



**REPUBLIC OF CROATIA  
STATE PROPERTY MANAGEMENT ADMINISTRATION  
Dežmanova 10, Zagreb**

**PUBLIC CALL**

**TO PARTICIPATE IN INTERNATIONAL TENDERING FOR THE  
IMPLEMENTATION OF THE KUPARI TOURISM DEVELOPMENT PROJECT AT  
THE KUPARI 1 SITE IN THE MUNICIPALITY OF ŽUPA DUBROVAČKA**

Pursuant to the Resolution to Publish a Public Call for Binding Tenders for the Implementation of the Kupari Tourism Development Project at the Kupari 1 Site in the Municipality of Župa dubrovačka, Class: 022-03/14-04/376, File No.: 50301-05/18-14-2 of 25 September 2014, and Class: 022-03/15-04/129, File No.: 50301-05/25-15-4 of 9 April 2015, the State Property Management Administration hereby invites local and international financially capable investors with experience in designing, building, marketing and operating tourist complexes to submit their tenders for the implementation of the Kupari development project at the Kupari 1 site in the Municipality of Župa dubrovačka.

The successful tenderer will become entitled to implement the construction of the Kupari tourism development project at the Kupari 1 site in the Municipality of Župa dubrovačka by creating a construction right and servitude over the land included in the Project, entering into an agreement for the lease of Hotel Grand, and by being awarded a maritime domain concession for the purpose of building on and commercially exploiting the beach for a period of 99 years.

**PRIOR NOTES**

1. The physical planning documentation of Dubrovnik-Neretva County and the Municipality of Župa dubrovačka define the physical-planning assumptions and measures for the implementation of the Kupari tourism development project at the Kupari 1 site in the Municipality of Župa dubrovačka (hereinafter referred to as the Project).
2. The following physical planning documents apply on the publication date of this Call to Implement a Project:
  - The Physical Plan of Dubrovnik-Neretva County (Official Journal of Dubrovnik-Neretva County no.: 06/03, 03/05, 03/06, 07/10, 04/13 and 09/13);
  - The Physical Plan of the Municipality of Župa dubrovačka (Official Journal of the Municipality of Župa dubrovačka no.: 06/08, 08/12 and 07/13).
3. These physical planning documents define the Kupari 1 tourism zone as an existing hospitality & tourism zone in an unsettled area (T1) on an area of approximately 13 hectares, having a maximum capacity of 1500 beds.

4. The zone includes the land plots in the Cadastral Municipality of Brašina identified as cadastral plots no.: 2326, 2324, 2334, 2321/1, 2322, 2320/1, 2325, 2321/2, 2329/1, 2329/2, 2320/7, 2328, 2323/2, 2330, 2332, 2329/3, 2320/5, 2343, 2344 and 2345/1, including the existing devastated facilities of the hotels: Kupari, Pelegrin, Goričina I. and II., the Central Operating Facility and the sporting facilities planned to be removed, as well as Hotel Grand that will, subject to thorough reconstruction, remain within the complex and be put into service.
5. Detailed information about the terms and conditions of implementing the Kupari 1 Project and submission of tenders is available in the tender dossier that the tenderers will be offered to purchase.
6. The tender dossier, available in Croatian and English, will be downloaded from the website of the State Property Management Administration subject to presenting evidence of paying a fee of HRK 20,000.00 to the State Budget of the Republic of Croatia, account number: IBAN: HR1210010051863000160, model 64, reference number: 9733-47359-PIN (foreigners: tax number).
7. The tender dossier is purely informative and will not produce any legal effects.
8. Any corrections and/or amendments to this Call and/or the tender dossier will only be legally effective if published in the same manner and if such amended tender dossier is provided by registered mail with a return receipt or through a notary public to all parties that collected the tender dossier.
9. The tenderers should inspect the relevant public registries of properties (land registry, cadaster, registry of cultural goods of the Republic of Croatia – list of protected cultural goods, list of cultural goods of national concern and list of preventively protected goods) for the purpose of obtaining information about any public-law limitations.
10. The tenderers will be allowed to inspect the properties included in the zone any working day between 7 a.m. and 3 p.m. subject to prior notice given to: Vukovarska 48, Srebreno HR – 20207 Mlini, Municipality of Župa dubrovačka, by calling +385 20 486-026, faxing +385 20 486-216 or sending an e-mail to [opcina.zupa.dbk@du.t-com.hr](mailto:opcina.zupa.dbk@du.t-com.hr), no later than the tender submission deadline.

