

CO CIPKeBiP
Centre of excellence for integrated approaches
in chemistry and biology of proteins
Jamova cesta 39, 1000 Ljubljana
VAT number: 90147501
Tel. 01 477 3857, Fax. 01 477 3984
www.cipkebiP.org

Code of contract by open procedure: 12-2010
Date: 8.6.2010

Invitation to submit a tender

for the contract by open procedure for the purchase of a Nano-HPLC instrument

Based on the Public Procurement Act, ZJN-2B (Official gazette of the Republic of Slovenia, no. 19/2010 dated 12/03/2010), in accordance with the 25th Article of ZJN-2B and a Decision to initiate the contract by open procedure of 15/04/2010, we invite you to submit a tender for the contract by open procedure for the purchase of a Nano-HPLC instrument.

Estimated value of the contract by open procedure is 70.000,00 EUR without value added tax.

The tender documentation is available on the internet: <http://www.cipkebiP.org>.

1. Object of the contract

Object of the contract by open procedure is a purchase of a nano-HPLC instrument.

2. Complete tender

A complete tender should include:

- a) A completed and signed quotation form (Form A)
- b) A completed and signed pro-forma invoice form (Form B)
- c) Completed and signed declaration of eligibility (Form C)
- d) Statement of compliance with technical requirements (Form D)
- e) Statement of servicing response time (Form E)
- f) Submitted evidences of compatibility of HPLC with mass spectrometer Orbitrap on the basis of international references and scientific publications from international scientific publications (Attachment No. 1)
- g) Completed and signed draft sales agreement (Attachment No. 2)

Tender documents should be put together in the above order and tied together on the way that individual sheets or attachments cannot be added, taken away or replicated at a later stage. The submitted forms should be signed and stamped.

Other conditions:

- a) Pro-forma invoice should be valid for the duration of the contractual relationship.
- b) All prices should be expressed in Euros. The final price should include all its constituent elements. Any discounts and the VAT should be shown separately.
- c) The pro-forma invoice should valid at least 90 days.
- d) The time of performance delivery shouldn't be more than 90 days from the date of signing the contract.

3. Technical requirements

A nano-HPLC instrument will act as an LC component of the Orbitrap Velos mass spectrometer, which will be used for the analysis of proteins and peptides.

The technical requirements of the contracting authority must comply with the object of the contract by open procedure:

- a) Must allow binary HPLC gradient elution with flow rates in the range of 20-2000 nL/min and pressures in the range 0-300 bar. Nano flow rate must be formed by the pump directly, without the use of flow splitter pre- or post-gradient mixing.
- b) Reproducibility of retention time at flow rate 500 nL/min must be better than 0.4%.
- c) Nano-HPLC must be equipped with auto-sampler with enclosed temperature controlled sample storage.
- d) Nano-HPLC and its software must be fully compatible with mass spectrometer Orbitrap Velos and Xcalibur software from Thermo Scientific.
- e) Compatibility of HPLC with mass spectrometer Orbitrap must be confirmed with international references and scientific publications from international scientific publications.
- f) Small, compact, integrated HPLC systems will be preferred.
- g) The minimum warranty period is one year with the warranty period shall begin from the date of successful, high-quality nano-HPLC acquisition.
- h) A trap and analytical column configuration must be possible without valves between the columns.

4. Award criteria and conclusion of contract

The contracting authority will choose the most appropriate tender next to fulfilment of conditions of listed in 2nd (Complete tender) and 3rd point (Technical requirements) and based on offered price. The offered price includes VAT and it is expressed in Euros.

If a tender has not been presented in the way stipulated by the tender specifications, the contracting authority has the right to exclude it from the subsequent procedure.

The contracting authority does not allow the submission of variants.

The criterion for selecting the most appropriate bidders is fulfilment of all technical demands listed in point 3.

After adopting the report on awarding the public contract, the contracting authority shall send, in line with the provisions of Article 79 of the Public Procurement Act to all bidders, its decision on awarding the public contract.

The refused bidder can submit, to the contracting authority, a request for an additional explanation regarding the decision on awarding a public contract. This request has to clearly state which issues should be additionally explained by the contracting authority, and it should be submitted within three working days of the receipt of the notification regarding the contracting authority's decision. If the bidder's request is not submitted duly, if it is incomplete and if it does not comply with the conditions

for the submission of the additional explanation, the contracting authority shall dismiss the request. The contracting authority has to send the requested additional explanation regarding its decision, or a notification of the dismissal of the request, to the concerned bidder within three working days. The day of receipt of the additional explanation regarding the awarding of the public contract, or the day of the receipt of the decision on awarding the public contract if the request is dismissed are also the beginnings of the period in which a request for an audit can be submitted in line with the provisions of the Auditing of Public Procurement Procedures Act.

