



INVITATION FOR SUBMISSION OF OFFER

Software Licenses

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1. GENERAL INFORMATION

1.1. Information on Contracting Authority

Contracting Authority's name	GIDEON BROTHERS d.o.o. za računalno programiranje
and location:	Ružina ulica 7, 31000 Osijek, Croatia
PIN:	91855790287
Phone number:	+385 91 520 4776
Fax. number:	N/A
Web page:	https://www.gideonbros.ai/
Authorized person:	Josip Česić, CEO

The Contracting Authority is implementing the project "A-Unit - Research and development of an advanced autonomous management unit mobile vehicles in logistics", contract No. KK.01.2.1.02.0119, under the Call for proposals "Increasing new product development and services arising from research and development activities – phase II ", call reference KK.01.2.1.02, launched by Ministry of Economy, Entrepreneurship and Crafts. The project is co-financed by European Regional Development Fund in accordance with Operational Programme Competitiveness and Cohesion 2014-2020.

1.2. Information on Contact person responsible for communication with tenderers

Name and surname:	Ivan Škaro
Mobile phone:	+385 95 810 1986
E-mail address:	ivan.skaro@gideonbros.ai

During the deadline for Invitation for submission of offer, interested economic entities may request additional information regarding the Invitation for submission of offer and the accompanying documentation. Additional information and explanations will be published without revealing information regarding the submitter of the request, on the website www.strukturnifondovi.hr. If the Contracting Authority changes the documentation during the deadline for Invitation for submission of offer, it shall ensure the availability of changes to all interested economic entities at the same place where the Invitation for submission of offer and clarifications of the documentation were published. The Contracting Authority may extend the deadline for Invitation for submission of offer and the extension will be proportionate to the importance of clarification and/or modification of the documentation.

Communication and any other exchange of information between the Contracting Authority and the economic entities will be performed in writing. The written request of the interested economic entities for clarification shall be delivered by e-mail to the person in charge of communication with the Tenderers: ivan.skaro@gideonbros.ai.

1.3. Publication reference

01.

1.4. Type of procurement procedure

Procedure with the publication of the Invitation for submission of offer. The procurement is being conducted based on Appendix 4. Procurement procedure for Entities not subject to Public Procurement Act, of Call for proposals „ Increasing new product development and services arising from research and development activities – phase II “, Call reference: KK.01.2.1.02 which is available at www.strukturnifondovi.hr.

1.5. List of economic entities with whom the Contracting Authority is in a conflict of interest

The procurement board members, the person authorized to represent the Contracting Authority and the appointed person for the implementation of the procurement procedure act in accordance with the principles of avoiding conflicts of interest and are excluded from the procurement procedure in case when conflict of interest occurs. Economic entity is excluded from the procurement procedure in case when the conflict of interests cannot be efficiently eliminated by excluding the aforementioned persons or by taking other measures.

Contracting Authority shall not enter into procurement contracts with the following economic entities:

1. TEMPLE DYNAMICS d.o.o. za računalne djelatnosti i trgovinu, PIN: 46922400215,
2. SMTech j.d.o.o. za računalne djelatnosti i savjetovanje, PIN: 49416025682,
3. INDIUM d.o.o. savjetodavni centar, PIN: 42626080741 ,
4. TIM KABEL, društvo s ograničenom odgovornošću za trgovinu, PIN: 69927324836
5. RAMUS PROJEKT, d.o.o. za trgovinu i usluge PIN: 97788703850
6. TIM KABEL ŽITNJAK, društvo s ograničenom odgovornošću za graditeljstvo, trgovinu i usluge, PIN: 25661717560
7. MUNDUS VIRIDIS društvo s ograničenom odgovornošću za trgovinu i usluge, PIN: 11419394782
8. ŽITNJAK PROJEKT, društvo s ograničenom odgovornošću za trgovinu i usluge, PIN: 59870115599
9. CLARUS PRIMUS društvo s ograničenom odgovornošću za trgovinu, nekretnine i putnička agencija, PIN: 11199540386
10. C - M društvo s ograničenom odgovornošću za preradu čaja i kave, trgovinu i ugostiteljstvo, PIN: 19550976411
11. GO DENT d.o.o. za pružanje stomatoloških usluga, PIN: 62312613473
12. FORT FORNO društvo s ograničenom odgovornošću za usluge, turizam i turistička agencija, PIN: 53701577692
13. ERNST & YOUNG SAVJETOVANJE društvo s ograničenom odgovornošću za savjetovanje, PIN: 82067332481
14. ERNST & YOUNG CROATIA društvo s ograničenom odgovornošću za reviziju i porezno savjetovanje, PIN: 00112016434
15. Ernst & Young društvo s ograničenom odgovornošću za reviziju , PIN: 58960122779
16. HRVATSKA REVIZORSKA KOMORA, PIN: 90255354200
17. ERNST & YOUNG HOLDING društvo s ograničenom odgovornošću za usluge, PIN: 17519711264
18. VOLO društvo s ograničenom odgovornošću za gospodarski ribolov i za poduku ronjenja, PIN: 98846861798
19. SEA ROCK d.o.o. za usluge, PIN: 59414641466
20. OSO & TORO j.d.o.o. za usluge i trgovinu, PIN: 40040030494
21. CORIGO d.o.o. za poslovno savjetovanje i usluge, PIN: 84707941129

22. KHPM, PIN: 37415531875
23. UDRUGA DIONIČARA ADRIS GRUPE d.d., PIN: 57638886295
24. ĐURO ĐAKOVIĆ GRUPA DIONIČKO DRUŠTVO, PIN: 58828286397
25. VARTEKS varaždinska tekstilna industrija d. d., PIN: 00872098033
26. MEĐUNARODNE POSLOVNE STRATEGIJE d.o.o. za savjetovanje, PIN: 25369849042
27. PENTLAND GROUP LIMITED, PIN: 22196585578,
28. Peaksjah OÜ, PIN: 23439054385,
29. Osäuhing Notorius, PIN: 98967690363,
30. LocalGlobe VIII GP Limited, PIN: 30542843133,
31. PLINIO društvo s ograničenom odgovornošću za poslovanje nekretninama, PIN: 62072897345,
32. NJF Capital Corp, PIN: 36753444186,
33. ELEPHANTS & VENTURES, PIN: 08477306079,
34. FIDON inženjering d.o.o. za projektiranje, građenje i nadzor, PIN: 60851118802,
35. SELECTIO d.o.o. za posredovanje pri zapošljavanj, PIN: 18518491403,
36. LINIC Ltd, PIN: 51042540227,
37. SparkLabs Global Ventures Fund II, PIN: 35226482871,
38. PLUG & PLAY VENTURE GROUP, LLC, PIN: 47025758275,
39. NEWSLETTER INNOVATIONS LIMITED, PIN: 87586023636,

1.6. Estimated value of procurement

- Lot 1: PCB design software: 300.000,00 HRK,
- Lot 2: 3D CAD modelling software: 280.000,00 HRK.

VAT is excluded in estimated value of the procurement subject.

2. INFORMATION ON THE SUBJECT OF THE PROCUREMENT

2.1 Subject of procurement

Subject of this procurement procedure is PCB design software and 3D CAD modelling software.

The procurement subject is divided into 2 lots and tenderers have the option of submitting bids for one or both lots of procurement subject.

- Lot 1: PCB design software
- Lot 2: 3D CAD modelling software

The procurement subject includes delivery for lots 1 and 2.

2.2 Technical specifications/ or relevant technical details of the procurement subject

The technical component of the procurement subject is described in Appendix 4 „Technical specifications,, of the Invitation for submission of offer. Appendix 4 specifies the quantity of the procurement subject as well as detailed technical specifications for each item stipulated.

As a **proof** of compliance with required technical specifications, Tenderers must provide evidence in the form of their choosing (e.g. product brochure, screenshots of software functionality, etc) which will be used for assessing the technical compatibility of the offer by the Contracting Authority.

