



Number: 02-16-3-170-13/17
Tuzla, 03/03/2017

TENDER DOCUMENTATION
FOR PROCUREMENT OF SERVICES OF LABORATORY ANALYSIS OF DOPING SAMPLES OF ATHLETES

ANALYSIS OF URINE AND BLOOD OF ATHLETES IN A LABORATORY
AUTHORIZED BY THE WORLD ANTI-DOPING AGENCY (WADA)

OPEN PROCUREMENT PROCEDURE

The conclusion of a framework agreement with a single bidder is expected for a period of one year

Tuzla, March 2017

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1. GENERAL INFORMATION

1.1. Information on the Contracting Authority

Contracting authority: Agency for antidoping control of Bosnia and Herzegovina
Address: Maršala Tita 36, 75 000 Tuzla, Bosnia and Herzegovina
ID number: 4209939100009
Telephone: +387 35 310 690
Fax: +38735310691
Web page: www.ada.gov.ba

1.2. Contact person information

Contact person: Elvir Mujkanović
Telephone: +387 35 310 690
Fax: +387 35 310 691
e-mail: elvir@ada.gov.ba

1.3. List of business entities with which the contracting authority is in conflict of interest

In accordance with Article 52 of the Law on Public Procurement of Bosnia and Herzegovina there are no business entities with which the Agency for anti-doping control of Bosnia and Herzegovina must not enter into contracts / framework agreements on public procurement, i.e. there are no business entities with which the contracting authority has a conflict of interest.

1.4. Number of procurement

Procurement no: 02-16-3-170/17
Reference number of the Procurement Plan: OP-1
Notice on procurement number: 372-1-2-22-3-6/17 published on the Public Procurement Portal 02.03.2017

1.5. Information on the Procurement Process

Type of public procurement procedure:	Open Public Procurement Procedure
The estimated value of the contract (excluding VAT)::	200.000,00 BAM(KM)
Type of public procurement contract (goods/services/works):	Services
Framework agreement:	Yes
Duration of the framework agreement and the number of suppliers with which it is being concluded:	It is anticipated the conclusion of a framework agreement with one (1) supplier for a period of twelve (12) months from the date of entry into force of the Framework Agreement.

2. INFORMATION ON PROCUREMENT SUBJECT

2.1. Description of procurement subject

The procurement subject are the services of laboratory analysis of urine and blood doping tests in the Doping Control Laboratory authorized by the World Anti-Doping Agency (WADA), based on the needs of the contracting authority, planned in the budget / financial plan for 2017 and 2018.

Services of the laboratory analysis will be carried out successively, according to the needs of the Contracting Authority.

Contracting Authority will get services of laboratory analysis in accordance with its requirements and will not be limited to specified number of doping controls that will be done during framework agreement.

Designation and name of the CPV: 71900000-7 - Laboratory Services

2.2. Division into lots

Division into lots is not anticipated.

2.3. The amount of procurement

On the basis of Article 4 (2) Guidelines for the preparation of model tender documents and bids ("Off. Gazette" No. 90/14), the contracting authority has specified in the present procurement procedure the approximate amount of the procurement subject, given that due to the nature the subject of procurement the exact amount cannot be determined in advance. The contracting authority is not obliged to purchase the indicative amount in full. The actual implementation depends on the needs of the contracting authority and available financial resources, but cannot exceed the established frame amount.

The actual amount of services procured on the basis of the concluded framework agreement may be higher or lower than the indicative amount. The contract, under the Framework Agreement, is considered to be assigned / concluded (awarded/concluded) by the issuance of a purchase order by the contracting authority or the acceptance thereof by the supplier. The total payment excluding VAT on the basis of all purchase orders issued under the concluded framework agreement may not exceed the estimated value of procurement.

2.4. Technical specifications

Technical specifications (technical description) of procurement subject are an integral part of this tender documentation and are listed in Annex 3.

2.5. Place of service provision

A place in which services will be provided is the address of the most successful bidder, or headquarters of laboratory authorized by the World Anti-Doping Agency (WADA). The service must be performed by laboratories whose distance from Tuzla allows to submit samples and return to Tuzla by car on the same day, in accordance with the requirements arising from the need for emergency transport blood samples to the laboratory immediately after control, or need for urgent delivery of urine samples for 24- hour or 48-hour analysis (650 km distance). The supplier will submit the results of the analysis to the contracting authority by e-mail and by post (together with the relevant invoice for the services of the laboratory analysis).

2.6. Service Provision Deadline

The provision of services is carried out according to the needs of the contracting authority, beginning at the earliest time after signing the contract/framework agreement. The bidder will carry out laboratory analysis of doping tests of urine and blood from Article 1 of this Agreement, within the time period prescribed by the World Anti-Doping Agency (WADA).

3. QUALIFICATION CONDITIONS

3.1. The conditions for qualification

In order to prove personal ability the bidder is required to prove that:

- a) in criminal proceedings has not been convicted by a final judgment for criminal offenses of organized crime, corruption, fraud or money laundering, in accordance with applicable regulations in Bosnia and Herzegovina or the country in which it is registered;
- b) is not bankrupt or subject to bankruptcy proceedings, unless there is a valid decision confirming the bankruptcy plan, or is subject to liquidation proceedings, or in the process of suspension of business activities, in accordance with applicable regulations in Bosnia and Herzegovina or the country in which it is registered ;
- c) has fulfilled its obligations relating to the payment of pension and disability insurance and health insurance, in accordance with applicable regulations in Bosnia and Herzegovina and regulations of the country in which it is registered;
- d) has fulfilled its obligations relating to the payment of direct and indirect taxes, in accordance with applicable regulations in Bosnia and Herzegovina or the country in which it is registered.

For the purpose of verification of the terms of paragraph a) to d) the bidder shall provide a completed and certified by a competent authority [administrative agency or notary] statement, which is included in the tender documentation. The statement may not be older than 15 days from the date of submission of bid.

