

**REPUBLIC OF CROATIA**  
**MINISTRY OF STATE PROPERTY**  
**Zagreb, Dežmanova 10**

**Pursuant to the Decision of the Croatian Government, class: 022-03/19-04/24, refno: 50301-26/24-19-7 of 1 February 2019, the Ministry of State Property issues the following**

**PUBLIC CALL**

**for the submission of bids for establishing construction rights on land parcels owned by the Republic of Croatia in the Lastovo cadastral municipality (Lastovo c. m.) in order to construct facilities for tourism and hospitality use and the granting of a concession on maritime demesne in the Lastovo c. m. for the purpose of constructing and economic use of a beach and special purpose port – a nautical tourism – berths and concession for maritime demesne for the construction and economic use of a special purpose port – the Kremen nautical tourism port**

**I. SUBJECT OF THE PUBLIC CALL**

1. Establishing construction rights on parts of cadastral plot no. (c. p. no.) 13068/161, cadastral plot no. (c. p. no.) 13068/1 and cadastral plot no. (c. p. no.) 13068/162, all within the Lastovo c. m. in the ownership of the Republic of Croatia on the parts of which, having a total area of 93,070 m<sup>2</sup>, T1 planned zone, within the tourist zone of Jurjeva Port, based on legal acts for implementation of the physical plan, will lead to the formation of construction plots for the construction of tourist-hospitality facilities in accordance with current physical plans.
2. Awarding of the concession to maritime demesne, on parts of c. p. no. 13068/5 and c. p. no. 13068/161 of the Lastovo c. m. and on part of the sea with a total area of 20,184 m<sup>2</sup> for the purpose of construction and economic use of the beach and special purpose port – the nautical tourism port – berths within the Jurjeva Port tourism zone, and
3. awarding of the concession on maritime demesne, on parts of c. p. no. 13068/1, c. p. no. 13068/11, c. p. no. 13068/161, c. p. no. 13068/162 and on part of the sea, all within the Lastovo c. m. with a total area of 117,365 m<sup>2</sup>, where the purpose is construction and economic use of the special purpose port – Kremen nautical tourism port within the plan carrying the designation of LN Kremen and in line with the Urban Development Plan (UDP) for the Jurjeva Port and Kremen nautical tourism port in the tourism zone (Lastovo Municipality Official Herald number 3/17, hereinafter: Jurjeva Port UDP).

**II. PRELIMINARY NOTES**

**Current physical plans for the area of the subject of the bid:**

- The Lastovo Municipality Physical Plan (Lastovo Municipality Official Herald number 3/13 – final draft and 3/17)
- Urban Development Plan (UDP) for the tourism zone incorporating Jurjeva Port and Kremen nautical tourism port (Lastovo Municipality Official Herald number 3/17).

- In the area covered by the Urban Development Plan for the Jurjeva Port tourism zone and Kremen nautical tourism port (hereinafter: Jurjeva Port UDP) the plan is to have:
  - a tourism-hospitality zone in the cove of Jurjeva Port with a capacity of 500 beds of which 70% is in hotels and 30% in villas, as well as a recreation zone on part of the maritime demesne and special purpose port – nautical tourism port – berths, and
  - a zone for a special purpose port – nautical tourism zone in the Kremen cove with a capacity for 400 berths and associated amenities.

**Particular notes relating to the subject of the bid:**

1. The area covered by the Jurjeva Port UDP is located in the area of Lastovo Islands Nature Park as declared in the Act on Declaring the Lastovo Islands Nature Park (Official Gazette number 111/06) and obtaining the construction permit, undertaking works in the area and business requires compliance with the laws on nature protection.
2. The area covered by the Jurjeva Port UDP is located on a small intermittently inhabited island which belongs to the region of islands in the Dubrovnik-Neretva County and is subject to possible limitations as defined in the particular Islands Act (Official Gazette, number 113/18)
3. The area covered by the Jurjeva Port UDP is not equipped with appropriate communal infrastructure; basic infrastructure (thoroughfares, water supply, electricity supply) has been brought through the settlement of Pasadur to the Jurjeva Port cove; further development in the respective area requires the building of communal infrastructure in line with the requirements for future intended use, legal provisions and rules of the profession.
4. On the day that the Lastovo Municipality Physical Development Plan came into force, parts of the land plots covered by the Jurjeva Port UDP were removed from the forestry-economic region of the Republic of Croatia, and in accordance with the Forestry Act, a separate fee is paid for the removal, and based on the billing method by the company Hrvatske šume d.o.o. (Croatian Forests) 4.185.986,00 kuna;

**Ability to acquire additional information on the subject of the bid:**

1. Bidders are invited to peruse the official heralds of the Dubrovnik-Neretva County and Municipality of Lastovo, the public registries for properties (land title books, cadastral records, register of cultural assets belonging to the Republic of Croatia – list of protected cultural assets, list of cultural assets of national importance and list of preventively protected assets) so as to obtain information on possible public and legal limitations.
2. Bidders will be given the opportunity to inspect the property within the respective zone every working day subject to giving prior notice to Lastovo Municipality, address: Dolac 3, 20290 Lastovo, Republic of Croatia, telephone: +385 (0)20 801 023, Fax: +385 (0)20 801 077, email address: pisarnica@lastovo.hr no later than by the end of the deadline for submission of bids.