## **SECTION I. GENERAL**

### **REQUIREMENTS FOR THE IMPLEMENTATION OF THE KUPARI 1 PROJECT**

1. The proprietary relations concerning the land plots included in the Urban Development Plan for the Kupari 1 Zone on which construction units will be formed for the construction of new accommodation and related tourism and hospitality buildings based

on the physical planning implementation documents will be resolved with the investor by creating a construction right for a period of 99 years.

The initial value of the annual construction right fee will equal 1.5% of the total revenue generated by each facility as a profit center defined in Article 28, paragraph 2 of the Regulation for the Creation of Construction Rights and Servitudes on Property Owned by the Republic of Croatia (Official Gazette no. 10/14).

The annual fee offered in its total amount may not be less than EUR 80,229.81, converted to HRK at the Croatian National Bank's mean exchange rate applicable on the date of expiry of the deadline for submitting binding tenders.

2. The possession of Hotel Grand will be delivered to the investor pursuant to a lease agreement whereby the investor will be authorized and required to reconstruct and put into service such hotel according to the special protection rules laid down by the relevant conservation department of the Ministry of Culture. The lease agreement will be entered into for a period of 99 years.

The initial amount of the annual rent for Hotel Grand will equal 2% of the total revenue generated by such facility as a profit center, while the total amount will not be less than EUR 58,474.87. The amount offered will be converted to HRK at the Croatian National Bank's mean exchange rate applicable on the date of expiry of the period allowed for submitting binding tenders.

3. The maritime domain concession for the purpose of building on and commercially exploiting the maritime domain plots on cadastral plots no. 2344, 2345/1 and part of 2343, all within the Cadastral Municipality of Brašina, will be awarded for a period of 99 years. The scope and manner of commercially exploiting the maritime domain will be defined by the Urban Development Plan for the Kupari 1 Zone in accordance with the commercial feasibility study for the construction and commercial use of the maritime domain/beach for which a concession is to be awarded.

The initial amount of the concession fee will be as follows: HRK 8/m<sup>2</sup> as the fixed part, and 3% of the total annual revenue obtained by performing activities and providing services on the beach as a separate profit center within the Kupari 1 Project as the variable part.

The fixed and variable parts of the concession fee will be aligned every three years on 1 June of the fourth year and apply as of 1 January of the same year. The fee will be aligned according to the following formula:

$$K = \left[ \left( 1 + \frac{p_1}{100} \right) \times \left( 1 + \frac{p_2}{100} \right) \times \left( 1 + \frac{p_3}{100} \right) \right]$$

- a. K=the factor for aligning the fixed and variable parts of the concession fee for each three-year period following the execution date of the concession agreement  
p1=inflation rate for the first year of the three-year period  
p2= inflation rate for the second year of the three-year period  
p3= inflation rate for the third year of the three-year period

Irrespective of the price alignment with the inflation trends, in case the Croatian National Bank's mean exchange rate for HRK to EUR changes during the term of the concession agreement by +/-3%, the amount of the fixed part of the concession fee will change accordingly.

4. If the construction of accommodation facilities or any other related buildings is not defined for any of the plots (formed on the basis of the Urban Development Plan for the Kupari 1 Zone) in favor of the investor, a servitude will be created over such plots.

The servitude fee will be determined by an independent court expert witness at the time of executing the servitude agreement.

5. The period allowed for the implementation of the Kupari 1 Project and construction and classification of the hotel is 48 months following the effective date of the building permit allowing such construction.

The period allowed for the preparation of implementation of the Kupari 1 Project, including the obtainment of the location and/or building permit, may not exceed 24 (twenty four) months following the effective date of the Urban Development Plan for Kupari 1.

## **REQUIREMENTS CONCERNING THE TENDERERS**

Any legal entity and/or shareholder in a tenderer or a member of a consortium or any interested party that establishes a special purpose vehicle for such purpose may be a tenderer (hereinafter referred to as the tenderer).

The tenderer must:

- submit its tender for the implementation of the Kupari 1 Project including an offer of the fee for creating a construction right over the land included in the Project, an offer of the fee payable for entering into a lease agreement for Hotel Grand, and an offer of the fee for a concession to the maritime domain for the purpose of building on an commercially exploiting the beach;

- demonstrate that it meets the relevant requirements under Article 17 of the Maritime Domain and Seaports Act (Official Gazette no. 158/2003, 100/2004, 141/2006 and 38/2009), namely that:

- it is registered for undertaking the commercial activities for which a concession is requested,
- it has the relevant technical, professional and organizational abilities to implement the concession,
- it has a guarantee for implementing the concession plan and program,
- all obligations under any prior concessions have been performed, and
- no concession has been revoked under Article 30 of the Maritime Domain and Seaports Act (Official Gazette no. 158/2003, 100/2004, 141/2006 and 38/2009).