Bidder chosen as the best in this public procurement procedure is required to submit the following evidence in order to prove the facts confirmed in a statement as follows:

- a) a copy of the criminal record to the competent court stating that in criminal proceedings they have not been convicted by a final judgment for criminal offenses of organized crime, corruption, fraud or money laundering, in accordance with applicable regulations in Bosnia and Herzegovina or the country in which it is registered;
- b) a copy or a certificate from the records in which there is factual evidence of not being bankrupt or subject to bankruptcy proceedings, unless there is a valid decision confirming the bankruptcy plan, or is a subject to liquidation proceedings, or in the process of suspension of business activities, in accordance with applicable regulations in Bosnia and Herzegovina or the country in which it is registered;
- c) confirmation of the competent tax authority, or if a bidder is not registered in Bosnia and Herzegovina, a certificate or a copy of the records on the basis of which it can be established that they regularly meet obligations for pension and disability insurance and health insurance.
- d) confirmation of relevant institution/s of the duly paid direct and indirect taxes.

In case the bidders have concluded an agreement on rescheduling of liabilities or deferred payment, based on contributions for pension and disability insurance, health insurance, direct and indirect taxes, they are required to submit a certificate from the institution/s that the bidders, according to the timetable, meet their rescheduled liabilities. If the bidder concluded an agreement on rescheduling of liabilities or deferred payment obligations and made only one payment of their obligations, just before delivering, it is not considered that within the envisaged timeframe they fulfill their obligations and the bidder will not be eligible in this procurement procedure.

The evidence that is required to be delivered by the selected bidder must include confirmation that at the time of submission of the proposal they met the requirements which are required by tender documents. Otherwise it will be deemed to have made a false statement.

Evidence of fulfillment of the conditions shall be submitted within 5 days of receipt of notification of the results of this procurement procedure. The evidence submitted by the selected bidder cannot be older than three months, from the time of submitting the bid. The selected bidder shall meet all the requirements at the time of submission of the bid, otherwise it will be considered to have made a false statement under Article 45 of the Law.

The contracting authority shall disqualify the bidder in this procurement procedure if they can prove that the bidder has been guilty of serious professional misconduct in the last three years, but only if it can be proven in any way, particularly important and / or deficiencies that are repeated in the execution of essential requirements of contract that have led to its early termination (eg. the evidence on early termination of the previous contract for failure to fulfill obligations in accordance with the Law of obligations), damage (final judgment of the competent court for the damage suffered by the contracting authority), or other similar consequences which are the result of intention or negligence of that business entity (the evidence in accordance with the regulations in force in Bosnia and Herzegovina).

3.2. Other conditions for qualification

Bidder should meet the following requirements:

- a) to prove their registration in the relevant professional or other registers of the country in which they are established or a special statement or confirmation of the competent authority proving their right to perform professional activity, which is related to the subject of procurement.
- b) the laboratory must not be situated more than 650 kilometers from Tuzla, in order to enable urgent physical delivery of the samples in the same day when samples are taken, where this delivery is necessary for the purposes of analysis. Distance has to be determined by website <http://www.viamichelin.com/> or by another relevant website or relevant source of this kind of information.

In order to prove the conditions under a) the bidder shall submit a certificate issued by the World Anti-Doping Agency (WADA) that they are accredited laboratory by WADA to carry out analysis of doping tests of urine and blood. The certificate issued by WADA must unequivocally demonstrate that the bidder at the time of bid submission is accredited and registered for the activity. The mentioned certificate may be submitted as a copy in English.

In order to prove the conditions referred to in point b) the bidder shall provide a personal statement that the distance of the laboratory from Tuzla does not exceed 650 kilometers by land to <http://www.viamichelin.com/>.

4. BID INFORMATION

4.1. Contents and preparation of bids

The bid proposal with the accompanying documentation shall be written in one of the official languages in Bosnia and Herzegovina, in Latin or Cyrillic script. In preparing the bid, the bidder must comply with the requirements and conditions of the tender documents. The bidder must not add or modify the text of the documents.

The bid proposal must contain at least:

- a) Bid Form - Annex 2;
- b) Bid Price Form - Annex 3;
- c) Statement of compliance with the requirements of Article 45, paragraph (1) points a) to d) of the Public Procurement Law- Annex 4;
- d) A written statement from the bidder of Article 52 of the Public Procurement Law - Annex 5;
- e) Confidential information - Annex 6;
- f) Signed draft of framework agreement - Annex 7;
- g) The certificate issued by the World Anti-Doping Agency (WADA);
- h) A statement that the distance of the laboratory from Tuzla does not exceed 650 kilometers by land

4.2. Method of bids submission

Bidders shall bear all costs associated with the preparation and submission of their bids. The contracting authority is not responsible or required to bear these costs.

The bid, regardless of the manner of delivery, must be received by the contracting authority, at the address given in the tender documents, to the date and time specified in the procurement notice and tender documentation. All bids received after that time are untimely and as such, will be returned unopened to the bidder.

Tenders must be submitted to the protocol of the contracting authority or by mail to the address of the contracting authority, in a sealed envelope and on the front of the envelope should be noted:

Name of contracting authority:	Agency for antidoping control of Bosnia and Herzegovina
Address of contracting authority:	Maršala Tita 36, II floor, 75 000 Tuzla, BiH

OFFER TO PROCUREMENT
"Services of laboratory analysis of urine and blood doping tests"
Procurement number: 02-16-3-170/17
„DO NOT OPEN“

The back cover of the envelope shall state the following:

Name of the bidder:	
Address of the bidder:	

The bid is made in a way that it makes a whole document and must be written in permanent ink. Corrections in the bid must be made in such a way that they are visible and confirmed by the signature of the bidder, stating the date of correction.

The bid is tightly bound in such a way as to prevent subsequent extraction or insertion of pages. If the bid is made in two or more parts, each part is tightly bound in such a way as to prevent subsequent extraction or insertion of pages. Those parts of the bid, such as samples, catalogs, storage media, etc. which cannot be bound, the bidder will mark them with the title and list them in contents of the bid as part of the bid.

Pages of the bid shall be numbered so that the ordinal number of the page is visible. When the bid is made of several parts, the pages are marked in such a way that each successive part begins with ordinal number that continues to the page number ending the previous part. Guarantee as a part of the bid is not numbered. If it contains the printed literature, brochures, catalogs, which have originally numbered numbers, then these parts of bid are not numbered additionally.

