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Zagreb, January 2nd 2012

According to article 3 of the Fiscal responsibility act (NN, 139/10) and article 1 of the Provision about creating and reporting the Statement about fiscal responsibility (NN, 78/11) the principal of the City of Zagreb Institution Dobri dom creates the

PROCEDURE OF CREATING THE CONTRACTING COMMITMENTS IN THE CITY OF ZAGREB INSTITUTION DOBRI DOM

Article 1

This document defines the procedure of creating the contracting commitments, i.e. procurement of goods and services, public procurement and all other commitments which are needed for the function of the Institution and for performing its basic activity unless the statute of the Institution states differently.

Article 2

The principal of the Institution or another authorized person starts the process of creating contracting commitments. All employees of the Institution can state the need for the contracts when purchasing goods and services, unless the statute of the Institution or another provision state differently.

Article 3

The person authorized by the principal is obliged to make control before the contract process and creating the contracting commitments and to inform the principal if the proposed contracting commitment is in accordance with the finance plan and the Institution procurement plan.

If the person authorized by the principal finds that the proposed contracting commitment is not in accordance with the valid finance plan and procurement plan, the principal of the Institution is obliged to refuse the proposed commitment and to propose the administrative council to change the finance plan and procurement plan.

Article 4

When the person authorized by the principal finds that the proposed contracting commitment is in accordance with the valid finance plan and procurement plan, the principal of the Institution makes a decision about starting the procurement, i.e. creating the contracting commitment.

After the procurement or other contracting commitments are processed, the principal is obliged to notify the administrative council about the result of the procurement, i.e. contracting commitments.

According to the Provision about creating and reporting the Statement about fiscal responsibility (NN, 78/11), the principal of the Institution signs the statement about the fiscal responsibility based upon the fiscal responsibility questionnaire, all according to the Fiscal responsibility act (NN, 139/10).

Article 5

If the goods and services procurement procedure does not submit to the Public procurement act, or all legal assumptions are not done according to the Public procurement act (NN 90/11), the following procedure should be used to make contracting commitments:

| I. CREATING THE CONTRACTING COMMITMENTS WHICH DO NOT REQUIRE PUBLIC PROCUREMENT PROCEDURE | | | | |
|-------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-----------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| Number | ACTIVITY | RESPONSIBILITY | DOCUMENT | DEADLINE |
| 1. | Proposal for the procurement of equipment /services/works | Specific business holder | Offer, order form, receipt, contract draft | During a year |
| 2. | Check if the proposal is in accordance with the financial plan/budget and plan of the Institution procurement | Finance employee (Finance department) | If YES – approving the contract / order form If NO – negative response for signing the contract/order | 2 days after receiving the proposal |
| 3. | Signing the contract/order | Principal or a person authorized by him | Contract / order | Within 30 days after approved by the finance employee |

Article 6

If the goods and services procurement procedure submits to the Public procurement act, or all legal assumptions are done according to the Public procurement act (NN 90/11), the following procedure should be used to make contracting commitments:

| II. CREATING THE CONTRACTING COMMITMENTS WHICH REQUIRE PUBLIC PROCUREMENT PROCEDURE | | | | |
|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Number | ACTIVITY | RESPONSIBILITY | DOCUMENT | DEADLINE |
| 1. | Proposal for the procurement of equipment /services/works | Employees – some business and activity holders (responsible people within the organizational units) | Proposal which defines required equipment/services/works including the frame price | A month before preparing the annual procurement plan (according to the Budget act May / June, actually July /August), possible also during a year for the procurement plan for the following year |
| 2. | Preparation of the technical and bidding documentation for the equipment/services/works procurement | If the process is not central – local and regional government; responsible people within the organizational units make them. It is possible to employ an external expert. | Technical and bidding documentation | Ideally until the beginning of the year during which the procurement procedure is created in order to start the procurement immediately |
| 3. | Including the items from the procurement plan into the finance plan/budget of the Institution | A person in charge of the coordination of preparing the finance plan – finance employee. Finance plan should be the result of the work of experienced people who define the working plan for the next year together with the principal; and the finance plan should be the estimation of the finance resources | Finance plan/budget | October 1 st |

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| | | needed to fulfil the work plan. Finance officer coordinates these activities and stresses out the financial limits, but does not define the content programs, actions and projects and is not responsible for them or their results later. | | |
| 4. | Proposal for starting the public procurement procedure | Responsible people for the public procurement, Head of the finance, personnel and general office, along with the principle check the actual need for the procurement subject, especially if it is 6 or more months after the proposal | Proposal document, technical and bidding documentation | During a year |
| 5. | Checking if the proposal is in accordance with the purchase plan and finance plan/budget | Finance employee | If YES – approving the procedure If NO – negative response for approving the procedure | 2 days after receiving the proposal |
| 6. | Proposal for creating the public procurement procedure approved by the finance employee | Specific business and activities holders (organizational units directors) | Report with the proposal and technical and bidding documentation and approved by finance employee | 2 days after receiving the response from the finance office |
| 7. | Checking if the technical and bidding documentation is in accordance with the public procurement regulations | Employee – representative of the client, authorized by the principal - Head of the finance, personnel and general office | If YES – starts the public procurement procedure If NO – returns the documentation along with the comments about changes to be done | Within 30 days after receiving the proposal for starting the public procurement procedure |
| 8. | Starting the public procurement procedure | Principal or a person authorized by him | Tender announcement | During a year |

This procedure was announced on the info board of the City of Zagreb institution Dobri dom on January 2nd 2012 and became valid on the same date.

Head of the finance, personnel and general department:
Trpimir Benković, graduate lawyer



Principal:
Alen Župan, B.Sc. (Eng)