

## PUBLIC TENDER

**For the lease of roof surface for the installation of a photovoltaic system for the purpose of electricity production**

### Header Information

- **Issuer:** KOMUNALNO PODUZEĆE KRIŽEVCI d.o.o. (Utility Company Križevci Ltd.)
  - **Address:** Cubinec, Donji Cubinec 30A, 48260 Križevci
  - **Class:** 372-01/23-01/16
  - **Reg. No:** 2137-105-01/23-3
  - **Date:** Cubinec, November 22, 2023
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**Legal Basis** Based on Article 6, Paragraph 1 of the Law on Lease and Sale of Business Premises ("Official Gazette" No. 125/11, 64/15, and 112/18), acting upon the Decision on announcing a public tender CLASS: 372-01/23-01/16, REG. NO: 2137-105-01/23-2 dated November 22, 2023, the following is announced:

### 1. SUBJECT OF THE TENDER

The subject of the public tender is the roof surface of the office building at Ulica Drage Grdenića 7 in Križevci (cadastral plot no. 1033/1, cadastral municipality Križevci, land registry folio 4187), designated in the Conceptual Design attached to this Public Tender as **Annex 1**, which forms an integral part thereof.

In addition to economic benefits for the Lessor, the Public Tender aims to utilize the roof surface for renewable electricity production, thereby increasing the share of electricity production from renewable sources and contributing to the energy and climate goals of the City of Križevci. It also aims to include citizens in the financing and ownership of renewable energy projects, retaining the economic and financial benefits of investing in solar power plants within the local community.

### 2. LEASE CONDITIONS

- **Condition of Property:** The roof surface is leased in the condition found at the time of the tender announcement. The selected Bidder takes over the roof surface on an "as is" basis and has no right to subsequent objections regarding its quality, condition, or appearance.

- **Duration:** The leased roof surface is granted for a period of **25 (twenty-five) years**, starting from the date of signing the Lease Agreement.
- **Expiration of Contract:** Upon expiration of the Lease Agreement, the Lessor will independently, in accordance with circumstances and needs, make one of the following decisions, which the selected Bidder is obliged to accept without the possibility of appeal:
  1. The Lessee (selected Bidder) is obliged, no later than 30 (thirty) days from the expiration of the Lease Agreement, to hand over the fully built solar power plant in a completely correct and functional condition, with all accompanying documentation and valid guarantees and tests, to the building owner free of charge into unconditional ownership.
  2. The Lessee (selected Bidder) is obliged to remove the solar power plant from the roof of the building at their own expense and return the roof to its original state within 30 (thirty) days from the expiration of the Lease Agreement, and ensure the water tightness of the roof at the places where the photovoltaic power plant was installed, in accordance with professional rules.

### **3. IMPLEMENTATION**

The Public Tender procedure will be conducted by the Commission for the Implementation of the Public Tender for the Lease of Roof Surface, appointed by a special Decision.

### **4. PURPOSE**

The subject of the tender is intended for the installation of a photovoltaic system for the purpose of electricity production.

### **5. ELIGIBILITY (Nationality)**

All registered legal and natural persons who are citizens of the Republic of Croatia, or have a registered branch in the Republic of Croatia, may participate in the Public Tender.

### **6. ELIGIBILITY (Financial Standing)**

Registered legal and natural persons who have not had a blocked giro account in the last 12 (twelve) months may participate.

### **7. ELIGIBILITY (Tax Status)**

Registered legal and natural persons who have settled all due tax obligations and obligations for pension and health insurance may participate.

## 8. EXCLUSIONS

Bids from natural and legal persons who are debtors to the Lessor on any basis due to unfulfilled due obligations, as well as bids not submitted within the deadline or not meeting tender conditions, will not be considered.

## 9. CONTENT OF THE BID

The bid for participation in the public tender must contain:

- **9.1.** Completed Bid Sheet – **Annex 3**.
- **9.2.** Evidence for scoring social criteria, pursuant to item 10.1 of this tender.
- **9.3.** Creditworthiness data (Form BON-1).
- **9.4.** Solvency data (Form BON 2 or SOL 2).
- **9.5.** Certificate from the Tax Administration regarding fulfilled obligations for tax, health, and pension insurance contributions.
- **9.6.** Original or copy of the decision on entry into the relevant register.
- **9.7.** Certificate from Komunalno poduzeće Križevci d.o.o. regarding the non-existence of debt.
- **9.8. Bid Bond (Guarantee for seriousness of offer):** Amount of **1,000.00 EUR**.
  - *Method:* Cashless payment to the Lessor's IBAN (Zagrebačka banka d.d.) or a blank debenture/promissory note (solemnized by a notary).
  - *Proof:* Copy of the payment order must be attached.
- **9.9. Bidder's Statement – Annex 4:** Stating that if selected, they will deliver a blank debenture (solemnized) or a cash deposit of 1,000.00 EUR as a **Performance Guarantee** (for proper contract fulfillment) no later than the contract signing.
- **9.10.** References for similar projects (if any), evidenced by Certificates of Proper Contract Fulfillment from clients.
- **9.11.** If bidding as a Joint Venture, an act defining mutual rights and obligations must be attached.
- **9.12.** Completed Bidder's Statement – **Annex 5** accepting the Lessor's Decision from Item 2.