For all manufacturers, product types, standards or norms, stipulated in Appendix 4 and supporting documents, applies „or equivalent“. The sole proof of equivalence is delivered by the Tenderer within the offer, by any appropriate means, such as technical specifications, producer's technical data, catalogues and similar. The purpose of the proof of equivalence is to evaluate whether the offered items have the prescribed features.

Quantity of the subject of procurement is defined in the Financial offer (Appendix 5 of Invitation for submission of offer).

2.3 Place of delivery of Procurement subject

Place of delivery for both lots of the Procurement subject is at Contracting Authority's premises: Ružina ulica 7, 31000 Osijek, Croatia.

2.4 Deadline for delivery of Procurement subject

The deadline for delivery of supplies for both lots of the subject of procurement is 7 workdays after the contract signature.

The duration of the procurement contract may be altered only with the written consent of both parties. The Supplier and the Contracting Authority reserve the right to extend the deadline for delivery of Procurement subject in following cases:

- due to force majeure,
- due to measures provided by acts of public bodies,
- due to a written request of the Supplier with the reasons for extension and written approval of the Contracting Authority,

on which an Annex to the procurement contract will be concluded, which will regulate the new agreed deadline for the delivery of lots of the procurement subject.

3. DEADLINE FOR OFFER SUBMISSION

3.1. Date and place for offers submission

Offer, regardless of the means of delivery, must be received by the Contracting Authority, no later than:

2nd December 2020

at the address of Contracting Authority, stated in Section 5.3. of Invitation for submission of offer.

The offers received after the deadline for submission will not be subject of evaluation.

4. REQUIRED COMPETENCES OF THE TENDERERS

In order to determine conditions and requirements for execution of the contract, potential Tenderers are obligated to enclose proofs in their tender which prove:

- ability to perform professional activities,
- economic and financial ability,

- technical and professional capacity.

4.1 ABILITY TO PERFORM PROFESSIONAL ACTIVITIES

The Tenderer must demonstrate **its record into court, craft, professional or other appropriate register of the economic entity's country of incorporation**. The entry in the register is proven by the appropriate extract or certificate. If it cannot be issued in the country of the residence of the economic entity, the statement with certified signatures of the competent authorities may be delivered instead. Extract, certificate, or statement proving the entry in the register must not be older than three months from the date on which Invitation for submission of offer is published.

4.2 ECONOMIC AND FINANCIAL ABILITY

The Tenderer must prove it had generated **total annual income for each of the last three recorded financial years**, depending on the date of incorporation or the start of performing economic activities, minimum in a double amount of estimated procurement value of lot for which the offer is submitted.

In case the Tenderer submits offer for both lots, total annual income for each financial year must be in the double amount of estimated procurement value of both lots cumulatively.

In order to determine the eligibility of the offer, if the proofs of satisfying conditions of ability are expressed in foreign currency, the amounts of the offer will be converted into the kuna (HRK) according to the middle exchange rate of the Croatian National Bank (HNB) valid on the day of publication of the Invitation for submission of offer.

As **proof** of satisfying the condition of financial capability the Tenderer delivers income statement or other appropriate financial statement for the given period.

4.3 TECHNICAL AND PROFESSIONAL CAPACITY

The Tenderer must prove that he has duly **executed at least one supply of the same or similar procurement subject**, during the year in which the procurement procedure started (2020) and/or during the three years (2019-2017) preceding that year. Value of a single supply (VAT excluded) which proves the fulfilment of this criterion must be minimum in amount of estimated procurement value of a lot for which the offer is submitted.

As **proof** of the fulfilment of technical and professional capacity, the tenderer submits a list of deliveries of supplies (Appendix 3 of the Invitation for submission of offer) which contains the subject of the procurement, the amount of the procurement without VAT, the year of completion and the name of the other contracting party.

The Contracting Authority may directly ask the contracting party to verify the data on supply delivery stated on the list of deliveries of supplies.

