



ЈП Стара планина

Јавно предузеће за развој планинског туризма СТАРА ПЛАНИНА Књажевац

**BIDDING
DOCUMENTS**

Belgrade, November 2019

Pursuant to Sections 3, 4 and 10 of the Decision on Leasing Real Property – Stara Planina Hotel under procedure of collecting written bids, the Bidding Committee conducting the procedure for leasing of real property – Stara Planina Hotel, has prepared the following

BIDDING DOCUMENTS

for leasing of real property – Stara Planina Hotel
under procedure of collecting written bids

Bidding Documents shall include the following:

- Public Invitation to submit closed written bids;
- Instructions to Bidders on submittal of closed written bids for lease of real property – Stara Planina Hotel;
- Instructions for payment of deposit for participation in the procedure for lease of office premises;
- Form – Bid for amount of lease and business activity performed at the building;
- Form – Information on Bidder (entrepreneur or entity);
- Form – Bidder’s statement on security instrument;
- Form – Statement on Bidder’s liquidity.
- Form – Statement on references for previous work within the business activity of “Hotels and similar accommodation”;
- Form – Statement that the deposit paid for participation in the procedure shall become a permanent deposit in the event of selection of Bid as the best bid.



Public Company for Development of Mountain Tourism „Stara Planina“, Knjaževac

No. 1 Miloša Obilića St., 19350 Knjaževac

hereby issues

PUBLIC INVITATION

for submittal of closed written bids for lease of real property –

Stara Planina Hotel, property rights holder of which is

Public Company for Development of Mountain Tourism „Stara Planina“, Knjaževac

1. Public Company for Development of Mountain Tourism „Stara Planina“, Knjaževac (hereinafter: Public Company) hereby invites all interested bidders to submit bids **for lease of real property – Stara Planina Hotel** (hereinafter: Stara Planina Hotel).

Stara Planina Hotel is located at the address: Jabucko ravniste bb, at Cadastral Plot number 4055/2, Property Sheet number 646, number of floors: basement, semi-basement, ground floor, two floors, attic, gallery; whereas, the total area of the Stara Planina Hotel building, as well as the areas divided based on their specific purposes, are shown below:

Number	Floor	Net Area (m ²)	Total GBA (m ²)
1.	Garage	7,359.87	8,070.31
2.	Sub-basement	4,016.56	4,150.28
3.	Ground floor	3,741.89	4,089.03
4.	1 st floor	3,808.13	3,881.12
5.	2 nd floor	3,881.44	4,050.51
6.	Attic	1,386.14	1,400.05
7.	Gallery	382.05	434.15
	TOTAL	24,576.08	26,075.45

Please note that the basement floor is the area located on level -2 and that it is used as a garage comprised of 147 parking spaces.

2. The amount of the starting monthly lease of Stara Planina Hotel shall be RSD 4,000,000.00, excluding VAT.

3. Only active business entities and entrepreneurs, which perform a registered business activity and which meet the requirements provided in the **Instructions to Bidders on submittal of closed written bids for lease of real property – Stara Planina Hotel – Stara Planina Hotel** (hereinafter: Instructions), which shall constitute an integral part of Bidding Documents, shall be entitled to submit written bids.
4. **Bidding Documents for lease of real property**, as of the date of issue of the public invitation in the “Vecernje novosti” newspaper and on “E-kapija” website, **shall be published on the Public Company’s website – <http://www.jpstaraplanina.rs> and may be downloaded by any interested bidders.**

Interested bidders may personally collect such documents at the Public Company’s Branch Office in Belgrade, Koče Popovića 3/II, 11000 Belgrade, point of contact Dragan Orlovic, telephone +381 11/26-26-596, mobile tel. +381 65 99 09 102, every business day, from 10:00 to 15:00 hours.

