Lubliniec, 07/11/2024

**ELHAND TRANSFORMATORY sp. z o.o.**

**ul. Klonowa 60**

**42-700 Lubliniec**

**NIP (Tax ID No.): 5751862934**

**REGON: 241392737**

**KRS: 0000342480**

# ENQUIRY NO. 01/11/2024

In connection with the planned implementation of the project no. **FESL.10.03-IP.01-0190/23** entitled: “Developing of energy-saving magnetic elements with nanocrystalline cores for production” within the framework of the European funds for the Silesian Voivodeship, Measure: FESL.10.03-Supporting SMEs in transformation, **ELHAND TRANSFORMATORY sp. z o.o.** announces competitive RFQ Process.

# Object of the Contract: WINDING MACHINE

# Minimum device technical requirements

|  |  |  |  |
| --- | --- | --- | --- |
| No | Description | Unit | Requirement |
| 1 | Max diameter of round wire Cu | mm | >/= 4,0 |
| 2 | Max diameter of round wire Al. | mm | >/= 5,0 |
| 3 | Max. width of single rectangular wire u/Al | mm | >/=14 |
| 4 | Max. height of single rectangular wire u/Al | mm | >/=5 |
| 5 | Max. number of round wires | number | >/=6 |
| 6 | Max. number of rectangular wires | number | >/=6 |
| 7 | Max drive torque | Nm | >/=2400 |
| 8 | Min. rotation speed of spindle | rpm | </=40 |
| 9 | Max rotation speed of spindle | Rpm | >/=150 |
| 10 | Max coil weight | kg | >/=1000 |
| 11 | Max coil diameter with terminals | mm | </= 1300 |
| 12 | Max coil length without terminals. | mm | >/= 2000 |
| 13 | Wire guiding system with adjustment |  | YES |
| 14 | Spindle driving system synchronized ( mechanically connected) with tailstock faceplate |  | YES |
| 15 | Wire dereelers with following technical data - number of wire coils (drums) on the dereeler - minimum 6  - max. diameter of coil (drum) with wire - 1000 mm - max. weight of single coil with wire - 350 kg |  | YES |
| 16 | Faceplates of spindle and tailstock adjusted for fixing dimensions of winding mandrel of the ordering party with following dimension  - diameter of faceplate of mandrel – max. 400 mm - length of winding mandrel – max. 2100 mm |  | YES |

If a description or requirements contain the names with an indication of a particular product, source, trademarks, patents or specific origin, they may be replaced by equivalent or better solutions with technical and performance parameters no worse than those given.

Project site: Lubliniec (42-700), ul. Klonowa 60

# Common Procurement Vocabulary (CPV):

31720000-9: Electromechanical equipment

1. **Schedule:** maximum Contract completion date: 9 months from the date of signing the Contract with the Economic Operator, confirmed by a final acceptance protocol without objections.

# Conditions of participation in the Process.

The Tenderers who meet the following conditions may apply for the award of the Contract:

* Having the authorizations necessary to run a specific business or perform specific activities if such authorizations are required by the law.
* Having the necessary knowledge and experience to perform the Contract or to guarantee subcontractors with the necessary knowledge and experience to perform the Contract.
* Having appropriate technical capacity to perform the Contract or having subcontractors with the necessary technical capacity to perform the Contract.
* Having persons at its disposal who are capable of performing the Contract, or having subcontractors with persons at their disposal who are capable of performing the Contract.
* Be in an economic and financial position to perform the Contract within the specified time limit.
* No relation to the Contracting Authority in a personal or capital capacity.
* No premises excluding the Tenderer from the Process defined in Article 5k of Regulation 833/2014 and Article 7(1) of the Act on Special Measures to Counteract the Support of Aggression Against Ukraine and to Protect National Security.

