



Europska unija
Zajedno do fondova EU



SPORT VIDEO D.O.O.
PAPUČERSKA ULICA 7
23273 PREKO
CROATIA

THE PROCUREMENT PROCESS FOR ENTITIES WHO ARE NOT SUBJECT
TO THE PUBLIC PROCUREMENT ACT

TENDER DOCUMENTATION

(Invitation to bid submission)

PROCUREMENT SUBJECT: Adjustment services of an innovative product for the automation of a video monitoring “Multi-Cam Remote Controller” to market demands

Procurement reference number: Usluga 3/19

Information about the project

Project title: “An innovative product for the automation of a video monitoring Multi-Cam Remote Controller”

Call title: Innovations of newly established SMEs - II phase

Call reference: KK.03.2.2.04 - version 2

Preko, March 2020

1. GENERAL INFORMATION

1.1. Information on the Contracting Authority:

Contracting Authority: SPORT VIDEO d.o.o
Address: Papučerska ulica 7, 23273 Preko
VAT no.: HR58111721222
Responsible person: Matus Parizek, Member of the Board
Phone number: + 421 918 952 230
Internet address: <https://sport.video/>
E-mail address: matus@sport.video

1.2. Information on Contact person responsible for communication with tenderers:

Name and surname: Ines Nenadic, M.Econ
Telephone number: + 385 98 969 2375
E-mail address: nabava.sportvideo@gmail.com

Communication and any other exchange of information between the Contracting Authority and economic entities (bidders) shall be made in written form. Economic entities' written requests for clarification shall be submitted to the following email address: nabava.sportvideo@gmail.com.

1.3. Procurement reference number:

Usluga 3/19

1.4. Address / source where additional information / documentation is available

Address / source is <https://strukturnifondovi.hr/> and <https://sport.video/>

1.5. List of economic entities with which the Contracting Authority may be in a conflict of interest

In accordance with Chapter 1.2. of Procurement procedures for NLPPA, the Contracting Authority shall not enter into procurement contracts with the following business entities:

- Panterra Group s.r.o, Šuty 32A, 83107 Bratislava-Vajnory, Slovak Republic, VAT ID number: SK46995188;
- SIGA, obrt za intelektualne i poslovne usluge, Trtni 104a, Mladenići, 51216 Viškovo, Croatia, VAT ID number: 81023672881;
- NB international marketing services d.o.o., Ede Jardasa 33, 51000 Rijeka, Croatia, VAT ID number: 68617248843.

1.6. Start of the procurement procedure

The procurement procedure begins on the day of the publication of Procurement notice on the website www.strukturnifondovi.hr and on the website of the Contracting Authority <https://sport.video/>.

Date of publication is 17.03.2020.



1.7. Type of procurement procedure

A procurement procedure with compulsory publication (open procedure).

This procurement process is conducted according to Appendix 3. "Procurement procedures for persons that are not liable to Public Procurement Act", version 5.0., (hereinafter referred to as Procurement procedures for NLPPA), which is an integral part of the public call for project proposals.

1.8. The estimated value of procurement

The estimated value of the procurement is 1,192,125.13 HRK (VAT excluded).

1.9. Clarifications and modifications of tender documents

Economic operators may request additional information, clarifications and changes related to the Tender Documentation until the deadline for the submission of bids. The Contracting Authority will respond to timely submitted requests for additional information, clarifications and changes, and it will publish them on the same websites on which the Tender Documentation is published, without revealing the identity and mentioning details of the economic entity (the applicant).

The request shall be considered as timely if received not later than the 8th (eighth) day before the day on which the deadline for submission of bids expires. If the request is submitted in the given period, the Contracting Authority shall publish the response not later than the 5th (fifth) day before the day on which the deadline for submission of bids expires.