### **Particular notes on the inseparability of bids**

The bid to establish construction rights, bid for the granting of the concession on maritime demesne for the purpose of construction and economic use of the beach and special purpose port – nautical tourism port – berths in the tourism zone of Jurjeva Port and the bid for the granting of the concession on maritime demesne for the purpose of constructing and economic use of the special purpose port – Kremen nautical tourism port are inseparable and a bid for only one of the intended uses will not be taken into consideration.

### **III. CONDITIONS FOR BIDDERS**

The bidder may be a legal person and/or founders of the bidder or a member of a community of bidders (consortium) or interested parties which for the specific purpose incorporate a dedicated company in the Republic of Croatia, or a (craft and trade) business (in Croatian, *obrt*) entered into the business register for tourism-hospitality business activities, as well as a business activity required by the concession. Foreign natural persons who have a registered business (in Croatia, *obrt*) or undertake self-employed business activities and foreign legal persons may apply for the public call subject to the condition of reciprocity (hereinafter: bidder).

The bidder must:

- submit a bid for establishing construction rights for the purpose of constructing tourist-hospitality and other amenities in the Jurjeva Port tourism zone, a bid for the granting of the concession on maritime demesne for the purpose of constructing and economic use of the beach and special purpose port – nautical tourism port – berths in the Jurjeva Port tourism zone and a bid for the granting of the concession on maritime demesne for the purpose of constructing and economic use of the special purpose port – Kremen nautical tourism port
- submit a plan and the total amount of the investment for construction of the tourist-hospitality and other amenities in the Jurjeva Port tourism zone, and with the aim of developing the beach and construction of the special purpose port – nautical tourism port – berths in the Jurjeva Port tourism zone including the plan and total amount of the investment for construction of the special purpose port – Kremen nautical tourism port, ensure realization of the construction project for the Jurjeva Port Tourism Zone (along with amenities on the beach and a special purpose port – nautical tourism port – berths) as well as the special purpose port – Kremen nautical tourism port in accordance with the submitted investment plan, submission of an unconditional, irrevocable bank guarantee payable on first call in the amount of 5% of planned investments and issued in favour of the Ministry of State Property, Republic of Croatia, from a bank which in the year prior to the issuing of the tender referred to in Item II of this Decision, had a credit rating of at least BBB based on Standard and Poor's Bank Rating Guide or from a bank operating in the Republic of Croatia and which based on audited financial statements of 31 December 2018 has indicated a total value of assets exceeding 10,000,000,000.00 kuna.
- submit a declaration certified by a notary public which states that if, in realising construction of the Jurjeva Port tourism zone and special purpose port – Kremen nautical tourism port, it will be necessary to make amendments to the some of the physical plans current at the time of issuing this Public Call, the bidder will reimburse the costs of drawing up such plans.
- submit the conceptual design for amenities within the Jurjeva Port tourism zone

- submit the conception design for amenities on the maritime demesne as drawn up by a certified design engineer in compliance with physical development documents and economic feasibility studies
- certification from a relevant body for the issued issuing of a location permit which proves that the project presented in the conceptual design has been planned in the physical plan
- submit documentation which proves the capacity of the bidder as determined by the Decision of the Government of the Republic of Croatia, class: 022-03/19-04/24, refno: 50301-26/24-19-7 of 1 February 2019, and which is cited in Points VIII, IX and X of this Public Call as a mandatory appendix to the bid for the purposes cited in the respective points.

#### **IV. CONDITIONS FOR THE BID**

The bid is submitted using the form in the appendix to this Public Call.

The bid must be binding for the bidders up until concluding the agreement between the Republic of Croatia and the selected bidder for the purpose of regulating mutual rights and obligations for which the Republic of Croatia and the selected bidder shall obligate themselves in concluding the agreement on establishing construction rights and the concession agreements (hereinafter: agreement on regulating mutual rights and obligations).

The bid and appendices are submitted in written form, written in indelible ink, in the Croatian language and Latin script.

1. The bid must be signed by a person who is the bidder's legal representative or his plenipotentiary, and if the bidder is a natural person (business owner – *obrt* owner), personally or through a plenipotentiary.
2. The bid and appendices are submitted as originals or certified copies.
3. The appendices – documents in a foreign language must be accompanied by a translation in the Croatian language done by a certified court translator.
4. Documents issued or certified by a public authority of another country must be accompanied by a certificate in accordance with Article 4 of the Hague Convention on abolishing the requirement of legalisation of foreign public documents.
5. All pages of a bid and appendices must be bound as a whole with designated ordinal page numbers and a signature by the bid signatory. The designations contain the ordinal page number and total number of the pages in the bid (for example: 1/35; 2/35; 3/35, and so on).
6. If the bid is submitted by a community of bidders, it shall be deemed as being from a single bidder. In that case, the presumption will exist as to the solidarity of their civil liability in relation to the bid, and the agreement between the Republic of Croatia and the selected bidder for the purpose of regulating mutual rights and obligations, if the agreement is concluded with them (Article 42 of the Obligatory Relations Act, Official Herald no. 35/05, 41/08, 125/11, 78/15 and 29/18).

