

<b>Bidder</b>	LORENZ Archiv-Systeme GmbH Eschborner Landstr. 75 60489 Frankfurt Germany
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<b>Number</b>	JN0320
<b>Date</b>	15.10.2020

## INVITATION TO TENDER IN A NEGOTIATED PROCEDURE WITHOUT PUBLICATION OF A CONTRACT NOTICE

Dear Sir or Madam,  
we herewith invite you to submit a bid in the following public procurement procedure:

<b>Contracting Authority</b>	Javna agencija Republike Slovenije za zdravila in medicinske pripomočke (JAZMP) Agency for Medicinal Product and Medical Devices of the Republic of Slovenia Slovenčeva ulica 22 1000 Ljubljana Slovenia
<b>Public procurement number</b>	JN0320
<b>Public procurement title</b>	Vzdrževanje licenčne programske opreme docuBridge (Maintenance of the program docuBridge)
<b>Type of procedure / Legal basis (ZJN-3)</b>	Negotiated procedure without publication of a contract notice in accordance with article 46, paragraph 1, point c) of the Slovenian Public procurement Act, ZJN-3, (Official Gazette of the RS No. 91/2015 and 14/18) with framework agreement in accordance with article 48, paragraph 6 ZJN-3

## 1. SUBJECT-MATTER OF THE PUBLIC PROCUREMENT AND THE DOCUMENTATION

<b>Type</b>	Services
<b>Splitting of contract</b>	The public contract is a whole unit.
<b>Description of the subject-matter</b>	The subject-matter of the public procurement is: - Maintenance and Technical support of docuBridge software for 4 years
<b>Tender documentation</b>	The following documents are appended to this Invitation: 1. Invitation to tender; 2. ESPD; 3. Statement/Information on the participation of natural and legal persons in the tenderer's assets; 4. Statement of acceptance on information security policy; 5. Framework agreement.

## 2. THE BID AND THE SUBMISSION OF BID

<b>Deadline for the submission of the bid/Mail room</b>	<b>26.10.2020 till 12.00 CET</b>  <a href="http://www.eponudbe.si">www.eponudbe.si</a> where the relevant public tender is published
<b>The bid</b>	The bid shall include the following documents: 1. completed form ESPD (for each economic operator participating in the performance of public contract); 2. completed Software service agreement (SAS Software_maintenance); 3. completed form Statement/Information on the participation of natural and legal persons in the tenderer's assets; 4. completed form Statement of acceptance on information security policy; 5. signed pro-forma Invoice, specifying the price, which shall be in accordance with the subject-matter of this procurement; 6. documents listed under Point 3.A of these Invitation (except for the forms already mentioned above, which need not be enclosed again);
<b>Form of the bid</b>	The bid shall be submitted in electronic form using the forms provided by the contracting authority in the documentation or completed manually and scanned in PDF and submitted through the portal <a href="http://www.eponudbe.si">www.eponudbe.si</a> where the relevant public tender is published.  All costs associated with the preparation and submission of the bid shall be borne by the Bidder.



### 3. CHECKING THE CAPACITY

An economic operator confirms the fulfilment of conditions by submitting a completed form ESPD (the economic operator saves the ESPD form from the tender documentation on their computer and then fills it in online via the link [https://ec.europa.eu/growth/single-market/public-procurement/digital/espd\\_en](https://ec.europa.eu/growth/single-market/public-procurement/digital/espd_en) (Bulgarian or Portuguese services). At this link, the economic operator can select the option "I am an economic operator" and the option "Import ESPD". The economic operator submits the ESPD form in .pdf form.

#### EXCLUSION GROUNDS

##### A: Reasons related to criminal convictions

1. The economic operator or the person who is a member of the management, governance or supervisory body of the economic operator and who is authorised to represent it or making decisions in it or supervise has not been issued a final judgement with the elements of the criminal offences as defined in the first paragraph of Article 75 of ZJN-3.

(the condition must be met by each economic operator participating in the performance of public contract)

**Economic operator with registered office in the Republic of Slovenia** confirms the fulfilment of condition by submitting:

- the completed **ESPD** form;
- **the request for data from the criminal record of natural persons** (*the request is submitted for any person, who is a member of the management or supervisory body of the said economic operator, or is authorised to represent it, decide on its behalf or supervise it*);
- **the request for data from the criminal record of legal persons** (*the request is submitted for the economic operator*).

