
Project is co-financed by the European Union from the European Fund for Regional Development

Date: 11 November 2020

PROCUREMENT NOTICE

Procurement Notice on Tender for „Software Development and Implementation With the Working Title 'PSOD ERP System'”

Procurement reference: PSOD-IKT2-04

1. PROCURING ENTITY INFORMATION

Procuring Entity name: Law Firm Porobija & Špoljarić LLC

Address: Kolodvorska 12, Varaždin

Personal identification number (OIB): 02347849218

Phone: +385 42 373 100

2. INFORMATION ON CONTACT PERSONS FOR COMMUNICATION WITH TENDERERS

Contact Information

Contact persons: Marko Porobija, Romina Štaba (+385 91 5028 470, +385 91 6725 718)

E-mail: primary: IKTprojekt@psod.hr; secondary: marko.porobija@psod.hr, romina.staba@psod.hr

Mode of Communication

Communication and any other exchange of information between the Procuring entity and the Tenderer will be done via e-mail with the specified contact persons.

For ease of communication and the purposes of the audit trail, messages shall be entitled:

„Procurement of Software Development and Implementation With the Working Title 'PSOD ERP system'” – clarification request of the Invitation to Tender for Procurement.

Project is co-financed by the European Union from the European Fund for Regional Development

The Principle of Transparency and Equal Treatment

Due to the principle of transparency, equal treatment of all parties involved and the needs of the audit trail, the Procuring Entity shall respond to the request for further information and clarification **if the request is sent via e-mail to the addresses mentioned above** (please specify the primary e-mail address as the „recipient“, while the secondary e-mail addresses can be added to the carbon copy recipients).

A request not addressed and sent to the primary e-mail address will not be considered valid.

NOTE:

Considering that „Rules on the Implementation of the Procurement Procedure for the Non-Subjects to the Public Procurement Act“, Version 4.0, which define mandatory elements of the Invitation to Tender, provide for the mandatory addition of a telephone contact, the above stated has been added to the Invitation to Tender. However, **please note that this method of communication is non-transparent and leaves no audit trail. For the purpose of equal treatment of all Tenderers, in the event of a telephone call, Tenderers will be asked to make the same inquiry via electronic mail** to provide an audit trail and to provide a response to the inquiry to all potential Tenderers through the website www.strukturnifondovi.hr.

For the purpose of equal treatment of all Tenderers, **all responses to the queries received in the manner defined above will be published on the website:** www.strukturnifondovi.hr.

Compliance With the General Data Protection Regulation (GDPR)

In order to protect the data, the queries will be anonymised, i.e., the published answers to the queries will not indicate which potential Tenderer sent it.

Data Exchange with the Managing Authority (UT), First Level Intermediate Body (PT1), Second Level Intermediate Body (PT2), Authorities of the Management and Control System (SUK) and Third Parties

Please note that all of the aforementioned queries, including the identity of the query sender, in accordance with the Procuring Entity's contractual obligations, will be forwarded to HAMAG BICRO for project implementation reporting purposes and for the purpose of the audit trail, while HAMAG BICRO, in the role of PT2, is authorised to pass on the information to other bodies in the SUK and the European Commission.

Project is co-financed by the European Union from the European Fund for Regional Development

Publication of the Response to the Tenderer's Queries

Provided that the request is timely¹, the latest additional information and explanations regarding the Invitation to Tender shall be made available by the Procuring Entity on the website www.strukturnifondovi.hr no later than two (2) days before the deadline for the submission of tenders.

Changes to the Invitation to Tenders and Deadlines for Submission of Tenders

If the Procuring Entity changes documentation during the deadline for submission of tenders, it will ensure that changes are available to all interested economic operators at the same place where the essential Procurement Notice (hereinafter referred to as: OoN), Invitation to Tenders and documentation clarifications were published. **Procuring entity shall not be obliged to inform each Tender individually of the mentioned changes.**

If deemed necessary, the Procuring Entity may extend the deadline for submission of tenders, and the extension will be commensurate with the importance of clarification and/or modification of the documentation in accordance with the Procuring Entity's assessment.

Unless there is a need for significant changes to the OoN, Invitation to Tender or any document that forms an integral part of the Invitation to Tender, the Procuring Entity shall not have the right to extend the initially announced deadline for the submission of tenders since this violates the principles of transparency, raises the suspicion of favouring a particular Tender and places the Procuring Entity at risk of financial corrections.

3. LAUNCHING THE PROCUREMENT PROCEDURES

The beginning of the bidding process with the publication of the Procurement Notice (hereinafter referred to as: OoN) shall be considered the first day after the publication of the OoN and the Invitation to Tender on the website www.strukturnifondovi.hr. **All tender documentation is published on 11 November 2020.**

The same website also contains the **Invitation to Tender**.

