

Specification of essential terms of the order

Order No.: 165

Order Name: Components and parts for vacuum deposition line. Part II

Date: 10/08/2020

1 Name of the purchaser

The Batteries Sp. z o.o.
Pl. Kilińskiego 2
35-005 Rzeszów

Contact person: Iaroslav Korolenko

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www.thebatteries.tech

2 Order Title

Components and parts for vacuum deposition line. Part II

3 Order Purpose

The purpose of the order is to purchase the components and parts for vacuum deposition line (part II).
The components and parts for vacuum deposition line (part II) will be part of the implemented project "Pilot TFB line".

4 Order Item Description

The subject of the order is the delivery to the plant of the Ordering Party in Jasionka the components and parts for vacuum deposition line (part II).

Detailed technical description of the object of the order is in attachment to this inquiry.

5 The term of the contract

The deadline for delivery of the subject of the order – 12/31/2020

6 Conditions for participation in the procedure and a description of how to assess their compliance

6.1 Permission to perform a particular activity

The ordering party does not specify the conditions in this range.

6.2 Technical potential

The ordering party does not specify the conditions in this range.

6.3 Economic and financial situation

The ordering party does not specify the conditions in this range

6.4 Additional Terms

1. The Contractor, who meet the condition of participation in the proceedings regarding the lack of grounds for exclusion from the public procurement procedure in the circumstances referred to in point 9. of this document, may apply for the award of this contract.

2. The evaluation of meeting the conditions for participation in the proceedings will be made on the basis of statements and documents submitted in the offer to confirm compliance with the conditions for participation in the proceedings.
3. The Contractor is obliged to demonstrate, no later than on the day of submitting bids, compliance with the conditions and no grounds for exclusion, as indicated by the contracting party.
4. The Ordering Party, in case of errors or omissions in the documents confirming the fulfillment of the conditions for participation in the procedure, will ask the Contractor to supplement them specifying the time for its completion not shorter than 5 calendar days. Failure to supplement the documents or supplement them in a way that does not allow compliance with the conditions for participation will result in rejection of the offer.
5. The contractors, who fail to demonstrate compliance with the conditions for participation in the procedure and the Contractor against whom the exclusion conditions occur, will be excluded from the contract award procedure. Contracts will also be excluded from the contract award procedure who:
 - performed activities directly related to the preparation of the proceedings or used to prepare an offer with persons participating in these activities, unless the participation of these contractors in the proceedings would not hinder fair competition;
 - submitted false information that has an impact or may affect the outcome of the proceedings;
 - they have not documented compliance with the conditions for participation in the proceedings;
 - did not submit explanations to the Ordering Party questions asked during the offer evaluation.

7 Criteria for the evaluation of offers, information on the point or percentage weights assigned to each criteria and a description of how the scoring is awarded for the fulfilment of the tendering criterion.

- 1) In the evaluation, participation will be taken by non-rejected offers submitted by Contractors not excluded from the subject proceedings
- 2) Offers will be rated by the ordering party based on the following criteria and their importance

<i>Lp.</i>	<i>Criterion</i>	<i>Significance of the point (point.)</i>
1.	<i>Price (C)</i>	80
2.	<i>The term of delivery (T)</i>	20

- 3) The final rating of each of the offers will be calculated according to the formula:

$$W = C + T$$

Where:

W – Final rating

C,T – the number of points obtained by the evaluated (tested) offer

The offer can get the maximum number of points: 100 points.

- The evaluation of offers according to the criterion No. 1 "Price" will be carried out in accordance with the following formula:

$$C = (C_n / C_o) \times 80 \text{ points}$$

Where:

C - number of points obtained by the evaluated (tested) offer

C_n - the lowest offer price from among valid offers

C_o - the price of the offer being evaluated (tested)

Note:

In the scope of criterion No. 1, for the comparison and evaluation of offers, the gross price quoted by the contractor in the offer will be taken into consideration.

The lower the price, the better the offer.

- The evaluation of offers according to the criterion No. 2 " The term of the delivery (T)" will be carried out in accordance with the following formula:

Term of delivery	Number of points
To 11/30/2020 inclusive	20
From 12/01/2020 to 12/14/2020 inclusive	10
From 12/15/2020 to 12/31/2020 inclusive	0

The shorter term of making the device available the better offer.

