



Hrvatska banka za obnovu i razvitak

SIMPLE PROCUREMENT

File reference number: EVB 144-18

INVITATION TO TENDER – 1st CHANGES

in a simple procurement procedure for legal services to be rendered by an expert in the German law

Zagreb,
January 2019

I. GENERAL INFORMATION

1. INFORMATION ON CONTRACTING AUTHORITY:

Name: Hrvatska banka za obnovu i razvitak (HBOR, Croatian Bank for Reconstruction and Development)

Headquarters: Zagreb, Strossmayerov trg 9

PIN: 26702280390

2. CONTACT PERSON OR CONTACT UNIT:

Contact:

Mirta Dusparić/International Legal Affairs Unit

Phone: +385 1 4597 893

E-mail: mdusparic@hbor.hr

Ivan Vrdoljak/Procurement Unit

Phone: +385 1 4591 787

E-mail: ivrdoljak@hbor.hr

II. INFORMATION ON PROCUREMENT SUBJECT MATTER AND PROCEDURE

3. FILE REFERENCE NUMBER OF PROCUREMENT:

EVB 144-18

4. ESTIMATED VALUE OF PROCUREMENT:

HRK 80,000.00, VAT not included

5. NAME OF PROCUREMENT SUBJECT MATTER:

Legal services to be rendered by an expert in the German law

6. DESCRIPTION OF PROCUREMENT SUBJECT MATTER:

For purpose of securing a loan agreement (governed by the Croatian law) to be concluded with a Croatian borrower owned by a German company as the parent company, legal assistance of a German legal expert would comprise the following:

(i) legal advice on which of the possible security interests under the German law would be in HBOR's best interest, (ii) drafting, execution, perfection and registration of the security documents (bilingual in German and English) to be issued by the German parent company and parent company's owners (4 natural persons), (iii) control of the provisions of the loan agreement regarding the security interest, (iv) issuance of a German legal opinion (whether in HBOR's standard format, or German legal expert's format and (v) advise on whether any other document is necessary for perfection of the security interests.

The legal opinion should include (to the extent applicable) confirmation of the following elements: (i) the capacity of the security interests providers to enter into the transaction, (ii) the loan agreement and the security interest thereunder (as executed and delivered) do not contravene the German law, (iii) all authorizations and approvals in connection with the validity and enforceability of the security interests have been obtained by the natural persons (if applicable) and corporate guarantee provider and that the person executing the security interest has the right, power and authority to execute it on behalf of the corporate guarantee provider.

7. AWARD CRITERION:

The lowest price

8. PLACE OF SERVICE PERFORMANCE:

Germany

9. DURATION OF SERVICE PERFORMANCE:

6 months from the signing of the Contract

10. LIST OF EXPENSES AND/OR TECHNICAL SPECIFICATION:

List of Expenses in accordance with Item 6 of the Invitation to Tender.

III. PROVISIONS ON TENDERER'S ABILITY

11. TERMS AND CONDITIONS OF ABILITY AND GROUNDS FOR EXCLUSION:

- The Tenderer may, before making a decision on selection, request from the tenderer that submitted the most favourable tender, evidence proving that there are no grounds for exclusion prescribed by Article 251 and Article 252 of the Public Procurement Act (Official Gazette No. 120/16).

IV. TENDER DATA

12. LANGUAGE OF THE TENDER:

The tender is submitted in the English language.

13. TENDER VALIDITY PERIOD:

The period of tender validity is 60 (sixty) days from the expiry of deadline for submission of tenders. The contracting authority will reject any tender with a shorter option than the requested one.

14. DEADLINE FOR SUBMISSION OF TENDERS:

04 February 2019

15. MANNER OF TENDER PREPARATION:

Tender must be binding and unconditional. It must contain the name and headquarters of the tenderer, address, PIN, account number, address for postal delivery, e-mail address, contact person of the tenderer, phone number, subject matter of procurement, tender price VAT not included, VAT amount, tender price VAT included if the tenderer is subject to the VAT system, information whether the tenderer is subject to the VAT system, date of the tender and tender validity period, delivery period.

16. MANNER OF TENDER SUBMISSION:

Tenders are submitted by electronic means to the following e-mail:

jednostavnabava37@hbor.hr

V. DEADLINE, MANNER AND TERMS OF PAYMENT

17. DEADLINE, MANNER AND TERMS OF PAYMENT:

The contracting authority will pay the performed services of the respective procurement not later than within 30 (thirty) days from the receipt of the tenderer's invoice.

V. MISCELLANEOUS

18. PUBLICATION OF RESULTS OF THE IMPLEMENTED SIMPLE PROCUREMENT PROCEDURE:

Information on the selection of the most favourable tender will be submitted to the tenderer by the contracting authority not later than within 45 (forty-five) days from the expiry of the deadline for submission of tenders.

19. DATE OF PREPARATION OF INVITATION TO TENDER:

28 December 2018

Yours sincerely,

Head of Procurement Unit

Ivan Vrdoljak (signed)