



**TENDER DOCUMENTS
NUMBER 348/1-16/2019-2**

LABORATORY EQUIPMENT
open public procurement procedure



C O N T E N T S

SECTION SUBJECT

I	General data on the public procurement
II	Technical characteristics
III	Requirements for participation in the public procurement procedure under articles 75 and 76 of the Public Procurement Law and instructions on how to prove fulfilment of the requirements
IV	Criteria for contract awarding
V	Forms which make constituent elements of the bid
VI	Contract model
VII	Instructions to bidders on how to prepare the bid



I GENERAL DATA ON THE PUBLIC PROCUREMENT

- 1. Name of the Contracting Authority:** University of Belgrade-Faculty of Pharmacy
- 2. Address of the Contracting Authority:** Војводе Степе бр.450, 11221 Београд
- 3. Website of the Contracting Authority:** <http://www.pharmacy.bg.ac.rs>
- 4. Type of the public procurement procedure:** *OPEN PROCEDURE*
- 5. Type of the Subject of the public procurement:** *GOODS*
- 6. Description of the Subject of the procurement:** LABORATORY EQUIPMENT
ORN: 38000000 – Laboratory, optical and precision equipments (excl. glasses)
- 7. The Subject of this Public procurement is NOT divided in LOTS.**
- 8. Contact person:** e-mail: javnenabavke@pharmacy.bg.ac.rs



II TECHNICAL CHARACTERISTICS

Touchscreen chambers for rats for simultaneous work with four rats

Key features:

1. Touchscreen technology: TFT with Infrared sensors (sensitive not just to direct touch but also to the approach of an animal)
2. Touchscreen size: 15.0 inch (portrait orientation)
3. Touchscreen resolution: 768x1024
4. Touchscreen refresh rate: 60Hz
5. Image format: bitmap format
6. Trapezoid shape of the chamber floor, the shape with least distraction, which concentrates the animal's attention onto the screen with total surface area around 368 cm²
7. Easily removable walls, without screws, nuts or bolts (to shorten the cleaning time) minimum high 345 mm
8. Perforated stainless steel floor (perforation size 10mm square with 14mm pitch) that allows droppings to fall into the removable dust tray beneath
9. Possibility of changing the reward position, at the wall opposite the touchscreen or it in front of the touchscreen
10. Pellet dispenser for reward
11. Touchscreen sound attenuation chambers in for superior insulation incl. bottom and top rolling shelves with speaker and houselight, cable entry panel and fan. Internal Size: 540W x 440D x 610H approximately
12. Masks for 5-choice serial reaction time task (mask must form nose poke areas where the images are displayed), and optional custom masks for other tasks, with software allowing the user to place images anywhere on the screen
13. PC digital I/O interface containing the cards which control the digital I/O on the chambers
14. Multimedia computer for 4 touchscreen chambers (capable of running all the PCI cards required for this system)
15. Easy-Install Kit with a moveable trolley for 4 chambers, that makes it easier for the user to install the system oneself
16. Easy to use software that forms the user interface for controlling the system (preferably ABET II TOUCH Software for Touchscreen systems)
17. Software for running the touchscreens (preferably Universal Pointer Device Driver (UPDD) software)
18. Software that handles the touchscreen and video and also provides a visual feedback of what is happening on the touchscreens (preferably Whisker Embedded software)
19. Paradigms written as software tasks with a lot of flexibility, with an option to be further modified by the user
20. One-Year Manufacturer's Warranty.



Delivery method and deadline: within a maximum of 90 days from the date of receipt of the written request. *Delivery procedure according to standard Incoterms DDU Belgrade, Serbia*

The above General, Technical and Other requirements represent the minimum that must be met. The Bidder shall submit with the bid the relevant evidence (manufacturer's specifications, catalogs, instructions, brochures with marked characteristics, manufacturer's certificates, etc.) in which the information on the required technical characteristics should be clearly marked. If the requested evidence is not submitted with the tender, it will be considered inadmissible.



III REQUIREMENTS FOR PARTICIPATION IN THE PUBLIC PROCUREMENT PROCEDURE UNDER ARTICLES 75 AND 76 OF THE PUBLIC PROCUREMENT LAW AND INSTRUCTIONS ON HOW TO PROVE FULFILMENT OF THE REQUIREMENTS

MANDATORY ELIGIBILITY REQUIREMENTS

The bidder who fulfils **mandatory eligibility requirements** for public participation in the procurement procedure defined by article 75 of the Public Procurement Law is entitled to participate in the above stated public procurement procedure, and the bidder proves fulfilment of **mandatory eligibility requirements** for participation in the public procurement procedure by submission of proofs.

