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| “Tender” Form |

**Contracting Entity:**

**Gas Transmission System Operator GAZ – SYSTEM S.A.**

ul. Mszczonowska 4

02-337 Warsaw

By submitting the Tender in the Non-Public Contract Award Procedure conducted as an open tender for the performance of the task named: **“Balancing services at Branice entry point”** – Procedure No.: NP/2024/06/0519/PK

we, the undersigned:

**CONTRACTOR** (**1**)

address: street and number

post code , city/town , country

phone numbers

NIP , REGON

e-mail address (*for contacts with the Contracting Entity*):

**Contractor 2****[[1]](#footnote-1):**

address: street and number

post code , city/town , country

phone numbers

NIP , REGON

e-mail address (*for contacts with the Contracting Entity*):

**Proxy**1 to represent Contractors jointly seeking the award of the Non-Public Contract (e.g. Consortium Leader):

address: street and number

post code , city/town , country

phone numbers

NIP , REGON

e-mail address (*for contacts with the Contracting Entity*):

1. **WE HEREBY SUBMIT A TENDER** for the performance of the Subject of the Contract in accordance with the content of the ToR.
2. **WE HEREBY DECLARE that we meet the conditions for participation in the Contract Award Procedure referred to in Chapter VI Section 1.2) of the ToR, as well as that we are not subject to exclusion from the Contract Award Procedure on the basis of the circumstances referred to in Chapter VIII Section 1.1)-14) [[2]](#footnote-2)of the ToR.**
3. **We hereby declare** that we have read the content of the ToR and we consider ourselves bound by the provisions and principles of the Procedure set out therein.
4. **WE HEREBY DECLARE** that we have read the Draft Contract constituting Appendix 3 to the ToR and we undertake, in the event of our tender being selected, to conclude a contract consistent with this Tender, under the conditions specified in the ToR.
5. **WE OFFER** the performance of the Contract in accordance with the content of the ToR under the conditions specified in the ToR for the price of:

* on Gas Days, on which we shall deliver Gaseous Fuel to Branice Entry Point (ID 372414) for the net price P established in accordance with the following formula:

**P = TGE\_DA + Pp** PLN/kWh (**Gaseous Fuel unit price** for each 1 (one) kWh of Gaseous Fuel off-taken by the Contracting Entity,

where:  
**TGE\_DA** – average TGEgasDA (TGE Day Ahead) index for the delivery month as published on the TGE (www.tge.pl) website, weighted by the daily volumes of Gaseous Fuel delivered at Branice Entry Point, expressed in PLN/kWh,

**(Pp)\*\*** …………….… PLN/kWh – Contractor’s “mark-up”;

* on Gas Days, on which we shall not deliver Gaseous Fuel to Branice Entry Point (ID 372414) (the so-called readiness fee) for the net price **(Ph)\*\*** …………….… PLN for each Gas Day on which during the term of the Contract, we shall deliver Gaseous Fuel to Branice Entry Point (ID 372414) due to the fact of deliveries provided by the Shippers (price for the readiness to perform the Subject of the Contract), in accordance with the provisions of the Draft Contract.

**\*\* see Chapter XVI of the ToR**

**Important note:**

**For Pp:**

*Net prices should be given to* ***five*** *decimal places.*

**For Ph:**

*Net prices should be given to* ***two*** *decimal places.*

1. **WE HEREBY DECLARE** that the Tender price includes all costs of performing the Contract (future contractual performance).
2. **WE HEREBY DECLARE** that we shall perform the Contract within the time limit specified in the ToR and the Draft Contract.
3. **WE HEREBY DECLARE** that we **shall perform the Contract by our own means and efforts/with the participation of the following subcontractors[[3]](#footnote-3)**:
4. ………………………………………………………………………….……………………… (*name (company name) of the subcontractor,* *if known at the stage of submitting the tender)*, which will be entrusted with the following part of the contract ................................................................. *(scope of work to be performed by the subcontractor)*;
5. ………………………………………………………………………….……………………… (*name (company name) of the subcontractor, if known at the stage of submitting the tender)*, which will be entrusted with the following part of the contract ................................................................. *(scope of work to be performed by the subcontractor)*;
6. WE **HEREBY DECLARE** that in the event that the performance of the work requires the participation of Subcontractors, we shall bear full responsibility for the acts or omissions of each of the Subcontractors. There are no grounds for exclusion and the prohibition as set out in Chapter XXIV Section 3 of the ToR with regard to the Subcontractors.
7. **WE HEREBY DECLARE** that we have read the “Code of Conduct for Suppliers of Gas Transmission System Operator GAZ-SYSTEM S.A.” and we undertake to comply therewith.
8. **WE HEREBY DECLARE** that the waste generated during the performance of the contract shall be managed in accordance with the applicable Waste Management Act.
9. **WE HEREBY DECLARE** that we shall be bound by the Tender for the period specified in the ToR.
10. **WE HEREBY DECLARE** that we have fulfilled the information obligations provided for in Article 14 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals 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) (OJ UE L 119 of 04/05/2016, p. 1), hereinafter “GDPR”, towards natural persons from whom we have obtained personal data directly or indirectly, in particular towards the persons indicated in Chapter VII Section 2.4) of the ToR, in order to apply for the award of this Contract.

Furthermore, we declare that in the event of obtaining personal data in the future in order to apply for the award of this Contract, we shall fulfil towards such natural persons the information obligations provided for in Article 14 of the GDPR.

1. **WE HEREBY DECLARE** that, with regard to the standards, technical evaluations, technical specifications and technical reference systems referred to in the ToR and attachments to the ToR:
2. we do not offer equivalent solutions,
3. we offer equivalent solutions.

In the case of offering equivalent solutions, we shall indicate:

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| --- | --- |
| Standard, technical evaluation, technical specification, technical reference system referred to in the ToR and appendices to the ToR | Equivalent standard, technical evaluation, technical specification, technical reference offered by the Contractor |
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1. The **PERSON** authorised for business contacts regarding the Tender is
2. **PLEASE FIND ATTACHED** the complete set of the following documents:

(place)……………………., (date) ………………………….. *………………………………………………………………*

*legible signature, signature with a personal stamp*

*or electronic signature of person(s)*

*authorised*

*to represent the Contractor*

1. To be filled only by Contractors jointly seeking the award of the Non-Public Contract (civil partnerships or consortia). [↑](#footnote-ref-1)
2. The declarations in question shall be made on behalf of each of Contractors jointly applying for the Contract award by the Authorised Representative (e.g. Consortium Leader) representing the Contractors listed above. [↑](#footnote-ref-2)
3. Delete as appropriate. In the absence of deletion and failure to complete the field, the Contracting Entity shall assume that the Contractor does not entrust subcontractors with the performance of any scope of the Contract. [↑](#footnote-ref-3)