PROCUREMENT PROCEDURE FOR NON-BINDING COMMITMENTS OF THE PUBLIC PROCUREMENT ACT

(NOJN)

**MODIFICATION 1 - Invitation for bid submitting**

Procurement No: **KK.****04.1.1.03.0124-****26082021**

Procurement name: **Procurement of automatic machine for processing stapled notebooks**

**Documentation approved by:**

**Zvonko Fišer, director**

**Zagreb, August, 2021**

1. **GENERAL DATA**
   1. Data on the Purchaser (NOJN):

Name of the Purchaser: **MAR MAR d.o.o., for production, trade and services**

Seat: Velika cesta 17, Odra, Zagreb 10010 Zagreb

OIB: 69794795650

Phone: +385 6608 152

Purchaser's contact: Maja Filipović

Phone: +385 51 444 712

Fax: +385 51 444 713

e-mail: maja.filipovic@jelic-konzalting.hr

* 1. Procurement is conducted based on:

1. The Act on establishing an institutional framework for conducting European structural and investment fond sin the Republic of Croatia in the fiscal period 2014-2020 (NN 92/14)
2. Decree on bodies within the systems of management and control in using European social fond, European fond for regional development and Cohesion fond with the aim of "Investing into development and opening new work places " (NN 107/14, 23/15)
3. Common national rules, version 7.0. from December 2020, brought by the Ministry of regional development and EU fonds according to the Act on establishing an institutional framework for using structural instruments of the EU in the Republic of Croatia, Rules No. 05 - Executing and managing the contracts on allotting non-repayable funds, Annex 3 – Rules on conducting the procurement procedures for non-binding commitments of the Public Procurement Act („Procurement procedures“)
   1. A list of economic entities with whom the Purchaser has conflict of interests based on the principle of avoiding the conflict of interests as defined by the Procurement procedures:

**ZONA FOŠER d.o.o.**, za usluge, Odra, Velika cesta 17, 10010 Zagreb-HR, OIB: 85597722297

**FIŠER PROSTOR d.o.o.**, Odra, Velika cesta 17, 10010 Zagreb – HR , OIB: 02849767559

**SVETICE GRUPA d.o.o.**, Ulica grada Vukovara 237 D, Zagreb – HR, OIB 85348306423

* 1. Type of procurement procedure:

The procedure with notice for submitting the bids can be found on the web site [www.strukturnifondovi.hr](http://www.strukturnifondovi.hr) according to clause 4 of the Rules on conducting the Procurement procedures for non-commitments of the Public Procurement Act, version 7.0. based on which the Contract on Procurement will have been concluded.

1.5. Records No. of the Procurement

**KK.04.1.1.03.0124-26082021**

1.6.Explanations and amendments to the Invitation for bids submitting

During the dead-line for submitting the bids, the economic entities can ask questions and request the explanations related to this Invitation for bid submitting. If during the notice period a need for amendments in the invitation for bid submitting arises (if the economic entity requests additional information, explanations or amendments related to the conditions of the invitation for bid submitting during their dead-line) the same will be in a transparent way and at the same time announced so that all economic entities could be acquainted with the amendment.

In case of need for amendment in the invitation for bids submitting during the last 5 days prior to end of the initial dead-line, it is necessary to proportionally extend the dead-line for submitting the bids for minimum of 5 days counting from the day of announcing the amendment.

All questions which economic entities wish to ask the Purchaser and also arise from possible ambiguities in the contents of the Invitation for bid submitting, must as well as all other communication with the Purchaser be comprised in writing and sent via e-mail from clause 1.1. of this Invitation.

The Purchaser will put its answers and explanations at disposal on the same web sites on which the basic documentation is also available (link <https://strukturnifondovi.hr/nabave-lista/>), without quoting the data on request submitter.

1. **DATA ON PROCUREMENT SUBJECT:**
   1. Procurement subject

The procurement subject is the procurement of automatic machine for producing stapled notebooks for the purposes of realization of the project „Energetic reconstruction of production-industrial construction work MAR – MAR d.o.o.“ according to Technical specifications comprised in **Annex VI** and Bill of quantities comprised in **Annex VII** of this Invitation for bids submitting.

Technical specifications/ works' description

Detailed technical specifications/works' description of the procurement subject are comprised in **Annex VI** of this Invitation for bid submitting. The quotation brand for products, services of standards or norms mentioned in technical specifications it always assumes the possibility of providing an „equally-valid“ product or service.

* 1. Description and designation of the procurement subject's groups:

The procurement subject has not been divided into groups

The bidders are obliged to submit a bid for the wholesome procurement subject.

The bidder can submit only one bid. In the bid must be offered all items in a way defined in the Bill of quantities **Annex VII.** and Technical specifications/Works' description **Annex VI**. The bidder who submits or takes parti n several bidding procedures, as an individual bidder or a member of the community of bidders, all of his offers will have been refused as well as those of the community of bidders.