7. There must contain an attached letter of intent from a commercial bank, which in the year prior to the issuing of the tender referred to in Point II of this Decision, had a credit rating of at least BBB based on Standard and Poor's Bank Rating Guide or from a bank operating in the Republic of Croatia and which based on audited financial statements of 31 December 2018 has indicated a total value of assets exceeding 10,000,000,000.00 kuna, which will issue an irrevocable bank (performance) guarantee payable at first call for the proper fulfilment of obligations from the agreement on establishing construction rights and concession agreements in the amount of 5% of total planned investments, in favour of the Ministry of State Property, Republic of Croatia, whereby the original is submitted with one of the bids, whereas the other two a copies thereof.
8. Contain the bid guarantee from a commercial bank as an attachment in its original form in the amount of 1% of the total value of the planned investments and issued from a bank that fulfils the same conditions as is the case for issuing a bank guarantee referred to Subpoint 7 of this Paragraph, with a validity period up to the concluding of the agreement on establishing construction rights and concession agreements, but no more than 2 (two) years under the condition that the original is submitted with one of the bid, and copies thereof with the other bids.
9. Data and information contained in the bid will be deemed a business secret prior to the publishing of the tender outcome in accordance with Article 20 of the Data Secrecy Protection Act (Official Gazette no. 108/96), with respect to Article 34 of the Data Secrecy Act (Official Gazette, no. 79/07 and 86/12).
10. Bids not submitted in compliance with the given conditions, will not be taken into consideration.
11. The bidder is not entitled to a reimbursement of costs incurred in relation to preparing the bid and appendices or attachments nor delivery thereof.
12. The bidder whose bid is not selected as the most favourable will receive back the letter of intent from the bank referred to in Subpoint 7 of this Paragraph and the bank guarantee referred to in Subpoint 8 of this Paragraph within a period of 30 days of the date of the decision on selecting the most favourable bidder.
13. Alternative bids are not permitted.
14. The bidder may prior to expiration of the deadline for submitting bids also submit amendments to the bid. Amendments to the bid are submitted in the same manner as the basic bid with the mandatory designation that they are in fact amendments to the bid.
15. The bidder may prior to expiration of the deadline for submission of bids declare in writing of withdrawing the bid. The written declaration is submitted in the same manner as the bid with the mandatory designation that it involves withdrawing the bid. In that case, the unopened bid is returned to the bidder.
16. The bid along with the associated documentation for each of the intended use is submitted in a separate envelope on which the intended use is stated, and all are to be placed into a single envelope with the designation: Bid for JURJEVA PORT – LASTOVO TOURISM ZONE.

17. The documentation which is submitted in all three bids simultaneously must be the original in one of them, and copies thereof in the other two bids.
18. Documents, amendments or explanations to this Public Call and/or tender documentation will be published in the same manner as was this Public Call.

#### V. SUBMISSION OF THE BID

The bid is submitted in a closed envelope designating the sender and receiver including a clear designation as to the subject with a caution:

“Do not open – bid for JURJEVA PORT – LASTOVO TOURISM ZONE”

at the following address:

**Ministarstvo državne imovine,  
Dežmanova 10,  
HR-10000 Zagreb,  
no later than by may 14. 2019 at 12:00 hrs.**

#### VI. CRITERIA FOR SELECTING THE MOST FAVOURABLE BIDDER

The criteria for selecting the most favourable bidder is the amount of the fee for establishing construction rights and an assessment of the bids for concessions on maritime demesne.

As the most favourable bidder for establishing construction rights for the purpose of constructing the tourist-hospitality facility and other amenities and the bids for the granting of the concession for the purpose of constructing and economic use of the beach and special purpose port – nautical tourism port – berths in the Jurjeva Port tourism zone and the bid for the granting of the concession on the maritime demesne for the purpose of constructing and economic use of the special purpose port – Kremen nautical tourism port, the bidder chosen will be the one whose bid achieves the highest sum of criteria coefficients as scored in the following manner:

	Criteria	
-	Coefficient for the offered fee for establishing construction rights	45%
-	Coefficient for the offered fee for the concession on the beach and berths	10%
-	Coefficient for the offered fee for the concession on the Kremen port	45%

Formulae and manner of calculating criteria coefficients for each bidder:

a) Coefficient for the offered fee for establishing construction rights =  
45% x the offered fee for establishing construction rights

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highest offered amount of the fee for establishing construction rights

b) Coefficient of the score for the offered fee for the concession on the beach and berths =  
10% x awarded coefficient based on score of the offer for the concession on the beach and berths

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highest awarded coefficient based on the score for the offer for the concession on the beach and berths

c) Coefficient of the score for the offered fee for the concession on the Kremen port =

45% x coefficient granted based on the score for the bid for the concession on the Kremen port

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Highest awarded coefficient based on the score for the fee for the concession on the Kremen port

If two or more bidders achieve the same sum of criteria coefficients scored in the stated manner, advantage will be given to the bidder who has offered a higher fee for establishing construction rights.