Item	REQUIREMENTS	PROOFS
1.	It is registered with the competent body, or entered in the appropriate register (<i>art. 75 paragraph 1 item 1) of the Public Procurement Law</i>);	Excerpt from the registry of the Business Registers Agency or certificate of the competent Commercial Court <u>Note:</u> <i>The Bidders which are registered in the registry kept by the Business Registers Agency need not submit this proof since it is publicly accessible at the web site of the Business Registers Agency.</i>
2.	It or its legal representative have not been convicted for any criminal act as members of an organized criminal group; that it has not been convicted for commercial criminal offence, criminal offence against environment, criminal offence of receiving or offering bribe, criminal offence of fraud (<i>art. 75 paragraph 1 item 2) of the Public Procurement Law</i>);	Legal entities: 1) Criminal record certificate i.e. certificate of the basic court having jurisdiction in the territory of the registered address of domestic legal entity i.e. registered address of the representative office or a branch of the foreign legal entity certifying that the legal entity has not been convicted for commercial criminal offence, criminal offence against environment, criminal offence of receiving or offering bribe, criminal offence of fraud <u>Note:</u> In case the above certificate of the Basic Court does not include data from the criminal records for criminal offenses which are under competence of a regular criminal department of the Higher Court, it is necessary to submit, besides the certificate of the Basic Court, the CERTIFICATE OF THE HIGHER COURT having jurisdiction in the territory of the registered address of domestic legal entity i.e. registered address of the representative office or a branch of the foreign legal entity certifying that the legal entity has not been convicted for commercial criminal offence, criminal offence against environment, criminal offence of receiving or offering bribe. 2) Criminal record certificate of the Special Department for Fighting Organized Crime of the Higher Court in Belgrade certifying that the legal entity has not been convicted for any of criminal offences of organized



		<p>crime.</p> <p>3) Criminal record certificate i.e. certificate of the competent police directorate of the Ministry of Interior certifying that the legal representative of the bidder has not been convicted for commercial criminal offence, criminal offence against environment, criminal offence of receiving or offering bribe, criminal offence of fraud and any of the criminal offence of organized crime (the application can be submitted according to the place of birth or place of residence of the legal representative). If the bidder has more than one legal representatives, it is bound to submit proofs for each of them.</p> <p>Entrepreneurs and Natural Persons: Criminal record certificate i.e. certificate of the competent police directorate of the Ministry of Interior certifying that it has not been convicted for any of the criminal offences as a member of organized crime group, that it has not been convicted for commercial criminal offence, criminal offence against environment, criminal offence of receiving or offering bribe, criminal offence of fraud (the application can be submitted according to the place of birth or place of residence of the legal representative).</p> <p>Proof may not be older than two months prior to opening bids.</p>
3.	It has paid due taxes, contributions and other public charges in accordance with laws of the Republic of Serbia or a foreign country if its registered address is in its territory (<i>art. 75 paragraph 1 item 4) of the Public Procurement Law</i>);	Certificate of the Tax Administration of Ministry of Finance that it has paid due taxes and contributions and certificate of the competent local government that it has paid liabilities based on the source of local public revenue or certificate of the Privatization Agency that the bidder is undergoing privatization process Proof may not be older than two months prior to opening bids.
4.	It fulfils obligations under applicable legislation concerning safety at work, employment and working conditions, protection of environment, and that there is no prohibition against the activity it performs at the time of the bid submission (<i>art. 75 paragraph 2 of the Public Procurement Law</i>);	Statement (Form-4) <u>Note:</u> - Statement has to be signed and stamp verified by all bidders. If a bid is submitted by a group of bidders , this statement has to be signed by the authorized person of each bidder from the group of bidders and stamp verified.

ADDITIONAL REQUIREMENTS

Do not exist.



- If the bidder submits its bid together with a subcontractor in accordance with article 80 of the Public Procurement Law, the subcontractor has to fulfil mandatory eligibility requirements under article 75 paragraph 1 items 1) to 4) of the Public Procurement Law as well as all other additional requirements.
- If the bid is submitted by a group of bidders, each bidder from the group of bidders has to fulfil mandatory eligibility requirements under article 75 paragraph 1 items 1) to 4) of the Public Procurement Law as well as all other additional requirements provided for by the tender documents. In this case each member of the group of bidders has to submit specified proofs of its fulfilment of the requirements under article 75 paragraph 1 items 1) to 4) of the Public Procurement Law as well as proofs for all other additional requirements.
- Bidders that are registered in the Registry of Bidders kept by the Business Registers Agency do not have to submit proofs of fulfilment of the requirements under article 75 paragraph 1 items 1) to 4) of the Public Procurement Law, pursuant to article 78 of the Public Procurement Law.
- The Contracting Authority shall not reject a bid as unacceptable when it does not contain evidence defined by tender documents, if the bidder states in its bid the website where data requested within the requirements are publicly available.
- Where the evidence of fulfilment of the requirements is a document in electronic form, the bidder submits a carbon copy of the electronic document in accordance with the law governing electronic document.
- Where state of bidder's registration does not issue requested evidence, instead of evidence bidder shall submit its written statement, given subject to criminal and material liability and certified by the court, or administrative body, public notary, or another competent body of that state.
- Where bidder has registered seat in another state, contracting authority may verify whether documents by which bidder proves fulfilment of requested requirements were issued by competent authorities of that state.
- Where bidder could not obtain requested documents within the deadline for submission of bids because, according to the regulations of its state of registration, the documents could not have been issued before the moment of bid submission, and if bidder provides appropriate evidence thereon together with the bid, the contracting authority shall allow the bidder to deliver the required documents later, within the reasonable period.
- Bidder shall inform contracting authority, in writing and without delay, of any change concerning fulfilment of the requirements for participation in the public procurement procedure, which occurs before the decision is made or the contract concluded, or during the public procurement contract validity period, and shall document such change in the prescribed manner.