If for any reason, the response was not published at the latest on the 5th (fifth) day before the deadline for submission of bids, the Contracting Authority shall extend the deadline for the submission of bids. The extension of the deadline must be proportionate to the importance of the clarification and shall not be less than five (5) days. If the request for additional information is not submitted timely or if the importance of the clarification is negligible in relation to the preparation of valid bids, the Contracting Authority is not obliged to extend the deadline for the submission of bids.

The Contracting Authority can change the tender documentation before the deadline for the submission of bids and it is obliged to publish the changes on the same websites on which the basic information about the tendering and tender documents are published. If the changes to the Tender Documentation are significant, the Contracting Authority shall extend the deadline for the submission of bids. The extension of the deadline must be proportionate to the importance of the changes.

1.10. Source of funding

The present project is co-financed by EU funds (ERDF), Programme for Competitiveness and Cohesion 2014 – 2020 to the amount of 83.9%. The remaining 16.1% of the amount is provided by Contracting Authority's own resources.

2. INFORMATION ABOUT THE PROCUREMENT SUBJECT

2.1. Description and designation of the procurement subject

The subject of procurement is the adaptation services of an innovative product for the automation of a video monitoring "Multi-Cam Remote Controller" to the requirements of the market, including the adjustment and improvement of the key features of the platform SPORT.VIDEO for automated video monitoring in the form of programming.

The process of the adaptation of this innovative product includes the following five stages of development:

1. Analysis – includes analysis and preparation of the final product specification, source code analysis for iOS and Android applications, and the UX and UI design of iOS and Android applications;
2. Coding - includes the services for coding the basic functionality of the platform, the preparation of data from the server and the update of the API, the coding functionality of the control unit, the options to add more than one device, a live preview and multi-angle highlights;
3. Deploy – refers to the implementation of the developed protocols in an online environment;
4. Testing phase – includes the testing of functionality, the upload of highlights, the pairing of devices, end-user testing and bug fixing;
5. Launch – deploying a new version of the app with all functionalities and possible bug fixing.

CPV label of the procurement:

- 72212517-6 Services software development for information technology;
- 72212520-0 Services software development for a multimedia software package;
- 72230000-6 Services software development according to customer orders;
- 72421000-7 Services custom application development for the Internet or Intranet.

2.2. Project assignment

The detailed description of the procurement subject is described in Annex 3. of this Tender Documentation.

The requirements defined in the project assignment are minimum requirements, which the provided service must meet.

2.3. Bill of Quantity and procurement quantities

The Bill of Quantity is enclosed in Annex 2. and as such is an integral part of this Tender Documentation. The Bidder shall submit a completed Bill of Quantity with unit and total prices.

The quantities for procurement defined in the Bill of Quantities are accurate.

2.4. Place of the service's implementation

Place of the service's implementation is the Contracting Authority's headquarters, and if necessary the Contractor's headquarters.

The place for the delivery of the required reports is the e-mail address of the Contracting Authority.

2.5. Deadline of the implementation of the services

The deadline for the execution of the service begins from the date of the signed contract with the selected Bidder and shouldn't be longer than 8 (eight) months from the date of the signed Contract.

Upon the completion of each stage of the service, the Contractor is obliged to submit a report about the completed phase in electronic form and in the English language. After the final execution of the overall service, the parties will sign a Record of the executed services.

3. REASONS FOR THE MANDATORY EXCLUSION OF AN ECONOMIC OPERATOR FROM THE PROCUREMENT PROCEDURE

An economic operator will be excluded from the proceedings if:

- an economic operator or persons authorized as its legal representatives are legally convicted for participation in a criminal organization, corruption, fraud, terrorism, financing of terrorism, money laundering, child labour or other forms of people trafficking in the country where the economic operator is established or the country of which the legal representative are citizens;
- it has been legally convicted of a crime or an offence in connection with the performance of professional activities, or for inappropriate action under the law of the country of its establishment;
- it has not fulfilled all of its obligations related to the payment of its due tax liabilities and liabilities for social and health insurance unless the payment of these obligations is not allowed by a special act or is approved a deferred payment;
- it has falsely presented or provided false information which is stated as a condition for exclusion or qualification standards;
- it is bankrupt, insolvent or is in the process of liquidation, if its assets are being managed by a bankruptcy trustee or a court, if it has entered into an arrangement with creditors, has suspended its business activities, or is in a similar procedure under the national regulations of the country in which the legal entity was established;
- in the last two years from the beginning of this procurement process committed a serious professional negligence which the Contracting Authority may prove in any way.