In order to determine the eligibility of the bid, if the proof of satisfying the technical capacity criterion are expressed in foreign currency, the contract amounts will be converted into the kuna (HRK) according to the middle exchange rate of the Croatian National Bank (HNB) valid on the day of publication of the Invitation for submission of offer.

As proof of satisfying technical and professional capabilities, Contracting Authority can in any given moment of the procurement procedure, prior to contract signing, demand from the Tenderer

submission of certificates of successful contract execution, issued and signed by the counterparty from the contracts stated in Appendix 3. If certificate cannot be acquired, Contracting Authority will accept a signed statement from the Tenderer with proof that the certificate was requested enclosed. The Contracting Authority can directly ask the counterparty the verification of credibility of the delivered certificate.

5. INFORMATION ON THE OFFER

5.1 Content and methodology of the offer

Tenderer shall submit an offer in the original which contains documentation that is arranged, bound and signed in designated places by a person authorized to represent the tenderer.

The offer must consist of at least:

- Completed tender sheet (Appendix 1),
- Statement on non-existence of grounds for exclusion (Appendix 2),
- Required Tenderer's competence documents (Section 4 of the Documentation):
 - Evidence of record into court, craft, vocational or other appropriate register of the economic entity's country of incorporation,
 - Income statement or other relevant financial statement for last three financial years
 - List of deliveries of supplies (Appendix 3).
- Completed technical specifications (Appendix 4) and proof of compliance with required technical specifications,
- Financial offer (Appendix 5)

The offer must be made in a paper form, printed or written in inerasable ink.

When making the offer, Tenderer must comply with the requirements and conditions of this Invitation for submission of offer. Tenderer cannot modify and supplement the text of the Invitation for submission of offer. Tenderers are not entitled to any reimbursement of the costs of preparing the offer.

The offer, together with other supporting documentation, must be made in English or Croatian language.

For any documents submitted in other languages, the Tenderer is obliged to enclose a translation to English or Croatian language.

The offer must be bound in such a way to prevent the subsequent removal or insertion of sheets or parts of the offer. The offer is made in a way that makes it one integral part. If the offer is composed of two or more parts, each part shall be bound in such a way as to prevent subsequent extraction or insertion of sheets, and the tenderer must indicate in the subject of the offer how many parts the tender consists of.

Any corrections must be made in a manner to keep the corrected text visible (readable) or demonstrable (e.g. no erasing, coating or removal of letters or prints). Corrections must be dated and attested by Tenderer's signature.

5.2 Rules for submitting the documentation

Tenderers may submit all the required documents and evidence stated in section 2.2 and section 4, in original, certified or uncertified copies or in the form of electronic print of e-registry of the competent authority.

This does not apply to the Appendixes of Invitation for submission of offer which must be submitted in the original.

In case of doubt in the veracity of the data in the supporting documents, Contracting Authority can contact the competent authorities for information about Tenderer, and in the case when Tenderer is based in another country, it may request the cooperation of the competent authorities.

5.3 Submission of offers

The offers shall be submitted in a sealed envelope, directly to the Contracting Authority or by postal services to the address: GIDEON BROTHERS d.o.o., Radnička cesta 177, 3. kat, 10000 Zagreb, Croatia.

An envelope layout proposal:

GIDEON BROTHERS d.o.o. Radnička cesta 177, 3. kat 10000 Zagreb, Croatia Procurement subject: Software License Publication reference: 01 LOT: <enter LOT number/s> -DO NOT OPEN-

<Name and address of the
Tenderer>

Tenderer independently decides which of the stipulated methods of submission he will use and solely bears the risk of potential loss or untimely offer submission. If the envelope is not marked in accordance with the requests from this Invitation for submission of offer, the Contracting Authority waives any responsibility in case of loss or premature tender opening.

The offers as well as the supporting documentation, shall not be returned to the Tenderers.

No alternate offers are allowed. In case a Tenderer participates in multiple offers, all such offers shall be rejected.

