

## TENDER DOCUMENTS

***ANTI-DOPING AGENCY OF SERBIA,  
Trg Republike 3, Belgrade***

**PUBLIC PROCUREMENT – Laboratory doping control analysis**  
Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency

**OPEN PROCEDURE**

**PUBLIC PROCUREMENT No. 1.2.2**

***Total 28 pages***

***February 2014.***

According to art. 32. and 61. of Public Procurement Law ("Official Gazette of the Republic of Serbia", number 124/2012, further: Law), art. 2. Regulations on mandatory elements of tender documentation in public procurement procedures and proof of eligibility ("Official Gazette of the Republic of Serbia", number 29/2013), Decision on public procurement number 1.2.2. – our number 25-0218-1 and Decision on public procurement committee for public procurement 1.2.2. our number 25-0218-2, we prepared:

## **TENDER DOCUMENTS**

**In open procedure for public procurement - Laboratory doping control analysis  
Analysis of Blood and Urine of athletes in Laboratory accredited by the World  
Anti-Doping Agency  
PP No. 1.2.2/2014**

Tender documents contains:

<b>Section</b>	<b>Name of section</b>	<b>Page</b>
I	General information	3
II	Subject of public procurement	4
III	Technical specifications	5
IV	Eligibility requirements from art.75 and 76 and instructions on how to prove fulfillment of these requirements	6
V	Instruction to bidders how to prepare a bid	10
VI	Bid template and price structure template, with instruction how to complete it	18
VII	Model contract	23
VIII	Template for expenses incurred in preparation of bid	26
IX	Declaration of independent bid	27
X	Declaration of fulfilling obligation form art. 75 paragraph 2. of Law	28

## I GENERAL INFORMATION

### 1. Contracting Authority Data:

Contracting Authority: Anti-Doping Agency of Serbia  
Address: Trg Republike 3, 11000 Belgrade, Serbia  
Web address: [www.adas.org.rs](http://www.adas.org.rs)

### 2. Type of procedure

The public procurement is conducted in an open procedure, in accordance with the Law and regulations governing public procurement, as well as the Law on prevention of doping in sport (Official Bulletin of RS", number 101/2005).

### 3. Subject of Public Procurement

Subject of Public Procurement no. 1.2.2. are services – *Laboratory doping control analysis, Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency*

### 4 The aim of the procedure

The public procurement is carried out in order to conclude a public procurement contract.

### 5. Note on Reserved public procurements

This is not reserved public procurements.

### 6. Note on Electronic Auction

This is not electronic auction.

### 7. Contact

Contact person: Bojan Vajagic  
E - mail (or fax number): [bojan.vajagic@adas.org.rs](mailto:bojan.vajagic@adas.org.rs) or fax number +381 11 4064 136

## II SUBJECT OF PUBLIC PROCUREMENT

### **1. Subject of public procurement**

The subject of the public procurement no. 1.2.2. are services - Subject of the public procurement no. 1.2.2. are services Laboratory doping control analysis, Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency - Common Procurement Vocabulary: 71900000 – Laboratory services

### **2. Lots**

Public Procurement is not made by lots.

### **3. Type of Framework Agreement**

Contracting Authority is doing the public procurement in order to sign the contract.

### **III TECHNICAL SPECIFICATIONS**

The service includes the analysis of blood and urine for the presence of prohibited substances, as follows:

1. In Competition urine analysis (Full menu analysis)
2. Out of Competition analysis (Partial menu analysis)
3. Isotope ratio analysis of endogenous steroids in urine
4. IEF Analysis of recombinant erythropoietin in urine and/or blood
5. SDS- and SAR-Page analysis of recombinant erythropoietin in urine and/or blood
6. Blood parameter analysis in whole blood (ABP)
7. Analysis of testosterone esters in blood
8. Growth Hormone isoform analysis in serum
9. CERA immunoassay analysis in serum

Note:

Contract authority has the right to demand full documentation package regarding to the analysis of samples. The request may be submitted by the tested athletes or at the discretion of the Contract authority.

In addition, the Contract authority has the right to request an analysis of the B sample. The analysis of the B sample can be carried out at the request of the tested athletes or at the discretion of the Contact authority.

The service should be performed by a laboratory which is accredited by the World Anti-Doping Agency for the analysis of samples of blood and urine samples collected from athletes in doping control process, pursuant to Article 9 of the Law on prevention of doping in sport ("Official Gazette of the Republic of Serbia " No. 101/2005) .

List of reference laboratory accredited by the World Anti-Doping Agency is publicly available on the website of the World Anti-Doping Agency <http://www.wada-ama.org/en/Science-Medicine/Anti-Doping-Laboratories/Accredited-Lab-Locations/>

The bidder is obliged to comply with the technical standards of accessibility for people with disabilities .

