

Czeluńnica, 21.02.2018

ERKO spółka z ograniczoną odpowiedzialnością spółka komandytowa ul.

ks. Jana Hanowskiego 7, 11-042 Jonkowo

NCR 0000692932, Tax No. 7390204693

formerly:

Zakłady Metalowe ERKO R. Pętlak spółka jawna Bracia Pętlak based in Jonkowo NCR

0000083869, Tax No. 7390204693

## REQUEST FOR PROPOSAL

No. 3/2018/1.1.1/CPK

For the supply of materials for trials and tests

dated 21.02.2018

in connection with the implementation, as part of:

Measure 1.1. R&D projects of enterprises

Sub-measure 1.1.1. Industrial research and development carried out by enterprises

of the project entitled:

"Development of an innovative system of power cable connections and technologies of its manufacture"

by ERKO spółka z ograniczoną odpowiedzialnością spółka komandytowa, you are invited to participate in the tender.

## TERMS OF REFERENCE

### 1. INTRODUCTION

- a. The procedure is conducted in accordance with the guidelines for eligibility of expenditure covered by co-financing from the resources of the Intelligent Development Operational Programme 2014-2020,
- b. The procedure is conducted in accordance with the principles of fair competition, equal treatment of contractors, efficiency, clarity and transparency.
- c. The procedure is conducted in Polish.

### 2. NAME AND ADDRESS OF THE CONTRACTING ENTITY

ERKO spółka z ograniczoną odpowiedzialnością spółka komandytowa  
ul. ks. Jana Hanowskiego 7, 11-042 Jonkowo NCR 0000692932, Tax  
No. 7390204693



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### 3. DESCRIPTION OF THE OBJECT OF CONTRACT

The contract consisting of third part is for the provision of the following materials for trials and tests:

Part No.	GRAPHENE	Quantity
I	Graphene in the form of flakes, powder	0.2 kg
Part No.	GREASE/PASTE	Quantity
II	<p><b>Application</b></p> <ul style="list-style-type: none"> <li>• Eliminates the formation of oxides at the moment of wire clamping in the cable end connector,</li> <li>• Prevents reoxidation of the contact area,</li> <li>• Prevents electrolytic corrosion between aluminium and copper wires in one connector,</li> <li>• Provides long-lasting corrosion protection</li> </ul> <p>By using a contact paste before the connection, it is possible to additionally remove oxides from the cable conductor on the entire surface of the aluminium cable conductor, which improves the contact in the connector.</p> <p><b>Physical and chemical properties</b> Physical and chemical properties</p> <p><b>1.1. Information on basic physical and chemical properties</b></p> <p>1.1. Information on basic physical and chemical properties</p> <p><b>Physical state: Paste</b> Physical state: grease, paste <b>Colour: yellow-brown</b> Colour: yellow-brown <b>Odour: characteristic</b> Odour: characteristic</p> <p><b>pH-Value: not applicable</b> pH value: not applicable</p> <p><b>Changes in the physical state</b> Changes in the physical state</p> <p><b>Melting point: not determined</b> Melting point: not determined</p> <p><b>Initial boiling point and boiling range: not determined</b> Initial boiling point and boiling range: not determined</p> <p><b>Pour point: not applicable</b> Pour point: not applicable <b>Flash point: &gt; 220 °C</b> EN ISO 2592 Ignition temperature:&gt; 220 ° C EN ISO 2592 <b>Lower explosion limits: not applicable</b> Lower explosion limit: not applicable <b>Upper explosion limits: not applicable</b> Upper explosion limit: not applicable</p> <p><b>Ignition temperature: not determined</b> Ignition temperature: not determined</p>	25 kg

