Na podlagi 31. člena Statuta Instituta ter v skladu s tretjim odstavkom 90. člena Zakona o javnem naročanju izdajam

ODLOČITEV O ODDAJI NAROČILA

PO POSTOPKU ODDAJE NAROČILA MALE VREDNOSTI

47. člen ZJN-3

(vrsta postopka)

za javno naročilo

»NAKUP SENZORJEV POSAMEZNIH FOTONOV NA OSNOVI NUV-HD-MT SILICIJEVIH FOTOPOMNOŽEVALK«

(predmet javnega naročila)

JN26/2025

(interna oznaka javnega naročila)

JN005918/2025-SL1/01

(številka objave na Portalu RS oziroma EU)

Javno naročilo se odda ponudniku:

Fondazione Bruno Kessler, Trento, Italija
po ponudbi št. 1 (JN26/2025) z dne 19.8.2025
v vrednosti EUR 70.000,00 (brez DDV)

OBRAZLOŽITEV

1. Na javni razpis sta pravočasno prispeli ponudbi naslednjih ponudnikov:
   1. Fondazione Bruno Kessler, Trento, Italija
   2. Equilabrium SAS, Lyon, Francija

2. Naročnik je izvedel razvrstitev ponudb v skladu z razpisanimi merili na podlagi ekonomsko najugodnejše ponudbe – najnižje cene:
   - 1. ponudnik **Equilabrium SAS** ponuja elektrodo z vrtečim diskom v skupnem znesku EUR 20.150,00 brez DDV
   - 2. ponudnik **Fondazione Bruno Kessler** ponuja senzorje posameznih fotonov na osnovi NUV-HD-MT silicijevih fotopomnoževalk v skupnem znesku EUR 70.000,00 brez DDV

3. Naročnik je preveril obe ponudbi.

4. Naročnik je preveril prvouvrščeno ponudbo ponudnika Equilabrium SAS in ugotovil, da ta ne izpolnjuje zahtev naročnika. V ponudbi namreč ni bil ponujen predmet, kot je bil določen v razpisni dokumentaciji. Predmet naročila so senzorji posameznih fotonov na osnovi NUV-HD-MT silicijevih fotopomnoževalk, ponudnik pa je pomotoma oddal ponudbo za elektrodo z vrtečim diskom, ki je predmet enega od drugih, prav tako trenutno objavljenih javnih naročil naročnika.
   Ker ponujen predmet ni skladen z zahtevami naročnika, ponudbe ponudnika Equilabrium SAS ni mogoče obravnavati kot dopustne. Zato se njegova ponudba šteje za nedopustno.

   Skladno z 29. točko 1. odstavka 2. člena ZJN-3 je dopustna namreč le tista ponudba, ki jo predloži ponudnik, za katerega ne obstajajo razlogi za izključitev in ki izpolnjuje pogoje za sodelovanje, njegova ponudba ustreza potrebam in zahtevam naročnika, določenim v tehničnih specifikacijah in v dokumentaciji v zvezi z oddajo javnega naročila, je prispela pravočasno, pri njej ni dovoljeno nedovoljeno dogovarjanje ali korupcija, naročnik je ni ocenil za neobičajno nizko in cena ne presega zagotovljenih sredstev naročnika.

5. Naročnik je nato preveril dopustnost drugouvrščene ponudbe ponudnika Fondazione Bruno Kessler in ugotovil, da ustreza potrebam in zahtevam naročnika, določenim v tehničnih specifikacijah in v dokumentaciji v zvezi z oddajo javnega naročila. Ugotovil je, da je ponudba prispela pravočasno, pri njej ni dokazano nedovoljeno dogovarjanje ali korupcija, naročnik je ni ocenil za neobičajno nizko ceno in cena ne presega zagotovljenih finančnih sredstev.
   Ponudba ponudnika Fondazione Bruno Kessler je v skladu z 29. točko 1. odstavka 2. člena ZJN-3 dopustna.
6. Glede na navedene ugotovitve se javno naročilo dodeli ponudniku **Fondazione Bruno Kessler, Trento, Italija.**

PRAVNI POUK:

Vsaka oseba, ki ima ali je imela interes za dodelitev javnega naročila in ji je ali bi ji lahko z domnevno kršitvijo nastala škoda in zagovornik javnega interesa lahko vloži zahtevek za revizijo po odločitvi o oddaji javnega naročila v **pet (5) delovnih dneh** od objave te odločitve na Portalu javnih naročil.

Zahtevek za revizijo se vloži prek spletnega informacijskega portala Državne revizijske komisije – eRevizija.

Vlagatelj mora v zahtevku za revizijo navesti vse elemente iz 15. člena ZPVPJN.

O vloženem zahtevku za revizijo mora naročnik v treh delovnih dneh od prejema tega zahtevka obvestiti ponudnike, ki so v postopku oddaje javnega naročila oddali ponudbo.

Vlagatelj mora zahtevku priložiti potrdilo o plačilu takse v višini EUR 1.708,00 z DDV.

Taksa se plača na ustrezen račun, odprt pri Banki Slovenije za namen plačila taks za pred revizijski in revizijski postopek.

