



Broj: 02-16-3-26-24/18

Tuzla, 24.04.2018. god.

Na osnovu člana 61. Zakona o upravi („Službeni glasnik BiH“, broj: 32/02, 102/09 i 72/17), člana 64. stav (1) tačka b), člana 70. stavovi (1), (3) i (6), člana 8. stav (2) tačka d) Pravilnika o uspostavljanju i radu Komisije za nabavku („Službeni glasnik BiH“ broj: 103/14), člana 16. Pravilnika o javnim nabavkama u Agenciji za antidoping kontrolu Bosne i Hercegovine broj: 01-02-3-83/15 od 11.02.2015. godine, na Preporuku Komisije za nabavku usluga laboratorijske analize doping testova urina i krvi u laboratoriji ovlaštenoj od strane Svjetske antidoping agencije (WADA) broj: 02-16-3-26-21/18 od 24.04.2018. godine, u postupku javne nabavke usluga laboratorijske analize doping testova urina i krvi u laboratoriji ovlaštenoj od strane Svjetske antidoping agencije (WADA) putem otvorenog postupka direktor Agencije za antidoping kontrolu Bosne i Hercegovine **d o n o s i**:

O D L U K U

o izboru najpovoljnijeg ponuđača za nabavku usluga laboratorijske analize doping testova urina i krvi u laboratoriji ovlaštenoj od strane Svjetske antidoping agencije (WADA)

Član 1.

Prihvata se Preporuka Komisije za nabavku, broj: 02-16-3-26-21/18 od 24.04.2018. godine i Okvirni sporazum za javnu nabavku usluga laboratorijske analize doping testova urina i krvi u laboratoriji ovlaštenoj od strane Svjetske antidoping agencije (WADA) dodjeljuje se ponuđaču Seibersdorf Labor GmbH sa sjedištem na adresi 2444 Seibersdorf, Austrija, ponuda broj: LC043/2018 od 06.04.2018. godine, dostavljena dana 19.04.2018. godine, za ponudenu cijenu od 459.541,82 KM bez PDV-a odnosno 234.960,00 EUR-a bez PDV-a, kao najbolje ocijenjenom ponuđaču odnosno kao najbolje ocijenjena ponuda.

Član 2.

Ponuđač Seibersdorf Labor GmbH dostavio je najbolje ocijenjenu ponudu broj: LC043/2018 od 06.04.2018. godine, odnosno ponudio je najnižu cijenu u skladu sa članom 64. stav (1) tačka b) Zakona o javnim nabavkama Bosne i Hercegovine (u daljem tekstu: Zakon) u iznosu od 459.541,82 KM bez PDV-a odnosno 234.960,00 EUR-a bez PDV-a, koja ispunjava sve formalno pravne uvjete tražene u tenderskoj dokumentaciji i koja je od strane ugovornog organa prihvaćena kao najpovoljnija ponuda.

Član 3.

Po pravosnažnosti ove odluke, ugovorni organ pozvat će izabranog ponuđača, iz člana 1. ove Odluke, radi zaključenja okvirnog sporazuma kojim će se regulisati međusobna prava i obaveze vezane za predmetnu nabavku shodno zahtjevima - uslovima ugovornog organa navedenim u tenderskoj dokumentaciji i zakonskim propisima koji regulišu postupke ugovaranja.

Član 4.

Ova Odluka objaviće se na internet stranici Agencije za antidoping kontrolu Bosne i Hercegovine (www.ada.gov.ba), istovremeno sa upućivanjem ponuđačima koji su učestvovali u postupku javne nabavke, u skladu sa članom 70. stav (6) Zakona.

Član 5.

Za izvršenje ove Odluke zadužuje se Sektor za administraciju, međunarodnu saradnju i odnose sa javnošću.

Član 6.

Ova odluka stupa na snagu danom donošenja i dostavlja se svim ponuđačima koji su učestvovali u postupku javne nabavke, u skladu sa članom 71. stav (2) Zakona.

Obrazloženje

Postupak javne nabavke pokrenut je Odlukom o pokretanju postupka nabavke usluga laboratorijske analize doping testova urina i krvi u laboratoriji ovlaštenoj od strane svjetske antidoping agencije (WADA) broj: 02-16-3-26-2/18 od 27.02.2018. godine. Javna nabavka je provedena otvorenim postupkom s ciljem zaključenja Okvirnog sporazuma na period od dvadeset četiri (24) mjeseca sa jednim (1) dobavljačem. Procijenjena vrijednost javne nabavke bez PDV-a je 470.000,00 KM.

Komisija za javnu nabavku imenovana je Rješenjem broj: 02-16-3-26-3/18 od 27.02.2018. godine.