The bid for granting a concession on the maritime demesne for the purpose constructing and economic use of the beach and special purpose port – nautical tourism port – berths in the Jurjeva Port tourism zone and bid for the granting of the concession on maritime demesne for the purpose of constructing and economic use of the special purpose port – Kremen nautical tourism port will be assessed by the relevant body in accordance with Article 23 of the Act on Maritime Demesne and Maritime Ports in line with criteria, formulae and calculations as stipulated in Article 21 of the Ordinance on the Procedure for Granting Concessions on Maritime Demesne. The respective body submit the scores contained in the Findings and Opinion as well as rank list of bids to the Committee for Assessing Bids which was appointed by Decision of the Government of the Republic of Croatia, class: 022-03/19-04/24, refno: 50301-26/24-19-1 of 1 February 2019 for assessing the bids.

## **VII. PROCEDURE FOR SELECTING THE MOST FAVOURABLE BIDDER AND CONCLUDING THE AGREEMENT ON REGULATING MUTUAL RIGHTS AND OBLIGATIONS**

1. The Committee for Assessing Bids will publicly open bids on may 14. 2019 at 12:00 hrs on the premises of the Ministry of State Property, Dežmanova 10, HR – 10000 Zagreb.
2. The most favourable bidder will be deemed the bidder whose bid achieves the highest sum of criteria coefficients scored in the manner referred to in Point VI. Criteria for Selecting the Most Favourable Bidder in this Public Call.
3. If two or more bidders achieve the same sum of criteria coefficients scored in the stated manner, preference will be given to the bidder who has offered a higher fee for establishing construction rights.
4. The Committee for Assessing Bids will within a period of no later than 60 days of the public opening of bids determine the list of ranked bidders and advise the Government of the Republic of Croatia as to the Decision on Selection of the Most Favourable Bidder.
5. If the most favourable bidder withdraws from the offer or within the set deadline does not respond to the call to conclude the agreement on regulating mutual rights and obligations, that bidder loses the right to a return of the guarantee, and if the bidder has submitted a bank guarantee, the Ministry of State Property is authorised to activate its payment.

6. In the event that the most favourable bidder withdraws or within the given deadline does not proceed to conclude the agreement on regulating mutual rights and obligations, the most favourable bidder will be deemed to be the next ranked bidder from the list of ranked bidders, if this bidder accepts paying the fee offered by the most favourable bidder who withdrew, and so on in sequence.
7. The Committee for Assessing Bids is authorised by the Government of the Republic of Croatia to advise that no received bid be accepted and that the conducted procedure be cancelled along with providing grounds for such a recommendation.

### **VIII. BID FOR THE ESTABLISHING CONSTRUCTION RIGHT**

In favour of the most favourable bidder, and on construction plots owned by the Republic of Croatia within the Jurjeva Port tourism zone (parts of c. p. no. 13068/161, c. p. no. 13068/1 and c. p. no. 13068/162, all within the Lastovo c. m.) on which parts, covering a total area of 93,070 m<sup>2</sup>, and based on the institutional acts for implementing physical plans, land plots will be formed for construction of the tourism hospitality facility in accordance with the provisions of the Jurjeva Port UDP, and construction rights will be established for a period of 50 years.

The respective area contains a building with a previous military use which may not need to be retained in the area

The initial amount of the annual fee for establishing construction rights is HRK 2,980,000.00.

The contracted amount of the fee for establishing construction rights will be reevaluated after a period of 3 (three) years of the initial obligation to pay the fee for establishing construction rights in line with changes on the property market, and according to the index from publicly revealed data on price trends on the property market.

The most favourable bidder shall in the area covered by the Jurjeva Port tourism zone, construct a facilities for tourism hospitality use which will, according to particular laws be able to be categorised as 5 (five) stars including other amenities on the land part of the project, and also construct the planned amenities for recreation and amenities of the special purpose port – Kremen nautical tourism port on the maritime demesne which will be the subject of the concession, all in accordance with the Jurjeva Port UDP.

Construction of the stated amenities in the Jurjeva Port tourism zone presumes the following: obtaining the permit for construction, construction of the building and other amenities, obtaining the fitness of use act, categorisation and putting it into economic use.

The most favourable bidder shall complete the buildings within the Jurjeva Port tourism zone in the manner referred to in Paragraph 5 of this item within a period of 5 years counting from the day of concluding the agreement which will after completing selection of the most favourable bidder, be concluded between the Republic of Croatia and the selected bidder for the purpose of regulating mutual rights and obligations.



In terms of the total deadline of 5 years, preparatory deadline for drawing up the documentation and obtaining the location and/or construction permits, may not exceed 2 years from the day of concluding the agreement on regulating mutual rights and obligations.

Within a period of 30 days of obtaining the location permit for the project in the T1 Jurjeva Port tourism zone, the Ministry of State Property will conclude with the most favourable bidder the agreement on establishing construction rights.

