

Inquiry No. 2/2019

for acquisition of unpatented technical knowledge in the form of results of research and development works on obtaining products manufactured in MIM technology in the aspect of a given dimensional tolerance of the product and with appropriate metallographic sections.

Date of creating the inquiry: June 11, 2019

Company name and address:

LABORATORIUM-EXPERTEAM Sp. z o. o.

Street: Żurawia 71A

15-540 Białystok

Taxpayer Identification Number (NIP): 9662113340

I. Inquiry description:

Inquiry description: acquisition of unpatented technical knowledge in the form of results of research and development works on obtaining products manufactured in MIM technology in the aspect of a given dimensional tolerance of the product and with appropriate metallographic sections.

The MIM technology is based on the combination of two commonly used processes - injection molding of thermoplastics and classical metallurgy. As a result of MIM technology, we can obtain products from metal powders of very small dimensions, complex shapes and high quality of the final surface. Products manufactured in this technology are dedicated mainly to such industries as specialized medicine, automotive, military and space sectors.

The detailed scope of the subject of the inquiry includes:

The procurement includes the presentation by the Contractor of the results of research and development works, which in effect will enable manufacturing parts in the MIM technology with a specified dimensional tolerance and with appropriate metallographic sections.

The procurement should be processed in the following order:

1. Presentation of the research and development environment, as the output base for obtaining product samples, i.e. the active technological process, during which product samples are created with the specified dimensional tolerance and with proper metallographic sections.
2. Selection of research samples.
3. Dimensional tolerance test and metallographic sections analysis for selected samples.
4. Presentation of test results together with conclusions.
5. Written analysis of the transfer of unpatented technical knowledge in Polish, optionally in English, where the analysis in the digital version and in the form of a printout should contain:
 - Description of research and development activities leading to obtaining samples, taking into account the assumptions of obtaining a given dimensional tolerance and appropriate metallographic sections.
 - Description of the material from which the samples were made.
 - Description and photographs of the infrastructure on which the tests were carried out, including machinery, equipment, peripherals and injection mold.
 - Description of the parameters of the manufacturing process.
 - Description of the technological operations that led to the production of samples.
 - Description of measurements and obtained test results.
 - Conclusions from the conducted research.
 - Time and place of conducted research.



The Contractor uses the own construction and technological documentation of the product for the need to implement the inquiry at his own expense.

To transfer unpatented technical knowledge, the Contractor at its own expense provides infrastructure, including furnaces, injection molding machines, injection molds, peripherals and provides experienced specialists conducting research and development.

CPV code and name: 7310000-3 Research and experimental - development services

II. Criteria for the offer evaluation together with the determination of point / percentage weights assigned to each of the criteria:

Criteria for the offer evaluation together with the determination of point / percentage weights assigned to each of the criteria: 100 PTS

III. Description of the method of awarding points for fulfilling a given offer evaluation criterion:

Points for the criterion of "net price for the procurement" - will be calculated according to the following formula:

The assessment under the "Net price" criterion (Kc) will be calculated on the basis of the following formula:

$$Kc = (Cn/Co) \times 100 = \dots \text{ pts}$$

where:

Cn – the lowest suggested net price

Co – net price proposed in the tested offer

Kc – the number of points awarded to a given offer in the "Net price" criterion

The maximum number of points possible to get is 100. The final result of the above action will be rounded to 2 decimal places.

If the price of the offer seems to be grossly low in relation to the subject of the procurement and raise the Contractor's doubts as to the feasibility of performing the contract in accordance with the requirements specified by the Procurer or resulting from separate regulations, in particular will be 30% lower than the procurement value or the arithmetic average price of all submitted offers, the Procurer may request clarification, including submission of evidence regarding the elements of the offer affecting the price.

The Procurer will reject the offer of the Contractor who did not submit explanations or if the assessment of the explanations along with the provided evidence confirms that the offer includes a grossly low price in relation to the subject of the order.