When sending out the notification on its decision, the contracting authority shall also invite the selected bidder to sign the contract in line with the specifications of the bid. If the selected bidder does not respond to this invitation (within 10 days of the receipt of the notification regarding the awarding of the public contract), it shall be considered that the bidder withdrew from the bidding procedure. In this case the contracting authority shall redeem the Tender Bond irrespective of the bidder's reasons for withdrawal.

The contract will be concluded with selected bidder.

The deadline for payment is 60 days from receipt of correct invoice.

5. Delivery requirements and time limit for submission of tender

The tender with all the required forms and attachments must be submitted in a sealed envelope in person (Ms Barbara Vrtačnik) or by mail to the following address:

CO CIPKeBiP
Centre of excellence for integrated approaches in chemistry and biology of proteins
Jamova cesta 39
SI-1000 Ljubljana

In the lower left corner of the envelope must be a visible sign **DO NOT OPEN – TENDER for contract by open procedure – Contract code: 12-2010**.

The reverse side must bear the full address of the sender, its telephone number and email address.

The tender is considered timely if it will be received by the contracting authority no later than June 22, 2010 until 10.00 am or sent by post as registered mail with acknowledgement of receipt and received by the contracting authority by the above date.

Late and incorrectly marked tenders shall be excluded from the further procedure and returned to the senders without having been opened.

Applications could be written in Slovenian or English language, the financial part of it must be shown in Euros.

6. Queries relating to the tender documentation

Queries relating to the tender documentation can only be placed through the Public-Procurement Portal of the Official Gazette of the Republic of Slovenia: <http://www.enarocanje.si>.

The bidders could send in writing to the above address the requests for additional queries until June 18, 2010 until 10.00 am. The contracting authority shall answer which will be published at Public-Procurement Portal of the Official Gazette of the Republic of Slovenia.

The contracting authority shall not answer queries over the telephone.

7. Supplementations and changes of contract by open procedure

The contracting authority self reserves the right to amend or to supplement tender documents. In case, that the contracting authority within a time period will modify or supplement the tender documentation, all changes will be published on his web page (<http://www.cipkebiP.org>) and on Public-Procurement Portal.

After the deadline for receipt of tenders the contracting authority will not alter or supplement contract documentation.

8. The public opening of tenders

The public opening of tenders will be at 10.30 on June 22, 2010 at the following address:

CO CIPKeBiP
Center of Excellence for integrated approaches in chemistry and biology of proteins
Jamova cesta 39, Classroom B220
Ljubljana 1000

The representatives of the bidders wishing to be present at the opening, should present a letter authorising them to attend the event to the selection board prior to the opening of the tenders.

9. Contract award notice

Bidders could expect Notice of award within 10 days after the deadline of submission of tenders.

10. Additional information

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.

Yours sincerely,

Livija Tušar, Ph.D.
Director

Annex:

1. A quotation form (Form A)
2. A pro-forma invoice form (Form B)
3. A declaration of eligibility (Form C)
4. Statement of compliance with technical requirements (Form D)
5. Statement of servicing response time (Form E)
6. Evidences of compatibility of HPLC with mass spectrometer Orbitrap on the basis of international references and scientific publications from international scientific publications (Attachment No. 1)
7. A draft sales agreement (Attachment No. 2)

Form A

Contracting Authority:
CO CIPKeBiP
Centre of excellence for integrated approaches in chemistry and biology of proteins
Jamova cesta 39, 1000 Ljubljana
Tel. 01 477 3857, Fax. 01 477 3984

Code: **12-2010**

QUOTATION No.: _____

Subject of the contract by open procedure is purchase of Nano-HPLC instrument.

Information about the bidder:

Name:	
Address:	
Legal representative:	
Tax Identification Number:	
Registration Number:	
Bank account numbers:	
Opened at a bank:	
Contact Person:	
GSM:	
Phone Number:	
Fax Number:	
E-mail address:	

The offered price

DISCOUNT (__ %) (EUR):	
Exc VAT rate (EUR)	
20 % of VAT rate (EUR)	
TOTAL for payment (EUR)	

-The structure of offered price:

Hereby, we declare that the price structure reflects all costs for execution of the contract.

-Quote validity

The offer is valid for the entire contract. Offer is valid at least 90 days.

-Other

The contract by open procedure will be performed as indicated in offer (application) and it will not be transferred to another subject.

Responsible for signing the contract:

Stamp and signature of the bidder

Place and date:

Contracting Authority:
CO CIPKeBiP
Centre of excellence for integrated approaches in chemistry and biology of proteins
Jamova cesta 39, 1000 Ljubljana
Tel. 01 477 3857, Fax. 01 477 3984

Bidder:

Subject of the contract by open procedure is purchase of Nano-HPLC instrument.