MANNER OF SUPPLYING PROOFS

Proofs on fulfilment of requirements may be supplied as uncertified copies, and the contracting authority may, before decision on awarding contract, demand from the bidder, whose bid was evaluated as most advantageous on the grounds of the report of public procurement commission, to present the original documents or certified copies of all or of only some of proofs.

Where bidder fails to present original or certified copies of requested evidence within the given adequate deadline, which may not be less than five days, the contracting authority shall refuse its bid as unacceptable.



IV CONTRACT AWARDING CRITERIA

Criterion for awarding contract is - "LOWEST PRICE OFFERED"

ELEMENTS OF THE CRITERION I.E. THE MANNER ON THE BASIS OF WHICH THE CONTRACTING AUTHORITY WILL AWARD CONTRACT IN SITUATION WITH TWO OR MORE BIDS HAVING EQUAL NUMBER OF WEIGHTED POINTS, OR THE SAME OFFERED PRICE

Where there are 2 (two) or more bids with equal lowest price offered, the contract will be awarded to the bidder who has offered a shorter delivery period.



V FORMS WHICH MAKE INTEGRAL PART OF THE BID

Form-1

BID TEMPLATE
BID number _____ dated _____.____._____ for the public procurement of GOODS
PUBLIC PROCUREMENT PROCEDURE no. 348/1-16/2019-2

1) GENERAL DATA ON THE BIDDER

Name of the bidder:	
Type of legal entity:	<ol style="list-style-type: none">1. Micro2. Small3. Medium4. Big5. Natural person
Address of the bidder:	
Identification number of the bidder:	
Tax identification number of the bidder (TIN):	
Name of the contact person:	
E-mail address of the bidder:	
Phone:	
Account number of the bidder and name of the bank:	
Person authorized to sign the contract:	

2) BID IS SUBMITTED:

A) INDEPENDENTLY
B) WITH SUB-SUPPLIER
B) AS A JOINT BID

Note: circle the method of submission of bid and enter data about sub-supplier, if the bid is submitted with sub-supplier, or about all participants in the joint bid, if the bid is submitted by a group of bidders

**3) DATA ON SUBSUPPLIER**

1	Name of the sub-supplier:	
Address of the sub-supplier:		
Identification number of the sub-supplier:		
Tax identification number (TIN) of the sub-supplier:		
Name of the contact person:		
E-mail address of the sub-supplier:		
Percentage of the total value of the procurement that will be performed by the sub-supplier:		
Part of the subject of procurement that will be performed by the sub-supplier:		
2	Name of the sub-supplier:	
Address of the sub-supplier:		
Identification number of the sub-supplier:		
Tax identification number (TIN) of the sub-supplier:		
Name of the contact person:		
E-mail address of the sub-supplier:		
Percentage of the total value of the procurement that will be performed by the sub-supplier:		
Part of the subject of procurement that will be performed by the sub-supplier:		

Note:

Table "Data on sub-supplier" is to be filled-in only by the bidders which submit the bid with sub-supplier, and where there is a larger number of the sub-suppliers than the places provided in the table, it is necessary to copy the above form in a sufficient number of copies, fill them in and submit it for each of the sub-suppliers.



4) DATA ON PARTICIPANT IN JOINT BID

1	Name of the participant in the joint bid:	
Address of the bidder:		
Identification number of the bidder:		
Tax identification number of the bidder (TIN):		
Name of the contact person:		
E-mail address of the bidder:		
2	Name of the participant in the joint bid:	
Address of the bidder:		
Identification number of the bidder:		
Tax identification number of the bidder (TIN):		
Name of the contact person:		
E-mail address of the bidder:		

Note:

Table "Data on Participant in Joint Bid" is to be filled-in only by the bidders which submit joint bid, and where there is a larger number of the participants in the joint bid than the places provided in the table, it is necessary to copy the above form in a sufficient number of copies, fill them in and submit it for each of the bidders which is a participant in the joint bid.



