Datum/*Date* : 4.7.2025
Oznaka/*Code* : NMV-ZAG-12/2025

RAZPISNA DOKUMENTACIJA ZA NAKUP MOBILNE MEŠALNE ČRPALKE ZA 3D-TISKANJE BETONA - PONOVITEV

PROCUREMENT DOCUMENTATION FOR THE PURCHASE OF MOBILE MIXING PUMP FOR 3D-PRINTING OF CONCRETE - REDO

Ljubljana, julij, 2025
Ljubljana, July, 2025

KAZALO/ *TABLE OF CONTENTS*

1. OZNAKA IN PREDMET JAVNEGA NAROČILA/ *DESIGNATION AND SUBJECT OF THE PROCUREMENT* 4

2. NAČIN ODDAJE JAVNEGA NAROČILA/*METHOD OF AWARDING THE PUBLIC PROCUREMENT* 4

3. ROK IN NAČIN PREDLOŽITVE PONUDBE /*DEADLINE AND THE METHOD OF SUBMISSION OF THE TENDER* 5

4. INFORMACIJE V ZVEZI Z ODPIRANJEM PONUDB/*INFORMATION WITH REGARDS TO OPENING OF THE TENDERS* 6

5. ZAKONI IN PREDPISI /*LAWS AND REGULATIONS* 6

6. TEMELJNA PRAVILA POSLOVANJA/*BASIC RULES OF BUSINESS* 7

6.1 Dostop do dokumentacije v zvezi z oddajo javnega naročila / *Access to procurement documentation* .7
6.2 Obvestila in pojasnila v zvezi z dokumentacijo za pripravo ponudbe / *Notices and explanations concerning the procurement documentation* 7

7. UGOTAVLJANJE SPOSOBNOSTI / *DETERMINING ELIGIBILITY* 8

7.1 Ugotavljanje sposobnosti za sodelovanje v postopku oddaje javnega naročila in dokazila */Determination of eligibility to participate in the procurement procedure and proofs* 8
7.1.1 Razlogi za izključitev/*Reasons for exclusion* 9
7.1.2 Ustreznost za opravljanje poklicne dejavnosti / *Fitness to pursue a professional activity* 12
7.1.3 Reference / *References* 13

8. MERILO/*CRITERIA FOR THE EVALUATION OF THE TENDER* 14

8.1 Ekonomska ponudba / Economic offer 14
8.2 Prodajni pogoji / Sales conditions 14

9. MINIMALNE TEHNIČNE SPECIFIKACIJE/ *MINIMAL TECHNICAL SPECIFICATIONS* 15

9.1 Zahtevane minimalne tehnične lastnosti opreme / Required minimum technical characteristics of the equipment 15
9.2 Minimalne zahteve za prodajne pogoje / Minimum requirements for sales conditions 16

10. PONUDBA/ *TENDER* 17

10.1 Razpisna dokumentacija/ *Procurement documentation* 17
10.2 Ponudbena dokumentacija/ *Tender documentation* 17
10.3 Sestavljanje ponudbe / *Formulation of the tender* 18
10.3.1 Obrazec »Predračun« / *"Pro-forma invoice" form* 18
10.3.2 Obrazec »Izjava za ponudnika« / *»Declaration by the tenderer« form* 19
10.3.3 Drugi dokumenti ponudbe/ *Other documents of the tender* 20
10.4 Druga določila za pripravo ponudbe */Other provisions for the preparation of the tender* 20
10.4.1 Skupna ponudba */Joint tender* 20
10.4.2 Ponudba s podizvajalci/ *Subcontractors* 22
10.4.3 Variantne ponudbe */Variant tenders* 23
10.4.4 Jezik ponudbe in razpisne dokumentacije / Language of the tender and the procurement documentation 23
10.4.5 Veljavnost ponudbe / Tender validity 24
10.4.6 Stroški ponudbe / *Costs of the tender* 24

11. OBVESTILO O ODLOČITVI O ODDAJI NAROČILA/ *CONTRACT AWARD NOTICE* 24

12. USTAVITEV POSTOPKA, ZAVRNITEV VSEH PONUDB, ODSTOP OD IZVEDBE JAVNEGA NAROČILA / SUSPENTION OF PUBLIC PROCUREMENT PROCESS, REJECTION OF TENDERS, WITHDRAW FROM THE AWARD OF THE PUBLIC CONTRACT 24

13. POGODBA / *CONTRACT* 25

14. FINANČNA ZAVAROVANJA / FINANCIAL GUARANTEE 26

14.1 Zavarovanje za odpravo napak / *Warranty guarantee* 26

15. PRAVNO VARSTVO / *LEGAL REMEDY*.....26

NAROČNIK/*CONTRACTING AUTHORITY*

To naročilo izvaja:

- Zavod za gradbeništvo Slovenije, Dimičeva ulica 12, 1000 Ljubljana (v nadaljevanju: »naročnik«)

Naročnik vabi vse zainteresirane ponudnike, da predložijo ponudbo, skladno z zahtevami iz razpisne dokumentacije.

This public procurement is being carried out by:

- *Slovenian National Building and Civil Engineering Institute, Dimičeva ulica 12, 1000 Ljubljana (hereinafter referred to as "Contracting Authority")*

The Contracting Authority invites all interested tenderers to submit a tender in accordance with the requirements set out in the procurement documentation.

1. OZNAKA IN PREDMET JAVNEGA NAROČILA/ *DESIGNATION AND SUBJECT OF THE PROCUREMENT*

Oznaka: NMV-ZAG-12/2025

Predmet: Nakup mobilne mešalne črpalke za 3D-tiskanje betona

Predmet javnega naročila je podrobneje opredeljen v tehničnih specifikacijah ter drugih dokumentih, ki so del dokumentacije v zvezi z oddajo javnega naročila.

Nakup je sofinanciran s strani Javne agencije za znanstvenoraziskovalno in inovacijsko dejavnost Republike Slovenije (ARIS).

Designation: *NMV-ZAG-12/2025*

Subject: The purchase of mobile mixing pump for 3D-printing of concrete

The subject of the public contract is defined in more detail in the technical specifications and other documents forming part of the documentation relating to the award of the public procurement.

This purchase shall be co-financed by Slovenian Research and Innovation Agency (ARIS).

2. NAČIN ODDAJE JAVNEGA NAROČILA/*METHOD OF AWARDING THE PUBLIC PROCUREMENT*

Za oddajo predmetnega naročila se v skladu s 47. členom Zakona o javnem naročanju (Uradni list RS, št. 91/15 s spremembami; v nadaljevanju ZJN-3) izvede postopek naročila male vrednosti.

Naročnik bo na podlagi pogojev in meril, določenih v razpisni dokumentaciji, izbral ponudnika, s katerim bo sklenil pogodbo.

Delitev naročila na sklope: naročilo se oddaja celovito.

Skrbno preverite, da ste prejeli celotno razpisno dokumentacijo in da ste na ta način seznanjeni z vsemi zahtevami naročnika.

In accordance with Article 47 of the Public Procurement Act (Official Journal of the Republic of Slovenia, No 91/15, as amended; hereinafter referred to as ZJN-3), the award of the contract in question is subject to a small-value procurement procedure.

The Contracting Authority will select the tenderer to conclude the contract with, on the basis of the conditions and criteria set out in the procurement documentation.

Division of the contract into lots: the contract is awarded as a whole.

Please check carefully that you have received all the procurement documents so that you are aware of all the requirements by the Contracting Authority.

3. ROK IN NAČIN PREDLOŽITVE PONUDBE */DEADLINE AND THE METHOD OF SUBMISSION OF THE TENDER*

Ponudnik mora ponudbo predložiti v informacijski sistem e-JN (v nadaljevanju: sistem e-JN) na spletnem naslovu https://ejn.gov.si, v skladu z Navodili za uporabo informacijskega sistema e-JN: PONUDNIKI, ki so objavljena na spletnem naslovu https://ejn.gov.si/aktualno/vec-informacij-ponudniki.html.

Ponudnik se mora pred oddajo ponudbe registrirati na spletnem naslovu https://ejn.gov.si, v skladu z Navodili za uporabo informacijskega sistema e-JN. Če je ponudnik že registriran v sistem e-JN, se v aplikacijo prijavi na istem naslovu.

Uporabnik ponudnika, ki je v sistemu e-JN pooblaščen za oddajanje ponudb, ponudbo odda s klikom na gumb »Oddaj«. Sistem e-JN ob oddaji ponudb zabeleži identiteto uporabnika in čas oddaje ponudbe. Uporabnik z dejanjem oddaje ponudbe izkaže in izjavi voljo v imenu ponudnika oddati zavezujočo ponudbo (18. člen Obligacijskega zakonika[1]). Z oddajo ponudbe je le-ta zavezujoča za čas, naveden v ponudbi, razen če jo uporabnik ponudnika umakne ali spremeni pred potekom roka za oddajo ponudb.

Ponudba se šteje za pravočasno oddano, če jo naročnik prejme preko sistema e-JN **najkasneje do 18.7.2025 do 9. ure**. Za oddano ponudbo se šteje ponudba, ki je v sistemu e-JN označena s statusom »ODDANO«.

Ponudnik lahko do roka za oddajo ponudb svojo ponudbo umakne ali spremeni. Če ponudnik v sistemu e-JN svojo ponudbo umakne, se šteje, da ponudba ni bila oddana in je naročnik v sistemu e-JN tudi ne bo videl. Če ponudnik svojo ponudbo v sistemu e-JN spremeni, bo v sistemu odprta zadnja oddana ponudba.

