

This invitation is for products which are not directly relating to, but are supplementary to the Project "*Reinventing the Wheel - Agile Integrated Technological and Green Transition of the STARCO Beli Manastir into a Leading Regional Lean and Green Steel Forming Factory*" received a grant from the Norwegian financial mechanism within the Business Development and Innovation Croatia Programme 2014 - 2021.

In association with the above project and as part of a wider improvement drive within STARCO Beli Manastir, the supplementary equipment has been identified which will further improve the progress of the company to achieve its goals. To fund this supplementary equipment as well as the above mentioned project, STARCO Beli Manastir has made an application to the HBOR bank (Croatian Bank for Reconstruction and Development) for support with financial instruments.

All documents on the procurement process and the award procedure for this package can be found on the Project Promotors web site.

INVITATION TO TENDER FOR ACQUISITION OF ISO WALL WINDOWS FOR ENERGY EFFICIENCY

Procurement number: NAB55315

1. GENERAL DATA

To achieve the aim of the project – procurement of necessary equipment, there will be several tender procedures held in accordance with Procurement procedure for Entities not subject to Public Procurement Act by the publication of the procurement notice – INVITATION TO TENDER, and it will be available at the Project Promotor's web page: <https://starco.com/tender>

QUESTIONS AND ANSWERS:

No later than four days before the deadline for submission of tenders, economic entities/operators may pose questions and request further clarifications related to this Invitation. All questions, arising from any possible ambiguities in the content of the Invitation, as well as any other communication between the Contracting Authority and business entities must be exclusively in Croatian or English and Latin script, in writing, via electronic mail to the address of the nominated contact person as indicated in this Invitation. The Contracting Authority must respond to all requests for clarification and additional information related to the Invitation. Answers to all questions will be made available by the Contracting Authority on the same website where the Invitation was published. The Contracting Authority will allow for sufficient time to prepare the tenders. If, during this phase, the need to correct any part of the Invitation arises, it will be transparently and simultaneously published on the website. In the event that the invitation has to be modified and corrected, the deadline will be proportionally extended, counting from the day of publication of the corrigendum.

Conflict of interest

There are no economic entities with which the Contracting Authority has a conflict of interest at the time of publication of this Invitation.

Project Financing

This project tender is financed by STARCO Beli Manastir d.o.o. (with financial instrument support applied for with HBOR). The implementation of this procurement procedure is part of the envisaged project activities.

1.1. INFORMATION ON CONTRACTING AUTHORITY/PROJECT PROMOTOR

PROJECT PROMOTOR: STARCO Beli Manastir d.o.o.
ADDRESS: Osječka 1a, 31300 Beli Manastir, Croatia
PERSONAL ID (OIB): 80334990436
VAT ID: HR80334990436
TEL +385 31 710001
EMAIL: info.hr@starco.com

Contact Person / Kontakt osoba

NAME: Dejan Adler, Supply Chain Manager
TEL: +385 91 3710113
EMAIL: dejan.adler@starco.com

2. INFORMATION ON THE SUBJECT MATTER OF PROCUREMENT

2.1. DESCRIPTION OF THE SUBJECT MATTER OF PROCUREMENT

This invitation is for products which are not directly relating to, but are supplementary to the Project "*Reinventing the Wheel - Agile Integrated Technological and Green Transition of the STARCO Beli Manastir into a Leading Regional Lean and Green Steel Forming Factory*".

In association with this project and as part of a wider improvement drive within STARCO Beli Manastir, the supplementary equipment has been identified which will further improve the progress of the company to achieve its goals. To fund this supplementary equipment as well as the above mentioned project, STARCO Beli Manastir has made an application to the HBOR bank (Croatian Bank for Reconstruction and Development) for support with financial instruments.

To further improve and build enhancement for energy saving and improvement of safety environment STARCO would like to procure new iso sidewall windows. By replacing old windows with new windows STARCO want to ensure minimal energy loss, increased visibility with daylight and safe working environment.

Full installation and turnkey solution should be implemented.

Other details relating to this procurement procedures are enclosed in the Annex Additional documentation - Technical Specifications/Technical Offer.

2.2. TECHNICAL SPECIFICATIONS OF THE SUBJECT MATTER OF PROCUREMENT

Technical specifications of the subject matter of procurement are contained in the annex Additional information - Technical Specifications/Technical Offer; product types, standards or other features mentioned in the specification are references, but "equivalent" features from the supplier are also accepted.