- demonstrate that it has operated at least 1500 rooms for at least 5 years, at least 50% of which are classified as 5 stars, and that the annual revenue obtained by it by providing accommodation services is at least EUR 45 million;

- demonstrate that it has invested at least EUR 100 million in reference tourism projects and other capital projects in the commercial and/or residential property sector; and

- demonstrate its financial ability and the possession of such funds as are necessary to implement the Project in the manner and within such time limits as defined in this Call.

## **ABOUT THE TENDER**

1. A tender for the implementation of the Kupari 1 Project may only be submitted according to the form provided in the tender dossier.
2. The tender may not include any amendments to the form and must be binding upon the tenderer until the execution date of the agreement for the implementation of the Kupari 1 Project; if the Committee should deem this reasonable, it may request an extension of such time limit.
3. The tender and its appendices must be provided in writing, printed in indelible ink in the Croatian language and using the Latin script.
4. The tender must be signed by a legal representative of the tenderer or its attorney.
5. The tender and its appendices must be provided as originals or certified copies.
6. Any appendices or documents provided in a foreign language must be accompanied by their translation into the Croatian language supplied by a licensed court interpreter.
7. Any documents issued or certified by a public authority of another country must be supplied by a certificate in accordance with Article 4 of the Hague Convention Abolishing the Requirement of Legalization for Foreign Public Documents.
8. Each page of the tender and each appendix must be bound into a single unit indicating the number of each page and bearing the initials of the person signing the tender. Such indication will contain the total number of pages and the number of each page (for example: 1/35; 1/36; 1/37, etc.).
9. If a single tender is submitted by several entities, they will be treated as a single tenderer. In such case, they will have joint and several civil liability in connection with the tender and the agreement to implement the investment project if such agreement is entered into with them (Civil Code, Article 42, Official Gazette 35/05, 41/08).
10. The tenderer must provide a tender security in the form of an unconditional tender guarantee issued by a commercial bank for 1% of the investment value, which must remain valid until the designated time limit for the execution of the construction right, lease and concession agreements, but no more than two years.
11. All data and information contained in the tender will be treated as confidential until the tendering results are published (Data Protection Act, Article 20, Official Gazette 108/96 in connection with Article 34 of the Data Confidentiality Act, Official Gazette 79/07, 86/12.).

12. Any tender not submitted in accordance with the relevant conditions will be rejected as ineligible.
13. The tenderer will not be entitled to be reimbursed for the expenses incurred by it in connection with the preparation and submission of its tender.
14. The bank guarantee will be returned to unsuccessful tenderers within 15 (fifteen) days following the date their tenders are no longer binding.
15. No alternative tenders are allowed.
16. The tenderer may submit an amendment to its tender before the tender submission deadline. Such amendment must be submitted in the same manner as the basic tender, with an indication of such amendment.
17. The tenderer may withdraw its tender before the tender submission deadline by providing a written statement thereof. Such written statement must be submitted in the same manner as the tender, with an indication of withdrawal. In such case, the tender will be returned to the tenderer unopened.

#### **TENDER SUBMISSION**

The tender must be submitted in a sealed enveloped indicting the sender and recipient, clearly indicating the case, and including the following notice:

**“Do not open – a tender for the implementation of the Kupari 1 Project” to: State Property Management Administration, no later than 4:30 p.m. on 25 August 2015**

#### **CRITERIA FOR THE SELECTION OF THE SUCCESSFUL TENDERER**

##### **Basic criterion**

The criterion applicable to the selection of the successful tender is the amount of the construction right fee and the fee for leasing Hotel Grand, as well as the evaluation of the maritime domain concession fee.

The successful tenderer will be the tenderer whose tender achieves the highest sum of the criteria coefficients scored as follows:

A:	Criteria	
–	Coefficient of the offered construction right fee and fee for leasing Hotel Grand	90%
–	Coefficient of evaluation of the offered concession fee	10%

Formulae and method of calculating the criteria coefficient for each tenderer:

*a) Coefficient of the offered construction right fee and fee for leasing Hotel Grand =*

90% X offered construction right fee and fee for leasing Hotel Grand

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highest offered amount of the construction right fee and fee for leasing Hotel Grand

b) *Coefficient of evaluation of the offered concession fee =*

10% X coefficient awarded on the basis of evaluating the concession offer

highest coefficient awarded on the basis of the evaluation of the concession fee

The coefficient of evaluation of the offered concession fee for the purpose of building on an commercially exploiting the maritime domain will be evaluated by the competent authority in accordance with Article 23 of the Maritime Domain and Seaports Act, which will provide to the Committee its Finding and Opinion containing a rank order list of the tenders to be evaluated in accordance with the criteria, formulae and calculation methods set forth in Article 21 of the Regulation for the Procedure of Awarding Concessions to Maritime Domains (Official Gazette number 23/04, 101/04, 39/06, 63/08, 125/10, 102/11 and 83/12).