Obavještenje o nabavci broj: 372-1-2-19-3-7/18 objavljeno je na Portalu javnih nabavki 06.03.2018. godine, kao i tenderska dokumentacija, a sažetak obavještenja objavljen je u Službenom glasniku BiH broj 16/18 od 09.03.2018. godine.

Komisija konstatuje da su 06.03.2018. godine putem e-maila (podaci sa WADA web stranice - akreditovane laboratorije) sljedeće akreditovane laboratorije pozvane da učestvuju u proceduri javne nabavke:

- o Romanian Doping Control Laboratory, e-mail: mihailionica56@gmail.com;
- o Institute of Doping Analysis and Sports Biochemistry (IDAS)-Dresden, e-mail: detlef.thieme@idas-kreischa.de
- o Laboratoire Suisse d'Analyse du Dopage, e-mail: Tiia.Kuuranne@chuv.ch,
- o Laboratorio Antidoping FMSI (ROMA, ITALY), e-mail: francesco.botre@uniroma1.it,
- o Seibersdorf Labor GmbH Doping Control Laboratory, e-mail: guenter.gmeiner@seibersdorf-laboratories.at



Tendersku dokumentaciju sa portala javnih nabavki preuzeli su sljedeći ponuđači:

1. ekipija doo,;
2. BBS Europe,
3. Seibersdorf Labor GmbH,
4. Alphachrom d.o.o.

Rok za dostavu ponuda bio je do 23.04.2018. godine do 13:00 h a otvaranje ponuda je obavljeno isti dan u 13:30 h.

Zapisnik o otvaranju ponuda broj: 02-16-3-26-19/18 od 23.04.2018. godine dostavljen je svim učesnicima postupka nabavke 23.04.2018. godine i to putem e-maila.

Shodno navedenom zapisniku sa otvaranja ponuda, Komisija konstatuje da su u roku za podnošenje ponuda pristigla jedna (1) ponuda:

Broj protokola ugovornog organa	Redni broj omotnice ponude	Naziv ponuđača	Datum prijema
02-16-3-26-16/18	1	Seibersdorf Labor GmbH	19.04.2018. god. u 10:28 h

Komisija za javnu nabavku dostavila je 24.04.2018. godine rukovodiocu ugovornog organa Zapisnik o pregledu i ocjeni ponuda broj: 02-16-3-26-20/18 od 24.04.2018. godine, Preporuku o izboru najpovoljnijeg ponuđača broj: 02-16-3-26-21/18 od 24.04.2018. godine i Izvještaj o radu broj: 02-16-3-26-22/18 od 24.04.2018. godine, u postupku javne nabavke – Otvoreni postupak javne nabavke - usluge laboratorijske analize doping testova urina i krvi u laboratoriji ovlaštenoj/akreditovanoj od strane Svjetske antidoping agencije (WADA).

U postupku po izvještaju o radu utvrđeno je da je Komisija blagovremeno i pravilno izvršila otvaranje, pregled i ocjenu prispjelih ponuda, o čemu je sačinila odgovarajuće zapisnike, u kojima je utvrđeno sljedeće:

- da je u predmetnom postupku primljena jedna (1) ponuda,
- da je blagovremeno primljena jedna (1) ponuda,
- da nije bilo neblagovremeno zaprimljenih ponuda,
- da je ponuda ponuđača Seibersdorf Labor GmbH kvalifikovana i prihvatljiva te da su dostavljeni svi traženi dokazi propisani tenderskom dokumentacijom, na propisan način,

U postupku donošenja ove Odluke, posebno su cijenjene činjenice da je Komisija pravilno i potpuno izvršila ocjenu kvalifikovanosti ponuđača te pregled i ocjenu ponuda, u skladu sa kriterijumima iz tenderske dokumentacije.

U postupku ocjene provedenog postupka, rukovodilac ugovornog organa nije našao razloge, nepravilnosti niti propuste u radu, koji bi eventualno bili osnov za neprihvatanje preporuke Komisije.

Naime, u postupku je ocijenjeno da je Komisija u svemu pravilno postupila te da je izbor najpovoljnijeg ponuđača izvršen u skladu sa Zakonom o javnim nabavkama, podzakonskim aktima i tenderskom dokumentacijom.

Uvidom u priloženu dokumentaciju, nesporno je da je izabrani ponuđač Seibersdorf Labor GmbH, najbolje ocijenjen primjenjujući kriterij najniže cijene koja je ponuđena u iznosu od 459.541,82 KM bez PDV-a odnosno 234.960,00 EUR-a bez PDV-a.