* 1. Quantity of procurement subject

Quantity of procurement subject has been defined in the Bill of quantities, **Annex VII** of this Invitation. The quantity is exact.

* 1. Place of equipment delivery

Place of delivery: **MAR-MAR d.o.o., Velika cesta 17, Odra 10010 Zagreb – HR**

* 1. Delivery dead-line for procurement subject

The chosen bidder obliges to the final dead-line for delivery of procurement subject which will be 250 days from the first day of signing the Contract on Procurement, during which the machine will have been assembled and put to work.

In case of delay or irregular fulfilment of its obligations, the Purchaser is authorized to request the payment of contractual fine.

1. **OBLIGATORY REASONS FOR EXCLUDING THE BIDDER**
   1. Economic entity will have been excluded from the procedure if:
      1. i tor person authorized by law for representing the bidder (person who is a member of administrative, management or monitoring body or has the authority for representing, decision-making or surveillance of that economic entity) legally effectively sentenced for any of below listed offences according to the rules of the state in which the bidder has its seat or the state the citizen of which is a person authorized according to law to represent the bidder: participating in a criminal organization, criminal association, committing of criminal offence within a criminal association, joining to commit criminal offences, terrorism or criminal offences related to terrorism activities, money laundering or financing of terrorism, child's work or other forms of human trafficking, corruption, receiving bribe in economic business-doing, offering bribe in economic business-doing, misuse in the public procurement procedure, abuse of position and authority, illegal preferential treatment, receiving bribe, giving bribe, influence trade, giving bribe for influence trading, abuse of position and authority, abuse of performing of state government duties, illegal mediation, fraud, fraud in economic business-doing, tax or toll evasion, subvention fraud
      2. it did not fulfil its obligation of paying salaries to employees, paying contributions for financing obligatory insurances (especially health or pension) or taxes according to regulations of the Republic of Croatia as a state in which the bidder has been established according to regulations of the state of business seat of the bidder (if they don't have it in the Republic of Croatia), unless it i sin accordance with specific rules for permitting the payment delay of mentioned obligatory payments and if the amount of due but not paid obligatory payments does not surpass 200 HRK
      3. i fit has made false statements, represented or provided untrue data related to conditions which were mentioned as necessary by NOJN.
   2. Non-existence of reasons for excluding from clause 3.1. of this Invitation for bid submitting will be considered proven by the signing of the statement by the bidder enclosed to the bid. As corresponding statement will be considered a filled-out **Statement** from **Annex II** of this Invitation for bid submitting.
   3. In case of community of bidders, the circumstances related to reasons for exclusion are determined for each member separately and the requested statement must be signed by each of them.

NOJN can in each moment during the procurement procedure request from the bidders to, prior to bringing the Decision on selection, submit one or more documents (certificate, bank statement and similar) by which it can be confirmed that it is not part of situations mentioned under clauses 3.1 if applicable that such documents are being issued in the country with the seat of the economic entity and that it can obtain them. In case of community of bidders, NOJN can request from all its members to separately prove the non-existence of reasons for exclusion. The bidder is allowed to provide the evidence in original form, in certified or non-certified copy. In case of submitting some of the evidence in foreign language, the document must be provided in Croatian or English.

1. **CONDITIONS AND EVIDENCE OF BIDDER'S QUALIFICATIONS:**
   1. Ability to perform professional activity

Each bidder must be able to perform its professional activity.

Each bidder must within the procedure of Invitation for submitting bids prove that it has been registered into the Court, Trade, Occupational or some other corresponding Registry of the country with the seat of the bidder, which is being proven by:

The Statement of the authorized person for representing the economic entity on fulfilling the conditions on ability to perform the professional activity mentioned in **Annex III** of this Invitation for submitting the bids. In case of community of bidders, all its members are obliged to individually prove their ability from clause 4.1. of this Invitation for submitting bids.

NOJN can at any time during the procurement procedure request from the bidder to prior to bringing the Decision on selection, provide the Extract from the Court, Trade, structural or any other corresponding Registry of the country with the seat of the bidder, not older than six months counting from the day of the beginning of procurement procedure**.** In case of community of bidders, NOJN can request from each member individually to prove its ability for performing the professional activity.

* 1. Technical and professional ability

Each bidder must during the public procurement procedure prove its technical and professional ability, which is proven by:

A list of deliveries of the same or similar items to those of public procurement, conducted in the year of the beginning of the public procurement procedure and during three years (2020, 2019, 2018) previous to that year with the amount and date of delivery as well as the name of the other Contracting Party. The conducted deliveries must be identical or similar to the procurement subject, and at least of the same value amount of the estimated procurement value (aggregate): 2.665.000,00 HRK.