The obligation to pay the contracted fee for establishing construction rights commences on the day of expiration of the 5-year period for construction and placing the constructed facilities and other amenities into economic use.

The bidder is required to submit the bid for establishing construction rights for the stated purpose and documentation as prescribed in Point III, Paragraph 2, Subparagraphs 2, 4, 5 and 6 of this Public Call and also the following documentation:

1. document containing basic information on the bidder: a) for legal persons incorporated by the laws of the Republic of Croatia: an excerpt from the court register of the commercial court, for natural persons – business (in Croatian, *obrt*) owners an excerpt from the business (in Croatian, *obrt*) register detailing registration of the hospitality tourism business activity b) for foreign legal persons and/or natural persons, official documents proving their legal subjectivity, residence, or headquarters and citizenship, issued within the 30 days prior to submission.
2. the appropriate certificate proving that no bankruptcy or prebankruptcy proceedings have been initiated, that the entity is not currently in liquidation proceedings, and that there are no proceedings for cessation of business activities,
3. a certificate from the relevant Tax Administration as to no due and unsettled liabilities based on public contributions, the certificate not to be older than 30 days,
4. a declaration from the bidder or person authorised for representation that no final and legally binding conviction exists against these persons for one or more crimes in the area of economic crime,
5. as a bid guarantee submit an irrevocable and unconditional bank guarantee payable upon first call to the amount of 1% of the total amount of planned investments and issued in favour of the Ministry of State Property, Republic of Croatia from a bank which in the year prior to the issuing of the tender referred to in Point II of this Decision, had a credit rating of at least BBB based on Standard and Poor's Bank Rating Guide or from a bank operating in the Republic of Croatia and which based on audited financial statements of 31 December 2018 has indicated a total value of assets exceeding 10,000,000,000.00 kuna, with a validity period prior to concluding the agreement on establishing construction rights and the concession agreements, but not exceeding two (2) years (with the condition that the original is submitted with one of the bids, and copies thereof with the other two bids),
6. a letter of intent from a commercial bank which fulfils the conditions referred to in Subparagraph 5 of this Paragraph where it will in favour of the Ministry of State Property, Republic of Croatia, issue an irrevocable, unconditional bank guarantee payable upon first call in the amount of 5% of the

value of the planned investments to guarantee realisation of the project for constructing the Jurjeva Port tourism zone (with the condition that the original is submitted with one of the bids, and copies thereof with the other two bids)

**IX. NOTICE OF THE INTENTION TO GRANT THE CONCESSION ON MARITIME DEMESNE FOR THE PURPOSE OF CONSTRUCTING AND ECONOMIC USE OF THE BEACH AREA OF THE THE LASTOVO C. M., JURJEVA PORT COVE AND THE SPECIAL PURPOSE PORT – NAUTICAL TOURISM PORT – BERTHS ON PART OF THE LASTOVO C. M.**

I.

The concession on maritime demesne is given for the purpose of constructing and economic use of the beach in the area of the Lastovo c. m., Jurjeva Port cove and special purpose port – nautical tourism port – berths, on part of the Lastovo c. m.

II.

The area of the maritime demesne which is given into concession is demarcated by a polygon with specific coordinate points specified in the HTRS96 projection as follows:

POINT	E (Y)	N (X)
1	525 433.11	4 735 987.51
2	525 426.73	4 735 987.37
3	525 414.32	4 735 987.04
4	525 403.30	4 735 986.67
5	525 396.29	4 735 986.39
6	525 386.18	4 735 985.92
7	525 370.68	4 735 985.06
8	525 360.66	4 735 984.40
9	525 345.88	4 735 983.31
10	525 333.84	4 735 982.30
11	525 320.19	4 735 980.98
12	525 304.08	4 735 979.92
13	525 292.93	4 735 979.83
14	525 284.94	4 735 980.08
15	525 278.39	4 735 980.50
16	525 270.29	4 735 981.26
17	525 260.92	4 735 982.53
18	525 257.29	4 735 983.61
19	525 254.40	4 735 984.96
20	525 251.81	4 735 986.63
21	525 247.86	4 735 990.32
22	525 245.52	4 735 993.17
23	525 242.21	4 735 998.14
24	525 240.32	4 736 001.73
25	525 238.37	4 736 006.48

26	525 237.26	4 736 010.07
27	525 236.23	4 736 014.92
28	525 235.69	4 736 019.93
29	525 235.66	4 736 025.98
30	525 235.86	4 736 030.45
31	525 236.47	4 736 037.11
32	525 237.21	4 736 042.46
33	525 238.07	4 736 047.20
34	525 239.94	4 736 055.12
35	525 241.74	4 736 061.16
36	525 242.84	4 736 064.42
37	525 244.73	4 736 068.46
38	525 247.99	4 736 072.74
39	525 255.15	4 736 079.63
40	525 261.27	4 736 085.36
41	525 268.04	4 736 091.42
42	525 273.35	4 736 095.97
43	525 283.99	4 736 104.77
44	525 310.04	4 736 131.27
45	525 332.78	4 736 159.56
46	525 351.48	4 736 175.38
47	525 375.95	4 736189.41
48	525 380.38	4 736 185.27
49	525 381.97	4 736 183.43
50	525 403.60	4 736 152.61
51	525 378.87	4 736 142.80
52	525 371.17	4 736 137.74
53	525 369.33	4 736 136.53
54	525 362.50	4 736129.90
55	525 349.01	4 736 109.51
56	525 329.33	4 736 092.84
57	525 324.94	4 736 090.13
58	525 313.39	4 736 079.94
59	525 329.11	4 736 059.72
60	525 323.31	4 736 053.55
61	525 323.31	4 736 042.56
62	525 347.67	4 736 040.98
63	525 350.19	4 736 037.27
64	525 356.40	4 736 039.45
65	525 411.64	4 736 042.10
66	525 438.12	4 736 034.64

