

ADRIA AIRWAYS d.o.o. - v stečaju

Zgornji Brnik 130 H, 4210 Brnik - Aerodrom, Slovenija

MŠ: 5156505000

Upravitelj mag. Janez Pustatičnik

Opr. št. St 2704/2019

**Na podlagi pravnomočnega sklepa Okrožnega sodišča v Kranju
z dne 29. 3. 2021**

objavlja

VABILO ZA JAVNO ZAVEZUJOČE ZBIRANJE PONUDB

1. Opis premoženja, ki se prodaja:

Predmet prodaje so okrasni predmeti v lasti stečajnega dolžnika po seznamu:

**Ponudbe se zbirajo za celoto.*

Zap. št.	Okrasni predmeti	Št. kosov
1	Krožnik - Gold Leaf Work on Marble + stojalo	1
2	Krožnik -Iznic Plate - replika	1
3	Krožnik- Adria + stojalo	1
4	Kozarec-RR	1
5	Okvir-Rogaška ZOOM1	1
6	Bayerischer Löwe Porzellan Nymphenburg	1

2. Izhodiščna cena za premoženje iz 1. točke:

800,00 EUR

**Na ponujeno ceno se obračuna še ustrezen davek.*

3. Znesek varščine in številka transakcijskega računa stečajnega dolžnika, v dobro katerega mora dražitelj ta znesek plačati:

Ponudniki morajo najkasneje do poteka roka za oddajo ponudb vplačati varščino na transakcijski račun stečajnega dolžnika št. **SI56 6100 0002 3039 108**, odprt pri Delavski Hranilnici d.d., Ljubljana, z **navedbo 'plačilo varščine – Okrasni predmeti'** v naslednji višini:

350,00 EUR

Postopka zbiranja ponudb se lahko udeleži le tisti, ki je plačal varščino in to dokaže s pisnim dokazilom o plačilu. Vplačana varščina ponudniku, ki uspe in sklene pogodbo skladno s 6. odstavkom 333. člena ZFPPIPP velja kot plačilo are v znamenje sklenitve prodajne pogodbe. Ostalim ponudnikom se znesek plačane varščine vrne najkasneje v treh delovnih dneh po poteku roka za izjavo upravitelja o izbiri ponudnika.

4. Drugi pogoji prodaje skladno s 337. do 343. členom ZFPPIPP:

- i. Ponudniki morajo v pisni ponudbi navesti naslednje podatke (**priporočljiva uporaba predloge za ponudbo se nahaja v prilogi**): svoje ime oziroma naziv, naslov in davčno številko, predmet oziroma sklop za katerega podajajo ponudbo, ponujeno ceno brez davščin (navedeno s številko, v EUR) in rok plačila kupnine ter potrdilo o plačilu varščine in številko TRR za morebitno vračilo varščine, skladno s pogoji razpisa. Prav tako morajo v ponudbi navesti kontaktne podatke (telefon oz. elektronski naslov).
- ii. Pri izbiri bodo upoštevane samo popolne in pravočasne ponudbe. Ponudbe, ki bodo nižje od izhodiščne cene iz 2. točke, v postopku ne bodo upoštevane.
- iii. Kupec mora v znamenje sklenitve prodajne pogodbe plačati aro. Skladno s 6. odstavkom 333. člena ZFPPIPP plačilo varščine kupca, ki sklene prodajno pogodbo, velja za plačilo are v znamenje sklenitve te prodajne pogodbe.
- iv. Upravitelj bo ponudniku, ki bo uspel v postopku javnega zbiranja ponudb, v roku 15 dni po poteku roka za oddajo ponudb, poslal besedilo pogodbe s pozivom, da ga v 3 delovnih dneh po prejemu podpisanega vrne. Če ponudnik, ki je uspel v postopku javnega zbiranja ponudb v navedenem roku ne vrne podpisanega izvoda pogodbe, mora stečajnemu dolžniku plačati pogodbeno kazen za neizpolnitev obveznosti skleniti prodajno pogodbo v znesku, ki je enak znesku varščine.
- v. Rok za plačilo kupnine ne bo daljši od 8 dni od sklenitve pogodbe.
- vi. Kupec postane lastnik prodanega premoženja po plačilu celotne kupnine.
- vii. Prodaja premoženja poteka po načelu »VIDENO-KUPLJENO«, kasnejše uveljavljanje zahtevkov zaradi napak ni možno. Stečajni dolžnik ne odgovarja za stvarne napake premoženja, ki je predmet prodaje.
- viii. Vsi davki ter morebitni stroški odvetnika za pripravo pogodbe niso vključeni v ceno in so obveznost kupca. Strošek morebitnega čiščenja nepremičnine ali morebitne druge sanacije, ki bi nastale pri odvozi premičnin itd. je v celoti breme kupca.
- ix. Kupec bo po plačilu kupnine predmete prodaje iz točke 1. prevzel v roku 8 dni po predhodnem dogovoru termina s stečajnim upraviteljem. Kupec je dolžan predmete odpeljati na lastne stroške.

