

**LUKA RIJEKA d.d.**  
**Riva 1**  
**51000 Rijeka**  
**OIB 92590920313**

**TENDER**  
**DOCUMENTATION**  
**FOR LOCOTRACTOR FOR TERMINAL ŠKRLJEVO**

RIJEKA, February 2021

# GENERAL AND SPECIAL TERMS, INSTRUCTIONS FOR BIDDERS ON FORMULATION OF BIDS

1. **Customer:** LUKA RIJEKA d.d., Port of Rijeka j.s.c., Riva 1, 51000 Rijeka;  
OIB/VAT 92590920313
2. **Location of delivery:** Riva 1, 51000 Rijeka, Hrvatska/ Croatia
3. **Description of subject of purchase:**
  - 1 pcs Locotractor
4. **Submitting of proofs, proofs and necessary documentation in order to prove legal, business and financial capacity:**
  - Accepted from court, professional or commercial registers (appropriate registration document from the country of origin)
  - Criminal record statement for responsible person authorized for stipulation of agreements
  - Manufacturer's authorization for representation if the representative is from a different company
  - Proof of payment of all taxes and contributions
  - BON1 and BON2 (proof of solvency), creditworthiness
  - Proof of manufacture of appropriate machine at the annual level for the past three years
  - Quality assurance certificate for the company
  - References in ports for past five years for machine with list of customers
  - Statement by at least three customers stating the machine meet the expected quality
  - Service for offered machine has to be organized within 500 km from the location of operative use-please state what are the nearest service stations- write statement with address and contact details
  - Extract from criminal records or equivalent documents - not to be older than 6 months from the date of commencement of the procurement procedure
  - Certificate of the tax administration or other competent body / extract from the court register or certificate of the commercial court or other competent body / affidavit or statement of the issuer with a certified signature by a notary public - are considered updated if not older than the date of the public procurement procedure

Bidders also supply the form with price and the completed statement on acceptance of general and special terms (enclosed).

## 5. Price bid:

The bidder is hereby obligated to study the complete documentation based on which he will offer and to become acquainted with:

- location of operation
- type of surface on which operate
- conditions of their use and harmonization with the safety regulations of Republic of Croatia in order to be granted certificates by the safety inspectors

Failure to learn the above shall neither allow for extension of the contracted term nor justify the deformations which resulted from regular use at maximal loads or any other justification.

The Bidder is hereby obligated to meet the following requirements:

- Bid should exclusively be expressed in Euro value, without taxes. The price should be expressed in figures and letters.
- Prices have to be DDP Port of Rijeka, Terminal Škrljevo
- Bidder offers machine according to the supplied documentation
- The contracted price is fixed and unchangeable.

- The price is entered in the enclosed form.
- Regardless of the subcontractors and manufacturers of fitted equipment, the bidder is solely responsible for the entire documentation and for quality of delivered machine as well as for the warranty of the entire product with all fitted elements.
- Warranty Period – min 24 months, or 4000 operation hours, commencing on Operational Acceptance date, whichever is earlier
- Offer for Spare parts for maintenance provided in service instructions during the warranty period - included in price; needs to be specify in offer
- Specify service engineers prices-obligatory
- Specify nearest service company address-obligatory
- The bidder is obliged to submit a catalog, brochure or other document in which they are listed all the technical characteristics of the offered subject of procurement, in accordance with the conditions specified in the Technical Specification

The following is not allowed:

- alternative prices in the bid
- bids under conditions not anticipated in the Purchase Documentation

#### **6. Other conditions:**

- Bidder offers machine as a complete product, as “turn-key” project
- Bidder offers the total price
- Bidder is responsible for delivery to Buyers place and insures the objects until delivery,
- Transport insurance is included in price
- Bidder provides the complete documentation in accordance with the requested information from Tender Documentation
- Filled questionnaire for bidder
- Filled bid form
- Signed statement of integrity
- Bank guarantee will be asked for all advance payment, when contract will be signed.

Incomplete bids and bids that do not comply with tender documentation shall be dismissed as incomplete and the bidder shall not be discussed in comparison with other bidders.

#### **7. Payment terms, manner and conditions:**

We kindly ask You to offer us the best terms of payment, multiple options are acceptable. Please offer payment in phases.

