



HŽ CARGO

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Reference number: 808/23, SK

Date: October 19, 2023

**TO ALL INTERESTED
COMMERCIAL ENTITIES**

Subject: Invitation to submit an initial bid

You are hereby invited to bid for:

- **the purchase of freight wagons of various series by groups: Group 1 - Group 8**

Written bids must be submitted in a sealed envelope and marked "**DO NOT OPEN! BID FOR THE PURCHASE OF FREIGHT WAGONS OF VARIOUS SERIES BY GROUPS WITH THE INDICATION OF THE GROUP THAT IS INCLUDED IN THE BID**", including the sales reference number **808/23/SK**, no later than **November 3, 2023, until 1 p.m.**, at the following address: HŽ Cargo d.o.o., Procurement, Procurement Group, **Heinzelova 51, 10000 Zagreb, room number 16.**

Bids submitted after the bid submission deadline will not be opened. They will be marked as delivered late and returned to the Bidder unopened.

Bids will be opened by authorized persons of the Seller, without the presence of representatives of commercial entities, or to be precise without a public opening of bids.

The bid must include:

PRICE:

- The bid must include the unit price (without VAT) for a specific group and the total bid price (without VAT) rounded to two decimal places
- The total bid price (including VAT) rounded to two decimal places, if the Bidder is subject to VAT in this sale procedure
- The bid price must be expressed in EUR
- A bid that includes prices that are lower than the starting prices for each individual group will not be taken into consideration. They will be rejected.

HŽ Cargo d.o.o.
Croatia, 10000 Zagreb
Heinzelova 51
www.hzcargo.hr

Commercial Court in
Zagreb
MBS: 080590549
Statistic MB: 2163799
OIB: 08720210702

Commercial bank:
Privredna banka Zagreb d.d.
Radnička cesta 50, Zagreb
Giro account:
HR7823400091110252677,
SWIFT PBZGHR2X

Capital stock: 171.758.000,00 Kn/
22.796.204,13 Eur (fixed exchange rate
7.53450)
Chief Executive Officer:
Dragan Marčinko

- The starting price of each group of freight wagons is listed in the table:

Group	Wagon series	Quantity of wagons in pieces:	Starting price of the group (EUR) without VAT
1	Tadds-z	26	442.000,00
2	Tadds-z	26	442.000,00
3	Tadds-z	26	442.000,00
4	Tadds-z	26	442.000,00
5	Tadds-z	26	442.000,00
6	Tadds-z	26	442.000,00
7	Eas-z	7	35.000,00
8	Smmps-tz	8	60.000,00

Note: The indicated prices per group are starting prices. After the opening of all submitted bids, if more than 3 (three) bids are submitted, only the three best Bidders in each bidding group will be invited to the negotiation. If less than 3 (three) bids for a specific group are submitted, those Bidders whose bids meet all the conditions of the tender will be invited to the negotiation. In case that several Bidders offer the same price for the same bidding group, they will be all invited to the negotiation, provided that their bid is one of the 3 (three) best bids.

Terms of negotiation:

- Only those Bidders whose bids meet all the conditions of the tender can be invited to the negotiation, namely the 3 (three) most favorable
- The negotiation will take place within 14 days from the bid submission deadline
- The negotiation will take place at the following location: Heinzelova 51, room no. 10
- The negotiation begins with the presentation of the most favorable price based on all submitted bids, after which the invited Bidders can offer a higher price
- It is considered that a higher price is a price that is at least 5% higher than the previously offered price for a particular group
- The negotiation ends when there are no interested parties in offering a higher price
- Accredited or authorized representatives of the Bidder can participate in the negotiation
- A maximum of 2 accredited or authorized Bidders can participate in the negotiation.

The Seller sells freight wagons in such a way that the bid can be submitted for a single group or several groups that are on sale.

BID VALIDITY:

- At least 60 days from the bid submission deadline

BID SECURITY:

As part of the bid, the Bidder will pay a guarantee for the seriousness of the bid in the form of:

- a cash deposit in the requested amount. The Bidder is obliged to pay the requested amount to the Seller's Giro bank account at Privredna banka Zagreb d.d. Nr. HR2823400091510962032, and include the subject to which the deposit is related to. (**Proof of payment of a cash deposit, a bid security, forms an integral part of the bid.**)

The bid security is paid in the following absolute amount of **10% starting prices without VAT for each group that is included in the bid according to the cost sheet.**

The Bidder submits a cumulative bid security for the total amount without VAT for all the groups that are included in the bid according to the cost sheet.

A bid that is not covered by a bid security (for which a guarantee has not been paid in accordance with the terms of this invitation) will be rejected as unacceptable.

The Bidder is entitled to keep the bid security in the total amount in any of the following cases:

- (I) if the Bidder withdraws from the bid within its validity period,
- (II) if the Bidder submits false information,
- (III) if the Bidder fails to submit the original or certified copies of the documentation,
- (IV) if the Bidder refuses to sign the agreement.

After the completion of this sale procedure, the bid security will be returned to those Bidders who have paid the same, and with whom no sales agreement has been concluded, with the exception of those Bidders in relation to whom the Bidder has kept the paid bid security.

PROOF OF ELIGIBILITY:

- 1. EXTRACT FROM THE COURT REGISTER** - the proof must not be older than 3 months, counting from the day of the beginning of the sale procedure

The Bidder can submit a copy of the requested document, the Seller can request the delivery of the original or a certified copy.

