

**REQUEST FOR TENDER FOR THE SUPPLY OF MACHINERY
No.2/2017/3.2.2 POIR**

Updated on 5 April 2017

I. Project Data

Title: *Implementation and production of innovative technology oxy-biodegradable foam*

Intelligent Development Operational Program for the years 2014-2020

Action 3.2 Support for implementation of R&D results

Sub-Action 3.2.2 Credit for technological innovation

II. Principal/Buyer

Polsko-Koreańskie Przedsiębiorstwo Produkcyjno-Handlowe JOONGPOL Sp. z o.o.
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III. General Provisions

1. This tendering process shall be carried on in the form of Request for Tender (RFT).
2. Provisions of the Public Competitive Tendering Law of January 29, 2004 shall not apply to this Request for Tender. This tendering process follows competitive rules as specified in *Wytyczne w zakresie kwalifikowalności wydatków w ramach Europejskiego Funduszu Rozwoju Regionalnego, Europejskiego Funduszu Społecznego oraz Funduszu Spójności na lata 2014-2020* and *Wytyczne w zakresie kwalifikowalności wydatków w ramach Programu Operacyjnego Inteligentny Rozwój, 2014-2020*.
3. Type of order: Supplies (over 209.000 EUR)



4. The Polish language is the language to be used in the tendering process. In case any tender documents are in any other language than Polish, the tenderer is obliged to submit documents in English and provide their Polish translations.
5. Due to the specific technology, the Tenderers are not allow to submit offers for partial supplies - all the machines must be compatible.
6. The Principal shall not refund any costs and expenses incurred by a tenderer in the tendering process.
7. The Principal reserves the right to amend the Request for Tender prior to the closing time without giving any justification, and to cancel the process at any time without giving the cause.
8. All tenderers, who submit offers prior to an RFT amendment shall be informed of the fact and will have the right to withdraw submitted offer and re-submit it again after reviewing RTF amendments.
9. In the event of cancellation of the tendering process, Tenderer shall have no claims against the Principal.
10. The Request for Tender and attachments have been published on Principal's website at <http://www.ioongpol.pl>
11. The Principal shall present the results of the process at its website and shall notify each tenderer who has submitted an offer.
12. The selected supplier shall be notified by phone or e-mail of the date and place of contract signing.
13. If the tender awarded supplier fails to sign the contract, the Principal may select the best of the remaining offers.
14. Tenderers are responsible for the costs of preparing and submitting a bid and all other costs arising out of process. The Principal under no circumstances shall be obliged to compensate the costs.
15. The Principal shall not return submitted offers.
16. Each Tenderer may submit only one offer in the tendering process. If a tenderer submits more than one offer, his all offers will be discarded.
17. All offers which do not comprise the full scope of the order or are not in compliance with the technical and functional requirements shall be rejected.
18. A Tenderer may withdraw the submitted offer prior to the closing time.
19. The Principal reserves the right not to sign the contract without specifying the cause.
20. **The Principal reserves the right to carry out negotiations with the Suppliers who have submitted compliant offers in the tendering process. Such negotiations may refer to the quotation (price), warranty period, order completion date. The negotiations shall be conducted between 19 - 21 April 2017 on the date specifically agreed by the tenderer and the Principal. In the event, a tenderer fails to enter the negotiations, the fact shall be noted in the Best Offer Protocol, and the first submitted offer of the tenderer shall remain binding. After each negotiating session, a protocol will be made to specify in detail the conditions both of the initial offer and of the post-negotiation offer of the tenderer. If a tenderer fails to sign the protocol of the negotiations, the negotiations shall be considered valid with the Principal's signature only and a special remark on lacking in signature of the other party. In such a case, the conditions of the initially submitted offer shall be binding. After finishing all negotiations and making the protocols, the final assessment of the tenders will be made and the best offer will be chosen. After the best offer has been decided, the Tenderer Selection Protocol will be made, and the awarded tenderer shall sign a supply contract.**
21. Information on selection of the tenderer shall be sent to all the tenderers and published on the Principal's website by 5 May 2017.



IV. Description of product

1. Common Purchase Vocabulary CPV: 42993000-3 Chemical Industry Machinery.
2. The order comprises supply of brand new machinery (tangible assets), which are to make up a production line for oxy-biodegradable foam:
 - A) Twin screw extruder
 - B) Gravimetric batch dosing system for 6 granulate components
 - C) Automatic winder with s-wrap haul-off unit including in-line longitudinal cutting unit
 - D) Cut-out unit for irregular shape cutting
3. It is the Principal's requirement that the offered machines have CE Certification.
4. The order comprises pieces of equipment described in detail in Appendix 2 - Technical Specifications.
5. The supplier is obliged to give assurance that the order will be delivered within 300 days since the date of contract signing.
6. The supplier shall quote price for the machines in accordance with the technical specifications (Appendix 2).
7. The supplier shall deliver the offered machines to the Principal's facilities on DDP Mielec Incoterms.
8. The supplier shall provide guarantee starting from the date of signing of the start-up report and acceptance of machinery. The warranty period shall be specified in the Offer, however, it cannot be shorter than 12 months, and it will be taken into consideration in tender assessment.