### **Additional criteria**

In case two or more tenders receive the same sum of coefficients for the basic criteria, these tenders will be scored on the basis of additional criteria as follows:

<b>ADDITIONAL CRITERIA FOR THE EVALUATION OF THE SUCCESSFUL TENDER</b>	<b>MAXIMUM NUMBER OF POINTS</b>	
INVESTMENT AMOUNT OFFERED	<u>1200</u>	<u>32%</u>
INVESTMENT QUALITY AND COMPLETION DATE	<u>1000</u>	<u>27%</u>
REPUTATION AND ABILITY TO ACHIEVE FUTURE OCCUPANCY (BRAND)	<u>800</u>	22%
EMPLOYMENT PLAN	<u>500</u>	14%
CONTRIBUTION TO LOCAL COMMUNITY DEVELOPMENT	<u>200</u>	5%
<b>TOTAL</b>	<b>3700</b>	<b>100%</b>

The highest number of points awarded on the basis of all additional tender evaluation criteria is 3700.

The successful tender will be the tender that receives the highest sum of points under the additional criteria specified in this point, to be scored as follows:

- A) The tender with the highest sum of points based on the “**INVESTMENT AMOUNT OFFERED**” criterion will be awarded a **total of 1200 points**. Considering the investment amount, the tenders will be evaluated under this criterion as follows:

1. The tender that receives the highest sum of points based on the **“Investment Amount”** criterion will be awarded 1200 points and each following tender will receive 50 points less (the best evaluated tender will receive 1200 points, the second best will receive 1150 points, the third best will receive 1100 points, etc.).
- B) The tender with the highest sum of points based on the **“INVESTMENT QUALITY AND COMPLETION DATE”** criterion will be awarded **a total of 1000 points**. Considering the investment quality and completion date, the tenders will be evaluated under this criterion as follows:
1. The tender that receives the highest sum of points based on the **“Investment Quality”** criterion will be awarded **550 points** and each following tender will receive 50 points less according to the share of facilities classified as 5 stars in the total facilities envisaged by the investment plan provided by the tenderer (the best evaluated tender will receive 550 points, the second best will receive 500 points, the third best will receive 450 points, etc.).
  2. The tender that receives the highest sum of points based on the **“Investment Completion Date”** criterion will be awarded **450 points** and each following tender will receive 25 points less according to the completion date indicated in the investment plan provided by the tenderer (the tender with the earliest completion date will receive 450 points, the tender with the second earliest completion date will receive 425 points, the tender with the third earliest completion date will receive 400 points, etc.).
- C) The tender with the highest sum of points based on the **“REPUTATION AND ABILITY TO ACHIEVE FUTURE OCCUPANCY (BRAND)”** criterion will be awarded **a total of 800 points**. Considering the experience in and quality of its prior hotel operation activities and the ability to achieve future occupancy, the tenders will be evaluated under this criterion as follows:
1. The tender that receives the highest sum of points based on the **“Experience in Operating High Class Hotels”** criterion will be awarded 500 points if the tenderer or a consortium member operates at least 1,500 rooms of which at least 50% are classified as 5-star hotels (the best evaluated tender will receive 500 points, the second best will receive 475 points, the third best will receive 450 points, etc.).
  2. The tender that receives the highest sum of points based on the **“Ability to Secure Future Scope of Business”** criterion will be awarded 300 points if the tenderer or a consortium member demonstrates it is able to achieve an occupancy rate of at least 55% following the completion of the entire investment and each following tender will receive 25 points less (the best evaluated tender will receive 300 points, the second best will receive 275 points, the third best will receive 250 points, etc.).
- D) The tender found to be the best on the basis of the **“EMPLOYMENT PLAN”** criterion will receive 500 points. The tenders will be evaluated under this criterion as follows:
1. The tender that receives the highest sum of points based on the **“Number of Permanent Employees”** criterion will be awarded 500 points if the tenderer’s business plan provides for a number of permanent employees and each following tender will receive 50 points less (the best evaluated tender will receive 500 points, the second best will receive 450 points, the third best will receive 400 points, etc.).



- E) The tender found to be the best on the basis of the “CONTRIBUTION TO LOCAL COMMUNITY DEVELOPMENT” criterion will receive 200 points and each following tender will receive 10 points less (the best tender will receive 200 points, the second best will receive 190 points, the third best will receive 180 points, etc.).

