

Contracting Authority: Saponia d.d.
Address: Matije Gupca 2, 31 000 Osijek
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EVALUATION REPORT

Procurement of a technological line for filling and packaging of cosmetic products within the project „Increasing energy efficiency and renewable energy sources in the production plant and energy renovation of buildings in Saponia d.d. Osijek”, KK.04.1.1.03.0185

Procurement number 4/2021



Operativni program
**KONKURENTNOST
I KOHEZIJA**



Europska unija
Zajedno do fondova EU



**EUROPSKI STRUKTURNI
I INVESTICIJSKI FONDOWI**

1. **INFORMATION ABOUT CONTRACTING AUTHORITY:** Saponia d.d., Matije Gupca 2, 31 000 Osijek, PIN: 37879152548
2. **SUBJECT OF THE PROCUREMENT:** Procurement of a technological line for filling and packaging of cosmetic products within the project „Increasing energy efficiency and renewable energy sources in the production plant and energy renovation of buildings in Saponia d.d. Osijek”, KK.04.1.1.03.0185
3. **TYPE OF PROCUREMENT PROCEDURE:** Call for Proposals in accordance with the point 4. of the Rules on the implementation of procurement procedures for non-obligors of the Public Procurement Law, version 7.0, December 2020
4. **PROCUREMENT NUMBER:** 4/2021
5. **ESTIMATED VALUE OF PROCUREMENT PROCEDURE:**

Group	Description	Estimated value HRK (EUR ¹) without VAT
Group 1	Filler and Capper with sorter	5.247.974,00 HRK (698.381,25 EUR)
Group 2	Labelling machine	465.733,00 HRK (61.978,05 EUR)
Group 3	Case packing machine with check weigher	3.014.933,00 HRK (401.216,29 EUR)

6. **DATE OF NOTICE OF THE CALL FOR PROPOSALS:** 17/12/2021
7. **DEADLINE FOR SUBMISSION OF PROPOSALS:** 7/1/2022 at 1 PM
8. **PLACE, DATE AND TIME OF START AND FINISH OF OPENING OF PROPOSALS:** Osijek, 7/1/2022 Opening started at 1PM and finished at 1:30 PM.
9. **NAME AND ADDRESS OF THE BIDDER ACCORDING TO THE ORDER OF RECEIPT OF PROPOSALS**

Ordinal number	NAME, ADDRESS AND PIN OF THE BIDDER AND NUMBER OF PROPOSAL	GROUP OF THE PROCUREMENT PROCEDURE	PRICE PROPOSAL (WITHOUT VAT)	PRICE PROPOSAL (WITH VAT)	TIME OF THE RECEIPT
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¹ 1 EUR = 7,514483 HRK according to middle exchange rate of Croatian National Bank on 17/12/2021 – applies to each conversion from EUR to HRK in this Evaluation Report

1.	PRIMAT LOGISTIKA d.o.o. Zastavnice 11, 10251 Hrvatski Leskovac PIN:64645054 565 Proposal number: 41007	Group 2: Labelling machine	373.020,65 HRK	466.275,81 HRK	4/1/2022 at 8:31 AM
2.	Breitner Abfullanlagen GmbH Friedrich-Gross-Strasse 5, 74523 Schwabisch Hall, Germany PIN: DE280114021 Proposal number: 00125-20-17	Group 1: Filler and Capper with sorter	4.920.755,49 HRK (654.836,20 EUR)	4.920.755,49 HRK (654.836,20 EUR)	4/1/2022 at 9:50 PM
3.	P.E. LABELLERS SPA a socio unico Via Industria 56, 46047 Porto Mantovano, Italy PIN: IT0131248020 3 Proposal number: PK_210028A2	Group 2: Labelling machine	435.840,01 HRK (58.000,00 EUR)	435.840,01 HRK (58.000,00 EUR)	5/1/2022 at 3:23 PM
4.	J+P Maschinenbau GmbH Am Berg 2, 01731 Kreischa, Germany PIN:	Group 3: Case packing machine with check weigher	3.081.403,93 HRK (410.062,00 EUR)	3.081.403,93 HRK (410.062,00 EUR)	5/1/2022 at 3:43 PM

	DE140461420 Proposal number: J+P quotation 852.3.220104				
5.	GB Gnudi Bruno s.p.a. Via Ernesto Masi 9, 40137, Bologna (BO); Italy PIN: IT0032622037 3 Proposal number: N/P	Group 3: Case packing machine with check weigher	3.007.671,82 HRK (400.250,00 EUR)	3.007.671,82 HRK (400.250,00 EUR)	7/1/2022 at 11:45 AM

OTHER ECONOMIC OPERATORS IN PROPOSAL:

Not applicable.

