

Javno podjetje Marprom, d.o.o. as manager of Maribor Pohorje on basis of the concession agreement dated with 29 January 2017, is publishing a

PUBLIC TENDER TO SUBMIT AN OFFER FOR BIKE PARK POHORJE MANAGEMENT

1. Manager name and address:

Javno podjetje Marprom, d.o.o., Mlinska ulica 1, 2000 Maribor (hereafter: Marprom).

2. Public invitation subject and scope:

The subject of the public invitation is the selection of the provider – manager of Bike Park Pohorje for the duration of 15 years.

Bike Park Pohorje enables bike trails management on the area which extends over almost the entire surface of the Maribor Pohorje complex, on its NE side which points to Maribor city.

Bike trails management comprises of management, running, maintenance and control in accordance with the project and environmental conditions, especially:

- bike trails establishment or development,
- additional bike trails development,
- regular (daily) maintenance and inspection of orderliness and safety of the trails,
- user oversight and maintaining adequate discipline,
- rescuing and first aid organizing and providing.

In further development of the Bike Park Pohorje infrastructure it is particularly important for the park manager to take into account all the necessary instructions in accordance with the regulations, laws, rules, decrees and of course with the existing spatial design that deals with this area.

The current status of Bike Park Pohorje represents an already established bike trail “Flow line”, that runs on the ski slopes and wooded areas between upper and lower cableway station. The trail runs partially on the edge of ski slopes and partially in the wooded area between the ski slopes. The trail utilizes the natural features of the terrain, such as the longitudinal falls, bumps, rocks and the like. The start of the bike trail is at the highest point by the upper cableway station, the end point is located at the lower station (the entry station) of the same cableway. The whole area of bike trail intervention is limited to 0,54 ha with the highest point at 1043 masl and lowest point at 325 masl - (height difference of 718 m).



Photo 1: »Flow line« route

Source: Plan no. 03/2015 ALLIANCE Action Sports Experts project company, Alliansa Institute in Ljubljana



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Srg 2011/22798 Okrožno sodišče v Mariboru / osnovni kapital 300.000,00 EUR

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The chosen manager would have the possibility of further development of Bike Park Pohorje in the context of establishment of two trail versions which were made by ALLIANCE Action Sports Experts, Alliansa Institute from Ljubljana in projects 04/2015 and 05/2015.

Project no.: 04/2015 »RED LINE« deals with part of the exiting Bike Park Pohorje trail. It is intended for experienced bikers, primarily on the concept based on positioning on the terrain configuration and incline. It represents the path intended for experienced bikers and extends from the upper cableway station. Initially it runs along the ski slope trail then turns through the woods to the cableway route. The trail runs under the cableway route for some time, then diverts to the forest road. Next it runs parallel to the forest road and is then later connecting to the »FLOW LINE« bike trail. The whole area of bike trail intervention is limited to 0,31 ha. The total length of the trail is 3063,4 m. The highest point of the trail is at 1035 masl and the lowest point is at 532,0 masl. The average drop of the track is 16,5% at the height difference of 504,9 m.



Photo 2: »Red line« route
Source: Plan no. 04/2015 ALLIANCE Action Sports Experts project company,
Alliansa Institute in Ljubljana

Project no.: 05/2015 »WORLD CUP« addresses the most difficult part of Bike Park Pohorje. It was designed and built for the purpose of the downhill world cup during World cup organizing. The trail runs from Luka cottage, past Trikotna jasa to the lower cableway station. Fixing the »WORLD CUP« trail will have a particular influence and a positive impact on marketing and sales activities through organizing competitions, for it is this trail that is well-known among the target group of professionals.

»WORLD CUP« trail represents the most challenging part of Bike park Pohorje for it is intended mainly for professional use and organization of major sporting events. The total length of the trail is 1663,9 m. The highest point of the trail is at 758,9 masl and the lowest point is at 332,0 masl. The average drop of the track is 25,7% at the height difference of 426,9 m.



Photo 3: »World cup« route
Source: Plan no. 05/2015 ALLIANCE Action Sports Experts project company, Alliansa Institute in Ljubljana

Given that there is a new Municipal detailed spatial plan in the pipeline at the current area of Bike Park Pohorje (hereafter MDSP), the selected manager will be able to actively participate in the preparation and realization thereof and include any new Bike Park Pohorje routes.

