

INVITATION TO SUBMIT AN OFFER

INSTRUCTIONS TO BIDDERS FOR PREPARING THE OFFER

1. Contracting Authority

LUKA RIJEKA d.d., RIJEKA, Riva 1, OIB 92590920313

Contact: Procurement Department, tel. +385 (051) 496-373, email: nabava@lukarijeka.hr

2. Subject of the Public Tender

The subject of this tender is the procurement of goods:

GROUP – TENDER NO. 07/2025 – EMPTY CONTAINER HANDLER for the Terminal Škrljevo -1 unit

3. Place of delivery/service execution:

FCO Luka Rijeka d.d., Terminal Škrljevo

4. Delivery deadline:

As soon as possible.

5. Provisions on the bidder's capacity

To determine the bidder's capacity to execute the contract, bidders are required to enclose documents proving:

- Legal and business capacity
- Financial capacity – BON-2 (solvency data)
- Excerpt from the court, professional, or commercial register (registration document from the bidder's country)
- Notarized statement on the criminal record of the person authorized to sign the contract
- Manufacturer's authorization for representation if the bidder is a representative of another company
- Statements from at least three clients confirming expected quality

In addition to the above documents, bidders must submit a price form and a signed statement of acceptance of the general and special terms (form attached).

Before making a selection decision, the Contracting Authority may request from the most favorable bidder originals or certified copies of all required documents. If the bidder fails to provide them within **5 days**, or no longer meets the requirements, the bid will be excluded and the next ranked bid will be considered.

5.1 Legal and business capacity

Each bidder must, in the course of the procurement procedure, prove their registration in the court, trade, professional, or other appropriate register of the country in which the economic operator is established, in order to demonstrate that the bidder is registered to perform activities related to the subject of the procurement. As proof, the bidder must submit an excerpt from the court, trade, professional, or other relevant register of the country of establishment. If such a register is not issued in the country of establishment, the economic operator may submit a statement with a notarized signature issued by the competent authority. The excerpt or statement must not be older than three months from the date the procurement procedure begins.

5.2 Minimum financial capacity

The bidder must, during the procurement procedure, prove that they have not had a blocked account in the past six (6) months, counting from the date of publication of the invitation to tender. The Contracting Authority assesses that an account blockage may jeopardize the bidder's ability to meet all obligations toward other entities on time, which is a prerequisite for the successful and timely execution of the procurement subject. To this end, as evidence, the bidder must submit a document issued by a bank or other financial institution proving the economic operator's solvency, clearly showing that the bidder has not had a blocked account in the past six (6) months from the date of publication of the invitation to tender.

6. Commercial and Financial Terms

- Unit price in EUR, excluding VAT, FCO Luka Rijeka, Terminal Škrlevo
- Payment terms – specify progressive payment and 10% after delivery/commissioning
- The bidder is obliged to review the complete documentation and be familiar with:
 - Delivery location
 - Intended use and place of use
 - Conditions of use

When preparing the offer, the bidder must:

- Quote only in **euros**, prices written in figures
- Offer the equipment in accordance with the provided documentation
- Offer a **fixed price** for the entire contract duration
- Indicate the price on the attached form
- State warranty and delivery deadline
- Be fully responsible for documentation, product quality, and warranty, regardless of subcontractors or manufacturers

Not allowed:

- Alternative prices
- Conditional offers not in line with the tender documentation

Additional requirements:

- The bidder is responsible for delivery
- Must provide technical specifications
- Must certify the statement of acceptance of general and special terms
- Must submit a signed **integrity form**
- Must offer a **warranty**

Incomplete offers or offers not in accordance with the documentation will be **rejected** and not compared with other bidders.

7. Contact persons at the Contracting Authority

Email: nabava@lukarijeka.hr

8. Offer Validity Period

Until **September 30, 2025**

9. Language of the Offer

The offer must be submitted in **Croatian or English**

10. Form of the Offer

Bidders are required to submit an offer with a **completed and certified specification**. The offer must be submitted in a **sealed envelope**, addressed to the Contracting Authority, indicating the tender it refers to, marked **DO NOT OPEN**, and including the bidder's address, as follows:

LUKA RIJEKA d.d.

Riva 1

51000 Rijeka, Room 103

for the tender "Empty container handler"

EN No. 07/2025

"DO NOT OPEN"

and the name and address of the bidder

11. Offer submission deadline

No later than **July 14.08.2025, by 12h**

12. Criteria for selecting the most favorable offer

An acceptable offer is one that fully meets all the conditions and requirements set out in the tender documentation.

The bidder shall submit the offer in writing by the specified deadline, in accordance with the invitation and procurement documentation.

Bidders may submit **only one offer**. The Contracting Authority reserves the right to select the most favorable bidder, as well as the right **not to accept any offer and not to conclude a contract with any bidder**.