V. Submission lodgement

1. Tenders and accompanying attachments are to be submitted only in paper format in the Principal's registered office at ul. Wojska Polskiego 3, 39-300 Mielec.
2. Tenders must be submitted by **April 18, 2017 by 9:00 AM**.
3. The offer shall be in a sealed envelope or package clearly marked "Request for Tender No.2/2017/3.2.2 POIR".
4. The offers may be submitted in person or sent by post/courier, and the lodgement date will be the date of physical entry of the envelope/packet onto premises at the above given address.
5. Offers submitted in any other form than written or delivered after the closing time specified under V.2 shall not be accepted.

VI. Place and time of tender opening

All offers shall be opened in the Principal's registered office on **April 18, 2017 at 10:00 AM**.

VII. Terms and conditions to tender

1. All tenderers who have not been excluded from tendering due to any legal grounds may participate in the tendering process.

Suppliers are excluded from this tendering process if:

- they are connected by capital or by personal relations to the Principal which are understood as mutual links between the Tenderer and the Principal or any persons authorized to take obligations on behalf of the Principal or any persons acting on behalf of the Principal in preparing and performing the tender process, and in particular those

- sharing in the company/partnership as a shareholder,
 - possessing at least 10% of shares or stock,
 - performing as a member of supervisory or management board, proxy or attorney,
 - remaining in legal relation or factual relation (such as marriage, blood relationship, kinship, adoption, etc.) which may give rise to suspicion of lacking impartiality in selection of supplier.
 - who are in the process of liquidation or filed for bankruptcy.
2. Any Supplier shall be excluded from the tendering process if they:
- provide false information which may influence the outcome of the process,
 - quotes grossly low price (grossly low price is considered to be a price which is 30% lower than the average price of all submitted offers.)
- Offers will be taken into consideration as long as they provide: information relevant to criteria for tender assessment specified under IX below and the offer validity date under VIII.5. The Principal may contact the tenderer and request clarification and presentation of evidence relating those aspects of the offer which influence the pricing policy if the price in Principal's opinion seems to be grossly low and rises his doubts as to performance of the order in conformity with the Principal's specifications and terms and conditions.
3. The supplier has at his disposal proper technical, financial and personnel potential and resources to perform the order.

VIII. Offer preparation

1. The offer should be made on the offer form provided in Appendix 1 to this Request for Tender. Offers made in different way shall be rejected.
2. Partial offers and offers which do not fulfill technical and functional requirements shall be rejected.
3. Tenderer shall give quotation on each machine separately and the total value of the order.
4. The prices must be given in EURO, two digit after the decimal point.
5. Tenderer must provide the offer validity term in calendar days; however it must be valid for no less than 90 days from the offer submission date, otherwise the offer shall be rejected.
6. All the supporting attachments and appendices named under X., if applicable, should be enclosed with the offer, otherwise the offer may be rejected.
7. The tender and the enclosures should be all signed by an officer duly authorized to represent the supplier. In the event the submissions have been signed by an attorney, a Letter of Attorney signed by the Supplier giving such powers shall be enclosed with the submissions. The offer and all attachments should be sealed or stamped if the tenderer uses a corporate seal/stamp.
8. The submitted offer should contain:
 - a. tenderer's name and address
 - b. contact officer (name, surname, e-mail, tel.)
 - c. date of making
 - d. offer validity
 - e. total net price for the supplies and for each machine separately
 - f. warranty period
 - g. order delivery period
 - h. all required appendices.

The tender shall be rejected in the event the offer does not include any of the above.



IX. Criteria for selecting the best offer

In case there are more than one tender submitted, the Principal shall assess all valid tenders using the following criteria:

1. Used criteria and their significance:**Criterion 1: Price (70%)****Criterion 2: Warranty (30%)****2. Calculation of the given criterion:****Criterion 1: Price**

Price = lowest price given in the tendering process/price quoted in this offer x 70

(Price refers to net price in EUR for the order.)

Criterion 2: Warranty

Warranty = warranty offered in this offer/the longest warranty period offered in the tendering process x 30

Warranty period must be shown in full calendar months. Offers providing shorter warranty period than 12 months shall be rejected. The warranty period starts on the date of signing of the final acceptance report.

If the offer includes machines having different warranty periods, the shortest time will be taken for the warranty criterion.

Assessment of the full offer = Price + Warranty

The winning offer is the one which gets the highest number of points. The accuracy of calculations will be in two digits after the decimal point.

If two or more offers get the same balance of price and warranty, the Principal shall select the best offer with the lower price.

X. Listing of the documents and statements which are to be submitted by Tenderers to confirm their fulfilling of requirements for participating in the tendering process:

Tenderer must fill out and sign the Offer form and enclose the following:

1. In the event the tenderer is *spółka cywilna*, they must submit registration documents of all partners/shareholders and a copy of the company formation deed and amendments if any.
2. Technical specification of offered machines.
3. Statements:
 - a) on non-existence of any capital or personal connections between the Tenderer and the Principal,



- b) on meeting conditions on participating in tendering process,
- c) on capital group.

XI. Listing of appendices to this Request

1. Offer form
2. Technical specification
3. Templates of Statements:
 - a) on non-existence of any capital or personal connections between the Tenderer and the Principal,
 - b) on meeting conditions on participating in tendering process,
 - c) on capital group.

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