

Ljubljana, 9 March 2011

Decision on awarding of the public contract number 01-2011 for purchase of the System for macromolecular crystal structure determination

The Public contract number 01-2010 for purchase of the System for macromolecular crystal structure determination published in Official Gazette of the Republic of Slovenia on 6 January 2011 (no. JN150/2011) was awarded to bidder MIKRO+POLO d.o.o., Zagrebška 22, Maribor. The company MIKRO+POLO d.o.o. offered X8 Proteum system for macromolecular crystal structure determination produced by Bruker. The price of the system was 498.000,00 EUR without value added tax.

Two bidders have submitted a tender for the contract by open procedure for the purchase of a system for macromolecular crystal structure determination. Two offers arrived in time before the deadline: February 18, 2011, 10:00 hours. The bidders were two companies:

- MIKRO+POLO d.o.o., Zagrebška 22, Maribor, and
- Rigaku EUROPE, Unit B6 Chaucer Business Park, Watery Lane, Kemsing, Sevenoaks Kent TN156QY, UK.

The estimated value of the contract by the open procedure was up to 500.000,00 EUR without the value added tax. The variant offers were not permitted.

The bidder Mikro + Polo d.o.o. offered X8 PROTEUM system with the Microstar generator produced by Bruker including all required tools. The price was 597.600,00 Euros (VAT included) or 498.000,00 Euros (excluding VAT). The X8 PROTEUM system meets all "Technical requirements" numbered from 1 to 32 specified in the third point of the contract by the open procedure. The offer also fulfils all requirements from the second point of the contract by the open procedure, which defines the "Complete tender". Price of the system excluding VAT is lower than the value defined in the contract by the open procedure.

The bidder Rigaku Europe offered »High Flux Home Lab« system produced by Rigaku Americas Corporation. The offer explicitly states that the technical requirements from 1 to 22 are included in the offered price. The technical requirements from 23 to 32 are only optional and not included in the final price. Because the technical requirements from 23 to 32 are listed together as an option, they cannot be allocated accordingly with the customer's technical requirements from 23 to 32 and are therefore not explicitly identifiable. The final bid price thus only includes items from 1 to 22, the price is 456.343,00 Euros excluding VAT (547.611,60 Euros including VAT). Therefore, the tender submitted by Rigaku EUROPE is an INAPPROPRIATE TENDER because requested technical requirements numbered from 1 to 32 were not included in the final price of the bid (point 3 of the contract no. JN150/2011). An INAPPROPRIATE TENDER is a tender which did not meet the conditions related to the subject matter of the tender and therefore did not fully fulfill the conditions laid down in the contract documentation by the contracting authority.

