitted form Statement, issued by the company USPON DOO Čačak, however the form of the form is not in accordance with the form Manufacturer's Authorisation requested in the Bidding Document.
- 3) Overiewing the Bid by the Bidder, it was determined that the Bidder, for item 7.6 submitted the Manufacturer's Authorisation form issued by the company IRIS MEGA DOO Beograd, which is a distributor and not the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia as requested in the Bidding Document.
- 4) Overiewing the Bid by the Bidder, it was determined that the Bidder, for item 7.8 submitted the Manufacturer's Authorisation form issued by the company AVTERA SR D.O.O., Novi Beograd, and not the Manufacturer's Authorisation issued by the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia, as requested in the Bidding Document.
- 5) Overiewing the Bid by the Bidder, it was determined that the Bidder, for items 7.9 and 7.10 submitted the Manufacturer's Authorisation form issued by the company BIROEKSIM d.o.o. Beograd, and not the Manufacturer's Authorisation issued by the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia as requested in the Bidding Document.
- 6) Overiewing the Bid by the Bidder, it was determined that the Bidder, for items 7.11 and 7.12 submitted the Manufacturer's Authorisation form issued by the company Dekadas d.o.o. Beograd, which is a distributor and not the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia, as requested in the Bidding Document.
- 7) Overiewing the Bid by the Bidder, it was determined that the Bidder, for items 7.13 and 7.20 submitted the Manufacturer's Authorisation form issued by the company COMTRADE DISTRIBUTION D.O.O. Beograd, which is a distributor and not the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia, as requested in the Bidding Document.

Pursuant to everything abovementioned, the Committee noted that the Bidder did not prove the fulfilment of the additional condition Certificate - Manufacturer's Authorisation (MAF) for the Bidder.

Pursuant to everything abovementioned, the Committee noted that the Bid by the Group of Bidders: Uspon d.o.o. Čačak, Bulevar Oslobođenja 17, Čačak as leading member and BMA trading doo Beograd, Svetozara Papića 3a, Zemun-Belgrade as member, bid number 4331 dated 04.08.2021. **is substantially non-responsive and unacceptable.**

2. Bid by the Bidder: Delight d.o.o., Olimpijskih brigada 90v, 11070 Belgrade, bid number 4333 dated 04.08.2021.

Offered price is: 650.651,13 EUR VAT excluded.

Considering that the estimated value of the procurement is: 792,000.00 EUR VAT excluded, Committee noted that the value of the Bid by the Group of Bidders: Delight d.o.o., Olimpijskih brigada 90v, 11070 Belgrade, is lower than the estimated value of the procurement.

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, Form 2. Technical Specifications, foresees that:

- The Technical Specifications of the offered goods should be clearly identified 111 the supplier's Bid and stated in the Technical Specifications Form.

Also, Bidding Document, clause 18.2, foresees that the documentary evidence consist of a detailed description of each item of basic technical and performance characteristics of the goods and related services, stated at adequate place within the Form "Technical Specification" in order to prove the correct response of the goods and related services to the requests of technical specification.

1) Overiewing the Bid by the Bidder, it was determined that for items 7.1 and 7.3, within the Technical specification form, monitors are not offered.

2) Overiewing the Bid by the Bidder, it was determined that for item 7.5 within the Technical specification form projector is not offered.

3) Overiewing the Bid by the Bidder, it was determined that for item 7.7 within the Technical specification form the carrier was mistakenly offered instead of screen.

4) Overiewing the Bid by the Bidder, it was determined that for item 7.19 within the Technical specification form the screen was mistakenly offered instead of carrier.

5) Overlooking the Bid by the Bidder, it was determined that for item 7.1 within the Technical specification form a device manufactured by the manufacturer HP 1256GB is offered, and the Manufacturer's Authorisation form lists DELL as manufacturer.

6) Overlooking the Bid by the Bidder, it was determined that for item 7.5 within the Technical specification form, the part related to the projector is missing, i.e. the projector is not offered within the set.

Pursuant to everything abovementioned, the Committee noted that the Bidder did not prove the fulfilment of the condition of Technical Specifications.

2) Bidding Document, Section III Evaluation and Qualification Criteria, 2. Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders - additional conditions under F) Certificate - Manufacturer's Authorisation (MAF) for the Bidder, foresees:

- 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. 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 this bidding documents. As evidence for the fulfilment of this condition 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

1) Overlooking the Bid by the Bidder, it has been determined that for items 7.2 and 7.3, the specification listed in the form Manufacturer's Authorisation shows that the authorisation relates to the device which has a memory of 4GB which is less than the requested memory of 8 GB.