Po preteku roka za predložitev ponudb, ponudbe ne bo več mogoče oddati ali umakniti.

The tenderer must submit the tender to the e-JN information system (hereinafter referred to as the e-JN system) at https://ejn.gov.si/en/, in accordance with the Instructions for users of the e-JN information system: TENDERS, published at https://ejn.gov.si/en/aktualno/vec-informacij-ponudniki.html

[1] *Obligacijski zakonik (Uradni list RS, št. 97/07 – uradno prečiščeno besedilo, 64/16 – odl. US in 20/18 – OROZ631)*

Before submitting a tender, the tenderer must register online at https://ejn.gov.si/en/, in accordance with the Instructions for use of the e-JN information system. If the tenderer is already registered in the e-JN system, the tenderer shall log in to the application at the same address.

A user of the tenderer who is authorised to submit tenders in the e-JN system submits a tender by clicking on the "Submit" button. The e-JN system shall record the identity of the user and the time of the submission of the tender when the tender is submitted. By submitting a tender, the user demonstrates and declares his/her willingness to submit a binding tender on behalf of the tenderer (Article 18 of the Code of Obligations). By submitting a tender, it is binding for the period indicated in the tender, unless the user withdraws or modifies the tender before the expiry of the time limit for the submission of tenders.

The tender shall be deemed to have been submitted in time if it is received by the Contracting Authority via the e-JN system ***no later than 18.7.2025 by 9 o'clock****. The tender shall be deemed to have been submitted if it is marked with the status 'SUBMITTED' in the e-JN system.*

Tenderers may withdraw or modify their tenders up to the deadline for submission of tenders. If the tenderer withdraws its tender in the e-JN system, the tender shall be deemed not to have been submitted and shall not be visible to the contracting authority in the e-JN system. If the tenderer modifies his tender in the e-JN system, the last tender submitted will be opened in the system.

After the deadline for submission of tenders has expired, tenders may no longer be submitted or withdrawn.

4. INFORMACIJE V ZVEZI Z ODPIRANJEM PONUDB/*INFORMATION WITH REGARDS TO OPENING OF THE TENDERS*

Odpiranje ponudb bo potekalo samodejno v sistemu e-JN, **dne 18.7.2025 ob 10 uri.**

Odpiranje poteka tako, da sistem e-JN samodejno ob uri, ki je določena za javno odpiranje ponudb, prikaže podatke o ponudniku, skupni vrednosti brez davka, skupni vrednosti davka in skupni vrednosti z davkom ter omogoči dostop do predračuna, ki je naložen v sistemu e-JN v razdelku »Skupna ponudbena vrednost«, v delu »Predračun«.

Ponudnikom, ki bodo oddali ponudbe, bo zapisnik o odpiranju ponudb na voljo v sistemu e-JN v seznamu prejetih ponudb.

The opening of tenders will take place automatically in the e-JN system, ***on 18.7.2025 at 10 o'clock.***

The opening shall take place in such a way that the e-JN system, will automatically display, at the time set for the public opening of tenders, the information on the tenderer, the total value without tax, the total value of tax and the total value with tax, and gives access to the Pro-forma invoice which is uploaded in the e-JN system in the section 'Total Tender Value', in the section 'Pro-forma invoice'.

For tenderers who submit tenders, the minutes of the tender opening will be available in the e-JN system in the list of tenders received.

5. ZAKONI IN PREDPISI /*LAWS AND REGULATIONS*

Naročnik izvaja postopek oddaje javnega naročila na podlagi veljavnega zakona in podzakonskih aktov, ki urejajo javno naročanje, v skladu z veljavno zakonodajo, ki ureja področje javnih financ ter področje, ki je predmet javnega naročila.

V času javnega razpisa naročnik in ponudnik ne smeta začenjati in izvajati dejanj, ki bi v naprej določila izbor določene ponudbe. V času od izbire ponudbe do začetka veljavnosti pogodbe naročnik in ponudnik ne smeta začenjati dejanj, ki bi lahko povzročila, da pogodba ne bi začela veljati ali da ne bi bila izpolnjena.

V primeru ustavitve postopka nobena stran ne sme začenjati in izvajati postopkov, ki bi oteževali razveljavitev ali spremembo odločitve o izbiri izvajalca ali bi vplivali na nepristranskost naročnika in/ali Državne revizijske komisije.

The Contracting Authority shall carry out the procurement procedure on the basis of the applicable law and the regulatory acts governing public procurement, in accordance with the applicable legislation governing public finances and the area which is the subject of the procurement.

During the tendering procedure, the Contracting Authority and the tenderer may not initiate or carry out any action that would prejudge the selection of a particular tender. During the period between the selection of the tender and the entry into force of the contract, the Contracting Authority and the tenderer shall not take any action which may lead to the contract not entering into force or not being carried out.

In the event of termination of the procedure, neither party may initiate or pursue proceedings which would make it difficult to annul or reverse the decision to select the contractor or which would affect the impartiality of the Contracting Authority and/or the National Audit Commission.

6. TEMELJNA PRAVILA POSLOVANJA/*BASIC RULES OF BUSINESS*

6.1 Dostop do dokumentacije v zvezi z oddajo javnega naročila / *Access to procurement documentation*

Dokumentacija v zvezi z oddajo javnega naročila je objavljena v okviru objave tega naročila na portalu javnih naročil.

Odkupnine za dokumentacijo v zvezi z oddajo javnega naročila ni.

The documentation relating to the award of the contract is published in the context of the publication of this procurement on the public procurement portal.

There is no purchase price for the procurement documentation.

6.2 Obvestila in pojasnila v zvezi z dokumentacijo za pripravo ponudbe / *Notices and explanations concerning the procurement documentation*

Komunikacija s ponudniki o vprašanjih v zvezi z vsebino naročila in v zvezi s pripravo ponudbe poteka izključno preko portala javnih naročil.

Naročnik bo zahtevo za pojasnilo dokumentacije v zvezi z oddajo javnega naročila oziroma kakršnokoli drugo vprašanje v zvezi z naročilom štel kot pravočasno, če bo na portalu javnih naročil zastavljeno **najkasneje do 11.7.2025 do 9 ure**.

Vse informacije, ki jih na portalu javnih naročil ali preko njega naročnik posreduje gospodarskim subjektom, sodelujočim v postopku oddaje javnega naročila (spremembe in dopolnitve dokumentacije, odgovori na vprašanja ponudnikov...), štejejo kot del razpisne dokumentacije in morajo biti upoštevane pri pripravi ponudbe.

Odgovornost ponudnika je, da izpostavi morebitne nejasnosti, protislovja, opustitve in podobno, pred oddajo svoje ponudbe (do roka za zahtevanje pojasnil), tako da se lahko zagotovi predložitev dopustne ponudbe, ki je v celoti skladna z zahtevami iz razpisne dokumentacije, vključno z vso spremljajočo dokumentacijo.

Communication with tenderers on questions relating to the content of the procurement and the preparation of the tender shall take place exclusively via the public procurement portal.

The Contracting Authority will consider a request for clarification of the documentation relating to the award of a public contract or any other question relating to the procurement as timely if it is made on the public procurement portal ***no later than 11.7.2025 by 9 o'clock****.*

All information provided by the Contracting Authority on or through the public procurement portal to economic entities participating in the procurement procedure (amendments and supplements to the documentation, answers to tenderers' questions, etc.) shall be considered as part of the procurement documentation and shall be taken into account in the preparation of the tender.

It is the responsibility of the tenderer to point out any ambiguities, contradictions, omissions, etc., prior to the submission of its tender (up to the deadline for requesting clarifications), so as to ensure the submission of an admissible tender that fully complies with the requirements of the procurement documents, including all proofs.

7. UGOTAVLJANJE SPOSOBNOSTI / *DETERMINING ELIGIBILITY*

7.1 Ugotavljanje sposobnosti za sodelovanje v postopku oddaje javnega naročila in dokazila /*Determination of eligibility to participate in the procurement procedure and proofs*

Ponudnik mora izpolnjevati vse v točki 7 in njenih podtočkah navedene pogoje in zahteve.

Naročnik bo ob predložitvi ponudbe, namesto potrdil, ki jih izdajajo javni organi ali tretje osebe, sprejel izjavo gospodarskega subjekta v zvezi s točkami 7.1.1 in 7.1.2 te razpisne dokumentacije in sicer izpolnjen obrazec »**Izjava za ponudnika**«.

Naročnik si pridržuje pravico, da v zvezi s preverbo resničnosti ponudnikovih izjav ravna skladno s tretjim odstavkom 47. člena ZJN-3.

Naročnik si nadalje pridržuje pravico, da v času pregleda ponudb in pred oddajo javnega naročila, od ponudnika zahteva predložitev najnovejših dokazil, ki izkazujejo izpolnjevanje zahtevanih pogojev, predložitev morebitnih potrebnih pooblastil za preveritev izpolnjevanja zahtevanih pogojev oziroma podatkov, predložitev podatkov o naslovih, kjer je mogoče preveriti izpolnjevanje pogojev oziroma vse potrebno za pregled in preveritev ponudb.

Naročnik si ravno tako pridržuje pravico do vpogleda v originalne dokumente in do preveritve verodostojnosti predloženih dokazil pri podpisniku le-teh.

Če obstaja naročnikova zahteva, koliko stari so lahko dokumenti, ki jih ponudnik prilaga kot dokazila, je to navedeno ob vsakem posameznem dokazilu.