10. PLACE, DATE AND TIME OF START AND FINISH OF OPENING OF PROPOSALS:

Osijek, 7/1/2022 at 1:30 PM

11. FULFILLMENT OF REQUIRMENTS FROM THE CALL FOR PROPOSALS

GROUP 1: FILLER AND CAPPER WITH SORTER

PART OF PROPOSAL	Breitner Abfullanlagen GmbH
Proposal prepared and submitted in accordance to point 5.1., 5.2. i 5.3. of Call for proposals	YES
Proposal validity period at least 60 days from the day set for the submission of the Proposal	YES
Signed and filled Proposal Sheet (Annex 1)	YES
Filled Bill of Quantities (Annex 2)	YES
Evidence of non-Exclusion Criteria (Annex 3)	YES
Evidence of Professional Capacity	YES
Statement of turnover (Annex 4)	YES
List of deliveries (Annex 5)	YES
Technical specifications (Annex 7)	YES
Prepared Layout Draft of the offered equipment with basic dimensions (Annex 8)	YES
Other	- Offer with detailed technical specifications of the equipment

GROUP 2: LABELLING MACHINE

PART OF PROPOSAL	PRIMAT LOGISTIKA d.o.o.	P.E. LABELLERS SPA a socio unico
Proposal prepared and submitted in accordance to point 5.1., 5.2. i 5.3. of Call for proposals	YES	YES
Proposal validity period at least 60 days from the day set for the submission of the Proposal	YES	YES
Signed and filled Proposal Sheet (Annex 1)	YES	YES
Filled Bill of Quantities (Annex 2)	YES	YES
Evidence of non-Exclusion Criteria (Annex 3)	YES	YES
Evidence of Professional Capacity	YES	YES
Statement of turnover (Annex 4)	YES	YES
List of deliveries (Annex 5)	YES	YES
Technical specifications (Annex 7)	NO	YES
Prepared Layout Draft of the offered equipment with basic dimensions (Annex 8)	NO	YES
Other	- Official certification reseller letter	- Offer with detailed technical specifications of the equipment

GROUP 3: CASE PACKING MACHINE WITH CHECK WEIGHER

PART OF PROPOSAL	J+P Maschinenbau GmbH	GB Gnudi Bruno s.p.a.
Proposal prepared and submitted in accordance to point 5.1., 5.2. i 5.3. of Call for proposals	YES	NO
Proposal validity period at least 60 days from the day set for the submission of the Proposal	YES	YES
Signed and filled Proposal Sheet (Annex 1)	YES	NO
Filled Bill of Quantities (Annex 2)	YES	NO
Evidence of non-Exclusion Criteria (Annex 3)	YES	NO
Evidence of Professional Capacity	YES	NO
Statement of turnover (Annex 4)	YES	YES
List of deliveries (Annex 5)	YES	NO

Technical specifications (Annex 7)	YES	NO
Prepared Layout Draft of the offered equipment with basic dimensions (Annex 8)	YES	YES
Other	- Offer with detailed technical specifications of the equipment	- Offer with technical specifications of the equipment

THE BIDDER WHO HAS NOT SUBMITTED A COMPLETE PROPOSAL WITH EXPLANATION

GROUP 2: LABELLING MACHINE

Primat Logistika d.o.o. after the request for clarification did not submit the Layout draft of the offered equipment with basic dimensions (Annex 8), as well as fully fulfilled Technical specifications (Annex 7), considering that the Bidder in accordance to point 27 of Annex 7 did not submit the layout of the equipment with dimensions (l/w/h) and mass.

