



Številka: SE254818

Datum: 07. 01. 2026

Na podlagi 90. člena Zakona o javnem naročanju (v nadaljevanju: ZJN-3) izdaja družba Soške elektrarne Nova Gorica d.o.o., Erjavčeva ulica 20, 5000 Nova Gorica naslednjo

ODLOČITEV O ODDAJI JAVNEGA NAROČILA

Javno naročilo »2. REMONT AGREGATA ČHE AVČE« z interno oznako 40 01–352/2025, se odda ponudniku

Hitachi Mitsubishi Hydro Corporation, Tamachi Nikko Bldg., 29-14, Shiba 5-chome, Minato-ku, Tokio 108-0014, Japonska za 17.438.000,00 EUR brez DDV.

O b r a z l o ž i t e v:

Naročnik Soške elektrarne Nova Gorica d.o.o. (v nadaljevanju: naročnik) je na osnovi c) točke prvega odstavka 46. člena ZJN-3 izvedel javno naročilo »2. REMONT AGREGATA ČHE AVČE«, po postopku s pogajanjem brez predhodne objave in dne 10. 11. 2025 poslal razpisno dokumentacijo naročila 40 01-352/2025 (v nadaljevanju: RD) edinemu ponudniku Hitachi Mitsubishi Hydro Corporation, Tamachi Nikko Bldg., 29-14, Shiba 5-chome, Minato-ku, Tokio 108-0014, Japonska (v nadaljevanju: ponudnik; HMM).

Rok za oddajo ponudbe je bil do 19. 11. 2025. Naročnik je pravočasno prejel ponudbo ponudnika v višini 19.780.377,00 € brez DDV.

Naročnik je v skladu z RD povabil ponudnika k pogajanju. Povabilo k oddaji končne ponudbe je bilo ponudniku poslano dne 12. 12. 2025 z rokom oddaje končne ponudbe 15. 12. 2025. Naročnik je pravočasno prejel končno ponudbo ponudnika v višini 17.438.000,00 € brez DDV.

Na osnovi pregleda prejete ponudbe, pogajanj in poročil o prispeli ponudbi, je bilo ugotovljeno, da ponudba edinega ponudnika HMM izpolnjuje vse zahteve naročnika.

Iz 14. člena Zakona o pravnem varstvu v postopkih javnega naročanja (v nadaljevanju: ZPVPJN) izhaja, da je z izborom ponudnika, izčrpan pravni interes za vložitev revizijskega zahtevka s strani izbranega ponudnika. Iz tega razloga se izbranemu edinemu ponudniku aktivna legitimacija v revizijskem postopku ne prizna in bi bilo potrebno takšno zahtevo skladno s 3. odstavkom 26. člena ZPVPJN zavreči.

Na podlagi obrazloženega je upravičeno šteti, da postane v primeru, ko je izbran edini ponudnik na podlagi postopka s pogajanjem brez predhodne objave, odločitev o oddaji naročila pravnomočna s potekom osem delovnih dni od dneva objave prostovoljnega obvestila za predhodno transparentnost na portal javnih naročil. V tem roku bi namreč potencialni ponudniki še lahko izpodbijali upravičenost izvedbe postopka s pogajanjem brez predhodne objave.

S tem je odločitev v celoti obrazložena.

PRAVNI POUK:

Zahtevek za revizijo se vloži v elektronski obliki, preko portala eRevizija v skladu z določili Zakona o pravnem varstvu v postopkih javnega naročanja (v nadaljevanju ZPVPJN). Rok za vložitev zahtevka je osem (8) delovnih dni od dneva, ko je bilo na portalu javnih naročil objavljeno obvestilo, s katerim se zagotavlja predhodna transparentnost.

Zahtevek za revizijo mora biti obrazložen.

Vlagatelj mora skladno z 71. členom ZPVPJN plačati takso v višini 25.000,00 € na transakcijski račun Ministrstva za finance, št. SI56011001000358802, sklic 11 16110-7111290-00035225. Zahtevku za revizijo je treba priložiti potrdilo o plačilu takse.

