

Ljubljana, 20 September 2010

### Decision on awarding of the public contract number 19-2010 for purchase of the Pilot Scale Bioreactor

The Public contract number 19-2010 for purchase of the **Pilot Scale Bioreactor** published in Official Gazette of the Republic of Slovenia on 21.7.2010 (no. JN6520/2010) was awarded to bidder the company Sartorius Stedim System GmbH, Schwarzenberger Weg 73-79, D-34212 Melsungen for pilot scale bioreactor BIOSTAT® Dplus 150L. The price of instrument is 205.000,00 EUR without value added tax.

Five bidders have submitted a tender for the contract by open procedure for the purchase of a Pilot Scale Bioreactor and their offers came before deadline: 31 August 2010 and 10:00 hours. Bidders were: company ECHO d.o.o., Stari trg 37, 3210 Slovenske Konjice, company Sartorius Stedim System GmbH, Schwarzenberger Weg 73-79, D-34212 Melsungen, company Microline Biotech SRL, Via M. Anzi 8, 22100 Como, company Bia d.o.o., Teslova 30, 1000 Ljubljana and company SPES d.o.o., Stegne 21, 1000 Ljubljana. The estimated value of the contract by open procedure was 205.000,00 EUR without value added tax. The variant offers were not permitted.

ECHO d.o.o. company offered pilot scale bioreactor of manufacturer Bioengineering AG and price was 298.970,00 EUR without VAT. Sartorius Stedim System GmbH company offered pilot scale bioreactor BIOSTAT® Dplus 150L and price was 205.000,00 EUR without VAT. Microline Biotech SRL company offered pilot scale bioreactor Diaferm-150 of manufacturer Diachrom SA and the price was 161.250,00 EUR without VAT. Company BIA d.o.o offered pilot scale bioreactor Techfors 150L of manufacturer INFORS and the price was 204.261,00 EUR without VAT. Company SPES d.o.o. offered pilot scale bioreactor Diaferm-150 of manufacturer Diachrom SA and the price was 199.000,00 EUR without VAT.

The selection board found out that the offer of the company Sartorius Stedim System GmbH, the bidder of the pilot scale bioreaktor BIOSTAT® Dplus 150L fulfilled all requested demands written in »Invitation to submit a tender«, third point.

The selection board has estimated that the pilot bioreactor Diaferm-150 manufacturer Diachrom SA, which was offered by companies Microline Biotech SRL and SPES d.o.o does not meet the technical requirements. From a technical dossier showed that the proposed bioreactor does not contain an automated system for mixing of gases (air, O<sub>2</sub>, N<sub>2</sub> and CO<sub>2</sub>), regulated through pO<sub>2</sub> and pH, and thus does not meet all the technical requirements listed in the "Invitation to submit a tender" in paragraph 3e . Bioreactor Diaferm-150 also has other dimensions of the connectors on the lid of the bioreactor as requested in paragraph 3c of the "Invitation to submit a tender ", where is indicated that the bioreactor lid must be equipped with at least seven 19-mm connectors. In the company offer of Microline Biotech SRL and SPES d.o.o. for the pilot bioreactor Diaferm-150 three 16 mm connectors and seven 27 mm connectors were offered. In the invitation to submit a tender, it was also stated that the variants are not allowed. Offered pilot bioreactor Diaferm-150 does not meet all required technical specifications. Variant offers were not permitted.

The selection board found out for the pilot bioreactor Techfors 150L manufactured by INFORS and offered by company BIA d.o.o., that requested 3-channel set for inoculation written in paragraph 3c was replaced by three 1-channel sets for inoculation, which reduces the functionality of bioreactor, since it requires the use of large number of connections for harvesting. In the invitation to submit a tender, it was stated that the variant offers were not permitted, so for these reasons the offer was not appropriate.

The selection board also assessed that was the bid submitted by ECHO Ltd. too expensive, since 205,000 EUR without value added tax was determined for this tender.

Considering all above mentioned facts, the selection board in tender for the contract by open procedure for the purchase of a Pilot Scale Bioreactor selected BIOSTAT® Dplus 150L offered by Sartorius Stedim System GmbH offered by company Sartorius Stedim System GmbH, Schwarzenberger Weg 73-79, D-34212 Melsungen. The price was 205.000,00 EUR without value added tax. This pilot scale bioreactor fulfil all technical requirements written in "Invitation to submit a tender", third point as well as all requirements of "Complete tender", second point.

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

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poslovna direktorica