The bid will not be rejected if the tender sheets are numbered in a way that it provides continuity of numbering, and it will be considered a minor deviation that does not change, or depart from the characteristics, conditions and other requirements set forth in the procurement notice and tender documentation.

The bidder submits the original proposal, on which it shall be written: **"ORIGINAL BID"**

The offer, regardless of the manner of delivery, must be received by the contracting authority, at the address given in the tender documents, to the date and time specified in the procurement notice and tender documentation. All bids received after that time are untimely and as such, will be returned unopened to the bidder.

Bidders may amend or supplement their bids just before the deadline for submission of bids. Bid amendments shall be submitted in the same manner as the primary bid, with the obligatory indication that it is an amendment or supplement to the bid. The bidder may within the same period give up its bid by submitting a written statement to the contracting authority. The written statement shall be submitted in the same manner as the bid, stating that it is a withdrawal from the tender. In this case the offer will be returned to the bidder unopened.

4.3 Admissibility of delivery of alternative bids

It is not allowed to set up alternative bids.

4.4 Tender price from the Annex

Bid Price Form which is in Annex 3 of the tender documentation and forms an integral part tender documentation.

Bidders are required to submit a completed form for the bid price in accordance with all the requirements that have been defined for all items that are contained in the form. In case the bidder fails to complete a form in accordance with the set requirements, for all the items that are listed, the bid proposal will be rejected.

If the Bid Price Form contains multiple items, the bidder is obliged to make an offer for all the items, taking into account that the total sum of prices of all items in the form cannot be 0.

4.5 Bid price setting methods

The bid price includes all items from the bid price form. The bid price shall be written in numbers and letters. In case of disagreement in the amount entered in numbers and letters, priority is given to the amount written in letters. The bid price is fixed.

The bid price is required to state the bid price (without VAT), the offered discount and finally the price with included discount (excluding VAT). If the bidder is not a VAT payer, VAT is not shown and in the price form, where the corresponding amount of VAT is usually shown, write 0.00.

VAT is separately shown on the bid price with the included discount. Finally, the value of the agreement (the bid price with the discount) is given + VAT.

4.6 Currency deals

The bid price is expressed in convertible marks (BAM).

By tender documentation it is possible that the prices are listed in other currencies (**in this case the euro**) and the amount will be converted into BAM at the rate fixed by the Central Bank of Bosnia and Herzegovina on the opening day of the tender and remain unchanged until the expiration of the tender validity period .

4.7 Contract award/framework agreement criteria and price

Criteria for granting of contract/framework agreement is

- a) The lowest price.

The framework agreement is awarded to the bidder on the basis of criteria - the lowest price of technically compliant tender. The framework agreement is awarded to the bidder who offered the lowest total price of technically compliant tender.

The tender price includes all items in the form for the bid price, if the subject of procurement is divided by items.

Bid price is written in letters and numbers.

Price specified by the bidder will not be changed during the contract and will not be subject to any changes. The contracting authority shall reject as unacceptable the one offer that includes a price that can be customized, which is not in accordance with this paragraph.

The bidder will indicate in the price schedule the total bid amount for all services (including all taxes). Offered price should include all costs of doping control (including bank costs).

The lowest price includes all associated costs (delivery to the warehouse of the contracting authority, shipping services if the bidder offers them, transportation costs, etc.). VAT shall be separately stated. In the event that the positive regulations require foreign bidders to set the tax representative, the bidder is obliged to state the tax representative in the bid within the Bid Price Form.

The bid price is required to state the bid price (without VAT), the offered discount and finally the price with included discount (excluding VAT).

If the bidder is not a VAT payer, VAT is not shown and in the price form, where the corresponding amount of VAT is usually shown, write 0.00.

VAT is separately shown on the bid price with included discount. Finally, the value of the framework agreement (the bid price with included the discount) is given + VAT.

4.8 Language and script

The bid proposal shall be submitted in one of the official languages in Bosnia and Herzegovina, in Latin or Cyrillic script. All other documents with the bid must be in one of the official languages in Bosnia and Herzegovina.

Exceptionally, a part of the supporting documentation (catalogs, brochures, etc.) may be in another language, but in that case it is obligatory to enclose a translation by a certified court interpreter for the language from which the translation is being done.

The contracting authority may, in the tender documentation, require that parts of supporting documents (which are directly related to the procurement, characteristics of the procurement subject, guarantees on the subject of procurement, etc..) may be translated into one of the official languages in Bosnia and Herzegovina. In this case, it is obligatory to enclose a translation by a certified court interpreter for the language from which the translation is performed for parts of the supporting documents.

4.9 Period of bids validity

Bids must be valid for 60 (sixty) days from the deadline for submission of bids.

If a bidder does not specify the validity period in the proposal, it is considered that the validity period is the one specified in the tender documents.

In the event that the proposal validity period is shorter than the one specified in the tender documents, the contracting authority shall reject that bid proposal in accordance with Article 60, paragraph (1) of the Law.

The contracting authority reserves the right to provide a written consent for the extension of the bid proposal. If the bidder fails to submit a written consent, it is considered that they rejected the request of the contracting authority, and their bid is not considered in the further course of the procurement procedure.

In case you guarantee for the bid was required, the bidder who gave the consent for the extension of the validity period shall provide the guarantee extension for the severity of the bid.

5. OTHER INFORMATION

5.1. Place, date and time for bids submission

Information on bids submission:

Contracting authority:	Agency for antidoping control of Bosnia and Herzegovina
Address:	Maršala Tita 36, II floor, 75 000 Tuzla, BiH
Office:	Registry
Date:	to 29.03.2017 (March 29,2017)
Proposal bids can be submitted:	to 13:00 h

Bids received after the deadline for the receipt of tenders are returned unopened to the bidders. Bidders who send their bids by post take the risk if the bids do not arrive by the deadline specified in the tender documentation.