5. Stara Planina Hotel shall be leased as is and no complaints with respect to the condition of the building shall be accepted.
6. Bids shall be prepared in accordance with this Invitation and Instructions.
7. Bidder shall, as bid bond, pay a deposit in the amount of 50% of the total starting price of monthly lease of Stara Planina Hotel, excluding VAT, or specifically, RSD 2,000,000.00. Business entities and entrepreneurs having a registered business activity in the Republic of Serbia shall pay the deposit by making a payment to the Public Company’s account number 200-2773940101862-94 with the commercial bank – Postanska stedionica a.d. with reference number 1- 2019, whereas, business entities and entrepreneurs having a registered business activity outside of the Republic of Serbia shall make a payment in RSD currency equivalent calculated at the middle exchange rate of the National Bank of Serbia prevailing at payment date, as provided in the **Instructions for foreign currency payments for participation in the procedure for leasing of real property - Stara Planina Hotel** (hereinafter: Instructions for foreign currency payments), which shall constitute an integral part of Bidding Documents (mandatory component of the bid shall be proof of deposit payment).

Public Company shall return the deposit to any bidder as follows: **to bidders whose bids were not declared as best bid**, deposit shall be returned within 10 (ten) business days from the date of delivery of notice to bidders on the selection of the best bid.

Based on a written statement, deposit of the bidder whose bid is declared as best bid shall become a permanent deposit with the Public Company. Elected bidder shall pay the difference to meet the full amount of the deposit in the amount of 3 (three) monthly lease amounts offered.

In the event that a bidder whose bid has been selected as best bid has elected not to sign the agreement, the deposit shall not be returned to such bidder.

Bidders from the Republic of Serbia shall enter in the bid form the exact name of the commercial bank and account number to which the deposit should be returned, and bidders outside of the Republic of Serbia shall enclose Instructions of such bidders' commercial bank for return of the foreign currency payment.

Public Enterprise shall not be liable for the accuracy of the deposit return, if the information on the account number and bank name is incomplete or incorrect.

Written bids shall be submitted in an envelope which shall be closed and stamped with a seal, to the following address: Public Company for Development of Mountain Tourism "Stara Planina", Knjaževac, Branch Office, Koče Popovića 3/II, 11000 Belgrade, Republic of Serbia, by delivery directly at the records office of the Public Company or via registered mail. The envelope containing the bid shall be marked "**BID for Lease of Real Property – Stara Planina Hotel – DO NOT OPEN**", and the name and full address of the bidder shall be specified at the back of the envelope.

Bidder shall enclose the documents specified in the Instructions.

8. Interested bidders shall submit their bids, which shall be made in accordance with Instructions, by no later than **29 November 2019 by 15:00 hours**.

Bid opening procedure shall be performed on the following business day – **03 December 2019 at 10:15 hours** at the Public Company's Branch Office, Koče Popovića 3/II, 11000 Belgrade, in the presence of the Committee members.

9. Any late bids shall be returned to the bidders unopened, with a note stating that such bids have been submitted late, while unacceptable bids shall not be considered and such bids shall be rejected.

10. **For selection of the best bid, the Committee shall consider the highest offered lease price, business activity to be performed at the building, bidder's references, or specifically, compliance with all criteria.** If two or more bidders have offered the same amount of the total monthly lease and such bidders meet all the requirements provided by the Bidding Documents, Committee shall invite bidders which offered the same amount of total monthly lease to submit, within 3 (three) days from receiving such invitation, a new written closed bid with a higher amount of lease with respect to their previous bid, following which the Committee shall open such bids and identify the best bidder. If the bidders have failed to submit a new bid within 3 (three) days, or if the bidders have submitted a new bid with the same amount of total monthly lease, the Committee reserves the right to elect the best bidder at its sole discretion.