The Bidder will prove the absence of reasons for exclusion from Chapter 3 of this Tender Documentation by signing the statement, which needs to be delivered in the bid (Annex 4. of this Tender Documentation).

Before the decision about selection, the Contracting Authority may, at any time during the procurement procedure, request from Bidder to submit one or more documents (certificates, copy, etc.) issued by the official authorities that prove that the Bidder is not in the situations referred to in Chapter 3.

If the Bidder does not submit all the required originals or certified copies of documents and / or does not prove the requested conditions specified by the Contracting Authority within five (5) days, the Contracting Authority shall exclude such Bidder or reject their bid and carry out a re-ranking of the bids received. The Bidder is allowed to submit evidence as an original or as a certified or uncertified copy. An uncertified copy is considered as printed electronic documents that are not authenticated. In the case of submission of any evidence in a foreign language (except English), the same document must be submitted with a translation in Croatian or English language.

In the case of a consortium, the circumstances leading to the exclusion shall be determined for all members of the consortium individually therefore **the required statement needs to be submitted by each member of a consortium.**

In the case of subcontractors, the circumstances leading to the exclusion shall be determined for all subcontractors individually therefore **the required statement needs to be submitted by each subcontractor.** If some of the reasons for exclusion exist with subcontractors, the Contracting Authority can, in the evaluation phase, request from the Bidder to replace such subcontractors.

4. CONDITIONS AND PROOF OF A BIDDER'S QUALIFICATIONS:

4.1. Legal and business capacity

Each Bidder must have legal and business capacity.

As proof of the fulfilment of this condition, a Bidder shall submit the following documents:

- **A filled in and signed statement in compliance with legal and business skills** (Annex 5.)

Before the decision about the selection, the Contracting Authority may, at any time during the procurement procedure, require a Bidder to submit additional documents, including: proof of registration, trade registration or another appropriate register of the country of its establishment. Listing in such a register shall be proven by the appropriate certificate, and if it is not issued in the country of the Bidder, the Bidder may submit a statement signed by a person authorized to represent the Bidder. A copy or statement must not be older than 3 (three) months from the date of commencement of this procurement procedure.

In case of a consortium, the Contracting Authority may request all members of the consortium to individually prove their legal and business capacity.

4.2. Technical and professional capacity

4.2.1. Experience of the economic operator in performing services

The Bidder must prove that) it has duly executed contracts of the **same or similar subject** in a contracted amount that is equal (cumulative) to or greater than the estimated value of this procurement without value added tax (VAT) in the year in which this public procurement procedure has started and during the three years preceding that year (2019, 2018 and 2017).

In order to prove previous experience, the Bidder must submit a full list of executed contracts (Annex 6.). The list is proof of neatly rendered services therefore the Bidder should specify those service contracts which are duly completed and which are considered to meet the defined minimum of technical capacity.

If the Bidder provides the requested information in a currency different from the one requested by this Tender Documentation, the Contracting Authority will calculate a currency conversion using the rate from the Croatian National Bank in force on the date of publication of this Tender Documentation. In the event that the currency which is subject to conversion is not quoted on the Croatian foreign currency exchange market, the Contracting Authority will use the exchange rate from the list of calculated foreign currency exchange currencies which are



not quoted on the Croatian foreign exchange market by the Croatian National Bank, which were in force in March 2020.

The Contracting Authority may at any time, until the decision about the selection, invite Bidders to submit additional documents, including: confirmation from another contracted party about the orderly execution carried out for similar or identical services.

