

INVITATION TO BID DELIVERY

Procurement of CNC lasers for metal processing

Procurement record number: 01 -2021.

Donji Stupnik, June 2021.

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1. GENERAL INFORMATION

1.1. Information about the Client

Name and seat of the Client: **SERTO-BEL d.o.o .**
(NoJN - not obliged by the Law on Public Procurement)
Stupničke šipkovine 20, 10 255 Donji Stupnik
OIB: 39241223213
Telephone number: +385 1 65 94 040
Fax number: n/a
Internet address: <http://www.serto-bel.hr/index.html>
Email address: info@serto-bel.hr
Responsible person: Boris Belić, director

The client started with the implementation of the project „Strengthening the competitiveness of enterprises SERTO-BEL doo investments in digital and green transition“ in accordance with the project application to the Call for project proposals "Strengthening the competitiveness of companies investing in digital and green transition" refferent mark Calls: KK.11.1.1.01, by the Ministry of Economy and Sustainable Development .

1.2. Data on the person in charge of communication with the Bidders

Name and surname: Boris Belić
Telephone number: +385 1 65 94 040
Fax number: n/a
Address: Stupničke šipkovine 20, 10 255 Donji Stupnik
Email address: info@serto-bel.hr

Communication and any other exchange of information between the contracting authority and the economic operators shall be in writing. A written request of interested economic entities for clarification is submitted via e-mail : info@serto-bel.hr.

If necessary, economic operators may request additional information and explanations related to the tender dossier during the deadline for submission of tenders. Additional information and explanations will be published without stating the data on the applicant on the website www.strukturnifondovi.hr . The request is timely if it is delivered to the contracting authority no later than the **3rd (third) day** before the day in which the deadline for submission of tenders expires. If the request is submitted on time, the Client is obliged to send a response no later than **3 days** from the receipt of the request for additional information. The contracting authority is then obliged to extend the deadline for submission of tenders by **7 days** . If the request for additional information is not submitted in time or if the importance of the clarification in relation to the preparation of valid tenders is negligible, the contracting authority is not obliged to extend the deadline for submission of tenders. If the contracting authority changes the documentation during the deadline for submission of tenders, it will ensure the availability of changes to all interested economic entities on the website www.strukturnifondovi.hr . The extension of the deadline will be proportionate to the importance of the clarification.

The contracting authority may amend the tender documentation during the deadline for submission of tenders. In that case, the Contracting Authority will ensure the availability of changes to all interested Bidders at the same place where the basic Procurement Notice, Tender Documentation and clarifications of the documentation were published. The contracting authority may extend the deadline for submission of tenders and the extension will be proportionate to the importance of clarification and / or modification of the documentation.

1.3. Procurement record number

01-2021.

1.4. Type of procurement procedure

Procedure with publication of the Procurement Notice.

Procurement is carried out on the basis of Form Procurement procedures for non-payers of the Public Procurement Act (version 7.0), Call for project proposals "Strengthening the competitiveness of companies investing in digital and green transition" refferent mark Calls: KK.11.1.1.01 which is available at www.strukturnifondovi.hr.

The day of the beginning of the procurement procedure is considered to be the day of publication of the Procurement Notice and tender documentation with the accompanying attachments on the website: www.strukturnifondovi.hr.

1.5. List of economic entities with which the Client has a conflict of interest

Members of the Procurement Committee, the person authorized to represent the Contracting Authority and the person appointed to conduct the procurement procedure shall act in accordance with the principles of avoiding conflicts of interest and shall be excluded from the procurement procedure in case of conflict of interest. Only if the conflict of interest cannot be effectively eliminated by excluding the said persons or by taking other measures, the Contracting Authority shall exclude the economic operator from the procurement procedure.

The client may not enter into contracts with the following entities:

- Not applicable.

2. INFORMATION ON THE SUBJECT OF THE PROCUREMENT

2.1 Technical specifications and / or job description and / or all relevant technical details of the subject of procurement

The subject of procurement is the procurement of CNC lasers for metal processing.

The aim of the project is to create preconditions for faster, more productive and reliable production through the introduction of innovative production methods and business organization by investing in tangible and intangible assets with the aim of establishing a new business unit for production of metal products (sheets, pipes, profiles, fittings) resource utilization and increase business resilience. By implementing the project, the Applicant will solve the defined previously defined central problem, ie the negative aspects of the existing situation and the achievement of the desired state - smart and energy efficient production of metal products.

