



ZFO Spółka z ograniczoną odpowiedzialnością (LLC)
(Zambrowska Fabryka Okien)
18-300 Zambrów, ul. Fabryczna 4
NIP 7231629960
Statistical ID No (REGON) 360564991

Ref. no.: 03/RPOWP.1.3/2017

REQUEST FOR TENDER

for delivery of a process line for machining of PVC profiles for complete roof
window frames and casements

in the project titled "Initiation of manufacturing environment-friendly PVC roof
windows with the application of innovative solutions"

Zambrów, November 2017



I. General information

1. ZFO Spółka z ograniczoną odpowiedzialnością (Zambrowska Fabryka Okien), 18-300 Zambrów, ul. Fabryczna 4, NIP (Taxpayer ID No.) 7231629960, REGON 360564991, hereinafter referred to as the Employer, invites interested parties to participate in the proceedings conducted on the grounds of the request for tender for delivery of a process line for machining of PVC profiles for complete roof window frames and casements, according to the requirements defined in this request for tender, hereinafter referred to as the Request for tender.
2. Proceedings are conducted in compliance with the guidelines of the Minister of Development dated 19/07/2017 on the eligibility of expenses within the framework of the European Regional Development Fund, European Social Fund and Cohesion Fund for the years 2014-2020.
3. The order will be performed within the framework of the project titled "Initiation of manufacturing environment-friendly PVC roof windows with the application of innovative solutions", co-financed with European Union funds within the framework of the Regional Operational Programme for the Podlaskie Voivodeship for the years 2014-2020, Priority axis I Strengthening the potential and competitiveness of the regional economy, Measure 1.3. Supporting investments in enterprises, Investment priority 3.3. Supporting the creation and expansion of advanced capabilities in the scope of development of products and services, or from the Employer's own resources.
4. The Employer reserves the right to void the proceedings without providing a reason.

II. Description of the object of the order

1. The object of the order is the delivery of a process line for machining of PVC profiles for complete roof window frames and casements, specified in detail in annexes no. 2a – 2d to the Request for tender – technical specifications forms.
2. The delivery referred to in subsection 1 also covers assembly, installation and start-up of the delivered goods, as well as training of the persons designated by the Employer in the scope of operation of the delivered goods.
3. The Employer permits submission of partial tenders within the scope of the four parts of the order:
 - 1st part of the order: delivery of a cutting and machining center;
 - 2nd part of the order: delivery of an automatic station for insertion of steel reinforcements;
 - 3rd part of the order: delivery of two bonding and cleaning lines;
 - 4th part of the order: delivery of a two-head saw.
4. The Contractor may submit a tender for one, several or all parts of the order.
5. The Contractor is obligated to grant at least a 24-month guarantee for the delivered goods, according to the terms described in the draft contract - annex no. 4 to the Request for tender.
6. The guarantee may not be granted for a period shorter than that offered by the manufacturer of the goods or according to terms worse than the terms offered by the manufacturer of goods. If the manufacturer of a given machine offers a guarantee that



- is longer than that offered by the Contractor, the Contractor is obligated to honor the Employer's rights arising from the contract within the period provided by the manufacturer of this machine.
7. The Contractor is obligated to attach the appropriate quality certificates, declarations of conformity, guarantee cards and instruction manuals in Polish to every delivered item of goods (at the delivery stage).
 8. Offering of goods in contradiction to the requirements defined in the technical specifications forms (annexes no. 2a – 2d to the Request for tender) will result in rejection of the tender.
 9. The Contractor is obligated to deliver the goods to the Employer's headquarters in Zambrów, ul. Fabryczna 4.
 10. The Employer does not permit submission of a tender providing for a method of performing the order other than that defined in this request for tender (variant tender).
 11. Names and codes according to the Common Procurement Vocabulary (CPV): – Machining centers: 42.61.20.00-9; Fusion equipment for plastics: 42.66.41.00-9; Sawing equipment: 43.81.20.00-8.

III. Deadline for performance of the order

1. The Contractor is obligated to deliver the goods to the headquarters of Employer within 2 weeks from the contract signing date.
2. The Contractor is obligated to perform assembly, installation and start-up of the delivered goods and train the Employer's personnel to operate the delivered goods within 30 days from the delivery of the goods to the headquarters of Employer.

IV. Description of grounds for disqualification

The following Contractors are subject to disqualification from the proceedings:

- a) Contractors with regard to whom liquidation proceedings have been initiated, or with regard to whom satisfaction of creditors through liquidation of property has been ordered by a court as part of restructuring proceedings;
- b) Contractors whose bankruptcy has been announced, with the exception of Contractors who have concluded an arrangement confirmed by a legally binding court decision, if the arrangement does not provide for satisfaction of creditors through liquidation of the bankrupt's property;
- c) Contractors who have, by their own fault, seriously breached their professional obligations in a manner undermining their honesty, particularly when a contract did not perform or improperly performed an order due to unintended action or gross negligence, which the Employer is able to demonstrate by means of appropriate evidence;
- d) Contractors who, for reasons for which they are responsible, did not perform or improperly performed a previous contract, to a significant extent, which led to dissolution of the contract or a court order for payment of damages;



- e) Contractors with capital or consanguine relations with the Employer, where capital or consanguine relations mean mutual relations between the Employer or persons authorized to incur liabilities involving the Employer's property or persons performing activities related to the conduct of the procurement proceedings in the name of the Employer, and the Contractor, particularly relations involving:
- participation in a partnership as a partner in a civil law partnership or general partnership;
 - ownership of at least 10% of shares or stock;
 - performance of the functions of supervisory or management board member, authorized agent, plenipotentiary;
 - remaining in matrimonial relations, consanguine relations or affine relations in a straight line, consanguine relations of the second degree or affine relations of the second degree in a side line, or in relations of adoption, care or guardianship.

V. List of declarations and documents confirming the absence of grounds for disqualification

1. The following declarations and documents serve to confirm the absence of grounds for disqualification:
 - 1.1 declaration of the absence of grounds for disqualification [**according to annex no. 2 to the Request for tender**];
 - 1.2 current copy from the appropriate register or the central registration and information on business, if separate provisions require entry into a register.
2. In the case of enterprises jointly applying for the contract (private partnership, consortium), the enterprises submit the declarations listed in subsection 1.1 and the documents listed in subsection 1.2 separately.
3. If a contractor has their headquarters or place of residence outside the territory of the Republic of Poland:
 - instead of the documents referred to in subsection 1.2, such a contractor submits a document or documents issued in the country in which they have their headquarters or place of residence confirming, accordingly, that this contractor's liquidation has not been initiated nor their bankruptcy announced;
 - if the documents specified in subsection 1.2 are not issued in the country where the Contractor has their headquarters or place of residence, or in the country where the person to which the document pertains resides – it is replaced by a document containing, accordingly, the Contractor's declaration, with indication of the person or persons authorized to represent them, or a declaration by the person to whom the document was to pertain, made before a notary public or court, administrative, or professional self-governing body or relevant economic body accordingly to the Contractor's headquarters or place of residence or to this person's place of residence.
4. In the case where the Contractor indicates the availability of the declarations or documents referred to in subsection 1 in electronic form at specific generally available internet urls and in free databases, the Employer shall independently download the declarations or documents indicated by the Contractor from these databases.

VI. Description of the method of tender preparation

1. The tender must contain:
 - 1.1 filled out tender form [according to annex no. 1 to the request for tender];
 - 1.2 filled out technical specifications form or forms [according to annex no. 2a, 2b, 2c or 2d to the request for tender];**
 - 1.3 catalogue sheets of all offered equipment;
 - 1.4 declaration of the absence of grounds for disqualification [**according to annex no. 3 to the Request for tender**];
 - 1.5 documents and declarations confirming absence of grounds for disqualification as defined in section V subsection 1.2 of the request for tender;
 - 1.6 power of attorney to represent Contractors jointly applying for awarding of the contract in tender proceedings or to represent them in proceedings and contract signing in the mode of public procurement (applies to private partnerships, consortiums).
2. The contents of a submitted tender must comply to the contents of the request for tender. The Employer recommends use of the forms provided by the Employer. It is permitted to submit annexes prepared by the Contractor with the tender, under the condition that their contents are consistent with the contents of forms prepared by the Employer.
3. The tender is to be written in Polish on a typewriter, computer or by means of another permanent and legible technique, and signed by the person(s) authorized to represent the company before external entities and incur liabilities in the amount corresponding to the price of tender, in accordance with the method of representation.
4. The Contractor can submit only one tender.
5. The tender and annexes to the tender (declarations and documents) must be signed by an authorized representative(s) of the Contractor according to the method of representation specified in the Contractor's registry document:
 - 5.1 declarations concerning the Contractor are submitted in their original copies;
 - 5.2 documents other than declarations, referred to in subsection 5.1, are submitted in their original copy or in a copy certified for conformity with the original copy;
 - 5.3 in the case where documents are submitted in the form of copies, **they must be certified for conformity with the original copy** by an authorized representative(s) of the Contractor according to the method of representation defined in the registry document or by the persons enumerated in subsection 5.5. Certification for conformity with the original copy is performed, accordingly, by the Contractor or Contractors jointly applying for awarding of the contract;
 - 5.4 certification for conformity with the original copy is to be drawn up in a manner enabling identification of the signature (e.g. along with a name stamp of the person certifying the copy of a document for conformity with the original copy);
 - 5.5 in the case where the tender or certification for conformity with the original copies of documents is signed by a person(s) not listed in the Contractor's registry documents, **the relevant power of attorney must be attached to the tender.**



Power of attorney is to be presented in the form of the original copy or a copy certified for conformity with the original copy by a notary public or by persons authorized for representation on the grounds of the registry document, according to the method of representation specified in these documents.

6. In the case where documents drawn up in a foreign language are attached to the tender, they are to be submitted along with a **translation into the Polish language**, certified by the Contractor in the manner described in subsection 5 of this section.
7. The Employer recommends for every written page of the tender (along with annexes to the tender) to be numbered in sequence.
8. The Employer recommends for the tender and annexes to it to be compiled in a manner that makes it impossible for it to decompile autonomously (without the involvement of third parties).
9. Any corrections or changes to the text of the tender (including in annexes to the tender) **must be initialed (signed) by the person(s) signing the tender by their own hand**. The initials (signature) are to be written in a manner enabling their identification (e.g. along with a name stamp of the person writing them).
10. In the case of Contractors jointly applying for awarding of the contract (pertains to a private partnership, consortium), the Employer requires that these Contractors:
 - a) **appoint an attorney to represent** them in tender proceedings or to represent them in proceedings and contract signing in the mode of public procurement (the relevant document establishing the attorney is to be attached to the tender, e.g. power of attorney, private partnership agreement, consortium agreement);
 - b) any correspondence and billing shall be conducted solely with the attorney or Contractor designated by the Contractors jointly applying for awarding of the contract for settling accounts in their name;
 - c) in the case where the tender of contractors jointly applying for awarding of the contract is selected in these proceedings, the Employer may request presentation of an agreement regulating their cooperation prior to signing of the contract.

VII. Tender's binding period

The period during which a tender remains binding is 30 days. This tender binding period begins with the expiration of the deadline of offer submission.

VIII. Place and deadline for tender submission and opening

1. **A tender is to be submitted in a sealed envelope to the secretary's office of ZFO Spółka z ograniczoną odpowiedzialnością, 18-300 Zambrów, ul. Fabryczna 4, by a deadline of 11.12.2017 by 10:00 A.M. at the latest.**

- 1.1. The envelope is to be addressed as follows:

ZFO Spółka z ograniczoną odpowiedzialnością, 18-300 Zambrów, ul. Fabryczna 4
Tender for delivery of process line for machining of PVC profiles for complete roof window frames and casements
DO NOT OPEN BEFORE 11.12.2017, 10:30 PM

- 1.2. The envelope should also bear the Contractor's name and address.



- 1.3. The Contractor shall bear the consequences of submitting a tender inconsistently with the aforementioned description (e.g. treating the tender as ordinary correspondence and failure to deliver it to the tender submission point specified in the request for tender).

Tenders will be opened at the headquarters of ZFO Spółka z ograniczoną odpowiedzialnością, 18-300 Zambrów, ul. Fabryczna 4, on 11.12.2017, at 10:30 A.M.

IX. Designation of persons authorized to communicate with contractors and information concerning the method of communication and transfer of declarations and documents

1. The person authorized for contact by the Employer is Waldemar Gajewski, tel. +48 797 339 325, e-mail: w.gajewski@zfo.org.pl

Information will be provided during hours 8⁰⁰AM – 3⁰⁰ PM, with the exception of Saturdays and statutory holidays.

2. Declarations, applications, notices and information shall be exchanged between the Employer and Contractor in writing, via fax, or electronically.

a) address correspondence to: ZFO Spółka z ograniczoną odpowiedzialnością, 18-300 Zambrów, ul. Fabryczna 4;

b) address electronic mail to: w.gajewski@zfo.org.pl

A written form is reserved for tenders as well as changes, corrections, modifications and supplementations of the tender.

3. A contractor may turn to the Employer with a request for clarification of any doubts related to the request for tender. The Employer shall provide clarifications immediately, under the condition that the request for clarification of the request for tender is delivered to the Employer **no later than by 24.11.2017 year**. If a request for clarification of the request for tender is delivered to the Employer at a later date, the Employer may provide clarifications or leave the request unanswered at their discretion.

4. The contents of questions and clarifications shall be provided simultaneously to all Contractors to whom the request for tender was sent, without indication of the source of questions.

5. In justified cases, before expiration of the tender submission deadline, the Employer may change the contents of the request for tender:

5.1. the Employer shall provide the change that was made to all Contractors to whom the request for tender was sent, immediately;

5.2. The Employer shall extend the tender submission deadline if additional time is required for introducing changes to tenders due to the change in the contents of the request for tender.

6. The Employer shall also place clarifications and changes of the request for tender on their website: www.zfo.org.pl

X. Changes to and withdrawal of tenders

1. The Contractor may introduce changes, corrections, modifications and supplements to the tender that they have submitted under the condition that the Employer receives



written notice about the introduction of changes, corrections, etc. prior to expiration of the tender submission deadline.

2. The Contractor has the right to withdraw from the proceedings prior to the tender submission deadline by giving notice.

XI. Description of the method of tender price calculation

1. The tender price must be expressed separately for each part of the order and must cover delivery of all ordered goods within the scope of the given part of the order according to the terms specified in the description of the object of the order and draft contract.
2. The tender price must be expressed in Polish zlotys with accuracy to two places after the decimal point.
3. The Employer accepts a possibility of providing the offer price in EUR or GBP by the contractor with its seat or place of living beyond the territory of the Republic of Poland. In case of making a denominated offer in EUR or GBP, the ordering party will convert this currency for PLN according to the current rate of exchange announced by the National Bank of Poland from a day of the offer request.
4. The tender price is to include any customs duties, taxes and all other public and legal fees charged to the Contractor.
5. When evaluating tenders, the Employer shall account for the total amount of public funds expended by them, i.e. the amount that the Employer will have to pay the Contractor for performance of the order. When evaluating tenders with regard to the price criterion, for the purposes of comparing tenders, the Employer shall add the amount of VAT due as well as customs duties charged to the Employer as a result of performance of the contract to the price of tenders submitted by foreign entities who are not obligated to pay VAT in the country pursuant to separate regulations.
6. If the contractor makes an offer, which could cause the Employer the tax obligation according to the regulations of tax on goods and services, in order to offer assessment the Employer adds to the price from the offer the tax on goods and services which the Employer would have to settle according to this regulations. When the contractor makes the offer, he informs the Employer if there is a tax obligation for him, providing the name (type) of a good or service, which delivery or provision will lead to occur and indicates value without the tax amount.

