



REPUBLIC OF SERBIA  
GOVERNMENT  
**GOVERNMENT AVIO SERVICE**  
No: 404-02-3/2016-05/8  
Date: 17 February, 2016  
B e l g r a d e

In compliance with Article 108, of the Public Procurement Law ("The Official Gazette of the Republic of Serbia", No. 124/12, 14/15 and 68/15) and the Report of Bid Evaluation Commission No. 404-02-3/2016-05/7 dated 17 February 2016, the following

### **DECISION ON CONTRACT AWARD**

is made for the Public Procurement of services - Professional training/refresher courses for aviation personnel for aircraft Falcon 50, as the most advantageous bid is selected Bid of the Bidder **FLIGHTSAFETY International; Marine Air Terminal LaGuardia Airport Flushing New York USA 11371**, registered at Bidder's records on 08 February, 2016 and at the Procuring Entity under No.: 404-02-3/2016-05/6-II. The contract for the Public procurement of the subject services will be concluded with the mentioned Bidder, pursuant to the accepted contract model.

This Decision shall be published on the Public Procurement portal and on the website of the Government Avio Service: [www.aviosluzba.gov.rs](http://www.aviosluzba.gov.rs) within three days from the day this decision was made.

### **Explanation**

By decision to initiate the Public procurement procedure No: 404-02-3/2016-05 dated 06 January 2016, the procedure of Contract award in open procedure has been conducted according to Article 32 of the Public Procurement Law.

### **I PUBLIC PROCUREMENT GENERAL DATA**

- 1. Name of the Procuring Entity:** Government Avio Service
- 2. Address of the Procuring Entity:** 11070 Novi Beograd, Bulevar Mihajla Pupina 2
- 3. Public procurement number:** O- 01/2016.
- 4. Type of Contract award procedure:** open procedure.
- 5. Subject of Public procedure:** Procurement of services - Professional training/refresher courses for aviation personnel for aircraft Falcon 50.
- 6. Data from Procurement Plan:** By Procurement Plan of the Government Avio-Service for the year 2016, No: 035-00-1/2016-01-1/2 from 06 January, 2016, the Public Procurement of services of Professional training/refresher courses for aviation personnel for aircraft Falcon 50 is foreseen. Financial resources for the subject public Procurement are provided by the Law on

Budget of the Republic of Serbia for year 2016 (,Official Gazette of the Republic of Serbia, No. 103/15) – section 3, chapter 3.14 – Government Avio Service; Function 450; Economic classification 423 – Contracted Services, Sources for funding 01- Income from budget. The Public procurement is conducted in the period January-February 2016.

**7. Estimated value of the public procurement:** 12.500.000,00 dinars.

**8. Deviations from the Public procurement plan:** none.

**9. Bidder's general data:**

- full name of the Bidder: **FlightSafety International Inc.**; address and main office: Marine Air York USA 11371; Identification number 13-3916524; contact person: Bastien Nocaudie; E-mail: [bastien.nocaudie@flightSafety.com](mailto:bastien.nocaudie@flightSafety.com). Offered price: **75,750 USD**, at the middle exchange rate on the day of the bid opening amounts **8.212.057,50** dinars.
- full name of the Bidder: **CAE UK PLC**; abbreviated name of the Bidder: CAE; address and main office: Innovation Drive, Burgess Hill, West Sussex RH15 9TW, England; contact person: IIs Stuyckens; E-mail: [IIs.stuyckens@cae.com](mailto:IIs.stuyckens@cae.com). The prices have not been given according to the Tender documentation.

**10. Rejected bids, reasons for bids' rejection and offered price of the subject bids:** The bid of the Bidder CAE, Innovation Drive, Burgess Hill, West Sussex RH15 9TW, GB United Kingdom, dated 25 February 2016 does not comply with requirements set forth in Public Procurement Law and Tender documentation, i.e. the bid is unacceptable because: **firstly:** Bidder has not proved the compliance with mandatory conditions for participation in the public procurement procedure and **secondly:** the bid is incomplete and therefore it cannot be compared to other bids.

**11. Name of the Bidder who was awarded the contract:**

- **FlightSafety International Inc.**; address and head office: **Marine Air York USA 11371**; Identification number 13-3916524; Bid dated 09 February 2016, timely submitted, correct and acceptable; offered price: **75,750 USD**, at the middle exchange rate on the day of the bid opening amounts **8.212.057,50** dinars (middle exchange rate of USD 108,4102).

