



INVITATION TO TENDER

Subject of the public procurement:	Implementation of the MEDIAS, MEDITS and SOLEMON surveys at sea
Contracting Authority:	Ministry of Agriculture, Dunajska cesta 22, 1000 Ljubljana
Procurement reference number:	430-141/2026
Type of procedure:	The Contracting Authority shall award the public contract through a low-value procurement procedure in accordance with Article 47 of the Public Procurement Act (Official Gazette of the Republic of Slovenia, Nos 91/15, 14/18, 121/21, 10/22, 74/22 – Constitutional Court Decision, 100/22 – ZNUZSZS, 28/23, 88/23 – ZOPNN-F and 83/25 – ZOUL; hereinafter referred to as: ZJN-3). The procurement is divided into three lots. Tenderers may submit a tender for any one or more lots.
Award criterion:	The Contracting Authority shall conclude the contract with the economic operator that submits an admissible tender and is selected on the basis of the most economically advantageous tender, using the criterion as specified in Chapter II of the Tender Documentation.
Deadline for submitting questions:	Questions may be submitted via the Public Procurement Portal, http://www.enarocanje.si, no later than by the date and time specified in the contract notice published on the Public Procurement Portal. The Contracting Authority shall not respond to questions that are not submitted in the manner specified above or that are submitted after the above deadline.
Deadline and method for the submission of tenders:	The Contracting Authority shall provide answers and additional clarifications relating to the procurement documentation via the Public Procurement Portal. A tender shall be deemed to have been submitted in due time if it is received by the Contracting Authority via the e-JN system, available at https://ejn.gov.si/, no later than by the date and time specified in the contract notice published on the Public Procurement Portal. A tender shall be deemed submitted if it is marked with the status "ODDANO" ("SUBMITTED") in the e-JN information system. Tenderers must submit their tenders via the e-JN information system at https://ejn.gov.si/, in accordance with point 3 of the document Instructions for the Use of the Information System for the Electronic Submission of Tenders – e-JN: TENDERERS (hereinafter referred to as: the "Instructions for the Use of e-JN"), which forms part of these procurement documents and is published at https://ejn.gov.si/. Prior to submitting a tender, the tenderer must register at https://ejn.gov.si/, in accordance with the Instructions for the Use of e-JN. If the tenderer is already registered in the e-JN information system, they should log in to the application at the same address.

The tenderer's user authorised in the e-JN information system to submit tenders shall submit the tender by clicking the "Oddaj" ("Submit") button. Upon submission of the tender, the e-JN information system shall record the identity of the user and the time of submission of the tender.

By submitting the tender, the user demonstrates and declares, on behalf of the tenderer, the intention to submit a binding tender (*Article 18 of the Code of Obligations (Official Gazette of the Republic of Slovenia, Nos 97/07 – official consolidated text, 64/16 – Constitutional Court Decision and 20/18 – OROZ631)*).

Upon submission, the tender shall remain binding for the period specified in the tender, unless the tenderer's user withdraws or amends the tender prior to the expiry of the deadline for the submission of tenders.

The tenderer may withdraw or amend its tender until the expiry of the deadline for the submission of tenders. If the tenderer withdraws its tender in the e-JN information 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 amends its tender in the e-JN information system, the last submitted version of the tender shall be made available to the Contracting Authority in that system.

Following the expiry of the deadline for the submission of tenders, it shall no longer be possible to submit a tender.

Opening of tenders:

The opening of tenders shall be carried out automatically in the e-JN information system **on the date and at the time specified in the contract notice published on the Public Procurement Portal**, available at <https://ejn.gov.si/>.

The opening procedure shall be conducted in such a manner that, at the time specified for the public opening of tenders, the e-JN information system automatically displays the data relating to the tenderer, variants, where required or permitted, and enables access to the .pdf document uploaded by the tenderer to the "Predračun" ("Pricing Schedule") section in the e-JN system.

Tenderers that have submitted tenders shall have access to these data in the e-JN information system under the section "Zapisnik o odpiranju ponudb" ("Record of the Opening of Tenders").