5.2. Place, date and time of bids opening

Information on public bids opening:

Contracting authority:	Agency for antidoping control of Bosnia and Herzegovina
Address:	Maršala Tita 36, II floor, 75 000 Tuzla, BiH
Office:	Office No 11
Date:	29.03.2017 (March 29,2017)
Opening time for bids submitted until the final deadline for bids submission:	13:30 h

Bidders or their representatives, as well as any other interested person may attend the bid opening. Information communicated during public opening of tenders will be provided to all bidders who submitted bids within through the Minutes of bid opening immediately, and no later than 3 days.

At a public tender opening the present bidders will be communicated the following information::

- a. The name of the bidder
- b. The total price stated in the bid proposal
- c. Discount offered in the bid, if it is stated separately

Representatives of the bidders who wish to participate in the official opening of the bids should, before the bids opening, provide the Commission with power of attorney for participation in the public opening on behalf the business entity-bidders. If there is no official authorization, the bidder may, as well as any other interested parties, attend the public opening, but with no right to sign the Minutes or take any legal action on behalf of the bidder.

5.3. The draft contract/framework agreement or the basic elements of the contract/framework agreement

An integral part of the tender documents is a draft framework agreement, in which all the elements from the tender documentation are entered. Bidders are required to submit the draft framework agreement in which they entered the information from their bids, and initial all the sheets of the draft framework agreement.

5.4. Bid evaluation

All bids which are not in accordance with the description of the subject of procurement and conditions from the tender documentation will be rejected. After the evaluation of bids, the contracting authority shall make a record on bid evaluation.

5.5. Negotiations prohibition

With the bidder shall be conducted no negotiations regarding the bid. However, the contracting authority may ask the bidders in writing to clarify their bid, within a specified period, provided that they do not introduce any changes in the bid.

5.6. Errors and omissions corrections

The contracting authority shall correct any mistake in the bid, which is purely arithmetic nature, if any discovered during bid evaluation. The contracting authority shall promptly send notice to the bidder on any corrections and may proceed with the corrected bid in case that the bidder approved it within the time specified by the contracting authority. If the bidder does not approve the proposed correction, the bid is rejected and if any Bid Guarantee exists, it is returned to the bidder.

The contracting authority shall correct the errors in price calculation in accordance with Article 17 of Guidelines for the preparation of model tender documentation and bids ("Official Gazette", no. 90/14).

5.7. Preferential domestic treatment

When calculating the offered price for the purpose of comparing bids, the preferential domestic treatment will be applied, in accordance with the Decision of the Council of Ministers of Bosnia and Herzegovina.

For the purpose of comparing bids, the contracting authority will reduce the price of offers by a preference factor:

- 15% for contracts awarded in 2015 and 2016,
- 10% for contracts awarded in 2017 and 2018,
- 5% for contracts awarded in 2019

Domestic bids are considered to be the tenders submitted by legal or natural persons based in Bosnia and Herzegovina and in which, in the case of public procurement of goods, at least 50% of goods offered originates from BiH, and in the case of service contracts, at least 50% of the labor force for the contract execution are residents from Bosnia and Herzegovina.

In order to prove that they meet the conditions for application of domestic preferences bidders are required to submit a statement given in Annex 2. [bidder's statement].

To be eligible for the preferential domestic treatment, bidders should submit the Statement (Annex 2- BID FORM- STATEMENT OF BIDDER, point 4 - circle option A) that at least 50% of the labor force for the contract execution are residents from Bosnia and Herzegovina.

Accordingly, bidders who wish to be eligible for application of preferential domestic treatment, must submit a certificate of BH origin for public procurement which is the subject of this procedure to the contracting authority, issued by the Foreign Trade Chamber of Bosnia and Herzegovina.

The offer by the bidder which does not enjoy the preferential domestic treatment or does not provide the Statement will be treated without applying the preferential treatment, of course, if it meets all other requirements of this competitive request.

6. OTHER INFORMATION

6.1. Subcontracting

In case the bidder in its bid proposal indicates that a portion of the contract will be given to the subcontractor, they must declare which portion (description or percentage) will be given to the subcontractor. The bid proposal does not have to identify the subcontractor, but they must declare whether it will be a direct payment to the subcontractor.

If the bid proposal does not identify the subcontractor, the selected bidder is obliged, before introducing a subcontractor to the job, to contact in writing the contracting authority for approval for the introduction of subcontractor, with all the data related to the subcontractor.

If the contracting authority refuses to give a consent for the introduction of subcontractors for which the selected bidder has submitted the request, they are obliged to explain in writing the reasons why they did not give the consent (eg. by the receipt of the request the contracting authority has done some checking and found that the subcontractor is a defaulter based on VAT).

In the case of subcontracting, the responsibility for the proper performance of the contract shall be borne by the selected bidder.

6.2. The conclusion of the contract within the framework agreement

The contract, under the the Framework Agreement, is considered to be assigned / concluded (awarded / concluded) by the issuance of a purchase order by the Contracting Authority or the acceptance thereof by the supplier. The total payment excluding VAT on the basis of all purchase orders issued under the concluded framework agreement cannot exceed the estimated value of procurement.

6.3. The deadline for making a decision on the selection

The contracting authority shall decide on the selection of the winning bidder or cancellation in procurement procedure within the bid validity period, and no later than 7 days from the date of expiry of the bid proposal.

The contracting authority shall submit the decision on the selection of the most favorable bidder to all bidders in the procurement procedure within three days, and no later than 7 days from the date of the decision on selection or cancellation of procurement electronically (the contracting authority determines the mode of communication in the public procurement).

6.4. Deadline, manner and terms of payment to selected bidder

Payments to the selected bidder will be made within a minimum of 20 days of receipt of the invoice for executed agreement, to the bank account of the bidder.

No advance payments during the term of the contract / framework agreement.

7. ADDITIONAL INFORMATION

7.1. The bid cost and tender documentation download

The cost of bid preparation and submission of the bid as a whole shall be borne by the bidder.