[illegible]

Delivery time: 90 days.
Payment Terms: 60 days.
Proforma invoice validity: 90 days.
Waranty:

Stamp and signature of the bidder:

Form C

Contracting Authority
CO CIPKeBiP
Centre of excellence for integrated approaches in chemistry and biology of proteins
Jamova cesta 39, 1000 Ljubljana
Tel. 01 477 3857, Fax. 01 477 3984
Številka razpisa: 12-2010

Bidder (company): _____
Address _____

DECLARATION of eligibility

Under the criminal and material responsibility declare that we are eligible to participate:

No	Terms	Meet the criteria (Yes/No)
1	We declare that we have a valid registration to do business	
2	We declare that we have a valid permit from the competent authority for the business, which is the subject of the contract, if the permission of such activities is requested and provided on the basis of special law.	
3	We declare, that we and each of our legal representatives, if legal persons is in question, have been not convicted of crimes specified in the first and second paragraph of 42nd Article of the Public procurement law.	
4	We declare that we are not in the list of business entities which, under the Prevention of Corruption Act, could not business with entities from 1, 2 and 3 paragraph of 28 articles on the Prevention of Corruption Act - PCA (Official Gazette RS, no. 8 / 04).	
5	We declare that we are not in compulsory settlement, bankruptcy or liquidation, and against us has not been introduced the procedure of the compulsory settlement, bankruptcy or liquidation.	
6	We declare that we have paid all outstanding obligations to the subcontractors in the previous public procurement procedures (Article 44 PPL-2).	
7	We declare that we are in accordance with the requirements of the contracting authority capable of performing the contract object technically, personally, timely and financially.	
8	We declare that in submitted tender has been presented a real and non-misleading data and evidences. We also declare that we are not in the list of bidders with negative references prepared by the Ministry of Finance.	
9	We declare that we didn't get any additional penalty regarding the participation in public procurements on the basis of Article 15.a of the liability of legal persons for criminal acts (Official Gazette RS, no. 98/04 - ZOPOKD - UPB1 and 65/08).	

The above figures are true and we agree that the contracting authority check official records.
We declare that we will, on contracting authority's request to provide some data for which an official record is not prepared, submit the adequate original documents.
By signing this form we also declare that we are familiar with all tender documentation and we accepted all conditions of this public contract.
We also declare that we will not have any claim to contracting authority if we will not be selected as the most favourable bidder.

Place _____, date _____

Stamp and signature of bidder:

Form D

Contracting Authority
CO CIPKeBiP
Centre of excellence for integrated approaches in chemistry and biology of proteins
Jamova cesta 39, 1000 Ljubljana
Tel. 01 477 3857, Fax. 01 477 3984
Code: 12-2010

Bidder (Company): _____
Address: _____

Declaration of compliance with technical requirements

Technical requirements for »Nano-HPLC«:

No	Technical requirements	Data value, an indication of regulation, or description. explanation of the requirements	In which the present document and place at which the information is given	Note
I.	II.	III.	IV.	V.
a	Must allow binary HPLC gradient elution with flow rates in the range of 20-2000 nL/ min and pressures in the range 0-300 bar. Nano flow rate must be formed by the pump directly, without the use of flow splitter pre- or post-gradient mixing.			
b	Reproducibility of retention time at flow rate 500 nL/min must be better than 0.4%.			
c	Nano-HPLC must be equipped with auto-sampler with enclosed temperature controlled sample storage.			
d	Nano-HPLC and its software must be fully compatible with mass spectrometer Orbitrap Velos and Xcalibur software from Thermo Scientific.			
e	Compatibility of HPLC with mass spectrometer Orbitrap must be confirmed with international references and scientific publications from international scientific publications.			
f	Small, compact, integrated HPLC systems will be preferred			
g	The minimum warranty period is one year with the warranty period shall begin from the date of successful, high-quality nano-HPLC acquisition.			
h	A trap and analytical column configuration must be possible without valves between the columns.			

Instructions for filling the table:

The name, model/type and manufacturer of the offered product should be written under the serial numbers of I. to III.

The actual information or a de facto state or the required regulations, standards, etc.. or briefly explain the particular/individual requirement for each point of technical requirements should be written in column III. For requests which could be expressed numerically, the numerical value, or unit, quantity, and etc. must be entered. For other information is required to accurately describe the feature or enter a "Yes" if the requirement is met. In the case that the bidder shall enter "No" means that the bidder not fulfil the contracting authority demand.

In column IV the position of additional data about the offered product have to be specified i.e. a technical book in an annex, chapter, page of the attached documentation. To facilitate the review is also necessary to visible mark (underline, circle, tick pid) mentioned additional data in enclosed documentation about the offered product.

In a column V the bidder may enter additional comments / information in connection with the information requested in columns III and IV.