The Contracting Authority is under no obligation to provide reasons for **not selecting any bidder**, nor shall it bear any costs incurred by bidders in connection with the submission of offers.

13. Opening of offers

Offers will be opened by a committee. Bidders will be notified of the results in writing, no later than the offer validity period.

14. Information about this procurement

All questions must be submitted **in writing by email** to:

- nabava@lukarijeka.hr
- tehnologija@lukarijeka.hr

The Contracting Authority will respond **only in writing** to all questions from bidders, which may be submitted **exclusively by email** during the offer submission period.

Telephone calls and verbal responses are not permitted in order to maintain impartiality and ensure equal treatment of all bidders.

All questions and answers will be archived and, if necessary, shared with other bidders.

15. Note

Luka Rijeka d.d. is **not subject to the Public Procurement Act** for equipment not part of the maritime domain, per the Ministry of Economy letter dated April 27, 2012.

MANDATORY OFFER FORM

NAME OF THE BIDDER:.....

ADDRESS:.....

OIB (TAX ID):.....

OFFER TITLE (NAME OF THE PROPOSED EQUIPMENT):

..... **EMPTY CONTAINER HANDLER**

PRICE WITHOUT VAT: EUR/UNIT _____

OFFER VALIDITY PERIOD: _____

WARRANTY: _____

DECLARATION

WE CONFIRM THAT THE OFFERED PRICES ARE FIXED AND UNCHANGEABLE FOR THE DURATION OF THE CONTRACT.

WE HAVE REVIEWED THE TENDER DOCUMENTATION AND ALL DOCUMENTS MADE AVAILABLE BY THE CONTRACTING AUTHORITY, AND WE HAVE THOROUGHLY FAMILIARIZED OURSELVES WITH THE WORKING CONDITIONS AND REGULATIONS.

FULL NAME(S) OF THE AUTHORIZED PERSON(S):

BIDDER:

.....

(SIGNATURE AND STAMP)

IN **2025**

STATEMENT

Name and title of the bidder:

Address:

Hereby we confirm that we accept the general and special conditions of the tender for the **Empty container handler** as stated in the documentation, and that we accept them in full.

BIDDER:

.....

(SIGNATURE AND STAMP)

IN 2025

INTEGRITY STATEMENT

“We hereby declare and confirm that neither we nor anyone else, including all our directors, employees, and representatives acting on our behalf and having the appropriate authority or acting with our knowledge or consent, and with our support, have been or will be involved in any prohibited practice (as defined below) in connection with the tender procedure (hereinafter referred to as the "Contract"), and we commit to inform you if anyone in our organization responsible for compliance with this provision becomes aware of anything that could be considered a prohibited practice.

We undertake, during the tender procedure, or if our offer is accepted, during the duration of the contract, to appoint and maintain at our office an official of acceptable qualities to you, to whom you will have full and rapid access, and who will have the duties and necessary authority to ensure compliance with this provision.

If (i) we, or any of our directors, employees, or representatives acting in such capacity, have been convicted by any court of an offense involving a prohibited practice related to any tender procedure or procurement of works, goods, or services during the five years immediately preceding this statement;

Or (ii) any director, employee, or representative has been dismissed or terminated due to suspicion of involvement in any prohibited practice, we hereby provide details of such conviction, dismissal, or resignation, along with the details of measures we have taken or will take to ensure that neither our company nor any of our directors, employees, or representatives will engage in any prohibited practice related to this provision.”

In the event of being awarded the contract, we permit the contracting authority, their appointed auditors, and any legally authorized body to inspect our documentation.

We agree to maintain our documentation in accordance with applicable laws, but in any case, for at least six years from the date of substantial completion of the contract.”

For the purpose of this provision,

- “Corruption” means offering, giving, or promising any undue advantage that may influence the actions of a public official, or threats to their person, employment, property, rights, or reputation, related to the procurement or execution of a contract, to unfairly obtain or retain business or gain any other undue advantage in the conduct of business.
- “Fraud” means a dishonest statement or act of concealment with the intent or aim to unfairly influence the procurement process or contract execution to the detriment of the contracting authority, or to form non-competitive tender prices thereby depriving the contracting authority of the benefits of fair and open competition. This practice also includes bid rigging (before or after submission of bids) among bidders themselves or between bidders and consultants or representatives of the contracting authority.
- “Contracting Authority” means the person so named in the tender documentation or contract.
- “Public Official” means a person holding a legislative, administrative, managerial, political, or judicial position in a country, or holding a political function in a country; or a director or employee of a public service or legal entity that controls a public body in a country; or a director or officer of a public international organization.
- “Prohibited Practice” means an act of corruption or fraud.

Signature:

Bidder:

Lead Member and
Each Member