11. Public Company shall make the decision on selection of the best bid for leasing of Stara Planina Hotel within 5 (five) business days from the bid opening date.
12. **Public Company may at any time elect not to enter into lease agreement for no cause and to return the deposits within five business days from delivery of relevant notice to all bidders notifying them of the Public Company's decision not to enter into lease agreement. Public Company shall not be under obligation to accept any bid and reserves the right to freely asses the best bid and therefore not to accept any bid without bearing any legal, financial or other liability with respect to the bidders. Decision of the Public Company shall be final.**
13. Any other details with respect to the public invitation procedure are defined in the Instructions. More detailed notifications and information may be obtained by calling the following telephone number: +381 11/26-26-596, mobile tel. +381 65 99 09 102, every business day, from 10:00 to 15:00 hours, point of contact Dragan Orlovic.
14. Interested bidders may visit the Stara Planina Hotel from 18 to 25 November 2019, from 11:00 to 14:00 hours. Interested bidders shall be required to announce their visit to the point of contact a day earlier.
15. Public Company shall not accept any bids stating that an activity which is not related to hotel management would be performed at Stara Planina Hotel.
16. Agreement on the lease of Stara Planina Hotel shall be entered for a definite period, or specifically, for a period of 7 (seven) years.
17. Public Company and bidder whose bid is elected as the best bid shall, prior to entering into lease agreement, define all necessary facts which are significant for the business and maintenance of Stara Planina Hotel within 3 (three) business days from the selection of the best bid.

Committee conducting the procedure for
leasing of real property - Stara Planina Hotel



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Public Company for Development of Mountain Tourism „Stara Planina“, Knjaževac

No. 1 Miloša Obilića St., 19350 Knjaževac

I N S T R U C T I O N S

to Bidders on submittal of closed written bids for lease of real property

– Stara Planina Hotel

Instructions to Bidders on submittal of closed written bids for lease of real property – Stara Planina Hotel (hereinafter: Instructions), which shall constitute an integral part of Bidding Documents, contain information on the requirements of the Public Company with respect to the contents of the bid, as well as the terms of the procedure for leasing of Stara Planina Hotel.

1. Bidder shall meet all requirements provided hereunder for participation in the procedure for collection of bids for the lease of Stara Planina Hotel, and Bidder shall fully prepare the bid and submit it in accordance with these Instructions. **Otherwise, the bid shall be rejected.**
2. Bidder shall submit one bid, in writing, in an envelope which shall be closed and stamped with a seal in such manner to enable that upon bid opening procedure it may be checked whether such envelope has been closed when submitted and Bidder may not make any additional changes thereto. Bids shall be submitted via registered mail or in person to the Client’s address: Public Company for Development of Mountain Tourism “Stara Planina”, Knjaževac, Branch Office, Koče Popovića 3/II, 11000 Belgrade, Republic of Serbia, marked as follows “**BID for Lease of Real Property – Stara Planina Hotel – DO NOT OPEN**”. The name and full address of the bidder shall be specified at the back of the envelope.
3. Bid shall be made in Serbian language.
4. The amounts shall be specified in the bid in RSD currency.
5. Bids containing alternative options shall not be permitted. **In the event that a bidder has submitted a bid containing alternative options, such bid shall be rejected.**

6. Bidder shall, as bid bond, pay a deposit in the amount of 50% of the total starting price of monthly lease of Stara Planina Hotel, excluding VAT, or specifically, RSD 2,000,000.00. Business entities and entrepreneurs having a registered business activity in the Republic of Serbia shall pay the deposit by making a payment to the Public Company's account number 200-2773940101862-94 with the commercial bank – Postanska stedionica a.d. with reference number 1- 2019, whereas, business entities and entrepreneurs having a registered business activity outside of the Republic of Serbia shall make a payment in RSD currency equivalent calculated at the middle exchange rate of the National Bank of Serbia prevailing at payment date, as provided in the **Instructions for foreign currency payments for participation in the procedure for leasing of real property - Stara Planina Hotel** (hereinafter: Instructions for foreign currency payments), which shall constitute an integral part of Bidding Documents (mandatory component of the bid shall be proof of deposit payment). As purpose of payment, the following shall be specified: “Participation in Stara Planina Hotel leasing procedure”.

Public Company shall return the deposit to any bidder as follows: **to bidders whose bids were not declared as best bid**, deposit shall be returned within 10 (ten) business days from the date of delivery of notice to bidders on the selection of the best bid.

Based on a written statement, deposit of the bidder whose bid is declared as best bid shall become a permanent deposit with the Public Company. Elected bidder shall pay the difference to meet the full amount of the deposit in the amount of 3 (three) monthly lease amounts offered.