8 Place, form and date of submission of offers

1. Offer must be submitted by **10/16/2020 at 9:00 a.m. (polish time) by email – info@thebatteries.org**
2. The date of submitting the offer shall be the date of its receipt to the Ordering Party. Offers that fall after the deadline set for the submission of bids will not be considered.
3. Each Contractor may submit only one offer. The ordering party does not allow variant. Submission by the Contractor of more than one offer and / or variant offer will result with rejection of all submitted offers.
4. The offer must be accompanied by documents confirming that the Contractor meets the conditions described in point 6 of this inquiry.
5. Offers and all documents included in it must be submitted in English. In the case of foreign-language documents, they should be translated into English. The ordering party does not require a sworn translation. The Contracting Authority recommends to fill in the offer form with a computer or machine letter.
6. The offer is recommended to submit with the price expressed in EUR.

9 Information on the prohibition of personal or capital ties

Offers within the framework of the conducted proceedings can't be submitted by the Contractor related to the Ordering Party in person or in capital.

By capital or personal ties, it is understood that the relationship between the beneficiary or the persons authorised to bind the beneficiary or the persons acting on behalf of the beneficiary to act in connection with the perform the selection procedures of the contractor and the contractor, consisting in particular of :

- a. Participating in the company as a partner in a civil partnership or partnership
- b. Owning at least 10% of shares or stocks, if the lower threshold is not provided for by law or has not been specified by the managing authority,
- c. Performing the function of a member of the supervisory or management body, proxy, attorney,
- d. Remaining in marriage, in relation to kinship or kinship in a straight line, second degree affinity or second degree affinity in the lateral line or in relation to adoption, care or guardianship.

10 Determining the terms and conditions of significant changes to the contract concluded as a result of the procurement procedure.

The terms of contract amendment, if provided, have been included in the text of the contract attached to this description of the subject of the contract.

11 Information about the possibility of submitting partial offers

The Purchaser allows partial offers.

12 Description of how to present variant offers and the minimum conditions that variant offers must meet, along with selected assessment criteria, if the ordering party requires or permits their submission

The ordering party does not allow variants. Each Contractor may submit only one offer. Submitting more offers will result in the rejection of all offers submitted by the Contractor.

13 Information about planned supplementary orders

The contracting party does not provide for supplementary orders under these proceedings.

14 Information on the method of communication of the contracting party with the contractors and persons entitled to communicate with the contractors

1. The persons authorized by the contracting authority to respond to this inquiry are:
 - a. Iaroslav Korolenko
2. Questions on this inquiry may be made only in writing or by e-mail to info@thebatteries.org
3. Questions asked in another way will not be answered by the ordering party
4. Questions to the content of the enquiry:
 - a) The Contractor may request the orderer to clarify the contents of the Specification of Essential Terms of Contract. The ordering party is obliged to provide explanations immediately, but not later than 2 days before the deadline for submission of tenders, provided that the request for clarification of the terms of the contract has been received by the orderer no later than the end of the half of the deadline for submission of bids.
 - b) If the application for clarification of the content of the specification of essential terms of the contract was received after the deadline for submitting the application referred to in point a), or concerns explanations given, the orderer may provide explanations or leave the application without consideration.

- c) Extending the deadline for submission of offers does not affect the time of submission of the application referred to in point a)
 - d) The content of the inquiries with explanations will be provided by the Contracting Authority to the Bidders to whom this inquiry was submitted, without disclosing the source of the inquiry and providing answers on the website on which the query was made available
 - e) The Ordering Party reserves the right not to answer the questions provided to it in a manner different than described above, in particular the Employer does not answer questions via the telephone
5. Changes in the content of the query:
- a) In particularly justified cases, the Ordering Party may at any time, before the deadline for submission of tenders, modify the content of this inquiry. Modifications made in this way will be published on the website on which this query was made available.
 - b) Modifications are always binding for Tenderers
 - c) The contracting authority may extend the deadline for submitting tenders, taking into account the time necessary to introduce changes in the offers resulting from modification of the content of this inquiry. The Purchaser informs about the extension of the deadline for submitting offers by publishing the relevant information on the website on which he made this inquiry available.

15 Other provisions

1. The Ordering Party reserves the right to cancel the proceedings if one of the following circumstances occurs:
 - a. no offer has been submitted,
 - b. the price of the best offer or the offer with the lowest price exceeds the amount that the contracting party intends to spend to finance the contract, unless the orderer can increase this amount to the price of the best offer
 - c. there is a significant change in circumstances that makes conducting proceedings or performing the contract not in the public interest, which could not have been foreseen earlier,
 - d. the proceedings are burdened with an impossible to remove defect that makes it impossible to conclude a non-annulment agreement on the public procurement,
 - e. In other cases, on the basis of a decision of the contracting authority.
2. The bid bond - in the present proceedings is not required.

16 Attachments

- 1) Description of the Subject of the Order
- 2) Offer template
- 3) Contract template