5) COMMERCIAL REQUIREMENTS OF THE BID:

<i>Name of the goods</i>	<i>Quantity</i>	<i>Total according to standard Incoterms DDU Belgrade, Serbia</i>
Touchscreen chambers for rats for simultaneous work with four rats	<i>1</i>	

<i>Offer validity period (not less than 60 days from the date of opening of offers)</i>	
<i>Deadline for delivery of goods (no more than 90 calendar days from the date of submission of the written request of the Purchaser). Delivery procedure according to standard Incoterms DDU Belgrade, Serbia</i>	
<i>Method of payment: Prepayment within 15 days from the date of receipt of a pro-forma invoice for prepayment.</i>	

Place of stamp

Authorized signature

Note:

The bidder is bound to fill-in the bid template, and sign it confirming in this way that the data stated in the bid template are correct. Where bidders submit joint bid, the group of bidders may decide if the bid template will be signed by all bidders in the group or otherwise the group of bidders may appoint one of the bidders in the group which will fill-in and sign bid template.



Form-2

Bidder, _____,

(name of the bidder)

gives a:

S T A T E M E N T

OF INDEPENDENT BID

Pursuant to article 26 of the Public Procurement Law ("RS Official Gazette" nos. 124/12, 14/15 and 68/15), related to the procurement of GOODS – LABORATORY EQUIPMENT, we state under full moral, material and criminal liability that we act independently i.e. that the bid has been submitted independently, without any agreement with other bidders or interested parties.

Date:

Signature of the bidder's authorized
person:

.....

Note:

- In case of reasonable doubt in truthfulness of declaration of independent bid, the Contracting Authority shall immediately notify thereon the organization authorized for the protection of competition. Organization authorized for protection of competition may ban a bidder or an interested party from participating in public procurement procedure, where it determines that the bidder or the interested party violated competition in public procurement procedure within the meaning of the law governing competition protection. The measure of banning from participation in the public procurement procedure may last up to two years. Competition violation represents negative reference pursuant to article 82 paragraph 1 point 2 of the Public Procurement Law.

- Where the bid is submitted by a group of bidders, the Statement has to be signed by the authorized person of each bidder in the group of bidders.



Form-3

TEMPLATE OF BID PREPARATION EXPENSES			
PUBLIC PROCUREMENT PROCEDURE no. 348/1-16/2019-2			
Pursuant to article 88 paragraph 1 of the Public Procurement Law			
BIDDER:			
submits total amount and structure of the bid preparation expenses as stated below in the table:			
Item	Type of expense	Proof	Amount of expense
1.			
2.			
3.			
4.			
5.			
6.			
TOTAL amount of the bid preparation expenses:			

The bidder **may** submit, within its bid, the total amount and structure of the expenses of bid preparation. The expenses incurred in bid preparation and submission will be borne exclusively by the bidder, and it cannot request reimbursement of expenses from the Contracting Authority (article 88 paragraph 2 of the PPL). The expenses of sample or model preparation may be expressed in the template of the expenses of bid preparation if they are made in accordance with the technical specification of the Contracting Authority as well as the expenses of providing securities. Where the bidder states the expenses of bid preparation, it is necessary that it states types of expenses, price and proof. The above stated expenses are reimbursed only in cases stipulated under article 88 paragraph 3 (cancellation of the procedure due to the reasons related to the contracting authority).

Note: submission of this template is not mandatory.

Date:

Signature of the bidder's authorized person:

.....



Form-4

**OPEN PUBLIC PROCUREMENT PROCEDURE no. 348/1-16/2019-2
D E C L A R A T I O N**

Bidder, _____,

(name of the bidder)

gives a:

Pursuant to article 75 paragraph 2 of the Public Procurement Law ("RS Official Gazette" nos. 124/12, 14/15 and 68/15), we state under full moral, material and criminal liability that, in the bid for procurement of GOODS – LABORATORY EQUIPMENT, we have fulfilled obligations under applicable legislation concerning safety at work, employment and working conditions, protection of environment, and that there is no ban from performing the activity in force against us at the time of bid submission.

Date:

Signature of the bidder's authorized
person:

L.S. _____

Note:

- The declaration has to be signed and stamp verified by all the bidders. Where the bid is submitted by a group of bidders, the Declaration has to be signed by the authorized person of each bidder in the group of bidders and stamp verified.



VI CONTRACT MODEL

Concluded between the parties:

1. University of Belgrade-Faculty of Pharmacy, 11221 Belgrade, 450 Vojvode Stepe Street, represented by the Dean of the Faculty – Prof. Dr. Slađana Šobajić (hereinafter: the Purchaser), Tax ID: 101746950, identification number: 07001975, at one side

and

2. _____, _____, Street _____ number _____, Tax ID _____, identification number _____, represented by _____ (hereinafter referred to as the Vendor)

Article 1.