GROUP 3: CASE PACKING MACHINE WITH CHECK WEIGHER

GB Gnudi Bruno s.p.a. did not submit signed and filled Proposal Sheet (Annex 1), filled Bill of Quantities (Annex 2), Evidence of non-Exclusion Criteria (Annex 3), Evidence of Professional Capacity, List of deliveries (Annex 5) and filled Technical Specifications (Annex 7).

12. ANALYTICAL REVIEW OF FULLFILMENT OF THE PROVISIONS OF THE GROUNDS FOR EXCLUSION, REQUIRED SELECTION CRITERIA, TECHNICAL SPECIFICATIONS AND SUBMITTED DOCUMENTS

GROUP 1: FILLER AND CAPPER WITH SORTER	
REQUIRED CRITERIA	Breitner Abfullanlagen GmbH
GROUNDS FOR EXCLUSION	
Point 3. Grounds for exclusion of economic operator	YES Signed and filled Statement of non-exclusion (Annex 3)
Fulfillment of the Criteria: YES/NO	YES
SELECTION CRITERIA	
Point 4. Selection criteria for economic operators, Point 4.1.: Professional capacity	YES Submitted Court Register
Point 4. Selection criteria for economic operators, Point 4.2.: Economic and financial capacity (Annex 4 – Statement of turnover)	YES Filled and signed Statement of turnover (Annex 4) Total turnover in 2018: 17,1 million EUR (128.497.659,30 million HRK) Total turnover in 2019: 16,24 million EUR (122.035.203,92 HRK) Total turnover in 2020: 17,34 million EUR (130.301.135,22 HRK)
Point 4. Selection criteria for economic operators, Point 4.3.: Technical capacity, Required capacity in supply of goods (Annex	YES Filled and signed List of deliveries (Annex 5) Duly executed two deliveries (9/2020 and

5)	11/2021) same or similar to the subject of the procurement with total value of 1.827.249,00 EUR (13.730.831,55 HRK).
Fulfillment of the Criteria: YES/NO	YES
TECHNICAL SPECIFICATIONS	
Point 2.3. Technical specifications Filled Annex 7 (Technical specifications)	YES
Point 5.1. Draft of the offered equipment with basic dimensions (Annex 8)	YES
Fulfillment of the Criteria: YES/NO	YES

GROUP 2: LABELLING MACHINE	
REQUIRED CRITERIA	PRIMAT LOGISTIKA d.o.o
GROUND FOR EXCLUSION	
Point 3. Grounds for exclusion of economic operator	YES Signed and filled Statement of non-exclusion (Annex 3)
Fulfillment of the Criteria: YES/NO	YES
SELECTION CRITERIA	
Point 4. Selection criteria for economic operators, Point 4.1.: Professional capacity	YES Submitted Court Register
Point 4. Selection criteria for economic operators, Point 4.2.: Economic and financial capacity (Annex 4 – Statement of turnover)	YES Filled and signed Statement of turnover (Annex 4) Total turnover in 2018: 46.450.516 HRK Total turnover in 2019: 49.470.089 HRK Total turnover in 2020: 61.470.191 HRK
Point 4. Selection criteria for economic operators, Point 4.3.: Technical capacity, Required capacity in supply of goods (Annex 5)	YES Filled and signed List of deliveries (Annex 5) Duly executed two deliveries (10/2019 and 12/2020) same or similar to the subject of the procurement with total value of 547.315,39 HRK.
Fulfillment of the Criteria: YES/NO	YES
TECHNICAL SPECIFICATIONS	
Point 2.3. Technical specifications Filled Annex 7 (Technical specifications)	NO
Point 5.1. Draft of the offered equipment with basic dimensions (Annex 8)	NO
Fulfillment of the Criteria: YES/NO	NO