## **IV ELIGIBILITY REQUIREMENTS FROM ART.75 AND 76 AND INSTRUCTIONS ON HOW TO PROVE FULFILLMENT OF THESE REQUIREMENTS**

### **1. CONDITIONS FOR PARTICIPATION IN THE PUBLIC PROCUREMENT FROM ART. 75 AND 76 OF LAW**

1.1. The Bidder has right to participate in the proceedings of the public procurement if it meets the **mandatory requirements** for participation in the procurement procedure defined in Article. 75 Law, as follows:

- 1) that it is registered with the competent authority or entered in the appropriate register (Article 75, Paragraph 1. Items 1) of the Law);
- 2) that it and its legal representative have not been convicted for any criminal act as members of an organized criminal group; that it has not been convicted for commercial criminal offence, criminal offence against environment, criminal offence of receiving or offering bribe, criminal offence of fraud (Art. 75, Paragraph 1, item 2) of the Law);
- 3) that it has not been prohibited from performing economic activity by any measure in force at the time of publishing tender notice and/or call for competition (Article 75, Paragraph 1, Items. 3) of the Law);
- 4) that it has paid due taxes and other public charges in accordance with laws of the Republic of Serbia or a foreign country if its registered address is in its territory (Article 75, Paragraph 1, Items. 4) of the Law);
- 5) that it has a valid permission of the competent authority to carry out the activity that is the subject of public procurement (Article 75, Paragraph 1, Items. 5) of the Law) - accredited by the World Anti-Doping Agency;
- 6) The bidder shall, in preparing the bid, explicitly state that it is respected the obligations under the applicable regulations on safety at work, employment and working conditions, environmental protection, and to guarantee that it is the holder of intellectual property rights (Article 75, Paragraph 2 of the Law).

1.2. A Bidder who participated in the proceedings of the public procurement must meet additional requirements for participation in the procurement process, as defined in Art. 76 of the Law, as follows:

- 1) The laboratory must not be situated more than 600 kilometers from Belgrade according to the website <http://www.viamichelin.com/>.

1.3. If a bidder submits an offer with a subcontractor, in accordance with Article 80 of the Law, the subcontractor must meet the mandatory requirements of

Article 75 Paragraph 1 items. 1) to 4) of the Law and the requirement of Article 75 Paragraph 1 item 5) of the Law, the part of the acquisition which bidder will perform through subcontractors.

1.4. If the bid is submitted by a group of bidders, each bidder from the group must meet the mandatory requirements of Article 75 Paragraph 1 items. 1) to 4) of the Law, and additional requirements meet together.

The requirement under Article 75 Paragraph 1 items. 5) of the Law, is liable to meet the bidder of the group entrusted with the execution of works for the procurement of the necessary fulfillment of the conditions.

## **2. INSTRUCTIONS ON HOW TO PROVE THAT CONDITIONS ARE FULFILLED**

Fulfillment of the mandatory conditions for participation in the public procurement, the bidder is proving by submitting the following evidence:

1) The requirement of Art. 75, items. 1) of the Law - Evidence: Excerpt from the Register of Business Registers Agency, or an extract from the register of the competent Commercial Court:

2) The conditions referred to in Art .75, Paragraf, 1 items 2 ) of the Law- Evidence: Corporate: 1 ) Certificate of criminal record , or a certificate of basic court in whose territory the headquarters of the domestic legal entity or head office or branch offices of foreign legal entities, which confirms that the legal person has not been convicted for offenses against economy crimes, against the environment, the crime of receiving or giving bribes, the crime of fraud. 2) extract from the criminal records of the Special Department for Organized Crime of the Higher Court in Belgrade, confirming that the legal person has not been convicted for any of the criminal offenses of organized crime, 3) certificate of criminal record, or conviction of the police department police, confirming that the legal representative of the bidder has not been convicted for offenses against the economy, crimes against the environment, the crime of receiving or giving bribes, the crime of fraud and any of the criminal offenses of organized crime (the application may be filed by place of birth or the place of residence of the legal representative). If a provider has more legal guardian is required to provide evidence for each of them. Entrepreneurs and individuals: Certificate of criminal record, or conviction of the police department police, confirming that it is not convicted of any of the offenses as a member of an organized criminal group have been sentenced for crimes against the economy, crimes against the environment, the offense of receiving or giving bribes, the crime of fraud (the application may be filed by place of birth or the place of residence ) .

**Evidence can not be older than two months before the opening of bids;**

3) The conditions referred to in Art . 75 Paragraph 1, items 3) Law - Evidence: Corporate: Confirmation of the offense and the court that he had not been prohibited from performing activities, or confirmation of the Business Registers Agency that with that authority is not registered as a business entity been prohibited from performing activities that in effect at the time of publication of the invitation to tender.

Entrepreneurs: Confirmation Magistrate's Court that he had not been prohibited from performing services, or confirmation of the Business Registers Agency that with that authority is not registered as a business entity been prohibited from performing activities that in effect at the time of publication of the invitation to tender Retail: Confirm Magistrate's Court that he had not been prohibited from performing certain tasks .

**Evidence must be issued after sending the invitation to tender;**

4) The requirement of Art. 75, Paragraph 1, Items. 4) of the Act - Evidence: Certificate of Tax Administration of the Ministry of Finance and Economy that has settled due taxes and contributions by the authority of local self-government or confirmation of the Privatization Agency that the bidder is in the process of privatization.

**Evidence can not be older than two months before the opening of bids;**

5) The requirement of Art. 75, Paragraph 1, items. 5) of the Law - Evidence: Certificate of Accreditation by the World Anti-Doping Agency or written instructions about publicly available web site which contains data about accredited laboratory of World Anti-Doping Agency. **The license must be valid.**

6) The condition referred to in Article Art. 75 Paragraph 2 - Proof: Signed and stamped certified statement form (Form statement is given in section X). The statement must be signed by an authorized representative of the bidder and stamped. If the bid is submitted by a group of bidders, the statement must be signed by an authorized person from each bidder of the group and stamped.

