NEK
Nuklearna elektrarna Krško, d.o.o.
Vrbina 12, 8270 Krško
Slovenija

In pursuance of Article 90 of the Public Procurement Act (ZJN-3, Official Gazette of the Republic of Slovenia No. 91/15 with all amendments) Nuklearna elektrarna Krško, d.o.o., Vrbina 12, 8270 Krško (hereinafter: Purchaser), represented by Mr. Gorazd Pfeifer, President of the Management Board, and Mr. Saša Medaković, Member of the Management Board, adopts a

DECISION ON NOT AWARDING THE CONTRACT

for "Decommissioning and treatment of old steam generators"

Explanation of public procurement procedure

With reference to Article 45 of ZJN-3 the Purchaser provided the Bidding Documentation no. 321/2022-8221711 for "Decommissioning and treatment of old steam generators" according to *public tendering procedure with prior notification*. The public procurement procedure was published on Public Procurement Portal under No. JN007384/2022-E01 on 28th October 2022 and on TED under No. 2020/S 243-602934 on 31st October 2022.

The procedure included two (2) phases:
Phase 1: submission of Applications and Purchaser's assessment of Applicants capability
Phase 2: submittal of bids (by the Applicants, whose capability is acknowledged in the phase 1), negotiations and submission of final bids.

By the bidding deadline (16th December 2022 at 1 p.m. at the latest) the Purchaser received three (3) Applications with the following basic elements:

Applicant	No. of Application	Date & Time of Application Receipt
Eckert & Ziegler Umweltdienste GmbH, Gieselweg 1, 38110 Braunschweig, Germany	007384/2022	16 December 2022 at 06:47 a.m.
VUJE, a.s, Okružná 5, 918 64 Trnava, Slovak Republic	15511/2022	16 December 2022 at 10:14 a.m.

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Westinghouse Electric Spain SAU, C/ Estébanez Calderon 3-5, 1a Planta, 28020 Madrid, Spain	KRK-2210	16 December 2022 at 11:15 a.m.

Based on the review of the Applications by the Expert Commission for the subject public tender, on 21st December 2022 the Purchaser invited the Applicants VUJE and Westinghouse Electric Spain to provide some clarifications of their Applications related to the references. The Purchaser received the requested clarifications on time (5th January 2022). The Applicants met all demands regarding the clarifications.

Purchaser had acknowledged the capability to all Applicants. On 11th January 2023 the Decision on Applicants Capability was published on Public Procurement Portal.

On 11th January 2023 the Purchaser invited all Applicants to submit their Bid.

By the bidding deadline (31st March 2023 at 1 p.m. at the latest) the Purchaser received one (1) Bid with the following basic elements:

Name and address	No. of Bid	Date & Time of Bid Receipt	Total Price (VAT excl.)
Eckert & Ziegler Umweltdienste GmbH, Gieselweg 1, 38110 Braunschweig, Germany	007384/2022	31 March 2023 at 10:23 a.m.	USD 33,050,000.00

On 13th April 2023 the Purchaser invited the Bidder to supplement its Bid with the completed Draft Contract. The Purchaser received the document as requested.

There were 2 rounds of negotiations covering scope of service and technical details of the bid including technical specification revision, general terms and conditions in the draft contract and price.

On 11th October 2024 the Purchaser invited the Bidder to provide its Final Bid by 24th October 2024.

The Bidder submitted its Final Bid with the following basic elements:

Name and address	No. of Bid	Date & Time of Bid Receipt	Total Price (VAT excl.)
Eckert & Ziegler Umweltdienste GmbH, Gieselweg 1, 38110 Braunschweig, Germany	007384/2022	23 October 2024 at 08:26 p.m.	USD 34,270.000.00

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The Purchaser has determined that the price (31.728.543,65 EUR) exceeds the Purchaser's funds available for this tender (14.000.000,00 EUR) and is thus not admissible and is therefore eliminated from public procurement procedure.

Based on the above said the Contract for "Decommissioning and treatment of old steam generators" has not been awarded.

Legal instruction

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 with all amendments). The request for revision shall be submitted by portal eRevizija. The applicant must submit with the request for review the bank certificate for the payment of tax in the amount of EUR 1.000,00 to the account of the Ministry of Finance No.: 01100-1000358802, reference 11 16110-7111290-738422.

Krško, 23 November 2024

NUKLEARNA ELEKTRARNA KRŠKO, d.o.o.

For NEK:

Saša Medaković
Member of the Management Board

Gorazd Pfeifer
President of the Management Board

For ARAO – Agency for Radwaste Management:

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Sandi Viršek
Director

Podpisnik: SANDI VIRŠEK, ARAO
Izdajatelj: SIGEN-CA G2 (Republika Slovenija)
Številka certifikata: 8FDBA43000000000572C7802
Potek veljavnosti: 5. 11. 2029
Datum podpisa: 28. 11. 2024

For: Fund for financing the decommissioning of the Krško Nuclear Power Plant and the disposal of Krško NPP radioactive waste and spent nuclear fuel

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Josip Lebegner
Director

FOND ZA FINANCIRANJE RAZGRADNJE I ZBRINJAVANJA RADIOAKTIVNOG OTPADA I ISTROŠENOG NUKLEARNOG GORIVA NUKLEARNE ELEKTRANE KRŠKO

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