GROUP 2: LABELLING MACHINE	
REQUIRED CRITERIA	P.E. LABELLERS SPA a socio unico
GROUND FOR EXCLUSION	

Point 3. Grounds for exclusion of economic operator	YES Signed and filled Statement of non-exclusion (Annex 3)
Fulfillment of the Criteria: YES/NO	YES
SELECTION CRITERIA	
Point 4. Selection criteria for economic operators, Point 4.1.: Professional capacity	YES Submitted Court Register
Point 4. Selection criteria for economic operators, Point 4.2.: Economic and financial capacity (Annex 4 – Statement of turnover)	YES Filled and signed Statement of turnover (Annex 4) Total turnover in 2018: 68.703.916 EUR (516.274.408,82 HRK) Total turnover in 2019: 69.247.797 EUR (520.361.393,34 HRK) Total turnover in 2020: 68.907.059 EUR (517.800.923,44 HRK)
Point 4. Selection criteria for economic operators, Point 4.3.: Technical capacity, Required capacity in supply of goods (Annex 5)	YES Filled and signed List of deliveries (Annex 5) Duly executed two deliveries (11/2021 and 6/2020) same or similar to the subject of the procurement with total value of 225.500,00 EUR (1.694.515,92 HRK).
Fulfillment of the Criteria: YES/NO	YES
TECHNICAL SPECIFICATIONS	
Point 2.3. Technical specifications Filled Annex 7 (Technical specifications)	YES
Point 5.1. Draft of the offered equipment with basic dimensions (Annex 8)	YES
Fulfillment of the Criteria: YES/NO	YES

GROUP 3: CASE PACKING MACHINE WITH CHECK WEIGHER	
REQUIRED CRITERIA	J+P Maschinenbau GmbH
GROUND FOR EXCLUSION	
Point 3. Grounds for exclusion of economic operator	YES Signed and filled Statement of non-exclusion (Annex 3)
Fulfillment of the Criteria: YES/NO	YES
SELECTION CRITERIA	
Point 4. Selection criteria for economic operators, Point 4.1.: Professional capacity	YES Submitted Court Register
Point 4. Selection criteria for economic operators, Point 4.2.: Economic and financial capacity (Annex 4 – Statement of turnover)	YES Filled and signed Statement of turnover (Annex 4) Total turnover in 2019: 10.730.965 EUR (80.637.654,07 HRK) Total turnover in 2020: 12.086.723 EUR

	(90.825.474,51 HRK) Total turnover in 2021: 8.298.344 EUR (62.357.764,92 HRK)
Point 4. Selection criteria for economic operators, Point 4.3.: Technical capacity, Required capacity in supply of goods (Annex 5)	YES Filled and signed List of deliveries (Annex 5) Duly executed two deliveries (3/2021 and 1/2020) same or similar to the subject of the procurement with total value of 765.000,00 EUR (5.748.579,50 HRK). The Bidder has listed 5 deliveries which all meet the required criteria. For the purpose of this Evaluation Report, the Contracting Authority has taken into account and approved first two deliveries listed in Annex 5.
Fulfillment of the Criteria: YES/NO	YES
TECHNICAL SPECIFICATIONS	
Point 2.3. Technical specifications Filled Annex 7 (Technical specifications)	YES
Point 5.1. Draft of the offered equipment with basic dimensions (Annex 8)	YES
Fulfillment of the Criteria: YES/NO	YES

GROUP 3: CASE PACKING MACHINE WITH CHECK WEIGHER	
REQUIRED CRITERIA	GB Gnudi Bruno s.p.a.
GROUND FOR EXCLUSION	
Point 3. Grounds for exclusion of economic operator	NO The Bidder did not submit Statement of non-exclusion (Annex 3)
Fulfillment of the Criteria: YES/NO	NO
SELECTION CRITERIA	
Point 4. Selection criteria for economic operators, Point 4.1.: Professional capacity	NO The Bidder did not submit evidence of Professional capacity
Point 4. Selection criteria for economic operators, Point 4.2.: Economic and financial capacity (Annex 4 – Statement of turnover)	YES Filled and signed Statement of turnover (Annex 4) Total turnover in 2018: 20 million USD (133.011.480 HRK²) Total turnover in 2019: 20 million USD (133.011.480 HRK) Total turnover in 2020: 16 million USD (106.409.184 HRK)
Point 4. Selection criteria for economic operators, Point 4.3.: Technical capacity, Required capacity in supply of goods (Annex 5)	NO The Bidder did not submit List of deliveries (Annex 5)

² 1 USD = 6,650574 – middle exchange rate at HNB-a on 17/12/2021

Fulfillment of the Criteria: YES/NO	NO
TECHNICAL SPECIFICATIONS	
Point 2.3. Technical specifications Filled Annex 7 (Technical specifications)	NO
Point 5.1. Draft of the offered equipment with basic dimensions (Annex 8)	YES
Fulfillment of the Criteria: YES/NO	NO