In order to confirm the fulfilment of the above-mentioned conditions, the Contracting Authority requires the Tenderer to submit the following documents:

1. Submission of a tender on the tender submission form (Appendix No. 1), containing:
   * Name, address, e-mail and NIP of the Tenderer
   * Place and date of the tender
   * Data making it possible to evaluate the tender and award points under the criteria
   * Tender validity period
   * A detailed description of the subject of the tender
2. A declaration on the tender with the following wording:
   * The Economic Operator declares that it knows and accepts the conditions for the execution of the order specified in the Request for Quotation and does not raise any objections or comments in this respect.
   * The Economic Operator declares that it has the authorisations necessary to run a specific business or perform specific activities if such authorisations are required by the law.
   * The Economic Operator declares that it has appropriate technical capacity to perform the Contract or the subcontractors with the necessary technical capacity to perform the Contract.
   * The Economic Operator declares that it has persons at its disposal who are capable of performing the Contract, or subcontractors with persons at their disposal who are capable of performing the Contract.
   * The Economic Operator declares that it is in an economic and financial position to perform the Contract within the specified time limit.
   * The Economic Operator declares that:
3. it is not subject to exclusion from the proceedings pursuant to Article 5k of Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ EU No. L 229 of 31.7.2014, p. 1; hereinafter: Regulation 833/2014), as amended by Council Regulation (EU) 2022/576 amending Regulation (EU) No. 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ EU No. L 111 z 8.4.2022, p. 1; hereinafter: Regulation 2022/576);
4. there are no grounds for exclusion from the Process defined pursuant to Article 7(1) of the Act of 13 April 2022 on Special Measures to Counteract the Support of Aggression Against Ukraine and to Protect National Security (Journal of Laws Item 835).
5. all information provided in the above declarations is up-to-date and true and has been provided in full knowledge of the consequences of misleading the Contracting Authority when presenting the information. At the same time, the Economic Operator undertakes to promptly forward updates of the above declarations to the Contracting Authority in case of any changes in this respect.
   * The Economic Operator declares that it has no relation to the Contracting Authority in a personal or capital capacity. A relation in a personal or capital capacity is understood as interconnections between the Contracting Authority or the persons authorised to incur liabilities on behalf of the Contracting Authority or the persons performing activities on behalf of the Contracting Authority connected with the preparation and carrying out of the selection procedure for the Contracting Authority and the Economic Operator, consisting in particular of:
6. participation in a company as a partner in a civil law partnership or a partnership, holding at least 10% of shares or stocks, being a member of a supervisory or managerial body, proxy, attorney,
7. being married, in a direct family relationship or affinity, in a secondary family relationship or affinity up to the second degree, or in relation due to adoption, custody or guardianship, or in cohabitation with the Economic Operator, its legal successor, or members of the management or supervisory bodies of the Economic Operators competing for the award of the Contract,
8. having such a legal or factual relationship with the Economic Operator that there is a reasonable doubt as to their impartiality or independence in connection with the Contract award procedure.
9. Power of attorney to submit a tender – if applicable.

# Description of the tender preparation method:

1. The tender must be submitted on the fully completed tender submission form (Annex No. 1 to the Request for Quotation).
2. The offer should be made in Polish or English, in legible writing.
3. The tender must contain the name and address of the Tenderer.
4. The Contracting Authority requires the tender to be signed by the Tenderer's representative.
5. Scans of manually signed documents or documents signed electronically will be accepted.
6. The price given in the tender must include all costs and components related to the performance of the Contract under the terms of delivery of DAP Lubliniec. The tender should also include the costs of training, commissioning.
7. The price should be given in monetary units in PLN or EUR or CHF.
8. The cost of preparing the tender and all other costs related to the presentation of the tender are the sole responsibility of the Tenderer.

The Contracting Authority does not allow partial or variant tenders. Only tenders covering the full scope of the subject of the Contract will be considered.

The tenders that do not meet the formal conditions and/or do not include the full scope of the subject of the Contract will be rejected.

# Deadline and method of submitting tenders:

* + All Tenders should be submitted electronically via the Competitive Database (abbrev BK2021) <https://bazakonkurencyjnosci.funduszeeuropejskie.gov.pl/>   
    (feature available to logged-in users).
  + The deadline for tender submission is: 09/12/2024.