Tender documents may be obtained in accordance with Article 55 Public Procurement Law ("Official Gazette", No. 39/14) or on the website of the contracting authority, with a mandatory written notification to the contracting authority that the tender documents have been downloaded, as well as the date and time of downloaded tender documents. Bidders who obtain the tender documents, and do not inform the contracting authority in writing to have downloaded the same, shall be considered as if not being downloaded and their bid will be rejected as inadmissible;

7.2. Correction and / or modification of tender documents, request for any clarifications

The contracting authority may, at any time, but no later than 10 days before the deadline for submission of bids, for justified reasons, either on its own initiative or in response to a request for clarification by the business entity, either by order of the PRB, amend the tender documents. About all the changes in tender documents the contracting authority is obliged to inform all potential bidders for whom they know to have downloaded the tender documents.

In the event that the amendments to the tender documents are of such nature that the bid preparation will demand additional time, the contracting authority is obliged to extend the deadline for receipt of tenders, according to the changes emerged, but not less than 7 days.

In the case of providing clarifications at the request of the business entity, by written response all potential bidders who downloaded the tender documents will be informed, therewith response on clarification will not contain the name of the business entity which has requested it. The request for clarification may be requested no later than 10 days before the deadline for receipt of tenders. The contracting authority shall, within 3 days, but no later than 5 days before the deadline for submission of bids, submit a written explanation to all potential bidders.

7.3. Confidentiality of documents of business entities

Bidders who submit bids that contain certain information that are confidential, shall together with stating the confidential data also indicate the legal basis on which the data are considered confidential.

The data that in no case can be considered as confidential are:

- a) The total and unit price stated in the bid;
- b) The subject of procurement, and offered goods, services or work which influences the comparison with the technical specification and the opinion that the offer is in accordance with the requirements of technical specifications;
- c) Evidence of the personal situation of the supplier (within the meaning of Art. 45th-51st of the Law).

7.4. Amendments and withdrawal of bid proposals

By the deadline for submission of bids, the bidder can amend or supplement its bid, in a separate envelope, and in the same way state all the information contained in section 4.2. of tender documents, namely:

Name of contracting authority:	Agency for antidoping control of Bosnia and Herzegovina
Address of contracting authority:	Maršala Tita 36, II floor, 75 000 Tuzla, BiH

OFFER TO PROCUREMENT

"Services of laboratory analysis of urine and blood doping tests"

Procurement number: 02-16-3-170/17

BIDS AMMENDMENTS „DO NOT OPEN“

The back cover of the envelope shall state the following:

Name of the bidder:	
Address of the bidder:	

Bidder may until the deadline for submission of bids give up on their bids, so as to submit a written statement of the withdrawal of the bid, with obligatory listing of subject of procurement and the number of procurement, no later than the deadline for receipt of tenders.

Bid cannot be modified, amended, or withdrawn after the deadline for receipt of tenders.

7.5. Abnormally low offers

In the event that the contracting authority has doubts that it is unnaturally low bid price, they have the option to check the prices, in accordance with the provisions of the Guidelines on the method of preparation of model of tender documents and tenders ("Official Gazette", number 90/14), and request the written clarification of bidders over the abnormally low bid price.

Upon receipt of the statement of reasons for abnormally low bid price, the decision will make the contracting authority and notify the bidders in writing.

If the bidder refuses to deliver or delivers a satisfactory justification from which it cannot be confirmed if the bidder will be able to offer the service in that price range, the contracting authority has the right to refuse such an offer .

7.6. The deadline for submission of evidence

If the submitted bid is assessed as acceptable, the contracting authority shall inform all tenderers of the decision on the selection of the best bidder. **The selected bidder shall, within 5 (five) days of receipt of procurement results notification, submit the evidence on eligibility (in original or certified copy).**

If the selected bidder in due course does not deliver the originals or certified copies of the evidence, its tender will be rejected as unacceptable.

Evidence of eligibility (in original or certified copy) must not be older than 3 (three) months from the date of tender submission [point 3.1. of this tender documentation], except for the evidence referred to in Section 3.2. point a.) of this tender documentation.

Where state of bidder's registration does not issue evidence required by Procurement Law, instead of evidence bidder shall submit its written statement, given subject to criminal and material liability and certified by the court, administrative body, public notary, or another competent body of that state.

7.7. Legal remedies

The appeal shall be filed with the Office of appeals, through the contracting authority, within 10 days of downloading the tender documentation.

8. ATTACHMENTS:

- I The procurement notice - ANNEX 1**
- II Bid Form - ANNEX 2**
- III Bid Price Form - ANNEX 3**
- IV Statement of compliance with the requirements of Article 45 of the Public Procurement Law-- ANNEX 4,**
- V Statement form from the Article 52 of the Law - ANNEX 5,**
- VI Confidential information - ANNEX 6**
- VII Draft contract/framework agreement**

DIRECTOR

Slavko Matic

Delivered to:

- 1 x Bidders
- 1 x Public Procurement Commission
- 1 x a/a

PROCUREMENT NOTICE

372-1-2-22-3-6/17

Date and time of sending the notice for publication: 2.3.2017 u 10:14

SECTION I: CONTRACTING AUTHORITY

I 1. CONTRACTING AUTHORITY INFORMATION

Name: ANTI-DOPING AGENCY

ID number/JIB: 4209939100009

Contact person: Elvir Mujkanović

Telephone: (035) 310-690

SECTION II: SUBJECT MATTER OF CONTRACT

II 1. TYPE OF CONTRACT

Services, Research and Development

II 2. Division into lots

No

II 3.b. Duration of framework agreement

1 Year

II 3.c. Estimated total value of the framework agreement without VAT in KM

200000,00

II 4. Description

II 4.a. Name of subject of framework agreement

LABORATORY ANALYSIS FOR URINE AND BLOOD DOPING TESTS IN A LABORATORIES
AUTHORIZED BY THE WORLD ANTI-DOPING AGENCY (WADA)

II 4.c The Common Procurement Dictionary (CPV)

71900000-7

SECTION IV: Procedure

IV 1. Type of procedure

Open procedure

IV 2. Contract award criteria

The lowest price

IV 3. Conditions of acceptance / delivery of the request for tender documents

29.3.2017 (March 29,2017)