2) Overlooking the Bid by the Bidder, it has been determined that for monitor from item 7.2 in the form Manufacturer's Authorisation a diagonal of 21.5 inch is offered, and the requested diagonal is 19inch.

3) Overlooking the Bid by the Bidder, it has been determined that for items 7.2 and 7.3 the text of the form Manufacturer's Authorisation lists two different models of monitors DAHUA 21,5 FHD LM22-H200 and DHI-LM22-F200, therefore it is impossible to determine which model is the subject of the Authorisation. Also, the signatory of the Manufacturer's Authorisation is not a legal representative.

4) Overlooking the Bid by the Bidder, it has been determined that for item 7.9, the form Technical Specification offers Canon multifunctional photocopier, and for item 7.10 HP laser printer, for which the authorization was provided by the COMTRADE DISTRIBUTION D.O.O. Beograd, and not the Manufacturer's Authorisation issued by

Public Sector Projects Implementation Unit Ltd. Belgrade
Address: Nemanjina 22-26, Belgrade – Savski venac, Serbia
Telephone: (011) 3088 795, Fax: (011) 3088 653, E-mail: office@piu.rs Website: www.piu.rs
Registration no.: BD 25160/2017, Companies Registry, Serbian Business Registers Agency
ID no.: 20668890

Tax Identification Number: 106729004

Bank accounts: 285-1001000000216-50; 285-1001000000217-47; 285-1001000000218-44; 205-160097-44

the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia as requested in the Bidding Document. Also, for items 7.9 and 7.10, Authorization is provided by the company Return Interactive Technology Group Co. Star Ltd. In the text of the Authorization, a specification for interactive whiteboards is provided, which is not required for any of the above items. Therefore there is no valid Authorization for items 7.9 i 7.10.

5) Overviewing the Bid by the Bidder, it was determined that for item 7.5 Authorisation was provided by the company PREZENTA D.O.O. Beograd, which is in the MAF defined as distributor, and not the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia as requested in the Bidding Document.

6) Overviewing the Bid by the Bidder, it was determined that the Bidder for items 7.5, 7.19, 7.4 and 7.18 submitted Manufacturer's Authorisation issued by the company PREZENTA D.O.O. Beograd, which is distributor, and not the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia as requested in the Bidding Document.

7) Overviewing the Bid by the Bidder, it was determined that for items 7.9, 7.10 and 7.20 Bidder submitted the Manufacturer's Authorisation form issued by the company COMTRADE DISTRIBUTION D.O.O. Beograd, and not the Manufacturer's Authorisation issued by the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia as requested in the Bidding Document. Also, the form of the form is not in accordance with the one provided in the Bidding Document.

8) Overviewing the Bid by the Bidder, it was determined that for item 7.11 Bidder submitted the Manufacturer's Authorisation issued by the company QYC PRO AUDIO, offering the device whose brand does not correspond to the brand of the device offered in the Technical Specification.

9) Overviewing the Bid by the Bidder, it was determined that for item 7.12 Bidder submitted the Manufacturer's Authorisation form issued by the company Shenzhen SOAIY International Supply Chain Service Co. Ltd., offering the device whose brand does not correspond to the brand of the device offered in the Technical Specification.

Pursuant to everything abovementioned, the Committee noted that the Bidder did not prove the fulfilment of the additional condition Certificate - Manufacturer's Authorisation (MAF) for the Bidder.

Pursuant to everything abovementioned, the Committee noted that the Bid by the Bidder: Delight d.o.o., Olimpijskih brigada 90v, 11070 Belgrade, bid number 4333 dated 04.08.2021. **is substantially non-responsive and unacceptable.**

3. Bid by the Group of Bidders: Eurosalon fabrika doo, Dunavska bb, 11000 Belgrade (leading member), Interglobus doo, Čedomira Vasovića 37, Čačak (member) and Itro-Coop doo Arilje, Miroslava Vujovića 8, 31230 Arilje (member), bid number 4334 dated 04.08.2021

Offered price is: 622,841.03 EUR VAT excluded.

Considering that the estimated value of the procurement is: 792,000.00 EUR VAT excluded, Committee noted that the value of the Bid by the Group of Bidders: Eurosalon fabrika d.o.o., Dunavska bb, 11000 Belgrade, Interglobus d.o.o., Čedomira Vasovića 37, Čačak and Itro-Coop d.o.o. Arilje, Miroslava Vujovića 8, 31230 Arilje, is lower than the estimated value of the procurement.

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, 2. Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders - additional conditions b) Financial capability, under 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.