Naziv ponuđača čija je ponuda ocijenjena kao najpovoljnija:

PODACI O NAJPOVOLJNIJEM PONUĐAČU		
1	Naziv/ime ponuđača	Seibersdorf Labor GmbH
2	Sjedište i adresa	2444 Seibersdorf, Austrija
3	ID broj:	(FN) 319187v
4	Ukupna cijena ponude bez PDV-a	459.541,82 KM odnosno 234.960,00 EUR
5	Rok plaćanja	20 dana
6	Važenje ponude	60 dana od dana isteka roka za prijem ponuda tj. do 23.06.2018. godine

Iz navedenih razloga, primjenom člana 64. stav (1) tačka b) najniža cijena Zakona o javnim nabavkama („Službeni glasnik BiH“ broj: 39/14) odlučeno je kao u dispozitivu.

POUKA O PRAVNOM LIJEKU:

Protiv ove Odluke može se izjaviti žalba, najkasnije u roku od 10 (deset) dana od dana prijema ove Odluke.

Dostavljeno:

- 1 x učesnicima postupka javne nabavke
- 1 x Povjerenstvo za javne nabave
- 1 x a/a





No: 02-16-3-26-24/18
Tuzla, 24th April, 2018

Pursuant to the Article 61 of the Administration Law ('Official Gazette of Bosnia and Herzegovina' no. 32/02, 102/09 and 72/17), Article 64, paragraph (1), item b), Article 70, paragraphs (1), (3), and (6), Article 8, paragraph (2), item (d) of the Ordinance on Establishing and Operation of the Procurement Committee ('Official Gazette of Bosnia and Herzegovina' no. 103/14) Article 16 of the Ordinance on Public Procurements in the Anti-Doping Agency of Bosnia and Herzegovina no. 01-02-3-83/15 from 11th February 2015, by the recommendation of the Committee for the Procurement of Laboratory Analysis Services of urine and blood doping tests in the Laboratory Accredited by WADA no. 02-16-3-26-21/18 from 24th April, 2018 and through the open call, the Director of the Anti-Doping Agency of Bosnia and Herzegovina issues the:

DECISION

on the choice of the best bidder for the procurement of services of the laboratory analysis of blood and urine doping tests in WADA accredited laboratory

Article 1

The recommendation of the Procurement Committee no. 02-16-3-26-21/18 from 24th April, 2018 and the Framework Agreement for the public procurement of blood and urine doping tests in WADA accredited laboratory is awarded to Seibersdorf Labor GmbH with the head office at the address 2444 Seibersdorf, Austria, bid no. LC043/2018 from 6th April, 2018 delivered on the day of 19th April, 2018, with the offered price of BAM 459.541,82 VAT excluded, i.e. EUR 234.960,00 VAT excluded, as the best bidder, i.e. as the best bid.

Article 2

The bidder Seibersdorf Labor GmbH submitted the most successful bid no. LC043/2018 from 6th April, 2018 i.e. offered the lowest price in accordance to Article 64, paragraph (1) item b) of the Law on Public Procurement in Bosnia and Herzegovina (hereinafter: the Law) with the amount of BAM 459.541,82 VAT excluded, i.e. EUR 234.960,00, VAT excluded, and which meets all the legal conditions required in the tender documentation and which is accepted as the best bid.

Article 3

After the effective date of this decision, the contracting authority shall invite the best bidder, from the Article 1 of this decision, to sign the framework agreement regulating the rights and duties related to the procurement according to the demands- conditions of the contracting authority listed in the tender documentation and the legal provisions regulating the contracting procedure.

Article 4

This decision shall be published on the Anti-Doping Agency web page (www.ada.gov.ba), at the same time with the sending of the notice to the bidders who entered the tender of the public procurement, pursuant to the Article 70, paragraph (6) of the Law.

Article 5

Sector for Administration, International Cooperation and Public Relations is in charge for the implementation of this decision.

Član 6.

This decision is in force on the day of issuing and shall be sent to all bidders who entered the tender, pursuant to the Article 71, paragraph (2) of the Law.

Statement of Grounds

The procedure of public procurement was initiated by the Decision on the Public Procurement for the services of laboratory analysis of urine and blood doping test sin WADA accredited laboratory no. 02-16-3-26-2/18 from 27th February, 2018. Public procurement was implemented through the open procedure with the aim of creating the Framework Agreement for the period of twenty-four (24) months with one (1) supplier. The estimated value of the procurement is BAM 470,000.00.

The Public Procurement Committee was appointed by the decision no. 02-16-3-26-3/18 from 27th February, 2018.

The notice on procurement no. 372-1-2-19-3-7/18 was published on the Public Procurement Portal on 6th March, 2018 and the abstract of the notice was published in the Official Gazette of Bosnia and Herzegovina no. 16/18 from 9th March, 2018.

