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DOKUMENT JE ELEKTRONSKO PODPISAN

REPUBLIC OF SLOVENIA
MINISTRY OF DEFENCE

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Number: 430-340/2024-8
Date: 22. 11. 2024

Pursuant to Article 75(1) of the Public Procurement in the Defence and Security Sector Act (The Official Gazette of the Republic of Slovenia nos. 90/2012, 90/14-ZDU1I, 52/16, and 122/23) the Contracting Authority adopts the following

DECISION ON THE AWARD OF A PUBLIC CONTRACT
MORS 284/2024 - ON - PSPb
FOR
REPLACEMENT OF INTERNAL BATTERIES
AND OVERHAUL OF THE SPIKE SYSTEM

Following the public contract award procedure MORS 284/2024-ON-PSPb for the replacement of internal batteries and the overhaul of the SPIKE system, the Bidder, EuroSpike GmbH, Fischbachstr. 16, 90552 Roethenbach a.d.Pegnitz, Germany, submitted Bid No. EuSp 15/2024A dated 1 October 2024, as well as a final Bid No. EuSp 15/2024A dated 1 October 2024 (received on 15 October 2024), for a total value of EUR 534,420.00 exclusive of VAT, or EUR 651,992.40 inclusive of VAT (VAT shall be calculated and paid by the Contracting Authority).

Explanation:

After fulfilling all legal requirements for initiating a public contract award procedure in the field of defence and security through a negotiated procedure without prior publication, the Contracting Authority, by Invitation to Tender No. 430-340/2024-2 dated 18 September 2024, invited EuroSpike GmbH, Fischbachstr. 16, 90552 Roethenbach a.d.Pegnitz, Germany, the manufacturer and supplier of the SPIKE system, and the only entity capable of replacing the internal batteries and overhauling the SPIKE system due to its technical specifications, to submit a bid.

Within the specified period, the Bid submitted by EuroSpike GmbH, Fischbachstr. 16, 90552 Roethenbach a.d.Pegnitz, Germany, No. EuSp 15/2024A dated 1 October 2024, with a total value of EUR 534,420.00 excluding VAT, was received at the Contracting Authority's address.

Within the specified period, the following Bid was received at the Contracting Authority's address:

- EuroSpike GmbH, Fischbachstr. 16, 90552 Roethenbach a.d.Pegnitz, Germany, No. EuSp 15/2024A dated 1 October 2024, with a total value of EUR 534,420.00 excluding VAT.

The Contracting Authority conducted a review of the Bid to determine whether it met the general and specific conditions for demonstrating the Bidder’s competence, as outlined in Section III of the Invitation to Tender MORS 284/2024-ON-PSPb: Methodology for Verifying the Bidder’s Competence to Perform the Public Contract, as well as its adequacy (compliance with technical requirements), accuracy, admissibility, and completeness.

As part of the negotiations on 8 October 2024, the Contracting Authority invited the Bidder to supplement its Bid and submit a final, commercially more advantageous Bid.

The Bidder submitted a final Bid, No. EuSp 15/2024A, dated 1 October 2024 (received on 15 October 2024), to the Contracting Authority for the same total value of EUR 534,420.00 excluding VAT as the original Bid. The required complements (sworn Declarations of No Criminal Record (Appendices 4A and 4B) made before a competent judicial or administrative authority, or a notary, or qualified professional, or trade body in the country where the Bidder has its head office) have not been submitted due to the lengthy acquisition procedure. The Bidder subsequently submitted both Declarations to the Contracting Authority on 18 November 2024.

Upon receipt of all the necessary supplements, the Contracting Authority declared the final Bid No. EuSp 15/2024A dated 1 October 2024 (received on 15 October 2024) to be adequate, admissible, and complete. The Contracting Authority has, therefore, decided as set out in the operative part of this Decision.

Right to appeal:
A request for a review of the public procurement procedure may be submitted via the E-Revizija Portal no later than eight (8) business days from the date of service of the Contract Award Decision to the Bidder. The request for review must be accompanied by a receipt confirming that a fee in the amount of 2% (percent) of the selected Tender total value (inclusive of VAT), but not less than EUR 500 and not more than EUR 25,000, has been paid to the Ministry of Finance bank account no.: 01100-1000358802 (open with Banka Slovenije, Slovenska 35, 1000 Ljubljana), SWIFT: BS LJ SI 2X; IBAN: SI56011001000358802, reference no. 11 16110-7111290-00028424.

Borut Sajovic, MS
Minister

Sent to:
- The Bidder is notified in accordance with the General Administrative Procedure Act.