*bowu* *Zobien*



	<p>Decomposition temperature: No information available.  Decomposition temperature: not determined. Vapour pressure: not applicable. Vapour pressure: not applicable. Density (at 15 °C): 0.92 g/cm<sup>3</sup>  DIN 51757 Density (at 15 ° C): 0.92 g / cm<sup>3</sup> DIN 51757 Water solubility: insoluble Water solubility: insoluble Partition coefficient: not determined  Partition coefficient: not determined Viscosity / dynamic: not determined Viscosity / dynamic: not determined Viscosity / kinematic: not applicable  Viscosity / kinematic: not applicable Flow time: not applicable Flow time: not applicable Vapour density: not determined Vapour density: not determined  Evaporation rate: not determined evaporation rate: not determined</p> <p>1.2. Other information  1.2. Other information  No information available.  No information available.</p>	
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**4. COMMON PROCUREMENT VOCABULARY (CPV):**

- 31712330-2 Semiconductors
- 09211000-1 Lubricating oils and lubricants

**5. DESCRIPTION OF THE CONTRACT PART - IF THE SUBMISSION OF PARTIAL BIDS IS PERMITTED**

The Contracting Entity allows partial bids. In a situation where, for a given part of the contract, no bid is submitted that meets the requirements of the Contracting Entity contained in this Request for Proposal, the Contracting Entity will invalidate the procedure only for this given part of the contract.

**6. CONDITIONS FOR PARTICIPATION IN THE PROCEDURE**

Bidders who fulfil the following conditions may apply for the award of the contract:

- a. Is in a financial position ensuring the execution of the contract.
- b. The Contractor may be excluded from the procedure if it specifies a grossly low price.
- c. A grossly low price is considered in particular when the bid price is 30% lower than the bid value or 30% of the arithmetic average of all bids submitted.
- d. In this situation, the Contracting Entity may ask the Bidder to provide explanations and submit evidence regarding the elements of the bid affecting the price, if
- e. the bid price, in the opinion of the Contracting Entity, appears abnormally low in relation to the subject of the contract and raises its doubts as to the feasibility of implementing the contract
- f. in accordance with the requirements formulated by the Contracting Entity or resulting from separate provisions.

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- g. If the Bidder fails to meet any of the conditions described above, the Contracting Entity may reject the bid. Then the bid will not be evaluated taking into account the criteria for selecting the best bid.
- h. Bidders are also subject to exclusion from the procurement procedure, who:
- Have submitted untrue information that affects the outcome of the procedure,
  - Constitute an entity related to the Contracting Entity, personally or by capital. Capital or personal ties are understood as the relationship between the Contracting Entity or the persons authorised to incur liabilities on behalf of the Contracting Entity or the persons performing activities on behalf of the Contracting Entity connected with carrying out the Contractor selection procedure, and the Contractor, consisting in particular of:
    - Participating in a company as a partner in a civil law partnership or partnership,
    - Owning at least 10% of shares,
    - Acting as a member of a supervisory or management body, a proxy, an attorney,
    - Being the spouses, relatives or in-laws to the second degree or being related by care, adoption or guardianship.

The above condition will be verified on the basis of the Bidder's Statement.

The Contracting Entity reserves the right to verify that the Bidder fulfils this condition on the basis of available knowledge and available documents (for example the NCR).

- i. In the course of the review and evaluation of bids the Contracting Entity may request the Bidders to clarify the content of the bids submitted.
- j. The Bidder shall bear all costs associated with the preparation and submission of the bid.
- k. Bid validity period - at least until 31.03.2018
- l. The Bidder may submit only one bid for each part of the contract
- m. Settlements between the Contracting Entity and the selected Bidder will be carried out in Polish zlotys (PLN/EUR/USD).

## **7. INFORMATION ON THE METHOD OF COMMUNICATION BETWEEN THE CONTRACTING ENTITY AND THE BIDDER AND SUBMISSION OF STATEMENTS AND DOCUMENTS**

In the present procedure, the Contracting Entity allows the parties to submit declarations, applications, notices and information in writing to the address of the Contracting Entity:

ERKO spółka z ograniczoną odpowiedzialnością spółka komandytowa  
Oddział w Czeluśnicy Czeluśnica 80, 38-204 Tarnowiec

## **8. INDICATION OF PERSONS AUTHORISED TO COMMUNICATE WITH BIDDERS**

To communicate with the Bidders, in matters related to the procedure, questions should be directed to the following e-mail address: [dotaciezamowienia.czelnica@erko.pl](mailto:dotaciezamowienia.czelnica@erko.pl), with an indication of the number of the request for proposal and the title of the contract.