## **SELECTION OF THE SUCCESSFUL TENDERER AND ENTRY INTO THE AGREEMENT**

1. The Committee responsible for the evaluation of applications pursuant to the published Call for the Expression of Interest and for the monitoring of further implementation of the Kupari 1 Project, appointed by the Resolution to Initiate a Procedure for the Implementation of the Kupari Tourism Development Project at the Kupari 1 Site in the Municipality of Župa dubrovačka, Class: 022-03/14-04/08, Fie No.: 50301-05/05-14-3, of 16 January 2014, and Class: 022-03/15-04/129, File No.: 50301-05/25-15-4, of 9 April 2015, will open the received tenders at the headquarters of the State Property Management Administration at 10 a.m. on 26 August 2015.
2. Tenderers, their legal representatives or attorneys may be present at the tender opening procedure.
3. The tenderer whose tender receives the highest sum of coefficients for the basic and additional criteria will be the successful tenderer.
4. No later than 15 September 2015, the Committee will determine a tenderer rank order list and propose to the Government of the Republic of Croatia to pass its Successful Tenderer Selection Resolution.
5. The tenderer rank order list will be provided to all tenderers included in the list within eight days of the adoption date of the Successful Tenderer Selection Resolution by registered mail with a return receipt or through a notary public.
6. The Committee will within 7 (seven) days of the date the Government of the Republic of Croatia passes its Resolution invite the successful tenderer to enter into the Kupari 1 Project Implementation Agreement.
7. If the successful tenderer withdraws its tender or fails to respond to the invitation to enter into the Kupari 1 Project implementation agreement within the period allowed, it will forfeit its security and, if it provided a bank guarantee, the State Property Management Administration will be entitled to enforce it.
8. In case the successful tenderer withdraws or fails to proceed to enter into the investment implementation agreement, the successful tenderer will be the next tenderer on the tenderer rank order list, provided it accepts to pay the fees offered by the successful tenderer that withdrew and so forth.
9. The Committee reserves the right to cancel the procedure initiated by this Call or to modify its terms, exclude any interested investor from the procedure or fail to select any tender at any time, without being required to explain such decision.

## **SECTION II.**

**NOTICE OF THE INTENTION TO GRANT A CONCESSION TO A MARITIME DOMAIN FOR THE PURPOSE OF BUILDING ON AND COMMERCIALY EXPLOITING THE BEACH IN A PART OF THE CADASTRAL MUNICIPALITY OF BRAŠINA FOR THE PURPOSE OF IMPLEMENTING THE KUPARI TOURISM DEVELOPMENT PROJECT AT THE KUPARI 1 SITE IN THE MUNICIPALITY OF ŽUPA DUBROVAČKA**

The part of the tender pertaining to the concession for the purpose of building on and commercially exploiting the beach in a part of the Cadastral Municipality of Brašina must constitute a separate unit.

1. The area for which a concession is to be awarded for the purpose of building on and commercially exploiting the beach in a part of the Cadastral Municipality of Brašina includes land registry plots no.: 2344, 2343 (part) and 2345/1, Cadastral Municipality of Brašina, and a part of the surrounding sea, as identified by a point polygon expressed in a Gauss-Krueger projection as follows:

The land and marine parts of the beach:

Point number	Y (m)	X (m)
1	6 515 783.62	4719312.12
2	6 515 790.64	4719315.02
3	6 515 841.97	4719336.81
4	6 515 854.96	4719340.14
5	6 515 867.79	4719342.60
6	6 515 879.48	4719346.74
7	6 515 889.97	4719348.94
8	6 515 903.56	4719354.13
9	6 515 913.29	4719361.37
10	6 515 925.11	4719373.41
11	6 515 928.89	4719379.33
12	6 515 938.67	4719378.53
13	6 515 946.84	4719375.31
14	6 515 957.19	4719375.60
15	6 515 961.71	4719376.18
16	6 515 968.64	4719382.40
17	6 515 973.85	4719386.06
18	6 515 986.67	4719394.30
19	6 515 993.92	4719399.98
20	6 516 001.01	4719407.37
21	6 516 005.86	4719414.45
22	6 516 007.72	4719418.49
23	6 516 009.03	4719423.95
24	6 516 008.95	4719426.83
25	6 516 008.13	4719431.39
26	6 516 006.88	4719435.00
27	6 515 995.51	4719449.43
28	6 515 991.39	4719457.28