Evidence of equivalence must be provided by the Tenderer in the context of the tender using suitable means, such as submitted technical specifications, technical data, and the like.

Quantities

Quantities are presented in the Technical Specifications / Technical Offer (which is an integral part of this Invitation).

The Tenderer must offer complete subject matter of procurement.

The tenderer must fill in all the items and specifications of the Technical Offer and Financial Offer.

The Contractor must offer and execute the contract in line with the provisions indicated in this Invitation, currently valid regulations and rules of the profession.

The price comprises all additional costs, indirect costs related to this procurement.

All equipment must be **new and unused**.

All equipment must be in line with the valid regulations and standards of competent bodies, and EU technical standards.

All equipment must be fully compatible with the existing equipment.

2.3. PRICE TERMS & POSSIBLE MODES OF TENDER (SINGLE OR GROUPED)

The tender price should be expressed in the absolute amount in **EUR (with two decimal points)** and *the unit price will remain unchanged* during the duration of the Procurement Contract. All costs and discounts must be included in the tender price without value added tax.

The Financial Offer must be filled in on the original template without changing, correcting or rewriting the original text (see Annex: Financial Offer).
The Tenderer must offer the entire subject matter of procurement as required by the Invitation and fill in all items/characteristics in the Technical and Financial Offer.

2.4. TARGET BUDGET / ESTIMATED VALUE

ESTIMATED VALUE IS: 40.000,00 EUR (without VAT)

3. CAPACITY CRITERIA

3.1. LEGAL AND PROFESSIONAL CAPACITY

Every economic entity participating in this procurement procedure must prove its registration in a judicial, craft, professional, or other appropriate register in the country of its registered office.

The ability of the economic entity to engage in professional activities is demonstrated by an extract from a judicial, craft, professional, or other appropriate register maintained in the country of its registered office. The relevant proof must be submitted with the bid by all economic entities in the bid. The proof must not be older than 3 (three) months from the date of publication of the Invitation to Submit Bids.

The bidder may provide the requested proof in its original form, as a certified copy, or as an uncertified copy. An uncertified copy also includes an uncertified printout of an electronic document.

After ranking the bids according to the selection criterion (lowest price) and before making the decision on the selection, the Contracting Authority may request the submission of originals or certified copies of all the requested documents from the most advantageous bidder with whom it intends to conclude a procurement contract. If an economic entity has submitted certain documents in the bid in their original form or as certified copies, they are not obliged to submit them again. The ability as specified in this point must be demonstrated individually for all economic entities in the bid.

3.2. TECHNICAL AND PROFESSIONAL CAPACITY

The Tenderer must submit the List of references (supply of equipment and executed works) (at least 2 references) which are same or similar to the subject matter of procurement in the last 5 years and the year 2023, in the amount (1 reference or covered with 2 references) of at

least of the estimated value of this procurement procedure. The list of references should contain: the title of the works (contract), title of contracting authority, period of execution, amount of works executed.

3.3. RELIANCE ON THE ABILITY OF OTHER ECONOMIC

In the procurement procedure, an economic operator/Tenderer (or Consortium) can rely on capacity of other entities, regardless of legal nature of their relations, in order to prove the fulfilment of the required selection criteria.

In the procurement procedure, an economic operator/Tenderer can rely on the capacity of other entities to prove the fulfilment of criteria related to technical capacity, only if these entities will perform works or provide services for which this capacity is required (in line with the Directive on Public Procurement).

If the economic entity relies on the capacity of other entities, it must prove to the Contracting Authority that it will have all necessary resources available for the execution of the contract, for example by accepting the obligation of other entities to make these resources available to the economic entity (e.g. Commitment Letter or Technical Cooperation Agreement).

The Contracting Authority is obliged to check whether other entities on whose capacity the Tenderer relies, meet the relevant selection criteria.

4. DELIVERY AND PAYMENT TERMS

4.1. PLACE OF DELIVERY

Place of delivery will be the at the premises of the Project Promotor, Factory STARCO Beli Manastir d.o.o., Osječka 1a, 31300 Beli Manastir, Croatia.

Deadline for delivery and installation: 12.01.2023.

4.2. DELIVERY TERMS

FCO Factory STARCO Beli Manastir d.o.o., Osječka 1a, 31300 Beli Manastir, Croatia.