V kolikor ponudnik ne more pridobiti in predložiti zahtevanih dokumentov, ker država, v kateri ima ponudnik svoj sedež ne izdaja takšnih dokumentov, jih je mogoče nadomestiti z zapriseženo izjavo, če pa ta v državi, v kateri ima ponudnik svoj sedež ni predvidena, pa z izjavo določene osebe, dano pred pristojnim sodnim ali upravnim organom, notarjem ali pred pristojno poklicno ali trgovinsko organizacijo v matični državi te osebe ali v državi, v kateri ima ponudnik sedež.

Za skupne ponudbe in ponudbe s podizvajalci je potrebno upoštevati točki 10.3.1 (Skupna ponudba) in 10.3.2 (Ponudba s podizvajalci) v teh navodilih.

The tenderer must comply with all the conditions and requirements set out in point 7 and its sub-points.

*When submitting a tender, the Contracting Authority will accept a completed **'Declaration by the tenderer'** form in stead of certificates issued by public authorities or third parties in respect of points 7.1.1 and 7.1.2 of this procurement documentation.*

The Contracting Authority reserves the right to act in accordance with paragraph 3 of Article 47 of the ZJN-3 with regard to verifying the truthfulness of the tenderer's statements.

The Contracting Authority further reserves the right, at the time of examination of tenders and prior to the award of the contract, to require the tenderer to provide up-to-date evidence of compliance with the required conditions, to provide any necessary authorisations to verify compliance with the required conditions or information, to provide details of addresses where compliance with the required conditions can be verified, or to provide any other information necessary for the purposes of examining and verifying tenders.

The Contracting Authority also reserves the right to consult the original documents and to verify the authenticity of the documents submitted with the signatory.

If there is a requirement by the Contracting Authority as to how old the documents the tenderer may attach as proofs may be, this shall be indicated for each individual document.

If the tenderer is unable to obtain and produce the documents requested because the country in which the tenderer is established does not issue such documents, they may be replaced by a sworn declaration, or, if the country in which the tenderer is established does not provide for such a declaration, by a declaration by a specified person made before a competent judicial or administrative authority, a notary public or a competent professional or trade organisation in the person's country of origin or in the country in which the tenderer is established.

For joint tenders and tenders with subcontractors, points 10.3.1 (Joint tender) and 10.3.2 (Subcontracting) must be complied with.

7.1.1 Razlogi za izključitev/*Reasons for exclusion*

Naročnik bo izključil gospodarski subjekt v primeru obstoja kateregakoli od v tej točki navedenih primerov, in sicer/ *The Contracting Authority will exclude an economic entity if any of the following applies*:

1. Naročnik bo iz sodelovanja v postopku javnega naročanja izključil gospodarski subjekt, če pri preverjanju v skladu s 77., 79. in 80. členom ZJN-3 ugotovi ali je drugače seznanjen, da je bila gospodarskemu subjektu ali osebi, ki je članica upravnega, vodstvenega ali nadzornega organa

tega gospodarskega subjekta ali ki ima pooblastila za njegovo zastopanje ali odločanje ali nadzor v njem, izrečena pravnomočna sodba za kazniva dejanja iz Kazenskega zakonika (Uradni list RS, št. 50/12 – uradno prečiščeno besedilo, 6/16 – popr., 54/15, 38/16, 27/17, 23/20, 91/20, 95/21, 186/21 in 105/22 – ZZNŠPP; v nadaljnjem besedilu: KZ-1) ali za primerljiva kazniva dejanja, ki so jih izrekla tuja sodišča, in so taksativno našteta v prvem odstavku 75. člena ZJN-3.

Ne glede na navedeno lahko gospodarski subjekt naročniku v skladu z devetim odstavkom in ob upoštevanju desetega odstavka 75. člena ZJN-3 najkasneje do roka za oddajo ponudb predloži dokaze, da je sprejel zadostne ukrepe, s katerimi lahko dokaže svojo zanesljivost kljub obstoju izključitvenega razloga.

The Contracting Authority will exclude the economic entity from participating in the public procurement procedure if, during the verification in accordance with Articles 77, 79 and 80 of the ZJN-3, it finds or is otherwise aware that a final judgment has been pronounced against the economic entity or a person who is a member of the administrative, management or supervisory body of this economic entity, or who has the authority to represent it or make decisions or supervise it, for criminal acts from the Criminal Code (Official Gazette of the RS, No. 5 0/12 – official consolidated text, 6/16 – corr., 54/15, 38/16, 27/17, 23/20, 91/20, 95/21, 186/21 and 105/22 – ZZNŠPP; hereinafter: KZ-1) or for comparable criminal acts pronounced by foreign courts, and are listed exhaustively in the first paragraph of Article 75 ZJN-3.

Notwithstanding the above, the economic entity may provide the Contracting Authority, in accordance with paragraph nine and ten of the Article 75 of ZJN-3, at the latest by the deadline for the submission of tenders, with evidence that it has taken sufficient measures to prove its reliability despite the existence of a ground for exclusion.

DOKAZILO:
Izpolnjen in podpisan obrazec »**Izjava za ponudnika**«

PROOF:
*Completed and signed »**Declaration by the tenderer**« form*

2. Naročnik bo iz sodelovanja v postopku javnega naročanja izključil gospodarski subjekt, če pri preverjanju v skladu s 77., 79. in 80. členom ZJN-3 ugotovi, da gospodarski subjekt ne izpolnjuje obveznih dajatev in drugih denarnih nedavčnih obveznosti v skladu z zakonom, ki ureja finančno upravo, ki jih pobira davčni organ v skladu s predpisi države, v kateri ima sedež, ali predpisi države naročnika. Šteje se, da gospodarski subjekt ne izpolnjuje obveznosti iz prejšnjega stavka tudi, če nima predloženih vseh obračunov davčnih odtegljajev za dohodke iz delovnega razmerja za obdobje zadnjih petih let do roka za oddajo ponudbe ali prijave.

   Gospodarskega subjekta se ne izloči, če gospodarski subjekt do roka za oddajo prijav ali ponudb poravna neplačane zapadle obveznosti, ki znašajo 50 eurov ali več in predloži vse obračune davčnih odtegljajev za dohodke iz delovnega razmerja za obdobje zadnjih pet let do roka za oddajo prijave ali ponudbe.

   The Contracting Authority will exclude the economic entity from participation in the public procurement procedure if, during the verification in accordance with Articles 77, 79 and 80 of ZJN-3, it finds that the economic entity does not fulfil mandatory duties and other monetary non-tax obligations in accordance with the law governing financial administration, which are collected by the tax authority in accordance with the regulations of the country in which it is headquartered or the regulations of the country of the Contracting Authority. It is considered that the economic entity does not fulfil the obligations from the previous sentence if it has not submitted all the

employment tax returns for the period of the last five years from the deadline for submitting the tender or application.

An economic entity will not be excluded if the economic entity settles unpaid due obligations amounting to 50 euros or more by the deadline for submission of applications or bids and submits all withholding tax statements for income from employment for the period of the last five years from the deadline for submission of applications or tenders.

DOKAZILO:
Izpolnjen in podpisan obrazec »**Izjava za ponudnika**«

PROOF:
*Completed and signed »**Declaration by the tenderer**« form*

3. Naročnik bo iz sodelovanja v postopku javnega naročanja izključil gospodarski subjekt, če pri preverjanju ugotovi, da je gospodarski subjekt na dan, ko poteče rok za oddajo ponudb, izločen iz postopkov oddaje javnih naročil zaradi uvrstitve v evidenco gospodarskih subjektov z izrečenimi stranskimi sankcijami izločitve iz postopkov javnega naročanja iz a) točke četrtega odstavka 75. člena ZJN-3.

   The Contracting Authority shall exclude the economic operator from participation in the public procurement procedure if, during the verification, the Contracting Authority, establishes that, on the day on which the deadline for the submission of tenders expires, the economic entity has been excluded from public procurement procedures as a result of being entered in the register of economic operators with imposed accessory sanctions of exclusion from public procurement procedures from point a) of fourth paragraph of Article 75 ZJN-3.

DOKAZILO:
Izpolnjen in podpisan obrazec »**Izjava za ponudnika**«

PROOF:
*Completed and signed »**Declaration by the tenderer**« form*

4. Naročnik bo iz postopka izključil gospodarski subjekt, če je v zadnjih treh letih pred potekom roka za oddajo ponudb ali prijav pristojni organ Republike Slovenije ali druge države članice ali tretje države pri njem ugotovil najmanj dve kršitvi v zvezi s plačilom za delo, delovnim časom, počitki, opravljanjem dela na podlagi pogodb civilnega prava kljub obstoju elementov delovnega razmerja ali v zvezi z zaposlovanjem na črno, za kateri mu je bila s pravnomočno odločitvijo ali več pravnomočnimi odločitvami izrečena globa za prekršek.

   The Contracting Authority shall exclude an economic operator from the procedure if, within the last three years before the expiry of the time-limit for the submission of tenders, the competent authority of the Republic of Slovenia or of another Member State or of a third country has established at least two infringements in respect of remuneration for work, working time, rest periods, the performance of work on the basis of a contract governed by civil law in spite of the existence of the elements of an employment relationship, or the use of undeclared work, for which the economic operator in question has been the subject of one or more fines imposed on it by a final decision or a series of decisions.