As proof of fulfilling the conditions of technical and professional ability, the bidder will submit the Statement of the person authorized for representing the economic entity from **Annex IV** of this Invitation for submitting the bids.

As proof of fulfilling the conditions of technical and professional ability, NOJN can at any time during the public procurement procedure request from the bidder to, prior to bringing the Decision on election, provide another sufficient proof (such as: Certificates by the other Contracting Party on regularly performed deliveries of items identical or similar to procurement subject).

In case of community of bidders, all members are obliged to prove together (aggregate) common technical and professional ability.

* 1. Financial liquidity

Each bidder must in the public procurement procedure prove that its total annual turnover for the period of last three available fiscal years 2020, 2019, 2018, (aggregate) is at least equal to the doble amount of estimated procurement value: 5.330.000,00 HRK.

*NOTE: Purchaser, with the aim of forming of the Invitation to submit bids, mentions in a clear, precise, understandable and unambiguous way in order to enable the submitting of comparable bids, that under „annual turnover“ it considers the value of all sold goods and services performed in the market during the year irrespectively of the fact whether they have been paid for or not. The turnover does not include VAT. The turnover corresponds to the income from performing the activities without extraordinary and financial incomes (definition by the State Department for Statistics).*

As proof of fulfilling the conditions for financial liquidity, the bidder submits the Statement of the person authorized for representing the economic entity from **Annex V** of this Invitation for submitting bids.

As proof of fulfilling the conditions for financial liquidity, NOJN can at any time during the procurement procedure request from the bidder to, prior to bringing the Decision on election, provide some other appropriate proof (such as: balance of accounts, profit-and-loss account, other corresponding financial statement and similar)

In case of the community of bidders, all members are obliged to prove their common financial liquidity together (aggregate).

For proving the conditions under the clauses 4.2 and 4.3., the Bidder can rely on the ability of other entities, regardless of the legal nature of their relations. In this case, the bidder must prove to the Purchaser that it will put at his disposal all resources needed for execution of Contract, such as, accepting the obligations of other entities that they will put those resources at the disposal of economic entity.

Under the same conditions, the community of bidders can rely on the ability of its members or other entities.

**5. BID**

**5.1 Bid contents:**

* filled-out bid sheet (**Annex I** of the Invitation for submitting bids); ADDENDUM 1 – data on subcontractors
* Statement on non-existence of reasons for exclusion (**Annex II** of the Invitation for submitting bids)
* Statement on fulfilling the conditions of professional ability (**Annex III** of the Invitation for submitting bids)
* Statement on technical and professional ability (**Annex IV** of the Invitation for submitting bids)
* Statement on financial liquidity (**Annex V** of the Invitation for submitting bids)
* Filled-out and certified Technical specifications (**Annex VI** of the Invitation for submitting bids)
* Filled-out and certified Bill of quantities (**Annex VII** of the Invitation for submitting bids)
  1. The bid must be prepared in paper form, printed or written with unerasable ink and is provided as original. One bid original is being submitted.

The bi din paper form must be bound in a whole in a way to obstruct additional taking-out or inserting of sheets of paper or parts of the bid. In case that sheets from the bid can be taken-out and again inserted without visible defects, the bid is considered as unacceptable.

If due to the scope or some other objective circumstances, the bid cannot be prepared in a way to make a whole, then it will be prepared in two or more parts. If the bid has been prepared in two or more parts each part must be bound in a way to prevent additional taking-out or inserting of sheets.

Bids in paper form are written in unerasable ink. Corrections in the bi din paper form must be made in a way to be visible or provable (for example erasing or removing of letters or prints). Corrections must with mentioning the date be certified by valid signature and stamp of the authorized person of the bidder.

* 1. The value of bid is mentioned in kuna (HRK), euros (EUR) or US dollars (USD). If the price of the bid has been expressed in euros or US dollars, it will during the evaluation of bids be converted into kuna according to the mean rate of the Croatian National Bank on the day/date of announcing the Invitation for submitting of bids. Official exchange rate of the Croatian National Bank is available on the following link: <http://www.hnb.hr/temeljne-funkcije/monetarna-politika/tecajna-lista>

The value of bid is unchangeable during the time of lasting of Contract on Procurement. Into its price without VAT must be added all costs and discounts (for goods: costs of transport, installing and assembly of equipment on the spot, instructions on use and maintenance, running, guarantees and other requested; for services: costs of arriving, costs of transport and transfer, air-tickets/fuel and road toll, overnight staying and breakfast for workers who will perform the assembly of equipment for the bidder and instruct the employees).

If the bidder comes from outside of the Republic of Croatia or it is not a VAT payer, to the place envisaged for entering the value of bid with VAT, the same value is entered which was entered on the place envisaged for entering the price value without VAT, and the place for value of VAT should be left empty.