IV 6. The deadline for receipt of tenders / requests for participation

Date and time: 29.03.2017. (March 29,2017) 13:00:00

IV 7. Deadline, address and place of opening of tenders

Date and time: 29.03.2017. (March 29,2017) 13:30:00

Address i place: Maršala Tita 36, II floor, 75 000 Tuzla (office No 11)

BID FORM**Procurement number:** 02-16-3-170/17**Open Procedure - laboratory analysis of doping tests of urine and blood in the laboratory authorized/accredited by the World Anti-Doping Agency (WADA)****Number of notification from the Portal PP:** 372-1-2-22-3-6/17**CONTRACTING AUTHORITY:**

Contracting authority:	Agency for anti-doping control of BiH
Address:	Maršala Tita 36, 75 000 Tuzla, Bosna i Hercegovina

BIDDER:

Name and headquarters:	
Address:	
ID number:	
Bank account number:	
Is the bidder in the VAT system:	
Mailing address:	
e-mail:	

CONTACT PERSON (for actual offer):

Name and last name:	
Address:	
Telephone:	
Fax:	
e-mail:	

BIDDER'S STATEMENT:

In a public procurement procedure which you have started and which was published on the Public Procurement Portal, number of Notification of procurement 372-1-2-22-3-6/17 on the day 02.03.2017, we deliver the offer and declare the following:

1. In accordance with the content and requirements of the tender documents No. 02-16-3-170/17, by this statement we accept all the provisions completely, without reservation or restriction.
2. By this offer we correspond to the requirements of the tender documents for delivery, in accordance with the conditions from the tender documents, criteria and the defined deadlines, without reservations or restrictions.
3. Our bid price (without VAT) is _____BAM. _____EUR.
 Discount that we give to the bid price is _____BAM. _____EUR.
 Our bid price, including the discount is _____BAM. _____EUR.
 VAT on the bid price (with included discount) _____BAM. _____EUR.

The total price for the contract / framework agreement is

numbers:[.....] EUR, letters.....
 numbers:[.....] BAM, letters.....

The form for our bid price is attached, which is completed in accordance with the requirements of the tender documents. In case of differences in the prices of this Statement and the Form for the bid price, the price from the Form for the bid price is the one taken into account.

4. The company submitting this bid is (circle option a or b)
 - a) Domestic, based in BiH and at least 50% of the labor force for the execution of the contract are residents of Bosnia and Herzegovina, **and therefore our offer falls under the provisions of preferential domestic treatment**, and evidence that our bid meets the requirements of preferential domestic treatment, which are required by tender documentation are included in the bid.
 - b) our bid does not fall under the provisions of preferential domestic treatment
5. This bid is valid for _____ days (min. 60 days from the deadline for submission of bids receipt), ie until _____year.
6. If our bid is the most successful in this procurement procedure, we are committed to provide evidence of qualifications that are required by the tender documentation within the time specified, which we confirm by statements in this bid;

Name and surname of the person authorized to represent the supplier:

[.....]

Signature of authorized person: [.....]

Place and date: [.....]

The seal of the company: [.....]

In addition to the bid we send the following documentation:

[List of submitted documents, statements and forms with the names]

- | | |
|---------|---------|
| 1)..... | 5)..... |
| 2)..... | 6)..... |
| 3)..... | 7)..... |
| 4)..... | 8)..... |

**Statement of compliance with the requirements of Article 45, paragraph (1) item a) to d) of the
Public Procurement Law ("Official Gazette", No. 39/14)**

I, the undersigned _____ (Name and Lastname), with ID card number: _____ issued by _____, as a representative of a company or business or related activities

_____ (Indicate the location, name of the company or business or related activities),

ID number: _____, with the headquarters in _____ (City/municipality), address _____ (Street and number), as a candidate/bidder in the public procurement of services of the laboratory analysis of doping tests of urine and blood in the laboratory authorized/accredited by the World Anti-Doping Agency (WADA) through an open process, and implemented by the contracting authority, the Agency for anti-doping control of Bosnia and Herzegovina, which has been reported the procurement notice number: 372-1-2-22-3-6/17 in „Official Gazette of BiH“ number: 15/17, and in accordance with Article 45 paragraphs (1) and (4) **under full material and criminal responsibility**

DECLARE

Candidate/bidder _____ in the mentioned public procurement procedure, whom I represent, is not:

- a) By a final court decision in the criminal proceedings convicted of organized crime, corruption, fraud or money laundering in accordance with applicable regulations in Bosnia and Herzegovina or the country of registration;
- b) Under bankruptcy or the subject to bankruptcy proceedings or the subject of liquidation proceedings;
- c) Has not fulfilled obligations relating to the payment of pension and disability insurance and health insurance in accordance with applicable regulations in Bosnia and Herzegovina or the country of registration;
- d) Has not fulfilled obligations relating to the payment of direct and indirect taxes in accordance with the regulations in force in Bosnia and Herzegovina or the country of registration.

In that sense, I am familiar with the obligation of a candidate/bidder that in a case of contract award, the documents from the Article 45, paragraph (2) points a) to d) at the request of the Contracting Authority and the deadline set by the contracting authority in accordance with Article 72, paragraph (3) item a) must be delivered.

I further declare that I am aware that falsification of official documents, ie the use of false official or business documents, books or files in the service or business as genuine represents a criminal offense provided for criminal laws in BiH, and that giving false information in the documents which prove the identity of Article 45 of the Law on public Procurement is a violation for which are provided fines of 1,000.00 to 10,000.00 BAM for the bidder (entity) and from 200,00 to 2,000.00BAM for the representative person of the bidder.

I also declare that I am aware that the contracting authority which carries out the mentioned public procurement procedure in accordance with Article 45, paragraph (6) of the Public Procurement Law in the event of doubt about the accuracy of the information provided in this statement retains the right to verify the accuracy of the information presented with the aforementioned authority.

Statement given by:

M.P.