Bike Park Pohorje development should strive to return to the Gravity card Group, for it is the membership in this group that presents at least 30 % more visitors per season and appropriate marketing coverage especially in Austrian, German and Swiss markets.

3. *Tender goals*

Javno podjetje Marprom, d.o.o. will choose the bidder (or a group of bidders if a joint bid is submitted) which will meet the requirements given in the tender, and will grant a right to manage Bike Park Pohorje for the period of 15 years.

4. *Participation conditions:*

The offer can be submitted solely by the applicants (entitled persons) that meet the following criteria and submit the required evidence or statements:

a) **basic capability:**

- are legal entities or individuals who are appropriately registered for performing activities listed under no. 93.110 Sports facility management and 93.190 Other sports activities – **bidder submits AJPES copy, showing the registered activity,**

b) **economic viability:**

- settled obligations, taxes and contributions to the Republic of Slovenia – **bidder submits a tax office certificate which must not be older than 1 February 2017**

c) **financial capability:**

- **submits the income statement or tax return for the previous two years**
- **submits a declaration by which he undertakes to co-finance the MDSP in the amount of 5.000,00 EUR**
- **submits a statement in which he commits to submit an insurance policy for general civil liability for performing other sports activities and activity in sports facility management, within 10 days after the contract signing. The insurance**

policy will have to be prolonged annually and submitted to Marprom for inspection

- **submits an original bank guarantee for tender solemnity in the amount of 4.500,00 EUR;** Financial security for tender solemnity must be valid at least 10 days from the date of expiry of the offer. Marprom will redeem the security for tender solemnity if the bidder withdraws or changes its bid during the period of its validity, if the bidder that was notified of the acceptance of the bid refuses the contract or doesn't sign the contract in accordance with the tender specifications. The essential components that must be included in the attached bank guarantee are listed in the form which is an integral part of the tender subject;
- **submit a bank statement that, in the event that the bidder is selected, the bank will issue a bank guarantee for performance in the amount of 75.000,00 EUR within 10 days of signing the contract, with validity of 1 year from signing the contract;** the selected bidder will be required to submit a new bank statement with the same content, validity for the period of one year from the expiry date of the previous bank guarantee, annually, no later than 10 days after the expiry of the previous bank guarantee, to Marprom for the entire contract period; the bidder loses the right to manage Bike Park Pohorje if he doesn't submit the required bank guarantee, consequently Marprom will withdraw from the contract and will enforce reimbursement of actual damages and lost profits from the bidder.

d) technical capacity:

- **ensure personnel:** bidder submits a statement that he has a sufficient number of qualified staff:
 - that will fix, run and maintain bike trails,
 - that will exercise control of the users and management of Bike park Pohorje,
 - that will organize rescue in case of accidents and provide first aid
- **technical means and equipment for safe bike park operation:** the bidder submits a statement that he has the tools and machines and other means, allowing the build of bike trails in accordance with the projects and for the safe operation of Bike Park Pohorje.

e) references:

- **reference 1: bidder submits evidence of experience in fixing, running, maintaining and controlling on such bike trails**
- **reference 2: bidder submits evidence of organizing races (domestic and international) in »downhill« mountain biking.**

5. Tender instructions

The offer must be valid at least 90 days from the bids opening.

The offer must be designed so that, in the addition to the filled-out forms and required evidence, it necessarily includes a management plan of Bike Park Pohorje, of which an integral part is managing the »Flow line« trail, establishment of variant bike trails as presented in the projects, and any other concept of bike trails, which the bidder will be able to include in MDSP.

The offer is to also include an investment and cost assessment in relation of managing Bike Park Pohorje and the proposal for the price list for bike park usage that has to be % consistent to the price list of the cableway (bike tickets covering the biker and bike transport exclusively).