The Tenderer can, until the due date for the submission of offers, submit modifications and/or amendments to the offer or waive the offer. Modifications and/or amendments to the offer are submitted in the same manner as the main offer with a mandatory indication that it is a modification and/or amendment to the offer. In that case, the offers are opened in a reverse chronological order of their submission time, and the time of submission of the last version of modification/amendment is considered as tender submission time.

If an amendment or modification of the offer expresses discount, new financial offer (Appendix 5) in which discounts are stated must be delivered with revised offer.

Tenderer may, until the due date for the submission of offers, withdraw the offer by a written statement until the deadline for submission expires. The written statement shall be submitted in the same manner as the main offer with a mandatory indication that it is offer withdrawal. In case of withdrawal, unopened offer will be returned to the Tenderer.

5.4 Methodology for determining the price of the offer

The Tenderer is obliged to enter price for each item of the Financial offer and the total price of the offer, in the way specified by the Financial offer (Appendix 5), as well as enter the price of the offer, in the manner as specified in the Tender sheet (Appendix 1).

The tenderer delivers the offer with the price in Croatian Kuna (HRK) or in Euros (EUR). The price of the offer shall be written in figures and rounded to two decimal places. The price of the offer is fixed during the term of the procurement contract, as well as the unit prices.

If the price of the offer is not expressed in Croatian Kuna (HRK), for comparison purposes of the offers, offer prices will be converted into Croatian Kuna according to the Croatian National Bank middle exchange rate, valid on day of the publication of the Invitation for submission of offer.

The price of the offer must include all costs and discounts. The same is applied to any modifications and/or amendments of the offer. In that case, a new Tender sheet (Appendix 1) and a new financial offer (Appendix 5) in which discounts are stated must be delivered in printed form with the revised offer. In case the Tenderer does not apply the above described procedure, such offer will be found incomplete and shall not be accepted.

If the tenderer does not operate within the VAT system, it should be stated in the Tender form. Prior to the submission of the offer, the Tenderer is required to study the complete Invitation for submission of offer based on which he will offer the subject of procurement.

5.5 Abnormally low offer price

If an abnormally low offer price or an unusually low individual unit price is stated in the offer, which calls into question the possibility of providing the supplies that are the subject of the procurement, the Contracting Authority may reject such offer. When estimating prices, the Contracting Authority takes into account comparative experience and market values and all the circumstances under which a particular procurement contract will be performed.

Before rejecting such offer, the Contracting Authority must request a written explanation from the Tenderer with information on the constituent elements of the offer that it considers relevant for the performance of the contract.

The Contracting Authority must check the information on the constituent elements of the offer from the explanation of the Tenderer, taking into account the submitted evidence. The Contracting Authority checks whether the prices are economically explainable and logical, and in particular can check whether the price of essential items includes all costs.

5.6 Validity period of the offer

The validity period of the offer is at least 60 days from the deadline for submission of offers. The Contracting Authority shall reject the offer which validity option is shorter than required. If the validity period of the offer expires, the Contracting Authority will demand for its extension and for that purpose give an appropriate deadline to the Tenderer. At the request of the Contracting Authority, the Tenderer may extend the period of validity of his offer.

5.7 Cost of preparing the offer

The cost of preparing and submitting the offer is entirely borne by the tenderer.

6. SELECTION CRITERIA

The criterion for selection of offers is the is the most economically advantageous offer.

The selection of the most economically advantageous offer for each lot of procurement subject will be done by comparing the stated offer price and additional selection criteria through formulas. The most economically advantageous offer is the one that achieves the highest number of points among the valid offer, after scoring. If two or more valid offers are equally ranked according to the selection criteria, the Contracting Authority shall select the offer received earlier. If Tenderer submits modifications and/or amendments to the offer, time of delivery of the latest version of the offer will be considered as the time of delivery.

The maximum total number of points of the offer for each lot of the procurement subject is 100.