In the case of a Consortium, the Contracting Authority may require all members of the Consortium to individually demonstrate experience in performing services.

To prove compliance with the above criteria, the economic operator can rely on the ability of other entities, regardless of the legal nature of their mutual relations. The Contracting Authority may verify that other entities, on which the economic operator relies on, have fulfilled relevant criteria for the selection and if there are reasons for mandatory exclusion.

4.2.2. Professional and educational qualifications

Bidder (or consortium) must prove that it will have at its disposal a team of minimum four (4) experts who possess the following required professional qualifications and experience:

- a) Expert 1: Team Leader
- b) Expert 2: UX / UI designer
- c) Expert 3: iOS developer
- d) Expert 4: Android developer

Experts under points a) to d) must meet the following minimum level of education requirements:

- Completed undergraduate and graduate university studies or integrated undergraduate and graduate university studies or specialist graduate professional studies, or studies that have obtained a university degree.

As proof of meeting the conditions of technical and professional ability, the Bidder must for each professional from point a) to d) submit the following:

- a) copy of diploma, credential or equivalent document. The evidence must be submitted in Croatian or English language. In the case of submission of evidence in another foreign language (except English), the same document must be provided with the enclosed translation into Croatian or English language,
- b) signed Statement on Professional Capacities (Annex 7. of this Tender Documentation). In the case of relying on the technical ability of other entities, the Bidder must submit the Statement of Resource disposal (Annex 7a. of this Tender Documentation).

To prove compliance with the above criteria, the economic operator can rely on the ability of other entities, regardless of the legal nature of their mutual relations. In this case, the economic operator must prove to the Contracting Authority that it will have at its disposal the resources necessary for the implementation of the contract, such as the acceptance of obligations from other entities that these resources will be made available to the economic operator. The Contracting Authority may verify that other entities, on which the economic



operator relies on, have fulfilled relevant criteria for the selection and if there are reasons for mandatory exclusion.

5. INFORMATION ABOUT THE BID

5.1. Content of the bid

In preparing bids, the Bidder must comply with the requirements and conditions of the tender documents. The Bidder must not alter or supplement the text of the Tender Documentation in a way that it changes the originals, which are signed by the authorized person. All costs of bid preparation are to be borne by the Bidder.

The bid must contain the following:

- Filled in and signed Bid Form (Annex 1);
- Filled in and signed Bill of Quantity (Annex 2.);
- Filled in and signed Statement about the absence of reasons for mandatory exclusion (for the Bidder, and if applicable for subcontractors and members of the consortium individually) (Annex 4.);
- Filled in and signed Statement of compliance with the legal and business skills (Annex 5);
- Filled in and signed list of services/contracts performed (Annex 6.);
- Filled in and signed Statement on professional capacities (Annex 7.) and / or Statement of resource disposal (Annex 7a);
- copy of diploma, credential or equivalent document for each professional;
- Filled in and signed CV form for each expert separately (Annex 8.);
- if applicable, filled in and signed data about consortium entities (Appendix 1 in Annex 1);
- if applicable, filled in and signed data about subcontractors (Appendix 2 in Annex 1).

The Contracting Authority will refuse a bid if it does not meet the conditions and requirements related to the subject matter of this Tender Documentation.

5.2. Changes and / or amendments to the tender documentation and withdrawal of bids

The Bidder can, until the due date for the submission of bids, submit modifications and/or amendments to their bid and also withdraw their bid. Modifications and/or amendments to the bid are submitted in the same manner as the main bid with a mandatory indication that it is a modification and/or amendment to the bid. The Bidder may withdraw the bid with a written statement until the deadline for submissions expires. The written statement shall be submitted in the same manner as the main bid with a mandatory indication that the bid is withdrawn. If the Bidder expresses discount through a modification or an amendment, the submitted modifications or amendments to the bid must contain a new Bill of Quantity in which the discounts are stated.

5.3. Submission of the bids

The bid has to be submitted in the Croatian or English language, written in Latin script.