4.3. PAYMENT TERMS

The payment terms are 30% on order placement, 70% after installation, testing and commissioning of the equipment. Payment of 30% no later than 30 days after order placement and 70% no later than 30 days after signing of commissioning acceptance.

5. TENDER INFORMATION

5.1. TENDER CONTENT

When preparing the offer, the Tenderer must comply with the requirements and conditions of this tender. The Tenderer may not change or add to the text of the Invitation in a way that changes the content of the annexes signed by the legal representative. All costs of preparing the offer are at the expense of the Tenderer.

The tender must contain:

- **Tender Submission Sheet** signed by the authorized representative (annex)
- Obligatory Template for **Technical Specifications / Tehnical Offer** properly filled in according to the instructions (and additional technical documentation, catalogues, etc, if available) signed by an authorized representative (attachment).
- Obligatory Template for Bill of Quantities / **Financial Offer** filled in according to the instructions, signed by an authorized representative (attachment).
- Extract from the **Court Register** -
- **Commitment Letter** or **Agreement of Technical Cooperation (if applicable)**
- **List of References** /List of the Delivered Supplies and executed works which is same or similar to the subject matter of procurement (free format) containing: the title of the contract/project, contracting authority, amount and period/date of delivery

5.2. LANGUAGE OF THE TENDER

The tender is submitted in Croatian or English, and in Latin script. Obligatory Templates for Technical and Financial Offer must be submitted in original (English).

5.3. TENDER SUBMISSION

The complete tender must reach the Contracting Authority at the address of the contracting authority in a sealed envelope or via email address **by the deadline for Tender submission**. Incomplete tenders may be excluded from the evaluation.

The sealed envelope must indicate:

On the front :

STARCO Beli Manastir d.o.o.
Osječka 1a, 31300 Beli Manastir, Croatia

Subject matter of procurement: TENDER FOR ACQUISITION OF ISO ROOF WINDOWS

On the back:

Name and address of the Tenderer, personal ID No. (OIB)

Naziv i adresa ponuditelja, OIB

Email submission:

Must be sent to: dejan.adler@starco.com

Subject matter of procurement: TENDER FOR ACQUISITION OF ISO WALL WINDOWS FOR ENERGY EFFICIENCY

5.4. DEADLINE AND METHOD OF TENDER SUBMISSION

The tender must be received by the Contracting Authority, in a sealed envelope, at the address of the Contracting Authority, **no later than 10/11/2023 at 15:00 Central European Time.**

The tenderer independently determines the manner of tender submission and bears the risk of possible loss or untimely tender submission.

Tenders received after the deadline for tender submission will not be subject to evaluation of tenders. Opening of tenders is not public.

The Contract in writing will be concluded with the successful Tenderer no later than 30 days after the Award Decision.

5.5. Amendment and/or amendment of the offer and cancellation of the offer

The Tenderer may submit an amendment and/or supplement to the tender by the end of the submission deadline. The Tenderer is obliged to submit the amendment/supplement to the tender in the same way as the basic tender with a mandatory indication that it is an amendment/supplement. If the Tenderer changes the tender during the submission deadline, the tender is considered received at the time of receipt of the last amendment. Corrections in the tender must be made in such a way that they are visible and transparent. Corrections must be confirmed with the signature and stamp of an authorized person of the business entity, along with the date.

The Tenderer may withdraw from the submitted tender by a written statement until the deadline has expired. The written statement is submitted in the same way as the tender with the mandatory indication that it is a withdrawal from the tender. Tenderers do not have the right to amend their tenders after the deadline has expired.

Part/parts of the offer received after the deadline will not be opened, but will be returned unopened to the business entity that submitted them.

5.6. TENDER VALIDITY

The validity period must be at least **3 (three) months from the expiry of the deadline for submission of tenders.**

The tender is binding on the Tenderer until the offer expires, and at the request of the Contracting Authority, the Tenderer can extend the offer's validity period. The request for the

extension of the validity period of the offer and the response of the Tenderer must be exclusively in writing. The Tenderer may reject the request for extension of the validity period. If the Tenderer agrees to the request to extend the validity period of the offer, the Tenderer cannot change the offer.

6. EVALUATION OF TENDERS

After the deadline for the submission of bids, the Evaluation Committee shall evaluate the content of submitted tenders in relation to the conditions of the Invitation.