The Contracting Parties agree unanimously:

- that the Purchaser, based on Article 32 of the Law on Public Procurement (“Official Gazette of RS”, Nos. 124/12, 14/15 and 68/15; hereinafter: the Law) and on the basis of the invitation to tender for the procurement of goods – LABORATORY EQUIPMENT, no. 348 / 1-16 / 2019-2, has conducted an open procurement procedure;
- that the Vendor has, on the date _____2019, submitted bid number _____, Public Procurement No. 348 / 1-16 / 2019-2 which is an integral part of this contract;
- that the Purchaser, in accordance with Art. 108 of the Law on Public Procurement, and based on the bid of the Vendor and the Decision on Award of Contract no. _____ from _____2019. (*to be completed by the Purchaser*), has selected the Vendor to conclude a public procurement contract.

Article 2.

The subject matter of the contract are goods – the apparatus specified in the technical specification.

The Vendor undertakes to deliver, in accordance with the Purchaser's request, the subject of the contract, and according to the offer, the number _____ of _____ 2019 and at the price expressed in the Bid Form, which forms an integral part of this Contract.



Article 3.

The total value of the contract is _____ Dinars (or Euros).

Price is fixed.

The price of the goods in question is according to standard Incoterms DDU Belgrade, Serbia.

The Vendor may not require additional payment related to the subject of procurement on any basis.

Article 4.

The Purchaser undertakes to make the payment as follows:

15 days from the date of receipt of a pro-forma invoice for prepayment.

Article 5.

The Vendor shall deliver the equipment which is the subject of this public procurement at the written request of the Purchaser, within _____ calendar days from the date of receipt of the written request of the Purchaser.

Article 6.

If after receipt of the equipment, during the use within the warranty period, technical defects are found which could not be detected by the usual inspection during quantitative and qualitative receipt of the equipment (hidden defect), or possible irregularity, the Purchaser will send a written complaint to the bidder.

After written complaint, the Vendor must respond within 5 working days and afterwards resolve the complaint, i.e. eliminate technical defect or possible irregularities, or replace the equipment with new equipment that has the same or better technical characteristics.

If the claimed defect cannot be remedied within 30 days, the Bidder undertakes to put into service, during the repair period, a replacement means (equipment) with the required or better characteristics.

Article 7.

This contract is concluded for a limited period of time until both parties have fulfilled their contractual obligations.

Each of the contracting parties is entitled to unilateral termination of this contract in case of non-fulfillment of contractual obligations of the other contracting party.

Article 8.

Anything not provided for in this contract is subject to the provisions of the Law on



Obligations.

In case of dispute, the Commercial Court in Belgrade has jurisdiction.

Article 9.

This Agreement is made in 6 (six) identical copies, each party retaining 3 (three).

For the Purchaser:

For the Vendor:

Prof. Dr. Sladana Šobajić, Dean of Faculty



VII INSTRUCTION TO BIDDERS HOW TO PREPARE THE BID

1. BID LANGUAGE

The language of the bid should be Serbian or English.

2. MANNER OF SUBMISSION OF BID

The bid shall contain all the evidence defined by the Public Procurement Law and the tender documents.

The bid shall be submitted in original, stamped and filed with the bidder, and signed by the bidder's responsible person or the person authorized to sign the bid in the name of the bidder or a group of bidders. Complete bid shall be submitted without any additional corrections and entries between the lines.

The bid are prepared and submitted in one copy and exclusively in the forms making an integral part of these tender documents.

The bid will be rejected as unacceptable if any changes, amendments or deletions are made in the tender documents. If a bidder makes a mistake in filling-in, it shall cover the mistake with white correction fluid and make a correct entry, whereas the spot where the mistake was made shall be initialled and stamp verified.

By signing the bid, the bidder states that it has fully understood and accepted all the requirements indicated in the tender documents.

Any subsequent claims resulting from incorrectly or insufficiently collected information, or wrongly assessed circumstances and conditions, namely, insufficient knowledge, will be rejected by the Contracting Authority as unfounded.

Bidder submits its bid in a sealed envelope marked: "Bid for procurement of GOODS – LABORATORY EQUIPMENT, public procurement number: 348 / 1-16 / 2019-2– DO NOT OPEN".

It is preferable for the bidder to submit the proofs of fulfilment of the requirements as well as its bid in a form that disables insertion or removal of certain documents after bid opening – tied with a tape (security cord) into a whole and sealed.

The Bidder's full name, address and phone number as well as the contact person must be indicated on the back of the sealed envelope.

The deadline for submission of bids is 30 days from the date of posting the public invitation to bids on the Public Procurement Portal, namely till 30.08.2019. All bids received at the address of the Contracting Authority not later than the above indicated date, till 12:00h, regardless of the manner of submission shall be considered timely submitted.

A bid received after the deadline and the time specified in the invitation will be considered untimely, and it will be returned unopened to the bidder by the Contracting Authority after completion of bid opening procedure, with a note that it has been submitted untimely.