29	6 515 989.52	4719463.52
30	6 515 988.15	4719472.12
31	6 515 986.65	4719473.99
32	6 515 982.54	4719477.22
33	6 515 985.55	4719481.00
34	6 515 987.56	4719484.64
35	6 515 989.54	4719486.91
36	6 515 988.46	4719487.83
37	6 515 995.32	4719495.91
38	6 515 998.01	4719498.94
39	6 516 005.75	4719506.63
40	6 516 009.29	4719507.55
41	6 516 025.19	4719525.93
42	6 516 026.78	4719535.71
43	6 516 027.33	4719539.74
44	6 516 028.44	4719545.98
45	6 516 030.25	4719557.78
46	6 516 032.71	4719558.56
47	6 516 049.50	4719569.64
48	6 516 050.80	4719567.89
49	6 516 057.40	4719566.99
50	6 516 069.07	4719564.87
51	6 516 077.88	4719570.21
52	6 516 084.20	4719573.40
53	6 516 088.93	4719576.91
54	6 516 091.76	4719580.36
55	6 516 095.05	4719585.98
56	6 516 098.71	4719592.75
57	6 516 114.40	4719607.39
58	6 516 117.09	4719608.84
59	6 516 127.54	4719610.95
60	6 516 140.90	4719619.05
61	6 516 142.93	4719619.32
62	6 516 148.31	4719613.43
63	6 516 154.89	4719615.11
64	6 516 175.72	4719600.32
65	6 516 178.80	4719601.85
66	6 516 180.05	4719603.57
67	6 516 191.57	4719594.71
68	6 516 201.23	4719593.87
69	6 516 208.68	4719596.32
70	6 516 215.47	4719598.37
71	6 516 231.13	4719605.60
72	6 516 237.99	4719604.90
73	6 516 253.07	4719600.99
74	6 516 271.48	4719595.62

75	6 516 280.77	4719594.32
76	6 516 291.29	4719592.24
77	6 516 303.60	4719592.17
78	6 516 307.09	4719591.63
79	6 516 319.25	4719587.74
80	6 516 322.60	4719584.73
81	6 516 324.03	4719584.35
82	6 516 370.07	4719576.58
83	6 516 376.11	4719574.38
84	6 516 385.53	4719557.18
85	6 516 385.96	4719557.34
86	6 516 387.70	4719552.31
87	6 516 389.83	4719553.31
88	6 516 396.59	4719539.20
89	6 516 416.64	4719526.56
90	6 516 423.83	4719528.42
91	6 516 424.21	4719526.95
92	6 516 431.78	4719528.00
93	6 516 437.00	4719529.42
94	6 516 441.16	4719531.30
95	6 516 447.94	4719536.77
96	6 516 453.63	4719542.54
97	6 516 460.53	4719546.99
98	6 516 465.68	4719540.79
99	6 516 476.72	4719529.70
100	6 516 498.15	4719507.81
101	6 516 478.66	4719488.94
102	6 516 471.56	4719483.89
103	6 516 464.28	4719480.99
104	6 516 442.84	4719463.64
105	6 516 427.16	4719455.51
106	6 516 414.24	4719452.84
107	6 516 396.65	4719451.17
108	6 516 392.30	4719451.62
109	6 516 380.80	4719455.16
110	6 516 370.80	4719454.75
111	6 516 335.99	4719460.99
112	6 516 310.64	4719468.60
113	6 516 301.69	4719473.14
114	6 516 274.75	4719477.02
115	6 516 218.89	4719477.76
116	6 516 155.53	4719468.01
117	6 516 118.72	4719454.04
118	6 516 113.43	4719425.39
119	6 516 036.47	4719425.30
120	6 516 014.03	4719425.28

121	6 516 014.06	4719423.50
122	6 516 012.48	4719416.92
123	6 516 010.20	4719412.06
124	6 516 004.91	4719404.27
125	6 515 997.14	4719396.21
126	6 515 993.51	4719393.35
127	6 516 011.98	4719361.39
128	6 516 027.08	4719335.24
129	6 516 018.09	4719331.65
130	6 516 015.91	4719326.83
131	6 516 011.18	4719319.50
132	6 516 000.92	4719306.40
133	6 515 993.71	4719300.05
134	6 515 983.61	4719293.39
135	6 515 973.69	4719287.87
136	6 515 961.58	4719283.80
137	6 515 949.55	4719280.90
138	6 515 925.75	4719279.60
139	6 515 916.65	4719273.33
140	6 515 904.32	4719268.53
141	6 515 898.09	4719267.56
142	6 515 883.96	4719267.52
143	6 515 873.19	4719264.74
144	6 515 866.87	4719264.09
145	6 515 856.57	4719263.93
146	6 515 851.01	4719261.92
147	6 515 847.32	4719261.21
148	6 515 841.10	4719261.08
149	6 515 834.69	4719258.68
150	6 515 828.60	4719257.36
151	6 515 821.79	4719256.60
152	6 515 816.06	4719256.28
153	6 515 796.12	4719287.49
154	6 515 789.73	4719297.46
155	6 515 785.30	4719307.41

