



REPUBLIC OF CROATIA
MINISTRY OF STATE PROPERTY
Zagreb, Ivana Dežmana 10

Pursuant to the Decision of the Croatian Government, CLASS: 022-03/19-04/182, REFNO: 50301-26/24-19-2 of 23 May 2019, and the Decision of the City Council of the City of Pula, CLASS: 022-05/18-01/156, REFNO:2168/01-03-06-00-0247-19-10 of 5 June 2019, the Ministry of State Property issues the following

PUBLIC CALL

for the submission of offers to establish construction rights on land lots in the ownership of the Republic of Croatia and the City of Pula in Štinjan-nova cadastral municipality for the construction of a zone for tourism use in the area of the Hidrobaza in the City of Pula

1. SUBJECT OF THE PUBLIC CALL

Establishment of construction rights on the lots and parts of the lots in the Štinjan-nova cadastral municipality designated as:

- Part of the 11,764 m² of cadastral lot no. 250, the part of which has an area of 7,584 m² in the (T1,T2,T3)-1 zone, and an area of 4,180 m² in the (R2) zone
- The entire cadastral lot no. 251 with an area of 640 m² in the (R2) zone
- The entire cadastral lot no. 1317/2 with an area of 7,311 m² in the (R2) zone
- Part of the 785 m² of cadastral lot no. 253/1 in the (T1,T2,T3)-1 zone
- Part of the 101,067 m² of cadastral lot no. 270/8, the part of which has an area of 21,507 m² in the (R2) zone, an area of 59,818 m² in the (T1,T2,T3)-1 zone, and an area of 19,742 m² in the (T1,T2,T3)-1 zone.
- Part of the 23,741 m² of cadastral lot no. 279, 22,708 m² of which is in the (R2) zone and 1,033 m² in the (T1,T2,T3)-2 zone
- Part of the 6,548 m² of cadastral lot no. 256/7 in the (R2) zone
- Part of the 709 m² of cadastral lot no. 267/2, 677 m² of which is in the (R2) zone and 32 m² in the (T1,T2,T3)-2 zone
- Part of the 3,796 m² of cadastral lot no. 253/2, 1,499 m² of which is in the (T1,T2,T3)-1 zone, 57 m² in the (R2) zone and 2,240 m² in the (T1,T2,T3)-2 zone
- Part of the 13,014 m² of cadastral lot no. 254/2, 8,108 m² of which is in the (T1,T2,T3)-1 zone, and 4,906 m² in the (T1,T2,T3)-2 zone
- The entire cadastral lot no. 253/2 with an area of 451 m² in the (T1,T2,T3)-1 zone, all in the ownership of the Republic of Croatia

- The entire cadastral lot. no 270/2 with an area of 9,060 m², in the(T1,T2,T3)-1 zone
- Part of the 3,224 m² of cadastral lot no. 256/6 in the (T1,T2,T3)-1 zone
- Part of the 483 m² of cadastral lot no. 1317/1 in the (R2) zone
- Part of the 25,293 m² of cadastral lot no. 272, 23,633 m² of which is in the (R2) zone, and 1,660 m² in the (T1,T2,T3)-1 zone

- Part of the 2,137 m² of cadastral lot no. 270/9, 172 m² of which is in the (T1,T2,T3)-1 zone, and 1,965 m² in the (T1,T2,T3)-2 zone
- The entire cadastral lot no. 270/4 with an area of 1,592 m² in the (T1,T2,T3)-1 zone, all in the ownership of the City of Pula

- The entire cadastral lot no. 270/1 with an area of 32,248 m² in the (T1,T2,T3)-2 zone
- The entire cadastral lot no. 256/3 with an area of 7,327 m², 5, 929 m² of which is in the (T1,T2,T3)-2 and 1,398 m² in the (R2) zone
- The entire cadastral lot no. 267/1 with an area of 1,783 m², 1,748 m² of which is in the (T1,T2,T3)-2 zone, and 35 m² in the (R2) zone
- The entire cadastral lot no. 270/3 with an area of 378 m² in the (T1,T2,T3)-2 zone, in the ownership of the Republic of Croatia with 41358/41736 parts and City of Pula with 378/41736 parts, and
- Part of the 28,623 m² of cadastral lot no. 244/1 in the (R2) zone, in the ownership of the Republic of Croatia with 35120/35562 parts and City of Pula with 442/35562 parts.