In price list preparation the bidder must take into account the planned Marprom revenue for Bike Park Pohorje for the year 2017 (15 April – 15 November), amounting to 150.000,00 EUR. The mentioned amount represents the minimum compensation for managing Bike Park Pohorje for the mentioned period, and the amount that the manager is obliged to ensure Marprom as revenue for public service of transporting passengers with the cableway. The compensation has to be ensured by the manager with Bike Park Pohorje ticket sales. Marprom will issue an invoice for the difference if the amount of the revenue is not realized through ticket sales and the manager is obliged to pay said invoice.

The manager and Marprom will enter into a special agreement on business cooperation for establishing a joint (unified) ticket as well as terms and conditions for the sale of said ticket.

The Municipality of Maribor and Marprom will provide the legal briefs for land use (contracts with landowners) on which the bike trails in the tender are to be running.

The chosen bidder will be required to sign the contract about Managing Bike Park Pohorje within 3 days after the summon from Marprom. Otherwise it will be considered that the bidder has resigned and Marprom will redeem the security for tender solemnity.

6. Tender conditions compliance

Condition fulfillment is established by The expert committee for tender opening (hereafter The expert committee), which is appointed by the managing director among the employees of Javno podjetje Marprom d.o.o..

Javno podjetje Marprom, d.o.o. may, at a subsequent finding of non-compliance with the conditions, and after it has already issued an order on the selection of the Bike Park Pohorje manager, alter its decision and doesn't sign a contract with the chosen bidder. Marprom may also dissolve the already signed contract at a subsequent finding of non-compliance with the conditions or contractual obligations during the annual review. The submitted enclosed documentation will not be returned.

7. The criteria and method of evaluation

Substantive bids are valued by the Expert committee. The bids are evaluated by the criteria valued by points. The highest possible amount of points received is listed for each criteria.

Marprom will assess bids based on criteria:

- The highest compensation for Bike park Pohorje management offered (weighting 60%),
- reference 1 (weighting 20%).
- reference 2 (weighting 20%).

1. Managing Bike Park Pohorje compensation offered

Compensation offered will be converted into points using the following formula:

$$\text{points} = \frac{\text{compensation offer by the bidder} \times 60 \text{ points}}{\text{maximum compensation offered}}$$

The bidder among all the received bids, that will offer the highest compensation for Bike Park Pohorje management, will receive 60 points, all other bidders will receive an appropriate number of points less according to the mentioned criteria.

2. References

reference 1: 20 points

reference 2: 20 points

Maximum number of points in total: 100

Scoring explanation:

The highest number of points received means that the offer fully meets the required criteria, the middle value of points means that the project partly meets the required criteria, and if the project receives zero points for a certain criteria it means that it doesn't meet the required criteria.

Marprom will conclude a contract for Bike Park Pohorje management with the bidder that will reach 100 points. The Expert committee will invite bidders to negotiate a higher compensation than offered in the event that more bidders reach a specified number of points.

The Expert committee will summon the bidders, that reached the threshold point for determining the appropriate quality of the project (achieved between 80 and 99 points), to complete the offers and conduct negotiations about determining a higher compensation than offered.

The offers, which will not reach the threshold point for determination of the appropriate quality of the project, will be rejected as inappropriate.

8. Criteria use and determining the funding level

The Expert committee will draw up a report on the evaluation process conduct and make a proposition on the manager selected. The final decision on the selection of Bike Park Pohorje manager will be accepted by the managing director on the basis of the Expert committee proposal.

Bidders will be informed about the selection within 30 days after the deadline for offer submission. The decision is final.

A contract with defined conditions and methods of Bike Park Pohorje management will be signed with the manager of the chosen offer based on the selection issued order.

9. Submission deadline and bids opening

Tender receipt deadline is **1 March 2017 till 10,00 AM (receiving theory). Bids opening will be on 1 March 2017 at 11,00 AM at the address Mlinska ulica 1, 2000 Maribor (conference room)**. Bid opening is not public, the attendance is allowed only to bidders (or their legal representatives).

10. Offer delivery

Bidders submit their offers by the deadline referred to in the preceding paragraph. The offer must be submitted in a sealed envelope marked »Do not open – Bike park Pohorje«. The offer may be submitted in person at the address of Javno podjetje Marprom, d.o.o., Mlinska ulica 1, 2000



Maribor, administration office (I. floor) or by mail – receiving theory applies – until 1 March 2017 till 10,00 AM.