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## 9. LOCATION AND DEADLINE FOR THE SUBMISSION OF BIDS

- a. Bids that are a rely to the request for proposal should be submitted only in paper form, in person or via postal operators/couriers in a sealed envelope with the note:

**"Bid for the supply of materials for trials and tests in procedure No. 3/2018/1.1.1/CPK of  
21.02.2018, do not open before  
14.03.2018, 9 am"**

Along with the name and address of the Bidder, to the following address:

ERKO spółka z ograniczoną odpowiedzialnością spółka komandytowa  
Oddział w Czełuńnicy Czełuńnica 80, 38-204 Tarnowiec

- b. Deadline for submission of bids expires on 14.03.2018, at 9 am

The opening of bids will take place on 14.03.2018 at 10 am at the Contracting Entity's office at:  
ERKO spółka z ograniczoną odpowiedzialnością spółka komandytowa  
Oddział w Czełuńnicy Czełuńnica 80, 38-204 Tarnowiec

In the case of bids that will be mailed, the date and time of receipt of the bid at the Contracting Entity's office at the following address counts:

ERKO spółka z ograniczoną odpowiedzialnością spółka komandytowa  
Oddział w Czełuńnicy Czełuńnica 80, 38-204 Tarnowiec

## 10. CANCELLATION OF THE PROCEDURE

The Contracting Entity may cancel the procedure if the price of the best bid exceeds the amount that the Contracting Entity may allocate to finance the contract or the procedure is burdened with a disadvantage preventing the conclusion of a valid contract.

This bidding procedure may be cancelled/terminated without selection of the contractor, as well as annulled both before and after the selection of the best bid, without giving a reason.

In a situation where, for a given part of the contract, no bid is submitted that meets the requirements of the Contracting Entity contained in this Request for proposal, the Contracting Entity will invalidate the procedure only for this given part of the contract.

## 11. DESCRIPTION OF THE METHOD OF PREPARING BIDS:

- a. The bid should be prepared in the Polish language, on a computer, typewriter or by hand with a pen or indelible ink. The bid shall be submitted, under pain of nullity, in writing, the bid price should be expressed in PLN. Prices in EURO are

*Bebien*  
*boni* 

- allowed. The bid expressed in EURO will be converted according to the average NBP exchange rate on the last working day preceding the preparation of the bid.
- b. The bid may be submitted only on the bid form constituting appendix No. 1 to this Request for proposal; Along with the Bid, it is necessary to submit a statement of work in accordance with the specification (minimum technical parameters) specified in Section 3.
  - c. It is recommended that all written pages of the bid and attachments should be sequentially numbered and joined in a permanent manner and signed on each page by the person(s) authorised to make declarations of intent on behalf of the Contractor according to the form of representation specified in the national court register or other document, appropriate for a given organisational form of the Bidder, or by a person authorised by an authorised person, whereas the power of attorney must be attached to the bid.
  - d. The bid should be made in one copy.
  - e. The bid should be consistent with the detailed statement of work.
  - f. The bid should be signed by a person authorised to represent the Contractor,
  - g. The Bidder shall bear all costs associated with the preparation and submission of the bid.
  - h. All attachments required in the request for proposal should be included in the bid.
  - i. The bid should be placed in a closed envelope.
  - j. In the event of formal defects in the bid or clerical or accounting mistakes in the bid, the Contracting Entity may reject the bid.
  - k. Any corrections or changes in the bid must be initialled by the person(s) signing the bid and dated.
  - l. The Contracting Entity shall not be liable for the earlier opening of a bid that is unambiguous and not addressed in accordance with the requirements of this RFP.
  - m. The Contractor places the bid in an envelope marked with the name and address of the Contracting Entity and described in the manner described in Section 10.
  - n. The Contractor may amend or withdraw the tender only before the deadline for submission of bids.