Place and time of giving the statement:

The signature and seal of authority:

**WRITTEN STATEMENT
REGARDING Article 52 paragraph (2) OF THE LAW ON PUBLIC PROCUREMENT**

I, the undersigned _____ (Name and last name), with ID card number: _____ issued by _____, as a representative of a company or business or related activities _____

(Indicate the location, name of the company or business or related activities),

ID no.: _____, with headquarters in _____ (City/municipality), address _____ (Street and number), as a candidate/bidder in

the public procurement of services of the laboratory analysis of doping tests of urine and blood in the laboratory authorized/accredited by the World Anti-Doping Agency (WADA) through an open process, and implemented by the contracting authority, the Agency for anti-doping control of Bosnia and Herzegovina, which has been reported the procurement notice No. 372-1-2-22-3-6/17 in "Official Gazette of BiH" number: 15/17, in accordance with Article 52, paragraph (2) the Public Procurement Law **under full material and criminal responsibility**

DECLARE

1. I have not offered a bribe to any person involved in the procurement process, at any stage of the procurement process.
2. I have not made, nor promised gift, or any other benefit to the official or responsible person in the contracting authority, including a foreign official person or an international official, in order to perform in the framework of official authority, actions which should not be executed, or refrain from committing acts to be carried out by him, or someone who mediates under the bribery of an official or responsible person.
3. I have not given or promised a gift or any other benefit to the official or responsible person in the contracting authority, including a foreign official person or an international official, in order to perform in the framework of his official authority, actions which should not be performed, or refrain from carrying out actions, that should not be executed.
4. I have not been involved in any activities aiming at corruption in public procurement.
5. I did not participate in any kind of action that aimed at corruption in the course of public procurement procedure.

By making this statement, I am aware of criminal responsibility envisaged for the criminal offense of bribery and other criminal offenses against official and other duties stipulated in the criminal codes of Bosnia and Herzegovina.

Statement given by:

M.P.

Place and time of giving the statement:

The signature and seal of authority:

CONFIDENTIAL INFORMATION

The confidential information	Page numbers with the information within the proposal	Reasons for confidentiality	The period of time for the confidentiality

Note:

The data that in no case can be considered as confidential are: (Article 11.ZJN)

- a) the total and unit price stated in the bid;
- b) the subject of procurement, ie offered goods, which influence the comparison with the technical specification and evaluation of whether the bidder offered the goods in accordance with technical specification;
- c) evidence of the personal situation of the bidder (pursuant to the provisions Art. 45-51 of the Law).

Name and last name of the person authorized to represent the bidder:

[.....]

Signature of authorized person: [.....]

Place and date: [.....]

Seal of the company: [.....]

Pursuant to Article 32 of the Law on Public Procurement ("Official Gazette" No. 39/14), and after the open procedure of public procurement of laboratory analysis of doping tests of urine and blood in the laboratory authorized/accredited by the World Anti-Doping Agency (WADA) for the Agency for anti-doping control of Bosnia and Herzegovina, concluded

**FRAMEWORK AGREEMENT
ON THE PROCUREMENT OF SERVICES OF THE LABORATORY ANALYSIS OF URINE AND BLOOD
DOPING TESTS IN A LABORATORY AUTHORIZED BY THE WORLD ANTI-DOPING AGENCY (WADA)**

Between:

BOSNIA AND HERZEGOVINA

AGENCY FOR ANTI-DOPING CONTROL,

Headquarters: Maršala Tita number 36, 75 000 Tuzla

Represented by director **Slavko Matić**

Identificational number: 4209939100009

(hereinafter: THE **CONTRACTING AUTHORITY**)

and

Headquarters: _____

Represented by director _____

Identificational number: _____

(hereinafter: THE **SUPPLIER**)

SUBJECT MATTER OF FRAMEWORK AGREEMENT

Article 1

The subject of the framework agreement are the services of the laboratory analysis of doping tests of urine and blood in the laboratory authorized by the World Anti-Doping Agency [WADA] (hereinafter referred to as laboratory analysis) under the terms of the tender documents No. 02-16-3-170-13/17 for Agency for anti-doping control BiH.

With this Framework Agreement, the Contracting Parties regulate the framework issues related to the implementation of the successive procurement of services of laboratory analysis for the Agency for anti-doping control and agree that throughout the contract period they conclude contracts in the field for which the procurement procedure was carried out.

After conducting an open public procurement procedure No. 02-16-3-170-13/17 from 03.03.2017, the Decision on the selection of the best bidder and awarding the contract/framework agreement to the most favorable bidder number: 02-16-3-170-xx/17 from xx.xx.2017, the bid of the Supplier number: _____ from _____ was assessed as the best and it is an integral part of this Framework Agreement:

No.	Type of analysis	Measure unit	Amount (pieces)	Unit price without VAT [EUR/piece]	Total price in EUR without VAT
1	2	3	4	5	6=(4x5)
1	Out of Competition urine analysis (Partial menu analysis)	piece	270		
2	In Competition urine analysis (Full menu analysis)	piece	190		
3	ESA analysis in urine	piece	95		
4	ESA analysis in serum	piece	3		
5	IRMS analysis [urine]	piece	10		
6	24 h analysis [urine]	piece	1		
7	48 h analysis [urine]	piece	1		

8	Growth Hormone analysis [serum]	piece	70		
9	Blood parameter [whole blood]	piece	20		
10	GHRF analysis in urine	piece	70		
11	Alcohol Concentration [blood]	piece	1		
12	Steroid Profile Confirmation [urine]	piece	1		
13	Full Documentation Package for urine and blood	piece	1		
14	Full Documentation Package [Blood Passport]	piece	1		
15	Certificate of Analysis [Blood Passport]	piece	1		
Total price in EUR without VAT					
Discount in % (if given the discount must be identical for all items - discount expressed as a percentage)					
a) Total price in EUR without VAT with discounts					
VAT in Euro (if VAT is calculated and if it will be shown in the invoice)					
b) Total price in EUR including VAT (if VAT is calculated and if it will be shown in the invoice)					
a) Total price in KM (BAM) without VAT with discounts (1 EUR = 1,95583 KM)					
b) Total price in KM (BAM) including VAT (if VAT is calculated and if it will be shown in the invoice) (1 EUR = 1,95583 KM)					

Article 2

The Contracting Authority shall deliver the urine and blood samples to the analysis specifying what type of the analysis shall be conducted and the Supplier conducts the laboratory analysis from Article 1 of this Contract subject to the conditions set forth in the tender documentation, which is a component of this Contract.