**12. Criterion for selection of the most advantageous bid:** the lowest offered price.

## II PUBLIC PROCUREMENT PROCEDURE, BID EVALUATION AND RANKING

Pursuant to Article 32 and of the Law on Public Procurements, the Invitation for bid submission for the Public procurement of services – “Professional training/refresher courses for aviation personnel for aircraft Falcon 50”, No. 404-02-3/2016-05/4 was published on 11 January 2016 on the Public Procurement portal and on the on the website of the Procuring Entity: [www.aviosluzba.gov.rs](http://www.aviosluzba.gov.rs),

Bid submission deadline, determined in the Invitation for bid submission, was 10 February 2016 until 12.00 o'clock.

Bid opening procedure was conducted immediately upon the expiry of the bid submission deadline, i.e. on 10 February, 2016. Bid opening procedure started at 12.15 and terminated on the same day at 12.45.

Commission for Public Procurement has determined that following two bids were delivered to the address of Procuring entity within foreseen deadline, i.e. timely:



Number of the bid at Procuring Entity's	Bidder's name	Date of receipt	Time of receipt
404-02-1/2016-05/6-I	CAE, Innovation Drive, Burgess Hill, West Sussex RH15 9TW, GB United Kingdom	25 January, 2016	15:34
404-02-3/2016-05/6-II	FlightSafety International Inc. Marine Air York USA 11371	09 February, 2016	13:45

There were no untimely received bids.

The authorized bidder's representative nor other persons were present at the bid opening. Therefore, the Minutes on bid opening No. : 404-02-3/2016-05/6 dated 10 February 2016, were submitted in accordance with Article 104, item 6 of the Law on Public Procurements.

On 17 February 2016, at 10:00 o'clock, the Commission composed of members: Jovanka Perušinović, Željko Krstić and Jelena Ognjanović, supported by Sofija Žmirić, English language translator, performed a detailed review and expert evaluation of the bid and established the following:

1. that the **Bidder CAE, Innovation Drive, Burgess Hill, West Sussex RH15 9TW, GB United Kingdom**, submitted the bid on 25 February 2015, at 15.34 via e-mail and it was registered with the Procuring Entity's records under number 404-02-3/2016-05/6-I.

Based on the review of the Bid and bearing in mind mandatory conditions for participation in the public procurement procedure set forth in Article 75 of the Public Procurement Law, instructions how to prove the fulfillment of such conditions and instructions to the bidder how to prepare bid, described in detail within the Tender Documentation, the Commission has concluded that:

- the Bidder **CAE, Innovation Drive, Burgess Hill, West Sussex RH15 9TW, GB United Kingdom**, submitted the bid timely.
- the bid was not submitted in the closed envelope on which it is indicated that it is submitted for the Public Procurement No. O-01/2016 – "Professional training/refresher courses for aviation personnel for Falcon 50 aircraft".
- the Bidder has not submitted the prices for all services indicated in Tender documentation.
- the Bidder has not submitted completed, signed and certified forms required by Tender documentation, as follows:
  - Form No. 1 – Bid form
  - Form No. 2 - Price breakdown form
  - Form No. 3 - Statement (Article 75, paragraph 2)
  - Form No. 4 - Bid preparation costs
  - Form No. 5 - Statement of the independent bid
  - Form No. 6 – Contract model.
- the Bidder has not proved that he is registered with the competent body,
- the Bidder has not proved that he and his legal representative had not been convicted of a criminal act as a part of organized criminal organization, of a criminal act against commerce, environment, giving or accepting bribe, committing fraud,
- the Bidder has not proved that he has paid due taxes, contributions and other forms of public



- charges according to the laws of the country where his head-quarters are located;
- the Bidder has the valid approval for the performance of the specific activity which is the subject of public procurement, issued by the competent authority;

Bearing in mind the above mentioned, Commission established that the bid of the Bidder CAE, Innovation Drive, Burgess Hill, West Sussex RH15 9TW, GB United Kingdom, dated 25 February 2016, does not comply with requirements set forth in Public Procurement Law and Tender documentation, i.e. Commission rejected the bid as unacceptable because: **firstly**: Bidder has not proved the compliance with mandatory conditions for participation in the public procurement procedure and **secondly**: the bid is incomplete and therefore it cannot be compared to other bids.