11. Person responsible for providing information and explanations relating to the tender:
Ms. Danijela Mešič, e-mail: danijela.mesic@marprom.si.

The text of the public bidding is published on the website of Javno podjetje Marprom, d.o.o.:
<http://www.marprom.si/razpisi-in-javne-objave/javne-objave/>.

Maribor, 31 January 2017

Javno podjetje Marprom, d.o.o.
Managing director Bernard Majhenič



BIDDER/SUBCONTRACTOR/COEXECUTOR DATA

Bidder company (name):	
Address:	
Country:	
VAT number:	
Registration number:	
Bidder bank account number or numbers:	
Phone:	
Fax:	
Electronic mail:	
Legal representative:	
Contact person:	
The person authorized to sign the contract:	

Place and date: _____

Bidder

Signer first, last name (capital letters)

Signature and stamp

**Note: In case of a joint bid, the form has to be filled out by each bidder individually.
The form is also to be filled by the potential subcontractor.**



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OFFER – COMPENSATION FOR BIKE PARK PORHORJE MANAGEMENT

Tender subject: **Managing Bike Park Pohorje**

Bidder (company): _____

Compensation for Bike Park Pohorje managing without VAT

*Minimum Bike Park Pohorje managing compensation for the period
(15 April 2017 – 15 November 2017):*

150.000,00 EUR without VAT

**Compensation offer for Bike Park Pohorje managing
(15 April 2017 – 15 November 2017):**

_____ **EUR without VAT.**

Offer valid till _____.

Place and date: _____

Bidder

Signer first, last name (capital letters)

Signature and stamp

Note: In case of joint bid the form is to be signed by the business holder specified in the legal act on the joint execution of public bidding.



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STATEMENTS OF THE TERMS FULFILLED

Bidder _____,

1. **STATES**, that it is not in any criminal proceedings on suspicion of a criminal offense relating to corruption and that it has not been convicted for such an offense.
2. **STATES**, that it has not been convicted of offenses relating to business or that the legal consequences of a conviction had already been deleted.
3. **STATES**, that it, as well as companies related and controlled by with their related parties, in accordance with the regulations of the country that it is registered in, have no overdue obligations in regards to social security payments or taxes.
4. **STATES**, that it has a valid registration to do business in the activity which is the subject of the tender in accordance with the rules of the member state in which it has the registered activity.
5. **STATES**, that it, as well as companies related and controlled by with their related parties, didn't have a blocked business account at any bank that handles their bank account, in the previous six (6) months prior to the offer submission.
6. **STATES**, that it'll hand over all financial guarantees required in this documentation to Marprom in the event that it is chosen in the process for which it is submitting the offer.
7. **STATES**, that it'll hand over the insurance policy for civil liability originating from the registered activity to Marprom in the event that it is chosen in the process for which it is submitting the offer.
8. **STATES**, that it'll actively participate in MDSP preparation and co-finance the execution of MDSP in the amount of 5.000,00 EUR.
9. **STATES**, that it'll abide the requirements of standards and regulations relating to the bike trails management as well as technical and other conditions specified in the documentation in the event that it is chosen in the process for which it is submitting the offer.
10. **STATES**, that it accepts all terms of participation in the Javno podjetje Marprom d.o.o. tender and that it waives any right to claims for costs, damages or other situations that may arise from participation in this process or arising from the Javno podjetje Marprom d.o.o. decision not to choose a Bike Park Pohorje manager, regardless of the reason for such decision.



11. **STATES**, that it has carefully studied the documentation and any subsequent amendments and additions which are/will be posted on Marprom website and that it is in full agreement with them.
12. **STATES**, that all the information contained in the submitted offer are true and not misleading.

All statements are given under criminal and material liability.

Place and date: _____

Bidder
Signer first, last name (capital letters)

Signature and stamp

Note: In case of a joint bid, the form has to be filled out and signed by each partner and subcontractor!



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EXPERIENCE REFERENCE LIST**REFERENCE 1****Bidder:**

Under criminal and material liability we state that we have experience in bike trails management.