PRICE AND QUANTITY

Article 3

Individual quantities and prices of laboratory analysis are listed in the offer the Supplier Number: _____ od ____. 2017 and are shown in Article 1 of this Agreement.

The agreed price is fixed and not subject to change under any circumstances.

The stated number of laboratory analysis is estimated/approximate and it is possible that there will be major or minor deviations from the stated amounts from the Article 1 of this Agreement and the possible deviation in quantities under no circumstances will affect the contract price.

Bidder agrees that it will provide the Agency for anti-doping control of BiH, if necessary for the performance of other types of analysis (which are not subject to this Agreement), with the cost analysis within 24 to 48 hours. The Agency reserves the right to check and object to the price of the requested analysis, which is not subject to this Agreement, and check them in the market (through tests on the market, etc.). If the price of the requested analysis is the real market price, the Agency will accept the bidder's offer. If the price of the requested analysis is significantly higher from the real market price, the Agency reserves the right to do the required type of analysis, which is not the subject of this Agreement, with another laboratory authorized by the World Anti-Doping Agency (WADA).

The estimated value of the contract is _____ BAM without VAT, ie _____ EUR excluding VAT.

METHODS OF PAYMENTS

Article 4

The contracting authority is obliged through the Single Account of Treasury of BiH to pay for the invoice to the Supplier for the services of laboratory analysis from the Article 1 of this Agreement within ____ (say: _____) days from the date of receipt of a proper invoice.

Payment will be made to the account of the Supplier specified on an individual invoice.

DEADLINE AND PLACE OF DELIVERY

Article 5

The Contracting Authority shall supply/transport the samples of urine and blood of athletes as soon as possible, via express mail, in adequate containers for transport.

Place of laboratory analysis from the Article 1 of this Contract is the seat of the Supplier

Distance between laboratory where they will perform the analysis and Tuzla does not exceed 650 kilometers by land.

The Supplier will execute the laboratory analysis from the Article 1 of this Agreement in the time period prescribed by the World Anti-Doping Agency (WADA), ie within _____ days from receipt of samples.

The Supplier shall classify the Contracting Authority in the "priority" or have specially reserved capacities for the Contracting Authority to carry out the laboratory analysis that are subject to the contract at any time, regardless of the market conditions.

QUALITY

Article 6

The Supplier will conduct the laboratory analysis according to the requirements of world anti-doping code and international norms and standards prescribed by the World Anti-Doping Agency (WADA).

The contracting parties have agreed that this framework agreement shall expire if the Supplier loses accreditation or does not receive an extension of the validity of the same to perform laboratory analysis of doping tests of urine and blood, in accordance with international standards for laboratories of the World Anti-Doping Agency (WADA).

FORCE MAJEURE

Article 7

In case that one of the parties in the Contract could not partially or completely meet the obligations due to the force majeure, that party shall immediately notify the other side in writing form. Force majeure stands for all the causes and events that both parties cannot influence at, nor can foresee or prevent them.

If the force majeure lasts for a longer period, making the obligations hard to meet or completely impossible to meet for the time period longer than 30 (thirty) days, each party can terminate the Contract. The party affected by the force majeure, shall if requested by the other side give the evidence on the consequences caused by the force majeure.

ENTRY INTO FORCE AND VALIDITY OF THE FRAMEWORK AGREEMENT

Article 8

This framework agreement is considered concluded when personally signed by the authorized representatives of both parties and lasts for twelve (12) months from the date of signing.

Within the period specified in the preceding paragraph for individual procurements, the provisions of the regulations governing public procurement will not be applied.

On the basis of this Framework Agreement the parties will conclude individual agreements which will further regulate the rights and obligations for the implementation of this Framework Agreement ie successive procurement of services of laboratory analysis for the Agency for anti-doping control, whose financial value ie the maximum duration can be up to the amount and period fixed in Article 2 and Article 8 of this Agreement, which will depend on the needs and interests of the Contracting Authority.

Individual procurements ie contract must be subject to the conditions set out in the tender documents and the accepted bid.

By entering into an individual contract considers accepting the Supplier's invoice by the Contracting Authority.

Article 9

The parties may terminate this framework agreement before its realization itself if one of the parties does not comply with the provisions of this Framework Agreement, subject to the prior settlement of all obligations incurred up to the time of termination of the framework agreement.

The Framework Agreement can be terminated by agreement or unilateral written declaration of one or the other contracting party with a notice period of the thirty (30) days.

Changes to the framework agreement are recognized only in writing by mutual consent.

DISPUTE SETTLEMENT

Article 10

All possible disputes, the Contracting Authority and Supplier will try to solve by agreement.

If the disputes from the previous paragraph the contracting parties cannot resolve by mutual agreement, disputes will be resolved by the competent Court of Bosnia and Herzegovina.

FINAL PROVISIONS

Article 11

The Supplier will be conditioned that it does not have the right to employ, for the execution of this Framework Agreement, natural or legal persons involved in the preparation of tender documents, or persons who have been a member or a professional person hired by the Public Procurement Commission, responsible for the award of this Framework Agreement at least six months after the conclusion of the Framework Agreement.

Article 12

For all that is not regulated by this Framework Agreement the provisions of the Obligations Law shall be applied.

Article 13

Amendments to the Framework Agreement may be made only in writing.

Only those amendments that are made by mutual agreement and in writing shall be valid or binding on contracting parties.

Article 14

This Framework Agreement is made in eight (8) identical copies of which four (4) in the languages of the peoples of Bosnia and Herzegovina and four (4) in _____, of which each party holds four (4) copies.

Article 15

Both parties agree and assert that they have read and fully understood this Framework Agreement, and as a sign of compliance with all its provisions, the both parties authorized persons shall sign the Contract.

For and on behalf of

Number:

_____, __. __. 2017. godine

For and on behalf of

**BOSNA I HERCEGOVINA
AGENCY FOR ANTI-DOPING CONTROL**

Slavko Matić, director

Number: 02-16-3-170-xx/17

Tuzla, xx.xx.2017