**Attachment No 4**

**\*\*\* ENGLISH VERSION \*\*\***

1. Bidders who fail to demonstrate that the conditions for participation in the procedure are met and that there are no grounds to exclude them from the procedure will be excluded from the procedure.

2. Activities related to the preparation and conduct of the contract award procedure are performed by persons ensuring impartiality and objectivity. These persons submit a statement in writing or in electronic form (within the meaning of Article 78 and Article 78¹ of the Civil Code, respectively) on the lack of existence or lack of influence of personal or capital ties with contractors on the impartiality of the proceedings, consisting in:

a) participating in the company as a partner in a civil law partnership or a partnership, holding at least 10% of shares (unless a lower threshold is provided for by law), acting as a member of a supervisory or management body, proxy,

b) being married, related by consanguinity or affinity in the direct line, consanguinity or affinity in the collateral line up to the second degree, or related by adoption, custody or guardianship, or cohabitation with the contractor, his legal representative or members of managing bodies or supervisory bodies of contractors applying for a contract,

c) being in such a legal or factual relationship with the contractor that there is a reasonable doubt as to their impartiality.

3. After the selection of the most advantageous offer, it is expected to conclude a contract with the Bidder. Due to the necessity to negotiate and sign the contract, bids are expected to be submitted with a validity period of not less than 30 days.

4. If the Bidder whose offer has been selected refrains from signing the contract, the Ordering Party may sign the contract with the next Contractor who obtained the next highest number of points in the contract award procedure.

5. In the case of Bidders who submitted tenders within the indicated deadline, but they do not contain all the required documents and statements, or the submitted documents and statements are incomplete, contain errors or raise reasonable doubts, the Ordering Party will request to submit the missing documents or statements, supplement or correct them or to provide explanations within the time limit indicated by them, unless, despite their submission, supplementing or correcting or providing explanations, the Bidder’s offer is subject to rejection or it would be necessary to cancel the procedure. Failure by the Bidder indicated by the Ordering Party the deadline will result in rejection of the offer. Only deficiencies or errors of a formal nature are subject to supplements, corrections or explanations. It is not allowed to change the terms of the submitted offer.

6. In the case of a Bidder whose offer may contain an abnormally low price in relation to the subject of the contract, the Ordering Party reserves the right to call him, in the manner described above, to submit appropriate explanations and present the method of calculating the net price. The price can be considered abnormally low if it is at least 30% lower than the estimated value of the contract or the arithmetic mean of the prices of all unsuccessful bids. The Ordering Party, when assessing the explanations presented by the Bidder, takes into account objective factors. The Ordering Party will reject the offer of the Bidder who has not submitted explanations, will not submit them within the time limit set for that date, or if the assessment of the explanations and the evidence provided confirms that the offer contains an abnormally low price in relation to the subject of the contract. The obligation to prove that the offer does not contain an abnormally low price rests with the Bidder.

7. Bidder wishing to take part in the tender procedure may ask questions to the Ordering Party via the Competition Base portal. The answers will also be given using the functionality of the above-mentioned portal (Competition Base).

8. The exclusion grounds set out in the Act of April 13, 2022 on special solutions in the field of counteracting supporting aggression against Ukraine and serving the protection of national security apply to this tender procedure (more information available at <https://www.uzp.gov.pl/ukraina/komunikaty/nowe-podstawy-wykluczenia-z-postepowania-lub-konkursu-oraz-kara-pieniezna-jako-sankcje-w-celu-przeciwdzialania-wspieraniu-agresji-federacji-rosyjskiej-na-ukraine> ).

9. The Ordering Party reserves the right to modify the content of this request for quotation (also by extending the deadline for submitting offers), as well as to cancel the procedure.

A. Modification of the request for quotation and extension of the deadline for submitting bids:

Before the deadline for submitting bids, the Ordering Party may modify the content of the request for quotation in order to remove defects and/or ambiguities as to the content of the request for quotation itself, adapt the content of the request for quotation to the provisions of applicable law or other regulations binding the Ordering Party. Moreover, the Ordering Party may modify the request for quotation under the conditions set out in the previous sentence, as a result of questions asked by potential Contractors via the Competitiveness Database and the answers provided, and if such a modification proves necessary for the proper implementation of the Project or the subject of the request for quotation (in particular taking into account the proper quality of the subject of the request for quotation and its compliance with the objectives of the Project). In the case of modification of the relevant provisions of the request for quotation, the deadline for submitting offers will be extended by the time necessary to introduce changes to the offers.

B. Cancellation of the tender:

The Ordering Party may cancel the tender if:

a) There has been a change in circumstances which was impossible for the Ordering Party to predict;

b) The tender/request for quotation is burdened with a defect that cannot be removed, which makes it impossible to conclude a non-cancellable contract;

c) No non-rejectable bid has been submitted;

d) The price of the most advantageous offer or the offer with the lowest price exceeds the amount that the Ordering Party intends to allocate to finance the contract;

***NOTE: THE REQUEST FOR QUOTATIONS IS TRANSLATED INTO ENGLISH VERSION FOR INFORMATION PURPOSES ONLY. IN THE EVENT OF ANY INCONSISTENCY OR DISCREPANCY BETWEEN THE POLISH VERSION AND THE ENGLISH VERSION OF THIS PUBLICATION, THE POLISH VERSION SHALL PREVAIL*.**