In the event that a bidder whose bid has been selected as best bid has elected not to sign the agreement, or specifically, has not made a payment of 3 (three) monthly lease amounts offered, such bidder shall not be entitled for the return of the deposit.

Bidders from the Republic of Serbia shall enter in the bid form the exact name of the commercial bank and account number to which deposit should be returned, and bidders outside of the Republic of Serbia shall enclose Instructions of such bidder's commercial bank for return of the foreign currency payment. Public Enterprise shall not be liable for the accuracy of the deposit return, if the information on the account number and bank name are incomplete or incorrect.

7. Bids may be submitted by companies and entrepreneurs who meet the requirements provided herein and who have submitted the following proofs:
- proof of registration with the relevant authority (proof: certificate of the relevant authority clearly specifying that the bidder is registered for performing relevant business activity, original or certified copy);

- proof of settlement of all taxes and public duties, as provided by relevant regulations (proof: certificate of the relevant authority (Ministry of Finance, local self-government unit – city/municipality, which may also be issued prior to publication of the public invitation, if no more than six months have elapsed from the date of its issue to the publication of the public invitation – uncertified copy);
- proof that bidder’s account has not been frozen for five consecutive days in the last year or for ten inconsecutive days in the last six months – period shall be considered from the date of publication of the public invitation (proof: certificate of the relevant authority – original or certified copy);
- certificate issued by relevant authority verifying that the bidder has not been prohibited from conducting business in the last two years;
- that the business entity, alone or jointly with one or more related parties in which holds a controlling interest, owns or co-owns at least 1 or more hotels or resorts, of no less than 4 (four) international stars, and that it has realised operating income in the last 3 (three) financial years (2016 - 2018);
- decision on assignment of tax identification number – TIN (certified copy);
- agreement on opening and maintaining an account with business bank(s) (uncertified copy);
- proof of payment of deposit;
- Form – Bid for amount of lease and business activity performed at the building, signed;
- Form – Information on Bidder (entrepreneur or entity), signed;
- Form – Bidder’s statement on security instrument, signed;
- Form – Statement on Bidder’s liquidity, signed;
- Form – Statement on references for previous work within the business activity of “Hotels and similar accommodation”, signed;
- Form – Statement that the deposit paid for participation in the procedure shall become a permanent deposit in the event of selection of Bid as the best bid, signed.

All forms contained in the Bidding Documents shall be signed by an authorised person of the bidder. If the forms have been signed by a person who is not registered as the person authorised for representation, relevant authorisation authorising such person to sign documents shall be enclosed with the bid.

Public Company may request any bidder to provide originals of required documents for review.

Bidder shall be responsible for the accuracy of submitted information.

8. Bid shall be prepared by bidder entering required information in the bid form. Bid form shall be correctly completed and signed. **If the bid form has been completed and signed incorrectly, the bid shall be deemed incorrect.**

Bidder shall complete all items (elements) of the bid form.

9. Bid shall contain the completed bid form, in accordance with these instructions, proof of deposit payment – original payment receipt, as well as documents mentioned in Item 7 of these Instructions.
10. Bid shall be deemed as timely submitted if such bid has arrived at the records office of the Public Company's Branch Office, Koče Popovića 3/II, 11000 Belgrade, as at 29 November 2019 by 15:00 hours.

Bid shall be deemed as **late** if such bid has not arrived at the records office of the Public Company's Branch Office, Koče Popovića 3/II, 11000 Belgrade, as at 29 November 2019 by 15:00 hours.

Bid which has been timely submitted, but which is incomplete or which is not closed or stamped with a seal and/or which fails to meet the requirements defined in the Instructions and/or which offers a price lower than the starting lease price for Stara Planina Hotel provided in the public invitation and/or which does not specify the price in RSD currency, shall be deemed as **unacceptable**.

Any late bids shall be returned to the bidders unopened, with a note stating that such bids have been submitted late, while unacceptable bids shall not be considered and such bids shall be rejected.

The Committee shall find the procedure of leasing of Stara Planina Hotel unsuccessful if no bids have been submitted or if none of the bidders have submitted a timely and acceptable bid.