5. Rok za oddajo ponudb:

Rok za oddajo ponudb je **19.08.2021 (datum odpošiljanja pošte)**, ponudbe se pošljejo **s priporočeno pošto**, v zapečateni ovojnici z oznako »**ADRIA AIRWAYS d.o.o. - PONUDBA OKRASNI PREDMETI – NE ODPIRAJ**« na naslov stečajnega dolžnika:

ADRIA AIRWAYS d.o.o. - v stečaju, Zgornji Brnik 130 H, 4210 Brnik - Aerodrom, Slovenija

6. Mesto, na katerem si je mogoče ogledati premoženje, ki se prodaja, in čas, v katerem je mogoče opraviti ogled:

Udeleženci ogledov morajo upoštevati veljavna navodila oz. priporočila ustreznih državnih organov (npr. NIJZ idr.) glede uporabe predpisanih zaščitnih sredstev, medsebojne razdalje idr.

V primeru izrednih razmer v državi, ki bi bile posledica zaradi širjenja Koronavirusa (SARS-CoV-2) vse zainteresirane obveščam, da fizični ogled premičnin v takšnem primeru NE BO MOGOČ. V tem primeru se bo nato tudi rok za oddajo ponudb podaljšal.

Ogled premoženja in drugo dokumentacijo povezano s prodajo premoženja stečajnega dolžnika ter pridobitev vseh ostalih informacij glede postopka prodaje je možen po dogovoru na elektronskih naslovih, ki se pošljejo istočasno na tanja.miler@studiorm.si in ana.miler@adriaastecaj.si.

7. Rok, do katerega bodo ponudniki obveščeni o izidu javnega zbiranja ponudb:

Upravitelj bo vse ponudnike obvestil o izidu javnega zbiranja ponudb v roku 15 dni po poteku roka za oddajo ponudb (datum pošiljanja pošte).

S spoštovanjem,

Upravitelj
mag. Janez Pustatičnik

Priloga:

1. Simbolične fotografije
3. Predloga ponudbe za odkup premoženja

*** Interesenti lahko posredujejo ločeno ponudbo za posamezne artikle in se bo o teh predlogih odločalo v nadaljnjih postopkih prodaje, v kolikor v tem krogu prodaje postavka ne bo prodana.**

V tem primeru naj ponudniku v svojo ponudbo jasno navedejo predmet ponudbe, količino (št. kosov), ter da je njihova ponudba zgolj informativne narave.

ADRIA AIRWAYS d.o.o. - in bankruptcy
Zgornji Brnik 130 H, 4210 Brnik - Aerodrom, Slovenija
Registration number: 5156505000
Receiver mag. Janez Pustatičnik
Ref. No. St 2704/2019

**On the basis of the final decision of the District Court of Kranj
dated 29/3/2021**

hereby publishes the following

INVITATION FOR A BINDING CALL FOR TENDERS

IMPORTANT: For the sales procedure, only the tender in the Slovenian language is valid. The English translation is for information only. Any comments or complaints related to the tender in English, are in no way, in any part binding on the seller and will not be taken into account.