When selecting the most economically advantageous offer, the Contracting Authority will use the following criteria:

- a) Price (maximum 50 points) - relative importance: 50 %
- b) Intervention response time (maximum 20 points) - relative importance: 20 %
- c) Technical characteristics (maximum 30 points) - relative importance: 30 %

The methodology for evaluation of offers that the Contracting Authority will apply is as follows:

a) Price (maximum 50 points)

The Contracting Authority determines the price of the offer as one of the criteria. The offer with the lowest total price without VAT (Cmin) will be awarded a maximum of 50 points.

Points (Bp) for an individual offer (Cp) are calculated using the following formula, rounding the results to two decimal places:

$$Bp = Cmin/Cp \times 50$$

Bp = number of points that the offer received for the price offered without VAT

Cmin = lowest price offered in the procurement procedure

Cp = offered price that is evaluated

b) Intervention response time (maximum 20 points)

The Contracting Authority determines the intervention response time as one of the criteria. Intervention response time covers the response time of the maintenance service provider to resolve the issue, upon receipt of a written notification for a product malfunction by the Contracting Authority.

The tenderer indicates the intervention response time in hours by indicating the number of hours in the Tender sheet (Appendix 1) in the appropriate field.

The offer with the offered lowest response time of the service intervention (Dmin) will be awarded a maximum of 20 points. Points (Gp) for an individual offer (Dp) are calculated using the following formula, rounding the results to two decimal places:

$$Gp = Dmin/Dp \times 20$$

Gp= the number of points awarded to the tenderer for the given response time of the service intervention

Dmin = lowest offered response time of the service intervention

Dp = response time of the service intervention of the offer that is evaluated

c) Technical characteristics (maximum 30 points)

In Appendix 4 - Technical specifications, the Contracting Authority has determined the minimum technical characteristics for the procurement subject. Technical specifications marked "**The most economically advantageous offer**" are not mandatory to offer but will be scored according to the selection criteria. Points will be awarded to those Tenderers who meet the required requirements in accordance with a requested parameter. The offer with the included requested functionalities will be awarded a maximum of 30 points.

In accordance with the technical specifications, points will be awarded according to the following methodology for each lot of the procurement subject:

Lot1

Lot 1: PCB design software			
	Requested	Description	Points
1.4	Support for assembly of multiple boards	Included	10
		Not included	0
1.6	Support for mechanical computer-aided design collaboration including industry leading CAD suites	Included	10
		Not included	0

1.11	Support for rigid-flex PCBs which extends to 3D domain	Included	10
		Not included	0
		TOTAL	30

Lot 2

	Lot 2: 3D CAD modeling software		
	Requested	Description	Points
1.15	Advanced motion, speed and acceleration studies of the design boards	Included	10
		Not included	0
1.20	Automated design generator and calculation systems for components creation boards	Included	10
		Not included	0
1.22	Design toolset for turning parametric models into product configurators boards	Included	10
		Not included	0
		TOTAL	30

7. REVIEW AND EVALUATION OF OFFERS

After the deadline for submission of tenders, the Contracting Authority examines and evaluates the content of the submitted offers regarding the criteria defined in the Invitation for submission of offer. During the tender review and evaluation process, the Contracting Authority:

- Checks the content of the submitted offers,
- Compares the content of the offers with the technical specifications, and all relevant technical details of the subject of procurement,
- Affirms whether all the prescribed procurement conditions are fulfilled (in terms of set deadlines, required documentation, selection criteria).

7.1 Clarification and supplement of tenders

If the required information or if the documentation that should have been submitted by the Tenderer is incomplete or erroneous or appears to be missing or if certain documents are missing, the Contracting Authority may, respecting the principles of equal treatment and transparency, request the relevant Tenderers to supplement, clarify, complete or submit necessary information documentation within a reasonable period of not less than five days.

This action must not lead to negotiation regarding the criterion for selection of the offer or the offered subject of procurement.

8. CONTRACT AWARD OR ANNULMENT DECISION

The Contracting Authority will promptly notify all of the Tenderers about the Contract award decision or Decision of annulment.