Type and name of bike trail	Location (country, city, settlement,...)	Bike trail length	Management period

Place and date: _____

Bidder

Signer first, last name (capital letters)

Signature and stamp

Note: The bidder shall submit evidence confirming experience in bike trails management (contracts, submitted projects, photos,....)

EXPERIENCE REFERENCE LIST**REFERENCE 2****Bidder:**

Under criminal and material liability we state that we have organized races (domestic and international) in »downhill« mountain biking

Race name	Location (country, city, settlement,...)	Race route – trail	Race date

Place and date: _____

Bidder

Signer first, last name (capital letters)

Signature and stamp

Note: The bidder shall submit evidence confirming experience in organizing races in »Downhill« mountain biking.



STATEMENT – TECHNICAL CAPABILITY

Bidder:

Under criminal and material liability we state that:

- we have sufficient number of qualified staff:
 - that we will fix, run and maintain bike trails,
 - that we will execute control of the users and management of Bike Park Pohorje,
 - that we will organize rescue in case of accidents and provide first aid
- we have technical means and equipment for safe bike park operation – tools and machines and other means, allowing the build of bike trails in accordance with the projects and for the safe operation of Bike Park Pohorje.

Place and date: _____

Bidder

Signer first, last name (capital letters)

Signature and stamp

Note: If this condition is attested by the subcontractor, he must also sign this statement.



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BANK GUARANTEE FOR TENDER SOLEMNITY SAMPLE*(sample)***»BANK GUARANTEE FOR TENDER SOLEMNITY«**

Guarantor (bank name and address):

Guarantee contractor (provider):

Beneficiary: Javno podjetje Marprom, d.o.o., Mlinska ulica 1, 2000 Maribor

Based on the beneficiary tender on submitting an offer for Bike Park Pohorje management, the bidder is obliged to submit a bank guarantee for tender solemnity with the offer in the amount of 4.500,00 EUR.

On the first written request of the beneficiary and notwithstanding any objection to the guarantee contractor, we as a guarantor and with this guarantee, irrevocably and unconditionally commit to pay

4.500,00 EUR (four thousand five hundred euros 00/100)

within 15 days after receipt of the written request for guarantee redemption.

The guarantee shall be paid in favor of the beneficiary at the first request of the beneficiary if he lists one of the following reasons:

- the bidder withdrew or changed his offer in its validity period,
- the bidder that was notified by the beneficiary of the selection in the tender validity time, rejected the contract
- the bidder doesn't sign the contracts in accordance with the provisions instructions to the bidders.

The request for guarantee payment must be submitted to the bank and must include:

1. beneficiary original statement for guarantee payment in accordance with the above paragraph and
2. guarantee original no./..... including any additions to this guarantee.

The beneficiary may also partially redeem the guarantee. This guarantee is valid until _____.

The guarantor liability shall automatically cease after this period and the guarantee can no longer be redeemed. The guarantee contractor may agree with the guarantor, with the consent of the beneficiary, about prolonging the validity of the guarantee before its expiry.

This guarantee is not transferable. Any disputes arising in connection to this guarantee shall be settled by Maribor court under Slovenian law.

Place: _____

Date: _____

Guarantor (name and address)
First and last name, statement signer position

BANK STATEMENT ON ISSUING A BANK GUARANTEE FOR PERFORMANCE

Bidder:

.....

Document no.

Place and date:

Based on the application by the bidder, which informed us about the intent to submit an offer for the selection of the most favorable bidder for to JAVNO PODJETJE MARPROM d.o.o., which has issued a tender for Bike Park Pohorje management, we

STATE

that we will, in the event that the bidder is selected as the most favorable, issue an irrevocable and unconditional **bank guarantee for performance of contractual obligations amounting to 75.000,00 EUR and valid until**, payable at first call.

Bank

(stamp and signature)

ENVELOPE FORM

SENDER (bidder):	OFFER RECEIPT:
	BY PERSON BY MAIL
	Date:
	Hour:
	Sequence number:

RECIPIENT:
JAVNO PODJETJE MARPROM, D.O.O.
MLINSKA ULICA 1
2000 MARIBOR

»OFFER LABEL«

»DO NOT OPEN – BIKE PARK POHORJE«

Place this form on the envelope!



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