The technical specifications of the subject of procurement, and the quantity of the subject of procurement are determined by the Cost Form, which is an integral part of this Tender Documentation.

2.2 Information on the type, scope and general nature of the goods and services to be provided

The amount of procurement: Defined in Form 5. The quantity is correct.

Cost estimate

The cost estimate is an integral part of this Bidding Document.

For all standards, types and models or brands listed in the cost estimate, it applies "or equivalently" to cost items.

The bidder fills in the Bill of Quantities by entering the unit price in column V, while in column VI he enters the product of cell IV (quantity) and cell in column V (Price per unit of measure).

The relevant unit prices are entered in the Bill of Quantities. The discount and all costs must be included in the offered and entered unit prices in the items of the Bill of Quantities.

The bidder acts in the described manner even if he changes the prices in the Bill of Quantities by amending and / or supplementing the bid. In this case, the bidder must submit a fully completed new Bill of Quantities with amended unit prices, in hard copy.

The cost estimate (Form 5) must be signed by a person legally authorized to represent the economic entity and certified by the trademark of the economic entity.

2.3 Place of delivery of the service

The service will be performed at the locations of both the selected Bidder and the locations and the Client (Stupničke šipkovine 20, 10 255 Donji Stupnik) .

2.4 Deadline and delivery of goods and services

Deadline Delivery services :

Deadline of the service is up to 5 months from the day of the signature of the Treaty.

Proof of delivery of services is delivered documentation and signed certificate and, delivery note and or any other document by which both parties confirm the execution.

The Supplier and the Client have the right to extend the delivery time of goods and services in the following cases:

- due to the occurrence of force majeure,
- due to measures provided by acts of public bodies,

Force majeure means natural events, such as floods, fires, etc., or human actions that affect the course of delivery of goods, such as quarantine, sudden restriction of goods relevant to the delivery, etc., which events could not have been foreseen and eliminated. In the above cases, the Supplier and the Client will not have mutual claims for any costs incurred due to the extension of

the delivery deadline, unless the measures provided by acts of public bodies are adopted solely due to the fault of the Bidder .

The Supplier shall pay penalties to the Client at a daily rate of 2 ‰ (two per mille) for each day of delay in delivery of goods and services in relation to the established deadline, if the delay was due to the fault of the Bidder . The total amount of the penalty may not exceed 5% of the total value of the contract .

Delivery of goods is considered to be the date of signing the handover record, certificate, delivery note or any other document by which both parties confirm the execution.

3. DEADLINE FOR SUBMISSION OF BIDS

Date, time and place of submission of bids

The bid, regardless of the method of delivery, must be received by the Client, no later than:

03.07.2021. by the end of the day

to the address of the Client from point 5.3. Bidding documents.

The bid submitted after the deadline for submission of bids unopened shall be returned to the sender without delay.

4. CONDITIONS AND REQUIREMENTS TO BE MET BY POTENTIAL BIDDERS

For the purpose of determining the conditions and requirements for the execution of the contract, the potential Bidders, ie the community of bidders, are obliged to enclose in their bid evidence proving:

- legal and business conditions,
- economic and financial conditions

4.1 LEGAL AND OPERATIONAL AND CONDITIONS

4.1.1. **REQUEST** : The bidder must be legally and commercially capable.

In the case of a joint bid, members of the bidder community are required to individually prove the existence of the capability.

As **proof of** fulfilling the conditions of legal and business capacity, the bidder shall submit an extract from the court, trade , structural or other appropriate register of the state of the bidder's registered office, not older than six months from the date of the procurement procedure . In the case of a community of bidders, all members of the community individually prove their legal and business capacity.

4.2. ECONOMIC AND FINANCIAL CONDITIONS

4.2.1. Volume of revenues in the last approved business years

REQUEST : The bidder must prove that in the last approved business year (2019. or 2020.), depending on the date of establishment or commencement of activities, the activity of the economic entity had higher revenues than the amount of the bid.

In the case of a community of bidders, all members of the community together are required to prove (cumulatively) joint financial capacity .

As proof of fulfillment of economic and financial conditions, the bidder submits a profit and loss account or other appropriate (equivalent document) financial report for the requested period.

5. BID INFORMATION

5.1. Content and method of making an offer

The bidder submits the bid in the original, which contains the documentation composed and signed in the places provided for that by the person authorized by law to represent the bidder or a person authorized by him with the mandatory submission of a document proving the power of attorney.

The offer must contain at least:

- completed bid form (Form 1 for an independent bidder or Form 2 for a community of bidders) - **in the original**
- if applicable, Subcontractor Information (Form 3) - **in the original** ,
- statement by which the Bidder proves that there are no reasons for exclusion (item 12 of the Bidding Documents, Form 4) - **in the original**
- documents / evidence that the bidder meets the required conditions (item 4 of the Bidding Documents) - **original or certified or uncertified copies** ,
 - proof of entry in the court, trade, professional or other appropriate register of the state of the seat of the economic entity not older than 6 months from the date of publication of the invitation . - **in the original or certified or uncertified copies**
 - profit and loss account or other appropriate financial statement for 2019. or 2020. - **in the original or certified or uncertified copies**
- completed Bill of Quantities (Form 5) - **in the original** ,
- completed Technical Specifications (Form 6) - **in the original**

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

When preparing the bid, the Bidder must comply with the requirements and conditions of this Documentation. The Bidder may not change and supplement the text of the Bidding Documents. All bidding costs are borne by the bidders. Bidders are not entitled to any reimbursement of the costs of preparing the bid.

The offer together with the accompanying documentation is made in Croatian or any other language.

Corrections in the offer must be made in such a way that the corrected text remains visible (legible) or provable

(eg deleting, coating or removing letters or prints is not allowed). Corrections must be confirmed by the bidder's signature, stating the date.

5.2. Document delivery rules

All required documents and evidence submitted in accordance with the requirements referred to in point 4. Tenderers may submit in the **original, certified or uncertified copies**. This does not apply to the Forms that the bidder must fill out. In case of doubt as to the veracity of the information in the attached documents or statements of tenderers referred to in this point, the contracting authority may contact the competent authorities to obtain information on the situation of these tenderers, and in the case of a tenderer established in another country.

5.3. Method of bid submission

The bid is delivered in a sealed envelope directly to the client or by mail to the address:

Envelope front:

<p style="text-align: right;">SERTO-BEL d.o.o.</p> <p style="text-align: center;">Stupničke šipkovine 20, 10 255 Donji Stupnik</p> <p style="text-align: center;">Public procurement– (01-2021)</p>

On the back:

<p><Name and address of the bidder></p>

The bidder independently determines the method of bid submission and bears the risk of possible loss or untimely bid submission. If the envelope is not marked in accordance with the requirements of this Bidding Document, the Client does not assume any responsibility in case of loss or premature opening of the bid.

Bids and documentation attached to the bids are not returned to the bidders.

Alternative offers are not allowed.

The bidder may submit an amendment to the bid by the deadline for submission of bids. Amendments and / or supplements to the tender shall be submitted in the same manner as the basic tender with the obligatory indication that it is an amendment and / or supplement to the tender. In this case, the bids are opened in the reverse order of receipt, and the time of receipt is considered the delivery of the latest version of the bid change. If, by amending or supplementing

the bid, the bidder shows a discount, in addition to submitting the amendment or supplement to the bid, it is necessary to submit a new cost list in which the discounts are stated.

The bidder may withdraw from the submitted bid by a written statement until the deadline for submission of bids. The written statement is submitted in the same way as the bid with the obligatory indication that it is a withdrawal from the bid. In this case, unopened offer is returned to the bidder.

5.4. The method of determining the bid price

The bid selection criterion is the most economically advantageous bid .

The selection of the most favorable bid will be made by comparing the stated bid price and additional selection criteria developed through formulas. The most favorable bid is the bid that achieves the highest number of points among the valid bids, after scoring.

If two or more valid bids are ranked equally according to the bid selection criteria, the Contracting Authority will select the bid that has more points in the quality area , and if they still have the same number of points, the one received earlier will be selected. If, after the submission of the bid, the Bidder submits an amendment and / or supplement to the bid, the time when the last amendment and / or supplement was submitted shall be considered the time of receipt of the bid .

When selecting the most favorable Bidder, the Contracting Authority will use the following criteria:

- Price (maximum 60 points) - relative importance: 60%
- Warranty period (maximum 40 points) - relative importance: 40%

The contracting authority will evaluate the price and warranty period within the criteria of the most economically advantageous tender .

The bid evaluation methodology to be applied by the Contracting Authority is as follows:

a) Price (maximum 60 points)

The bid with the lowest price (Cmin) is awarded a maximum of 60 points.

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

$$C = C_{min} / C_p \times 60$$

C = number of points awarded to the bidder for the offered price

Cmin = total lowest price offered

Cp = bid price being evaluated

b) Warranty period (maximum 40 points)

The Bidder shall display the duration of the warranty period in months by indicating the number of months in the Bid Sheet (Form 1) in the space provided. The bid with the longest warranty

period is awarded a maximum of 40 points. Points (G) for an individual bid are calculated using the following formula, rounding the results to two decimal places:

$$G = G_p / G_{max} \times 40$$

G = number of points awarded to the bidder for the warranty period

G_p = warranty period offered in the bid being evaluated

G_{max} = total longest warranty period offered

6. PROVISIONS RELATING TO THE BIDDER'S COMMUNITY

Several economic operators may join forces and submit a joint offer, regardless of the regulation of their mutual relationship. The responsibility of the Bidder from the community of the Bidder is joint and several. If the Bidder acts as a Community of Bidders, it is obliged to fill in Form 2 of the Documentation. Each member from the community of Bidders is obliged to submit a Statement on Form 4 of the Documentation that he is not in any of the cases of exclusion (item 12 of the Bidding Documents). A bidder who has submitted a bid independently may not participate in a joint bid at the same time. The joint bid must specify which part of the procurement contract (subject, quantity, value and percentage) will be performed by each member of the bidder community.

Payments are made according to the modality defined in point 11. The Community of Bidders may independently decide how the payment will be made (to the Community holder or to each member individually). This provision, by agreement, will be included in the Agreement.

7. PROVISIONS CONCERNING SUBCONTRACTORS

The bidder, ie the community of bidders, who intends to assign part or parts of the bid to subcontractors, must clearly state in its bid data on all subcontractors (name and seat) and data on the part of the contract it intends to subcontract, and for that purpose fill in and submit Form 3 of this Bidding Document.

Economic operators who intend to subcontract one or more subcontractors shall provide the following information in the tender:

- name or company, registered office, OIB (or national identification number according to the economic operator's country of residence, if applicable) and subcontractor's account number, and
- the subject, quantity, value of the subcontract and the percentage of the procurement contract to be subcontracted.

In the case referred to in this point, the economic operator is obliged to submit in the bid evidence of non-existence of reasons for exclusion of the subcontractor as required by point 12. Tender documentation and proof of legal and financial capacity of the subcontractor as required by point 4.1. Bidding documents.

The participation of subcontractors does not affect the responsibility of the selected bidder for the execution of the contract.

8. REVIEW AND EVALUATION OF BIDS

After the deadline for submission of bids, the NOJN reviews and evaluates the content of the submitted bids in relation to the conditions from the Bidding Documents.

In the process of review and evaluation of bids, the Client:

- checking the content of submitted bids
- compares the content offer with the technical specifications and / or terms of reference, and / or any relevant tech and cal details of procurement,
- determines whether all the prescribed conditions of the tender are met (in terms of the given deadlines for the required documentation, selection criteria).

Clarification and completion of bids

In the process of review and evaluation of bids, the NOJN may invite bidders to, within a reasonable period of time, which may not be shorter than 5 or longer than 15 calendar days by clarifying or supplementing in relation to the documents required in relation to the exclusion and eligibility conditions. standards, remove errors, deficiencies or ambiguities that can be removed, where clarification or completion in relation to these documents is not considered a modification of the bid (if these conditions are set out in the tender documentation).

In the process of review and evaluation of bids, the NOJN may invite bidders to clarify certain elements of the bid in the part related to the offered subject of procurement within a period that may not be shorter than 5 or longer than 15 calendar days. The clarification must not result in a change in the offer.

9. WARRANTIES REQUIRED

The Contracting Authority does not request guarantees from the Bidder within this public procurement.

10 . MAKING A DECISION ON SELECTION OR CANCELLATION

The Contracting Authority will make a Decision on selection / cancellation and send it to all bidders.