The two isolated anchorages, anchorage 1 (west) and anchorage 2 (east), are circular, each has a surface area of 1,521.00 m<sup>2</sup>, and they are defined by the coordinates of the center of the circle having a radius of 22.00 m, which coordinates are expressed in the Gauss–Krueger projection as follows:

coordinates of the center of anchorage 1:

point A Y = 6 516 187.25 m X = 4 719 440.78 m

coordinates of the center of anchorage 2:

point B Y = 6 516 261.11 m X = 4 719 440.96 m

2. The total surface area of the maritime domain for which a concession is to be granted is 78,833 m<sup>2</sup>, of which 75,791 m<sup>2</sup> is the land and marine beach area and 3,042 m<sup>2</sup> is the sea surrounding the two isolated anchorages.

The surface area of the maritime domain for which the concession is to be granted is presented on a graphic base, which is an integral part of the tender dossier.

3. The concession will be awarded for a period of 99 (ninety nine) years following the execution date of the concession agreement.

4. The tender must be accompanied by the following original documents:

- 4.1 Evidence of tenderer's ability:

- a court registry extract not older than 30 days;
- the income statement and balance sheet for the preceding year, income tax return including a summary of revenue and expenses, and a list of noncurrent assets for the past two years (except for newly established companies and craft businesses), certified by the relevant Tax Administration;
- a certified declaration of the tender or an appropriate certificate demonstrating that no bankruptcy proceeding has been initiated against the tenderer, that it is not undergoing a liquidation procedure and that it is not in the process of suspending its business activities;
- creditworthiness information (BON 1) except for craft businesses subject to personal income tax and newly established companies and craft businesses;
- solvency information (BON 2 – for the tenderer's main account) and a certificate of payment of the due obligations issued by the relevant Tax Administration, not older than 30 days;
- A JOPPD form for the month preceding the month in which the tender is issued (consistent with the RS-m form);
- a declaration of whether or not the tenderer has performed all its obligations under other concessions, if any;
- a declaration of whether or not a concession has been revoked from the tenderer in accordance with Article 30 of the Maritime Domain and Seaports Act;
- a declaration stating that no effective conviction has been issued against the tenderer or its authorized representative for any economic crime(s);

- 4.2 The offered amount of the permanent and the percentage of the variable part of the concession fee, provided that the initial amount of the fixed part will be HRK 8.00 per square meter of occupied maritime domain and the initial amount of the variable part of the concession fee will equal 3% of the tenderer's revenue obtained by performing its activities and providing its services on the beach;

- 4.3 A commercial feasibility study prepared according to the substance and form defined in the tender dossier. The total value of the investment planned under such commercial feasibility study will be treated as an investment in noncurrent assets;
- 4.4 A tender guarantee issued by a commercial bank for 1% of the offered investment value, which must remain valid until the planned execution date of the concession agreement, but no more than two years;
- 4.5 A letter of intent issued by the commercial bank issuing the performance guarantee for the concession agreement to be entered into with the selected tenderer, equaling 5.0% of the offered investment value, which must remain valid for 6 months after the planned investment cycle completion date;
- 4.6 A certificate issued by the authority issuing the location permit, certifying that the undertaking presented in the conceptual design is provided for in the physical planning documents; and
- 4.7 A conceptual design of the physical undertaking on a maritime domain prepared by a licensed designer according to the relevant physical planning documents, an analysis of the maritime domain zones within the Kupari 1 hospitality and tourism zones, and according to the commercial feasibility study.

The analysis of the maritime domain zones within the Kupari 1 hospitality and tourism zones providing guidelines for defining the scope and substance of the maritime domain concession is an integral part of the tender dossier.

5. The tenderer rank order list will be prepared according to the following criteria and scoring method:
  - the offered amount of the fixed part of the concession fee - 20%
  - the offered amount of the variable part of the concession fee - 10%
  - the offered amount of the total investment according to the commercial feasibility study - 25%
  - revenue from ordinary activities in the preceding year - 15%
  - income before taxes plus amortization in the preceding year - 15%
  - the planned number of new jobs - 5%
  - tenderer's experience in conducting the business for which a concession is requested - 10%.

Each element of the tender will be evaluated separately and the sum of all elements under all criteria may not exceed 1,000.

The variable part of the concession fee will be calculated as the total amount according to the total revenue presented in the commercial feasibility study for the term of the concession.