The Bid must be prepared in full in accordance with the Law on Public Procurement, the Call



for Proposals and Tender Documents, and must meet all the requirements for participation in the public procurement procedure.

When submitting a bid, the bidder is obliged, with the bid, to submit:

- completed, signed and stamped Bid Form (Form 1);
- completed, signed and stamped Independent Tender Form (Form 2)
- completed, signed and stamped Statement of Statement (Form 4)
- the contract model, completed, signed and stamped on the last page of the contract where provided, whereby the tenderer confirms that it accepts the elements of the contract model;
- the evidence required by the tender documentation in Chapter III;
- The Bidder shall submit with the bid relevant evidence of fulfillment of the stated technical requirements (catalogs, instructions, brochures with marked characteristics ...).

3. LOTS

The Subject of this Public procurement is NOT divided in LOTS.

4. BIDS WITH VARIANTS

Submissions of bids with variants are not allowed..

5. AMENDMENTS, SUPPLEMENTS AND CANCELLING OF BIDS

Bidder can amend or cancel its bid by a written notice before the expiry of the deadline for submission of bids.

Every notice of amendments or cancellation will be prepared, sealed, marked and submitted in accordance with the requirements stated in the tender documents, and in addition, the envelope will be marked "Amendment of Bid" or "Cancellation".

Bid cannot be amended after the expiry of the deadline for submission of bids.

6. A BIDDER CAN PARTICIPATE IN ONE BID ONLY

One bidder may participate in one bid only - that is, as an independent bidder, as a subcontractor or a member of a group of bidders.

Participation in more than one bid for the same contract will result in rejection of these bids as unacceptable ones.

7. BIDDER

A bid can be submitted by an independent bidder, a bidder acting with subcontractors and a group of bidders submitting a joint bid.

An independent bidder may not participate in a joint bid or as a subcontractor at the same time.

A bidder shall indicate in its bid whether the performance of public procurement will be partially entrusted to a subcontractor and it shall also indicate in its bid the percentage of the



total value of procurement that will be entrusted to a subcontractor, which cannot exceed 50%, as well as which part of the subject of procurement will be performed by the subcontractor.

At the request of a subcontractor, and in cases where the nature of the subject of procurement permits, the Contracting Authority may transfer the amounts due directly to a subcontractor, referring to the part of the procurement performed through that subcontractor.

The agreement whereby bidders from a group commit between themselves and towards the Contracting Authority, to execute the public procurement, will make an integral part of any joint bid, and it shall contain the information on:

- 1) the leading member of the group who will be the main contractor, namely who will submit the bid and represent the group of bidders before the Contracting Authority;
- 2) description of works of every bidder from the group of bidders in performance of the Contract. Bidders submitting a joint bid have unlimited joint and several liability towards the Contracting Authority.

8. REQUIREMENTS IN RESPECT OF PAYMENT METHOD AND CONDITIONS, GUARANTEE TERM AND BID VALIDITY PERIOD

Bidder shall enter the payment date in the Bid Template.

Deadline for delivery of goods (no more than 90 calendar days from the date of submission of the written request of the Purchaser). Delivery procedure according to standard Incoterms DDU Belgrade, Serbia Bid validity period may not be less than 60 days from the date of opening of bids.

9. CURRENCY AND MANNER IN WHICH THE PRICE MUST BE INDICATED AND EXPRESSED IN THE BID

All values in the public procurement procedure are expressed in dinars. Bidder may express the price in Euros as well.

The middle exchange rate of the National Bank of Serbia on the day of opening of bids will be used for conversion to dinars.

If the bidder is from a foreign country and expresses the price in Euros, the foreign currency shall be agreed as the means of payment pursuant to the Law on Hard Currency Operations (The RS Official Gazette nos. 62/2006, 31/2011, 119/2012, 139/2014 and 30/2018).

Prices are firm.

If an abnormally low price is indicated in a bid, the Contracting Authority shall act in accordance with Article 92 of the Public Procurement Law.

In case of an error in calculation and a difference between the unit price and the total price or the total bid value, the unit price shall prevail.

10. MEANS OF FINANCIAL SECURITY

The Contracting Authority does not request any means of financial security.



11. CONFIDENTIALITY OF THE PROCEDURE

The Contracting Authority shall:

- 1) keep confidential all data on bidders contained in their bid that the bidder designated as confidential in its bid, in compliance with the law;
- 2) refuse to disclose the information that would mean violation of confidentiality of data obtained in the bid;
- 3) keep as business secret the names of interested persons, bidders and applicants, as well as the information on submitted bids, i.e. applications, until the expiry of deadline for opening of bids or applications.

The evidence on fulfilment of obligatory requirements, the price and other information from the bid relevant for applying elements of the criterion and for ranking of bids shall not be deemed confidential.