The fulfillment of **additional requirements** for participation in the public procurement, the bidder submitting the proof of the following evidence:

1) Bidder's Statement in which said distance of laboratory that receives samples from the seat of the Contract Authority, Belgrade, Serbia.

If the bid is submitted by a group of bidders bidder must for every member of the group to submit such evidence to meet the requirements of Article 75 Paragraph 1 items. 1) to 4), and the evidence referred to in Article 75 Paragraph 1 items. 5) of the Law, shall submit to the bidder of the group entrusted with the execution of works for the procurement of the necessary fulfillment of the conditions.

Additional conditions of a group of bidders meet together.

If a bidder submits an offer with a subcontractor, the bidder is required to submit evidence of the subcontractor to fulfill the requirements of Article 75 Paragraph 1 items. 1) to 4) of the Law, and the evidence referred to in Article 75 Paragraph 1 items. 5) of the Law, the part of the acquisition of the bidder to perform through subcontractors.

The above evidence of compliance with the requirements of the bidder may submit an uncertified copy, but a contract authority may, before making a decision on awarding the contract that requires the bidder, whose bid was based on reports of procurement rated as the most favorable to show the original or a certified copy of all or certain evidence.

If the bidder in the appropriate term, which shall not be less than five days, do not deliver the original or a certified copy of the evidence, the Contract Authority will reject his offer as unacceptable.

Bidders who are registered in the register maintained by the Business Registers Agency are not required to submit proof of art. 75 p. 1 items. 1) Extract from the Register of Business Registers Agency, which is publicly available on the website of the Business Registers Agency.

The Contract Authority shall not refuse the offer as unacceptable, unless it contains evidence of a certain tender documentation, if the bidder specified in the offer web page where the data are required under the conditions available to the public.

If proof of compliance with the requirements of electronic documents, the bidder shall submit a copy of the electronic document in writing, in accordance with the law governing electronic document unless submitted electronically bid when the evidence is submitted in the original electronic format.

**Where state of bidder's registration does not issue evidence required by Procurement Law, instead of evidence bidder shall submit its written statement, given subject to criminal and material liability and certified by the court, administrative body, public notary, or another competent body of that state.**

If the supplier is based in another country, the Contract Authority can verify that the documents, which the bidder is proving fulfillment of the required conditions, issued by the competent authorities of that State.

The bidder shall promptly notify the Contract authority in writing of any change in relation to be filled in terms of public procurement, which occurs until a decision or conclusion of the contract, or during the term of the contract on public procurement and document in the prescribed manner.

## V INSTRUCTIONS TO BIDDERS HOW TO PREPARE THE BID

### 1. INFORMATION ABOUT LANGUAGE IN WHICH THE BID MUST BE WRITTEN

The bidder shall submit a bid in the Serbian language.

Bidder may submit a bid also in English language. In English may be submitted - Bid template, Bidder's statements (declarations) required by the tender documents, as well as an indication on the envelope or box in which the bidder submits the bid, modifications, additions and revocations of offers, notes on additional information or clarification.

Evidence that the bidder confirms compliance with the requirements of article 75, paragraph 1, item 1-5 may be submitted in English.

### 2. HOW TO OFFER MUST BE DONE

Bidder offer submitted directly or sent by mail in a sealed envelope or box, sealed in a way that at the opening session be established with certainty that they first opened. On the back of an envelope or box indicate the name and address of the bidder. In case the bid is submitted by a group of bidders, the envelope is necessary to note that this is a group of bidders and list the names and addresses of all participants in a joint bid.

Offer to be submitted to the following address: Anti-Doping Agency of Serbia, Trg Republike 3, 11000 Belgrade, Serbia, specifying, „**Tender for the procurement of services - Laboratory doping control analysis, Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency, PP no 1.2.2/2014 - DO NOT OPEN**". The offer is considered timely if it is received by the Contact Authority to **21/03/2014. until 16 hours**.

The Contact authority, upon receipt of a specific bid on the envelope, or a box in which the offer is, mark the time of receipt and record the number and date of the offer in the order of arrival. If the offer is submitted directly to the Contact authority bidder present your receipt of the offer. The acknowledgment of receipt of the Contact authority shall specify the date and time of receipt of the offer.

The offer by the Contact authority is not received within the time specified for submission of bids, and that was received after the date and hour to which to submit bids will be considered tardy.

*The offer must contain:*

- *Bid template*
- *Documentation to prove that fulfill conditions (the bidder is not required to submit evidence that is publicly available on the website of the competent authorities. In this case, the bidder is required to indicate the website where the requested data is available.)*

### 3. LOTS

Public Procurement is not made by lots.

#### **4. BID VARIANTS**

Bid variants is not allowed.

#### **5. METHOD OF ADJUSTMENT, ADDITIONS AND REVOCATION OF OFFER**

During period for submitting a bid, the bidder may modify, amend or revoke its offer in the manner specified for the submission of bids.

The bidder shall clearly indicate which part of the offer document that changes or subsequently delivered.