**Economic operator without registered office in the Republic of Slovenia** confirms the fulfilment of condition by submitting:

- the completed **ESPD** form;
- **an extract from the relevant register**, such as judicial records or, failing that, of an equivalent document issued by a competent judicial or administrative authority in another Member State or country of origin or the country where the economic operator is established.

Economic operators can visit the website

<http://ec.europa.eu/markt/ecertis/searchDocument.do> to find the country and the body keeping the record of no conviction, namely:

- Evidence of absence of conviction for legal persons and
- Evidence of absence of conviction for natural persons.

If the country in which the economic operator is established does not issue such documents or certificates, or where these do not cover all the cases specified in the first paragraph of Article 75 of the ZJN-3, they may be replaced by a declaration on oath or, in Member States or countries where there is no provision for declarations on oath, by a solemn declaration made by the person concerned before a competent judicial or administrative authority, a notary or a competent professional or trade body, in the Member State or country of origin or in the Member State or country where the economic operator is established.

##### B: Reasons related to the payment of taxes or contributions for social security

1. The economic operator hereby warrants that:

- as at the day of submitting the tender or application, it has no overdue liabilities in relation to the payment of mandatory taxes and other monetary non-fiscal obligations pursuant to the law regulating the financial



administration in the value of EUR 50 or more in accordance with the regulations of the country of its registered office or the regulations of the country of the contracting authority;

- as at the day of submitting the tender, it has obtained all accounts of tax deductions for the income arising from employment relationship for the period of the last five years until the day of submitting the tender or application;

(the condition must be met by each economic operator participating in the performance of public contract)

**C: Reasons related to insolvency, conflict of interest or violation of professional rules**

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**D: National exclusion grounds**

*1. National provision - Register of economic operators with negative references*

On the day when the deadline to submit the tenders or applications expires the economic operator is not included in the record of economic operators with negative references from Article 110 of ZJN-3.

(the condition must be met by each economic operator participating in the performance of public contract)

*2. National provision - offence related to payment for work*

In the last three years prior to the expiry of the deadline for submitting the bids, the economic operator has not been fined twice for an offence related to the payment for work with a final decision of the competent authority of the Republic of Slovenia or another Member State or a third country.

(the condition must be met by each economic operator participating in the performance of public contract)





#### 4. THE PROCEDURE AND NEGOTIATIONS

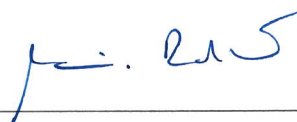
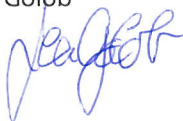
<b>The course of the procedure and negotiations</b>	Following the receipt of the initial bid, the contracting authority will open and check, whether the submitted bid fulfils all the requirements stated in this Invitation. If the submitted bid does not fulfil the requirements in their entirety or if the offered price exceeds the budget, the Contracting Authority has the right to carry out additional negotiations, where the subject-matter of negotiations may be the price, the conditions, the technical requirements of the equipment or the provisions of the contract. The negotiations will be written (via the information system <a href="http://www.eponudbe.si">www.eponudbe.si</a> ) or oral. The negotiations will be carried out with the goal to adjust the bid to the requirements, the Contracting Authority has stated in this Invitation. Following the negotiations and the receipt of the final bid, the Contracting Authority shall conclude the contract, in accordance with the "Draft Contract".
<b>Award Criteria</b>	Admissible bid (a bid within the Contracting Authority's budget)

#### 5. CONTACT PERSON

<b>Questions regarding the preparation of the bid</b>	Javna agencija Republike Slovenije za zdravila in medicinske pripomočke (JAZMP) Agency for Medicinal Product and Medical Devices of the Republic of Slovenia Slovenčeva ulica 22 1000 Ljubljana Slovenia  mail: <a href="mailto:lea.golob@jazmp.si">lea.golob@jazmp.si</a> and mail: <a href="mailto:aljaz.bolta@jazmp.si">aljaz.bolta@jazmp.si</a>
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Kind regards,

Tender documentation prepared by:  
Lea Golob



**Contracting Authority's representative**

Momir Radulović, director