- 11. For selection of the best bid, the Committee shall consider the highest offered lease price, business activity to be performed at the building, bidder's references, or specifically, compliance with all criteria.** If two or more bidders have offered the same amount of the total monthly lease and such bidders meet all the requirements provided by the Bidding Documents, Committee shall invite bidders which offered the same amount of total monthly lease to submit, within three days from receiving such invitation, a new written closed bid with a higher amount of lease with respect to their previous bid, following which the Committee shall open such bids and identify the best bidder. If the bidders have failed to submit a new bid within three days, or if the bidders have submitted a new bid with the same amount of total monthly lease, the Committee reserves the right to elect the best bidder at its sole discretion.
- 12.** If one bid has been submitted following the public invitation, such bid shall be considered.
- 13.** If the bidder whose bid has been selected as the best bid has withdrawn its bid, the Committee may invite the bidder whose timely and acceptable bid is ranked next.
- 14.** Bid opening procedure shall be performed as at **03 December 2019 at 10:15 hours** at the Public Company's Branch Office, Koče Popovića 3/II, 11000 Belgrade, in the presence of the Committee members.
- 15.** Minutes shall be taken of the bid opening procedure, which shall include information on the members of the Committee, information in the bids, submitted documents, date of submittal of the bids and time of beginning and end of bid opening procedure. Minutes on bid opening shall be delivered to the bidders within three business days from the bid opening date.
- 16.** Following completion of the bid opening procedure, the Committee shall consider bids which meet the requirements contemplated herein, in accordance with the specified criteria for election of the best bidder and rank the submitted bids within 5 (five) business days from bid opening date, upon which the Committee shall prepare a notice of election of the best bid for the leasing of Stara Planina Hotel and deliver it to all the bidders.
- 17.** Based on a written statement, deposit of the bidder whose bid is declared as best bid shall become a permanent deposit with the Public Company. Elected bidder shall pay the difference to meet the full amount of the deposit in the amount of 3 (three) monthly lease amounts offered.

In the event that the bidder contemplated by paragraph 1 of this item has failed to make the payment within the specified period, such bidder shall not be entitled to a return of its deposit.

- 18.** Bidder whose bid is elected as the best bid shall, upon signing of the lease agreement, also submit an additional security for performance of agreed obligations, or specifically 3 (three) blank promissory notes, without protest, as performance security to the address of the Public Company's Branch Office: Koče Popovića 3/II, 11000 Belgrade. Promissory notes shall be kept in the Public Company's safe until performance or termination of agreed obligations.
- 19.** Bidder whose bid is elected as the best bid, who has paid the amount of 3 (three) monthly lease amounts offered, signed the lease agreement and delivered the promissory notes contemplated by Item 18 hereof, Stara Planina Hotel shall be delivered into bidder's possession by no later than 18 December 2019, upon which date the property shall be abandoned by the prior tenant.
- 20.** Stara Planina Hotel shall be leased as is and no complaints with respect to the condition of the building shall be accepted.
- 21.** Public Company shall not accept any bids in which bidder has stated it would conduct at the Stara Planina Hotel a business activity which may have an adverse effect on the reputation of the Stara Planina Hotel and which is not related to hotel management.

C O M M I T T E E:

- 1. Milan Čukić**, signed
Committee Chairperson
- 2. Dr Marinko Vranković**, signed
Committee Member
- 3. Tamara Djukić**, signed
Committee Member



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No. 1 Miloša Obilića St., 19350 Knjaževac

У П У Т С Т В О

for foreign currency payments for participation in the procedure for leasing
of real property – Stara Planina Hotel

INSTRUCTION FOR PAYMENT ORDERS IN FAVOR OF LEGAL ENTITIES IN EUR

Intermediary Bank / Correspondent Bank

SWIFT – BIC: DEUTDEFF
Name: Deutsche Bank AG
City, Country: Frankfurt am Main, Germany

Account with institution / Beneficiary's Bank

SWIFT – BIC: KOBBRSBG
Name: Deutsche Bank AG
Street: Svetog Save 14
City, Country: 11000 Belgrade, Republic of Serbia