Modify, amend or revoke the offer should be sent to: The Anti-Doping Agency of Serbia, Republic Square 3, 11000 Belgrade, Serbia, stating:

**"Amendment to the Public Procurement - Services - Laboratory doping control analysis, Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency, PP No. 1.2.2/2014 - DO NOT OPEN" or**

**"Adjustment to the Public Procurement - Services - Laboratory doping control analysis, Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency, PP No. 1.2.2/2014 - DO NOT OPEN" or**

**"Revocation of the Public Procurement - Services - Laboratory doping control analysis, Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency, PP No. 1.2.2/2014 - DO NOT OPEN" or**

**"Amendment and adjustment to the Public Procurement - Services - Laboratory doping control analysis, Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency, PP No. 1.2.2/2014 - DO NOT OPEN"**

On the back of an envelope or box indicate the name and address of the bidder. In case the bid is submitted by a group of bidders, the envelope is necessary to note that this is a group of bidders and list the names and addresses of all participants in a joint bid.

After the deadline for submission of bids the bidder may not withdraw or to modify its bid.

#### **6. PARTICIPATION IN A JOINT BID OR SUBCONTRACTORS**

A bidder may submit only one bid.

The bidder who submitted a bid independently cannot also participate in a joint offer or as a subcontractor, or the same person may not participate in more joint bids.

The Bid Form (Section VI), the provider stated how bidding, or whether it is bidding on its own or as a joint bid or offer is submitted to the subcontractor.

#### **7. BIDS WITH SUBCONTRACTORS**

If a bidder submits an offer with a subcontractor shall be in the Bid template (Section VI) indicate that the bid submitted by the subcontractor, the percentage of the total value of purchases that will be entrusted to a subcontractor, and which shall not be greater than 50%, as well as the procurement of the items that will make through subcontractors.

Bidder in the Bid template shall indicate the name and registered office of the subcontractor, unless the partial delivery performance entrust subcontractors.

If a public procurement contract to be concluded between the Contract Authority and the bidder who submits the bid with the subcontractor, the subcontractor shall be listed and the contract has been awarded.

The bidder is obliged to subcontractors to submit proof of compliance with the requirements set forth in section IV of the tender documents in accordance with the instructions on how to prove compliance with the requirements.

Bidder entirely to the Contract Authority for the execution of the obligations of a public procurement procedure, or the performance of contractual obligations, regardless of the number of subcontractors.

The bidder is obliged to Contract Authority, at his request, to enable access to subcontractors, to determine compliance with the required conditions.

## **8. JOINT BID**

A bid may be submitted by a group of bidders.

If the bid is submitted by a group of bidders, an integral part of a joint bid must be agreement that bidders from each group and to oblige the Contract Authority to be procured, which must contain information specified in Article 81 Paragraph 4, items. 1) to 6) of the Law and the following information:

- Member of the group who will be the holder of the job, or to submit an offer and who will represent the consortium in front of the Contract Authority,
- Bidder will on behalf of the group of bidder to sign the contract,
- Bidder who will on behalf of the consortium provide collateral,
- Bidder who will issue an invoice,
- The account to which the payment will be made,
- Obligations of each of the bidders in the group of bidders for the execution of the contract.

The group of bidders shall submit all the evidence of fulfillment of conditions as set out in section IV of the tender documents in accordance with the instructions on how to prove compliance with the requirements.

Bidders from a group shall have unlimited liability to the Contract Authority.

The Cooperative may submit a bid independently, on its own behalf and on behalf of its members or a joint bid on behalf of its members.

If the Cooperative is bidding on their own behalf for the obligations of the public procurement and public procurement contracts corresponding cooperative and its members, in accordance with the law.

If Cooperatives submit a joint bid on behalf of its members for the obligations of the public procurement and public procurement contract unlimited joint and several members.

## **9. PAYMENT TERMS, THE WARRANTY PERIOD, AND OTHER CIRCUMSTANCES, WHICH DETERMINE THE ACCEPTABILITY**

### 9.1. Requirements regarding the manner, date and terms of payment.

The deadline for payment is 45 days from the date of receipt of the invoice, based on documentation from bidder which confirms finishing of services.

Payments will be made by transferring the money on the account of the bidder.

Bidder is not allowed to ask for an advance payment.

Public procurement will be carried out up to a maximum of 15.200.000 dinars without TAX, in accordance with the unit prices of the bids.

### 9.2. Requirements regarding the warranty period

The Contract authority does not requires warranty period for the service.

### 9.3. Time frame of Request (delivery of goods, delivering of services or works)

Time frame for delivering of services is 21 days from the date of receipt of each request the Contract authority, by the selected bidder.

Term of the preceding paragraph may be 24 hours and 48 hours from the receipt of each request the Contract Authority, by the selected bidder, in accordance with the requirements of the Contract Authority.

Place of delivering of the services is the address of the bidder.

### 9.4. Request in respect of the period of bid validity

The validity of the offer shall be not less than 30 days from the date of bid opening.

In the event of the expiration of the offer, the Contract Authority is obliged to ask a written request of the extension of bid validity from the bidder.

Bidder who accepts the request for the extension of the offer cannot change the offer.

## **10 CURRENCY AND MANNER IN WHICH IT MUST BE SPECIFIED AND EXPRESSED IN PRICE OFFER**

The price may be expressed in euros, with and without the value added tax, inclusive of all costs that the bidder has in the implementation of the public procurement, provided that the evaluation of bids to take into account the price without value added tax.

