

**REPUBLIC OF CROATIA
DUBROVNIK-NERETVA COUNTY
CITY OF DUBROVNIK**

Based on the Conclusion of the City Council of the City of Dubrovnik on launching the public call for expressions of interest for carrying out the project of constructing a football stadium with shopping, entertainment and cultural content and underground garages in Lapad called "Arena Dubrovnik" on real property owned by the City of Dubrovnik, CLASS:940-01/12-01/46 Ref. no.:2117-01-08/1-22-30 of 20.07.2022. the City of Dubrovnik publishes the

**PUBLIC CALL FOR EXPRESSIONS OF INTEREST
FOR CARRYING OUT THE PROJECT OF CONSTRUCTING THE FOOTBALL STADIUM
WITH SHOPPING, ENTERTAINMENT AND CULTURAL CONTENT AND UNDERGROUND
GARAGES IN LAPAD CALLED "ARENA DUBROVNIK"**

I. INTRODUCTION

Article 67 of the Act on local and regional self-government (Official Gazette 33/01, 60/01, 129/05, 109/07, 125/08, 36/09, 150/11, 144/12, 19/13, 137/15, 123/17, 98/19, 144/20, hereinafter: LLRSG) lays down that any moveable and immovable property and property rights belonging to the unit of local/regional self-government constitute its assets, and the unit of local/regional self-government shall manage, use and dispose of its assets with the care of a prudent businessman.

Pursuant to Article 35(1) of the Act on ownership and other real rights (Official Gazette 91/96, 68/98, 137/99, 22/00, 73/00, 129/00, 114/01, 79/06, 141/06, 146/08, 38/09, 153/09, 143/12, 152/14, hereinafter: AOORR), the Republic of Croatia and other legal persons governed by public law who are the holders of ownership rights enjoy the same position in legal relations as private owners, unless prescribed otherwise by the law. Paragraph 2 of the same Article of the AOORR lays down that the property of the Republic of Croatia shall be managed and used by the Government of the Republic of Croatia or its authorized body, unless prescribed otherwise by a special law. The bodies of the units of local and regional self-government units determined by the regulation on the organization of the local and regional self-government shall be authorized to dispose of, manage and use the property owned by the units of local and regional self-government units, unless prescribed otherwise by a special law. Article 35(8) of the AOORR lays down that the right of ownership of the units of local self-government and the units of regional self-government shall be appropriately subject to the rules on the property of the Republic of Croatia, unless otherwise prescribed by the law or arising from the nature of such persons. The same applies to the right of ownership of institutions and equivalent legal persons.

The City of Dubrovnik shall treat the real property in its ownership with the care of a good businessman, which primarily implies drafting and continuously updating a comprehensive list of all the real property in its ownership as well as determining the condition of such property and their market values. In addition, the significance of particular pieces of real property for the City of Dubrovnik is established, and costs and revenue are considered for the purpose of their efficient use. Assets management includes the process of bringing decisions on the purchase, use and disposing of assets, and the implementation of decisions related to the purchase, use and disposing of assets. This implies the process aimed at ensuring that the assets produce optimum short- and long-term results, including cashflow and value increase.

To efficiently and transparently manage and dispose of real property which comprise the existing city stadium in Lapad, the City of Dubrovnik launches this public call for expressions of interest to an unspecified circle of persons for the realization of the football stadium construction project with shopping, entertainment and cultural content and underground

garages in Lapad, called "Arena Dubrovnik" (hereinafter: Arena Dubrovnik Project). The purpose of the public call is to inform all interested parties on the plans and requirements of the City of Dubrovnik related to the Arena Dubrovnik Project.

II. THE SUBJECT-MATTER OF THE PUBLIC CALL FOR EXPRESSION OF INTEREST, DESCRIPTION OF THE LOCATION AND THE PLANNED AREA OF THE ARENA DUBROVNIK PROJECT

The subject-matter of this public call is the expression of interest of an unspecified circle of persons by delivering the letter of intent to realize the football stadium construction project with shopping, entertainment and cultural content and underground garages in Lapad, called "Arena Dubrovnik" on the following real property:

- cadastral plot 678/3 GARDEN, cadastral plot 681 GARDEN, cadastral plot 682/1 GARDEN, cadastral plot 684 GARDEN and cadastral plot ZGR. 1204 BUILDING AND YARD, all entered in land register file 1824 B, cadastral municipality of GRUŽ, Municipal Court in Dubrovnik, Dubrovnik Land Registry Department, owned by the City of Dubrovnik, except that for cadastral plot ZGR 1204 BUILDING AND YARD, restitution proceedings are conducted before the Administrative department for general administration and property rights relations of Dubrovnik-Neretva County
- land registry body I, cadastral plot 678/4 PATH, entered in land register file 2038, cadastral municipality of GRUŽ, Municipal Court in Dubrovnik, Land Registry Department of Dubrovnik, entered as social ownership, the holder of the rights of use of which is the Municipality of Dubrovnik, where the right of use of the concerned real property is registered in 1/3 in favour of Sozio Ivonne, Foucart Andreine and others. For the said real property, restitution proceedings initiated by the former owners were completed, and the City of Dubrovnik is the co-owner of 2/3, while the other persons are entered as co-owners of 1/3 of the concerned real property.