The bidder is obliged in the bidding list to enter the same mentioned total price without VAT from the Bill of quantities, then the amount of value added tax (VAT) and total price with VAT, rounded to two digits.

* 1. Goods must be delivered according to the conditions of delivery:

DAP **MAR – MAR d.o.o., Velika cesta 17, Odra 10010 Zagreb – HR** prema Incoterms® 2020 Međunarodne trgovačke komore.

The bidder is in the Bill of quantities obliged to offer i.e. enter the unit price for each item and total price without value added tax (VAT).

5.5. During the preparation of the bid, the bidder must stick to the requests and conditions from the Invitation for submitting bids and must not amend or supplement the text. All costs of preparation of the bid are born by the bidders. The bidders have no right to any compensation of costs of preparing the bid.

5.6. The Purchaser retains the right to, prior to bringing the Decision on election of most suitable bidder, request the submitting of original or certified copies of all those documents (Certificates, documents, statements of account, authorizations and similar) which in the bid have been provided as uncertified copies and which are issued by authorized bodies.

1. **WAY OF SUBMITTING A BID**
2. A bid is submitted to the following address:

Purchaser (NOJN): **MAR – MAR d.o.o., za proizvodnju, trgovinu i usluge**

Address for submitting a bid: **Velika cesta 17, Odra 10010 Zagreb – HR**

Procurement No.: **KK.04.1.1.03.0124-26082021**

**Procurement subject**: **Procurement of automatic machine for production of stapled notebooks**

**„DO NOT OPEN“**

* On the back:

**Name and address of bidder**

1. The bidder is to submit a closed envelope with its bid directly (personally) or by registered mail or by courier post to the address of the Purchaser from clause 6.1. and it itself bears the risk of possible loss i.e. not timely delivery of the bid. If the envelope is not marked according to the requests from this Invitation for submitting bids, the Purchaser does not bear any responsibility in case of loss or too early opening of the bid.
2. Bids and documentation enclosed to them (apart from guarantees for the importance of the bid, if requested) shall not be returned to bidders.
3. Alternative bids are not allowed.
4. The bidder can by the end of the dead-line for submitting the bids also submit an amendment and/or supplement to the bid. Amendment and/or supplement to the bid is submitted in the same way as basic bid with obligatory mark that an amendment and/or supplement to the bid i sin question. In that case, the bids are opened in a reverse way of receiving, and as the time of receiving is considered the time of receiving the last version of amended delivery.
5. The bidder can by the end of the dead-line for delivery of the bid by written statement give up from its delivered bid. A written statement is delivered in the same way as the bid with obligatory mark that refuting of the bid is in question. In that case, the unopened bid is returned to the bidder.
6. **DATE, TIME AND PLACE FOR SUBMITTING A BID**
   1. The bid must be received by the Purchaser, at the address from clause 6.1. of this Invitation for submitting a bid, until **~~10.09.2021.,~~ 17.09.2021., at 12:00** local time at the latest.

The opening of the bids will be held on **~~10.09.2021.,~~ 17.09.2021., at 12:00** at the address of the Purchaser: **MAR – MAR d.o.o., Odra, Velika cesta 17, 10010 Zagreb** in the order of receiving the bids. There will be no public opening of bids.

1. **CRITERIA FOR CHOOSING A BID**

8.1. The criteria for choosing a bid is the lowest price.

1. **LANGUAGE AND LETTERS OF THE BID**

9.1 The bid must be prepared in Croatian or English and Latin alphabet. In case of submitting a document in some other language, it must be submitted with enclosed translation into Croatian or English.

Official documents issued by the state and public-legal bodies and which are not written in Croatian or English, must be translated into Croatian or English.

1. **DEAD-LINE FOR VALIDITY OF BID**
   1. The bid must be valid for at least 60 days from the latest dead-line for submitting the bids.
2. **REVIEW AND EVALUATION OF BIDS**
   1. The procurement committee shall after the ending of the dead-line for submitting the bids, review and evaluate the contents of submitted bids in relation to conditions from the Invitation for submitting bids.
   2. . Within the procedure of review and evaluation of bids, the Purchaser performs:

- check-up of formal harmonization

- check-up for existing of reasons for exclusion and fulfilling the qualification conditions

- evaluation of technical and material harmonization

- evaluation of bids based on previously announced criteria for election (economically most favorable bid)

1. **EXPLANATION AND COMPLETING**

12.1. If the data or documentation which are supposed to be submitted by the bidder or seem incomplete or incorrect or if certain documents are missing, NOJN can during review and evaluation of the bids request from those bidders to submit, complete, explain or supplement necessary data or documentation within a reasonable dead-line which cannot be shorter than 5 calendar days.