To convert into dinars Contract Authority will use the medium exchange rate of the National Bank of Serbia on the day of the bid opening began.

The price must include all related costs.

The price is fixed and cannot be changed.

If the bid presented an abnormally low price, the Contract Authority shall act in accordance with Article 92 Law.

If the offered price includes customs duties and other charges, the bidder is required to demonstrate that part separately.

**11. DATA ON STATE AUTHORITY OR ORGANIZATION OR BODY OR AGENCY OF TERRITORIAL AUTONOMY OR LOCAL SELF-GOVERNMENT WHERE CAN BE TIMELY CORRECT INFORMATION ON TAX LIABILITIES, ENVIRONMENTAL PROTECTION, EMPLOYMENT PROTECTION, WORKING CONDITIONS, ETC., RELATED TO THE PERFORMANCE OF THE PUBLIC PROCUREMENT**

Data on taxes can be obtained from the Tax Administration, the Ministry of Finance and Economy.

Data on environmental protection can be obtained from the Agency for Environmental Protection and the Ministry of Energy, Development and the Environment.

Data on employment protection and working conditions can be obtained from the Ministry of Labour and Social Policy.

**12 PROTECTION OF CONFIDENTIALITY TO BIDDERS ARE ORDERING AVAILABLE, INCLUDING THEIR SUB-CONTRACTOR**

The procurement does not contain confidential information that is made available to the Contract Authority.

**13 ADDITIONAL INFORMATION OR CLARIFICATION REGARDING THE PREPARATION OFFERS**

Any interested person may, in writing by mail to the Contract Authority address, e-mail: e-mail bojan.vajagic @ adas.org.rs or by fax to +381 11 4064 136 require the additional information or clarification in relation to the preparation of the bid, at least 5 days before the deadline for submission of bids.

Contract Authority will give to the interested party within three (3) days of receipt of the request for additional information or clarification of the tender documents, the response submitted in writing and at the same time will that information published on the Public Procurement Portal on its website.

For more information or clarification should be addressed with a note "Request for additional information or clarification of the tender documents, **PP No. 1.2.2/2014**".

If the Contract Authority changes or amendments to the Tender Documents, 8 or less days before the deadline for submission of bids, then Contract Authority shall extend the deadline for submission of bids and publish a notice on extending the deadline for submission of bids.

After the expiry of the deadline for submission of bids the Contract Authority may not alter or to amend the tender documents.

Request additional information or clarification regarding the preparation of the bid by phone is not allowed.

Communications in public procurement is carried out only in the manner provided in Article 20 Law.

**14 ADDITIONAL NOTES FROM THE BIDDER AFTER BID OPENING AND CONTROL OF BIDDER OR ITS SUBCONTRACTORS**

After the opening of bids, the Contract Authority may, during evaluating the bids, to request in a written additional explanations from bidder that will help it in the examination, evaluation and comparison of bids,. Also, the Contract Authority can to perform control (inspection) of the bidder or its subcontractor (Article 93 of the Law) .

If the Contract Authority determines that there is need for additional explanation or it is necessary to perform control (inspection) of the bidder, or its subcontractors, the the Contract Authority will leave bidder appropriate deadline to comply with the request of the Contract Authority or to enable for the Contract Authority control (inspection) of the Bidder, as well as its subcontractors.

The Contract Authority may, with the consent of the bidder to correct technical errors observed when considering the offer after the opening.

If the provider does not agree with the correction of technical errors, the Contract Authority will reject his offer as unacceptable.

#### **15 ADDITIONAL COLLATERAL FULFILLMENTS OF CONTRACTUAL OBLIGATIONS OF BIDDERS WHO ARE LISTED IN THE NEGATIVE REFERENCES**

The bidder who is on the list of negative references leading Public Procurement , in accordance with Article 83 Law, which has a negative reference to the procurement that is not the same kind of public procurement and, if the bidder is awarded the contract, shall at the time of conclusion of the contract in the Purchaser a bank guarantee for good performance, which will be the clauses: unconditional and payable on the first call. Bank Guarantee for Performance Bond shall be issued in the amount of 15 % of the total contract value excluding Tax, with a validity period of 30 (thirty) days longer than the deadline for the final execution of the work. If during the term of the contract change deadline for implementation of contractual obligations, the importance of bank guarantee for the work shall be extended.

#### **16 TYPES OF CRITERIA FOR CONTRACT AWARD, ELEMENTS OF THE CRITERIA FOR CONTRACT AWARD AND METHODOLOGY FOR AWARDED POINTS FOR EACH ELEMENT OF THE CRITERIA**

The bids will be evaluated by applying the criteria of "lowest price offered".

#### **17 ELEMENTS OF THE CRITERIA UNDER WHICH THE CONTRACT AUTHORITY MAKE AN AWARD IN SITUATIONS WHERE THERE ARE TWO OR MORE BIDS WITH THE SAME NUMBER OF POINTS OR OFFERED THE SAME PRICE**

If two or more bids have the same lowest bid price, the one that was submitted earlier to the address of the Contract Authority will be selected as the best offer.

#### **18 COMPLIANCE WITH ITS OBLIGATIONS UNDER APPLICABLE REGULATIONS**

The bidder shall within its bids provide a declaration, given subject to criminal and material liability, that it respected all obligations arising from the existing regulations on safety at work, employment and working conditions, environmental protection,

and to guarantee that it is the holder of intellectual property rights (Template of the declaration is given in section X of Tender documents).

### **19 USE OF THE PATENT AND LIABILITY FOR BREACH OF PROTECTED INTELLECTUAL PROPERTY RIGHTS OF THIRD PARTIES**

Compensation for the use of patents, as well as liability for breach of protected intellectual property rights of third parties shall be borne by the bidder.

### **20 METHOD AND DEADLINE TO APPLY FOR THE PROTECTION OF RIGHTS**

The application for protection of rights may be submitted by bidder, ie. any interested person or business association on their behalf.

Request for the protection of rights shall be submitted to the Republic Commission, and also shall be given to the Contract Authority. A copy of the request for the protection of the rights of the applicant at the same time to the Republic Commission. Request for protection of rights is delivered directly by e-mail to the e-mail. [bojan.vajagic@adas.org.rs](mailto:bojan.vajagic@adas.org.rs) or fax at +381 11 4064136 or by registered mail with return receipt. Request for the protection of the rights may be filed during the entire procurement procedure, against any acts of the Contract Authority, unless the law provides otherwise. On the request for the protection of the rights of the Contract Authority shall inform all participants in the procurement process, and publish a notice on the application of the Public Procurement Portal, no later than 2 days after receipt of the request.

If the request for the protection of disputing type of procedure, the content of the invitation to tender or tender documents, the request will be considered timely if received by the Contract Authority no later than 7 days before the deadline for submission of bids, regardless of the method of delivery. In the case of application for the protection of rights comes to a halt of deadline for submission of bids .

Following the decision to award the contract under Art. 108 Law or the decision to suspend the procurement procedure under Art. 109 Act, the deadline for submitting applications for the protection of the rights is 10 days of receipt of the decision.

Request for protection of rights can not be challenged acts of the Contract Authority undertaken in the procurement process if the applicant was or could have been aware of the reasons for its submission before the deadline for submission of bids, the applicant had not submitted prior to expiration.

If the same procurement procedure again applied for the protection of rights by the same claimant in this claim can not be challenged actions of the Contract Authority for which the claimant knew or could have known when filing prior request.

Applicant shall at the expense of the budget of the Republic of Serbia paid a fee in the amount of 80,000.00 dinars if challenged certain acts of the Contract Authority prior to bid opening - to the account number: 840-742221843-57, payment code 153, call number 97 50-016, purpose of payment: Republic administrative fee with indicating of procurement referred to (a number or other designation of the particular public procurement), the customer: the budget of the Republic of Serbia.

If the claimant disputes the decision to award the contract, fee is 80,000.00 if bid price the bidder is awarded a contract which does not exceed 80,000,000 dinars, or

the fee is 0.1% of the starting price for which bidder is awarded the contract if the value is greater than 80,000,000 dinars.

If the claimant disputes the decision to suspend the procurement procedure or acts of the Contract Authority from the time of bid opening to the decision to award the contract or termination of the proceedings, the fee is 80,000.00 if the estimated value of procurement (to be found at The bid opening or of the record of bid opening) is not greater than 80,000,000 dinars, or the fee is 0.1% of the estimated value of procurement if the value is greater than 80,000,000 dinars.

The process of protecting the rights of bidders is governed by the provisions of Art. 138 - 167 of Law.

## **21 TIME FRAME WITHIN WHICH THE CONTRACT WILL BE CONCLUDED**

The public procurement contract will be signed with the bidder who was awarded the contract within 8 days of the deadline for filing a request for the protection of the rights under Article 149 Law.

In case that is only one bid submitted, Contract Authority may enter into a contract before the deadline for submission of applications for the protection of rights, in accordance with Article 112 Paragraph 2 item 5) of the Law.

## **VI BID TEMPLATE AND PRICE STRUCTURE TEMPLATE, WITH INSTRUCTION HOW TO COMPLETE IT**

Offer No. \_\_\_\_\_ of \_\_\_\_\_ for the procurement of *Laboratory doping control analysis, Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency*, PP number 1.2.2.

### **1) GENERAL INFORMATION ABOUT THE BIDDER**

<i>Name of bidder:</i>	
<i>Address of bidder:</i>	
<i>ID number of the bidder:</i>	
<i>The tax identification number of the bidder (VAT no.)::</i>	
<i>Contact person:</i>	
<i>E-mail of the bidder:</i>	
<i>Phone:</i>	
<i>Fax:</i>	
Bidder Account number and the name of the bank:	
<i>The person authorized to sign the contract:</i>	

### **2) BID IS SUBMITTED:**

<b>A) INDEPENDENTLY</b>
<b>B) WITH SUBCONTRACTOR</b>
<b>C) AS A JOINT BID</b>

Note: Select manner of submitting bids and enter details of the subcontractor, if the bid submitted with the subcontractor, and details of all participants in a joint bid, if the bid is submitted by a group of bidders

### 3) INFORMATION ON SUBCONTRACTOR

1)	<i>Name of subcontractor:</i>	
	<i>Address:</i>	
	<i>ID number:</i>	
	<i>Tax number:</i>	
	<i>Contact person:</i>	
	<i>The percentage of the total value of procurement that will be conducted by the subcontractor:</i>	
	<i>Part of the procurement that will be conducted by the subcontractor:</i>	
2)	<i>Name of subcontractor:</i>	
	<i>Address:</i>	
	<i>ID number:</i>	
	<i>Tax number:</i>	
	<i>Contact person:</i>	
	<i>The percentage of the total value of procurement that will be conducted by the subcontractor:</i>	
	<i>Part of the procurement that will be conducted by the subcontractor:</i>	

**Note:**

Table "Information on subcontractor" fill only those bidders who submit a bid with a subcontractor, and if there are a number of places provided for subcontractors in the table, it is necessary to copy the form provided in sufficient number of copies, to fill and submit for each subcontractor.