- **9.13.** Proof of status for persons claiming priority rights under the Law on Croatian Homeland War Veterans (certificate from Ministry of Defense/Interior and Pension Insurance Institute).

*Note:* If submitting as a Joint Venture or using subcontractors, evidence listed in 9.3, 9.4, 9.5, 9.6, and 9.7 must be provided for all involved entities. All documents must be originals or copies not older than 30 days from the tender announcement.

## 10. EVALUATION CRITERIA

The subject of the tender will be leased to the Bidder with the highest number of points.

- **Economic Criteria:** Maximum 50 points (Offered rent amount).
- **Social Criteria:** Maximum 50 points.
- **Total:** Maximum 100 points.

### 10.1. Scoring Tables

**A. Economic Criterion (Offered Rent %)** The rent is calculated based on the Power Purchase Agreement signed with the distributor, according to monthly revenues.

Offered Rent Amount (%)	Points
5%	0
6%	5
7%	10
8%	15
9%	20
10%	25
11%	30
12%	35
13%	40
14%	45

Offered Rent Amount (%)	Points
15%	50

**B. Social Criterion (Citizen Involvement)** Social criteria include direct financial and ownership inclusion of citizens.

Criterion	Points	Verification Method
<b>Democratic Control:</b> Bidder is a legal entity independent and under the actual control of members; management is arranged on the "one member one vote" principle.	20	Review of founding documents establishing the "one member one vote" decision-making method.
<b>Citizen Ownership:</b> Bidder has a minimum of 30 members, of which at least 80% are natural persons (individuals).	15	Inspection of the member directory to determine the number and type of members.
<b>Experience:</b> Implementation of at least one or more solar energy projects in the last 10 years on public surfaces (min. total power 50kW) involving citizens in financing through a public campaign.	15	Proof of public campaign (media articles, website, etc.) AND Proof of realization (Certificate of proper fulfillment).

- **Tie-Breaker:** If scores are equal, the earlier received bid prevails.
- **Withdrawal:** If the selected Bidder withdraws, the next highest bid is selected.
- **Collection of Bid Bond:** The 1,000 EUR bond is collected if the Bidder withdraws, fails to deliver the Performance Guarantee, or fails to sign the lease within 8 days.
- **Notification:** All Bidders will be notified EXCLUSIVELY via the e-mail address provided in the Bid Sheet.

## 11. LEASE AGREEMENT

- **Signing:** The selected Bidder must sign the Lease Agreement within 8 days of the Award Decision delivery.
- **Execution Deadlines & Obligations:** Within **9 (nine) months** of signing, the Bidder must:
  - Create a Main Project for the PV plant (certified engineer, static calculation).

- Install a solar power plant: Min. nominal power **150 kW**, Max **200 kW** (or as allowed by grid consent).
  - Ensure roof water tightness and maintenance.
  - Maintain the plant and repair damages/malfunctions.
  - Repair any building damage caused by installation or use.
  - Insure the plant (fire, hail, lightning) and provide the Policy to the Lessor.
  - Start delivering electricity to the grid.
- **Failure to Perform:** If the Bidder fails to complete obligations within the timeframe, the Lessor collects the Performance Guarantee, and the contract is considered terminated. The Bidder must then remove the plant and restore the roof.
  - **Rent Payment:** Obligation starts from the day the plant is put into operation (grid connection). Rent is payable by the 25th of the current month for the previous month.

## 12. OTHER PROVISIONS

- **Subleasing:** Subleasing is not allowed. Roof alterations require written approval.
- **Costs:** The Lessee pays for all permits and tests.
- **Termination:** The contract can be terminated with a 90-day notice period (notice given on the 1st of the month), but not before one year has passed since signing.
- **Viewing:** The roof can be viewed on working days (08:00 – 14:00) with prior notice at 048 720 918.

## SUBMISSION DETAILS

- **Deadline: December 7, 2023, by 10:00 AM.**
- **Method:** In person or by mail in a closed envelope.
- **Address:** Komunalno poduzeće Križevci d.o.o., Cubinec, Donji Cubinec 30A, 48260 Križevci.
- **Label:** "ne otvaraj – ponuda za zakup krovne površine radi postavljanja fotonaponskog sustava za proizvodnju električne energije" (Do not open – bid for lease of roof surface for PV system installation).

- **Opening:** Public opening on December 7, 2023, at 10:00 AM at the Lessor's administration.

**Director** Martin Kozjak, struč.spec.ing.aedif.

**Distribution:**

1. Notice Board of Komunalno poduzeće Križevci d.o.o.
2. <https://komunalno.hr/>
3. Archive

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Would you like me to extract the specific list of required documents into a checklist format to ensure you have everything ready for the submission?