Submitting, completing, explaining or supplementing related to documentation which was requested for the purpose of verifying the existence of reasons for exclusion and fulfilling the qualification conditions are not considered as amendment to the bid.

The Purchaser can also ask for explanations related to documents requested in the part related to offered procurement subject whereas the explanation must not result in change to the bid.

The conducting of NOJN-a related to explanation and completing of bids namely requests and conducting of NOJN, must be in accordance with the principles of equal treating and transparency.

1. **DECISION ON ELECTION OR CANCELLATION**
   1. . The Purchaser (NOJN) is obliged based on the results of the review and evaluation refuse:

* the bid which has arrived after the dead-line for delivery,
* the bid which i sin any other language not mentioned in NOJN and the Invitation for submitting bids
* the bid by the bidder who has not delivered a guarantee for the importance of bid if requested, namely if the delivered guarantee is not valid or is of too low value,
* the bid by the bidder who has not proven that it fulfills the qualification conditions according to the Invitation for submitting of bids
* the bid which is not whole namely does not comprise all elements mentioned in Article 5.1. of this document, which is not possible to be completed by necessary data or missing documentation in a reasonable dead-line of 5 calendar days, according to the principles of equal treatment and transparency
* the bid which contains errors namely ambiguities if those errors, defects or ambiguities cannot be removed,
* the bid which is not in accordance with the Invitation for submitting bids,
* the bi din which the price is not expressed in absolute amount,
* the bi din which by explanation or supplementing according to this Invitation for submitting bids, error, defect or ambiguity has not been removed,
* the bid which does not fulfil obligatory technical specifications determined in the Invitation for submitting bids,
* the bid for which the bidder has not in writing accepted the correction of calculation malfunction,
* the bid by the bidder who has submitted two or more bids in which the bidder is/or a member of community of bidders,
* the bid which contains harmful provisions.

13.2. NOJN reaches the decision on electing the best bid which shall in minimum contain name and address of the selected bidder, total value of selected bid with or without VAT and the date of electing and signature of the responsible person.

The dead-line for reaching the Decision on electing is **twenty (20) calendar days** since the day of expiration of dead-line for submitting of bids. If some of the specific possible Bidders have been requested to give additional explanations or supplement their bids, the dead-line for reaching the decision on election shall be twenty (20) calendar days from the day of expiring of dead-line for submitting the requested additional explanations or supplementing the documentation.

* 1. NOJN will cancel the procurement procedure if:

- not one bid has arrived;

- not one valid bid has been received

13.4 NOJN can cancel the procurement procedure if:

* the price of the most favorable bid is higher than insured assets for procurement;
* during the procedure it is determined that the Invitation for submitting bids is deficient and as such does not enable efficient concluding of contracts (for example, in documentation have been mentioned incorrect quantities of procurement subject);
* new significant circumstances have occurred related to project for which the procurement is being conducted (for example, the project has not been approved).

13.5. In case of cancellation of procurement procedure, NOJN reaches a Decision on cancellation in which minimum will be mentioned the procurement subject for which the decision on cancellation is being reached, explanation of the reasons for cancellation, dead-line within which new procedure will have been started for the same or similar procurement subject, if applicable, and the date of reaching the decision as well as signature of the responsible person. The Decision on cancellation shall be put on the same place as for announcing the Invitation for submitting bids

( [www.strukturnifondovi.hr](http://www.strukturnifondovi.hr) ).

13.6. NOJN shall inform all bidders on its final selection namely by submitting a Decision on election and selected bidder as well as total value of the selected bid on the same place where the Invitation for submitting bids was announced ( [www.strukturnifondovi.hr](http://www.strukturnifondovi.hr) ).

* 1. Simultaneously with the Decision on election or the Decision on cancellation, the Purchaser shall submit separately to each:
* unsuccessful bidder: notice with reasons for its exclusion or refusing its bid;
* to the bidder who has submitted a valid bid: notice on characteristics and relative preferences of the selected bid in relation to his bid.

1. **OTHER PROVISIONS**

**14.1. Sub-contractors:**

If the bidder intends to give part of the Contract on procurement into sub-contract to one or several sub-contractors, it is obliged to mention following data in its bid:

* name or company, seat, OIB, (or national identification number according to the country with the seat of the economic entity, if applicable), IBAN/account No. of sub-contractor
* subject, quantity, value of sub-contract and percentage part of the Contract on procurement which is given into sub-contract.

**The selected bidder must to his account enclose the accounts of his sub-contractors which it has previously confirmed and which will be paid by the Purchaser directly to sub-contractor.**

The selected bidder can during the time of executing the Contract on public procurement from the Purchaser request a permission for:

- change of sub-contractor for that part of the contract on public procurement which it had previously given into sub-contract,

- take-over for conducting of the part of the contract on public procurement which it had previously given into sub-contract,

- introducing one or several new sub-contractors.