67	525 435.63	4 735 996.90
68	525 434.51	4 736 599.74
1	525 433.11	4 735 987.51

### III.

The area of the maritime demesne which is given into concession has a total area of 20 184 m<sup>2</sup>, where the area of the beach in the area of Lastovo c. m., Jurjeva Port cove amounts to 18 962 m<sup>2</sup>, and the area of the special purpose port – nautical tourism port – berths on part of the Lastovo c. m. amounts to 1 222 m<sup>2</sup>, all as shown in the graphical presentation, which comprises Appendix 1 of this Notice and is published in the Electronic Public Procurement Classified of the Republic of Croatia.

### IV.

The concession is given for a period of 50 (fifty) years counting from the day of concluding the concession agreement.

### V.

The mandatory appendix to the bid contains the following documents as originals:

1. evidence of the bidder's capacity:
  - an excerpt from the court register of the commercial court or excerpt from the business (*obrt*) register with the registered business activity for which the concession is being sought, not older than 30 days
  - the appropriate certificate proving that no bankruptcy or prebankruptcy proceedings have been initiated, that the entity is not currently in liquidation proceedings, and that there are no proceedings for cessation of business activities,
  - information on creditworthiness (BON 1), except for businesses (*obrt*) which are income tax obligors and newly incorporated companies and business (*obrt*)
  - information on solvency (BON 2 – for the bidder's main account) and a certificate from the relevant Tax Administration on paid due liabilities for public contributions, not older than 30 days
  - declaration that the bidder has fulfilled obligations from other concessions, if they exist or existed
  - declaration as to whether the bidder has had a concession rescinded in accordance with Article 30 of the Act
  - a declaration from the bidder or person authorised for representation that no final and legally binding conviction exists against these persons for one or more crimes in the area of economic crime
  
2. the offered amount for the fixed and percentage of the variable part of the concession fee, given that the starting amount for the fixed part of the concession fee for the beach amounts to HRK 3.00 per square meter of occupied maritime demesne, and HRK 4.00 per square meter of occupied maritime demesne for berths, while the initial amount of the variable part of the concession fees for the beach amounts to 3% of revenue achieved on the concession area, and for berths 2% of revenue

achieved on the concession area, given that the fixed part of the concession fee is increased every 5 years by HRK 0.50

3. the economic feasibility study which is drawn up according to the content and form in the documentation for the public call for bids. The total value of the investment which is planned in the economic feasibility study is deemed to be the investments in fixed assets
4. amount of planned investments issued in favour of the Ministry of State Property, Republic of Croatia, from a bank which in the year prior to the issuing of the tender referred to in Point II of this Decision, had a credit rating of at least BBB based on Standard and Poor's Bank Rating Guide or from a bank operating in the Republic of Croatia and which based on audited financial statements of 31 December 2018 has indicated a total value of assets exceeding 10,000,000,000.00 kuna, with a validity period prior to concluding the agreement on establishing construction rights and the concession agreements, but not exceeding two (2) years (with the condition that the original is submitted with one of the bids, and copies thereof with the other two bids),
5. a letter of intent from a commercial bank which fulfils the conditions referred to in Subparagraph 4 of this Paragraph where it will in favour of the Ministry of State Property, Republic of Croatia, issue an irrevocable, unconditional bank guarantee payable upon first call in the amount of 5% of the value of the planned investments to guarantee realisation of the project for constructing the Jurjeva Port tourism zone (with the condition that the original is submitted with one of the bids, and copies thereof with the other two bids)
6. certificate from the relevant body for obtaining the location permit that the project presented in the conceptual design is incorporated in the plans of the physical development documents
7. conceptual design has been devised by a certified design engineer in accordance with physical planning documents and the economic feasibility study.

Reasons for excluding a bidder are if the bid does not contain the entire documentation as prescribed in this Notice and tender documentation, and also if the bidder does not fulfil all conditions prescribed in this Notice, the tender documentation, Article 17, Paragraph 3 of the Act on Maritime Demesne and Maritime Ports as well as Article 24 of the Concessions Act.

The estimated value of the concession amounts to HRK 103,659,537.52.

## VI.

Selecting the most favourable bid will be done under the following criteria and manner of scoring:

- offered amount of the fixed part of the concession fee – 30%
- offered amount of the variable part of the concession fee – 30%
- Offered amount of the total investment according to the economic feasibility study – 40%

Each element of the bid is evaluated separately, and the sum of the total score by criterion cannot exceed 1.0, where the total score is multiplied by the number 100.