Overviewing the Bid by the Bidder, it was determined that the Leading member of the group Eurosalon fabrika doo, Dunavska bb, 11000 Belgrade - submitted the Statement of the Bidder made under criminal and material liability that no bankruptcy or liquidation procedure has been initiated against the Bidder, but he did not state in his Statement that no previous bankruptcy procedure has been initiated against the Bidder at the moment of publishing the Public Invitation, which makes the mentioned Statement incomplete.

Pursuant to everything abovementioned, the Committee noted that the Bidder did not prove the fulfilment of the condition Bankruptcy and liquidation.

2) Bidding Document, Section III Evaluation and Qualification Criteria, 2. Qualification Requirements (ITB 37.2), Additional criteria for qualification of Bidders - additional conditions under F) Certificate Manufacturer's Authorisation (MAF) for the Bidder, foresees:

- 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. 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 this bidding documents. As evidence for the fulfilment of this condition 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.

1) Overviewing the Bid by the Bidder, it was determined that the Bidder for items 7.2. and 7.3 submitted the form Manufacturer's Authorisation issued by the company USPON DOO Čačak, which is the manufacturer, however, these items also include monitors for which the bidder did not submit the Manufacturer's Authorization form.

2) Overviewing the Bid by the Bidder, it was determined that the Bidder for items 7.4. and 7.5 submitted the form Manufacturer's Authorisation issued by the company Benq Austria GmbH in which it offers projectors from the same company. However, for item 7.5 he also submitted the form Manufacturer's Authorisation issued by the company TG COMMERCE DOO, Novi Sad, in which he lists that the device includes EPSON projector, for which he did not submit the Manufacturer's Authorization Form, which leads to the conclusion that the bidder offered two different devices for the same item.

3) Overviewing the Bid by the Bidder, it was determined that the Bidder for items 7.1, 7.6, 7.8, 7.12, 7.13 and 7.20 submitted the form Manufacturer's Authorisation issued by the company DOO INTERGLOBUS Čačak, which is distributor, and not the manufacturer or the subsidiary of the manufacturer for the territory of the Republic of Serbia as requested in the Bidding Document.

Pursuant to everything abovementioned, the Committee noted that the Bidder did not prove the fulfilment of the additional condition Certificate - Manufacturer's Authorisation (MAF) for the Bidder.

Pursuant to everything abovementioned, the Committee noted that the Bid by the Group of Bidders: Eurosalon fabrika d.o.o., Dunavska bb, 11000 Belgrade (leading member), Interglobus d.o.o., Čedomira Vasovića 37, Čačak (member) and Itrco-Coop d.o.o. Arilje, Miroslava Vujovića 8, 31230 Arilje (member), bid number 4334 dated 04.08.2021. **is substantially non- responsive and unacceptable.**

Conclusion:

Upon the conducted check of the administrative, technical and financial compliance with all the conditions and requests from the Bidding Document, the Bid by the Bidder:

- **Group of Bidders: Uspon d.o.o. Čačak, Bulevar Oslobođenja 17, Čačak (leading member) and BMA trading doo Beograd, Svetozara Papića 3a, Zemun-Belgrade (member),** Bid filed at the Purchaser under number 4331 dated 04.08.2021.

is substantially non-responsive and unacceptable Bid.

- **Delight d.o.o., Olimpijskih brigada 90v, 11070 Belgrade, Bid filed at the Purchaser under number 4333 dated 04.08.2021.**

is substantially non-responsive and unacceptable Bid.

- **Group of Bidders: Eurosalon fabrika d.o.o., Dunavska bb, 11000 Belgrade (leading member), Interglobus d.o.o., Cedomira Vasovica 37, Čačak (member) and Itro-Coop d.o.o. Arilje, Miroslava Vujovića 8, 31230 Arilje (member), Bid filed at the Purchaser under number 4334 dated 04.08.2021.**

is substantially non-responsive and unacceptable Bid.

Contract award criterion is the lowest offered price.

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

Bids exceeding the estimated price (available budget) of the public procurement are unacceptable for the Purchaser.

Pursuant to the aforementioned, the Committee suggested to the Purchaser to deliver the Decision on cancellation of the procedure, due to all the submitted Bids being **substantially non-responsive to the conditions and requests from the Bidding Document**, which makes them **unacceptable**.

Pursuant to everything aforementioned, and based on the suggestion provided by the Procurement Committee in the Evaluation report number 5558 dated 26.10.2021. as well as Non-objection letter of the competent authority of the European Investment bank number 5550 dated 25.10.2021, it has been decided as in the enacting clause.

Legal remedy:

Against this Decision, the Bidders can submit a Request for the protection of rights within 10 (ten) days from the day of publication of the Decision at the internet website of the Employer, in accordance with the procedure described in clauses 41.2 and 41.3 Instructions to Bidders (Volume I, Section 2) of the Tender Document.

Acting Director

Dušan Kovačević