#### 4) DATA ON THE PARTICIPANTS IN THE JOINT BID

1)	<i>Name of participant in joint bid:</i>	
	<i>Address:</i>	
	<i>ID number:</i>	
	<i>Tax ID number:</i>	
	<i>Contact person:</i>	
2)	<i>Name of participant in joint bid:</i>	
	<i>Address:</i>	
	<i>ID number:</i>	
	<i>Tax ID number:</i>	
	<i>Contact person:</i>	
3)	<i>Name of participant in joint bid:</i>	
	<i>Address:</i>	
	<i>ID number:</i>	
	<i>Tax ID number:</i>	
	<i>Contact person:</i>	

**Note:**

*Table "Data on the participant in a joint bid" fill only those bidders who submit a joint bid, and if there are more participants in a joint bid of seats provided in the table below, it is necessary to copy the form provided in sufficient number of copies to fill and submit for every bidder who participated in a joint bid.*

## 5) DESCRIPTION OF THE SUBJECT OF PROCUREMENT

Laboratory doping control analysis, Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency

No.	Type of Method	Price per Sample standard reporting time	Tax	Total	Price per Sample 24 h	Tax	Total	Price per Sample 48 h	Tax	Total	B sample	Tax	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1	Full menu analysis (IC samples)												
2	Partial menu analysis (OOC samples)												
3	Isotope ratio analysis of endogenous steroids in urine												
4	IEF Analysis of recombinant erythropoietin in urine and/or blood												
5	SDS- and SAR-Page analysis of recombinant erythropoietin in urine and/or blood												
6	Blood parameter analysis in whole blood (ABP)												
7	Analysis of testosterone esters in blood												
8	Growth Hormone isoform analysis in serum												
9	CERA immunoassay analysis in serum												
No.	Item	Price	Tax	Total									
1	Full documentation package												

*Note: The Bidder does not fill black colored fields in the table.*

**Instructions for filling the price structure:**

The Bidder should fill the price structure as follows:

- In columns 3, 6, 9 and 12 enter the unit price without Tax, for each requested item;
- In columns 4, 7, 10 and 13 enter the Tax, for each requested item;
- in columns 5, 8, 11 and 14 enter the total price including Tax for each requested item.

*In line with the positive regulations of the Republic of Serbia, the Contract Authority will pay for performed services in no longer than 45 days.*

Validity of offer	
Place and delivery of analysis results	

Date

***Place for stamp***

Bidder

**Notes:**

The Bidder must complete, sign and seal the Bid template, which confirms that the entered data are correct. If a bid is submitted as a joint bid, a group of bidders can decide either that a Bid template shall be signed and stamped by all Bidders from a group or that a Bid template shall be signed and stamped by selected Bidder from a group.

If the subject of procurement is designed by lots, the bidders will fill in separate Bid template for each lot.

## VII MODEL CONTRACT

### **CONTRACT ON LABORATORY DOPING CONTROL ANALYSIS Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency**

Concluded between

Contract Authority - The Anti-Doping Agency of Serbia  
headquartered in Belgrade, Trg Republike 3, Tax No.: 104231967, Registration ID  
number: 17640771  
Account Number: 840-976627-35 Bank Name: The Treasury,  
Phone: +381 11 4064 136, fax: +381 11 4064 136  
represented by Director Milica Vukasinović-Vesic  
(hereinafter referred to as the **Contract Authority**)

and

.....  
headquartered in ....., street .....,  
Tax No.:..... Registration ID number: .....,  
Account number: .....,  
Name of Bank:.....,  
Phone:..... fax:  
represented by.....  
(hereinafter referred to as the **Supplier**)

Contract basis:

PP number: 1.2.2

Number and date of the decision on contract award:.....

Selected offer of bidder number. .... date.....

The Contracting Parties confirm that:

- That the Contract Authority conducted public procurement in an open procedure, for services - *Laboratory doping control analysis, Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency* - number 1.2.2. for Anti-Doping agency of Serbia, in accordance with Art. 32 of Public Procurement Law ("Official Gazette of the Republic of Serbia", number 124/2012, further: PPL).

- That the supplier on \_\_\_\_\_ .2014. submitted offer number \_\_\_\_\_ date \_\_\_\_\_, which was received by the Contract Authority under number \_\_\_\_\_ date \_\_\_\_\_.

- That the Contract Authority based on offer from Supplier and Decision on contract award number \_\_\_\_\_ date \_\_\_\_\_ selected Supplier for the provision of services requested in the tender documents.

#### Article 1.

The subject of the contract is the provision of services - *Laboratory doping control analysis, Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency*, in each part in accordance with the offer from Supplier number \_\_\_\_\_ date \_\_\_\_\_. That offer, together with tender documents for public procurement 1.2.2. and Technical Specification of procurement are an integral parts of this contract.