If the selected bidder requests from the Purchaser to change the sub-contractor or introduce one or several new sub-contractors, it has to Purchaser submit the data (name or company, seat, OIB (or national identification number according to the country with the seat of the economic entity, if applicable), subject, quantity, value of sub-contract and percentage part of the Contract on procurement which is being given into sub-contract) for the new sub-contractor.

Participation of sub-contractors does not affect the responsibility of selected bidder for executing the Contract on public procurement. Therefore, also in case of entering a sub-contractor exclusively the selected bidder shall be responsible to the Purchaser for executing the Contract on public procurement.

If the bidder does not submit the data on sub-contractor, it is considered that the whole procurement subject will be performed individually.

**14.2. Community of bidders**

Several economic entities can join and submit a common bid not depending on the nature of their mutual relations. The responsibility of the bidders from the community is solidary.

The bid of the community of bidders must contain data on each member, as determined in the Bidding list, with obligatory mark of the member of the community of bidders No. 1 who will be called „Bidder“ and be authorized for communication with the Purchaser.

The qualification conditions for members of the community of bidders are proven according to clause 4 of this Invitation for submitting bids

In common bid must be mentioned which part of the Contract on procurement (subject, quantity, value and percentage part) shall be executed by a single member of the community of bidders.

The Purchaser directly pays to each member of the community of bidders for the part of the Contract on procurement that he has executed unless the community determines otherwise.

**14.3. Dead-line, way of paying and conditions of paying**

The amount of 30% of contracted value of the equipment will be paid-in within 8 days since the day of signing the contract. Amount of 65% will be paid-in within 5 days after the announcement of delivery of the procurement subject. The rest of 5% will be paid-in after the installation of equipment which is determined by signing the protocol on takeover, assembly and running of the equipment.

**14.4. Specific and other conditions for execution of Contract**

The Contract on procurement of goods will be prepared according to the conditions from this Invitation and the bid of the selected bidder.

The selected bidder is obliged to deliver the procurement subject according to the quality, characteristics, price and quantity mentioned in the bid as well as conditions from this Invitation which make a constituent part of this Contract on public procurement.

In case of violation of provisions of this contract, the selected bidder is obliged to Purchaser pay the contracted fine. The contracted fine amounts to 0,2‰ of the total contracted price for each recorded delayed day from determined dead-lines of contract. The total amount of such determined contractual fine cannot be higher than 10% of the total contractual price.

**14.5. Control and monitoring of execution of the Contract on procurement:**

The Contract on public procurement must be according to the conditions determined in the Invitation and selected bid.

The Contracting Parties execute the contract on public procurement according to the conditions mentioned in the Invitation and selected bid.

**14.6. Personal identification number (company and persons authorized for representing the economic entity)**

If the bidder is the company outside of the Republic of Croatia, where OIB is not used, it is allowed to use the national identification number according to the country with the seat of the economic entity, if applicable.

For the data of persons authorized for representing the economic entity where OIB is not applicable or equally valid identification number, it is allowed to enter only the ID card No. of the person authorized for representing. In case that according to the regulations of the state of the bidder's business-doing OIB is confidential, it cannot be submitted.

**ANNEX I TO THE INVITATION FOR SUBMITTING BIDS**

**BIDDING LIST**

Procurement No.: **KK.04.1.1.03.0124-26082021**

Name of procurement: **Procurement of automatic machine for production of stapled notebooks**

1. **Name (company) and seat of applicant**

|  |  |
| --- | --- |
| **Community of bidders (encircle)** | YES NO |
| **Bidder:** |  |
| **Address:** |  |
| **OIB:** |  |
| **IBAN:** |  |
| **Bidder payer of VAT (encircle):** | YES NO |
| **Resident address:** |  |
| **Bidder's contact person, phone, e-mail:** |  |
| **Procurement subject:** |  |

1. **Bid price**

|  |  |
| --- | --- |
| **Bid price in HRK, EUR or USD VAT excluded:** |  |
| **VAT amount :** |  |
| **~~Bid price in HRK + VAT:~~**  **Bid price in HRK, EUR or USD + VAT:** |  |

1. **Dead-line for bid validity**

|  |  |
| --- | --- |
| **Dead-line for bid validity:** |  |

**By signing this we confirm that we have read und understood the Invitation for submitting bid as well as all conditions of tender and that we give the bid whose technical specifications (work description) are described in Annex VI to the Invitation for submitting bid, all according to the provisions of the Invitation.**

In \_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_/\_\_/2021. FOR BIDDER:

M.P. \_­­­­­­­­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(signature of the person authorized

for representing economic entity)

In case of community of bidders – filled-out for all its members separately, if non-existing, not necessary to submit.