One % have to be after delivery after presentation of the following documents:

- (i) Original of delivery protocol signed by both parties, commencing on Operational Acceptance date.
- (ii) Original of Supplier's invoice

#### **8. Delivery terms:**

The shortest possible delivery time. (this is also crucial for decision)

#### **9. Bid validity**

The bid should be valid for 90 (ninety) days from the date of closing competition

#### **10. Selection criteria for the most favorable bid**

The bid with favorable price and other commercial terms which meets all the prescribed requirements from enclosed documentation is the acceptable one. Important is the most economically advantageous offer but also reliability, quality, maintenance cost, warranty periods, service networks etc. will be looked as importance to our company.

The customer withholds the right to select the most favorable bidder and not to select any bid as well as not to enter into agreement with any bidder.

The customer is hereby not obligated to explain the above stated. The customer does not undertake to provide a written explanation or to bear the costs to the tenderers on any basis.

## 11. Language

The basic bid with offered price should be composed in English language. The enclosed documentation with the description of the machine and other documentation may be in English language and in Croatian if possible.

## 12. Submitting of bids:

Bids are submitted in sealed envelope.

The envelope should contain:

- the Customer's address
- title and the address of the Bidder
- mark: "NE OTVARAJ - Ponuda za locotractor" – "DO NOT OPEN- Bid for locotractor"

Bids are sent to the address:

LUKA RIJEKA d.d., /Port of Rijeka j.s.c.  
Riva 1,  
51000 Rijeka

until 25.03.2021. till 12 o'clock, regardless of the delivery mode.

## 13. Instructions for collection of documentation for collection of bids:

Bidding documentation may be requested by e- mail at [nabava@lukarijeka.hr](mailto:nabava@lukarijeka.hr), supplying the information on potential bidder or on web page of Port.

## 14. Information on purchase in question:

Information relating to the bid may exclusively be requested by e- mail at [nabava@lukarijeka.hr](mailto:nabava@lukarijeka.hr).

If You plan to visit Terminals, feel free to write an email on [nabava@lukarijeka.hr](mailto:nabava@lukarijeka.hr) and [tehnologija@lukarijeka.hr](mailto:tehnologija@lukarijeka.hr)

The Customer shall respond in writing to all queries sent in writing to the above e- mail address, within the prescribed bidding term. Telephone calls and responses are excluded for the purpose of objectivity and to ensure equal position for all bidders. Questions and responses are filed and may be sent to other bidders, if necessary.

## 15. Committee for opening of submitting offers

The bidders shall be informed on bidders in writing within 7 days from opening envelopes.

## 16. Information on selection

The Customer is hereby obligated to inform the bidders on his decision 90 days after the selection of the most favorable bidder, at the latest. The agreement shall be stipulated not later than 90 days after the information on the most favorable bidder.

## 17. Note:

For equipment purchases which are not part of maritime demesne, Luka Rijeka d.d is not obligated to apply the Law on Public Tenders (Official Gazette no.120/16), following a letter of the Ministry of Economy, Class 406-01/12-01/123 file no. 526-15-02-01/1-12-2 of 27 April 2012.

**Bidder:**

Title: \_\_\_\_\_  
Seat/residence: \_\_\_\_\_  
E-mail \_\_\_\_\_  
Register number: \_\_\_\_\_  
OIB/VAT \_\_\_\_\_  
Responsible person of the bidder: \_\_\_\_\_  
\_\_\_\_\_

**B I D no.** \_\_\_\_\_  
**for LOCOTRACTOR**

We have studied the bidding documentation and all documents made available to us by the Customer, studied the location at which the machine shall be used, safety- at- work and transport regulations as well as the conditions for their commissioning and we are ready to accept them all and accordingly offer the following machine is:

**Price: EUR** \_\_\_\_\_ **+PDV/VAT**

**Total price: EUR** \_\_\_\_\_

**special offers (additional discount on the total price):**

.....

Payment terms and conditions (please write, payment in phases):

Delivery terms: DDP Port of Rijeka j.s.c., Terminal Škrljevo

Bid validity term: \_\_\_\_\_

/stamp/

**Bidder**

\_\_\_\_\_  
*(Bidder's authorized person)*

**Customer:**

LUKA RIJEKA d.d.  
Riva 1  
51000 Rijeka

Title: \_\_\_\_\_

Seat/residence: \_\_\_\_\_

E-mail \_\_\_\_\_

Register number: \_\_\_\_\_

OIB/VAT \_\_\_\_\_

Responsible person of the bidder: \_\_\_\_\_

\_\_\_\_\_

**STATEMENT**

**on the guarantee for the proper performance of the contract**

Hereby we confirm that we are aware of all general and special terms from the tender documentation from the procedure of bidding for purchase of locotractor and that we accept them in their entirety.