The said real property is specified as the Lapad Stadium. For the purpose of resolving property-rights relations over the said real property, the City of Dubrovnik initiated the procedure for issuing the occupancy permit before the Administrative department for issuing and implementing the spatial planning and construction documents.

In addition to the above-mentioned real property, the project is to encompass the parts of real property outside the stadium (including the wall behind the stands and the parking lot), and these are cadastral plots 1230/1, 879/1, 879/2, 879/3, 879/4 and 944/1 of the cadastral municipality of GRUŽ, all entered as property of the City of Dubrovnik.

Facilities may be constructed on the concerned real property only in accordance with the spatial planning documents, special construction conditions and the other conditions foreseen by the current regulations.

III. HOW THE PROJECT WILL BE CARRIED OUT

The pieces of real property described in point II of this Public Call are specified as the existing stadium in Lapad in as-is condition.

The Arena Dubrovnik Project includes a description of the project idea, construction and financing of the football stadium with shopping, entertainment and cultural content and underground garages in Lapad in the City of Dubrovnik, as fully functional facilities (in spatial, visual-attraction, functional, infrastructural and organizational terms) in accordance with the current law, regulations and acts of the City of Dubrovnik, the Master Urban Development Plan for the City of Dubrovnik and other spatial planning documents, entirely at the cost of the interested person.

The interested person shall build a football field and underground garages as well as other facilities as indicated below at their own cost on the land which is the property of the City of Dubrovnik.

The Arena Dubrovnik Project shall include the following:

1. construction of the football field with a hybrid turf, with a capacity of 4500 (in words: four thousand five hundred) roofed seats. The stadium must be built so that it has all the supporting facilities which are compliant with one-hundred-percent standards of the Croatian Football Association, UEFA and FIFA for playing international matches.
2. The construction of the parking lot - multilevel underground garage with parking spaces in an open and a closed garage. A part of the parking spaces must meet the requirements for buses and cars pursuant to the international standards for a football stadium of the relevant size and purpose.

The Arena Dubrovnik Project, in addition to the above mandatory items, can also include the following:

1. The construction of the shopping, entertainment and cultural centre with commercial, catering and service spaces, various entertainment contents intended for the public and other compatible supporting content.

In accordance with the above-mentioned mandatory and non-mandatory items of the Arena Dubrovnik Project, the interested person shall describe the project idea of the complete "Arena Dubrovnik" with proposed funding of the entire construction and a closed financial structure, indicating the source of the funds for construction.

The interested person shall finance all the costs related to the obtaining of permits, carrying out public procurement procedures and other similar procedures, if and where necessary, he design and construction of Arena Dubrovnik, and the City of Dubrovnik shall have no financial obligations in terms of developing and constructing the project.

The obligation of the interested person consists of financing, designing and constructing the football stadium and the supporting facilities, and such person shall obtain all the required approvals, and construction and occupancy permits, as well as the monetary funds for financing the construction of the facilities for the purpose of realizing the Arena Dubrovnik Project, with the obligation, if such interested person is selected as the most favourable bidder in the later stages of the public procurement procedure, to conclude with the City of Dubrovnik all the required contracts that regulate their mutual relations in terms of property rights, the duration of such contracts, etc., all pursuant to the valid legal regulations of the Republic of Croatia.

The objective of the Arena Dubrovnik Project is for the City of Dubrovnik to get a facility which is flawless, functional and, as at the moment of handover, meets the state-of-the-art requirements and has first-class equipment built in, and the relevant laws and regulations of the competent authorities, where the interested person is obligated to finance all the costs, in their entirety, related to the realization of the Arena Dubrovnik Project.

The interested parties are invited to deliver their expression of interest in the form of a letter of intent, in writing, within not more than 45 days from the day of publication of this Public Call on the website of the City of Dubrovnik and in means of public communication, that is, until 13 October 2022, in a closed envelope to the address:

CITY OF DUBROVNIK
Pred Dvorom 1
20 000 Dubrovnik

**With the indication: PUBLIC CALL FOR EXPRESSIONS OF INTEREST
FOR CARRYING OUT THE PROJECT OF CONSTRUCTING THE FOOTBALL STADIUM
WITH SHOPPING, ENTERTAINMENT AND CULTURAL CONTENT AND UNDERGROUND
GARAGES IN LAPAD CALLED “ARENA DUBROVNIK”**

The letter of intent with the expression of interest in written form shall contain the name of the interested person, address, personal id. no. (OIB), and it shall be signed by the responsible person. The letter of intent with the expression of interest and the supporting documentation shall be delivered in Croatian, and it may also be delivered in a foreign language provided it is supplemented with a sworn translation into Croatian by a certified court interpreter.