2. that the Bidder **FlightSafety International Inc. Marine Air York USA 11371**, submitted the bid on 09 February 2015, at 13.45 and it was registered with the Procuring Entity's records under number 404-02-3/2016-05/6-II.

Based on the review of the Bid and all forms and annexes submitted together with the bid and bearing in mind mandatory conditions for participation in the public procurement procedure set forth in Article 75 of the Public Procurement Law, instructions how to prove the fulfillment of such conditions and instructions to the bidder how to prepare bid, described in detail within the Tender Documentation, the Commission has concluded that:

- the Bidder **FLIGHTSAFETY International; Marine Air Terminal LaGuardia Airport Flushing New York USA 11371** delivered its Bid timely,
- the bid was submitted in a sealed envelope containing the mark that it is referred to the Public Procurement number O-01/2016 Procurement of services of Professional training/refresher courses for aviation personnel for aircraft Falcon 50,
- the offered price is not higher of the PP estimated value,
- the bid is arithmetically correct,
- all forms required by Tender documentation are regularly completed, signed and certified, as follows:
  - Form No. 1 – Bid form
  - Form No. 2 - Price breakdown form
  - Form No. 3 - Statement (Article 75, paragraph 2)
  - Form No. 4 - Bid preparation costs
  - Form No. 5 - Statement of the independent bid
  - Form No. 6 – Contract model.
- he has proved that he is registered with a competent body (The Bidder submitted the excerpt of the Agency for Commercial Registry **Grefe du Tribunal de Commerce de Bobigny, issued on 14 December 2015; Certificate of Incorporation of the company FLIGHTSAFETY International; Marine Air Terminal LaGuardia Airport Flushing New York USA 11371 with Apostile**),
- he has proved that he and his legal representative have not been convicted of a criminal act as a part of organized criminal organization, of a criminal act against commerce, environment protection, giving or accepting bribe, committing fraud (**Bidder submitted the Statement dated 08 February 2016**),
- he has proved that he had settled all due taxes and other public contributions in compliance with regulations of the country where his head-quarters are located (**the Bidder submitted the Certificate issued by the General direction of the public**



- finances of France, number 2878272, issued 05 February 2016, by which it is certified that the company has settled due taxes),
- he has proved that he has a valid Certificate of the competent authority for the performance of the specific activities which are the subject of the Public procurement (the Bidder submitted the EASA Certificate issued in favor of the company **FLIGHTSAFETY International; Marine Air Terminal LaGuardia Airport Flushing New York USA 11371**, confirming that it is an organisation approved for training services, issued 15 May 2015);
  - Certificate of the approved training organization dated 28 January 2016, issued by the French Civil Aviation Authority - DGAC).

Bearing in mind the above mentioned, Commission established that the bid of the Bidder **FLIGHTSAFETY International; Marine Air Terminal LaGuardia Airport Flushing New York USA 11371**, dated 08 February 2016 is in compliance with all conditions of the Public Procurement Law and tender documentation and therefore acceptable.

Upon expert evaluation of bids, by applying the criterion of the lowest offered price, Commission has executed the ranking of acceptable bids:

RANK LIST			
No.	Bidder's name	Bid number	Offered price
1.	FLIGHTSAFETY International; Marine Air Terminal LaGuardia Airport Flushing New York USA 11371	dated 08/02/2016	75750 USD - 8.212.057,50 RSD at the middle exchange rate on the day of the bid opening

Pursuant to Article 108 of the Public Procurement Law and according to expert evaluation of the bid and performed ranking of the acceptable bid by applying the criterion of the lowest offered price, Commission has proposed to the Procuring entity to make the decision on contract award and conclusion for the Public procurement – „Professional training/refresher courses for aviation personnel for aircraft Falcon 50“ with the Bidder **FLIGHTSAFETY International; Marine Air Terminal LaGuardia Airport Flushing New York USA 11371**, whose Bid number dated 08 February 2016, has been evaluated as the only acceptable bid in the Public procurement procedure.

Pursuant to Article 108, paragraph 5 of the Public Procurement Law, the Procuring Entity is bound to publish the Decision on contract award on the Public Procurement Portal and on the website of the Procuring entity: [www.aviosluzba.gov.rs](http://www.aviosluzba.gov.rs), within three days from the day of Decision.

The Decision was made according to the wording thereof.

**LEGAL REMEDY:** The time limit for submitting a request for protection of rights is 10 days from the day of the publication of the Decision on the Public Procurement Portal.