XII. Description of tender selection criteria, including criterion weights and a description of the method of tender evaluation

1. When selecting a tender, the Employer will base their selection on the following criteria:
 - A. Tender price – 80%
calculated according to the formula:



$$C_{\text{ten}} = \frac{C_{\text{min}}}{C_{\text{stud ten}}} \times 80 \text{ pts.}$$

where:

$C_{\text{stud ten}}$ – gross price of studied tender,

C_{min} – lowest gross tender price among tenders not subject to disqualification in a given part of the order;

B. Guarantee period – 20%

In the scope of the tender evaluation criterion in question, the Employer shall award 20 points to tenders from Contractors who offer a 36-month or longer guarantee for the delivered goods under the terms defined in the draft contract constituting annex no. 4 to the request for tender (applies to all parts of the order).

In the scope of the tender evaluation criterion in question, the Employer shall award 10 points to tenders from Contractors who offer a guarantee period longer than 24 months and shorter than 36 months for the delivered goods under the terms defined in the draft contract constituting annex no. 4 to the request for tender (applies to all parts of the order).

The Employer shall not award any points to tenders from Contractors who offer a 24-month guarantee period for the delivered goods under the terms defined in the draft contract constituting annex no. 4 to the request for tender, which is the minimum guarantee period required by the Employer (applies to all parts of the order).

Tenders from Contractors who offer a guarantee period shorter than 24 months for the delivered goods under the terms defined in the draft contract constituting annex no. 4 to the request for tender (24 months being the minimum guarantee period required by the Employer) shall be rejected in the proceedings in question (applies to all parts of the order).

2. The most favorable tender shall be recognized as the tender that is awarded the highest number of points from among valid tenders not subject to rejection.
3. In the situation where the Employer will be unable to select the most favorable tender due to the fact that two or more tenders present the same balance of price and other tender evaluation criteria, the Employer shall select the tender with the lowest price from among these tenders, and if more than one tender has the same price, the Employer shall call upon the Contractors who submitted these tenders to submit additional tenders. Contractors submitting additional tenders may not offer prices higher than those offered in the tenders they already submitted.
4. Over the course of evaluation of tenders, the Employer may request clarifications from Contractors pertaining to the content of the submitted tenders. Contractors shall be obliged to present clarifications by the deadline specified by the Employer.



XIII. Information concerning formalities that should be performed after selection of the tender for the purpose of signing the contract concerning the order

1. The Employer shall inform all Contractors of selection of the most favorable tender or that the proceedings have been voided.
2. Information concerning selection of the most favorable tender or voiding of the proceedings will also be placed on the website: www.zfo.org.pl
3. The Employer shall inform the selected Contractor of the place and time of contract signing.
4. In the case where the tender of contractors jointly applying for awarding of the contract is selected (applies to private partnership and consortium), the Employer may request presentation of an agreement regulating their cooperation prior to signing of the contract.
5. In the case where the Contractor whose tender was selected declines to sign the contract, the Employer may select the most favorable tender from among the remaining valid tenders submitted in the proceedings without re-evaluating tenders.

XIV. List of annexes to the request for tender

1. Tender form – Annex no. 1.
2. Technical specifications forms – Annexes no. 2a – 2d.
3. Declaration of the absence of grounds for disqualification – Annex no. 3.
4. Draft contract – Annex no. 4.

ZFO Sp. z o.o.
ul. Fabryczna 4, 18-300 Zambrów
PREZES ZARZĄDU

Waldemar Gajewski

.....
signature of Employer's Manager
or authorized person

ZFO sp. z o.o.
Fabryczna 4, 18-300 Zambrów
7231629960, REGON: 360564991