**INSTRUCTIONS FOR TENDERERS**

1. **DATA ON THE CONTRACTING AUTHORITY AND PROCEDURE**

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| **Contracting Authority** | **Center odličnosti Vesolje, znanost in tehnologije**  **Aškerčeva cesta 12**  **1000 Ljubljana** |
| **Public contract reference number** | 2/SPACE-SI/INS |
| **Subject matter of the public contract** | **Satellite launch insurance / Zavarovanje izstrelitve satelita** |
| **Procedure** | Postopek oddaje naročila male vrednosti |
| **Basis (Article) of the Public Procurement Act**  (Official Gazette of the RS, no. 91/2015 and 14/18); hereinafter: the ZJN-3) | Article 47 |

1. **PUBLIC CONTRACT SUBJECT**

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| **Type** | Storitve / Services |
| **Estimated value in €, VAT excluded** | / |
| **Splitting of contract** | The public contract is a whole unit. |

1. **PROCUREMENT DOCUMENTS IN RELATION TO PUBLIC CONTRACT**

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| **Documentation in relation to public contract comprises the following forms** | | |
| 1. ePRO – Instructions for the tenderers; 2. ePRO – Statement; 3. ePRO – Proforma Invoice; 4. ePRO – Specifications; 5. any amendments, supplements, corrections and additional explanations shall be a constituent part of the documentation in relation to the public contract. | | |
| **Obtaining documentation in relation to the public contract** | | |
| Documentation in relation to the public contract is available at the following web address: | | Price and payment method |
| [www.eponudbe.si](http://www.eponudbe.si/) | | Documentation is available free of charge. |
| **Additional explanations** | | |
| Contact data for additional explanations | Tenderers may submit any questions via the e-procurement portal [www.enarocanje.si](http://www.enarocanje.si/) where the relevant public tender is published.  The contracting authority does not undertake to respond to any questions not submitted in the above manner. | |
| Deadline for submitting questions | **23/01/2020 to 12:00**  The contracting authority shall answer the questions by no later than 24/01/2020 until 16:00 via the e-procurement portal [www.enarocanje.si](http://www.enarocanje.si/) where the relevant public tender is published. | |

1. **THE TENDER**

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| **The tender must comprise all forms listed below, appropriately completed, as well as other required documents** |
| 1. completed form **ePRO – Statement** (for each economic operator participating in the performance of public contract); 2. **Tender-Contract (the tenderer shall submit his sample of the contract and warding);** 3. completed form **ePRO – proforma invoice;** 4. **in the case of joint venture: a contract** (partner agreement) defining the managing partner who will accept obligations, instructions and possibly payments from the contracting authority on behalf and for the account of all participants, and the share and type of services performed by each partner. The contract must clearly specify that all partners are jointly and severally responsible for settling the entire obligation towards the contracting authority in full.   Any notice related to the public contract concerned shall be deemed correctly addressed to the tenderer if sent within the information system [www.eponudbe.si](http://www.eponudbe.si/) to the contact persons specified by the tenderer upon submitting the tender or subsequently. |

1. **VALIDITY OF THE TENDER, LANGUAGE, FORM, VARIANTS AND OPTIONS**

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| Validity of the tender | Three months from the deadline for receiving tenders, which the tenderers confirm by submitting the tender. | | | |
| Language of the tender | The tender must be compiled in the Slovene or English language. | | | |
| Form of tender | The tender must 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 [www.eponudbe.si](http://www.eponudbe.si/) where the relevant public tender is published. | | | |
| Tender costs | The tenderer shall bear all costs related to the preparation and submission of the tender. | | | |
| Variant tenders | not allowed | allowed | Special conditions |
| ✓ |  |  |
| Options | not allowed | allowed | Special conditions |
| ✓ |  |  |
| Joint venture | Several contractual partners can submit a joint tender for obtaining the public contract.  Item 7 (Checking the capacity) of these Instructions stipulates that in the event of joint venture, each condition has to be met by each partner or that all partners together can meet a certain condition.  A tenderer participating in more than one tender, regardless of whether they act independently or as a partner in a joint tender, disqualifies all tenders in which they participate. Such tenders will be excluded. | | | |

1. **SUBMITTING TENDERS AND PUBLIC OPENING**

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| **Submitting tenders** | |
| Deadline for receiving tenders | **28/01/2020 until 16:00** |
| Mail room | **www.eponudbe.si where the relevant public tender is published** |
| Amendment and withdrawal of tenders | Tenderers can amend or withdraw tenders until the deadline for receiving tenders. A tender can be withdrawn at the portal ePonudbe.si under the profile of the tenderer who submitted the tender in the system where the relevant public tender is published, with optional statement of the reason for withdrawal, while a tender can be amended within the same statement by first withdrawing the previously submitted tender and then submitting a new one before the submission deadline. |
| **Public opening of tenders** | |
| Time | Location |
| Immediately after the expiry of the deadline for submitting the tenders | www.eponudbe.si where the relevant public tender is published |

1. **CHECKING THE CAPACITY**

**An economic operator confirms the fulfilment of conditions by submitting a completed form ePRO - Statement.**

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| **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) |
| **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** |
| *1.Reliability*  The economic operator doesn’t have any outstanding or unsettled claim in the last 5 years*.* |
| **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 tenders, 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) |
| **CONDITIONS FOR PARTICIPATION** |
| **A: Eligibility** |
| *1. Entry in the companies register*  The economic operator is registered to perform the activity which is the subject of this public contract.  (the economic operator must meet the condition for its part of the deal) |
| **B: Economic and financial standing** |
| *1. Capacity*  The economic operator has enough financial capacity to perform the activity, which is the subject of this public contract. |
| **C: Technical and professional ability** |
| *1. Experience*  The economic operator has already insured at least 3 activities similar as subject matter of this public contract.  (in the event of joint venture, the condition can be met by the partners jointly and by other economic operators/sub-contractors) |

1. **EVALUATION OF TENDERS**

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| **The contracting authority shall select the most economically advantageous tender in accordance with the criteria specified below** | |
| Award criteria | The lowest price of the insurance for launching and positioning into orbit. |
| Rule in the event of equal tenders | Tender received first. |

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|  | **Representative/authorised person of the contracting authority** |
|  | Tomaž Rodič |