DOKAZILO:
Izpolnjen in podpisan obrazec »**Izjava za ponudnika**«

PROOF:

*Completed and signed »**Declaration by the tenderer**« form*

5. Naročnik bo iz sodelovanja v postopku javnega naročanja izključil gospodarski subjekt, na podlagi sklepa Sveta (SZVP) 2022/578 z dne 8. aprila 2022 o spremembi Sklepa 2014/512/SZVP o omejevalnih ukrepih zaradi delovanja Rusije, ki povzroča destabilizacijo razmer v Ukrajini, če pri preverjanju ugotovi, da je:
   - ponudnik ruski državljan ali fizična ali pravna oseba, subjekt ali organ s sedežem v Rusiji,
   - ponudnik pravna oseba, subjekt ali organ, katerih več kot 50-odstotni delež je v neposredni ali posredni lasti subjekta iz prejšnje alineje, ali
   - fizična ali pravna oseba, subjekt ali organ, ki deluje v imenu ali po navodilih subjektov iz prejšnjih dveh alinej
   - pri ponudbi udeležba, v več kot 10% ponudbene vrednosti, podizvajalcev, dobaviteljev ali subjektov katerih zmogljivosti bo ponudnik uporabil, ki izpolnjujejo vsaj enega od pogojev navedenih v zgornjih 3 alinejah

   The Contracting Authority shall exclude an economic operator from the procedure if, pursuant to Council Decision (CFSP) 2022/578 of 8 April 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, the verification establishes that the:
   - *tenderer is a Russian national or a natural or legal person, entity or body established in Russia,*
   - *tenderer is a legal person, entity or body of which more than 50% is owned, directly or indirectly, by an entity referred to in the previous indent, or*
   - *a natural or legal person, entity or body acting on behalf or at the direction of the entities referred to in the preceding two indents,*
   - *there is participation in the tender, in more than 10% of the bid value, of subcontractors, suppliers or entities whose capabilities the tenderer will use, which are entities listed in indents above.*

DOKAZILO:
Izpolnjen in podpisan obrazec »**Izjava za ponudnika**«

PROOF:
*Completed and signed »**Declaration by the tenderer**« form*

7.1.2 Ustreznost za opravljanje poklicne dejavnosti / *Fitness to pursue a professional activity*

<u>Vpis v enega od poklicnih ali poslovnih registrov / Entry in one of the professional or trade registers:</u>

Gospodarski subjekt je vpisan v enega od poklicnih ali poslovnih registrov, ki se vodijo v državi članici, v kateri ima gospodarski subjekt sedež. Seznam poklicnih ali poslovnih registrov v državah članicah Evropske unije določa Priloga XI Direktive 2014/24/EU.

The economic entity must be registered in a professional or business register which is held in the Member State in which the economic entity is based. The list of professional or business registers in the Member States of the European Union is set out in Annex XI of Directive 2014/24 / EU.

DOKAZILO:
Izpolnjen in podpisan obrazec **»Izjava za ponudnika«**

PROOF:
*Completed and signed »**Declaration by the tenderer**« form*

7.1.3 Reference / *References*

Ponudnik je v zadnjih treh (3) letih pred datumom objave tega javnega naročila na Portalu javnih naročil, uspešno izvedel vsaj tri (3) referenčne posle dobave mobilne mešalne črpalke za 3D-tiskanje betona, v posamični vrednosti vsaj 30.000,00 EUR brez DDV.

Kot ustrezne reference se bodo šteli le referenčni posli, ki so bili v referenčnem obdobju zaključeni (zaključene dobave, zaključene inštalacije, dobave o katerih obstoji prevzemni zapisnik oz. potrjena dobavnica).

Ponudnik ne more biti sam sebi naročnik referenčnega posla.

Naročnik si pridržuje pravico, da navedene reference preveri neposredno pri naročniku referenčnega posla. V kolikor bo naročnik z dodatnimi poizvedbami ugotovil, da katera izmed referenc ne izkazuje kvalitetno opravljenih del, takšne reference ne bo upošteval. Kot nekvalitetno opravljena dela štejejo: zamude pri izvedbi, napake v izvedbi, izstavitev višjih računov, kot je bilo dogovorjeno, odpoved pogodbe, unovčenje zavarovanja za dobro izvedbo in podobno.

The tenderer has successfully completed at least three (3) reference operations for the supply of a mobile mixing pump for 3D-printing of concrete, with an individual value of at least EUR 30,000.00 excluding VAT, within the last three (3) years prior to the date of publication of this tender on the Public Procurement Portal.

Only reference operations completed during the reference period (completed deliveries, completed installations, deliveries for which there is an acceptance report or a certified delivery note) will be considered as relevant references.

The tenderer cannot be the customer of the reference operation.

The Contracting Authority reserves the right to verify the references directly with the customer of the reference operation. If the Contracting Authority finds, by further enquiries, that any of the references demonstrates poor quality of the work carried out, it will disregard such reference. The following shall be considered as works of poor quality: delays in performance, defects in performance, over-invoicing, cancellation of the contract, redemption of performance security, etc.

DOKAZILO

S strani naročnika referenčnega posla izpolnjen in podpisan obrazec "**Referenčno potrdilo**" za vsak referenčni posel ločeno.

PROOF

*Form "**Reference certificate**" completed and signed by the customer of the reference transaction, separate form for each of the reference operations.*

8. MERILO/*CRITERIA FOR THE EVALUATION OF THE TENDER*

Merilo je ekonomsko najugodnejša ponudba.

Samo dopustne ponudbe bodo ocenjene z merili za izbor in upoštevane pri nakupu.

Izbirna merila (SC) so sestavljena iz dveh delov:
- Ekonomska ponudba (A),
- Prodajni pogoji (B).

Največje število točk bo podeljeno na naslednji način:
- A (ekonomska ponudba): 750 točk
- B (prodajni pogoji): 250 točk

SC se izračuna kot vsota dveh členov: SC=A+B in lahko doseže največ 1000 točk. Zaokroženo bo na najbližjo 1 točko.

The criterion for the selection of the most favourable tenderer is the most economically advantageous tender.

Only admissible tenders will be evaluated using the selection criteria and considered for purchase.

The selection criteria (SC) consist of two parts:
- *Economic offer (A),*
- *Sales conditions (B).*

The maximum number of points will be awarded as follows:

- *A (economic offer): 750 points*
- *B (sales conditions): 250 points*

SC is calculated as the sum of two terms: SC=A+B and can reach a maximum of 1000 points. It will be rounded to the nearest 1 point.

8.1 Ekonomska ponudba / Economic offer

Število točk za termin A (Ekonomska ponudba) se določi po naslednji formuli:

$$\mathrm{A} = 750\ točk \times \frac{\text{Najnižja ponujena cena, brez DDV}}{\text{Cena ponudbe, ki se ocenjuje, brez DDV}}$$

V okviru termina A se lahko pridobi največ 750 točk. Število točk bo zaokroženo na najbližjo 1 točko.

The number of points for the term A (Economic offer) will be calculated based on the following formula:

$$A = 750\ points \times \frac{The\ lowest\ price\ from\ received\ tenders\ excl.VAT}{Price\ of\ the\ tender\ under\ evaluation\ excl.VAT}$$

A maximum of 750 points can be reached in the term A. The number of points will be rounded to the nearest 1 point.

8.2 Prodajni pogoji / Sales conditions

Število točk za prodajne pogoje (B) lahko doseže največ 250 točk.

Prodajni pogoji bodo ovrednoteni po naslednjem merilu:

Ponujeni rok dobave:
- manj kot 6 tednov od sklenitve pogodbe - 50 točk
- 5 tednov ali manj od sklenitve pogodbe - 100 točk
- 4 tedne ali manj od sklenitve pogodbe - 200 točk
- 3 tedne ali manj od sklenitve pogodbe - 250 točk

Kumulacija točk iz zgornjih alinej se ne bo izvajala, ponudniku bodo dodeljene točke zgolj na podlagi za ponudnika najugodnejše alineje.

A maximum of 250 points can be reached in the term (B) sales conditions.

Sales conditions shall be evaluated based on the following criteria:

Offered delivery time:
- *less than 6 weeks from the conclusion of the contract – 50 points*
- *5 weeks or less from the conclusion of the contract – 100 points*
- *4 weeks or less from the conclusion of the contract – 200 points*
- *3 weeks or less from the conclusion of the contract – 250 points*

There will be no accumulation of points under the above indents, the tenderer will be awarded points on the basis of for the tenderer most favourable indent only.

V primeru enakovrednih ponudb se izvede javni žreb med najugodnejšimi ponudniki z identičnim številom točk.

In the event of identical bids, a public draw will be held between the most advantageous bidders with identical numbers of points.

9. MINIMALNE TEHNIČNE SPECIFIKACIJE/ *MINIMAL TECHNICAL SPECIFICATIONS*

Minimalne tehnične specifikacije za mobilno mešalno črpalko za 3d-tiskanje betona. Ponudniki morajo izpolnjevati vse v točki 9. in njenih podtočkah navedene zahteve. Neizpolnjevanje le-teh se šteje kot razlog za zavrnitev ponudbe.

Minimum technical specifications for a mobile mixing pump for 3D-printing of concrete. Tenderers must comply with all the requirements set out in point 9 and its sub-points. Failure to comply with them shall be considered as a ground for rejection of the tender.