The land lots for construction of the hospitality-tourism facilities and associated amenities will be formed on the land lots referred to in Paragraph 1 of this Point, incorporating a total encompassing area of 281,986 m² of land within the zone designated as tourism use in the area of the Hidrobaza, on an area of 164,181 m² having a planned purpose (T1,T2,T3) and based on the act for implementation of the physical plans, and the formation of construction lots and/or determination of the coverage of the respective project in an area covering 117,805 m² having a designated planned purpose (R2) in order to realise the content of other recreational facilities, all in accordance with the Štinjan Urban Development Plan (UPU) (City of Pula Official Herald, number 11/15).

The areas of the lot referred to in Paragraph 1 of this Point have been transferred from the land registry database and currently there is the drafting of the geodetic report for implementation of the Štinjan Urban Development Plan (UPU) on part of the zone designated for a tourism purpose Hidrobaza and there is the possibility of minor deviations in the surface areas due to transformation of the lot coordinates into the new HTRS 96/TM coordinate system.

II. PRELIMINARY NOTE

Currently valid physical plans for the respective area relating to the subject of the bid:

- The City of Pula Physical Development Plan (PPU) (City of Pula Official Herald, no. 12/06, 12/12, 5/14, 8/14 – final draft, 7/15, 10/15 – final draft, 5/16, 8/16 – final draft, 2/17, 5/17, 8/17 – final draft, 20/18 and 2/19),
- The City of Pula General Urban Development Plan (UDP) (City of Pula Official Herald, no. 5a/08, 12/12, 5/14, 8/14 – final draft, 10/14, 13/14, 19/14 – final draft, 7/15, 9/15 – final draft, 2/17, 5/17, 9/17 – final draft, 20/18 and 2/19),
- Štinjan Urban Development Plan (UDP) (City of Pula Official Herald, no. 11/15)

The Štinjan Urban Development Plan (UPU) (hereinafter: Štinjan UDP) in the area of the Hidrobaza incorporates plans for the following:

- A zone for hospitality-tourism use (T1,T2,T3)-1, with an area of 93,960 m² and maximum capacity of 800 beds, categorised at a minimum of 4 stars

- A zone for hospitality-tourism use (T1,T2,T3)-2, with an area of 70,221 m² which includes an area of 41,736 m² on cultural heritage, a maximum capacity of 400 beds, and categorised at a minimum of 4 stars.
- An R2 zone for other recreational amenities, with an area of 117,805 m² within which open recreational fields without grandstands, fitness, bicycle and pedestrian trails
- Within the area designated for hospitality-tourism use, associated amenities (hospitality, entertainment, shopping, administrative, sports, recreation and the like (all amenities in the zone designated for tourism use at the Hidrobaza, the following term will be used further in the text: Hidrobaza tourism zone).

Special use in relation to the subject of the bid:

Located within the Hidrobaza tourism zone, on land lots designated as cadastral lot no. 270/1 with an area of 32,284 m², cadastral lot no. 267/1 with an area of 1,783 m², cadastral lot no. 256/3 with an area of 7,327 m² and cadastral lot no. 270/3 with an area of 378 m² (which will upon subdivision be merged into a single cadastral construction lot with an area of 41,736 m²) is an immovable cultural good – specifically the complex of the former Hidrobaza-Puntizela Navy and Air Force Base at Štinjan which based on the Decision of the Ministry of Culture, Administration for Cultural Heritage Goods, CLASS: UP/I-612-08/12-06/0024, REFNO: 532-04-01-01/3-12-1 of 24 February 2012 and CLASS: UP/I-612-08/12-06/0024, REFNO 532-04-01-03-02/2-15-13 of 30 March 2015 was entered into the Registry of Cultural Goods of the Republic of Croatia, List of Protected Cultural Goods, register no. Z-5546.