In the case of submission of the bid in Croatian language, certain parts of the bid (solely individual words or syntagms) may be in a foreign language, and only for terms for which there is no or any appropriate or included professional term in the Croatian language, which is used in the professional language and as such is self-explanatory in a foreign language.

The bid must be submitted to the following e-mail address: **nabava.sportvideo@gmail.com** with the e-mail subject containing an indication of the procurement number assigned by the Contracting Authority.

The bid must be submitted by the deadline for submission of bids. Upon receipt of the e-mail, the Contracting Authority will send an e-mail confirmation of the bids' receipt.

5.4. The deadline for submission of bids

The bid has to be received by the Contracting Authority in the way described in Chapter 5.4 of this Tender Documentation, no later than 07.04.2020 at 16:00 local time. Bids received after the deadline for the submission of bids will not be subject to evaluation. The deadline for submission of bids shall not be less than 20 calendar days from the date of the Tender publication.

5.5. Bid validity period

The expiry date of a bid needs to be at least 60 days after the deadline for the submission of bids.

The bid binds the Bidder until the expiry of its validity, and at the request of the Contracting Authority, the Bidder may extend its validity.

5.6. Bid options

In this procurement procedure, bid options are not permitted.

5.7. The currency of the bid

The bid price must be expressed in Croatian kuna (HRK) or Euro (EUR).

5.8. Unusually low prices

If the bid presents an unusually low price which then casts doubt on the ability to provide the services, the Contracting Authority may refuse such a bid. When assessing if the prices are unusually low, the Contracting Authority takes into account the comparative experiential and market value, and all the circumstances under which the contract will be executed. If the bid price is more than 40% lower than the average price of other valid bids, the Contracting Authority will require the Bidder's explanation.

Before refusing such a bid, the Contracting Authority shall request the Bidder in writing to explain the data about the constituent elements of the bid which are considered relevant for the implementation of the contract, and such data may be related to:

- the economical way of providing services;
- the exceptionally favourable conditions available to the Bidder for the provision of services;
- compliance with the provisions relating to taxes, environmental protection, job protection and working conditions;
- the possibility that the Bidder has obtained support from the state.

The Contracting Authority must check the details of the constituent elements of a Bidder's explanations, taking into account all the evidence. The Contracting Authority needs to check whether the price is economically explicable and logical, and it can check whether the price of essential items has contained all the costs (staff, service etc.), also whether the price for more commercially valuable items or better quality items are usually

higher than commercially less valuable items or lower quality items. If the Contracting Authority decides that the Bidder's explanation is not acceptable, it shall refuse such a bid.

5.9. Language and alphabet

The bid and all documents submitted with the bid must be written in English or Croatian languages and the Latin alphabet. Bids written in other foreign languages will not be considered. In case of the delivery of bids in English, if there are doubts about certain parts of the bid, the Contracting Authority may require the Bidder to submit an official translation in the Croatian language.

5.10. Methodology for determining the bid price

The Bidder is obliged to state:

- the total bid price in the Bid Form and Bill of Quantity (without VAT, the amount of VAT and the total price including VAT);
- the bid price in Croatian Kuna (HRK) or euro (EUR);
- the bid price expressed numerically to a maximum of two decimal places.

The bid price excluding VAT should account for all costs and discounts required for the execution of services. The Bidder will cover all costs arising above the declared prices.

In the event that the bid price without VAT stated in the Bill of Quantity does not match the bid price without VAT stated in the Bid Form, the one stated in the Bill of Quantity will be relevant.

It is assumed that the Bidder studied the regulations in force in the Republic of Croatia relating to its operations, in particular, those relating to its obligation to pay tax, taxes and other duties, and that on this basis will not request changes to the agreed price.

If the Bidder is not registered in the VAT system or is registered outside of the Republic of Croatia or the procurement subject is not subject to VAT, in the place provided for the entry of the bid price with the VAT (Bid Form and Bill of Quantity), the Bidder must enter the same amount without value added tax, with the entry for VAT to be left empty.