9.1 Zahtevane minimalne tehnične lastnosti opreme / Required minimum technical characteristics of the equipment

Max. delivery rate / Maksimalna hitrost dostave	At least / najmanj 50 l / min
Hopper capacity of dry material / Volumen zalogovnika suhe mešanice	Min 40 l
Water storage tank capacity / volumen tanka za vodo	Min 10 l
Mixer motor power / Moč mešalca	Min 3.0 kW @ 400 V
Pump motor power / Moč črpalke	Min 5,5 kW
Water pump / vodna črpalka	Min 0,35 kW
Electronically controlled water flow rate / elektronsko krmiljen pretok vode	Required / zahtevan
Vibrators on mixer and pump unit / vibratorja na mešalcu in na črpalki	Required / zahtevan

Measuring unit for air temperature and humidity, and mixing water and mortar temperature / Merilec temperature in vlažnosti zraka ter temperature zamesne vode in malte	Required / zahtevan
Water flow meter / merilec pretoka vode	Required / zahtevan
Max. grain size for mixer / maksimalno zrno agregata mešalca	At least / najmanj 4 mm
Max. grain size for pump / maksimalno zrno agregata črpalke	At least / najmanj 2 mm
Dust extraction system to avoid (reduce) dust when feeding the dry material / sistem za odsesavanje prahu za preprečevanje (zmanjševanje) prahu pri dovajanju suhega materiala.	Required / zahtevan
Remote access to the machine by the manufacturer for servicing via internet connections / možnost oddaljenega dostopa proizvajalca do stroja za potrebe servisiranja preko internetnih povezav	Required / zahtevan
An OPC-UA interface to enable an integration of a fully integrated 3D concrete printing system / Vmesnik OPC-UA, ki omogoča integracijo popolnoma integriranega sistema 3D tiskanja betona	Required / zahtevan

DOKAZILO:

Prospektna dokumentacija oziroma **druga ustrezna dokumentacija**, iz katere izhaja izpolnjevanje minimalnih tehničnih specifikacij naročnika.

PROOF:

Prospectus documentation *or* ***other adequate documentation****, which shows that the minimum technical specifications of the Contracting Authority are met.*

9.2 Minimalne zahteve za prodajne pogoje / Minimum requirements for sales conditions

Garancijska doba: vsaj 1 leto
Warranty period: at least 1 year

Dobavni rok: ne več kot 6 tednov od sklenitve pogodbe
Delivery time: not more than 6 weeks after the conclusion of the contract

Obdobje zagotavljanja popravil, vzdrževanja in nadomestnih delov: najmanj 5 let od poteka garancijske dobe.
Period of provision of repairs, maintenance and spare parts: at least 5 years after the expiry of the warranty period.

DOKAZILO:

Izpolnjen in podpisan obrazec **»Predračun«**

PROOF:

*Completed and signed »**Pro-forma invoice**« form*

10. PONUDBA/ *TENDER*

10.1 Razpisna dokumentacija/ *Procurement documentation*

Razpisno dokumentacijo poleg tega dokumenta sestavlja:

1. obrazec »Predračun«;
2. obrazec »Podatki o ponudniku«;
3. obrazec »Izjava za ponudnika«;
4. obrazec »Vzorec pogodbe«;
5. obrazec »Referenčno potrdilo«;
6. obrazec »Vzorec bančne garancije_kavcijskega zavarovanja za odpravo napak.

Procurement documentation is composed of this document and:

1. *»Pro-forma invoice« form;*
2. *»Information on the tenderer« form;*
3. *»Declaration by the tenderer« form;*
4. *»Sample contract« form;*
5. *»Reference certificate« form;*
6. *»Warranty guarantee sample« form.*

10.2 Ponudbena dokumentacija/ *Tender documentation*

Ponudbeno dokumentacijo sestavljajo naslednji dokumenti:

1. Izpolnjen in podpisan obrazec »Predračun«;
2. izpolnjen in podpisan obrazec »Izjava za ponudnika«;
3. izpolnjen in podpisan obrazec »Podatki o ponudniku«;
4. s strani referenčnega naročnika izpolnjen in podpisan obrazec »Referenčno potrdilo« za vsak posamični referenčni posel;
5. prospektna dokumentacija oziroma druga ustrezna dokumentacija, iz katere izhaja izpolnjevanje minimalnih tehničnih zahtev naročnika, ter
6. predložitev ustreznega podpisanega sporazuma oziroma pogodbe (potrebno samo v primeru skupne ponudbe).

Ponudnik v ponudbi predloži dokumente, ki so navedeni v tej točki. Vsi dokumenti morajo biti izpolnjeni in podpisani s strani ponudnika (zakonitega zastopnika ali pooblaščene osebe s priloženim pooblastilom).

Obrazci izjav, ki jih mora predložiti ponudnik, so del dokumentacije v zvezi z oddajo javnega naročila. Izjave so lahko predložene na teh obrazcih ali na ponudnikovih, ki vsebinsko bistveno ne smejo odstopati od priloženih obrazcev. Naročnik si pridržuje pravico do preveritve verodostojnosti izjav oziroma potrdil.

Ponudnik, ki odda ponudbo, sprejema vse pogoje in druge zahteve iz dokumentacije za to naročilo in izjavlja, pod kazensko in materialno odgovornostjo, da so vsi podatki in dokumenti, podani v ponudbi, resnični in da elektronske verzije priloženih listin v informacijskem sistemu e-JN ustrezajo izvirniku. V nasprotnem primeru ponudnik naročniku odgovarja za vso morebitno škodo, ki bi mu nastala.

Tender documentation is composed of the following documentation:

1. *completed and signed »Pro-forma invoice« form;*
2. *completed and signed »Declaration by the tenderer« form;*
3. *completed and signed »Information on tenderer« form;*

4. *»Reference certificate« completed and signed by the customer of the reference operation, separate form for each of the reference operation;*
5. *prospectus documentation or other adequate documentation, which shows that the minimum technical specifications of the Contracting Authority are met;*
6. *submission of a duly signed agreement or contract (only required in the case of a joint tender).*

The tenderer shall submit in the tender the documents referred to in this point. All documents must be completed and signed by the tenderer (legal representative or authorised person with the attached authorization).

The forms to be submitted by the tenderer are part of the documentation relating to the award of the contract. The declarations may be made on these forms or on the tenderer's own forms, which must not differ substantially in substance from those in the procurement documentation. The Contracting Authority reserves the right to verify the authenticity of the declarations or certificates.

The tenderer submitting a tender accepts all the terms, conditions and other requirements set out in the documentation for this procurement and declares, under criminal and material liability, that all the information and documents provided in the tender are true and that the electronic versions of the documents attached to the tender in the e-JN information system correspond to the originals. Failing this, the tenderer shall be liable to the Contracting Authority for any damage caused to it.

10.3 Sestavljanje ponudbe / *Formulation of the tender*

10.3.1 Obrazec »Predračun« / *"Pro-forma invoice" form*

Ponudnik mora v Predračunu ponujati vse postavke, torej vpisati vse cene, ob upoštevanju ostalih določil dokumentacije naročila.

Če ponudnik cene za posamezno postavko ne vpiše ali vpiše znak "0", "/" ali "—" oziroma smiselno enak znak, se šteje, da je nevpisana cena nič EUR.

Ponudbena cena mora zajemati vse davke, popuste, stroške, ki vplivajo na oblikovanje ponudbene cene.

Ponudnik ne sme spreminjati vsebine predračuna.

V primeru, da bo naročnik pri pregledu in ocenjevanju ponudb odkril računske napake, bo ravnal v skladu s sedmim odstavkom 89. člena ZJN-3.

Ponudnik v sistem e-JN v razdelek »Skupna ponudbena vrednost« v zato namenjen prostor vpiše skupni ponudbeni znesek brez davka v EUR in znesek davka v EUR. Znesek skupaj z davkom v EUR se izračuna samodejno. V del »Predračun« pa naloži izpolnjen obrazec »Predračun« v obliki pdf ali drug format, ki omogoča shranjevanje skeniranega dokumenta (npr. *.tif, *.jpg). »Skupna ponudbena vrednost« in obrazec »Predračun«, bosta razvidna in dostopna na javnem odpiranju ponudb.

V primeru razhajanj med podatki navedenimi v razdelku »Skupna ponudbena vrednost« in dokumentu, ki je predložen v delu »Predračun«, kot veljavni štejejo podatki v dokumentu, ki je predložen v delu »Predračun«.

V primeru, da bo ponudnik poleg cen, vpisanih v dele navedene v prejšnjem odstavku, v drugi ponudbeni dokumentaciji predložil dokumente z vpisanimi ponudbenimi vrednostmi, naročnik teh vpisov ne bo upošteval in se bo štelo, da ponudnik ponuja vrednosti kot bodo vpisane v Predračun, ki je predložen v delu »Predračun«.

The tenderer must quote all of the items in the Pro-forma invoice, i.e. enter all the prices, taking in to account other provisions of the procurement documentation.

If the tenderer does not enter a price for a particular item, or enters '0', '/' or '-', or the equivalent, the un entered price shall be deemed to be zero EUR.

The tender price must include all taxes, discounts and costs that affect the formation of the offer price.

The tenderer may not change the content of the Pro-forma invoice.

In the event that the Contracting Authority discovers calculation errors in the examination and evaluation of tenders, it will act in accordance with paragraph seven of Article 89 ZJN-3.

*The tenderer shall enter in the e-JN system in in the section »Total tender value« the total tender amount excluding tax in EUR and the amount of tax in EUR. The amount including tax in EUR shall be calculated automatically. In the section named »Pro-forma invoice« the tenderer uploads completed "Pro-forma" form in pdf. format or another format that allows the storage of the scanned document (e.g. *.tif, *.jpg). Total tender value and the Pro-forma invoice will be visible and accessible at the public opening of the tenders.*

In the event of discrepancies between the information given in the »Total tender value« section and the document submitted in the »Pro-forma invoice« section, the information given in the document submitted in the »Pro-forma invoice« section shall be deemed to be valid.