Generalni direktor
Mitja Gorjan



SE254818

Ref. No.:

Date: 7 January 2026

Pursuant to Article 90 of the Public Procurement Act (hereinafter referred to as: "ZJN-3"), Soške elektrarne Nova Gorica, d. o. o., Erjavčeva ulica 20, 5000 Nova Gorica, hereby issues the following

CONTRACT AWARD DECISION

The public procurement "The SECOND OVERHAUL OF TURBINE - GENERATOR UNIT AT AVČE PSHPP" bearing the Internal Reference No. JN 40 01–352/2025 has been awarded to the following tenderer:

Hitachi Mitsubishi Hydro Corporation, Tamachi Nikko Bldg., 29-14, Shiba 5-chome, Minato-ku, Tokio 108-0014, Japan, for a total contract value of EUR 17,438,000.00 (exclusive of VAT).

Justification

Pursuant to Article 46, Paragraph 1, point (c) of ZJN-3, the Contracting Authority Soške elektrarne Nova Gorica, d. o. o. (hereinafter referred to as: the "Contracting Authority") carried out the public procurement procedure "The SECOND OVERHAUL OF TURBINE - GENERATOR UNIT AT AVČE PSHPP" through the negotiated procedure without prior publication and on 10 November 2025 sent the procurement documentation for the procurement procedure 40 01-352/2025 (hereinafter referred to as: "PD") to the sole tenderer, Mitsubishi Hydro Corporation, Tamachi Nikko Bldg., 29-14, Shiba 5-chome, Minato-ku, Tokio 108-0014, Japan (hereinafter referred to as: the "Tenderer" or HMH).

The deadline for the submission of tenders was 19 November 2025. The Contracting Authority received, within the prescribed deadline, a tender submitted by the Tenderer in the amount of EUR 19,780,377.00, excluding VAT.

In accordance with the PD, the Contracting Authority invited the tenderer to negotiations. The invitation to submit the final tender was sent to the tenderer on 12 December 2025 with the deadline for submission of the final tender set for 15 December 2025. The Contracting Authority received, within the prescribed deadline, the Tenderer's final tender in the amount of EUR 17,438,000.00, excluding VAT.

On the basis of the review of the tender received, the negotiations conducted and the reports on the submitted tender, it was established that the tender submitted by the sole Tenderer HMH complies with all the requirements of the Contracting Authority.

Pursuant to Article 14 of the Legal Protection in Public Procurement Procedures Act (hereinafter referred to as: ZPVPJN), the legal interest of the selected Tenderer to lodge a request for review is exhausted upon the selection of that Tenderer. For this reason, the selected sole Tenderer is

not recognised as having active standing in review proceedings, and any such request would have to be rejected in accordance with Article 26, Paragraph 3 of ZPVPJN.

In light of the above, it is justified to conclude that, in a case where a sole tenderer is selected following a negotiated procedure without prior publication, the contract award decision becomes final upon the expiry of eight (8) working days from the date of publication of the voluntary ex ante transparency notice on the public procurement portal. Within this period, potential tenderers would still be entitled to challenge the justification for the use of the negotiated procedure without prior publication.

Accordingly, the decision is fully reasoned.

LEGAL REMEDY NOTICE

A request for review shall be submitted in electronic form via the eRevizija portal, in accordance with the provisions of the Legal Protection in Public Procurement Procedures Act (hereinafter referred to as: ZPVPJN). The time limit for submitting a request for review shall be eight (8) working days from the date on which the voluntary ex ante transparency notice, ensuring prior transparency, was published on the public procurement portal.

The request for review must be duly reasoned.

In accordance with Article 71 of ZPVPJN, the applicant shall pay a fee in the amount of EUR 25,000.00 to the transaction account of the Ministry of Finance, SI56011001000358802, Reference Number 11 16110-7111290-00035225. Proof of payment of the fee must be attached to the request for review.

CEO
Mitja Gorjan