If the price is expressed in Euros, the CNB (Croatia National Bank) mid-exchange rate will apply on the day of the opening of bids (the day of the deadline for bid submission) for the purpose of comparing the bids.

The price of the bid is fixed during the term of the procurement contract.

6. AWARD CRITERIA

The criteria for bid selection is the best price-quality ratio (most economically advantageous bid). The most economically advantageous bid shall be deemed as the bid that reached the highest number of points per criterion. The maximum total number of points which the Bidder can achieve is 100.

In case two bids achieve the same points, the bid received first is considered economically advantageous.

The selection criteria and their relative importance are shown in the table below:

CRITERION	RELATIVE IMPORTANCE	MAXIMUM NUMBER OF POINTS
The tender price without VAT (financial criteria) (C)	60%	60
The number of years of professional experience of the experts proposed for the implementation of the contract (non-financial criteria) (I)	40%	40
MAXIMUM SCORE (T = C + I)	100%	100

Formula: $T = C + I$

where:

T = total number of points

C = number of points that the bid received for the price bid

I = number of points that the bid received for the experience of professionals who will be engaged in the implementation of the services

The maximum number of points that each bid can achieve is 100 as the sum of all points in both criteria. Points are rounded up to two decimal places.

a) Price

The maximum number of points that a bid can achieve under this criterion is 60 points.

The Bidder who submits a bid with the lowest price gets the maximum points. Depending on the lowest-priced bid, other bids will receive a lower number of points, according to the formula:

FORMULA:

$$C = \frac{C_1}{C_t} \times 60$$

where:

C – is the number of points that the bid received for the price bid

C_1 – is the best price (excluding VAT) bid in this tender

C_t – is the price bid (excluding VAT) which is subject to assessment.

b) The number of months of the professional experience of the experts

The second criterion is determined by the number of months of the professional experience of the experts proposed for the implementation of the contract. The maximum number of points that a Bidder can achieve under this criterion is 40 points.

As proof for this criterion, detailed a CV form for each individual expert must be submitted, as set out in Section 4.2.2. of this Tender Documentation.

Points according to the following criteria:



Professional experience experts	Minimal required professional experience	Number of months of professional experience	Points according to criterion	The maximum number of points
Expert 1: Team Leader	Minimal 36 months experience in leading teams on mobile application development.	0-36 months (including 36th month)	0	10
		37-72 months (including 72nd month)	5	
		73 months and more	10	
Expert 2: UX / UI designer	Minimal 36 months experience in Lean UX, user testing, design sprint method and UX research methods.	0-36 months (including 36th month)	0	10
		37-72 months (including 72nd month)	5	
		73 months and more	10	
Expert 3: iOS developer	Minimal 36 months experience in iPhone and iPad application development based on program languages.	0-36 months (including 36th month)	0	10
		37-72 months (including 72nd month)	5	
		73 months and more	10	
Expert 4: Android developer	Minimal 36 months experience in developing Android applications based on program languages or open-source mobile application framework.	0-36 months (including 36th month)	0	10
		37-72 months (including 72nd month)	5	
		73 months and more	10	

In order to prove professional experience, for each expert the Bidder must submit a detailed filled in CV form (Annex 8.) with clear indications and descriptions of professional experience. A CV form for each expert must be submitted individually.

When calculating the number of years and months of experts' professional experience, the Contracting Authority will take into account the professional experience that undoubtedly arise from submitted CV form (month / year - month / year).

The total number of points for each bid will be calculated as the sum of the points awarded for each of the criteria (a) PRICE + (b) NUMBER OF MONTHS OF THE PROFESSIONAL EXPERIENCE OF THE EXPERT, and the same cannot be higher than 100 points.

After completion of the scoring of valid bids, the Contracting Authority shall rank the bids according to the number of points, and will choose the bid with the highest number of points as the sum of points of both the criteria.