I. PROCUREMENT DOCUMENTATION

The procurement documentation is available free of charge on the Public Procurement Portal at <https://www.enarocanje.si/?podrocje=portal> and comprises (for LOT 1, LOT 2, LOT 3):

- Invitation to Tender;
- Tender Documentation, award criteria and conditions for establishing suitability;
- Instructions for the Use of the Information System for the Electronic Submission of Tenders – e-JN: TENDERERS, available at <https://ejn.gov.si>;
- Annex 1: Terms of Reference, No. 430-141/2026;
- Form 1: Standard ESPD Form: European Single Procurement Document, in electronic form (XML file);
- Form 2: Pricing Schedule;
- Form 3: Model Contract;
- Form 4: Subcontractor's Request for Direct Payment.

Any amendments, supplements and corrections to the procurement documentation published on the Public Procurement Portal shall also form an integral part of the procurement documentation.

II. TENDERER

Any legal or natural person, or group of such persons, including any temporary association of undertakings, that offers the provision of the services forming the subject matter of this public procurement on the market or within the public procurement procedure may participate as an economic operator. An economic operator submitting a tender/pricing schedule shall be deemed to be a tenderer.

Joint tenders submitted by several contractual partners shall be permitted in this public procurement procedure. In such case, a consortium agreement must be submitted together with the tender. The agreement must specify the lead partner, who shall, on behalf and for the account of all participating partners, receive obligations, instructions and, where applicable, payments from the Contracting Authority, as well as the share and type of services to be performed by each partner. The agreement must clearly stipulate that all partners shall be jointly and severally liable to the Contracting Authority for the performance of the entire obligation and each individual part thereof. The agreement must also clearly indicate that it shall enter into force in the event of a successful tender and the conclusion of a contract with the Contracting Authority.

The mandatory elements of the contract with the Contracting Authority, in cases where the tenderer participates in the tender together with subcontractors and such subcontractors request direct payments, are set out in paragraph five of Article 94 of the Public Procurement Act (ZJN-3). Direct payments to subcontractors, as defined in paragraph five of Article 94 of the Public Procurement Act (ZJN-3), shall be mandatory only where the tenderer submits, as part of its tender, a subcontractor's request for direct payment. Where the subcontractor does not request direct payment, the contractor must submit to the Contracting Authority, no later than 60 days following payment of the final invoice or interim payment certificate, its own written statement and a written statement from the subcontractor confirming that the subcontractor has received payment for the services performed that are directly related to the subject matter of the public procurement.

In relation to the Contracting Authority, the economic operator shall bear full responsibility for the performance of the public contract, irrespective of the number of subcontractors indicated in the tender.

III. TENDER

The tender must be submitted via the e-JN information system at <https://ejn.gov.si/> in the Slovenian, English, Italian or Croatian language.

The public procurement procedure shall be conducted in the Slovenian language. All documents relating to the tender must be submitted in the Slovenian, English, Italian or Croatian language. Where, during the examination and evaluation of the tender documentation, the Contracting Authority considers it necessary for a part of the tender not submitted in the Slovenian, English, Italian or Croatian language to be translated into Slovenian, it may require the economic operator to provide such translation at its own expense and shall set an appropriate deadline for this purpose.

The designated parts of the tender documentation must be signed by the legal representative of the economic operator or by another person authorised to conclude contracts of the relevant type, value and scope.

If the e-JN information system does not function in a manner enabling the submission of tenders, the Contracting Authority shall extend the deadline for the submission of tenders in accordance with paragraph eight of Article 88 of the Public Procurement Act (ZJN-3).

The economic operator shall bear all costs relating to the preparation and submission of the tender.

The validity period of the tender shall be 60 days from the deadline for the submission of tenders.

The economic operator may submit all required documents and forms in electronic form signed with a secure electronic signature.¹

IV. SUBJECT MATTER OF THE PUBLIC PROCUREMENT

The subject matter of the public procurement is the implementation of three (3) surveys at sea waters under the sovereignty of the Republic of Slovenia, in accordance with the Terms of Reference No. 430-141/2026.

The public procurement is divided into three (3) lots:

- LOT 1: MEDIAS survey,
- LOT 2: MEDITS survey,
- LOT 3: SOLEMON survey.

Tenderers may submit a tender for one or more lots.

Variant tenders shall not be permitted.

V. EXAMINATION AND EVALUATION OF TENDERS

The Contracting Authority shall first rank the tenders submitted in due time in accordance with the award criterion and verify whether they comply with the Contracting Authority's requirements relating to the subject matter of the public procurement, after which it shall verify whether grounds for exclusion exist in respect of the most economically advantageous tenderer and whether the conditions for participation are fulfilled.