In the event that, in addition to the prices entered in the sections referred to in the preceding paragraph, the Tenderer submits other procurement documents with the tender values entered, the Contracting Authority will disregard these entries and the Tenderer will be deemed to be offering the values as they will be entered in the Pro- forma invoice section, which is submitted in the »Pro-forma invoice« section.

10.3.2 Obrazec »Izjava za ponudnika« / *»Declaration by the tenderer« form*

Ponudnik v obrazec »Izjava za ponudnika« vpiše zahtevane podatke. Ta obrazec pomeni uradno izjavo ponudnika, da zanj ne obstajajo razlogi za izključitev in da izpolnjuje naročnikove pogoje in zahteve iz dokumentacije v zvezi z oddajo javnega naročila. Hkrati vključuje tudi uradno izjavo o tem, da bo ponudnik, na zahtevo naročnika, sposoben brez odlašanja predložiti dokazila o neobstoju razlogov za izključitev oziroma o izpolnjevanju naročnikovih pogojev in zahtev iz dokumentacije v zvezi z oddajo javnega naročila.

S predložitvijo te izjave se šteje, da je gospodarski subjekt dal tudi izjavo, s katero potrjuje, da ni povezan s funkcionarjem in po svojem lastnem poznavanju stvari ni povezan z družinskim članom funkcionarja na način, določen v prvem odstavku 35. člena ZIntPK. S podpisom te izjave ponudnik sprejema vse pogoje in druge zahteve iz razpisne dokumentacije tega postopka ter prevzema kazensko in materialno odgovornost, da so vsi podatki in dokumenti, podani v ponudbi, resnični in da elektronske verzije v informacijskem sistemu e-JN priloženih listin ustrezajo izvirniku.

Ponudnik, ki v sistemu e-JN oddaja ponudbo, naloži obrazec »Izjava za ponudnika« v razdelek »Dokumenti«, del »Izjava – ponudnik«, za ostale sodelujoče (sodelujoči ponudniki v primeru skupne ponudbe) pa naloži obrazec »Izjava za ponudnika« v razdelek »Sodelujoči«, del »Izjava – ostali sodelujoči«.

Obrazec »Izjava za ponudnika« mora biti naložena kot *.pdf dokument ali drug format, ki omogoča shranjevanje skeniranega dokumenta (npr. *.tif, *.jpg), lahko je podpisana tudi elektronsko in naložena kot *.pdf dokument.

The tenderer shall enter the required information in the »Declaration by the tenderer« form. This form constitutes an official declaration by the tenderer that there are no grounds for exclusion and that it fulfils the conditions and requirements of the Contracting Authority set out in the procurement documents. It shall also include a formal declaration that the tenderer will be able, at the request of the Contracting Authority, to provide evidence without delay, that the grounds for exclusion do not exist or that the conditions and requirements set out in the contract documents are fulfilled.

By submitting this form, the economic entity shall also be deemed to have made a declaration certifying that it is not connected to the official and, to the best of its knowledge, is not connected to a member of the official's family in the manner set out in the first paragraph of Article 35 of the ZIntPK (Integrity and Prevention of Corruption Act). By signing this declaration, the tenderer accepts all the conditions and other requirements set out in the procurement documentation for this procedure and accepts criminal and material liability for the truthfulness of all the information and documents provided in the tender and the conformity of the electronic versions of the documents attached to the tender in the e-JN information system with the original.

The tenderer submitting a tender in the e-JN system shall upload the "Declaration by the tenderer" form in the section »Documents«, part "Statement - tenderer", and for the other participants (participating tenderers in the case of a joint tender) the "Declaration by the Tenderer" form shall be uploaded in the section "Participants", part "Statement - other participants".

*The 'Declaration by the tenderer' form must be uploaded as a *.pdf document or another format that allows the storage of the scanned document (e.g. *.tif, *.jpg), it may also be signed electronically and uploaded as a *.pdf document.*

10.3.3 Drugi dokumenti ponudbe/ *Other documents of the tender*

Ponudnik mora druge dokumente ponudbene dokumentacije, navedene v nadaljevanju tega poglavja, naložiti v informacijski sistem e-JN, v razdelek »Drugi dokumenti«.

Dokumenti, ki se naložijo v razdelek »Drugi dokumenti«, so lahko, če se zahteva podpis, podpisani fizično in skenirani kot *.pdf dokument ali drug format, ki omogoča shranjevanje skeniranega dokumenta (npr. *.tif, *.jpg), lahko so podpisani tudi elektronsko in naloženi kot *.pdf dokument.

The tenderer must upload the other documents of the procurement documentation referred to later in this chapter into the e-JN information system, in the section "Other documents".

*Documents uploaded to the 'Other documents' section may, if a signature is required, be physically signed and scanned as a *.pdf document or other format that allows the storage of the scanned document (e.g. *.tif, *.jpg), or they may be electronically signed and uploaded as a *.pdf document.*

10.4 Druga določila za pripravo ponudbe /*Other provisions for the preparation of the tender*

10.4.1 Skupna ponudba /*Joint tender*

V primeru, da skupina ponudnikov predloži skupno ponudbo, mora vsak ponudnik izpolnjevati vse pogoje iz točke 7.1.1 teh navodil. V primeru, da skupina ponudnikov predloži skupno ponudbo, bo

naročnik iz postopka javnega naročanja izločil skupno ponudbo, če se izkaže, da je kateri koli izmed skupnih ponudnikov pred ali med postopkom javnega naročanja glede na storjena ali neizvedena dejanja v enem izmed položajev iz točke 7.1.1 teh navodil. V kolikor bo kateri koli izmed skupnih ponudnikov v položaju iz točke 7.1.1 teh navodil bo naročnik ravnal v skladu z devetim, desetim in enajstim odstavkom 75. člena ZJN-3. **Vsi ponudniki v skupni ponudbi morajo posamično izpolniti obrazec »Izjava za ponudnika«, ki se nanaša na dokazovanje navedenih pogojev.**

Obrazec **»Podatki o ponudniku«** in obrazec **»Predračun«** podajo skupaj vsi ponudniki, ki nastopajo v skupni ponudbi (en obrazec, **podpisan s strani nosilca posla**). V obrazcu »**Podatki o ponudniku**« navedejo vse, ki bodo sodelovali v tej skupni ponudbi.

Pogoj, določen v točki 7.1.2, mora izpolnjevati **vsak od ponudnikov** (ustrezna dokazila morajo biti predložena za vsakega od ponudnikov v skupni ponudbi).

Finančno zavarovanje lahko predloži samo eden izmed izbranih gospodarskih subjektov, ki nastopajo v skupni ponudbi, lahko ga predloži tudi več gospodarskih subjektov, v vsakem primeru morajo biti izpolnjene vse zahteve (višina, veljavnost,...), določene v tej dokumentaciji za oddajo javnega naročila.

Naročnik od gospodarskih subjektov v fazi oddaje ponudbe ne zahteva določene pravne oblike. V ponudbi mora skupina gospodarskih subjektov predložiti s strani zakonitih zastopnikov vseh sodelujočih v skupni ponudbi podpisan sporazum oziroma pogodbo, iz katere izhajajo sledeče informacije:

- imenovanje nosilca posla pri izvedbi javnega naročila,
- pooblastilo nosilcu posla in odgovorni osebi za podpis obrazca »Podatki o ponudniku« in obrazca »Predračun«, za komunikacijo z naročnikom, za zastopnika za sprejem pošiljk ter podpis pogodbe,
- obseg posla (natančna navedba vrste in obsega del), ki ga bo posamezni gospodarski subjekt v skupni ponudbi prevzel in odgovornosti posameznega gospodarskega subjekta v skupni ponudbi,
- izjava, da so vsi gospodarski subjekti v skupni ponudbi seznanjeni z navodili ponudnikom in razpisnimi pogoji ter merili za dodelitev javnega naročila in da z njimi v celoti soglašajo,
- izjava, da so vsi gospodarski subjekti v skupni ponudbi seznanjeni s plačilnimi pogoji iz razpisne dokumentacije, in
- navedba, da gospodarski subjekti odgovarjajo naročniku neomejeno solidarno za izvedbo celotnega naročila.

In the event that a group of tenderers submits a joint tender, each tenderer must comply with all the conditions set out in point 7.1.1 of this procurement documentation. Where a group of tenderers submits a joint tender, the Contracting Authority shall exclude the joint tender from the procurement procedure if it appears that any of the joint tenderers is, before or during the procurement procedure, in one of the situations referred to in point 7.1.1 of this procurement documentation. If any of the joint tenderers is in the situation referred to in point 7.1.1 of this procurement documentation, the Contracting Authority shall act in accordance with paragraph nine, ten or eleven of Article 75 of ZJN-3. ***All tenderers in a joint tender must individually complete the form 'Declaration by the tenderer' relating to the proof of the above conditions.***

*The **'Information on tenderer'** form and the "**Pro-forma invoice**" form shall be submitted jointly by all the tenderers participating in the joint tender (one form, **signed by the lead tenderer**). The **'Information on tenderer'** form shall indicate all the tenderers who will participate in the joint tender.*

The condition set out in point 7.1.2 must be ***fulfilled by each of the tenderers*** *(the relevant supporting documents must be provided for each of the tenderers in the joint tender).*

The financial guarantee may be submitted to the Contracting Authority by only one of the selected economic entities acting in a joint tender, or by several economic entities; in any event, all the requirements (amount, validity, etc.) laid down in these procurement documents must be complied with.