#### Article 2.

The contract will be carried out in accordance with unit price from offer, up to a maximum of 15.200.000 dinars, without Tax.

Liabilities maturing in the next year will be implemented in accordance with the funds of the Contract Authority for this purpose in the next budget year.

Contracted unit prices are fixed and not subject to change.

The price includes all related costs associated with the provision of services from the scope of this contract.

#### Article 3.

The standard deadline for the execution of individual services by request of the Contract Authority is 21 days from the date of receipt of the request.

In accordance with the needs of the Contract Authority, the Supplier is required to provide a service within 24 or 48 hours.

#### Article 4

The Supplier undertakes to perform services from this contract, professionally and efficiently in all according to the regulations, the rules and standards that apply to such services.

If the Supplier fails to perform services within the stipulated period, for reason that has not been the fault of the Contract Authority, or due to force majeure, he is obliged to pay the Contract Authority an amount of 0.2 ‰ of the total cost of a specific service, for every day of delay, provided that the total amount of the agreed penalty can not exceed 10% of the total cost of a specific service.

#### Article 5.

For individual performed services under Article 1 of this Agreement, Contract Authority shall pay the Supplier, upon completion of the individual services within a maximum period of 45 days.

The deadline for payment is calculated from the date of receipt of the invoice.

Article 6.

The Supplier agrees that all information acquired in the implementation of the work covered by this contract to maintain as confidential.

Article 7

The Contract Authority shall:

- to timely submit a properly collected samples to supplier in purpose of performing the services.

Article 8.

The contract is concluded for a period of one year from the date of closure, with each contracting party right to cancel the contract with a notice period of 8 days from receipt of the written cancellation of the contract.

Article 9.

The parties agree that the mutual rights and obligations, which are not expressly provided in this Contract, apply the Serbian Law of Obligations.

Article 10.

The parties agree that any disputes that may arise in the implementation of this agreement shall be resolved peacefully by mutual agreement, and if it is not possible to charge the Court of Arbitration for Sport in Lausanne, Switzerland.

Article 11.

This cContract is made in four (4) identical copies, of which 2 (two) keeps each contract party.

Article 12.

Contract shall enter into force upon signature by both Parties.

CONTRACT AUTHORITY  
Dr Milica Vukasinovic - Vesic

SUPPLIER

**NOTE:**

**Model contract is for informational purposes only and bidders are not required to fill in and submit with the offer.**

**A contract will be drawn up bilingually in English and Serbian.**

## VIII TEMPLATE FOR EXPENSES INCURRED IN PREPARATION OF BID

In accordance with Article 88 Paragraph 1 Law, the Bidder \_\_\_\_\_  
[insert name of bidder], submit the total amount and structure of bid preparation costs, as follows in the table below:

Type of costs	The amount of costs in RSD
The total amount of the bid preparation	

The costs of preparing and submitting a bid shall be borne solely by the Bidder and the Bidder may not seek reimbursement from the Contract Authority.

If the public procurement procedure has been suspended for reasons that are at the side of Contract Authority, the Contract Authority shall reimburse the Seller the cost of making a sample or model, if they are made in accordance with the technical specification and obtaining collateral, provided that the bidder sought reimbursement of the costs in its offer.

**Note: Submission of this form is optional.**

Date:

Place for stamp

Signature of Bidder

\_\_\_\_\_

\_\_\_\_\_

## IX DECLARATION OF INDEPENDENT BID

In accordance with Article 26 of Law, \_\_\_\_\_,  
(Name of Bidder),  
submit:

### DECLARATION OF INDEPENDENT BID

Given subject to criminal and material liability, we confirm that we submit bid in the public procurement *Laboratory doping control analysis, Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency No. 1.2.2.*, independently, without consultation with other bidders or interested parties.

Date:

Place for stamp

Siganture of the Bidder

**Note:** In case of reasonable doubt in the truth of statements about an independent bid, Contract Authority will immediately notify the organization responsible for the protection of competition. The organization responsible for the protection of competition, can issue a prohibition of participation in the procurement process for the bidder or interested party, if it determines that the bidder or interested party hurt competition in the procurement process in terms of the law governing the protection of competition. Measure prohibiting participation in the procurement process can take up to two years. Violation of the competition is the negative reference, pursuant to Article 82 Paragraph 1 item 2 Law .

If the bid is submitted by a group of bidders, the statement must be signed by an authorized person from each bidder of the group and stamped .

**X DECLARATION OF FULFILLING OBLIGATION FORM ART. 75  
PARAGRAPH 2. OF LAW**

In accordance with Article 75 Paragraph 2 of Public Procurement Law, as a representative of the bidder I give the following

**DECLARATION**

Bidder ..... *[insert name of bidder]* in public procurement *Laboratory doping control analysis, Analysis of Blood and Urine of athletes in Laboratory accredited by the World Anti-Doping Agency number 1.2.2*, was respected the obligations arising from the existing regulations on safety at work, employment and working conditions, protect the environment and I guarantee that it is the holder of intellectual property rights.

Date

Bidder

\_\_\_\_\_

\_\_\_\_\_

Place for stamp

**Note: If the bid is submitted by a group of bidders, the declaration must be signed by an authorized person from each bidder of the group and stamped.**