The information concerning checking, explanation, opinion and comparison of bids, as well as recommendations in respect of selection of the most advantageous bid, shall not be submitted to bidders, or to any other party that is not officially involved in the procedure, until the name of the selected bidder is announced.

The Contracting Authority shall keep as business secret names of bidders, as well as the submitted bids, until the expiry of the deadline for opening of bids.

Members of the public procurement commission shall keep the data and treat the documents in accordance with the degree of confidentiality. The price and other information from the bid relevant for applying elements of the criterion and for ranking of bids shall not be deemed confidential.

The Contracting Authority will condition taking over of the tender documents by signing a declaration or a confidentiality agreement if such data represent a business secret in respect of the law governing protection of business secret or if they represent confidential data in respect of the law governing data confidentiality.

The party that received data designated as confidential shall keep and protect them, regardless of the degree of confidentiality.

12. ADDITIONAL INFORMATION OR EXPLANATION

An interested party may submit a written request for additional information or explanation regarding bid preparation from the Contracting Authority, whereby it can draw the attention of the Contracting Authority to possible shortcomings and irregularities identified in the tender documents, not later than **(5) five** days before the expiry of the deadline for submission of bids.



The communication related to the additional information, explanations and responses shall be carried out in the manner determined in Article 20 of the Public Procurement Law.

Requests are to be forwarded by electronic mail **exclusively**, to the e-mail addresses: [CCC](#)

The requests received at the Contracting Authority's e-mail after **03:00h p.m.** on work days, during weekends and holidays, shall be considered to have been received on the first following work day.

The Contracting Authority shall post its reply on its page on the Public Procurement Portal within **3 (three)** days from the day of receipt of a request.

13. ADDITIONAL EXPLANATIONS, CONTROL AND PERMITTED CORRECTIONS

If necessary, the Contracting Authority may send a written request to bidders asking them to supply additional explanations that would be useful to it in the course of examination, evaluation and comparison of bids, and it may also conduct control (inspection) of a bidder or its sub-supplier.

Subject to the bidder's consent, the Contracting Authority may correct arithmetic errors noticed in the course of examining the bid after the concluded opening of bids. In case of difference between the unit price and the total price, the unit price shall prevail.

Where the bidder disagrees with the correction of arithmetic errors, the Contracting Authority shall reject its bid as the unacceptable one.

14. USE OF PATENTS AND RESPONSIBILITY FOR VIOLATION OF PROTECTED INTELLECTUAL PROPERTY RIGHTS OF THIRD PARTIES

Bidder shall bear the remuneration for use of patents, as well as the responsibility for the violation of protected intellectual property rights of third parties.

15. TIME LIMITS AND MANNER OF SUBMISSION OF REQUEST FOR PROTECTION OF BIDDER'S RIGHTS

Request for protection of rights may be filed by a bidder, an applicant, a candidate, namely an interested party, who are interested in award of the contract, namely the framework contract in the concrete public procurement procedure and who has suffered or may suffer a damage due to the actions of the Contracting Authority which are contrary to the provisions of the Public Procurement Law (hereinafter: claimant).

Request for protection of rights is submitted to the Contracting Authority, and one copy is submitted to the Republic Commission for protection of rights in public procurement procedures (hereinafter: the Republic Commission).



Request for protection of rights is submitted directly, by electronic mail to the e-mail addresses of the Contracting Authority javnenabavke@pharmacy.bg.ac.rs and by registered mail with return receipt to the address of University of Belgrade-Faculty of Pharmacy.

Request for protection of rights may be submitted against any action of the Contracting Authority during the entire public procurement procedure, unless otherwise provided by the Public Procurement Law.

Request for protection of rights contesting the type of procedure, the contents of the invitation to bids or of the tender documents shall be deemed timely if received by the Contracting Authority not later than **7 (seven)** days before the expiry of the deadline for submission of bids, regardless of the method of submission and if the claimant has drawn the attention of the Contracting Authority to possible shortcomings and irregularities according to Article 63 paragraph 2 of the Public Procurement Law, and the Contracting Authority has not eliminated the same.

A request for protection of rights contesting the actions taken by the Contracting Authority before the expiry of the deadline for submission of bids, and after the expiry of the deadline indicated in Article 149, paragraph 3 of the Public Procurement Law, shall be deemed timely if it was submitted by the expiry of the deadline for submission of bids at the latest.

After the decision on awarding contract, the decision on conclusion of a framework contract, the decision on recognition of qualifications and the decision on cancellation of the procedure, the deadline for submission of requests for protection of rights will be **10 (ten)** days from the day of posting the decision on the Public Procurement Portal.

A request for protection of rights may not contest the actions taken by the Contracting Authority in the public procurement procedure if the claimant was familiar or could be familiar with the reasons for its submission before the expiry of the deadline for submission of requests stated in Article 149, paragraphs 3 and 4 of the Public Procurement Law, and the claimant has not submitted the request before the expiry of that deadline.