In the letter of intent, the interested person shall present its professional competencies in carrying out and managing equal and/or similar projects, and propose and describe briefly how they would carry out the project with the developed project idea for the Arena Dubrovnik.

The letter of intent shall be supplemented with the following documents:

1. Extract from the court or another relevant register for a legal person, or a copy of an identification document for a natural person (copy of identity card or passport), in the original or a certified copy. A person established outside the Republic of Croatia shall enclose an extract from the court or another relevant register managed in the member state of its establishment.
2. Statement that the interested person is not under liquidation, bankruptcy or other proceedings that would lead to a termination of business activities and that the interested person is not insolvent, in the original or certified copy.
3. Certificate on the state of tax debt which may not be older than 30 days, and evidence demonstrating that the interested person has no debt toward the City of Dubrovnik and the Republic of Croatia, or another equivalent document demonstrating the above-mentioned facts, issued by the member state of its establishment.
4. A summary of the investment project “Arena Dubrovnik” with a description of what the interested person is intending to build, an estimate of investment costs, number of newly employed persons and a description of the contents that could be accommodated in the facility, as well as the predictable deadlines for completing the project.
5. Evidence that the interested person has sufficient financial means to carry out the project, in the form of a letter of intent of a first-class bank by which such bank guarantees that, if the interested person is selected as the most favourable bidder upon completion of the tender procedure, it will issue all the necessary assurances (bid bond, performance bond, warranty period guarantee), and that it will financially support the construction and all the related costs, and/or a bidder’s corporate guarantee and/or an equivalently valid proof of guarantee that, if the interested person is selected as the most favourable bidder on completion of the tender procedure, it has access to the necessary financial means in full or in part.
6. The condition and manner of the future cooperation acceptable for the interested person, on condition that all the requirements of the City of Dubrovnik indicated in this Public Call have been met, if the interest expressed by the interested person is selected in the later stages as the most favourable bid and recognized as the most acceptable for the City of Dubrovnik.

The expression of interest can be submitted by two or more interested persons acting as a consortium (group of persons) or persons who intend to establish a special-purpose entity to this end. In that case, the documents enclosed to the letter of intent shall individually refer to

each of those parties, and all the parties included shall be jointly liable for all the obligations arising from the possible future relation.

Each expression of interest shall be delivered directly by the interested person or its representative.

IV. OTHER NOTES

The publication of this Call or receipt of any interest shall not constitute any obligation of the City of Dubrovnik in terms of taking assuming obligations toward the interested persons, including, but not limited to the conclusion of a contract, nor shall it represent the basis for any request or right of such persons to demand any performance on the part of the City of Dubrovnik.

The City of Dubrovnik shall reserve the right to terminate at any moment the procedure initiated by this Call, modify its conditions and exclude any interested person from the procedure, without being obligated to explain this decision.

The City of Dubrovnik shall not be held liable for any inconsistency between the data that refer to the surface area, culture or purpose of the real property, and which might arise from the cadastral, land register and other documentation and the actual condition on location.

The interested persons shall not be entitled to a compensation of any costs related to the drafting and submitting of the letter of intent with the expression of interest.

The City of Dubrovnik shall not be obligated to invite the interested person to submit a binding offer nor to conclude a contract on the establishment of the rights of lease, concession or construction with any of the interested persons.

The purpose of this public call is for the City of Dubrovnik to establish whether there are any persons interested in carrying out the Arena Dubrovnik Project in order to start implementing the formal procedure of selecting the bidder and carrying out the Arena Dubrovnik Project in accordance with the valid legal regulations and the acts of the City of Dubrovnik.

V. RIGHT OF ACCESS TO INFORMATION AND PERSONAL DATA PROTECTION

The City of Dubrovnik is obligated to apply the Act on the right of access to information (Official Gazette 25/13, 85/15 and 69/22, hereinafter: the AIA). The AIA regulates the right of access to information and the reuse of information held by public authorities. The right of access to information and reuse of information shall pertain to all the users in the same manner and under the same conditions.

As a public authority, the City of Dubrovnik shall enable the public to access information on its work through a publication on the internet and in mass media.

The City of Dubrovnik shall publish information on the collected letters of intent with expressed interest on its official website and in mass media, and by delivering the letter of intent with the supporting documentation the interested person shall provide consent to publish such information, including the publication of personal data to the extent necessary to fulfil the legal obligations of the City of Dubrovnik.

VI. PUBLICATION OF THE PUBLIC CALL

The City of Dubrovnik shall publish this public call on its website and in means of public communication.

All the other information related to the public call can be obtained by e-mail gospodarenjeimovinom@dubrovnik.hr.