Transakcijski račun:	SI56 0110 0100 0358 802
Odprt pri:	Banka Slovenije, Slovenska 35, 1505 Ljubljana, Slovenija
SWIFT KODA:	BS LJ SI 2X
IBAN:	SI56011001000358802
Sklic:	11 16110-7111290-**00591825**

Ljubljana, 29.8.2025
(datum)

V. d. direktorja:

Digitalni podpis: CIZELJ LEON
Podpisano: 28.08.2025 13:21:23

Institut "Jožef Stefan" Ljubljana, Slovenija

prof. dr. Leon Cizelj

Dokument prejme:
- Objava na Portalu javnih naročil
- Arhiv naročnika

On the basis of Article 31 of the Statute of the Jožef Stefan Institute and in line with Article 90 of the Public Procurement Act (PPA-3) the director of the Jožef Stefan Institute issues a

DECISION ON AWARDING THE CONTRACT

IN A LOW-VALUE PUBLIC PROCUREMENT PROCEDURE

Article 47 of PPA-3

(type of procedure)

for the public tender

»SUPPLY OF SINGLE PHOTON SENSORS BASED ON THE NUV-HD-MT SiPM«

(subject of the public procurement)

JN26/2025

(internal reference number)

JN005918/2025-SL1/01

(reference number on Portal of the Public-Tenders)

The public tender is awarded to the following bidder:

Fondazione Bruno Kessler, Trento, Italy
on the basis of the Bid No. 1 (JN26/2025) of 19 August 2025
in the amount of EUR 70.000,00 without VAT

EXPLANATION

1. The following bidders responded in time to the invitation to submit a bid:
   1. Fondazione Bruno Kessler, Trento, Italy
   2. Equilabrium SAS, Lyon, France

2. The contracting authority carried out the ranking of tenders in accordance with the tender criteria on the basis of the most economically advantageous tender – the lowest price, and found:
   - The first bidder, **Equilabrium SAS** offers a rotating disc electrode assembly in the total amount of EUR 20.150,00 excluding VAT
   - The second bidder, **Fondazione Bruno Kessler**, offers single photon sensors based on the NUV-HD-MT SiPM in the total amount of EUR 70,000.00 excluding VAT.

3. The contracting authority has reviewed both tenders.

4. The contracting authority reviewed the highest-ranked tender submitted by the bidder Equilabrium SAS and found that it does not meet the requirements of the contracting authority. The tender did not offer the subject of the contract as defined in the tender documentation. The subject of the contract is single-photon sensors based on NUV-HD-MT silicon photomultipliers, whereas the bidder mistakenly submitted an offer for a rotating disk electrode, which is the subject of another public procurement procedure of the contracting authority currently published.
   Since the offered subject does not comply with the requirements of the contracting authority, the tender submitted by Equilabrium SAS cannot be considered admissible. Therefore, its tender is deemed inadmissible.
   In accordance with point 29 of paragraph 1 of Article 2 of the Public Procurement Act (PPA-3), an admissible offer is only one submitted by a tenderer who is not subject to exclusion grounds, who meets the participation requirements, whose offer meets the contracting authority's needs and requirements as specified in the technical specifications and tender documentation, was submitted on time, is free from unlawful collusion or corruption, is not considered abnormally low, and whose price does not exceed the available funds of the contracting authority.

5. The contracting authority then reviewed the second-ranked tender submitted by Fondazione Bruno Kessand found that it meets the needs and requirements of the contracting authority, as specified in the technical specifications and in the documentation related to the award of the public contract. In accordance with point 29 of paragraph 1 of Article 2 of the Public Procurement Act (PPA-3), only such a tender is admissible that is submitted by a tenderer for whom there are no grounds for exclusion, who meets the conditions for participation, whose tender meets the needs and requirements of the contracting authority as specified in the technical specifications and in the documentation related to the award of the public contract, is submitted on time, is not subject to prohibited collusion or corruption, is not considered by the contracting authority to be abnormally low, and whose price does not exceed the contracting authority's available funds.
   The tender submitted by the bidder Fondazione Bruno Kessler is admissible in accordance with point 29 of the first paragraph of Article 2 of the Public Procurement Act (ZJN-3).

6. Based on the above findings, the public contract is awarded to the bdder, **Fondazione Bruno Kessler, Trento, Italy.**

LEGAL INSTRUCTION

Each bidder involved in the tendering procedure can request review claim in line with the Act on the Legal Protection in Public Procurement Procedures (LPPPPA). The deadline for submitting a request for an audit is **5 (five) working days** after the receipt/publication of the notification regarding the awarding authority's decision at the Public-Procurement Portal.

A request for a review shall be submitted via information portal of the National Audit Commission eRevizija (eReview) portal.

The applicant must state in the review claim all obligatory elements from Article 15 of the LPPPPA.

Within three working days after the receipt of the review claim, the contracting authority shall inform the bidders involved in this public-procurement procedure about the above review claim.

The applicant for review claim should enclose to the revision request the confirmation about the payment of a tax of 1.708,00 euros including VAT.

The tax is payable to the paying-in account of the Ministry of Finance, opened at Bank of Slovenia, intended for a pre-audit and audit procedure.

Name of the bank:	SI56 0110 0100 0358 802
SWIFT CODE:	Banka Slovenije, Slovenska 35, 1505 Ljubljana, Slovenia
IBAN:	BS LJ SI 2X
Reference:	SI56011001000358802
Name of the bank:	11 16110-7111290-**00591825**

Ljubljana, 29 August 2025
(date)

Actng Director:

Digitalni podpis: CIZELJ LEON
Podpisano: 28.08.2025 13:21:35
Institut "Jožef Stefan" Ljubljana, Slovenija

Prof. Dr. Leon Cizelj

Copies:
- Notification at the Public-Procurement Portal
- Archives