



Hrvatska banka za obnovu i razvitak

SIMPLE PROCUREMENT

File reference number: EVB 121-19

INVITATION TO TENDER

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

Zagreb,
May 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:

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II. INFORMATION ON PROCUREMENT SUBJECT MATTER AND PROCEDURE

3. FILE REFERENCE NUMBER OF PROCUREMENT:

EVB 121-19

4. ESTIMATED VALUE OF PROCUREMENT:

HRK 90,000.00, VAT not included

5. NAME OF PROCUREMENT SUBJECT MATTER:

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

6. DESCRIPTION OF PROCUREMENT SUBJECT MATTER:

In order to establish whether security instruments governed by the Norwegian law are duly and validly executed and perfected and validly secure payment and discharge of obligations under the loan agreement (governed by the Croatian law) executed between HBOR and a Croatian borrower, legal assistance of a Norwegian legal expert would comprise the following:

- (i) examination and, if needed, drafting of amendment/s of two account pledge agreements and an assignment agreement governed by the Norwegian law, including legal advice on whether there are any steps that must be taken (and are not already taken) in order to establish and perfect the pledge of accounts and assignment of claims in question;
- (ii) examination of legal opinions issued by Norwegian legal advisor, engaged by the borrower, regarding assignment of claims and pledge of accounts under the Norwegian law;
- (iii) control of the provisions of the loan agreement (translated in English) regarding the security interests executed under the Norwegian law and, if needed, legal advice for possible improvement of these provisions;
- (iv) issuance of legal opinion (whether in HBOR's standard format, or Norwegian legal expert's format).

The legal opinion should include (to the extent applicable) confirmation of the following elements: (a) the capacity of the security interests provider to enter into the transaction, (b) the loan agreement and the security interest thereunder (as executed and delivered) do not contravene with the Norwegian law, (c) 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 security interests provider and that the persons executing the security interests have the right, power and authority to execute it on behalf of the security interests provider, (d) that claims assigned under the assignment agreement mentioned under (i) are freely assignable to HBOR (this may include examination of contracts these claims derive from, (e) that statements under legal opinions issued by Norwegian legal advisor, engaged by the borrower, regarding assignment of claims and pledge of accounts under the Norwegian law are accurate and complete and if not, in which regard they are not accurate and/or complete.

All the services of Norwegian legal expert must be rendered in the English language.

7. AWARD CRITERION:

The lowest price

8. PLACE OF SERVICE PERFORMANCE:

The Kingdom of Norway

9. DURATION OF SERVICE PERFORMANCE:

The delivery deadline will be defined by 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:

22 May 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.

VI. 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:

2 May 2018

Yours sincerely,

Procurement Unit

Vjekoslav Žužul (signed)