13. NAME OF THE BIDDER WHO DID NOT MEET THE EXCLUSION CRITERIA, THE SELECTION CRITERIA WITH EXPLANATION AND WHOSE PROPOSAL DID NOT MEET REQUIRED TECHNICAL SPECIFICATIONS

GROUP 2: LABELLING MACHINE

Primat Logistika d.o.o. has not demonstrated that the offered equipment meets the prescribed technical specifications (Annex 7). In Annex 7 the Bidder has not proved that the offered equipment meets the prescribed technical specifications in Annex 7 for Group 2 in the following parts:

- point 17 of Annex 7 for Group 2 prescribes the machine dimensions 4000x2400mm +/- 100mm (lxw) - The Bidder has clarified that the dimensions of the plastic conveyor belt are 170mmX4000mm and dimensions of monoblock stand 1200mmx1200mm, which does not meet the prescribed dimensions
- Item 17 of Annex 7 for Group 2 prescribes that the machine shall have safety panels, frames and the Bidder was asked to clarify the way safety at work is ensured since the submitted Annex 8 is not clear, i.e. safety panels, frames are not drawn – the Bidder did not clarify the way safety at work is ensured, except that the electrical installations are in the cabinet and protected with a key lock. The Bidder did not prove that the equipment contains safety panels, frames, neither by clarification nor by submitting a draft layout of the equipment
- As part of the clarification of item 27 of Annex 7, the Bidder explicitly stated that the generic draft of the machine was submitted and that detailed drawings are made by order of the equipment, by which Bidder undoubtedly did not meet the provisions of item 27 of Annex 7 Technical specifications and the provisions of point 5.1. of the Call for Proposals which prescribes that bidders must submit draft layout of the equipment (Annex 8)
- Item 16 of Annex 7 for Group 2 stipulates that the control unit should have saving 200 recipes - The Bidder did not clarify neither proved whether there is a possibility of storing recipes and if there is, how much saving recipes is offered, thus not proving that offered equipment meets the required specification
- Item 23 of Annex 7 for Group 2 prescribes remote diagnosis and maintenance access - The Bidder in the clarification has stated that remote diagnosis and maintenance access is not included in the price of the Proposal because a separate maintenance contract is required, and that LAN HUB is as well extra charged.

GROUP 3: CASE PACKING MACHINE WITH CHECK WEIGHER

GB Gnudi Bruno s.p.a. did not submit Statement of non-exclusion (Annex 3), evidence of Professional capacity, List of deliveries (Annex 5) and filled Technical specifications (Annex 7).

The Bidder did not meet grounds for exclusion criteria, Professional capacity and technical capacity as well whether the offered equipment meets prescribed technical specifications.

14. INFORMATION ON CLARIFICATION OR COMPLETION OF INFORMATION OR DOCUMENTATION - IF ANY

The Contracting Authority has in accordance to the point 6 of the Call for Proposal send request for clarification of proposal from following bidders:

GROUP 1: FILLER AND CAPPER WITH SORTER

Breitner Abfullanlagen GmbH

On January 25 2022 Contracting Authority has send request for clarification of following parts of Proposal number 00125-20-17:

Annex 7 Technical specification is not signed in accordance to the Point 2.3. of the Call for Proposal, so the Bidder has been requested to submit signed Annex 7 Technical specification in accordance with point 2.3. of the Call for Proposal.

The Bidder has been given a deadline no later than 5 days to submit clarifications.

The Bidder has on January 25 2022 submitted clarification with signed Annex 7 Technical specifications.

GROUP 2: LABELLING MACHINE

PRIMAT LOGISTIKA d.o.o.

On January 25, 2022 the Bidder was requested to clarify the following parts of the Proposal no. 41007:

While evaluating the Proposal, the evaluation committee noticed that currency in Annex 4 Turnover Statement was not stated.

Annex 5 List of deliveries does not provide a description of the delivered goods, neither the currency of the value of the delivered goods.