Following the examination of tenders and/or any supplements, corrections and clarifications thereto, and in accordance with paragraphs five and six of Article 89 of the Public Procurement Act (ZJN-3), the Contracting Authority shall exclude any tenders that are not admissible.

¹ A secure electronic signature shall mean a secure electronic signature that complies with the requirements of the Electronic Commerce and Electronic Signature Act (Official Gazette of the Republic of Slovenia, Nos 98/04 – official consolidated text, 61/06 – ZEPT and 46/14) and Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28 August 2014, p. 73), together with all subsequent amendments and supplements thereto.

Where, during the verification of the tender price calculation, the Contracting Authority identifies arithmetic errors, and in accordance with paragraph seven of Article 89 of the Public Procurement Act (ZJN-3), it shall request the tenderer's written consent to the correction of such arithmetic errors, whereby arithmetic errors shall mean errors in basic arithmetic operations (multiplication, addition, etc.), while the quantity and the unit price excluding VAT may not be amended. Subject to the tenderer's written consent, the Contracting Authority may also correct an incorrectly stated VAT rate to the correct VAT rate.

VI. NOTICE OF THE CONTRACT AWARD DECISION AND RESERVATIONS OF THE CONTRACTING AUTHORITY

The Contracting Authority shall publish the contract award decision on the Public Procurement Portal. The decision shall be deemed served on the date of its publication on the Public Procurement Portal.

The Contracting Authority reserves the right to discontinue the procedure, reject all tenders or withdraw from the implementation of the public procurement, subject to the conditions set out in Article 90 of the Public Procurement Act (ZJN-3).

VII. CONTRACT

The contract shall be signed by the Contracting Authority, Ministry of Agriculture, Dunajska cesta 22, 1000 Ljubljana.

In accordance with paragraph six of Article 14 of the Integrity and Prevention of Corruption Act (ZIntPK), the selected tenderer shall, at the request of the Contracting Authority and prior to the signing of the contract, submit a statement or information concerning:

- the participation of natural and legal persons in the ownership structure of the tenderer, including the participation of silent partners; and
- economic operators which, pursuant to the provisions of the legislation governing companies, are deemed to be affiliated companies of the tenderer.

Should the selected tenderer submit a false statement or provide untrue information concerning the above facts, this shall result in the nullity of the contract.

Prior to signing, the contract shall be adjusted as appropriate depending on whether the selected tenderer has submitted a joint tender, declared the involvement of subcontractors or similar circumstances.

VIII. LEGAL REMEDIES

In accordance with the Legal Protection in Public Procurement Procedures Act (Official Gazette of the Republic of Slovenia, Nos 43/11, 60/11 – ZTP-D, 63/13, 90/14 – ZDU-1I, 60/17, 72/19 and 83/25 – ZOUL; hereinafter referred to as: the "ZPVPJN"), a request for review relating to the content of the publication and/or the procurement documentation may be lodged within ten (10) working days from the date of publication of the contract notice or the notice on additional information, information on an incomplete procedure or corrigendum, where such notice amends or supplements the requirements or the award criteria for the selection of the most economically advantageous tenderer, whereby the request for review may relate to the amended, supplemented or clarified content of the publication or procurement documentation, or to a statement in the original publication or procurement documentation directly related thereto.

A request for review may not be lodged after the expiry of the deadline for the receipt of tenders, unless the deadline for the receipt of tenders is shorter than ten working days. In such case, the request for review may be lodged within ten working days from the date of publication of the contract notice.

The request for review shall be submitted via the eRevizija portal.

The applicant shall pay a fee in the amount of EUR 2,000 to the transaction account of the Ministry of Finance, No. SI56 0110 0100 0358 802, held with the Bank of Slovenia, Slovenska cesta 35, 1505 Ljubljana, Slovenia, SWIFT code: BSLJSI2X; IBAN: SI56011001000358802, reference: 16110-7111290-XXXXXXYY. In the reference number, the six positions marked X shall indicate the sequential number of the publication on the Public Procurement Portal, while the final two positions marked Y shall indicate the year of publication of the public procurement notice.

You are kindly invited to submit your tender.

Ministry of Agriculture

Janez Cigler Kralj
Minister