4. TYPE OF PROCUREMENT PROCEDURE

¹ The request is timely if it is submitted to the Procuring Entity no later than during the fifth (5) day before the day on which the deadline for submission of the Tender expires.

Project is co-financed by the European Union from the European Fund for Regional Development

The tendering procedure is conducted on the basis of the “Rules on the Implementation of the Procurement Procedure for the Non-Subjects to the Public Procurement Act”, version 4.0, which is an integral part of the documentation of the Invitation KK.03.2.1.19 - **procurement procedure with mandatory disclosure**. Aforementioned rules are available at <https://strukturnifondovi.hr/>.

The subject of procurement is the development and implementation of multimodular software for managing the Procuring Entity's business with the working title „PSOD ERP system“, with detailed information on the subject of procurement described in point 9 of this Invitation and the Annex 6. – Functionality and system description, and training of employees on the use of the PSOD ERP system, and system maintenance and troubleshooting/debugging for at least one year after the handover of the completed PSOD ERP system.

Tenderers draw up a Tender for the entire subject of the procurement and only tenders prepared in the aforementioned manner are acceptable (i.e. Tenders relating to only a part of the procurement subject will not be considered).

NOTE:

In order to treat all potential Tenderers equally, Tenders may be submitted at the Consortium of Tenderers or the Tenderer may take on additional subcontractors to carry out specific tasks of the Tender. In this case, the holder of the Tenderer's Consortium or the Tenderer who subcontracts is fully responsible for the conditions set out in the Tender.

The selection criterion is the economically best tender.

5. SUBJECT OF PROCUREMENT DESCRIPTION

The Procuring Entity procures - development and implementation of software with the working title "PSOD ERP system".

The subject of procurement is the

- a. development and implementation of a multimodular software for managing the Procuring Entity's business with the working title „PSOD ERP system“, with detailed information on the subject of procurement described in point 9 of this Invitation and the Annex 6 – Functionality of the PSOD ERP system,
- b. training of employees on the use of the PSOD ERP system,
- c. Included regular maintenance of the system and troubleshooting/debugging after the handover.

Tenderers draw up a Tender for the entire subject of the procurement and only tenders prepared in the manner mentioned above are acceptable (i.e. Tenders relating to only a part of the procurement subject will not be considered).

Project is co-financed by the European Union from the European Fund for Regional Development

Details of the type, scope and general nature of the service are detailed in the Invitation to Tender.

All Tenders concerned are obliged to take into account the published Invitation to Tender with related Annexes² when preparing their Tender.

6. PLACE OF PERFORMANCE OF THE SUBJECT OF PROCUREMENT

The subject of the procurement will be delivered to the location **Kolodvorska 12, 42000 Varaždin, Republic of Croatia, or another (physical or digital) location specified by the Procuring Entity before delivery.** Since this is a procurement of **software - PSOD ERP system**, a **Record of handover/orderly fulfilment of contractual obligations will be drawn up at the specified location.** The Supplier (i.e. the person representing the Supplier) is not obliged to physically access the delivery location during delivery, in which case the Record of handover will be verified electronically.

7. PREPARATION AND SUBMISSION OF TENDERS

The Tender shall be submitted in Croatian or English and in Latin script. In making the Tender, the Tenderer must comply with the requirements and conditions of the Invitation to Tender and with the related Annexes, which are an integral part of the Invitation to Tender.

Tenders shall be submitted solely in the form defined by the Procuring Entity (related Annexes) with all supporting documentation **via electronic mail to the primary e-mail address (with optional delivery to the secondary email addresses)** specified in Point 2. of the Invitation to Tender with the subject of the message:

Tender for Procurement „Software Development and Implementation With the Working Title 'PSOD ERP System'”

The Tenderer shall bear the costs of making and submitting the Tender and the risk of late delivery of the Tender. If the Tender is not addressed in accordance with the requirements of the Invitation to Tender, the Procuring Entity assumes no responsibility for the Tenders so submitted.

² **Annexes** represent forms compiled by the Procuring Entity, **completed by the Tenderer in order to compile its tender.** Tenders not submitted in the format/forms defined in the Annexes will not be considered.

Project is co-financed by the European Union from the European Fund for Regional Development

8. DEADLINE FOR SUBMISSION OF TENDERS

The deadline for submission of tenders is 9 (nine) days from the date of publication of the Invitation to Tender, i.e. 20 November 2020.

All tenders received (i.e. arrive at the designated primary e-mail address (s)) until 23:59:59 on the stated date will be considered (Central European Time, Zagreb (GMT+1)).