



**NATIONAL BANK OF SERBIA
GOVERNOR**

Public Procurement No: 202/2018

Procurement Plan Financial Item: 640040 and 641302

Pursuant to Article 108 of the Law on Public Procurements (RS Official Gazette Nos. 124/12, 14/2015 and 68/2015, hereinafter: LPP), Article 45 of the Rulebook on Procurements in the National Bank of Serbia (G No. 1545 dated 13 March 2014, G No. 5808 dated 4 August 2014, G No. 7575 dated 12 October 2015, G No. 9906 dated 30 December 2016 and G No. 8246 dated 29 September 2017) and Article 18 of the Law on the National Bank of Serbia (RS Official Gazette Nos 72/2003, 55/2004, 85/2005 – oth. law, 44/2010, 76/2012, 106/2012, 14/2015, 20/2015 – the decision of the CC and 44/2018), I hereby make the following

**DECISION
ON CONTRACT AWARD PP 202/2018**

1. In the procedure of the public procurement of goods: Spare parts and servicing for the UTSCH equipment maintenance, PP 202/2018, conducted as negotiated procedure without public Invitation to Bid, pursuant to Article 36, paragraph 1, item 2) of the LPP, the contract is awarded to the bidder Erich UTSCH AG, Marienhüte 49, 57080 Siegen, Germany.
2. Public procurement contract value: RSD 2,000,000.00 excluding VAT (the estimated value of the public procurement, pursuant to Article 2, paragraph 5 of the Model Contract).

EXPLANATORY MEMORANDUM

The public procurement of goods: Spare parts and servicing for the UTSCH equipment maintenance, PP 202/2018 was initiated by the Decisions on Initiating the Public Procurement (G No. 7902 dated 25 September 2018, G No. 10420 dated 7 December 2018, G No. 9300 dated 1 November 2018, G No. 9500 dated 7 November 2018, G No. 10072 dated 27 November 2018 and G No. 314 dated 14 January 2019 – hereinafter: the Decision) and conducted as negotiated procedure without public Invitation to Bid, pursuant to Article 36, paragraph 1, item 2) of the LPP with the bidder Erich UTSCH AG, Marienhüte 49, 57080 Siegen, Germany.

The reason for the implementation of the negotiated procedure in this particular case is the fact that the company Erich UTSCH AG, Marienhüte 49, 57080 Siegen, Germany is the only producer of the stated equipment and the only authorised spare parts distributor and service renderer for Erich UTSCH AG products in the territory of the Republic of Serbia, as there is no authorised representative in the Republic of Serbia.

The total estimated value of the public procurement stipulated by the Decision is RSD 2,000,000.00 for 24 months.

On 22 October 2018, the Committee established by the Decision G No. 7903 of 25 September 2018 (hereinafter: the Committee) posted the Notice on initiating the negotiated procedure without public Invitation to Bid and the Tender Documents, and on 10 December 2018 the amended Notice on initiating

the negotiated procedure without public Invitation to Bid and the amended Tender Documents on the Public Procurement Portal and the website of the National Bank of Serbia. That same day the Invitation to Bid and the Tender Documents, i.e. the amended Tender Documents were sent by e-mail to the potential bidder.

The bid submission deadline was set for 1 November 2018 by 12:00, but it was – after the posted Notice and the Tender Documents – extended for several times, so that by the last Decision on the extension of the bid submission term G No. 314 of 14 January 2019 the newly set bid submission term was 21 January 2019 by 12:00.

In due time, i.e. by 21 January 2019 by 12:00 the bid submitted by the bidder Erich UTSCH AG, Marienhüte 49, 57080 Siegen, Germany (ID No: HRB 5541, tax ID No: 342/5824/0572 VST), was received in the National Bank of Serbia and registered as No. 24 on 18 January 2019 at 12:19 (hereinafter: the original bid).

Thereupon, on 23 January 2019, the bidder was addressed an Invitation to Negotiate (document No. XVII-123/1/19 dated 23 January 2019), asking it to participate in negotiations, or – if unable to do so – to send a written standpoint by 28 January 2019. Should the bidder fail to send the standpoint, it will be considered that it stayed at the terms given in the original bid. The negotiation subject was stated to be – the Model Contract and all its elements, given in the original bid for PP 202/2018.

On 25 January 2019 the bidder Erich UTSCH AG, Marienhüte 49, 57080 Siegen, Germany sent a letter stating therein that except for the prices of transport costs and insurance costs, it would remain at the already offered prices, terms and Contract elements quoted in the submitted original bid. Enclosed to this letter the bidder sent the supplement to the bid (document registered as No. XVII/1-53/11/19 of 25 January 2019).

Article 3, paragraph 1, item 33) of the LPP stipulates that “acceptable bid shall mean bid which is timely, one that contracting authority did not reject due to essential deficiencies, which is adequate, one that does not restrict or condition either the rights of contracting authority or the obligations of bidder, and which does not exceed the amount of estimated value of concrete public procurement”.

During the analysis and evaluation of the bid of the stated bidder, the Committee determined that the bid met all the requirements stipulated by the LPP and the Tender Documents, which is why it was appraised as acceptable.

Article 107, paragraph 3 of the LPP stipulates that after having performed expert evaluation of bids, contracting authority makes decision on awarding the contract, if it has received at least one acceptable bid.

Based on the analysis and evaluation of the bid, conducted in conformity with the LPP and the Tender Documents, the Committee suggested in its Report on Professional Evaluation of Bids (document No. XVII/1-53/12/19 of 28 January 2019) that the contract on sale and purchase of spare parts and service rendering for the UTSCH equipment maintenance, PP 202/2018, be awarded to the bidder Erich UTSCH AG, Marienhüte 49, 57080 Siegen, Germany.

In view of the above said, the decision was made as stated in the main part of this Decision.

Legal remedy:

Against this decision the bidder may submit the request for the protection of rights to the contracting authority within 10 days from posting this Decision on the Public Procurements Portal.

GOVERNOR

Jorgovanka Tabaković, PhD

Sent to:

- Institute for Manufacturing Banknotes and Coins Topčider;
- Committee.