IV. The date and manner of submitting offers:

The deadline for submitting offers is June 19, 2019, until 15:00

1. The offer in Polish or English must be prepared in the form of a scan to the following e-mail address: pawel@e-experteam.com or in paper version on attached form.
2. The offer must be signed by the Contractor and all its pages must be initialed.
3. The complete offer must include:
 - a) The Application Form filled in accordance with the inquiry, as per Appendix 1 to this inquiry.
 - b) Power to act on behalf of the Contractor (if applicable).
 - c) Declaration of compliance with the conditions for participation in the proceedings (Appendix 2).
 - d) Declaration of no personal or capital link (Appendix 3).
4. The offer in paper form should be delivered do the Procurer's office by post, in person or by courier, by the deadline of 19.06.2019 until 15:00.

Company adress:

LABORATORIUM-EXPERTEAM Sp. z o.o.



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5. Offers delivered after this date or prepared not in accordance with the description will not be considered.
6. The offer in a sealed envelope with a note:
„Inquiry No. 2/2019 should not be opened before: 19/06/2019 until 15:00” should be delivered to the Procurer’s office.
7. Procurer does not send back sent offers.
8. Each Contractor may submit only one offer.
9. Procurer prohibits any modification of the content of documents, except for places used to complete the offer.
10. The offer requires the signature of persons authorized to represent the submitting entity in accordance with the statutory requirements. If the offer is signed by another person, the Contractor is obliged to submit a relevant power along with the offer.
11. Any deviation from the above described way of preparing the offer is tantamount to its rejection, due to failure to meet the formal criteria.
12. The Contractor shall bear all costs of preparing and submitting the offer.
13. Procurer allows submission of offers in the following currencies: PLN, USD, EUR.
Procurer in relation to offers in currencies other than PLN will apply the exchange rate for conversion - the average NBP of 19/06/2019.

V. The deadline for the contract:

October 30, 2019r

VI. In the tender procedure, entities affiliated personally or capitalally with the Procurer may not participate.

By capital or personal connections is meant the interconnection of the Procurer or persons authorized to incur liabilities on behalf of the Procurer or persons performing on behalf of the Procurer activities related to the procedure of Contractor selection and the Contractor - Bidder, consisting in particular of:

- a) participating in the company as a partner in a civil partnership or partnership,
- b) possessing at least 10% of shares or stocks, unless the lower threshold is provided for by law or has not been specified by the MA in the program guidelines,
- c) performing the function of a member of the supervisory or management body, proxy or attorney,
- d) marital relationship, second degree affinity or second degree affinity in the lateral line or in relation to adoption, guardianship.

VII. Conditions for significant changes to the contract concluded as a result of the contract award procedure:

1. The Procurer provides for the possibility of changing the provisions of the concluded contract in relations to the content of the offer on the basis of which the Contractor was selected, in the event of occurrence of at least one of the circumstances listed below, taking into account the terms of their introduction:
 - 1) **Change in the current tax rate on goods and services (VAT)** – if the change in the rate of value added tax (VAT) will result in an increase in the cost of contract performance on the part of the Contractor, the Procurer allows the possibility of increasing the remuneration by an amount equal to the difference in the amount of tax paid by the Contractor;
 - 2) **Changing the way of settling the contract or making payments to the Contractor** – e.g. as a result of changes to the contract for co-financing the project or changes in the guidelines for the implementation of the project;
 - 3) **Extension of the deadline for contract performance in the event of force majeure** – „force majeure” are natural disasters, hurricane, flood, transport disasters, fire, explosions, war and other extraordinary



events whose existence lies beyond the reach and control of the parties („force majeure” – is (a) external, (b) – impossible or almost impossible to predict, (c) whose effects can not be prevented);

- 4) **Extending the deadline for contract performance due to delays related to the execution of preparatory works by the Procurer;**
- 5) **In each case when the change is beneficial for the Procurer** – e.g. it shortens the deadline for contract performance.

Amendments to the provisions of the concluded contract require for their validity a written form in the form of an annex, signed by both parties.

VIII. Information about the possibility of submitting partial offers:

The Procurer does not allow partial offers.

IX. Description of how to present variant offers:

The Procurer does not allow variant offers.