1. Description of the assets to be sold:

The subject of sale are decorative items, owned by the bankruptcy debtor, according to the list:

**Bids are collected for the whole items, total quantity.*

Zap. št.	Okrasni predmeti	Št. kosov
1	Krožnik - Gold Leaf Work on Marble + stojalo	1
2	Krožnik - Iznik Plate - replika	1
3	Krožnik- Adria + stojalo	1
4	Kozarec-RR	1
5	Okvir-Rogaška ZOOM1	1
6	Bayerischer Löwe Porzellan Nymphenburg	1

2. Opening price of the assets referred to in point 1:

800.00 EUR

**The offered price is subject to the appropriate tax.*

3. The amount of security and the number of the transaction account of the debtor in bankruptcy, to the credit of which the auctioneer shall pay such amount:

Bidders must, by the expiry of the time limit for submission of offers at the latest, pay the security into the transaction account of the debtor in bankruptcy IBAN No. **SI56 6100 0002 3039 108**, held with Delavska Hranilnica d.d., Ljubljana, SWIFT CODE / BIC: HDELSI22 with the indication "**payment of security – Decorative items**" in the following amount:

350.00 EUR

The procedure for the call for tenders may only be attended by those who have paid the security and provide written proof of payment. If the bidder is successful in the procedure for the call for tenders and concludes a sales contract pursuant to paragraph six of Article 333 of the ZFPPIPP, the payment of security shall be considered as depositing earnest money as an indication of the conclusion of such a sales contract. The paid security shall be returned to the other bidders no later than within three working days after the expiry of the time limit for the receiver to submit a statement on the selection of the bidder.

4. Other conditions of sale pursuant to Articles 337 to 343 of the ZFPPIPP:

- i. Bidders must include the following details in their written offers (**the recommended offer template is in the attachment**): their name or business name, address and tax number, the object or lot for which they are submitting the offer, their offered price exclusive of any fiscal charges (indicated by number, in EUR), the deadline for payment of the purchase price and proof of payment of the security, and their bank account number for the potential repayment of the security, in accordance with the terms of the tender. The offer must also contain their contact details (telephone or email address).
- ii. Only complete and timely offers will be considered in the selection. Offers lower than the opening price from point 2 will not be considered in the procedure.
- iii. The purchaser must, as an indication of concluding the contract, deposit the earnest money. Pursuant to paragraph six of Article 333 of the ZFPPIPP, the payment of security by the purchaser who concludes a sales contract shall be considered as depositing earnest money as the indication of the conclusion of such a sales contract.
- iv. The receiver shall provide the bidder who succeeded in the procedure for the public call for tenders with the wording of the contract within 15 days following the expiry of the time limit for the submission of offers, and call on them to provide the receiver with a signed copy of the contract within three working days following the receipt. If the bidder who succeeded in the procedure for the public call for tenders does not provide the receiver with a signed copy of the contract within the specified time limit, they shall pay to the debtor in bankruptcy a penalty for the non-fulfilment of the obligation to conclude the sales contract in the amount equal to the amount of the security.
- v. The time limit for the payment of the purchase price shall not be longer than 8 days from the conclusion of the contract.
- vi. The purchaser shall become the owner of the sold assets when they pay the entire purchase price.
- vii. The assets are being sold under the principle of "as-is" and any subsequent claims due to defects will not be possible. The debtor in bankruptcy shall not be responsible for factual defects in the assets that are the subject of sale.
- viii. All taxes and any costs of a lawyer to prepare the contract are not included in the price and are the responsibility of the purchaser. The cost of any cleaning of the property or any other remediation that would occur in the removal of movable property, etc. is entirely the burden of the purchaser.
- ix. After paying the purchase price, the purchaser will take over the items of sale referred to point 1 within 8 days, after the prior appointment with the receiver. The purchaser is obliged to transport the subjects at his own expenses.

5. Time limit for the submission of offers:

The time limit for the submission of offers is **19/08/2021 (date of dispatch of the mail)**, whereby all offers must be sent **by registered mail** in a sealed envelope marked »**ADRIA AIRWAYS d.o.o. - in bankruptcy OFFER DECORATIVE ITEMS – DO NOT OPEN**« to the address of the debtor in bankruptcy:

ADRIA AIRWAYS d.o.o. - v stečaju, Zgornji Brnik 130 H, 4210 Brnik - Aerodrom, Slovenija

6. The place where the assets to be sold may be examined, and the time when such examination is possible:

Four participants must follow the valid instructions or recommendations of relevant state bodies (eg NIJZ, etc.) regarding the use of prescribed protective equipment, mutual distances, etc.