Formulae and calculation method:

a) Fixed concession fee coefficient =

$$\frac{20\% \times \text{offered amount of the fixed concession fee part}}{\text{highest offered amount of the fixed concession fee part}}$$

b) Variable concession fee coefficient =

$$\frac{10\% \times \text{total offered amount of the variable concession fee part}}{\text{highest total offered amount of the variable concession fee part}}$$

c) Total investment coefficient =

$$\frac{25\% \times \text{total investment amount offered}}{\text{highest total investment amount offered}}$$

d) Ordinary business revenue coefficient =

$$\frac{15\% \times \text{ordinary business revenue in the preceding year}}{\text{highest ordinary business revenue in the preceding year}}$$

e) Income coefficient =

$$\frac{15\% \times \text{income before taxes plus amortization in the preceding year}}{\text{highest income before taxes plus amortization in the preceding year}}$$

f) Planned new jobs coefficient =

$$\frac{5\% \times \text{offered number of new jobs}}{\text{highest offered number of new jobs}}$$

g) Tenderer's business experience coefficient =

$$\frac{10\% \times \text{number of years of conducting the business}}{\text{highest number of years}}$$

### **SECTION III.**

### **APPENDICES**

#### **GENERAL:**

The tenderers are required to submit:

1. Documents containing the basic information about the tenderer: a) for citizens of and legal entities incorporated under the law of the Republic of Croatia – documents indicating the identity, identification number, residence and citizenship; for legal entities – documents demonstrating their legal subjectivity – a court registry extract; (b) for foreign citizens and legal entities: public documents demonstrating their legal subjectivity, residence/registered office and citizenship.
2. Documents demonstrating they owe no debt on the basis of any public levy in the Republic of Croatia; such documents will be acceptable if issued no later than thirty days prior to the tender submission deadline.



3. Documents demonstrating solvency: domestic legal entities according to the regulations of the Republic of Croatia and foreign legal entities according to the regulations of their respective countries for all participants in the tender.
4. Documents demonstrating that the tenderer has operated at least 1500 rooms for at least 5 years, of which at least 50% are classified as 5 stars and that it obtains revenue by performing hospitality activities of at least EUR 45 million a year.
5. Documents demonstrating implemented investments worth at least EUR 100 million in reference tourism projects and other capital projects in the commercial and/or residential property sector.
6. Documents demonstrating their financial ability and possession of funds necessary for the implementation of the Project as and when determined in this Call.
7. Evidence of paying the tender guarantee – an unconditional bank guarantee, irrevocable and payable on first demand, which must remain effective until the execution date of the construction right agreement, the lease agreement and the maritime domain concession agreement;
8. A certified declaration whereby the tenderer undertakes to pay the costs of preparing the physical planning documents required for the implementation of the Kupari 1 Project.

#### **APPENDICES TO SECTION I:**

The tenderers are also required to submit:

1. An offer for the implementation of the Kupari 1 Project including an offer of the fee payable for the creation of a construction right over the land included in the Project, an offer of the fee payable for entering into a lease agreement for Hotel Grand, and an offer of the fee payable for the maritime domain concession for the purpose of building on and commercially exploiting the beach.
2. A conceptual design for the urban development solution of the Kupari 1 Project on the relevant cadastral plots.
3. A plan for the investment of at least EUR 70 million in the implementation of the Kupari 1 Project, provided that at least 70% of the accommodation capacity is classified as 5 stars.
4. A business plan for a 10-year period prepared according to the best practices.
5. A letter of intent from the commercial bank that will issue the Bank Guarantee to secure the implementation of the Kupari 1 Project in each phase in accordance with the investment plan provided, having in the year preceding the year of this Call a credit rating of at least BBB according to the Standard and Poor's Bank Rating Guide, or from a bank whose guarantee is approved at tenderer's request by the Committee responsible for the evaluation of applications pursuant to the published Call for the Expression of Interest and for the monitoring of further implementation of the Kupari 1 Project, appointed by the Resolution to Initiate a Procedure for the Implementation of the Kupari Tourism Development Project at the Kupari 1 Site in the Municipality of Župa dubrovačka, CLASS: 022-03/14-04/08, FILE NO.: 50301-05/05-14-3, of 16 January 2014, and

CLASS: 022-03/15-04/129, FILE NO.: 50301-05/25-15-2, of 9. April 2015. The provision of this point will appropriately apply to the security to be provided for performance of tenderer's obligations under the Kupari 1 Project Implementation Agreement and any other agreement to be entered into subsequently in connection therewith.

**APPENDIX TO SECTION II. OF THE PUBLIC CALL**

1. The tenderer is required to provide an Appendix pertaining to the award of a concession for the purpose of building on and commercially exploiting the beach as defined in Section II., point 4 of the Call.