Beneficiary

IBAN / Account number: RS35205007030000382450
Company Name: JP STARA PLANINA KNJAŽEVAC
Street: Miloša Obilića 1
City, Country: Knjaževac, Republic of Serbia



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No. 1 Miloša Obilića St., 19350 Knjaževac

B I D F O R M

for leasing of real property – Stara Planina Hotel

Bid entered into records of Public Company
under reference number _____

as at _____

in _____ hours

Real Property	Quoted monthly price of lease, excl. VAT
Stara Planina Hotel	

DEPOSIT RETURN INFORMATION

1. Name of commercial bank and account number (*for bidders in the Republic of Serbia*)

2. Instructions – instructions of bidder’s commercial bank for return of foreign currency amount (*for bidders outside the Republic of Serbia*)

BUSINESS ACTIVITY TO BE PERFORMED AT STARA PLANINA HOTEL

Place and date

Signature of Bidder’s authorized person



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F O R M

INFORMATION ON BIDDER – ENTREPRENEUR

for leasing of real property – Stara Planina Hotel

Bidder's name and surname	
Bidder's address	
ID number	
Personal identification number	
Name of entrepreneur's business	
Company ID	
Tax Identification No. (TIN)	
Activity code	
Account number	
Commercial bank name	
Person responsible for agreement signing	
Telephone	
E-mail address	

Place and date

Signature of Bidder's authorized person



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F O R M

INFORMATION ON BIDDER – BUSINESS ENTITY

for leasing of real property – Stara Planina Hotel

Bidder's company name	
Registered office	
Point of contact	
Company ID	
Tax Identification No. (TIN)	
Activity code	
Account number	
Commercial bank name	
Person responsible for agreement signing	
Telephone	
E-mail address	

Place and date

Signature of Bidder's authorized person



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No. 1 Miloša Obilića St., 19350 Knjaževac

F O R M

S T A T E M E N T

of Bidder on security instrument

I hereby undertake to provide security instrument immediately following signing of Lease Agreement as provided by such agreement.

I hereby undertake to provide to the Public Company, at the same time when providing the agreed security instrument, copies of specimen signatures of authorised persons of the Bidder and an authorization for the Public Company to complete the security instrument in accordance with the Lease Agreement made (Bidders having a registered business activity in the Republic of Serbia shall also submit a copy of Tenant's request for registration of such blank promissory notes in the Register of Bills of Exchange or Mandate, which shall be certified by the Tenant's commercial bank) in order to ensure settlement in the event of Tenant's failure to perform its obligations provided under Lease Agreement.

Place and date

Signature of Bidder's authorized person



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F O R M

S T A T E M E N T

of Bidder on liquidity

I hereby represent, under full financial and criminal liability, that in the previous year as of the date of publication of the invitation to bid, we have been liquid and that our bank account/s (RSD and foreign currency) has/have not been frozen.

Place and date

Signature of Bidder's authorized person



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F O R M

S T A T E M E N T

on references for previous work within the business activity of
“hotels and similar accommodation”

I hereby represent, under full financial and criminal liability, that in the course of our business, as an independent business entity or jointly with one or more related parties, we have owned or co-owned or managed at least 1 (one) or more hotels and/or resorts, of no less than 4 (four) international stars, and that we have realised an operating income in the last 3 (three) financial years (2016 - 2018). We hereby specify the sources which can be used to verify our claims and any other claims with respect to references for the business we have conducted so far within the business activity of “hotels and similar accommodation”.

Place and date

Signature of Bidder’s authorized person



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F O R M

S T A T E M E N T

that the deposit paid for participation in the procedure shall become a permanent deposit in the event of selection of Bid as the best bid

I hereby represent that I agree that the deposit paid for participation in the bidding procedure shall become a permanent deposit in the event that our bid is elected as the best bid.

I hereby undertake to pay, within 3 (three) days from the date of receipt of notice on election of the best bid, the difference to meet the full amount of the deposit in the amount of 3 (three) monthly lease amounts offered, which shall remain as security in the Public Company's account throughout the duration of the Agreement.

Place and date

Signature of Bidder's authorized person