If the request for protection of rights was repeatedly submitted by the same claimant in the same public procurement procedure, this request may not contest the actions taken by the Contracting Authority which were known or could be known by the claimant during submission of the previous request.

A request for protection of rights does not detain further activities of the Contracting Authority in the public procurement procedure according to the provisions of Article 150 of the Public Procurement Law.

A request for protection of rights contains:

- 1) name and address of the claimant and the contact person;
- 2) name and address of the Contracting Authority;
- 3) information on the public procurement that is the subject of the request, or on the decision of the Contracting Authority;
- 4) violations of legislation regulating the public procurement procedure;
- 5) facts and evidence substantiating the violations;
- 6) proof of paid tax referred to in Article 156 of the Public Procurement Law;
- 7) claimant's signature.



Where the filed request for protection of rights does not contain all the above mentioned mandatory elements, the Contracting Authority shall reject such a request by conclusion.

The Contracting Authority shall post the information, containing the data from the Annex 3.LJ about the filed request for protection of rights on the Public Procurement Portal and on its website within 2 (*two*) days from the day of receipt of the request for protection of rights at the latest.

The claimant for protection of rights shall pay a fee amounting to RSD 120.000,00 to the designated account of the budget of the Republic of Serbia.

Each party in the procedure shall bear the expenses incurred through its actions.

Where the request for the protection of rights is well-founded, the Contracting Authority must compensate the expenses incurred in the process of protection of rights to the claimant, upon its written request.

Where the request for the protection of rights is not well-founded, the claimant must compensate the expenses incurred in the process of protection of rights to the Contracting Authority, upon its written request.

Where the request for the protection of rights is partially adopted, the Republic Commission shall decide whether each party shall bear its own expenses, or the expenses shall be divided proportionately to the adopted request for the protection of rights.

The parties must precisely state in their requests the expenses whose compensation they request.

Compensation of expenses may be requested up to the making of decision by the Contracting Authority or by the Republic Commission upon the filed request for the protection of rights.

The expenses shall be decided by the Republic Commission. Decision of the Republic Commission shall be enforceable.

<p style="text-align: center;">INSTRUCTIONS FOR PAYMENT OF FEE FOR SUBMISSION OF THE REQUEST FOR PROTECTION OF RIGHTS</p>
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Article 151 of the Public Procurement Law prescribes that a request for protection of rights shall contain, among other, the proof of paid tax referred to in Article 156 of the Public Procurement Law. The claimant for protection of rights shall pay the fee prescribed in Article 156 of the Public Procurement Law to the designated account of the budget of the Republic of Serbia.

According to the Instructions for payment of fee for submission of the request for protection of rights, posted on the website of the Republic Commission for protection of rights, the following will be accepted as the proof of payment of the fee, according to Article 151, paragraph 1 item 6) of the Public Procurement Law:

1. The proof of paid fee referred to in Article 156 of the Public Procurement Law includes the following elements:

(1) it is issued by the bank and bears the seal of the bank;



(2) it represents the proof of effected payment of the fee, meaning that the proof shall contain the information that the fee payment order, namely the order for transfer of funds was realized, as well as the date of realization of the order. * The Republic Commission may inspect the corresponding statement of the record account submitted by the Ministry of Finance - Treasury Administration and thus to additionally check whether the transfer order was realized.

(3) amount of the fee under Article 156 of the PPL, that is to be paid;

(4) account number: 840-30678845-06;

(5) payment code: 153 or 253;

(6) reference number: information on the number or designation of the public procurement on account of which the request for protection of rights is submitted;

(7) purpose: request for protection of rights; name of the Contracting Authority; number or designation of the public procurement on account of which the request for protection of rights is submitted;

(8) beneficiary: budget of the Republic of Serbia;

(9) name of the payer, namely the name of the claimant for protection of rights on behalf of which the payment of fee was effected;

(10) signature of the authorized bank official.

2. Payment order, original copy, verified by the signature of the authorized person and the seal of the bank or the post office, containing all other elements of the proof of paid fee referred to under item 1.

3. The Certificate issued by the Republic of Serbia, Ministry of Finance, Treasury Administration, signed and stamp verified, containing all elements of the proof of paid fee referred to under item 1, except for those under (1) and (10), for the claimants for protection of rights who have an open account within the pertaining consolidated treasury account, kept in the Treasury Administration (beneficiaries of budget funds, beneficiaries of funds of compulsory social insurance organizations and other public funds beneficiaries).

4. The Certificate issued by the National Bank of Serbia, containing all elements of the proof of paid fee referred to under item 1, for the claimants for protection of rights (banks and other entities) who have an open account with the National Bank of Serbia according to the law and other regulations.

Bidders can find a more detailed instruction at the following link:

<http://www.kjn.gov.rs/ci/uputstvo-o-uplati-republicke-administrativne-takse.html>

16. NOTICE

The use of stamps is optional.