In submitted Annex 7 it is stated that the offered equipment is "E packaging Saturno 2T". Considering that from the submitted Annex 8 is clear that the offered equipment is not a product of the Bidder but of the economic entity E-PACKAGING SRL, clarification about the business relationship between the Bidder and the Manufacturer was requested, since in accordance to Annex 6 Contract for Group 2 the obligation of the supplier is to provide Factory Acceptance Test Protocol (FAT and SAT), and as it is stipulated in point 2.1. of the Call for Proposal before delivery the Bidder is obliged to test the equipment in its factory in the presence of the Client's representative and perform a Factory Acceptance Test protocol (FAT). Also, the Bidder must organize packaging, insurance and transport of equipment to the site Saponia d.d. and installation and commissioning of equipment (Site Acceptance test protocol - SAT) as well as the stay of the service technician of the supplier in duration of 5 days in accordance with technical specifications.

By evaluating submitted technical specifications (Annex 7), and given that from the draft layout of the equipment (Annex 8) it is not possible to unambiguously determine that the offered technical specifications correspond to the required (prescribed), clarification of technical specifications was requested, as seen in the attachment to this Evaluation Report.

Finally, the delivery of the exact draft layout was requested so that the Contracting Authority could unambiguously determine that the offered technical specifications correspond to the required (prescribed) because the submitted Annex 8 does not correspond to the offered technical specifications.

The Bidder has been given a deadline no later of 5 days to submit clarifications.

On 28 January 2022 the Bidder submitted the clarification and completion to the Proposal, within

it submitted a completed Statement of Turnover Annex 4 stating the currency in which the turnover is stated and the completed List of deliveries Annex 5 stating the description of delivered goods and currency of value of delivered goods.

The Bidder submitted an official reseller certification memo from the equipment manufacturer that the Bidder is an authorized seller of all products of the manufacturer and that it provides support in the supply of spare parts and service. The Bidder further clarified that the FAT will be held at the Manufacturer factory while the SAT takes place at the Client's location and it is signed by the representative of the supplier Primat Logistika and the authorized person of the buyer (Contracting Authority), and that the Proposal price includes presence of the technician of the manufacturer in duration of 3 days and presence of the technician of the Bidder in duration of 5 days.

The Bidder submitted clarification related to Annex 7 Technical specification which is attached to this Evaluation Report. As it is clear from the submitted clarification, the Bidder did not prove that the offered equipment meets the requirements from items 17, 16, 23 and 27 of Annex 7 for Group 2, as explained in detail in item 16 of this Evaluation Report.

15. INFORMATION ON CALCULATING ERRORS

Not applicable.

16. NAME OF THE BIDDER WHICH PROPOSAL IS REJECTED ON THE BASIS OF THE RESULTS OF EVALUATION OF PROPOSALS AND EXPLANATION OF THE GROUNDS FOR REJECTION

GROUP 2: LABELLING MACHINE

Proposal from **PRIMAT LOGISTIKA d.o.o.** is rejected due to the fact that in accordance with point 6 of the Call for Proposal and point 7 of the Rules on the implementation of procurement procedures for non-obligors of the Public Procurement Law the Bidder did not eliminate the error, deficiency or obscurity by clarification or completion.

As shown in item 14 of the Evaluation Report, the Bidder was requested to prove that the offered technical specifications meet the requirements of Annex 7 Technical specifications and to submit a draft layout of equipment with dimensions and weight.

In Proposal number 41007 and in clarification the Bidder did not prove that offered equipment meets the prescribed technical specifications in Annex 7 for Group 2 in following parts:

- point 17 of Annex 7 for Group 2 prescribes the machine dimensions 4000x2400mm +/- 100mm (lxw) - The Bidder has clarified that the dimensions of the plastic conveyor belt are 170mmX4000mm and dimensions of monoblock stand 1200mmx1200mm, which does not meet the prescribed dimensions
- Item 17 of Annex 7 for Group 2 prescribes that the machine shall have safety panels, frames and the Bidder was asked to clarify the way safety at work is ensured since the submitted Annex 8 is not clear, i.e. safety panels, frames are not drawn – the Bidder did not clarify the way safety at work is ensured, except that the electrical installations are in the cabinet and protected with a key lock. The Bidder did not prove that the equipment contains safety panels, frames, neither by clarification nor by submitting a draft layout of the equipment
- As part of the clarification of item 27 of Annex 7, the Bidder explicitly stated that the generic draft of the machine was submitted and that detailed drawings are made by order of the equipment, by which the Bidder undoubtedly did not meet the provisions of item 27 of Annex 7 Technical specifications and the provisions of point 5.1. of the Call for proposals which prescribes that Bidders must submit draft layout of the equipment (Annex 8), and request for clarification of point 17 of Annex 7 by which it is also requested from the Bidder to submit draft layout of the equipment so the

Contracting Authority could undoubtedly determine whether machine dimensions and safety panels, frames meet the prescribed technical specifications. The Bidder did not prove it.