1. **Name (company) and seat of the bidder**

|  |  |
| --- | --- |
| **Community of bidders** | YES |
| **Member of bidders' community 1 (Bidder):** |  |
| **Address:** |  |
| **OIB:** |  |
| **IBAN:** |  |
| **Bidder payer of VAT (encircle):** | YES NO |
| **Resident address:** |  |
| **Bidder's contact person, phone, e-mail:** |  |
| **Part of the contract which will be executed by a member of the bidders' community (mention subject, quantity, value and percentage part) :** |  |

|  |  |
| --- | --- |
| **Member of bidders' community 2:** |  |
| **Address:** |  |
| **OIB:** |  |
| **IBAN:** |  |
| **Bidder payer of VAT (encircle):** | YES NO |
| **Resident address:** |  |
| **Bidder's contact person, phone, e-mail:** |  |
| **Part of the contract which will be executed by a member of the bidders' community (mention subject, quantity, value and percentage part) :** |  |

In \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_/\_\_/2021. FOR MEMBER OF BIDDERS' COMMUNITY 2:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(signature of the person authorized

for representing economic entity)

|  |  |
| --- | --- |
| **Member of bidders' community 3:** |  |
| **Address:** |  |
| **OIB:** |  |
| **IBAN:** |  |
| **Bidder payer of VAT (encircle):** | YES NO |
| **Resident address:** |  |
| **Bidder's contact person, phone, e-mail:** |  |
| **Part of the contract which will be executed by a member of the bidders' community (mention subject, quantity, value and percentage part) :** |  |

In \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_/\_\_/20\_\_. FOR MEMBER OF THE BIDDERS' COMMUNITY 3:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(signature of the person authorized

for representing economic entity)

1. **Bid price**

|  |  |
| --- | --- |
| **Bid price in HRK VAT excluded:** |  |
| **VAT amount :** |  |
| **Bid price in HRK + VAT:** |  |

1. **Dead-line for bid validity**

|  |  |
| --- | --- |
| **Dead-line for bid validity:** |  |

**By signing this we confirm that we have read and understood the Invitation for submitting bid as well as all conditions of tender and that we give the bid whose technical specifications (work description) are described in Annex VI of the Invitation for submitting bid, all according to provisions of the Invitation.**

In \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_/\_\_/2021. FOR BIDDER:

M.P. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(signature of the person authorized

for representing economic entity)

**Bidding list; ADDENDUM 1 – DATA ON SUB-CONTRACTORS** (enclose/fill-out only in case that the part of the contract is ceded to subcontractors)

1. **Name (company) and seat of subcontractor**

|  |  |
| --- | --- |
| 1. **Subcontractor:** |  |
| **Address:** |  |
| **OIB:** |  |
| **IBAN:** |  |
| **Subcontractor payer of VAT (encircle):** | YES NO |
| **Subcontractor's contact person, phone, e-mail** |  |
| **Subcontractor's part of contract (mention subject, quantity, value and percentage part):** |  |

|  |  |
| --- | --- |
| **2) Subcontractor:** |  |
| **Address:** |  |
| **OIB:** |  |
| **IBAN:** |  |
| **Subcontractor payer of VAT (encircle):** | YES NO |
| **Subcontractor's contact person, phone, e-mail** |  |
| **Subcontractor's part of contract (mention subject, quantity, value and percentage part):** |  |

In \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_/\_\_/2021. FOR BIDDER:

M.P. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(signature of the person authorized

for representing economic entity)

**ANNEX II OF THE INVITATION FOR SUBMITTING BIDS**

**STATEMENT OF NON-EXISTENCE OFREASONS FOR EXCLUSION**

Procurement No.: **KK.04.1.1.03.0124-26082021**

Name of procurement: **Procurement of automatic machine for production of stapled notebooks**

Due to proving of non-existence of situations described in clause 3 of the Invitation for submitting bids, and which could lead to exclusion of the bidder from the procurement procedure, I give the following

**STATEMENT**

by which I \_\_**\_\_\_\_\_\_\_\_\_\_\_\_**\_\_\_ (name and surname) from \_**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**\_\_ (place of residence) OIB:\_ **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**\_, ID card No. \_**\_\_\_\_\_\_\_\_\_\_\_\_\_\_** issued by **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**\_ as per law authorized person for representing the economic entity **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** (name and seat of economic entity, OIB) under full material and penal responsibility declare that the bidder and the person authorized by law for his representing