The Commission notes that on 6th March 2018 the following accredited laboratories are invited to participate in the public procurement procedure, via e-mail (with data from the WADA website - accredited laboratories):

- Romanian Doping Control Laboratory, e-mail: mihaiionica56@gmail.com;
- Institute of Doping Analysis and Sports Biochemistry (IDAS)-Dresden, e-mail: detlef.thieme@idas-kreischa.de
- Laboratoire Suisse d'Analyse du Dopage, e-mail: Tiiia.Kuuranne@chuv.ch,
- Laboratorio Antidoping FMSI (ROMA, ITALY), e-mail: francesco.botre@uniroma1.it,
- Seibersdorf Labor GmbH Doping Control Laboratory, e-mail: gunter.gmeiner@seibersdorf-laboratories.at



Tender documentation from the public procurement portal was downloaded by the following bidders:

1. ekipija doo,
2. BBS Europe,
3. Seibersdorf Labor GmbH,
4. Alphachrom d.o.o.

The deadline for submission of bids was 23rd April, 2018 till 13:00 h. The bids have been opened on the same day at 13:30.

The minutes of the opening of bids No. 02-16-3-26-19/18 from 23rd April, 2018 was sent to all bidders on 23rd April, 2018 via email.

Pursuant to the aforementioned minutes from the opening of bids, the Commission notes that one (1) bid has been received within the deadline for submission of bids:

Number of protocols of the contracting authority	Ordinal number envelope offers	Name of the bidder	Date of receipt
02-16-3-26-16/18	1	Seibersdorf Labor GmbH	19th April 2018 at 10:28

The Public Procurement Committee submitted the record on evaluation and assessment of bids no. 02-16-3-26-20/18 from 24th April 2018 to the director of the Agency, and the recommendation on the choice of the most favourable bidder no. 02-16-3-26-21/18 from 24th April 2018 and the report no. 02-16-3-26-22/18 from 24th April 2018, and for the procedure of public procurement - Open Public Procurement Procedure - for the services of laboratory analysis of urine and blood doping test in WADA accredited laboratory.

In the procedure report it was confirmed that the Committee opened, checked and assessed the bids, creating the records, where the following was established:

- That in the tender procedure one bid (1) was received,
- That one bid was received before the deadline,
- That there were no untimely received bids,
- That the bid by Seibersdorf Labor GmbH was qualified and acceptable and that all the requested evidence required by the tender documentation were submitted properly.

In the procedure of rendering the Decision, the facts that the Committee completely and correctly assessed the qualification of the bidder and the evaluation and assessment of bids, according to the tender documentation criteria.

In the procedure of the assessment of the procedure, the director of the Agency did not find any reason, not irregularities nor failures that might eventually be the basis for the denial of the recommendation of the Committee.

It was assessed in the procedure that the Committee performed its task correctly and that the choice of the most favourable bidder was implemented pursuant to the Law, subordinate regulations and tender documentation.

After the check of the submitted documents, it was undisputable that the bid by Seibersdorf Labor GmbH, was the best, according to the criteria of the lowest price offered, in the amount of BAM 459.541,82 VAT excluded, i.e. EUR 234.960,00 VAT excluded.

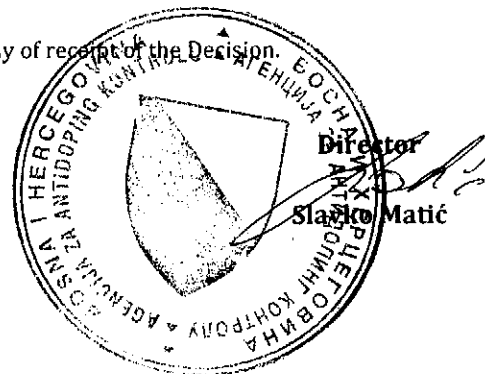
The data on the best bidder:

BEST BIDDER DATA		
1	Title	Seibersdorf Labor GmbH
2	Address and head office	2444 Seibersdorf, Austrija
3	ID number:	(FN) 319187v
4	Total price, PDV excluded	BAM 459.541,82 / 234.960,00 EUR
5	Payment due	20 days
6	Offer in force due	60 days from the day of expiry of the day bids submission, i.e. 23 rd June 2018

Due to the above mentioned reasons, and with the application of the Article 64, paragraph (1), item b), of the Law on Public Procurement ("Official Gazette of Bosnia and Herzegovina no. 39/14) the decision has been deemed as final.

LEGAL REMEDIES:

This decision can be appealed within 10 (ten) days from the day of receipt of the Decision.



Sent to:

- 1 x bidders in the public procurement
- 1 x Public procurement Committee
- 1 x archive