7. OTHER PROVISIONS

7.1. The provisions relating to a consortium

Several economic entities can join and submit a joint bid, regardless of the way in which their relationship is arranged.

A bid submitted by a consortium must contain information about each member of the consortium. Data about all members of the consortium are to be stated in Appendix 1 under Annex 1. with indicating the number 1 entity which will be called “the Bidder” and will be authorized to communicate with the Contracting Authority. The terms of qualifications for members of a consortium must be proven in accordance with Chapter 4 of this Tender Documentation.

The bid must indicate which part of a procurement contract (subject, quantity, value and percentage of work) will be executed by each individual member of the consortium. Payment is carried out to each member of the consortium for the portion of works performed or as a lump sum if this is agreed with the consortium.

The Bidder who independently submitted a bid cannot simultaneously participate in a group bid.

7.2. The provisions relating to subcontractors

If the Bidder intends to give part of the contract to one or more subcontractors, they are obliged to fill in Appendix 2 in Annex 1.

The Bidder must provide information about the part of a procurement contract (subject, quantity, value and a percentage of work) which they intend to subcontract.

If the Bidder fails to submit data about the subcontractors, it is considered that the entire subject of procurement will be carried out independently. The participation of a subcontractor shall not affect the Bidder’s responsibility for the execution of the procurement contract. For services delivered by a subcontractor, the Contracting Authority will pay directly to the subcontractor for the portion of works performed.

7.3. Warranty conditions

7.3.1. Tender Guarantee

Not applicable

7.3.2. Guarantee for the fulfilment of the contract

The selected Bidder shall within 15 (fifteen) days from signing of the contract submit a performance guarantee for the fulfilment of the contract to the amount of 10% (ten percent) of the contracted value without value added tax (VAT) with a validity term the same as the validity of the procurement contract with a grace period of 30 days.

The performance guarantee for the fulfilment of the contract represents insurance for the Contracting Authority in the case breach of contractual obligations by the Contractor.



The performance guarantee for the fulfilment of the contract may be submitted in the following forms:

- in the form of unconditional and irrevocable bank guarantee payable by the bank on the first call, without protest
- in the form of a cash deposit.

The cash deposit must be paid in HRK or EUR in favour of the Contracting Authority Account no.: HR4023600001502601721, model: HR00, reference number: 03-2020-Bidders' VAT ID, SWIFT: ZABA HR 2X.

In case that the Contractor submits the performance guarantee as a cash deposit, the Contractor is obliged to submit proof of payment (e.g. a copy of the bank receipt) not later than fifteen (15) days after the conclusion of the contract.

In the case of a consortium, a performance guarantee for the fulfilment of the contract submitted as a bank guarantee:

- a) should be addressed to all members of the consortium, not just to one member, and it must state the consortium or
- b) each member of the consortium shall submit a guarantee for their part of the works cumulatively to the total amount bid.

In the case of a consortium, it shall submit a performance guarantee for the fulfilment of the contract in the form of a cash deposit, one member of the consortium can make a deposit for all or each member of the consortium can make a deposit for their part of the works cumulatively to the total amount bid.

The Contracting Authority is obliged to return the guarantee for the fulfilment of the contract to the Contractor within 30 days of issuing the record of the executed services while storing a copy of the guarantee.

7.4. Deadline, method and conditions of payment

Payment will be made when the Bidder submits the invoice to the Contracting Authority, based on the concluded procurement contract, no later than 30 (thirty) days of receipt of the invoice.

Payment for the services rendered will be made on the business account of the selected Bidder / consortium. In the event that the part of the procurement contract is executed by a subcontractor, payment of the part of the rendered services according to the procurement contract shall be made to the business account of the subcontractor.

