

Ljubljana, 8 March 2013

Decision on awarding of the public contract number 01-2013 for the purchase of Systems for crystal imaging

The Public contract number 01-2013 for purchase of Systems for crystal imaging published in Official Gazette of the Republic of Slovenia on 14 January 2013 (No. JN389/2013) was awarded to bidder FORMULATRIX INC., 1254 Main St, Waltham, MA 02451 Waltham, USA. The company FORMULATRIX INC. offered Systems for crystal imaging produced by them. The price of systems was 416,666.00 EUR without value added tax with 20.26% discount.

Two bidders have submitted two tenders for the contract by open procedure for the purchase of Systems for crystal imaging. Both offers arrived in time before the deadline: February 28, 2013 at 10:00 hours. Bidders, which are sorted by the order of treatment and with regard to the value of the bid from the lowest to highest, were:

-company Rigaku Europe, Unit B6 Chauser Business Park, Watery Lane, Kemsing, Sevenoaks, Kent TN15 6QY, Velika Britanija. The price of systems was 415,000.00 EUR without value added tax taking into account the discount.

-company FORMULATRIX INC., 1254 Main St., Waltham, MA 02451 Waltham, USA. The price of systems was 416,666.00 EUR without value added tax taking into account the discount.

The estimated value of the contract by the open procedure was up to 417,000.00 EUR without the value added tax. Variant offers were not permitted.

The bidder company RIGAKU EUROPE offered Systems for crystal imaging produced by them. The Systems do not meet all "Technical requirements" specified in the third point of the contract by the open procedure no. JN389/2013:

1. Request B. Storage area 1, point 7: Temperature stability $\pm 0.5^{\circ}\text{C}$. *The bidder has offered Temperature stability $\pm 1^{\circ}\text{C}$.*
2. Request C. Storage area 2, point 8: Temperature stability $\pm 0.5^{\circ}\text{C}$. *The bidder has offered Temperature stability $\pm 1^{\circ}\text{C}$.*
3. Request C. Storage area 2, point 3: Storage cassettes for normal profile 96 well plates (for example Intelli-Plate 96-2 Original) or linbro plates (ratio 2.1). *The bidder offered two Linbro-format storage assettes and 32 SBS-format cassettes.*
4. Request D. Optics, point 3: 12 x zoom. *The bidder offered a system with flexible optical zoom range from 1 x to 6.7 x.*

The offer do not meet all "Technical requirements" specified in the third point of the contract by the open procedure no. JN389/2013 and therefore it is INAPPROPRIATE Tender (ZJN-2) and eliminatef from further evaluation.

The bidder company FORMULATRIX INC. meet all requests from "Technical requirements" specified in the third point and meet all requests from »Complete tender" specified in the second point of the contract by the open procedure no. JN389/2013.

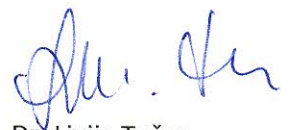
The selection board selected Systems for crystal imaging produced by FORMULATRIX INC. because systems fulfill all technical requirements listed in third point (Technical requirements) and fulfill all demands of the second point (Complete tender) of the contract by the open procedure number JN389/2013 published on 14 January 2013. The price of Systems excluding VAT is 416.666,00 EUR.

Operation, program of development of centre of excellence, with the title "Centre of excellence for integrated approaches in chemistry and biology of proteins" (No. operation OP13.1.1.2.02.0005), is in part financed by European Union, namely from the European regional development fund. The operation is carried out under the Operational program for strengthening regional development potentials for the period 2007-2013, developmental priority: Competitiveness of enterprises and research excellence; priority orientation: Improvement of competitive abilities of enterprises and research excellence.

The operation is in part financed by European Union, namely from European regional development fund, in the amount of 85 %. Share of Slovenian co-financing is 15 %.

Legal Notice:

Each bidder involved in the tendering procedure can request an audit of the procedure in line with the Auditing of Public Procurement Procedures Act (the Official Gazette of the Republic of Slovenia, No. 94/07). A request for auditing can be submitted during all phases of the awarding procedure, unless stipulated differently by the Public Procurement Act or the Auditing of Public Procurement Procedures Act. The deadline for submitting a request for an audit is ten days after the receipt of the notification regarding the contracting authority's decision. In the request the bidder should indicate the contact person, the contracting authority, the title and the code of the contract by open procedure and the following documents should be included: the award decision note, well justified violations, evidences of violations and the certificate of paid tax of 2.500 EUR. A tax of 2500 EUR should be paid on the bank account at the Ministry of Finance, no. 0110-1000358802 - implementation of the national budget of Republic of Slovenia, in line by 22. Article of Law on the revision of public procurement procedures, reference 11 161100-7111290-00000010. In the case when the call for tender was announced also in the Official Journal of the European Communities, the tax is doubled. The bidder has to submit two copies of the request for auditing to the contracting authority. Within three days after the receipt of the request for auditing, the contracting authority shall send one copy to the selected bidder. The bidder also sends a copy of the request for auditing to the Ministry of Finance. A request for auditing is sent off as registered mail with an acknowledgement of receipt, or as electronic mail provided it is verified with a qualified certificate.



Dr. Livija Tušar
Director General