We declare that, if our offer is selected as the most favorable, we will on conclusion of the contract, submit to the client a guarantee for:

- orderly fulfillment of the contract in the form of a bank guarantee;
- that the bank's guarantees will be unconditional on the "first call" and "without objection" in the amount of 10% (ten percent) of the contracted total price with the corresponding VAT
- that the bank's guarantees for the proper fulfillment of the contract will be submitted when signing the contract with a validity period of 60 days after the expiration of the contract
- that he agrees that the bank's guarantee for the proper performance of the contract will be protested (charge) in case of breach of contractual obligations;

**Bidder**

/stamp/

\_\_\_\_\_  
(Bidder's authorized person)

In \_\_\_\_\_, \_\_\_\_\_ 2021

## STATEMENT ON INTEGRITY

„Herewith we declare and determine that neither we nor anybody else, including all our directors, employees and representatives acting in our name and on our behalf having authority i.e. acting with our knowledge or consent and with our support, has been and shall be involved in prohibited activity (according to the stated definition) in connection with the bidding procedure “offer for locotractor“ (hereinafter referred to as the “Agreement”). We are hereby obligated to inform you if anybody in our organization responsible for complying with this regulation learns something that could be regarded as prohibited activity.

Herewith we are obligated to appoint and hold an official in our office during the period of the bidding procedure, i.e. if our bid is accepted, during the duration of the Agreement. This official shall be of quality that is acceptable to you. This person shall be quickly and easily accessed by you and he/she will have duties and necessary authorities to adhere to this regulation.

If (i) we or any of our directors, employees or representatives acting in that capacity have been convicted in any court for violation including prohibited activity in connection with any bidding procedure or subcontracting of works, goods or services during a period of five years directly preceding this statement;

or (ii) if a director, employee or representative was fired or resigned from his position due to suspicion of involvement in prohibited activity, we are hereby quoting the details of that conviction, firing or resignation, together with details of the measures we took or we shall take in order to ensure that neither our company nor any of our directors, employees or representatives performs any prohibited activity connected with this regulation”.

In case we gain the Agreement we are herewith permitting our client and auditors appointed by them and any body authorized by them within the law, to review our documentation.

We hereby accept to keep our documentation in accordance with competent laws but in any case at least six years from the date of real completion of the Agreement”

The bidder guarantees maximal correctness during the procurement process and absence of any prohibited activity in connection with the bidding process.

For the purpose of this regulation,

- „corruption” corresponds to offering, giving or promising of inappropriate advantage that may influence the activity of a public official, i.e. threat by injury to his/her person, employment, property, rights or reputation, connected to the procurement or execution of an agreement in order for a person to inappropriately gain or hold the job or acquire other inappropriate advantage in the job;
- „fraud” corresponds to an unfair statement or activity of concealing with an intent or tendency to inappropriately influence the procurement procedure or execution of agreement harming the client or with intention to form uncompetitive bidding prices withholding fair and open competitiveness to the

client. This activity includes adjustments (before or after the bid is submitted) between the bidders or between the bidder and the consultants i.e. client's representatives.

- „Client” corresponds to the person nominated as such in the documentation for bidding or in the Agreement.
- „Public Official” corresponds to the person that has legislative, administrative, managing, political or legal position in a country or holds a political function in a country or director or employee or public service or legal person controlling a public body in a country, or director or employee of public international organization.
- „Prohibited activity” corresponds to an activity that is corruption or fraud.

*Signature*

BIDDER  
Executor of works)

Leading member and

Each member

*Date*

## QUESTIONNAIRE TABLE FOR BIDDER:

### PRICES FOR AUTHORIZED SERVICE FROM THE MANUFACTURER

1.	Weekdays EUR/h - service work on the place of use of the machine, work in first and second shift	
2.	Overtime work third shift EUR/h Holidays EUR/h	
3.	travel expenses EUR/ km	

### SERVICE (please fulfill)

1.	-Service ..... km from Luka Rijeka.d.d. - Central warehouse of spare parts ..... km from Luka Rijeka d.d. - Number of units of spare pieces in stock - Time of delivery of the spare part in the Port LUKA RIJEKA	
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List of authorized services (name, address, telephone number) for the provision of the service of the offered subject of procurement in the warranty and out of the warranty period and a statement of supply of spare parts for the offered subject of procurement in the warranty and out of the warranty period.

**Location of service station:**  
(please specify)