The area of the former Hidrobaza-Puntizela Navy and Air Force Base along with its associated facilities has architectural, landscape and historical value which relates to the origin and development of the Pula airport arsenal. Located in the area of the former Hidrobaza-Puntizela Navy and Air Force Base complex are 4 partially preserved facilities of significant heritage value of which three of the facilities must be preserved and restored using scientifically based treatment methods to restore the facilities or parts thereof to their original state. New facilities may be constructed adjacent to the respective facilities and which are to be linked to the basic buildings using contact structures (joints).

Three facilities within the complex of the former Hidrobaza-Puntizela Navy and Air Force Base complex, according to the Štinjan Urban Development Plan (UPU) have been classified as a category of high heritage value (A2). The restoration and reconstruction of the facilities within the protected cultural good should be undertaken according to the Štinjan Urban Development Plan (UPU), Detailed Conservation Survey drafted in the process of adopting the physical plans and conditions issued by the Pula Conservation Department, Ministry of Culture. There is the possibility of coming across other archaeological sites besides the facilities designated as having a cultural heritage status within the protected site, hence the process for determining construction and reconstruction conditions in the protected area should also include prior archaeological investigation along with archaeological supervision of the works. Moreover, it is also possible that there are archaeological sites in the area outside of the already protected area, but within the scope of the respective zones.

Communal and other forms of infrastructure present in the Hidrobaza tourism zone

For the area within the Hidrobaza tourism zone, and in accordance with the physical planning conditions, the City of Pula will ensure the existence of preconditions for construction, extension or reconstruction of communal infrastructure which is to be financed from communal contribution funds (traffic areas, public parking areas, public lighting and stormwater drainage) and also construct, extend and reconstruct amounting to a value of the works up to the value of communal contributions which the selected most favourable bidder, as the investor, will be obliged to pay for the intent of realising the

amenities covered by the Hidrobaza project, whereas the other part of the costs necessary for undertaking further works on the stated infrastructure, for the requirements of the respective project, will be borne by the investor.

The City of Pula will ensure the existence of preconditions for the construction, extension or expansion of the Electronic Communication Infrastructure (ECI), public water supply and drainage, whereas the construction, extension or reconstruction of it for the requirements of the project will be borne by the investor.

Possibility of obtaining additional information on the subject of the bid:

1. Bidders are invited to inspect the official heralds of the County of Istria and City of Pula, public registries of properties (land registry books, cadastre, Register of Cultural Goods of the Republic of Croatia – list of protected cultural goods, list of cultural goods of national importance and list of preventively protected goods) for the purpose of becoming informed of possible limitations due to public law.
2. Bidders will be allowed to inspect the properties within the zone each working day upon previously notifying the City of Pula at the address: Forum 2 (soba 45, II. kat) Pula, Republic of Croatia, Telephone: 052/371-868, Fax: 052/216-395, Email address: robert.stemberger@pula.hr, no later than by the expiration of the deadline for submission of bids.

III. CONDITIONS FOR BIDDERS

A bidder may be legal person with registered headquarters in the Republic of Croatia or in a country which makes up the European Economic Area or a natural person – craft and trade (in Croatian, *obrt*) entered into the business register for tourism-hospitality business activities and which has citizenship in the Republic of Croatia, citizenship in of countries which make up the European Economic Area or a citizen of a country within which the Republic of Croatia has a reciprocity agreement on the right to acquiring property.

The Bidder must:

- Submit a bid for establishing construction rights for the purpose of constructing the Hidrobaza tourism zone,
- Submit a preliminary design for amenities in the Hidrobaza tourism zone, which is to comply with the physical plan
- Guarantee the fulfilment of the contractual obligation to construct the Hidrobaza tourism zone in line with the submitted preliminary design by submitting an unconditional, irrevocable bank guarantee payable on first call, in its original form, to the amount of HRK 10,000,000.00, 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 this Public Call had a credit rating of at least BBB based on the 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 three months longer than the contracted deadline for realising construction of the Hidrobaza tourism zone in line with conditions of this Public Call, and where a letter of intent from the bank is included in the appendix indicating that the bank will issue the stated bank guarantee, and the issuing of it is a condition for concluding the agreement on establishing construction rights

- Submit a bid guarantee by providing an irrevocable and unconditional bank guarantee payable at first call, in its original form, to the amount of HRK 2,000,000.00 issued in favour of the Ministry of State Property, Republic of Croatia, from a bank which fulfils the conditions referred to in Sub-point 3 of this Paragraph, with a validity period three months longer than the deadline determined as the final deadline for concluding the agreement on establishing construction rights, and no longer than two years
- The official documents referred to in Point VIII of this Public Call to prove that the bidder has the required capability.