Payment is made upon approval of the report for each phase

7.5. Overview and Evaluation

After the deadline for submission, the bids are opened, reviewed and evaluated in relation to the conditions of the Tender Documentation. In the process of examination and evaluation, the Contracting Authority will check:

- the formal compliance of the bid with the terms of this documentation,
- whether there are reasons for the exclusion of the bids and if the bids meet the requirements of the qualification and criteria for legal and business capacity and professional ability,
- the fulfilment of conditions related to the subject of the procurement and technical specifications, and meet other requirements, conditions and criteria stated in this Tender Documentation,

- the evaluation of the bid based on the previously stated criteria for selection (best price-quality ratio).

The review and evaluation of tenders are made by an outside company subcontracted for the preparation and implementation of the procurement procedures - SIGA, obrt za intelektualne i poslovne usluge, Trtni 104a, 51221 Viškovo, Croatia.

7.6. Deadline for the decision about the selection / cancellation

The Contracting Authority will make a decision about the selection or decision about cancellation upon the completion of the review and assessment of the bids, and inform all Bidders without delay in writing by sending an e-mail notification to the email address specified in the Bid Form.

The Contracting Authority shall cancel the procurement procedure if:

- no bid has been received,
- the received bids are not valid.

The Contracting Authority may cancel the procurement procedure if:

- the price of the most favourable tender is greater than the available funds,
- during the proceeding the Tender Documentation was flawed and as such will not result in an efficient contract,
- new significant circumstances occurred related to the project.

7.7. Conclusion of the contract

The selected Bidder must sign the contract not later than **30 (thirty) days** from the date of the decision about the selection of the Bidder. The decision about the Bidder selection becomes executable on the day of its publication in the media - Internet sites. The proposal of the contract is in Annex 9. of this Tender Documentation. It is considered that the Bidder submitting the bid accepts all the conditions of the contract proposal.

After the enforceability of the decision about the selection of the Bidder, the Contracting Authority will send the contract proposal to the selected Bidder for signing. The Bidder is obliged to sign the contract proposal within 15 (fifteen) days of the receipt of the contract and return it to the Contracting Authority. If within 15 (fifteen) days after receipt of the contract proposals, the Bidder fails to deliver the signed contract or not justify its failure to do so (where justified reason is considered only non-compliance of contractual clauses with the terms of this Tender Documentation), the Contracting Authority shall consider that the selected Bidder has withdrawn their bid.

The essential elements of the contract include: the procurement subject, the place and time of delivery, the immutability of the agreed price, the details of subcontractors (if applicable), the method and terms of payment, performance guarantee for the fulfilment of the contract, contractual penalty.

If the selected Bidder does not perform the service according to the contracted delivery terms, the Contracting Authority will calculate a contractual penalty for the delay to the amount of 5‰ (five per mille) of the contracted value (excluding VAT) for each day of the delay up to 10% (ten percent) of the total contract value (excluding VAT).

Payment of the penalty does not affect the obligation of the contract performance. In case the delay is due to the Bidder's fault and is more than 1 month over the period referred to in Article 6, paragraph 1 of the contract, the



Contracting Authority shall be entitled to terminate the contract with a simple statement and has the right to compensation amounting to 30% of the total price (excluding VAT) referred to in Article 2, paragraph 1 of the contract, but after the preliminary observations of the reasons for the delay.

The Contracting Authority will control whether the execution of the procurement contract is being implemented in accordance with the terms of this Tender Documentation and the selected bid.

The provisions of Croatian law about the regulating of civil obligations will apply to the fulfilment of the procurement contract.

The Bidder is required to begin the execution of the contract immediately after the signing of the contract by priority and needs of the Contracting Authority.

Appendices:

1. Annex 1. Bid Form
2. Annex 2. Bill of Quantity
3. Annex 3. Project assignment
4. Annex 4. Statement about the absence of reasons for mandatory exclusion
5. Annex 5. Statement of compliance with the terms of legal and business capability
6. Annex 6. List of services/contracts
7. Annex 7. Statement of professional capacities
8. Annex 7a. Statement on the transfer of resources
9. Annex 8. CV forms for experts
10. Annex 9. Contract proposal