METHOD OF PAYMENT:

- Upon receipt of the Sales Agreement, the Buyer will pay **100% of the advance payment** of the purchase price including VAT to the bank account at Privredna banka Zagreb-**IBAN: HR7823400091110252677, SWIFT: PBZGHR2X** within 8 (eight) days from the date of signing the Agreement or provide a bank guarantee in the same amount.

OTHER:

- Bid sheet (Appendix I)
- Cost sheet for freight wagons by groups: Group 1 - Group 8
- Declaration of Integrity (Appendix II)

OTHER ESSENTIAL CONDITIONS:

- Freight wagons are sold as seen at the Seller's locations according to **Appendix 1 Freight wagons**, of this invitation, and according to the "seen-bought" principle, which excludes any subsequent complaints by the Buyer and the Seller's responsibility from the fco/EXV location of the Seller.
- Freight wagons, which are on sale, can be seen at the Seller's location **every working day from 8 a.m. to 1 p.m.**, with prior notice.

The contact person for the inspection of freight wagons is:

- **Mladen Mihovilić, Mob. 099/4931-316,
E-mail: mladen.mihovilic@hzcargo.hr**
- The freight wagons are handed over to the Buyer via the handover protocol.
- The Buyer bears all handling costs (costs of delivery to the Buyer, costs of loading, transportation and other costs arising from taking over the freight wagons).
- The Buyer is obliged to take over the freight wagons, depending on the group that the Bidder is bidding for, at his own expense within 30 days from the day of advance payment.
- **The Bidder can submit a bid for one or several groups in this sale procedure specified in the cost sheet.** For those items in the cost sheet that they are not able to bid for (this refers to the entire group), Bidders are obliged to enter the unit price - total price without VAT 0,00. **The entire group must be included in the bid.**
- **The Bidder is obliged to name the country where the wagons will be put into use. This information can be submitted in the form of a statement on the Bidder's letterhead (mandatory integral part of the bid of the Bidder).**

The bid must be bound with a three-colored security cord (jamstvenik) thus forming an inseparable unit. The bound bid must be sealed by stickers on the ends of the three-colored security cord and certified with the Bidder's stamp.

The bid and the adjoining documentation must be submitted in Croatian or English. The bid price must be expressed in EUR and written in numbers.

The pages of the bid have to be marked in such a way that the specific page number and the total number of pages of the bid are visible (e.g. 1/24 or 24/1).

The bid is to be submitted as an original. The bid must be written in indelible ink.

Corrections of the bid in paper format must be made in such a way that they are visible. Corrections must be accompanied by the date of the correction and confirmed by a valid signature of the authorized person of the Bidder.

Bidders can change their bid, add something to it or withdraw from it with an additional, validly signed statement **within the bid submission deadline**. Amendments and/or additions to the bid are to be submitted in the same way as the basic bid with a mandatory indication that it is an amendment and/or addition to the bid.

A **Sales Agreement** will be signed with the selected Bidder after the completion of the sale procedure, in accordance with the bid, cost sheet, bid sheet and this invitation to submit an initial bid.

Drafts of the Agreement on the Sale of Freight Wagons for Bidders in the Republic of Croatia, for Bidders in the EU and for Bidders outside the EU form an integral part of this invitation to submit an initial bid. The content of the draft agreement cannot be changed and it will be used to conclude all agreements that are concluded with the selected Bidder/s in accordance with this invitation to submit an initial bid.

If the most favorable Bidder fails to sign the Sales Agreement within a specified period after the invitation to sign an Agreement, it will be considered that the Bidder has backed down from the Sales Agreement and is thus not entitled to the return of the bid security.

The general terms of the Agreement are based on the Civil Obligations Act and other positive legal regulations of the Republic of Croatia.

The Seller chooses the most favorable bid according to the bid selection criteria.

Bid selection criteria: The most favorable bid is an acceptable, appropriate and correct bid from an eligible Bidder in accordance with the invitation to submit an initial bid, which is determined according to the **highest price**.

The Seller reserves the right to annul, terminate and/or withdraw from the sale procedure, in any part before or after the bid submission deadline. In that case Bidders have no right to demand any kind of compensation from the Seller.

The Seller will notify the Bidders in writing about the cancellation of the procedure or the withdrawal from the sale procedure. The Seller will not bear any costs and/or responsibility in case of cancellation of the procedure and/or withdrawal from the sale.

By submitting a bid, the commercial entity accepts all conditions of this invitation to submit a bid.

For additional clarification or information, contact us in writing at the following e-mail:
snjezana.krapljan@hzcargo.hr.

In written correspondence, please indicate the exact sales registration number under which the inquiry in question is conducted (**808/23/SK**).

Kind regards,

**Chief Executive Officer**
Dragan Marčinko

- **Attachments:**
 - **Bid sheet (Appendix I)**
 - **Cost sheet - freight wagons**
 - **Declaration of Integrity (Appendix II)**
 - **Appendix 1 Freight wagons - locations**
 - **Appendix 2 – Technical description of wagons**
 - **Draft Agreement for Buyers in Croatia**
 - **Draft Agreement for Buyers in the EU**
 - **Draft Agreement for Buyers outside the EU**