At the time of submitting the bid for this Public Call, as well as the time of concluding the agreement on establishing construction rights, neither the bidder nor his founder is allowed to have unsettled due monetary claims towards the Republic of Croatia, Ministry of State Property or the City of Pula or the company Državne nekretnine d.o.o., which will be verified by inspecting official records at the relevant bodies of the Republic of Croatia, City of Pula and company Državne nekretnine d.o.o., Zagreb.

IV. CONDITIONS FOR THE BID

The bid is to be provided on the form which is in the appendix of the Public Call.

The bid must oblige bidders leading up to the day of concluding the agreement between the Republic of Croatia and City of Pula on the one side, and the selected bidder on the other, for the purpose of regulating mutual relations (hereinafter: agreement on the regulation of mutual rights and obligations) whereby the Republic of Croatia and City of Pula on the one side, and the selected bidder on the other are obliged to conclude the agreement on establishing construction rights.

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

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 – *obrtnik*), personally or through a plenipotentiary.

The bid and appendices are submitted as originals or certified copies.

The appendices – documents in a foreign language must be accompanied by a translation in the Croatian language done by a certified court translator.

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.

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).

If the bid is submitted by a community of bidders, it shall be deemed as submitted by 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).

A bid not submitted in accordance with the given conditions and a bid with an offered amount of the fee for establishing construction rights less than the initial amount is invalid and will not be taken into consideration. The bid from a bidder which is determined as not fulfilling conditions referred to in Point III of this Public Call or does not contain the sought appendices will be rejected.

Alternative bids are not permitted.

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.

The bidder may prior to expiration of the deadline for submission of bids declare in writing as to 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.

The bid and associated documentation is submitted in a closed envelop with the designation: **Bid for the "PULA-HIDROBAZA TOURISM ZONE"**.

Changes, amendments or explanations to this Public Call and will be published in the same manner as was this Public Call.

The bidder is not entitled to a reimbursement of costs incurred in relation to preparing the bid and appendices or attachments nor delivery thereof.

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 the "PULA-HIDROBAZA TOURISM ZONE"

at the following address:

**Ministarstvo državne imovine,
Dežmanova 10,
HR-10000 Zagreb,
no later than by 30 August 2019 at 12:00 hrs.**

VI. CRITERIA FOR SELECTING THE MOST FAVOURABLE BIDDER

The criteria for selecting the most favourable bidder is the highest amount of the fee for establishing construction rights.

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

The Committee for Assessing Bids will publicly open bids on 30 August 2019 at 12:00 hrs on the premises of the Ministry of State Property, Dežmanova 10, HR – 10000 Zagreb., inspect the bids and determine their validity.

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 through the Ministry of State Property and City of Pula City Council advise the Government of the Republic of Croatia as to the Decision on Selection of the most favourable bidder.

The most favourable bidder for establishing construction rights for the purpose of constructing the Hidrobaza tourism zone in line with the Štinjan Urban Development Plan (UPU), will be the bidder whose bid offers the highest fee amount for establishing construction rights will be chosen.

In the event that two or more bidders offer an identical fee amount for establishing construction rights, the bidder who has planned to construct a greater number of accommodation capacities in the hotels and that intention is expressed in the preliminary design will be given primary rank.

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 receiving back the guarantee which he submitted as a bid guarantee, and the Ministry of State Property is authorised to activate its payment.

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

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.

The bidder whose bid is not selected as the most favourable will receive back the letter of intent from the bank referred to in Point VIII, Paragraph 10, Sub-paragraph 6 and 7 of this Public Call within a period of 30 days of the date of the decision on selecting the most favourable bidder.