**The date of tender submission via BK2021 is taken as proof of timely submission.**

Any questions concerning the subject of the Request for Quotation can be submitted no later than 26/11/2024. Questions may only be asked electronically via the Competitiveness Database (function available for logged-in users). The Contracting Authority stipulates that the questions submitted after this deadline may remain unanswered.

**Tender validity:** minimum 30 days from the tender submission deadline.

# Tender evaluation criteria:

The tenders will be evaluated by the Contracting Authority based on the following criteria:

1. Admission criteria:

- submission of a tender on a fully completed tender submission form attached to the Request for Quotation

- offering a device meeting the minimum technical requirements specified in tables 1.1

- providing a confirmation of having supplied in the last 5 years at least two winding machines with similar minimum parameters as stated in point 1.1 no 1 up to 12

1. Scoring criteria

|  |  |  |  |
| --- | --- | --- | --- |
| **Tender evaluation criteria** | **weight** | **maximum score** | **Individual points** |
| *Net price, (in PLN/other currency)* | 13,(1)% | 40 | According to the table in point 2.1 |
| *Technical criteria* | 55,(7)% | 170 | According to the table in point 2.2 |
| *Warranty period (in days)* | 16,(4)% | 50 | According to the table in point 2.3 |
| *Delivery time (in days)* | 6,(6)% | 20 | According to the table in point 2.4 |
| *Experience/references (number of units)* | 8,(2)% | 25 | According to the table in point 2.5 |

The points from the criteria evaluation will be added up and the total score (sum of points scored) will be a decisive factor. A tender for the performance of the Contract may obtain a maximum of 305 points.

* 1. Scoring table for evaluation criterion – NET PRICE

|  |  |  |
| --- | --- | --- |
| NET PRICE | EUR | </= 115 tys. EUR - 40 pts  >115 do 120 tys. EUR - 35 pts  >120 do 125 tys. EUR - 30 pts  >125 do 130 tys. EUR - 25 pts  >130 do 135 tys. EUR - 20 pts  >135 do 140 tys. EUR - 15 pts  >140 do 145 tys. EUR - 10 pts  >145 tys. EUR - 0 pts |

* 1. Scoring table for evaluation criterion – TECHNICAL CRITERIA

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| No. | Description | Unit | Criterion | Is the criterion met? | |
| YES | NO |
| 1 | Max diameter of round wire Cu | mm | >/= 4,0 | 10 | 0 |
| 2 | Max diameter of round wire Al. | mm | >/= 5,0 | 10 | 0 |
| 3 | Max. width of single rectangular wire u/Al | mm | >/=14 | 10 | 0 |
| 4 | Max. height of single rectangular wire u/Al | mm | >/=5 | 10 | 0 |
| 5 | Max. number of round wires | number | >/=6 | 10 | 0 |
| 6 | Max. number of rectangular wires | number | >/=6 | 10 | 0 |
| 7 | Max drive torque | Nm | >/=2400 | 10 | 0 |
| 8 | Min. rotation speed of spindle | rpm | </=40 | 10 | 0 |
| 9 | Max rotation speed of spindle | Rpm | >/=150 | 10 | 0 |
| 10 | Max coil weight | kg | >/=1000 | 10 | 0 |
| 11 | Max coil diameter with terminals | mm | </= 1300 | 10 | 0 |
| 12 | Max coil length without terminals. | mm | >/= 2000 | 10 | 0 |
| 13 | Wire guiding system with adjustment |  | YES | 10 | 0 |
| 14 | Spindle driving system synchronized ( mechanically connected) with tailstock faceplate |  | YES | 10 | 0 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 15 | Wire dereelers with following technical data - number of wire coils (drums) on the dereeler - minimum 6  - max. diameter of coil (drum) with wire - 1000 mm - max. weight of single coil with wire - 350 kg |  | YES | 10 | 0 |
| 16 | Faceplates of spindle and tailstock adjusted for fixing dimensions of winding mandrel of the ordering party with following dimension  - diameter of faceplate of mandrel – max. 400 mm - length of winding mandrel – max. 2100 mm |  | YES | 10 | 0 |

* 1. Scoring table for evaluation criterion – *Warranty period (in days)*

|  |  |  |
| --- | --- | --- |
| Warranty period | days | </= 729 days – 0 pts 730 – 1.097 days – 25 pts >/= 1.098 days – 50 pts |