The Contracting Authority does not require economic entities to have a specific legal form at the tender submission stage. In the tender, the group of economic entities must submit an agreement or contract signed by the legal representatives of all those participating in the joint tender, which must contain the following information:

- *the naming of the lead tenderer of carrying out the public procurement,*
- *authorisation for the lead tenderer and the natural person responsible, for the signing of the "information on tenderer" form, "pro forma invoice" form and the contract, communication with the Contracting Authority and for the receipt of shipments,*
- *the scope of the undertaking (specifying the type and extent of the work) to be undertaken by each economic entity in the joint tender and the responsibilities of each economic entity in the joint tender,*
- *a declaration that all economic entities in the joint tender have been informed of the procurement documentation and the tender conditions and award criteria and that they are in full agreement with them,*
- *a declaration that all economic entities in the joint tender are aware of the payment terms set out in the procurement documents,*
- *a statement that the economic entities are jointly and severally liable to the Contracting Authority for the performance of the entire contract.*

10.4.2 Ponudba s podizvajalci/ *Subcontractors*

Za podizvajalsko razmerje gre v vseh primerih, ko glavni izvajalec del javnega naročila odda v izvajanje drugi osebi, to je podizvajalcu. Podizvajalec je gospodarski subjekt, ki je pravna ali fizična oseba in za ponudnika, s katerim je naročnik sklenil pogodbo o izvedbi javnega naročila, dobavlja blago ali izvaja storitev oziroma gradnjo, ki je neposredno povezana s predmetom javnega naročila. V razmerju do naročnika ponudnik kot glavni ponudnik v celoti odgovarja za izvedbo prevzetega naročila ne glede na število podizvajalcev.

V primeru javnega naročila blaga, ponudnik v ponudbi ne navaja podizvajalcev oziroma delov naročila, ki jih namerava oddati v podizvajanje. Ponudnik v teh primerih tudi ne označuje ali nastopa s podizvajalcem ali ne.

The subcontracting means all cases when the main contractor submits the part of the public contract to the other person, that is, the subcontractor. Subcontractor is an economic entity that is a legal or natural person, and for the tenderer with whom the Contracting Authority has concluded a contract for the execution of a public contract, supplies goods or performs a service or construction that is directly related to the subject of the public contract. In relation to the Contracting Authority, the tenderer as the main provider is fully responsible for the execution of the received order, irrespective of the number of subcontractors.

In the case of a public procurement of goods, the tenderer shall not indicate in the tender the subcontractors or the parts of the contract which it intends to subcontract. In these cases, the tenderer shall also not indicate whether or not it is subcontracting.

10.4.3 Variantne ponudbe /*Variant tenders*

Variantne ponudbe niso dovoljene.

Variant tenders are not allowed.

10.4.4 Jezik ponudbe in razpisne dokumentacije / Language of the tender and the procurement documentation

Razpisna dokumentacija je pripravljena v slovenskem in angleškem jeziku. Ponudbe se oddajo v slovenskem ali angleškem jeziku.

Ponudba mora biti v delu, ki se nanaša na tehnične značilnosti, kakovost in tehnično dokumentacijo, kot so na primer prospekti, propagandni ter tehnični material in drugo, predložena v angleškem jeziku ali slovenskem jeziku.

Če bo naročnik ob pregledu in ocenjevanju ponudb ocenil, da je potrebno del ponudbe, ki ni predložen v slovenskem jeziku oziroma angleškem jeziku, uradno prevesti v slovenski oziroma angleški jezik, bo to zahteval in ponudniku določi ustrezni rok. Stroške prevoda nosi ponudnik. Za tolmačenje vsebine ponudbe se upošteva besedilo ponudbe v slovenskem jeziku oziroma uraden prevod ponudbe v slovenski jezik.

Ponudnik nosi vse stroške, povezane s pripravo in predložitvijo ponudbe. V primeru, da naročnik postopka ne zaključi z izbiro najugodnejšega ponudnika oziroma z najugodnejšim ponudnikom ne sklene pogodbe, naročnik ponudnikom odškodninsko ne odgovarja za stroške v zvezi s pripravo ponudbe. Izključena je tudi odškodninska odgovornost naročnika na podlagi 20. člena Obligacijskega zakonika za primer, če naročnik postopka ne bo zaključil z izbiro najugodnejšega ponudnika oziroma če z izbranim ponudnikom ne bo sklenil pogodbe zaradi neizpolnitve podlag za oddajo ali realizacijo predmeta javnega naročila.

The procurement documentation is available in Slovenian and English. Tenders shall be submitted in Slovene or English.

The tender must be submitted in English or Slovene in so far as it relates to technical characteristics, quality and technical documentation, such as brochures, publicity and technical material, etc.

If, in the course of the examination and evaluation of tenders, the Contracting Authority considers that a part of the tender not submitted in Slovene or English should be officially translated into Slovene or English, it will request this and set the tenderer an appropriate time limit. The costs of translation shall be borne by the tenderer. The text of the tender in Slovene or the official translation of the tender into Slovene shall be taken into account for the interpretation of the content of the tender.

The Tenderer shall bear all the costs related to the preparation and submission of the tender. In the event that the contracting authority fails to complete the procedure by selecting the most favourable tenderer or does not conclude a contract with the most favourable tenderer, the contracting authority shall not be liable to tenderers for the costs related to the preparation of the tender. Also, the liability for damages of the contracting authority in accordance to Article 20 of the Code of Obligations is excluded if the contracting authority does not complete the procedure by selecting the most favourable tenderer or if it does not conclude a contract with the selected tenderer due to a failure to fulfill the basis for the award or realization of the object of the contract.

10.4.5 Veljavnost ponudbe / Tender validity

Ponudba mora veljati **najmanj 90 dni od skrajnega roka za predložitev ponudb**.

V izjemnih okoliščinah bo naročnik lahko zahteval, da ponudniki podaljšajo čas veljavnosti ponudb za določeno dodatno obdobje. Naročnik ne bo dovolil, da ponudniki hkrati s podaljšanjem veljavnosti ponudbe, le-to kakorkoli drugače sami spreminjajo.

Tender validity: ***at least 90 days after the deadline for submission of tenders.***

In exceptional circumstances, the Contracting Authority may require tenderers to extend the period of validity of their tenders for a specified additional period. The Contracting Authority will not allow tenderers to make any other modification to their tender when extending the validity of the tender.

10.4.6 Stroški ponudbe / *Costs of the tender*

Vse stroške povezane s pripravo in predložitvijo ponudbe nosi ponudnik.

All costs associated with the preparation and submission of the tender shall be borne by the tenderer.

11. OBVESTILO O ODLOČITVI O ODDAJI NAROČILA/ *CONTRACT AWARD NOTICE*

Po sprejemu odločitve o oddaji naročila bo naročnik slednjo objavil na portalu javnih naročil. Naročnik o vseh odločitvah obvesti ponudnike in kandidate na način, da odločitev objavi na portalu javnih naročil. Odločitev se šteje za vročeno z dnem objave na portalu javnih naročil.

Ponudnike opozarjamo, da so sami dolžni spremljati objave odločitev na portalu javnih naročil. Naročnik lahko do pravnomočnosti odločitve o oddaji javnega naročila z namenom odprave nezakonitosti po predhodni ugotovitvi utemeljenosti, svojo odločitev na lastno pobudo spremeni in sprejme novo odločitev, s katero nadomesti prejšnjo.

Once the award decision has been taken, the Contracting Authority will publish it on the public procurement portal. The Contracting Authority shall inform the tenderers and candidates of all decisions by publishing the decision on the procurement portal. The decision shall be deemed to have been delivered on the date of publication on the procurement portal.

We remind tenderers that they are obliged to monitor the publication of decisions on the public procurement portal. *The contracting authority may amend the decision on the award of a public contract due to eliminate the illegality after a preliminary determination of the merits, on its own initiative, and adopt a new decision replacing the previous one.*

12. USTAVITEV POSTOPKA, ZAVRNITEV VSEH PONUDB, ODSTOP OD IZVEDBE JAVNEGA NAROČILA / SUSPENTION OF PUBLIC PROCUREMENT PROCESS, REJECTION OF TENDERS, WITHDRAW FROM THE AWARD OF THE PUBLIC CONTRACT

Naročnik lahko skladno z določili 90. člena ZJN-3 ustavi postopek oddaje javnega naročila, zavrne vse ponudbe ali odstopi od izvedbe javnega naročila.

Naročnik ne odgovarja za škodo, ki je ali bi iz gornjih razlogov utegnila nastati ponudniku.

The Contracting Authority may, in accordance with the provisions of Article 90 of the ZJN-3, suspend the public procurement procedure for the award of a public contract, reject all tenders or withdraw from the award of the public contract.

The Contracting Authority shall not be liable for any damage suffered or likely to be suffered by the Tenderer as a result of the above paragraph.

13. POGODBA / *CONTRACT*

Naročnik bo z izbranim ponudnikom podpisal pogodbo.

V skladu s šestim odstavkom 14. člena ZIntPK je dolžan izbrani ponudnik na poziv naročnika, pred podpisom pogodbe, predložiti izjavo ali podatke o udeležbi fizičnih in pravnih oseb v lastništvu izbranega ponudnika, ter o gospodarskih subjektih za katere se glede na določbe zakona, ki ureja gospodarske družbe, šteje, da so povezane družbe z izbranim ponudnikom. Če bo ponudnik predložil lažno izjavo oziroma bo dal neresnične podatke o navedenih dejstvih, bo to imelo za posledico ničnost pogodbe.

