



HRVATSKA BANKA ZA OBNOVU I RAZVITAK

SIMPLE PROCUREMENT

File reference number: EVB 090-21

INVITATION TO TENDER

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

**Zagreb,
March 2021.**

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:
Rene Veronek/International Legal Affairs Unit
Phone: +385 1 4590 407
E-mail: rveronek@hbor.hr
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II. INFORMATION ON PROCUREMENT SUBJECT MATTER AND PROCEDURE

3. FILE REFERENCE NUMBER OF PROCUREMENT:

EVB 090-21.

4. ESTIMATED VALUE OF PROCUREMENT:

HRK 100.000,00, VAT not included.

5. NAME OF PROCUREMENT SUBJECT MATTER:

Legal services to be rendered by an expert in the Belarusian law.

6. DESCRIPTION OF PROCUREMENT SUBJECT MATTER:

1. issuing of legal opinions on legal issues relevant to the approval of loans with a foreign element based on the knowledge of the legal system in Belarus (e.g. withholding tax),

2. control of the provisions of loan agreements regarding the clauses which are in connection with the Belarusian legal system (e.g. withholding tax, etc.) and,

3. issuing of legal opinions containing at least the following: a) an assessment whether the borrower has adequate legal capacity to enter to the loan agreement (including standard due diligence checks on the borrower and the necessary corporate resolutions); b) assessment of the validity of the borrower's commitment under the loan agreement (the borrower has the power to enter into and perform the loan agreement); c) the loan agreement constitutes legal, valid, binding and enforceable obligation of the borrower; d) the execution, delivery and performance of the loan agreement by the borrower does not constitute a violation of any provision of any law or regulation; e) all authorizations and approvals in connection with the validity and enforceability of the loan agreement has been obtained, f) the person executing the loan agreement has the right, power and authority to execute the loan agreement on behalf of the borrower, g) no litigation, arbitration or administrative proceedings are presently current or pending against the borrower, which would be reasonably likely to have an effect on its obligations under the loan agreement, h) an assessment of the enforceability of the claim under the loan agreement, etc.

* two loan agreements will be concluded with a borrower therefore two legal opinions (with the scope as mentioned above under 6.1. and 6.3.) are required, one per each transaction.

7. **AWARD CRITERION:**
The lowest price.
8. **PLACE OF SERVICE PERFORMANCE:**
Republic of Belarus.
9. **DURATION OF SERVICE PERFORMANCE:**
March 2021. to July 2021.
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).
 - The Tenderer must have professional knowledge and experience related to the subject matter of procurement. This declaration can be found in Schedule 1 of these Invitation to tender.

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:**
18. March 2021.
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, declaration from Schedule 1 of these Invitation to Tender.
16. **MANNER OF TENDER SUBMISSION:**
Tenders are submitted by electronic means to the following e-mail:
jednostavnabava1@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:**
12th March 2021.

Yours sincerely,

Procurement Unit
Iva Crnjak (signed)



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**Schedule 1:
DECLARATION OF ECONOMIC OPERATOR ABOUT PROFESSIONAL KNOWLEDGE AND
EXPERIENCE RELATED TO THE SUBJECT MATTER OF PROCUREMENT**

Subject matter of procurement: Legal services to be rendered by an expert in the Belarusian law.

Name of tenderer:

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Headquarters:

PIN:

Economic operator hereby declares:

- that it has professional knowledge and experience related to the subject matter of procurement.

Signature of authorised person of economic operator:

In _____ on ____ March 2021.