X. Additional information and requirements of the Procurer

Conditions for participation in the proceedings (formal criteria):

1. **Persons affiliated with or entrusted with the Procurer** may not participate in the proceedings. If the Contractor will be personally or capital-related with the Procurer, the Contractor will be excluded from the proceedings. Confirmation of the absence of personal or capital ties is submission by the Contractor of a declaration on the lack of personal or capital ties (Appendix 3).
2. The Bidder's statement regarding any works that will be created during the execution of the order (Appendix 4).
 - The Contractor declares that as part of the value of the contract, he transfers to the Procurer proprietary copyrights to all works created for the need to perform the contract, including studies, digital recordings, photographs and research documentation without any restrictions on their use.
 - The Contractor declares that the works created during the execution of the Order will not be burdened with any claims and other rights of third parties.
 - The Contractor declares that the works will be performed in person.
3. Required Contractor's experience
Only Contractors who have human resources capable of performing the subject of the order described in the inquiry can apply for the contract award, ie the Contractor should have documented experience in research and development related to MIM technology. Required experience is at least 3 research and developments works concerning the MIM technology. Confirmation of the required experience of the Contractor is submission by the Contractor of the list of experience (Appendix 3).
4. Ability to implement the subject of the contract.
The Contractor is obliged to submit a statement that he has the necessary knowledge and experience in the scope of supplies or services included in the inquiry and has the actual ability to perform the contract including the rights, technical and personal resources necessary to perform this contract.

Failure to meet any of the formal criteria results in the exclusion of the entity applying for the order from further proceedings.

Processing of personal data

The clause applies in particular:

- contractor who is a natural person,
- contractor who is a natural person conducting sole proprietorship



- the proxy of the contractor being a natural person of a managing body of the contractor, who is a natural person,
- a natural person aimed at preparing and conducting a public procurement procedure.

Based on regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) we inform:

- a. the data administrator is LABORATORIUM-EXPERTTEAM Sp. z o.o., ul. Żurawia 71A, 15-540 Białystok;
- b. Personal data will be processed in order to carry out the Research Service related to the implementation of the project covered by the contract concluded by the Procurer with Podlaska Fundacja Rozwoju Regionalnego.
- c. recipients of your personal data will be persons or entities to whom the documentation of the proceedings in connection with the implementation of the project under RPOWP will be made available
- d. personal data will be processed for the period necessary to implement the abovementioned with regard to retention periods specified in separate regulations, including archival provisions.

The legal basis for data processing is art. 6 sec. 1 lit. b) of abovementioned regulation.

The data subject has the right to:

- access to your personal data related to art. 15 GDPR;
- the right to rectify your personal data related to art. 16 GDPR
- the right to request the administrator to restrict the processing of personal data, subject to the cases referred to in art. 18 sec. 2 GDPR based on art. 18 GDPR
- bring a complaint to the President of the Office for Personal Data Protection, if you decide that the processing of personal data concerning breaches of GDPR regulations;

you are not entitled to:

- the right to delete personal data in connection with art. 17 sec. 3 b, d or e GDPR
- the right to transfer personal data referred to in art. 20 GDPR;

the right to object, to the processing of personal data pursuant to art. 21 GDPR

Additional information:

1. The Procurer reserves the right, before the deadline for submitting bids, to change the inquire without providing a reason and to annul the proceedings at any stage of the proceedings.
2. The Procurer reserves the right to cancel the inquiry at any stage of the proceedings in the event of receiving a negative response from Podlaska Fundacja Rozwoju Regionalnego regarding the inclusion of costs related to the subject of the contract to the eligible costs of the project.
3. In the case of cancellation of the proceedings, the Contractor shall not be entitled to a claim against the Procurer.
4. Each Bidder has the right to ask the Procurer to clarify the content of the inquiry.
5. With the selected contractor, the Procurer will conclude the contract on terms provided by the Procurer.
6. The Contractor will be informed by phone or e-mail about the date and place of signing the contract.
7. If the Contractor, whose offer has been chosen, evades signing the contract, the Procurer may choose the most advantageous offer from among the other offers.

XI. Contact details:

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