The Contracting Authority, despite the provisions of point 4.1. of the Rules on the implementation of procurement procedures for non-obligors of the Public Procurement Law stipulating that the deadline for submission of proposals may not be shorter than 8 calendar days, has prescribed a deadline for submission of proposals in duration of 21 days and has with request for clarification provided an additional deadline of 5 days for delivery of the draft equipment offered (not generic equipment), and the Bidder did not submit the draft and thus did not prove to the Contracting Authority that the offered equipment meets the prescribed technical specifications. Pursuant to the provisions of item 6 of the Call for Proposal and item 7 of the Rules on the Implementation of Procurement Procedures for Non-Obligors of the Public Procurement Law, the Bidder did not eliminate the error, deficiency and obscurities and the Contracting Authority is obliged to reject the bid.

- Item 16 of Annex 7 for Group 2 stipulates that the control unit should have saving 200 recipes - The Bidder in the clarification of Proposal did not clarify neither proved whether there is a possibility of storing recipes and if there is a possibility how much saving recipes there is, thus not proving that offered equipment meets the required specification
- Item 23 of Annex 7 for Group 2 prescribes remote diagnosis and maintenance access - The Bidder in the clarification has stated that remote diagnosis and maintenance access is not included in the price of the Proposal because a maintenance contract is required, and that LAN HUB is as well extra charged.

The Bidder was also separately asked in the clarification, and as stated above, to submit Annex 8, which shows the required technical specifications. The Bidder did not submit Annex 8, but clarified in the clarification of Annex 7 that the draft of generic machine was submitted and that detailed drawings are made after order of the equipment, by which as stated above the Bidder did not eliminate error, deficiency and obscurities and the Contracting Authority is obliged to reject the proposal in accordance with point 6. Call for Proposals and item 7. Rules on the implementation of procurement procedures for non-obligors of the Public Procurement Law.

The Contracting Authority notes that during the evaluation of proposals Contracting Authority acted in accordance with the principle of equal treatment and non-discrimination and did not request additional clarifications of Annex 7 from other bidders whose proposals were evaluated as valid because the other bidders submitted catalogues/bids as part of their proposals, which shows that the offered equipment meets the prescribed technical specifications. Guided by the principle of transparency, the Contracting Authority evaluated all supporting documentation of other proposals and it is in the attachment to this Evaluation Report clearly and transparently indicated how the bidders proved that the offered equipment meets required technical specifications, as well as it is indicated in this Evaluation Report why the proposal from PRIMAT LOGISTIKA d.o.o. does not meet the required technical specifications. All supporting documentation is attached to this Evaluation Report.

GROUP 3: CASE PACKING MACHINE WITH CHECK WEIGHER

In accordance to point 6. of the Call for Proposal the **J+P Maschinenbau GmbH proposal** is rejected because the proposal price is higher than the estimated value for the group 3 of the procurement procedure. The Contracting Authority notes that it has no secured funds to finance the price difference.

In accordance to point 6. of the Call for Proposal the **GB Gnudi Bruno s.p.a. proposal** is rejected due to following reasons:

- the Proposal is not complete, as can be seen in item Point 11 of the Evaluation Report
- the Proposal does not comply with the provisions of the Call for Proposals as can be seen in items 11 and 12 of the Evaluation Report
- the Proposal contains errors, deficiency or obscurities which are not remediable, as shown in items 11 and 12 of the Evaluation Report. Contracting Authority notes that the Bidder was not clarified in accordance to the point 6. of the Call for Proposal because such a treatment could be considered as discriminating in favour of the Bidder and as an unequal treatment of other bidders.