The variable part of the concession fee is calculated in an absolute amount according to the presented total revenues from the economic feasibility study, and for the duration of the concession.

Formulae and calculation method:

a) Coef. of fixed. conc. =

$$\frac{30\% \times \text{offered amount of the fixed part of the concession fee}}{\text{highest offered amount of the fixed part of the concession fee}}$$

b) Coef. of variable conc. =

$$\frac{30\% \times \text{offered absolute amount of the variable part of the concession fee}}{\text{highest offered absolute amount of the variable part of the concession fee}}$$

c) Coef. of total investment =

$$\frac{40\% \times \text{offered amount of the total investment}}{\text{highest offered amount of the total investment}}$$

The fixed part of the concession fee will be adjusted every three years on the 1 January of the fourth year and applied from the 1 January of the same year. The fee will be adjusted according to the formula:

$$K = \left[ \left( 1 + \frac{P_1}{100} \right) \times \left( 1 + \frac{P_2}{100} \right) \times \left( 1 + \frac{P_3}{100} \right) \right]$$

K = factor for adjusting the fixed and variable part of the concession fee for each three year period which follows after concluding the concession agreement

p1 = inflation rate in the first year of the three-year period

p2 = inflation rate in the second year of the three-year period

p3 = inflation rate in the third year of the three-year period

Regardless of adjusting the price related to inflationary trends, and in event that for the duration of the concession agreement the middle rate for kuna and euro at the Croatian National Bank changes by +/- 3%, the fixed part of the concession fee will also change in accordance with changes in the exchange rate.

## VII.

The envelope must be designated "For the Public Collection of Bids for the Granting of a Concession on Maritime Demesne for the Purpose of Constructing and Economic Use of the Beach in the Area of the Lastovo c. m., the Jurjeva Port Cove and Special Purpose Port – Nautical Tourism Port – Berths, on Part of the Lastovo c. m.

**X. NOTICE OF THE INTENTION TO GRANT THE CONCESSION ON THE MARITIME DEMESNE FOR THE PURPOSE OF CONSTRUCTING AND ECONOMIC USE OF THE SPECIAL PURPOSE PORT – KREMEN NAUTICAL TOURISM PORT**

I.

The concession on maritime demesne is given for the purpose of constructing and economic use of the special purpose port – Kremen nautical tourism port.

II.

The area of the maritime demesne – port area which is given into concession is demarcated by a polygon with specific coordinate points specified in the HTRS96 projection as follows:

POINT	E(Y)	N(X)
1	525 328.21	4 735 452.98
2	525 333.68	4 735 454.48
3	525 337.10	4 735 455.64
4	525 347.35	4 735 460.26
5	525 524.80	4 735 557.95
6	525 535.32	4 735 564.54
7	525 544.08	4 735 570.76
8	525 557.23	4 735 581.54
9	525 594.27	4 735 618.37
10	525 660.03	4 735 684.09
11	525 708.83	4 735 627.78
12	525 732.21	4 735 267.06
13	525 715.39	4 735 274.69
14	525 690.52	4 735 280.18
15	525 667.97	4 735 279.12
16	525 546.13	4 735 224.21
17	525 537.05	4 735 223.65
18	525 514.24	4 735 231.41
19	525 508.93	4 735 232.37
20	525 499.14	4 735 232.33
21	525 490.30	4 735 229.47
22	525 471.86	4 735 221.24
23	525 463.07	4 735 218.40
24	525 450.44	4 735 219.72
25	525 438.30	4 735 223.11
26	525 426.96	4 735 230.31
27	525 412.68	4 735 249.23
28	525 404.80	4 735 263.94
29	525 396.89	4 735 270.28

30	525 394.21	4 735 271.71
31	525 389.31	4 735 282.23
32	525 389.12	4 735 284.52
33	525 386.51	4 735 295.94
34	525 379.06	4 735 308.96
35	525 369.63	4 735 331.58
36	525 364.26	4 735 351.93
37	525 361.38	4 735 369.92
38	525 360.56	4 735 383.91
39	525 336.36	4 735 430.78
I	525 328.21	4 735 452.98

### III.

The area of the maritime demesne – the port area which is given into concession amounting to a total of 117 365 m<sup>2</sup>, all as shown in the graphical presentation, which comprises Appendix 1 of this Notice and is published in the Electronic Public Procurement Classified of the Republic of Croatia.

### IV.

The concession is given for a period of 50 (fifty) years counting from the day of concluding the concession agreement.