Place _____, date _____

Stamp and signature of bidder:

Form E

Contracting Authority
CO CIPKeBiP
Centre of excellence for integrated approaches in chemistry and biology of proteins
Jamova cesta 39, 1000 Ljubljana
Tel. 01 477 3857, Fax. 01 477 3984
Code: 12-2010

Bidder (Company): _____
Address: _____

SERVICING RESPONSE TIME

We hereby state that our servicing response time is not more than five working days after the receipt of the client's notification.

This statement is an integral part of, and an annex to, the bidder's application relating to the public tender for the supply of the Nano-HPLC instrument, contract code: 12-2010.

Place _____, date _____

Stamp and signature of the bidder:

Attachment no. 1

Contracting Authority
CO CIPKeBiP
Centre of excellence for integrated approaches in chemistry and biology of proteins
Jamova cesta 39, 1000 Ljubljana
Tel. 01 477 3857, Fax. 01 477 3984
Code: 12-2010

Seller (Company): _____
Address _____

Evidence of compatibility of HPLC with mass spectrometer Orbitrap on the basis of international references and scientific publications from international scientific publications

List at least three collaborations within the past two years (2008 and 2009) for different subscribers with references and publications in international scientific literature.

No.	Reference customer	Equipment	Time of realization

No.	References and publications in international scientific literature	Adequate Equipment used for described achievements	Time of publication

Place _____, date _____

Stamp and signature of
bidder:

Attachment no. 2

SAMPLE SALE AGREEMENT

Code: 12-2010

Centre of excellence for integrated approaches in chemistry and biology of proteins
Jamova cesta 39, 1000 Ljubljana, represented by director dr. Livija Tušar, tax identification number:
90147501, as a client

and

_____, represented by _____
_____, as a supplier

Hereby agree and conclude the following

Sales agreement

No. _____

Article 1

The parties acknowledge that

- a) The client implemented the contract by open procedure on the basis of the 25th Article of the Public Procurement Act for the purchase of a nano-HPLC instrument (hereinafter: the object of the agreement),
- b) The supplier was selected as the best provider for the delivery of the object of the agreement,
- c) Operation, the development of centre of excellence program, entitled Centre of Excellence for integrated approaches in chemistry and biology of proteins (operations no. OP13.1.1.2.02.0005), partly funded by the European Union, namely by the European Regional Development Fund. The operation is carried out under the Operational programme for Strengthening Regional Development Potentials 2007-2013, development priority: Competitiveness of enterprises and research excellence, policy priorities: Improving the competitive abilities of enterprises and research excellence. The operation is partly financed by the European Union through the European Regional Development Fund, up to 85%. Slovenian co-financing share is 15%.

Article 2

A supplier sells, client buys object of the agreement on the basis of quotation no. _____ from day _____ and pro-forma invoice no. _____ from day _____.

The supplier declares that the object of agreement is fulfilling all technical requirements of the client determined in the tender documentation with contract code: 12-2010, dated June 11, 2010.

Article 3

The parties agreed that the contractual price for the object of the agreement is _____ EUR. Both agreed that the final contractual price includes the purchase price; value added tax and other potential costs that could incur until reception of the

object of the agreement. The supplier shall provide free-of-charge transportation of the equipment and its functional installation.

Article 4

The delivery period for the equipment that is the object of the agreement is _____ days after the signing date of the sale agreement.

The client shall sign the handover note after establishing that the correctly delivered equipment has been properly installed and that the supplier presented to the client the warranty certificates.

Article 5

The supplier account the invoice after delivery of the object of the agreement and the client pays it within 60 days.

Article 6

The responsibility for keeping the equipment undamaged is transferred from the supplier to the client once the equipment is delivered to the client.

The supplier provides the client with a warrantee to cover the quality of the equipment and its smooth operation at least to an extent equal to the extent of the warrantee given by the producer of the equipment to the supplier, i.e.,years following the date of the receipt of the equipment.

During the warrantee period the supplier shall provide for an on-site repair service that shall be carried out in a response time of five working days after the receipt of a notification.

If the equipment has not been repaired within the above period, the supplier shall provide, for the time during which the equipment is being repaired, an equivalent substitute piece of equipment or a part of the equipment. In this case the warranty period shall be extended by a time equal to the duration of the repair work.

All transport costs and other costs relating to the repair work made during the warranty period are charged to the supplier.

Article 7

The parties agreed that they will fulfill all requirements to execute the agreement.

Each Contracting Party may propose amendments to this sale agreement. Amendments shall be valid only if made in writing as an annex to this sale agreement.

Article 8

In the case that the contracting parties cannot settle a dispute by common consent, they shall abide by the decision of the competent court in Ljubljana.

Article 9

The sale agreement is drawn up in two identical copies so that each contracting party receives one copy. This agreement comes into force on the day when it is signed by both contracting parties.

Date:

Date:

Supplier:

Client:
Centre of excellence for integrated
approaches in chemistry and biology of
proteins

Director:

Dr. Livija Tušar