17. ANALYSIS OF VALID PROPOSALS ACCORDING TO THE PROPOSAL SELECTION CRITERIA

Proposal selection criteria is lowest price without VAT.

Ordinal number	Abbreviate of Criteria	Criteria	Max. number of points	Relative ponder
1.	C	Price without VAT	100	100%
	U	Total number of points	100	

The Client will among capable Bidders award the valid Proposal with the lowest price. Depending on the lowest bid price, other bids will receive a lower number of points according to the following formula: **$C = CP_{min} / CP_{ox} \times 100$**

Where is:

C = Proposal price without VAT
CP_{min} = Lowest Proposal price without VAT
CP_o = The evaluated Proposal price without VAT
100 = Maximum points amount

ANALYSIS BY CRITERIA

PRICE (C)

GROUP 1: FILLER AND CAPPER WITH SORTER		
Bidder	Proposal price VAT excluded	Number of points ($C = CP_{min} / CP_{ox} \times 100$)
Breitner Abfullanlagen GmbH	4.920.755,49 HRK (654.836,20 EUR)	$4.920.755,49 / 4.920.755,49 \times 100 = 100$

GROUP 2: LABELLING MACHINE		
Bidder	Proposal price VAT excluded	Number of points

		(C=CPmin/CPox100)
P.E. LABELLERS SPA a socio unico	435.840,01 HRK (58.000,00 EUR)	435.840,01 /435.840,01 x100 = 100

RANKING OF THE VALID PROPOSALS IN ACCORDANCE TO THE PROPOSAL SELECTION CRITERIA

GROUP 1: FILLER AND CAPPER WITH SORTER			
Rank	Bidder	Total number of points	Proposal price VAT excluded
1.	Breitner Abfullanlagen GmbH	100	4.920.755,49 HRK 654.836,20 EUR

GROUP 2: LABELLING MACHINE			
Rank	Bidder	Total number of points	Proposal price VAT excluded
1.	P.E. LABELLERS SPA a socio unico	100	435.840,01 HRK 58.000,00 EUR

18. NAME OF THE BIDDER WITH WHOM THE CONTRACTING AUTHORITY SHALL SIGN THE CONTRACT AND GROUNDS FOR THE SELECTION

GROUP 1: FILLER AND CAPPER WITH SORTER

The Contracting Authority shall sign the Contract with **Breitner Abfullanlagen GmbH** considering that its proposal fully meets the requirements from the Call for Proposal and under the Proposal selection criteria received total number of points (**100**) with price **4.920.755,49 HRK VAT excluded (654.836,20 EUR VAT excluded)**, i.e. 4.920.755,49 HRK VAT included (654.836,20 EUR VAT excluded).

GROUP 2: LABELLING MACHINE

The Contracting Authority shall sign the Contract with **P.E. LABELLERS SPA a socio unico** considering that its proposal fully meets the requirements from the Call for Proposal and under the Proposal selection criteria received total number of points (**100**) with price **435.840,01 HRK VAT excluded (58.000,00 EUR VAT excluded)**, i.e. 435.840,01 HRK VAT included (58.000,00 EUR VAT included).

19. GROUNDS FOR CANCELLATION OF PROCUREMENT PROCEDURE FOR GROUP 3

The Contracting Authority cancels the group 3 of the procurement procedure and makes the Cancellation Decision due to the fact that by the evaluation of proposals none of the submitted proposals was evaluated as acceptable, i.e. the J + P Maschinenbau GmbH proposal was rejected because the proposal price is higher than the estimated value for the group 3 of the procurement procedure, while the GB Gnudi Bruno spa proposal is rejected for the reasons set

out in item 16 of the Evaluation Report.

Within 15 days, the Contracting Authority will publish a new procurement procedure for the group 3: Case packing machine with check weigher.

20. PLACE, DATE AND TIME OF END OF PROPOSAL EVALUATION

Osijek, 7/2/2022 at 1:00 PM.

21. ATTACHMENTS

- Request for clarifications
- Clarifications
- Evaluation of Technical specifications

22. NAME AND SIGNATURE OF EVALUATION COMMITTEE

Ankica Šerić	
Zdravko Pavić	
Albert Higi	
Ivana Šarčević	