### V.

The mandatory appendix to the bid contains the following documents as originals:

#### I. evidence of the bidder's capacity:

- an excerpt from the court register of the commercial court or excerpt from the business (*obrt*) register with the registered business activity for which the concession is being sought, not older than 30 days
- the appropriate certificate proving that no bankruptcy or prebankruptcy proceedings have been initiated, that the entity is not currently in liquidation proceedings, and that there are no proceedings for cessation of business activities,
- information on creditworthiness (BON 1), except for businesses (*obrt*) which are income tax obligors and newly incorporated companies and business (*obrt*)
- information on solvency (BON 2 – for the bidder's main account) and a certificate from the relevant Tax Administration on paid due liabilities for public contributions, not older than 30 days
- declaration that the bidder has fulfilled obligations from other concessions, if they exist or existed
- declaration as to whether the bidder has had a concession rescinded in accordance with Article 30 of the Act
- a declaration from the bidder or person authorised for representation that no final and legally binding conviction exists against these persons for one or more crimes in the area of economic crime



2. the offered amount of the fixed and percentage of the variable part of the concession fee, given that the starting amount for the concession fee amounts to HRK 1.60 per square meter of occupied maritime demesne, and a starting amount for the variable part of the concession fee amounting to 2% of the revenue achieved on the concession area, given that the fixed part of the concession fee is increased every 5 years by HRK 0.50
3. the economic feasibility study which is drawn up according to the content and form in the documentation for the public call for bids. The total value of the investment which is planned in the economic feasibility study is deemed to be the investments in fixed assets
4. irrevocable and unconditional bank guarantee payable at first call in the amount of 1% of the total amount of planned investments issued in favour of the Ministry of State Property, Republic of Croatia, from a bank which in the year prior to the issuing of the tender referred to in Point II of this Decision, had a credit rating of at least BBB based on Standard and Poor's Bank Rating Guide or from a bank operating in the Republic of Croatia and which based on audited financial statements of 31 December 2018 has indicated a total value of assets exceeding 10,000,000,000.00 kuna, with a validity period prior to concluding the agreement on establishing construction rights and the concession agreements, but not exceeding two (2) years (with the condition that the original is submitted with one of the bids, and copies thereof with the other two bids),
5. a letter of intent from a commercial bank which fulfils the conditions referred to in Subparagraph 4 of this Paragraph where it will in favour of the Ministry of State Property, Republic of Croatia, issue an irrevocable, unconditional bank guarantee payable upon first call in the amount of 5% of the value of the planned investments to guarantee realisation of the project for constructing the Jurjeva Port tourism zone (with the condition that the original is submitted with one of the bids, and copies thereof with the other two bids)
6. certificate from the relevant body for obtaining the location permit that the project presented in the conceptual design is incorporated in the plans of the physical development documents
7. conceptual design has been devised by a certified design engineer in accordance with physical planning documents and the economic feasibility study.

Reasons for excluding a bidder are if the bid does not contain the entire documentation as prescribed in this Notice and tender documentation, and also if the bidder does not fulfil all conditions prescribed in this Notice, the tender documentation, Article 17, Paragraph 3 of the Act on Maritime Demesne and Maritime Ports as well as Article 24 of the Concessions Act.

The estimated value of the concession amounts to HRK 692,337,620.69.

## VI.

Selecting the most favourable bid will be done under the following criteria and manner of scoring:

- offered amount of the fixed part of the concession fee – 30%
- offered amount of the variable part of the concession fee – 30%
- Offered amount of the total investment according to the economic feasibility study – 40%

Each element of the bid is evaluated separately, and the sum of the total score by criterion cannot exceed 1.0, where the total score is multiplied by the number 100.

The variable part of the concession fee is calculated in an absolute amount according to the presented total revenues from the economic feasibility study, and for the duration of the concession.

Formulae and calculation method:

a) Coef. of fixed. conc. =

$$\frac{30\% \times \text{offered amount of the fixed part of the concession fee}}{\text{highest offered amount of the fixed part of the concession fee}}$$

b) Coef. of variab. conc. =

$$\frac{30\% \times \text{offered absolute amount of the variable part of the concession fee}}{\text{highest offered absolute amount of the variable part of the concession fee}}$$

c) Coef. of total investment =

$$\frac{40\% \times \text{offered amount of the total investment}}{\text{highest offered amount of the total investment}}$$

The fixed part of the concession fee will be adjusted every three years on the 1 January of the fourth year and applied from the 1 January of the same year. The fee will be adjusted according to the formula:

$$K = \left[ \left( 1 + \frac{P_1}{100} \right) \times \left( 1 + \frac{P_2}{100} \right) \times \left( 1 + \frac{P_3}{100} \right) \right]$$

K = factor for adjusting the fixed and variable part of the concession fee for each three year period which follows after concluding the concession agreement

p1 = inflation rate in the first year of the three-year period

p2 = inflation rate in the second year of the three-year period

p3 = inflation rate in the third year of the three-year period

Regardless of adjusting the price related to inflationary trends, and in event that for the duration of the concession agreement the middle rate for kuna and euro at the Croatian National Bank changes by +/- 3%, the fixed part of the concession fee will also change in accordance with changes in the exchange rate.

## VII.

The envelope must be designated “For the Public Collection of Bids for the Granting of a Concession on Maritime Demesne for the Purpose of Constructing and Economic Use of the Special Purpose Port – Kremen Nautical Tourism Port.”

Appendices:

1. Graphical presentation of the area covered by the concession for the Kremen nautical tourism port
2. Graphical presentation of the area covered by the concession for the beach and beths