## 12. LIST OF STATEMENTS AND DOCUMENTS TO BE PROVIDED BY CONTRACTOR

IN ORDER TO CONFIRM THE ELIGIBILITY FOR PARTICIPATION IN THE PROCEDURE AND OTHER REQUIRED DOCUMENTS

- a. Bid Form
- b. A detailed technical description, allowing for the appropriate verification of the bid in view of the Contracting Entity's requirements.
- c. A statement about technical resources and the possibility of completing the contract.
- d. In order to demonstrate the absence of grounds for exclusion from the procedure, the Contractor is obligated to submit:
  - Statement of lack of grounds for exclusion,
  - Declaration of no connection with the Contracting Entity,
  - Current excerpt from the relevant business register or the National Court Register,

Documents prepared in a foreign language are submitted together with a translation into Polish (with the exception of the Bid Form and Statements listed in Section 12, which do not have to be translated).

### 13. DESCRIPTION OF CRITERIA WHICH THE CONTRACTING ENTITY WILL TAKE INTO ACCOUNT IN SELECTING A BID, INDICATING THE IMPORTANCE OF THESE CRITERIA

When selecting the best bid for each part of the contract, the following criteria will be taken into account (maximum total score: 100 points):

Compatibility of the bid with the specification - a prerequisite

Criterion	POINTS
Net price in PLN	70
Delivery time	30

- Net price in PLN

By the "Net price in PLN" criterion, the Contracting Entity understands the total net price specified by the Bidder for performing the contract indicated in the bid. The score under the "Net price in PLN" criterion ( $K_c$ ) will be calculated on the basis of the following formula:

$$K_c = (C_n / C_o) \times 70\%$$

Where:

$C_n$  - the lowest proposed net price of the contract

$C_o$  - net price of the contract proposed in the evaluated bid

$K_c$  - number of points awarded to a given bid in the "Net price in PLN" criterion

- Delivery time

By the "Delivery time" criterion, the Contracting Entity understands the number of calendar days counted from the moment of contract award, in which the Supplier will deliver the works under the contract to the address indicated. The score under the "Delivery Time" ( $C_d$ ) criterion will be calculated on the basis of the following formula:

$$C_r = (C_{dn} / C_{do}) \times 30\%$$

Where:

$C_{dn}$  - the shortest proposed delivery time

$C_{do}$  - delivery time proposed in the evaluated bid

$C_r$  - number of points awarded to a given bid in the "Delivery time" criterion

The Contracting Entity grants points under this criterion ( $C_r$ ) to each of the Bidders, in accordance with the date of delivery of the works under the contract proposed by them.

The Contracting Entity, during the evaluation of bids that will not be subject to rejection, will award points in each criterion separately for each part of the contract according to the formulas given above. Bids that meet all the requirements set out in this RFP will be ranked from the least favourable to the most favourable within each



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of the criteria. The bids will then be awarded points in accordance with the methodology for awarding the points described above. In the bidding procedure, the Contractor who will get the highest number of points summed up under all criteria will win. In the event of an equal number of points, the lowest price bid will win.

#### 14. CONTRACT AWARD OR ANNULMENT

- a. The Contracting Entity will award the contract to the Contractor whose bid corresponds to all the requirements specified in this request for proposal and has been assessed as the most advantageous on the basis of the tender criteria specified above.
- b. The Contracting Entity will annul the procedure in particular in the event that the following exemplary conditions occur:
  - No bid was submitted that could not be rejected;
  - Price of the best bid exceeds the amount that the Contracting Entity intends to finance the contract, unless the Contracting Entity may increase that amount to the price of the best bid;
  - There was a significant change in the circumstances causing that conducting the procedure or performance of the contract is not in the interest of the Contracting Entity, which could not have been predicted earlier;
  - The procedure is burdened with an impossible to remove defect that prevents the conclusion of a valid contract.
- c. The Contracting Entity reserves the right to:
  - Cancellation of the procedure at any time;
  - Ending the procedure without choosing the Contractor;
  - Annulment of the procedure, both before and after the selection of the best bid, without giving a reason.
- d. In the cases referred to above in subparagraphs *a*, *b* and *c*, the Contractor shall not be entitled to any claims for damages in relation to the Contracting Entity, nor shall there be any reimbursement of costs related to the preparation and submission of the bid.
- e. After selecting the best bid, the Contracting Entity will publish information about the outcome of the procedure in a way that the RFP has been made public. The procedure described in this section shall apply mutatis mutandis in case of cancellation of the procedure, if bid have been submitted.
- f. The Contracting Entity will additionally place the RFP containing the information indicated in subparagraph *e* on its website.
- g. If the Contractor whose bid was selected, fails to conclude the contract, the Contracting Authority may choose the best bid among the remaining bids, without their re-examination and assessment, unless there are grounds for invalidating the procedure.

#### 15. DETERMINATION OF CONDITIONS FOR CHANGES TO THE CONTRACT CONCLUDED AS A RESULT OF THE PROCEDURE

The Contracting Entity provides for the possibility of changing the provisions of the concluded contract in relation to the content of the bid on the basis of which the contractor was selected in the following scope:





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- a. The contract deadline may change in the following situations:
  - In the event of the Contracting Entity's delay in the finalisation of the contract award procedure;
  - In the event of circumstances independent of the contractor at the justified request of the contractor, provided that this change results from circumstances that the contractor could not have foreseen at the stage of the bid submission and is not at fault; cases of force majeure; recognised by the Contracting Entity as an extraordinary, external event, impossible to prevent (e.g. flood, strikes, riots, administrative and state decisions).
- b. The contractor's remuneration specified in the contract may change in the event of a change in the official rate of VAT or other legal and tax-related circumstances that would affect the final price independent of the contracting entity.

#### 16. ADDITIONAL INFORMATION

- a. The Contracting Entity will inform the Bidder whose bid has been selected about the date of signing the contract, while the date of signing the contract cannot be earlier than the deadline for submitting the application for co-financing in the appropriate institution and will depend on awarding the co-financing to the Contracting Entity.
- b. The Contracting Entity shall immediately, after selecting the best bid, submit to the selected contractor the draft contract specifying the conditions for the performance of the contract.
- c. The Bidders are not entitled to legal protection measures (protest, appeal, complaint) specified in the provisions of the Public Procurement Law.

Prepared by:

*Jarosław Kozłot*  
specjalista ds. dotacji

Checked by:

*Zobu mit  
Zobier*

Approved by:

**Kierownik B+R w projekcie  
Badania Śrubowe**  
*Elżbieta Bożek*  
Dyrektor Oddziału w Czeluśnicy

*Zobier*



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**Appendix to the Request for Proposals No. 3/2018/1.1.1/CPK of 21.02.2018**

**BID FORM**

CONTRACTING ENTITY:

**ERKO spółka z ograniczoną odpowiedzialnością spółka komandytowa**

**ul. ks. Jana Hanowskiego 7, 11-042 Jonkowo NCR 0000692932, Tax**

**No. 7390204693**

formerly:

Zakłady Metalowe ERKO R. Pętlak spółka jawna Bracia Pętlak based in Jonkowo NCR

0000083869, Tax No. 7390204693

Contractor's (company) name -

Headquarters address -

Address for correspondence -

Tel. - .....; fax - .....

*Handwritten signatures in blue ink: "Konu", "Zobier", and a stylized signature.*



E-mail:.....;

Tax No. -; Statistical No. -;

**Referring to the request for proposals and specification announced to select the Contractor for the supply of materials for trials and tests for ERKO spółka z ograniczona odpowiedzialnością spółka komandytowa:**

We offer the implementation of the following parts of the contract:

Part No.	Part name	Quantity kg	Net value (PLN/EUR/USD)*	VAT due (%)	Gross value (PLN/EUR/USD)*	Delivery deadline (calendar)
I	GRAPHENE					
II	GREASE/PASTE					

\*delete as appropriate

- We offer a payment deadline of up to..... \* days counted from invoice delivery, respectively for the requirements set out in the request for proposal and specifications,
- We declare that we meet the requirements set out in the request for proposal and specification and that we have read the request for proposal and specification and consider ourselves to be bound by the conditions and rules of conduct set out therein,
- We declare that we consider ourselves bound by this bid for the time indicated in the request for proposal and specification, i.e. ....\* days from the date of its opening,
- We declare that we offer the subject of the contract in accordance with the requirements and conditions described and specified by the Contracting Entity in the request for proposal and the specification.
- We declare that we offer the following device (designation - proper name, type or grade or model or symbol, etc., manufacturer):

I.....\*

II.....\*

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***Appendixes to the bid form are:***

Appendix No. 1:

Statement of lack of grounds for exclusion;

Appendix No. 2:

Declaration of no connection with the Contracting Entity;

Appendix No. 3:

A statement about technical resources and the possibility of completing the contract;

Appendix No. 4:

Current excerpt from the relevant business register;

***Attention! The Contractor is obligated to fill in places dotted and/or marked with "\*" in the bid form template and models of its appendixes, in accordance to their contents.***

*City date 2018*

*(stamp and signature of the person authorised to make  
declarations of intent on behalf of the Contractor)*

*Bonin Zabian*



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*Appendix No. 1 to the bid form*

(Contractor's company stamp)

### STATEMENT OF LACK OF GROUNDS FOR EXCLUSION

By submitting a bid in the procedure to select the Contractor for the supply of **materials for trials and tests** for **ERKO spółka z ograniczoną odpowiedzialnością spółka komandytowa, ref. no.: 3/2018/1.1.1/CPK**, I declare that **I am not subject** to any exclusion from the award procedure pursuant to **Article 24 of the Act of 29 January 2004 - Public Procurement Law**.

*City date 2018*

*(stamp and signature of the person authorised to  
make declarations of intent on behalf of the  
Contractor)*

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**Appendix No. 2 to the bid form**

(Contractor's company stamp)

**DECLARATION OF NO CONNECTION WITH THE CONTRACTING ENTITY**

By submitting a bid in the procedure to select the Contractor for the supply of **materials for trials and tests** for **ERKO spółka z ograniczoną odpowiedzialnością spółka komandytowa, ref. no.: 3/2018/1.1.1/CPK**, I declare that I am not subject to exclusion from the award procedure based on the following entries in accordance with the *Guidelines on the eligibility of expenditure in the field of the European Regional Development Fund, European Social Fund and Cohesion Fund for 2014-2020 (Horizontal guidelines)* and *Guidelines on eligibility of expenditure under the Intelligent Development Operational Programme 2014-2020 (Programme Guidelines)*,

"In order to avoid conflicts of interest, the contract may not be awarded to entities affiliated personally or financially with the contracting entity. Capital or personal ties are understood as the relationship between the contracting entity or the persons authorised to incur liabilities on behalf of the contracting entity or the persons performing activities on behalf of the contracting entity connected with carrying out the contractor selection procedure, and the contractor, consisting in particular of:

- Participating in a company as a partner in a civil law partnership or partnership,
- Owning at least 10% of shares,
- Acting as a member of a supervisory or management body, a proxy, an attorney,
- Being the spouses, relatives or in-laws to the second degree or being related by care, adoption or guardianship."

City date 2018

(stamp and signature of the person authorised to  
make declarations of intent on behalf of the  
Contractor)



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**Appendix No. 3 to the bid form**

(Contractor's company stamp)

**STATEMENT ABOUT TECHNICAL RESOURCES AND THE POSSIBILITY  
OF COMPLETING THE CONTRACT**

By submitting a bid in the procedure to select the Contractor for the supply of **materials for trials and tests** for **Zakłady Metalowe ERKO spółka z ograniczoną odpowiedzialnością spółka komandytowa**, ref. no.: **3/2018/1.1.1/CPK**.

**I declare that I have the appropriate technical resources and capabilities to implement the aforementioned contract.**

*City date 2018*

*(stamp and signature of the person authorised to make  
declarations of intent on behalf of the Contractor)*

*biu* *Bebien* *W*

