



Invitation to Submit a Tender

Refers to: "Selection and supply of ammonia flare PU-1904"

I. Description of the scope of work / delivery subject of the request for quotation.

The subject of this request for quotation is the implementation of the "Selection and delivery of ammonia flare PU-1904" as part of the project "Restoration of ammonia storage tank F1906 with infrastructure".

Data on the scope of work and information necessary for the preparation of a technical offer are included in the following appendices:

- Appendix No. 1 - Terms of Reference (ToR),
 - o Appendix No. 1 to the ToR - Request for Proposal for Torch PU-1904 (detailed inquiry),
 - o Appendix No. 2 to the ToR - Other technical standards and guidelines of ANWIL S.A.,
- Appendix No. 2 - Attachment to OHS, Environmental Protection and Fire Safety Guidelines.

PLEASE NOTE:

Appendix No. 1 and 2 to the ToR may be made accessible to the Tenderer after signing the Non-Disclosure Agreement (template – Appendix No. 3) - please send the version with electronic signature via Connect, document signed by hand please post in two copies to the following address:

ANWIL S.A. (ZC Marta Andrzejewska)
222 Toruńska Street
87-805 Włocławek

II. Procedure for submitting offer

The proceeding is carried out in a gradual **two-stage** procedure.

First, Tenderers are required to submit formal and technical offer. After acceptance, by the Technical Team Tenderers who will be admitted to the next stage will be informed about the deadline for submitting commercial offers.

Stage I

Acceptance of Formal Offer are based on fulfilment a formal requirements through verification of submitted documents: 100/0 (acceptance/ rejection).

Acceptance of Technical Offer. Only Tenderers that meet all formal requirements will be qualified for participation in a future part of the purchasing procedure; 100/0 (acceptance/ rejection).

Stage II

Acceptance Commercial offer. Only Tenderers who meet the formal and technical requirements specified in the TERMS OF REFERENCE will be qualified to the commercial offer.

Including price information in the technical part of the offer may result in rejection of the Tenderer.

III. Site visit and contact person

Tenderers are required to make a **site visit** or arrange an online meeting with the designer to discuss the 3D model of the flare. To arrange an on-site visit or online meeting, please contact:

Marcin Malinowski Manager Water Preparation and Ammonia Storage Division (A-13)	phone +48 24 202 17 09 mobile +48 607 190 998 e-mail: marcin.malinowski@anwil.pl
Michał Korczak Water Preparation and Ammonia Storage Division (A-13)	phone +48 24 202 17 19 mobile +48 607 190 280 e-mail: michal.korczak@anwil.pl

All questions relevant to the preparation the offers, questioned by the deadline, and all answers to questions will be published on the Platform for the information to all Tenderers who has applied to submit offer in a given procurement procedure, without identifying the Author of the question. In the case of questions and/or answers that, according to the Tenderer, may result in the release of the Tenderers confidential information, after the Tenderer has stipulated this fact in the content of the question and/or answer, it shall be permissible to respond only to that Tenderer.

IV. Expected performance/delivery completion date:

Completion of the works until 28th February 2029

V. Formal criteria:

1. Confirmation of enclosing the company registration documents - documents not older than 3 months.
2. Confirmation of enclosing the certificates of not being in arrears in payment of social dues.
3. Confirmation of enclosing the certificates of not being in arrears in payment of taxes.
4. Confirmation of acceptance of „Code of Conduct for ORLEN Group suppliers” (document available at the link: <https://anwil.orklen.pl/en/Our-offer/Procurement/Supplier-Code-of-Conduct>) and the provisions of the Anti-Corruption Policy of ANWIL S.A. and Policy for accepting and giving gifts at ANWIL S.A..
5. Confirmation of enclosing the certificate from Tax Office of being an active VAT payer.
6. Confirmation of acceptance the terms of tender (document Conditions for participation in the Request for Proposal (RFP).
7. Confirmation of acceptance “Policy for the Protection of Human Rights in ORLEN Group”.
8. Confirmation of enclosing the company’s insurance policy.

- In case of signing the Contract for the subject task, the required minimum values of the sum insured for one and all events are:

Wartość umowy (netto)	Minimalna wartość sumy ubezpieczeniowej Polisy OC Dostawcy
Up to 15 thousand PLN	0 PLN
above 15 to 100 thousand PLN	500 thousand PLN
above 100 to 500 thousand PLN	1 milion PLN
above 500 to 2 thousand PLN	2 milion PLN
above 2 to 10 milion PLN	Net contract value
above 10 to 100 milion PLN	20% of the net contract value, not less than 10 million PLN
above 100 milion PLN	10% of the net value of the contract, not less than 20 million PLN

- if the provisions of the contract do not exclude the Supplier the possibility of subcontracting part or all of the work to its subcontractors, it is required to extend the scope of the contractor's liability insurance with a clause on damages caused by subcontractors with a limit of liability for one and all events equal to 100% of the guarantee amount,
- The supplier shall maintain the third party liability policy for at least the term of the contract,

in case of expiration of the third party liability policy before the end of the Contract, the policy will be renewed on no worse terms of insurance coverage.

9. Confirmation of enclosing authorized balance sheet and profit and loss account for the two full reporting years and the most recent (quarterly/half-yearly) report for the current period.

In the case of offers submitted by a Consortium:

- it is required to submit the documents described in point V by all participants in the consortium,
- the data provided by the Tenderers jointly applying for the Contract, confirming their possession of adequate and required knowledge and experience, personnel and technical potential, as well as economic and financial situation, are subject to aggregation and joint evaluation by ANWIL S.A,
- financial verification shall be subject to all consortium participants.

VI. Technical criteria:

1. Confirmation of the ability to perform the entire scope of works indicated in the ToR with Appendices in EP formula.
2. Ensure the implementation within the indicated timeframe with provided schedule expressed in weeks/months.
3. Terms and conditions of the warranty provided - preferred min. 24 months from the date of signing the final protocol of acceptance of works.
4. References with list of works on the implementation of flares for ammonia (or other reliable document such as acceptance protocol) own / possible subcontractors : min 3 references from the last 5 years. The list must include: the type of work, the date of completion and the name of the contracting authority.
5. List of possible subcontractors with an indication of the scope of work and percentage of participation
6. Confirmation of the adoption of design and implementation solutions that guarantee the achievement of technical parameters specified in the ToR and listed in paragraph 12 of Appendix No. 2 - A-02.14-01.001 Technical description (including combustion efficiency).
7. Noise level emitted by the flare burners measured at a distance of 1 meter, expressed in dB. (this criterion is evaluated on a weighted basis; solutions ensuring the lowest achievable and guaranteed noise level are prioritized).
8. A description of the scope of supply and the method of execution enabling the assessment of the degree of compliance of the proposed scope with the detailed requirements specified in the

Terms of Reference (ToR) and its attachments (the requirements defined in Section 14.1 of Appendix No. 2 – A2-02.14-01.001 Technical Description must be taken into account).

9. Confirmation the Tenderer has the necessary knowledge and experience and has the financial, technical and personal potential necessary to perform the subject of the request for proposal.

Deliveries:

Providing all materials, equipment and transport necessary to carry out the scope of work indicated in the request for proposal is the responsibility of the Contractor.

VII. The commercial offer should include:

- Fixed net price in PLN/EUR for the entire scope of works indicated in the ToR with Appendices. Completed attachment “Price Picture” (Attachment No. 9).
- Settlement method:

Preferred payment terms of invoices: 30-60 days (in the case of a term of up to 30 days, the term is calculated from the date of delivery of the invoice; in the case of a term of more than 30 days, the term is calculated from the invoice date).

Proposal regarding payment:

- Presentation of the method of payment for the work. Tenderer should take into account the following principles:

- a) settlement based on one invoice issued after completion and acceptance of all works by ANWIL S.A. is preferred.
- b) it is acceptable for the Tenderer to present a proposed method of partial invoicing. Invoicing stages should specify the scope of work for which an invoice will be issued and should be consistent with the implementation schedule (material and financial schedule),
- c) a final invoice - not less than 10% of the contract value - will be issued after final acceptance of the subject of the contract.
- d) Payment resulting from the invoice(s) will be made under the split payment mechanism.

Attention:

The Contracting Authority reserves the right - after analysing received offers - to present an invoicing/payment schedule that is the same for all Tenderers in terms of, among other things, the number of stages, the percentage value of each stage in relation to the total value offered by the Tenderer.

- Declaration of unchanged price until the completion of the procurement procedure.
- Validity of the offer (preferred 120 days from the submission of the last commercial offer).
- Declaration of acceptance the contract template (Appendix No. 7) with appendices as the basis for drawing up a contract for the works in request.
- Completed Appendix No. 8 Declaration – Beneficial Owner.
- Term of Delivery: DDP Włocławek
- Declaration of submission of a bank/insurance guarantee of due performance of the contract and removal of defects and faults of the subject of the contract on the terms described in the contract template.

The Contractor is obliged to comply with generally binding disciplinary and order provisions, OHS, fire provisions and provisions on environmental protection as well as internal provisions of ANWIL S.A. available in the link:

<https://anwil.orken.pl/pl/Oferta/Strefa-zakupow/Wytyczne-dla-oferentow-i-dostawcow>

(The link also includes, e.g.: OHS regulations, instruction on proceeding while placing temporary back-up facilities in the premises of ANWIL S.A., individual traffic instruction, guidelines for drivers who enter the protected site of ANWIL S.A., current coronavirus regulations).

*Please send any and all questions about additional Information and explanations **only in electronic form through the CONNECT Platform:** <https://connect.orken.pl/> Answers shall be sent via the same platform.*

The Contracting Authority reserves the right to carry out multistage negotiations in different forms i.e. direct negotiations and negotiations by means of an electronic auction system.

Offers obtained during any possible negotiations with the use of the electronic auction system may be subject to further negotiations with tenderers.

After negotiations and final evaluation of the offers according to the above-mentioned weighting criteria, the highest scoring offer will be considered the most advantageous.

ANWIL S.A. reserves the right to free selection of an entity / entities with which negotiations shall be carried out with reference to a part or entirety of the scope of provided answers and to conclude a contract with more than one Contractor chosen during negotiations with the reservation that the scope of the contract may include the entirety or part of the scope of a provided answer to the request for proposal.

ANWIL S.A. reserves the right to withdraw from the process of selection of a Contractor and from negotiations without giving reasons. No claims against the Contracting Authority shall be lodged in this respect.

This inquiry constitutes an invitation to negotiate in the meaning of Article 72 of the Civil Code.

ANWIL S.A. reserves that the contract shall be concluded upon signing thereof by ANWIL S.A. and supplier. The agreed terms and conditions of the contract may be confirmed only by persons holding a relevant power of attorney from ANWIL S.A.

ANWIL S.A. reserves the right to a possibility of refusing to issue references without giving any reason.

Appendices:

✓ **Appendix No 1 - Terms of Reference [ToR],**

o **Appendix No 1 to ToR - Request for quotation for PU-1904 flare (detailed inquiry):**

List of documents:

- A2-02.14-01.000A - General information,
- A2-02.14-01.001A - Technical Outline,
- A2-02.14-01.002E - Data Sheet,
- A2-02.14-01.003A - Land development plan,
- A2-02.14-01.004A - Process Flow Diagram.

Partient documents:

- T2-02.11-01.00A - Climatic Conditions,
- O2-02.11-02.03A - Guidelines for tagging system of the pipelines and accessory,
- O2-02.11-02.04A - Units of measurements used in the project,
- O2-02.11-02.05A - Guidelines for numbering of measurement points.

Standards/requirements:

- NA-00-124A Engineering standard specification pressure vessels ,
- NA-00-128A - Guidelines for marking of vessels,
- NA-119E - Earthing boss of carbon steel support,
- NA-120 - Earthing boss of stainless steel support,
- NL-00-016A - Pipelines marking and identification painting,
- Electrical general requirements for new and modernised production plants - technical annexes to contracts (ANWIL Standard-1).
- Technical standards of ANWIL S.A. for anti-corrosion protection. Technical requirements for production and commissioning of anti-corrosion protection for renovation, modernization works and new planned investment projects (ANWIL Standard-2).
- Instrumentation - general requirements for new and modernised production plants technical annexes to contracts (ANWIL Standard-3).
- Technical standards of ANWIL S.A for steel tanks. Technical requirements for manufacture and commissioning of steel tanks (ANWIL Standard-4).
- Technical standards of ANWIL S.A. for steel pipelines. Technical requirements for manufacture and commissioning of steel pipelines (ANWIL Standard-5).
- Technical standard of ANWIL S.A. Guidelines on fire protections of supporting constructions of apparatuses and pipelines (ANWIL Standard-6).

o **Appendix No 2 to ToR - Other technical standards and guidelines of ANWIL S.A.:**

- Regulation No. 53/2020 - INSTRUCTIONS on measuring the hazardous substances (toxicity, explosiveness, oxygen content) on the premises of ANWIL S.A.,
- Regulation No. 65/2019 - Annex 4 - Instruction for hazard analyses and process risk assessment,
- Regulation No. 01/2019 - Manual of Operation and Documentation of Inspections of Electrical Ex Devices at the Premises of ANWIL S.A.,
- Regulation 01/2021 - Annex No. 1.6. - Technical standards of ANWIL S.A. for rotating machinery. Technical requirements for production and commissioning of fans and blowers.
- Regulation No. 01/2021 - Annex No. 1.1 - Technical standards of ANWIL S.A for rotating machinery. Technical requirements for production and commissioning of pumps.

- Regulation No. 01/2021 - Annex 6.1 - Requirements for health and safety at work, process safety, fire safety, chemical safety, environmental protection design, construction/extension/reconstruction/expansion/change of use of facilities ANWIL S.A.
 - Regulation No. 01/2021 - Annex No. 1.8 - Technical standard of ANWIL S.A. for rotating equipment. Technical requirements for Machines Monitoring Systems.
 - Regulation No. 13/2021 - Annex No. 1.4 - Guidelines on formulating operating instruction.
-
- ✓ Appendix No 2 - Appendix to OHS, Environmental Protection and Fire Safety guidelines,
 - ✓ Appendix No 3 - NDA template,
 - ✓ Appendix No 4 - Tenderer's declaration on getting acquainted with the scope of works and terms & conditions for their performance directly on the facility (site inspection),
 - ✓ Appendix No 5 - List of subcontractors (template to be completed),
 - ✓ Appendix No 6 - Terms and conditions of participation - Request for Proposals - RFP
 - ✓ Appendix No 7 - Template of the Contract with appendices,
 - ✓ Appendix No 8 - Declaration of Beneficial Owner (template to be completed),
 - ✓ Appendix No 9 - Price Picture,
 - ✓ Appendix No 10 - RECEIPT OF DOCUMENTATION, REQUIREMENTS-ARCHEO SYSTEM,
 - ✓ Appendix No 11 - Sanction Clause,
 - ✓ Appendix No 12 - Information clause
 - ✓ Appendix No 13 - Human Rights Protection Policy in the ORLEN Capital Group,
 - ✓ Appendix No 14 - Anti-Corruption and Anti-Fraud Policy at ANWIL S.A,
 - ✓ Appendix No 14 - ANTI-CORRUPTION CLAUSE,
 - ✓ Appendix No 15 - Privacy notice for natural persons who are Contractors, or representatives of Contractors, of ORLEN Group Companies and whose details are shared across ORLEN as part of the Trade Credit Centralisation,
 - ✓ Appendix No 16 - Privacy notice for natural persons who are Contractors, or representatives of Contractors, of ORLEN Group Companies and whose details are shared across ORLEN as part of the Debt Collection Centralisation.

The appendices are available on the **CONNECT Platform**.

This purchasing procedure is coordinated by:

Marta Andrzejewska
Investment Purchasing Team
phone 24 202 14 15 | mobile +48 609 150 271
e-mail: marta.andrzejewska@anwil.pl