VIII. BID FOR ESTABLISHING CONSTRUCTIONS RIGHTS

The establishment of construction rights for a period of 50 years for the purpose of constructing the hospitality-tourism facilities, associated and other sports and recreational amenities, all in accordance with the provisions of the Štinjan Urban Development Plan (UPU) will be given to the most favourable bidder for THE lots referred to in Point I of this Public Call which are in the ownership of the Republic of Croatia and City of Pula, covering a total area of 281,986 m² within Hidrobaza tourism zone.

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

The most favourable bidder shall build within the area of the Hidrobaza tourism zone:

- Facilities for a hospitality-tourism use which, in accordance with special regulations, be categorised at a 4-star minimum
- Supporting and other sports and recreational amenities in accordance with the provisions of the Štinjan Urban Development Plan (UPU).

Construction of the stated amenities in the Hidrobaza tourism zone presumes the following: obtaining the construction permits, constructing buildings for hospitality-tourism use as well as other associated and sports-recreational amenities, obtaining acts for use, categorisation and putting what has been construction into economic use.

The most favourable bidder shall complete the buildings within the Hidrobaza tourism zone in the manner referred to in Paragraphs 4 and 5 of this Point within a period of 5 years counting from the day of concluding the agreement on regulating mutual rights and obligations.

In terms of the total deadline of 5 years, the preparatory deadline for drawing up the design and other documentation as well as obtaining the final construction permits or a number of them (location and/or construction permits), and in the event that realisation of constructing the Hidrobaza tourism is done in phases, may not exceed one year from the day of concluding the agreement on regulating mutual rights and obligations.

Within a period of 30 days of obtaining the final location permit for the project in the Hidrobaza tourism zone or obtaining the final construction permit (if the most favourable bidder does not decide on obtaining the location permit), the Republic of Croatia, Ministry of State Property and the City of Pula will conclude with the most favourable bidder the agreement on establishing construction rights. In the event that obtaining a number of location and/or a number of construction permits, the agreement on establishing construction rights will be concluded within a period of 30 days from the day that the most recent location permit or construction permit becomes enforceable.

The obligation to pay the contracted fee for establishing construction rights commences on the expiration date of the 5-year period for constructing and placing the constructed facilities and other amenities into economic use, except in the event that the most favourable bidder decides to undertake construction of the Hidrobaza tourism zone in phases whereupon the bidder is obliged to commence paying a proportional part of the contracted fee for the establishment of construction rights from the date of receiving the decision on categorisation of the final phase inasmuch as that phase relates to the hospitality-tourism amenities and/or from the date of obtaining the occupancy permits for the final phase which refers to amenities in the recreational zone.

The bid for establishing construction rights is to be submitted by the bidder on the form which is in the appendix of this Public Call, and the following documentation as appendices to the bid:

1. The 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 – businesses owners (in Croatian, *obrtnik*) 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, and not older than 30 days

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, and not older than 30 days
3. A certificate from the relevant Tax Administration indicating that there are no due and unsettled liabilities stemming from public contributions, and not older than 30 days
4. A declaration that no final and legally binding conviction against the bidder or person authorised for representation for one or more crimes in the area of economic crime has been declared
5. The preliminary design for amenities in the Hidrobaza tourism zone which is to be compliant with the Šitnjan Urban Development Plan (UPU)
6. To submit as a bid guarantee, an irrevocable and unconditional bank guarantee payable upon first call and in its original form to the amount of HRK 2,000,000.00 issued in favour of the Ministry of State Property, Republic of Croatia from a bank which in the year prior to the issuing of this Public Call, 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 three months longer than the deadline determined as the final deadline for concluding the agreement on establishing construction rights, but not exceeding two years
7. A letter of intent from a commercial bank which fulfils the same conditions as for the bank issuer of the bank guarantee, 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 HRK 10,000,000.00 to guarantee realisation of the project for constructing the Hidrobaza tourism zone in accordance with the conditions of this Public Call, with a validity three months longer than the deadline for realising construction of the Hidrobaza tourism zone
8. A declaration certified by a notary public which states that if, in realising construction of the Hidrobaza tourism zone, it will be necessary to make amendments to the some of the physical plans current at the time of issuing the this Public Call, the bidder will reimburse the costs of drawing up such plans.

Appendix:

- drawing of the area of the Hidrobaza tourism zone

Informations on: projekt.hidrobaza@midim.hr