Based on the review of tenders and tender evaluation, the Contracting Authority is obligated to refuse:

- An offer which is not complete,
- An offer which is contradictory to the stipulations of the the Invitation for submission of offer,
- An offer in which the price is not shown in the absolute value,
- An offer which contains errors, shortcomings or uncertainties if those errors, shortcomings or uncertainties are not removable,
- An offer in which, by modifications and/or amendments in accordance with regulations, an error, shortcoming or uncertainty is not removed,
- An offer which does not meet the conditions regarding the procurement subject features, and by that is not meeting the conditions from the Invitation for submission of offer,
- An offer for which the Tenderer has not, in written form, accepted the correction of the calculation error
- In case the required guarantees are not submitted.

Contracting Authority is in ability to exclude the Tenderer only if the conditions from the Invitation for submission of offer are not met.

Contracting Authority shall inform, in writing, all the tenderers on winning Tenderer, enclosing the copy of the Contract award decision and written notice with explanation on rejection of their offer.

Contract award decision must contain at least:

- name and address of the winning Tenderer;
- total price of the winning offer.

Decision on exclusion of the tenderer/Decision on refusal of the offer must contain at least:

- name and address of the excluded Tenderer / whose offer is rejected,
- reasons for exclusion of the Tenderer/ rejection of the offer.

Decision on exclusion of the tenderer/Decision on refusal of the offer shall be delivered to the Tenderer to which it refers.

After selecting the most favourable offer, the Contracting Authority will sign contract with the winning Tenderer. Procurement contract is concluded under the terms of the Invitation for submission of offer and selected offer.

Contracting Authority will cancel the procurement procedure if after the deadline for submission of offers:

- No offers were submitted;
- Has not received a single valid offer;
- After the offer refusal there is not a single valid offer.

If there are grounds for annulment of the procurement procedure, the Contracting Authority will immediately issue the annulment decision containing:

- Procurement subject (or LOT of procurement) for which the annulment decision is made;
- Explanation of the annulment decision;
- Deadline in which the new procurement procedure will be initiated for the same or similar procurement subject, if applicable;
- Date of annulment and signature of the authorized person.

and will without delay submit the annulment decision to the economic entities who submitted their offers.

The Contracting Authority will without delay publish a notice on procurement procedure annulment on the web site: www.strukturnifondovi.hr.

9. DEADLINE, METHOD AND THE CONDITIONS OF PAYMENT

Terms of payment will be defined by the Contract with the selected Tenderer, in accordance with commercial terms that will be acceptable to both parties.

10. GROUNDS FOR OBLIGATORY EXCLUSION OF THE TENDERER

The Contracting Authority is obliged to exclude the tenderer from the procurement procedure if:

10.1. - If the tenderer or a person legally authorized for its legal representation is convicted for involvement in a criminal organization, corruption, fraud, terrorism, financing of terrorism, money laundering, child labour or other forms of trafficking

10.2. - If the tenderer failed to pay tax arrears and mandatory contributions for pension and health insurance, unless a special law prevents the economic entity from paying such contributions or if delayed payment has been approved.

10.3 - If the tenderer has misrepresented or provided false information concerning the conditions specified by Contracting Authority as reasons for exclusion or as qualification requirements.

10.4. - If, in the period of two years preceding the beginning of the tender procedure, the tenderer has been guilty of grave professional misconduct proven by any means which Contracting Authority can justify.

For the purpose of attesting the circumstances described in point 10. the tenderer must submit the Statement (Appendix 2 of the Invitation for submission of offer). The statement must be signed by tenderer's authorized representative. At any moment of the procurement procedure until the contract signature, the Contracting Authority reserves the right to request one of the documents (certificates, excerpts or similar) attesting the nonexistence of situations stated in points 10.1. – 10.4., if such documents are issued in tenderer's residence state and the tenderer is able to obtain them.

11. APPENDIXES

Appendix 1 – Tender sheet

Appendix 2 – Statement on non-existence of grounds for exclusion

Appendix 3 – List of deliveries of supplies

Appendix 4 – Technical specifications

Appendix 5 – Financial offer