* 1. if he or person authorized by law for his representing (person who is a member of administrative, management or surveillance body or has authority for representing, reaching decisions or monitoring that economic entity) has been legally effectively sentenced for any of the following criminal offences namely for corresponding criminal offences according to regulations of the country with the seat of the bidder or country whose citizen is a person authorized by law to represent the bidder: participating in criminal organization, criminal association, perpetrating of criminal offence within a criminal association, joining for perpetrating of criminal offences, terrorism or criminal offences related to terrorist activities, money laundering or terrorism financing, children's labor or other forms of human trafficking, corruption, receiving bribe in economic business-doing, giving bribe in economic business-doing, abuse in the public procurement procedure, abuse of power and authority, illegal favoritism, receiving bribe, giving bribe, influence trade, giving bribe for influence trade, abuse of power and authority, abuse in performing duties of state government, illegal mediation, fraud, fraud in economic business-doing, evasion of paying taxes or toll, subvention fraud
  2. has not fulfilled its obligation of paying-out salaries to its employees, contributions for financing obligatory insurances (especially health and pension) or paid taxes according to the regulations of the Republic of Croatia as country in which the bidder has been established, and according to the regulations of the country of business seat of the bidder (if they do not have it in the Republic of Croatia), unless in accordance with special rules for allowing the paying delay of the mentioned obligations and if the amount of due but non-paid obligations is not higher than 200 kuna
  3. if he has falsely stated, represented or provided untrue data related to the conditions mentioned by NOJN as obligatory.

In \_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_/\_\_/2021.

FOR BIDDER:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(signature of the person authorized

for representing economic entity)

|  |
| --- |
| **In case of bidders' community, the Statement must be signed by each of its members.** |

**ANNEX III TO THE INVITATION FOR SUBMITTING BIDS**

**STATEMENT ON FULFILLING THE CONDITIONS OF PROFESSIONAL COMPETENECE**

Procurement No.: **KK.04.1.1.03.0124-26082021**

Name of procurement: **Procurement of automatic machine for production of stapled notebooks**

Due to proving of legal qualifications requested in clause 4.1. of the Invitation, I give:

**I Z J A V U**

by which I **\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_**\_ (name and surname) from \_\_**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**\_ (place of residence) OIB:\_**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**\_, ID card No. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** issued by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as by law authorized person for representing economic entity **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** (name and seat of economic entity, OIB) under full material and penal responsibility state:

1. that the bidder/each member of bidders' community entered into the Court, Trade, Occupational or some other corresponding Registry of the country with the seat of the bidder/member of bidders' community

**(encircle bidder or bidders' community)**

In \_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_/\_\_/2021.

MP FOR BIDDER:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(signature of the person authorized

for representing economic entity)

**ANNEX IV OF THE INVITATION FOR SUBMITTING BIDS**

**STATEMENT ON TECHNICAL AND PROFESSIONAL COMPETENCE**

Procurement No.: **KK.04.1.1.03.0124-26082021**

Procurement name: **Procurement of automatic machine for production of stapled notebooks**

Due to proving technical and professional qualifications requested in clause 4.2. of the Invitation for submitting bids, I give the following:

**STATEMENT**

by which I \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name and surname) from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (place of residence) OIB:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, ID card No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ issued by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as by law authorized person for representing economic entity \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name and seat of the economic entity, OIB) under full material and penal responsibility state:

that the bidder/bidders' community have performed following deliveries which are same or similar to the procurement subject, in the year in which the public procurement procedure was started and during three years prior to that year:

**LIST OF PERFORMED DELIVERIES**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No.** | **Name of other Contracting Party** | **Name of delivery** | **Amount – VAT excluded, HRK or EUR (mention currency)** | **Date/place of performing/** |
| 1. |  |  |  |  |
| 2. |  |  |  |  |
| … |  |  |  |  |

Add lines if needed

In\_\_\_\_\_\_\_\_\_\_\_\_, \_\_/\_\_/2021.

M.P. FOR BIDDER:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(signature of the person authorized

for representing economic entity)

**ANNEX V OF THE INVITATION FOR SUBMITTING BIDS**

**STATEMENT ON FINANCIAL LIQUIDITY**

Procurement No.: **KK.04.1.1.03.0124-26082021**

Name of procurement: **Procurement of automatic machine for production of stapled notebooks**

Due to proving of financial qualifications from clause 4.3. of the Invitation, I give:

**STATEMENT**

by which I \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name and surname) from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (place of residence) OIB:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, ID card No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ issued by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as by law authorized person for representing the economic entity \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name and seat of the economic entity, OIB) under full material and penal responsibility state:

that the total turnover of the bidder in the last three available fiscal years has amounted to as follows:

|  |  |
| --- | --- |
| **YEAR** | **TOTAL (kn)** |
|  |  |
|  |  |
|  |  |

In\_\_\_\_\_\_\_\_\_\_\_\_, \_\_/\_\_/2021.

M.P. FOR BIDDER:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(signature of the person authorized

for representing economic entity)