Based on the results of the review and evaluation of bids, the Contracting Authority (NOJN) will reject:

- an offer that is not complete,
- a bid that is contrary to the provisions of the tender documentation,
- an offer in which the price is not expressed in absolute amount,
- an offer containing errors, shortcomings or ambiguities if the errors, shortcomings or ambiguities are not remediable,
- an offer in which the clarification or completion does not remove the error, deficiency or ambiguity,
- a bid that does not meet the requirements related to the properties of the subject of procurement, and thus does not meet the requirements of the tender documentation,
- a bid for which the bidder did not accept the correction of the calculation error in writing,

NOJN is able to exclude the bidder only if the conditions from the tender documentation are not met, ie the reasons

for exclusion are in accordance with the documentation.

NOJN notifies all entities that submitted a bid about the selected bidder in writing / electronically , enclosing a copy of the Selection Decision and sends them a reasoned written notice of rejection of their bid. The selection decision shall contain at least:

- name and address of the selected bidder

The decision on exclusion / rejection of the bid must contain at least:

- name and address of the excluded bidder / whose bid is rejected,
- reasons for exclusion of bidders / rejection of bids.

The decision on exclusion of the bidder / decision on rejection of the bid shall be delivered to the bidder to whom it refers.

After selecting the most favorable bid, NOJN concludes a contract with the selected bidder. The procurement contract is concluded on the basis of the conditions from the tender documentation and the selected bid.

NOJN cancels the procurement procedure if after the deadline for submission of bids:

1. no bids were received;
2. did not receive any valid offer;
3. no valid bids remain after the rejection of bids.

If there are reasons for annulment of the procurement procedure, NOJN shall without delay issue a decision on annulment stating:

- the subject of procurement (or group of subjects of procurement) for which a decision on annulment is made;
- explanation of the reasons for cancellation;
- the deadline within which to initiate a new procedure for the same or similar subject of procurement, if applicable;
- date of adoption and signature of the responsible person;

and shall deliver it without delay to the economic operators who have submitted tenders.

NOJN without delay publishes a notice of cancellation of the procurement procedure on the website www.strukturnifondovi.hr.

11. DEADLINE, METHOD AND TERMS OF PAYMENT

The Client will pay its obligations in the following modality:

- 30 % up to 10 days from the day of signing the Contract
- 60% up to 10 days before delivery of the subject of procurement
- 10% up to 15 days after taking over and installing the procurement item

12. OBLIGATORY REASONS FOR EXCLUSION OF THE BIDDER

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

- if he or a person authorized to represent him or her is legally convicted of the criminal offense of participation in a criminal organization, corruption, fraud, terrorism, terrorist financing, money laundering, child labor or other forms of trafficking in human beings; or
- if he has not fulfilled the obligation to pay due tax obligations and obligations for pension and health insurance, unless according to a special law he is not allowed to pay these obligations or a deferral of payment has been granted; or
- if he has falsely presented or provided false information in connection with the conditions stated by the Client as reasons for exclusion or the conditions of qualification; or
- if he is in bankruptcy, insolvent or in liquidation, if his assets are managed by a bankruptcy trustee or a court, if he is in settlement with creditors, if he has suspended business activities or is in any similar situation resulting from similar proceedings under national laws and regulations; or
- if in the last two years prior to the commencement of the procurement procedure he has committed a grave professional omission which the NOJN can prove in any way.

For the purpose of determining the circumstances referred to in item 12, the economic operator in the bid shall submit the Statement from Form 4 of this Tender Documentation. The statement is given by a person legally authorized to represent the economic entity. The statement must not be older than three months from the date of commencement of the procurement procedure.

The provisions of Chapter 12 apply to both the community of bidders and the subcontractors, ie the bidder is obliged to prove that there are no reasons for exclusion for all members of the community as well as for the subcontractors shown in the bid.

The Contracting Authority may at any time during the procurement procedure, require the Bidder to submit one or more documents (certificates, excerpts, etc.) confirming that the Bidder is not in the situations specified in items 12.1.-12.5. if such documents are issued in the country of residence of the economic operator and he can obtain them. In the case of a community of bidders, the NOJN may require all members of the community to individually prove the absence of a reason for exclusion. The bidder is allowed to submit evidence in the original, in a certified or uncertified copy.

13. APPENDICES

- Form 1 - Bid sheet (independent bidder)
- Form 2 - Bid Sheet (community of bidders)
- Form 3 - Data on subcontractors
- Form 4 - Statement of non-existence of grounds for exclusion
- Form 5 - Bill of Quantities
- Form 6 - Technical specifications