In the evaluation procedure, the Contracting Authority may invite the Tenderers to clarify or complete the documents requested in this Invitation to remove omissions, errors, deficiencies or ambiguities that may be removed, according to the conditions specified in the next point of this Invitation.

After the review and evaluation of the tenders, the valid tenders are ranked according to the award criteria. If two or more valid offers are equally ranked according to the offer award criteria, the Contracting Authority will choose the offer that was received earlier.

7. CLARIFICATION OF TENDERS

If the information or documentation that should have been submitted by the business entity is incomplete or incorrect or appears to be so, or if certain documents are missing, the Contracting Authority may, respecting the principles of equal treatment and transparency, during the review and evaluation of bids, require the relevant business entities to supplement, clarify, complete or submit the necessary information or documentation within an appropriate period, which must not be shorter than 5 (five) days.

Submitting, supplementing, clarifying or completing the documents requested for the purpose of assessing the existence of the grounds for exclusion and fulfillment of the eligibility conditions is not considered a change in the offer.

The Contracting Authority can also ask for clarifications regarding the documents requested in the part that refers to the criteria for selecting the offer or the offered subject of procurement, whereby the mentioned procedure may not lead to any negotiations regarding the criteria or the offered subject of procurement (it may not result in modifications to the offer).

The Contracting Authority's actions related to the clarification and completion of offers, that is, the Contracting Authority's requests and actions, must be in accordance with the principles of equal treatment and transparency.

7.1. Arithmetical errors

If the tender contains a calculation error, the Contracting Authority is obliged to ask the Tenderer to accept the correction of the calculation error, and the Tenderer is obliged to respond within 5 (five) days from the date of receipt of the request.

8. TENDER AWARD CRITERION

Tender Awarding Criteria is the lowest price.

The Contracting Authority, based on the results of the review and evaluation of the tenders, and based on the criteria prescribed in this Invitation, will produce an Award or Cancellation Decision and Notice.

After ranking the tenders, and before bringing the Award Decision, the Contracting Authority may ask the most favourable Tenderer with whom it intends to enter into a Procurement Agreement to deliver the originals or certified copies of one or more documents requested in the Invitation to tender. If the Tenderer has already submitted certain documents in the tender, the Tenderer is not obliged to submit it again.

If the Tenderer whose tender is the most economically advantageous tender does not submit all the requested originals or certified copies of documents within the specified period and/or does not prove that it still meets the conditions set by the Contracting Authority, the Contracting Authority can exclude such Tenderer or reject the tender. Then the CA will re-rank the tenders according to the selection criteria.

The deadline for making a decision on award or cancellation is 30 (thirty) days from the date of expiry of the deadline for submission of tenders.

The Contracting Authority will notify tenderers in writing about the results of Procurement Procedure. The Award or Cancellation Decision will be published by the Contracting Authority on the website.

Contracting Authority must provide possibility to unsuccessful Tenderers to have an insight into the procurement documentation three (3) days after notification on the results of tendering has been made available to Tenderers.

9. CONFIDENTIALITY OF DATA

In the procurement procedure, an economic entity may, on the basis of a law, other regulation or a general act, mark certain information as a secret, including technical or trade secrets and confidential features and requests for participation. If the business entity has marked some information as secret, it is obliged to state the legal basis on which the information was marked as secret.

The economic entity **may not mark as secret the following**: the price of the offer, cost list, catalogue, information related to the criteria for selecting the offer, public documents, extracts from public registers and other data that must be made public according to a special law or by-law, or must not be marked as secret.

The customer may not disclose information received from economic entities that they have marked as secret based on the law, other regulation or general act, including technical or trade secrets and confidential features of offers.

Pursuant to this Invitation, evidence of Tenderer 's capacity, all required documents are available to public and there is no possibility or need to mark this as trade secret.

10. CONTRACT MODIFICATIONS

It is possible, in exceptional cases, to modify the contract provisions only in case of unforeseeable circumstances (i.e. circumstances which the careful Contractor could not predict and had no influence), which must be substantiated by the applicable evidence (e.g. exceptionally, it is possible to extend the delivery deadline).

11. TERMINATION OF CONTRACT

The Contracting Authority has the right to terminate this Contract according to the provisions of the currently valid Croatian Civil Obligations Act.