Z oddanim obrazcem »**Izjava za ponudnika**« ponudnik potrjuje, da sprejema vsebino vzorca pogodbe.

Pogodba se bo pred podpisom vsebinsko prilagodila glede na to, če bo izbrani ponudnik predložil skupno ponudbo in podobno.

Če se izbrani ponudnik v **desetih (10) delovnih dneh** od prejema poziva k podpisu pogodbe ne bo odzval z vračilom podpisane verzije pogodbe in jo poslal ali izročil na naslov/sedež naročnika (oddajna teorija), lahko naročnik šteje, da je izbrani ponudnik odstopil od ponudbe. . Pogodba bo v primeru zahtevanega zavarovanja za dobro izvedbo sklenjena pod odložnim pogojem do predložitve zahtevanega zavarovanja naročniku in do izpolnitve morebitnih drugih pogojev, kot izhajajo iz vzorca pogodbe in te razpisne dokumentacije.

The Contracting Authority will sign a contract with the selected tenderer.

Pursuant to paragraph 6 of Article 14 of ZIntPK (Integrity and Prevention of Corruption Act), the selected tenderer is obliged to submit, at the request of the contracting authority, before signing the contract, a declaration or information on the participation of natural and legal persons in the ownership of the selected tenderer, as well as on the economic entities which, in accordance with the provisions of the Act governing companies, are deemed to be related companies to the selected tenderer. If the tenderer makes a false declaration or provides false information concerning the above-mentioned facts, the contract shall be null and void.

*By submitting the **"Declaration by the Tenderer"** form, the Tenderer confirms that it accepts the contents of the sample contract.*

The contract will be adjusted in substance before signature, depending on whether the successful tenderer submits a joint tender, etc.

*If the successful tenderer fails to respond **within ten (10) working days** of receipt of the invitation to sign the contract by returning the signed version of the contract and sending or delivering it to the address/headquarters of the Contracting Authority (transmission theory), the Contracting Authority may consider that the successful tenderer has withdrawn from the tender. In the case of a required performance guarantee, the contract will be concluded on a condition precedent basis, pending the*

submission of the required guarantee to the Contracting Authority and the fulfilment of any other conditions as set out in the sample contract and in this procurement documents.

14. FINANČNA ZAVAROVANJA / FINANCIAL GUARANTEE

Ponudnik mora za zavarovanje predložiti finančno zavarovanje (v nadaljevanju: zavarovanje). Zavarovanje mora biti brezpogojno in plačljivo na prvi poziv. Ponudnik predloži bančno garancijo oz. kavcijsko zavarovanje.

Uporabljena valuta mora biti enaka valuti javnega naročila. Zavarovanje lahko izbrani ponudnik predloži na vzorcu iz dokumentacije v zvezi z oddajo javnega naročila ali na svojem obrazcu.

Finančno zavarovanje, ki ga izbrani ponudnik ne predloži po vzorcu iz razpisne dokumentacije, po vsebini ne sme bistveno odstopati od vzorca finančnega zavarovanja iz dokumentacije v zvezi z oddajo javnega naročila in ne sme vsebovati dodatnih pogojev za izplačilo, krajših rokov, kot jih je določil naročnik, nižjega zneska, kot ga je določil naročnik ali spremembe krajevne pristojnosti za reševanje sporov med upravičencem in izdajateljem zavarovanja.

The tenderer must provide financial guarantee (hereinafter referred to as 'guarantee') as security.

The insurance shall be unconditional and payable on first demand. The tenderer shall provide a bill of exchange with a bill of exchange statement / bank guarantee or an insurance bond.

The currency used must be the same as the currency of the public procurement. The successful tenderer may provide the insurance either on the sample provided in the procurement documents or on its own form.

The guarantee not provided by the successful tenderer in accordance with the sample set out in the procurement documentation shall not differ substantially in content from the model financial guarantee set out in the procurement documentation and shall not contain additional conditions for payment, shorter time limits than those set by the Contracting Authority, a lower amount than that set by the Contracting Authority, or a change in the place of jurisdiction for the settlement of disputes between the beneficiary and the issuer of the guarantee.

14.1 Zavarovanje za odpravo napak / *Warranty guarantee*

Instrument zavarovanja:	bančna garancija oz. kavcijsko zavarovanje
Višina zavarovanja:	5,00% pogodbene vrednosti brez DDV
Čas veljavnosti:	najmanj 30 dni po poteku garancijskega roka

Insurance instrument:	*a bank guarantee or insurance bond*
Insurance amount:	*5,00% of contractual value excluding VAT*
Date of validity:	*at least 30 days after the expiration of warranty*

15. PRAVNO VARSTVO / *LEGAL REMEDY*

Pravno varstvo v postopku javnega naročanja je zagotovljeno v skladu z določbami Zakona o pravnem varstvu v postopkih javnega naročanja (v nadaljevanju: ZPVPJN), po postopku in na način kot ga določa zakon.

Zahteva za pravno varstvo v postopkih javnega naročanja se lahko vloži v vseh stopnjah postopka oddaje javnega naročila zoper vsako ravnanje naročnika, razen če zakon, ki ureja oddajo javnih naročil, ali ZPVPJN ne določa drugače. Zahtevo za pravno varstvo lahko vloži aktivno legitimirana oseba, kot jo določa 14. člen ZPVPJN.

Zahtevek za revizijo mora vsebovati vse obvezne sestavine, kot jih določa 15. člen ZPVPJN.

V predrevizijskem in revizijskem postopku se ne presojajo očitane kršitve, ki se nanašajo na vsebino objave, povabilo k oddaji ponudb ali razpisno dokumentacijo, če bi lahko vlagatelj ali drug morebitni ponudnik prek portala javnih naročil naročnika opozoril na očitano kršitev, pa te možnosti ni uporabil. Šteje se, da bi vlagatelj ali drug morebitni ponudnik prek portala javnih naročil lahko opozoril na očitano kršitev, če je bilo v postopku javnega naročanja na portalu javnih naročil objavljeno obvestilo o naročilu, na podlagi katerega ponudniki oddajo prijave ali ponudbe.

Vlagatelj mora pred vložitvijo zahtevka za revizijo zoper vsebino razpisne dokumentacije ali vsebino objave plačati takso v višini 2.000,00 EUR.

Taksa se plača na ustrezen podračun, ki je v skladu s predpisom, ki ureja podračune ter način plačevanja obveznih dajatev in drugih javnofinančnih prihodkov, odprt pri Banki Slovenije za namen plačila taks za predrevizijski in revizijski postopek. Natančne informacije o načinu plačila takse so dostopne na spletni strani Ministrstva za javno upravo:

https://ejn.gov.si/sistem/pravno-varstvo.html

Zahtevek za revizijo se vloži elektronsko prek aplikacije eRevizija.

Zahtevek za revizijo se lahko vloži v roku iz 25. člena ZPVPJN.

Če naročnik ugotovi, da zahtevek za revizijo ni bil vložen pravočasno ali ga ni vložila aktivno legitimirana oseba iz 14. člena ZPVPJN, ali da ni bila plačana ustrezna taksa, ga najpozneje v treh delovnih dneh od prejema s sklepom zavrže.

The legal protection of the tenderers in the public procurement process is guaranteed in accordance with the provisions of the Act on legal protection in public procurement procedures (hereinafter »ZPVPJN«), following the procedure and manner as determined by law.

A request for legal protection in the public procurement processes can be submitted during all stages of the public procurement process against any action by the contracting authority such that the law governing the award of public contracts or ZPVPJN does not stipulate otherwise. A request for legal protection can be submitted by an actively legitimate person as set out in Article 14 ZPVPJN.

The request for review must contain all the mandatory components, as defined in Article 15 of the ZPVPJN.

In the pre-review and review procedures, the alleged infringements relating to the content of the announcement, the invitation to tender or the procurement documentation are not assessed if the applicant or other potential tenderer, through the public procurement portal did not warn the contracting authority against the alleged infringement, It is considered that a potential tenderer would be able to point out the alleged infringement through a portal of public procurement if a procurement notice was published in the public procurement procedure on the public procurement portal, on the basis of which tenderers submit applications or tenders.

In the request for review, the applicant must enclose confirmation of payment of the fee set out in accordance with Article 71 of the ZPVPJN, in the amount of 2.000,00 EUR when the request for review relates to the content of the contract notice or the procurement documents.

The applicant must pay the fee into a subsidiary account opened for the purpose of the payment of fees for pre-review and review procedures.

Detailed information on how to pay the fee is available on the website of the Ministry of Public Administration:
https://ejn.gov.si/sistem/pravno-varstvo.html

A request for review shall be submitted via application eRevizija.

A request for review may be filed within the deadline referred to in Article 25 of the ZPVPJN.

If the contracting authority finds out that the request for review was not submitted in due time or was not filed by an actively legitimated person referred to in Article 14 of the ZPVPJN, or that the corresponding fee has not been paid, it shall discard it no later than three working days from receipt.

ZAVOD ZA GRADBENIŠTVO SLOVENIJE /
SLOVENIAN NATIONAL BUILDING AND CIVIL ENGINEERING INSTITUTE

Direktor/ Director
doc. dr. Aleš Žnidarič

PO POOBLASTILU:
dr. Iztok Klemenc