* 1. Scoring table for evaluation criterion – *Delivery time (in days)*

|  |  |  |
| --- | --- | --- |
| Delivery time | days | </= 180 days - 20 pts  from >180 up to <270 days - 10 pts  >/=270 days - 0 pts |

* 1. *Scoring table for evaluation criterion – Experience/references (number of units)*

|  |  |  |
| --- | --- | --- |
| Number of machines delivered/manufactured between 2018 and 2023 to customers located in Europe with technical parameters similar to those listed under point 1.1 in items 1 up to 12 | Pcs | 2 pcs - 5 pts  3–4 pcs - 10 pts  5 and more pcs - 25 pts |

# Information concerning selection of the best tender:

* The Contracting Authority will award the Contract to the Tenderer whose tender meets all the requirements listed above and obtains a total of the most points based on the tender evaluation criteria listed above.
* The Contracting Authority will notify the Tenderers of the selection of the best tender in a manner corresponding to the publication of the Request for Quotation.
* If the selected Economic Operator withdraws from concluding the Contract, the Contracting Authority may conclude the Contract with the Economic Operator who obtained the next highest number of points in the properly conducted Contract award procedure.
* The Contracting Authority reserves the right to withdraw from the conclusion of the Contract without giving any reason.

# Information on the scope of exclusion from the possibility of performing the Contract.

1. The Economic Operators which have relation to the Contracting Authority in a personal or capital capacity are excluded from the possibility of performing the Contract. A relation in a capital or personal capacity is understood as connections between the Contracting Authority or the persons authorised to incur liabilities on behalf of the Contracting Authority or the persons performing activities on behalf of the Contracting Authority connected with carrying out of the selection procedure for the Contracting Authority and the Economic Operator, consisting in particular of:
   1. participation in a company as a partner in a civil law partnership or a partnership, holding at least 10% of shares or stocks, being a member of a supervisory or managerial body, proxy, attorney,
   2. being married, in a direct family relationship or affinity, in a secondary family relationship or affinity up to the second degree, or in relation due to adoption, custody or guardianship, or in cohabitation with the Economic Operator, its legal successor, or members of the management or supervisory bodies of the Economic Operators competing for the award of the Contract,
   3. having such a legal or factual relationship with the Economic Operator that there is a reasonable doubt as to their impartiality or independence in connection with the Contract award procedure.
2. The exclusion from the possibility of performing the Contract concerns the Economic Operators which:
3. are subject to exclusion from the proceedings pursuant to Article 5k of Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ EU No. L 229 z 31.7.2014, p. 1; hereinafter: **Regulation 833/2014**), as amended by Council Regulation (EU) 2022/576 amending Regulation (EU) No. 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ EU No. L 111 z 8.4.2022, p. 1; hereinafter: **Regulation 2022/576**);
4. there are grounds for excluding them from the Process pursuant to Article 7(1) of the Act of 13 April 2022 *on Special Measures to Counteract the Support of Aggression Against Ukraine and to Protect National Security* (Journal of Laws Item 835)*.*

# Conditions for introducing changes to the Contract:

The Contracting Authority reserves the right to introduce changes to the Conditional and Final Contract concluded as a result of the Request for Quotation in the following cases:

* 1. circumstances beyond the control of the Contracting Authority and the Economic Operator (with the Economic Operator exercising due diligence) resulting in the impossibility or significant delays in the performance of the Contract, in particular temporary unavailability on the market of the resources required to perform the subject of the Contract,
  2. force majeure making it impossible to perform the subject of the Contract within the time limits specified in the Contract. The term “force majeure” means unforeseeable, unexpected external events beyond the control of the Parties, occurring after the signing of the Contract and resulting in the impossibility of fulfilling the Contract,
  3. changes in the project execution schedule, in particular if it is necessary to extend/postpone the deadlines for performance of particular tasks and stages due to the objective factors beyond the control of the Contracting Authority and the Economic Operator, making it impossible to perform the Contract within the originally specified deadlines, affecting the quality of performance of the subject of the Contract,
  4. circumstances beyond the control of the Economic Operator, at its justified request, provided that the change results from circumstances that the Economic Operator could not foresee at the stage of submitting its tender and is not its fault,
  5. in case of the need to introduce changes that could not have been foreseen by the Economic Operator at the time of concluding the Contract, by the time necessary to introduce such changes,
  6. changes in generally applicable provisions of law to the extent affecting the performance of the Contract,
  7. discrepancies or ambiguities arising in the meaning of terms used in the Contract that cannot be removed otherwise, and the amendment will enable the removal of discrepancies and clarification of the Contract in order to unambiguously interpret its provisions by the parties, while not changing the nature of the Contract;
  8. change does not amend the overall nature of the Contract, and the total value of the change is less than EUR 140,000 and at the same time it is less than 10% of the value of the Contract originally specified in the Contract;
  9. changes concern provision of additional services or from the existing Economic Operator, not included in the original Contract, if they became necessary and all the following conditions are met:
     + change of the Economic Operator cannot be introduced for economic or technical reasons, in particular concerning the interchangeability or interoperability of equipment, services or installations, ordered under the original Contract,
     + change of the Economic Operator would cause substantial inconvenience or a significant increase in costs for the Contracting Authority,
     + value of the changes does not exceed 50% of the value of the Contract as originally defined in the Contract,
  10. change does not amend the overall nature of the Contract and all the following conditions have been met:
      + need to amend the Contract is caused by circumstances which the Contracting Authority, acting with due diligence, could not foresee,
      + value of the changes does not exceed 50% of the value of the Contract as originally defined in the Contract,
  11. Economic Operator to whom the Contracting Authority awarded the Contract is to be replaced by a new Economic Operator:
      + as a result of succession, assuming the rights and obligations of the Economic Operator, as a result of takeover, merger, division, transformation, bankruptcy, restructuring, inheritance or acquisition of the existing Economic Operator or its enterprise, provided that the new Economic Operator meets the conditions for participation in the procedure and it does not involve other significant changes to the Contract and is not intended to avoid the application of the principle of competition, or
      + as a result of the Contracting Authority taking over the Economic Operator's obligations towards its subcontractors – in the case of a change of subcontractor, the Contracting Authority may conclude a Contract with a new subcontractor without changing the conditions for the performance of the Contract, taking into account the payments made on account of the work performed so far.

# Reservations

* The Contracting Authority stipulates that the Contract concluded with the selected Economic Operator will provide for Contractual penalties for delay in the performance of the Contract in the amount of 0.5% of the net Contract value for each week of delay in the execution of the order, but not more than 5% of the net Contract value, to which the Economic Operator agrees when submitting its tender to this Request for Quotation.
* The Contracting Authority reserves the right to terminate the Conditional/Final Contract with immediate effect if, in the course of the implementation of the funded project and the investigation carried out as part of it, the results of the investigation indicate a need to change the scope and terms of the conditional/final Contract. The Contract will be terminated without the imposition of any additional fees or penalties.
* The Tenderer bears all of its own costs associated with the preparation and submission of its tender, regardless of the outcome of the procedure.
* The Contracting Authority reserves the right to amend the Request for Quotation and the tender submission form in case of errors in the request for quotation, the necessity to make additions. In such case the Contracting Authority:
  + informs in the Request for Quotation about the scope of changes,
  + informs all the Tenderers who have so far submitted tenders of the introduced change,
  + extends the deadline for tender submission by the time necessary to introduce the changes in the tenders, if this is necessary due to the scope of the introduced changes.
* During the evaluation of the tenders, the Contracting Authority may call on the Tenderers to submit clarifications or additions to their tenders. If communication via BK2021 is not possible, correspondence will be carried on by email.
* At the end of the tender evaluation procedure, the Contracting Authority will decide on the selection of the best tender.
* Submission of a tender under the Request for Quotation is tantamount to acceptance of the rules set out in the Request for Quotation.
* The Contracting Authority shall have the right to cancel part or all of the Request for Quotation at any time during the process in a justified case.

# Annexes:

1. Tender submission form