GEN-I, trgovanje in prodaja električne energije, d.o.o.
Vrbina 17, SI-8270 Krško, Slovenija
T: +386 7 48 81 840; F: +386 7 48 81 841
E: info@gen-i.si; W: www.gen-i.si

No. 1045720121/2023 – Odl.
Date: 7 June 2023

In pursuance of Article 90 of Public Procurement Act (ZJN-3, Official Gazette of Republic Slovenia, No.28/23) the Purchaser GEN-I, d.o.o. Vrbina 17, 8270, represented by President of the Management Board Maks Helbl and Sandi Kavalič, Member of the Management Board, issues a

DECISION ON CONTRACT AWARD
for

Assistance with the development and stabilization of the GEN-I ETRM IT solution (based on the iON (Allegro) Horizon system).

The Contract for the above stated tender, published on Slovenian »Portal Javnih naročil« on 15 March 2023 under the number JN001422/2023-E01 and EU 2023/S 053-155091 has been awarded to **CapSpire Ltd, 11 Anglesea Street, Floor 2, Cork, Ireland T12CYR8**

Explanatory Note

The Purchaser has implemented the Public bidding negotiation procedure with notification for the subject tender in accordance with Article 45 of ZJN-3. A deadline for Bids submittal was on 15 March 2023 at 1 p.m. at the latest.
By the Bidding due date the following Bidders submitted their Bids on time with the following basic elements:

- CapSpire Ltd, value: 450,000.00 EUR without VAT,
- Lead Consult, value : 310,000.00 EUR without VAT
- Indra Soluciones Technologias de la informacion SL , value: 240,000.00 EUR without VAT.

1. Bids review

In accordance with article 89.2, paragraph one of ZJN-3 the Purchaser verified the permissibility of the received Bids and established the following:

a) Condition No.23, »Bid preparation instruction: Condition (Reasons for exclusion), proof: signed OBR-Qualifying declaration
   - CapSpire LTD fulfils the condition
   - Lead Consult fulfils the condition
   - Indra Soluciones fulfils the condition

b) Condition No.24 :General condition, proof: ESPD form
   - CapSpire LTD fulfils the condition
   - Lead Consult fulfils the condition
   - Indra Soluciones fulfils the condition

c) Condition No. 25:Prevention of Corruption Risks, proof OBR- Participation in the ownership of the economic operator
   - CapSpire LTD fulfils the condition

- Lead Consult fulfils the condition
- Indra Soluciones fulfils the condition

d) Condition No. 26 :Condition (joint bid), proof Partnership contract
All 3(three) Bidders submitted the Bids without partners or subcontractors

e) Condition No. 27: Condition (Reference SERVICES): The tenderer had successfully completed or participated in at least two (2) comparable projects *(the list of Requirements for the Comparable project under this Condition is in the Bid preparation instructions, Condition – Reference, page 17/20)*…proof:

OBR 01 Tenderer's reference confirmed by the contractor of the referenced project:

- CapSpire Ltd: submitted seven confirmed references therefore, it fulfils the condition
- Lead Consult: submitted nine unconfirmed reference therefore, it **does not** fulfil the condition
- Indra Soluciones Technologias: submitted 2 confirmed references and therefore fulfils the condition

f) Condition No. 28: Personnel references: The service provider must have at least two (2) Experts - Developers who are meeting ALL of the specified requirements *(the list of Requirements for this Condition is in the Bid preparation instructions, Condition – Personnel References, page 18/20)*, proof:

OBR 02 –Developer's reference (to be confirmed by the client):

- CapSpire Ltd: submitted confirmed references for nineteen developers therefore, it fulfils the condition
- Lead Consult: submitted 14 confirmed references therefore, it fulfils the condition
- Indra Soluciones Technologias: submitted one confirmed reference therefore, it **does not** fulfil the condition

And OBR-3 »Developer's reference (to be confirmed by the tenderer)

- CapSpire Ltd submitted 19 signed forms and therefore, it fulfils the condition
- Lead Consult: submitted 17 signed forms
- Indra Soluciones Technologias: submitted 1 singed form therefore, it **does not** fulfil the condition

Due to the stated above Purchaser decided to invite on the negotiations about the price of the Bid only the Bidder CapSpire Ltd **who fulfils all the conditions** for bid acceptance according to Bid preparation instruction article No.4.

By the final Bid submittal date, on 25 April 2023 at 7.50 a.m. Bidder CapSpire Ltd submitted its Bid in S-Procurement system on time with the total value: 405,000.00 EUR without VAT.

Purchaser verified the CapSpire Ltd final Bid and established that:

a) It was submitted on time
b) It fulfils all the conditions specified in Bid preparation instructions
g) Its value does not exceed the Purchaser's funds available for the purchase
h) It was not evaluated as the Bid with unusually low Unit and total Price
i) It shows no evidence of unpermitted settlement with other potential Bidder or corruption

Based on evaluation criteria attached to this decision, the CapSpire Ltd Bid No. 1045720121-1_PK_1 submitted on 25 April 2023 was accepted as the most favourable one.

2. Evaluation of the Final Bid

Criteria	Price or Number	CapSpire Ltd
a) Total Contract price(max 60 points)	405,000.00€	60
b) Additional experts- Developers (max 30 points)	5	10
c) Criterion - Additional experts – Functional Architects (max. 10 Points)	3	0
Št. točk skupaj		70

Based on the evaluation criteria, the CapSpire Ltd final bid submitted on 25 April 2023 was accepted as the favourable one.

Legal instructions

The bidders who were not selected are allowed to submit a request for review/revision within eight working days from the receipt of the decision on award or elimination of public procurement in compliance with Legal Protection in Public Procurement Procedures Act (ZPVPJN, OG RS No.43/11, 60/11-ZTP-D, 63/13, 90/14- ZDU-1l, 60/17 and 72/19). The bidder can submit a request for revision to the purchaser through the portal “e-Revizija”. The bidder must pay a tax in the amount of EUR 9,882.00 to the account of the Slovene Ministry of Finance, No.: SI560110 0100 0358 802, open by “Banka Slovenije, Slovenska 35, 1505 Ljubljana, Slovenija” SWIFT code: BSLJSI2X, IBAN: SI56011001000358802, reference 11 16110-7111290-00142223.

President of the Management Board

Maks Helbl

Member of the Management Board

Sandi Kavalič