I would like to inform all interested parties that physical access to the documentation and the assets WILL NOT BE POSSIBLE in the event of an emergency situation in the country resulting from the spread of the coronavirus (SARS-CoV-2). If this happens, the time limit for the submission of offers will be extended.

Examining of property, documentation related to the sale of the bankruptcy debtor's property and obtaining any other information regarding the sale procedure, is possible by prior arrangement by email to all of the following addresses simultaneously: tanja.miler@studiorm.si and ana.miler@adriaastecaj.si.

7. Time limit by which the bidders shall be informed of the result of the public call for tenders:

The receiver shall inform all bidders of the result of the public call for tenders within 15 days following the expiry of the time limit for the submission of offers (date of dispatch of the mail).

Yours faithfully,

Receiver
mag. Janez Pustatičnik

Attachments:

1. Symbolic photographs
3. Offer template for purchasing assets

Interested parties can submit separate offers for individual items in a small number of parts. They will be considered in subsequent sale procedures, if the item will not be sold in the first round of the sale.

In this case, bidders shall clearly state in their offers that the bid is only given for information purposes only.

PONUDBA ZA NAKUP PREMOŽENJA

Stečajni postopek St 2704/2019
ADRIA AIRWAYS d.o.o. - v stečaju
Zgornji Brnik 130 H, 4210 Brnik - Aerodrom

1. PONUDNIK

Družba oz. ime in priimek:	
Naslov:	
Matična številka oz EMŠO:	
Davčna številka:	
Zavezanec za DDV:	DA NE
Številka TRR:	
Zakoniti zastopnik:	
Kontaktna oseba:	
Elektronski naslov:	
Telefonska številka:	

2. PREDMET PONUDBE (kot izhaja iz 2. točke vabila k dajanju ponudb)

Predmet ponudbe je naslednje premoženje stečajnega dolžnika:

Okrasni predmeti v lasti stečajnega dolžnika.

Ponujena kupnina (v EUR brez DDV)	Rok plačila, v dnevih po podpisu pogodbe

3. PONUDNIK S PODPISOM IZJAVLJAM, DA:

- sem podrobno proučil vabilo in da se v celoti strinjam s pogoji iz vabila;
- so vsi podatki v tej ponudbi resnični;
- ponudba velja najmanj še petnajst (15) dni po poteku roka za oddajo ponudb;
- se odpovedujem uveljavljanju kakršnihkoli zahtevkov iz naslova stroškov ali škode, če pogodba ne bo sklenjena s ponudnikom;

Kraj in datum:

Podpis ponudnika:

OFFER FOR THE PURCHASE OF ASSETS

Bankruptcy proceedings St 2704/2019
ADRIA AIRWAYS d.o.o. - in bankruptcy
Zgornji Brnik 130 H, 4210 Brnik - Aerodrom

1. BIDDER

Company or name and surname:	
Address:	
Registration number or personal identification number:	
Tax number:	
Person registered for VAT:	YES NO
Bank acc. No.:	
Legal representative:	
Contact person:	
Email address:	
Telephone number:	

2. SUBJECT OF THE OFFER (as shown under point 2 of the invitation to make offers)

The subject of the offer is the following assets of the debtor in bankruptcy:

Decorative items, owned by the bankruptcy debtor:

Offered purchase price (in EUR excl. of VAT)	Deadline for payment in days following signature of contract

3. BY SIGNING THIS DOCUMENT, I, THE BIDDER, DECLARE THAT:

- I have reviewed the Invitation in detail and I fully agree with the terms of the Invitation;
- all data indicated in this offer is true;
- the offer is valid for a minimum of fifteen (15) days following the expiry of the time limit for the submission of offers;
- I waive my right to enforce any claims for any costs or damages if the contract is not concluded with the bidder;

Place and date:

Bidder's signature: