

Opole, 28 June 2022 r.

INQUIRY
NO. 35-EX/TECHMATSTRATEG/2022

In relation to the implementation of the Project „Development of low-waste explosive cladding technology and processing technology of multilayer, high strength, light and super light materials with reactive and functional layers as well as plates cladded explosively with reactive metals and its alloys.” National Research and Development Center under the Strategic Research and Development Program "Modern Material Technologies" TECHMATSTRATEG - Co-contractor - **EXPLOMET Gałka, Szulc Spółka Komandytowa** invites you to submit offers for the purchase of the necessary materials to conduct tests and research in the project.

Code CPV:

14791000-2– Niobium

I. NAME AND ADDRESS OF THE CONTRACTING PARTY

EXPLOMET GAŁKA, SZULC SPÓŁKA KOMANDYTOWA

Registered address: ul. Oświęcimska 100 H; 45-641 Opole

Tax Identification Number (NIP): 7540136994

Website: <http://www.explomet.pl>

Email address: biuro@explomet.pl

Phone no: +77 451 78 17

II. PLACE OF PUBLICATION

The inquiry was made public by:

- placing an inquiry on the Co-Contractor's website, i.e. on <http://www.explomet.pl>
- placing in its seat at ul. Oświęcimska 100 H; 45-641 Opole
- sending to 3 potential suppliers of goods and services
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III. CONTRACT AWARD PROCEDURE

1. This procedure is conducted on the terms set out in § 15 of the contract for the execution and financing of a project implemented under the Strategic Program of Scientific Research and Development Works „Modern material technologies “TECHMATSTRATEG and § 12 of Annex 2 to the contract” General conditions for the implementation of the project 1/12016 “. This request for quotation does not apply to the Act of 29 January 2004 Public Procurement Law – (Journal of Laws of 2017, . item 1579).
2. In matters not regulated, mandatory provisions of law shall apply, in particular the Act of 23 April 1964 Civil Code (Journal of Laws 1964.16.93, as amended).
3. Personal data provided to the contracting authority in the course of the procedure will be processed in accordance with the provisions of Regulation (EU) 2016/679 of the European

Projekt „Opracowanie nisko – odpadowej technologii platerowania wybuchowego oraz technologii przetwarzania wielowarstwowych, wysokowytrzymałościowych materiałów lekkich i superlekkich z warstwami reaktywnymi i funkcjonalnymi oraz blach platerowanych wybuchowo metalami reaktywnymi i ich stopami”

współfinansowany przez Narodowe Centrum Badań i Rozwoju

w ramach Strategicznego programu badań naukowych i prac rozwojowych „Nowoczesne technologie materiałowe”

TECHMATSTRATEG

TECHMATSTRATEG2/412341/8/NCBR/2019

Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46 / EC (general regulation on data protection) (Journal of Laws UE L 119 of 04.05.2016, p. 1). Detailed information in this regard can be found in attachment 1.

IV. ORDER DESCRIPTION

- The subject of the contract is the purchase of the necessary materials to conduct tests and research in the project, including:

LP	Material name	Parameters
1.	NIOB / ASTM B-393 UNS R04200 Type 1	<ul style="list-style-type: none"> ▪ Grade of material: ASTM B-393 UNS R04200 Type 1 ▪ Thickness (mm) –0,5 mm ▪ Width (mm) – 1000 mm ▪ Length (mm) – 1000 mm ▪ Quantity –1 pc. ▪ Tensile test according to ASTM B393 : transverse to rolling direction <ul style="list-style-type: none"> ○ Rm min 125 Mpa ○ A min. 20%

The materials referred to in the subject of the order must have Certificate 3.1 in accordance with EN 10204: 2006, which will be delivered with the material.

Any wording used to describe the Subject of the Order that may indicate a specific manufacturer / supplier has been used only and exclusively to define the minimum technical requirements that the Ordering Party expects for the Subject of the Order.

Whenever the content of the Inquiry, the Ordering Party indicates trademarks, patents or the origin of products, the Ordering Party allows for the offering of equivalent solutions, which will be the same or not worse in terms of technical parameters and functionality than the assortment named by the Ordering Party.

In order to confirm that the offered equivalent subject of the contract meets the requirements specified by the Ordering Party, the Ordering Party requires the submission of the technical specification for the offered equivalent products together with the offer initialed or signed by the Contractor.

V. DESCRIPTION OF BID CRITERIA AND EVALUATION

- All offers received by the Ordering Party in response to the Inquiry will be verified for compliance with the Subject of the Order.

2. An offer that will not be consistent with the indicated subject of the contract and its parameters, or one that will be presented in a form that prevents verification of this information, will be rejected as inconsistent with the subject of the contract.
3. **The Ordering Party allows submitting partial offers.**
4. **The Awarding Entity does not allow the submission of variants.**
5. The contracting authority will evaluate the offers that:
 - a. were submitted on time,
 - b. are consistent with the Subject of the Order,
 - c. The Ordering Party confirms that the Bidder meets the requirements in terms of experience and potential in accordance with the provisions of point VI "Conditions for participation in the procedure".
5. **The evaluation of offers will be made separately for each item of the subject of the contract from items 1.**
6. **The scoring of offers will be made on the basis of the following criterion:**

Criterion - Price for 1 kilogram of material (maximum number of points = 100)

7. In the criterion - Price for 1 kilogram of material - the highest number of points (100) will be awarded to the offer with the lowest net price for 1 kg of material, and each subsequent one according to the formula:

The lowest price for 1 kg of material

_____ x 100 = Number of points

The price offered by the company - the tenderer for 1 kilogram of material

In the process of estimating the value of the contract, the tenderer is obliged to include in his calculation all costs / terms related to the contract, i.e. delivery costs, additional certificates, if it is necessary to actually bear them.

The contractor will issue an invoice based on the actual weight of the delivered material, which will be multiplied by the price for 1 kilogram of material in accordance with the offer presented - which will be the total value of the contract.

8. The bidder or tenderers (the possibility of submitting partial bids) will be the winner in the bidding procedure, who will obtain the highest number of points for individual items of the subject of the contract from 1 to 2.

If the bidders receive the same number of points and provide the same lowest net price, the Awarding Entity will request these entities to resubmit their price offers by e-mail to the address provided by the Bidder in Attachment 2 to the Offer.

V. CONDITIONS FOR PARTICIPATION IN THE PROCEDURE

1. Any entity with technical and organizational capacity to perform the subject of the contract may apply for the performance of the contract.
 - a) The entity applying for the contract performance must meet the following conditions:
 - b) It is not a related entity or a subsidiary, jointly dependent or dominant entity in relation to the Ordering Party or Co-Ordering Party within the meaning of the Accounting Act of 29 September 1994 (Journal of Laws of 2017, item 2342, as amended)
 - c) It is not an entity with the Ordering Party, Co-Ordering Party or members of their bodies in such a factual or legal relationship that may raise justified doubts as to the impartiality in choosing a supplier of goods or services, in particular being married, kinship or affinity to the second degree inclusive, the relationship of adoption, guardianship or guardianship, also through membership in the bodies of the supplier of goods or services.
 - d) It is not a related entity or a partner entity in relation to the Ordering Party or a Co-Ordering Party within the meaning of Regulation No. 651/2014;
 - e) It is not an entity related personally to the Ordering Party or a Co-Ordering Party within the meaning of Art. 32 sec. 2 of the Act of March 11, 2004 on tax on goods and services (Journal of Laws of 2017, item 1221, as amended).
2. The Ordering Party requires the Contractor to submit a declaration of the absence of the above-mentioned connections, constituting Appendix 3 to the Inquiry.
3. In the case of the connection referred to in point 2. the tenderer may be selected as the Contractor only if it is economically or expediently justified, and after obtaining the written consent of the Research and Development Center.
4. A tenderer applying for the contract performance is obliged to fulfill the information obligations provided for in Art. 13 or article. 14 of the GDPR (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016) towards natural persons from whom personal data has been obtained directly or indirectly in order to apply for a contract in this procedure.
5. All additional costs related to the submission of the offer are borne by the Bidder.
6. Bidders participate in the bidding procedure at their own risk and expense, and are not entitled to any claims arising from the Ordering Party's withdrawal from the bidding procedure.

VI. WAY OF PREPARING AND SUBMITTING OFFERS

1. The offer should be prepared in accordance with the recommendations described in the Inquiry and the templates (attachments) presented by the ordering party, and should contain information and data specified in these documents. Amendments in the offer (strikethrough, modification, supplementing, overwriting, adding, using proofreader, etc.) must be legible and signed by the person / persons authorized to represent the contractor.
2. **The submitted offer and attachments must be signed by persons authorized to represent the entity.**
3. The offer should refer to all the criteria for selecting the offer.
4. **The tender validity period is 7 calendar days.**
5. The value of the offer must be presented in net amounts.
6. In the event of providing any amounts in foreign currencies, the Ordering Party shall convert these amounts into PLN according to the average exchange rate of the National Bank of Poland in force on the date of the Inquiry.
7. Any documents included in the offer, including those presented in the form of originals, shall not be returned by the Ordering Party.
8. Each bidder may submit only one offer.
9. The tenderer may introduce changes to the submitted offer or withdraw it, provided that he does so before the deadline for submission of tenders.
10. The offer may be delivered in one of the acceptable forms:
 - a. in writing: by post, courier or submitted in person to the address of the Ordering Party (the date of receipt at the registered office of the Ordering Party is counted):
EXPLOMET GAŁKA, SZULC SPÓŁKA KOMANDYTOWA; ul. Oświęcimska 100 H; 45- 641 Opole until 06.07.2022
 - b. in electronic form - a scan of documents sent to the e-mail address:
biuro@explomet.pl; grzegorz.kwiatkowski@explomet.pl until **06.07.2022**
 - c. by fax to 77 456 25 11 until **06.07.2022**
11. Offers submitted after the deadline will not be considered

VII. RESOLUTION OF THE TENDER PROCEDURE

1. In cases where it turns out to be necessary, the Ordering Party has the right to ask the tenderer once to supplement the submitted offer. The contracting authority also has the right to correct obvious errors on its own. In cases when it turns out to be necessary, the Ordering Party has the right to ask the bidder for additional explanations to the submitted offer, including requesting additional documents verifying the qualifications and experience of the bidder.
2. The Ordering Party reserves the right to extend the deadline for submitting offers and cancel the inquiry (in whole or in part) without giving any reason and without bearing any legal and financial consequences

3. The contracting authority reserves the right to cancel the procedure at any stage without giving any reason.
4. In justified cases, the Ordering Party may, before the deadline for submitting tenders, modify the content of the inquiry by setting a new deadline for submitting tenders, not shorter than 7 days. Any modifications, additions and arrangements as well as changes, including changes of dates, become an integral part of the inquiry and will be binding when submitting offers. All rights and obligations of the Ordering Party and Tenderers in relation to the previously agreed dates will be subject to the new date. In this case, each of the tenderers will have the right to update the already submitted tender and will be informed about this fact. This does not apply to irrelevant corrections to the content of the inquiry.

VIII. CONTACT WITH THE ORDERING PART

The person authorized by the Ordering Party to contact the Bidders is **Mr. Grzegorz Kwiatkowski**, tel.: **+48 795 617 091**, e-mail: grzegorz.kwiatkowski@explomet.pl

IX. ATTACHMENTS

1. Attachment No. 1: Information clause under Art. 13 GDPR to be used by ordering parties for purposes related to the procurement procedure.
2. Attachment No. 2 Offer form
3. Attachment No. 3: Statement about the lack of capital and personal connections.