

Inquiry No. 2023-ARISER-01 of the 28/03/2023 to purchase a COMSOLE Multiphysics software license with modules necessary to build the model and run the simulation

Announcement information:

The purchase will be made as part of the project entitled "Large-area All-Solid-State (ASSB) batteries manufactured by magnetron sputtering with ALD buffer layers [acronym: ARISER] selected in the M-ERA.NET 3 Call 2021, based on an agreement M-ERA.NET3/2021/99/ARISER/2022

Name and address of the contracting authority:

Centrum Badań i Rozwoju Technologii dla Przemysłu S.A. . (hereinafter referred to as "CBRTP S.A." or "the contracting authority") with its registered office in Warsaw at Ludwika Waryńskiego 3A, 00-645 Warsaw, entered into the Register of Entrepreneurs kept by the District Court for the Capital City of Warsaw in Warsaw, XII Commercial Division of the National Court Register under KRS number: 0000486167, REGON: 146961367, NIP: 5252575062, BDO registration number: 000331689

Description of subject of order

The subject of the order is the purchase of a COMSOL Multiphysics software license with modules necessary to build the model and run the simulation. A detailed description of the subject of the order and the offer form can be found in Appendix No. 1 to this inquiry.

Inquiry category

Delivery

CPV codes

48000000-8 - Software packages and information systems

The deadline for submitting offers

The deadline for submission of tenders is 07th April 2023

Place and method of submission

The offer should be submitted personally or by mail at the contracting authority's address in a closed envelope stamped with the Bidder's seal bearing the words "Offer in reply to inquiry No. 2023-ARISER-01 date 28/03/2023" or sent by e-mail to: anna.danda@cbtrp.pl

In the case of offers sent by post, the date of receipt of the offer at the contracting authority's seat counts. Offers should be submitted on the form found in Appendix No. 1 to this inquiry.

Moreover:

- please initial all pages of the submission and its' appendixes obligatorily (in electronic submission scanned pages must be initialed/signed too),
- an offer must be signed by the authorized company representative, who is enlisted in Companies Registry or in other official document certifying its legal authorization,
- in the case of signing the offer by a person not mentioned in the abovementioned registers, it is necessary to attach a document certifying its legal authorization,

- offers must be written in Polish or English language,
- Bidder can modify or withdraw their offer before the deadline,
- offers submitted after the deadline are considered null and void.

While evaluating the offers, the contracting authority may request additional information from the Bidder regarding the submitted offer, in particular if:

- the Bidder submits an incomplete offer in formal terms, not containing the required documents or statements,
- documents submitted/sent are illegible or contain errors, the contracting authority will inform the Bidder about the possibility of supplementing/correcting the above mentioned documentation.

Deadline for supplementing/correcting the abovementioned documentation will be specified in an email message to the Bidder. Failure to complete/correct documentation by the Bidder within the time limit will result in rejection of the offer.

The contracting authority rejects the offer in the following cases:

- the offer contains significant errors in price calculation,
- the content of the offer does not correspond with the content of the inquiry,
- the offer submitted by the Bidder does not meet the requirements specified in the request for proposal,
- the offer has not been completed/corrected by the Bidder within the time limit indicated by the contracting authority,
- the offer was submitted after the deadline,
- the offer was submitted by the Bidder subjected to exclusion due to the existence of personal and/or capital connections,
- the Offer has been submitted by a Bidder subjected to exclusion under Article 7(1) of the Law of 13 April 2022 on unique solutions to prevent support for aggression against Ukraine and protect national security.

The contracting authority invalidates the proceedings if:

- no valid offer has been submitted,
- the price of the most advantageous offer or the offer with the lowest price exceeds the amount which the contracting authority intends to spend on financing the contract, unless the contracting authority may increase this amount to the price of the most advantageous offer,
- there has been a significant change in circumstances as a result of which the further conduct of the procedure or the contract execution is not in the interest of the contracting authority.

Contact person:

1. Anna Dańda

tel. +48 661 310 210

email: anna.danda@cbrtp.pl

Place of order fulfillment:

Country: Poland

Region: mazowieckie

City: Warszawa

Delivery schedule

Delivery must be completed:

No later than 14 working days from the day of the conclusion of the contract.

Conditions to be met by the Bidder:

Entities that sign the declaration contained in Annex 1 and meet the following conditions may apply for the contract:

- employ staff with the necessary knowledge and experience necessary to perform the subject of the contract;
- have the technical potential necessary to perform the subject of the contract;
- are in an economic and financial situation ensuring the performance of the subject of the contract;
- are not subject to exclusion from the proceedings pursuant to Art. 7 sec. 1 of the Act of April 13, 2022 on special solutions for counteracting the support of aggression against Ukraine and for the protection of national security

List of documents/declarations required from the contractor:

- The bidder should submit an offer on the form constituting Appendix 1 to this inquiry.
- If the offer is signed by a person not listed in CEIDG or KRS, it is necessary to additionally attach a document confirming its legal authorization.

Conditions for amending the contract

The contracting authority provides for the possibility of amending the contract with the selected contractor, provided that the following conditions are met jointly:

- circumstances occurred that the contracting authority could not foresee on the date of signing the contract, which had a significant impact on the implementation of the project entitled: "Large-area All-Solid-State (ASSB) batteries manufactured by magnetron sputtering with ALD buffer layers [acronym: ARISER] selected in M-ERA.NET 3 Call 2021, based on an agreement M-ERA.NET3/2021/99/ARISER/2022, consisting in particular in placing an additional order or the need to change the date of order fulfillment for reasons beyond the control of the parties to the contract,
- the value of the change does not exceed 50% of the contract value originally specified in the contract

Partial and supplementary orders:

The Ordering Party does not envisage partial and supplementary orders.

Evaluation criteria and point assignment procedure

The only criterion is price. Offers are assigned points in the scale of 100 pts (from 0 pts to 100 pts – assigned proportionally to the lowest-priced net offer, i.e. minimal net price of all the offers

divided by net price of the given offer times 100). The maximum number of points is 100 pts.

The price is supposed to be specifying net and gross value. The price should include the entirety of the wages due to the Bidder. The prices on the offer expressed in a different currency than the Polish zloty will be converted into PLN using the average exchange rate announced by the National Bank of Poland, in force on the day of the announcement of the request for quotation.

Exclusion from the procedure

Entities associated in person and/or capital with Centrum Badań i Rozwoju Technologii dla Przemysłu S.A. are excluded from the tender procedure. Capital and/or personal connections are understood as interrelationships between Centrum Badań i Rozwoju Technologii dla Przemysłu S.A. and/or persons authorized to incur obligations on behalf of Centrum Badań i Rozwoju Technologii dla Przemysłu S.A. and/or persons performing activities related to the preparation and carrying out of the contractor selection procedure and the contractor of the consisting in particular of:

- being part of a civil law partnership,
- owning more than 10% or company shares or stocks,
- acting in the board of directors or as management, procurer or proxy,
- marriage, first or second degree of lineal or collateral consanguinity or affinity, adoption, custody, guardianship.

Pursuant to Article 7(1) of the Law of 13 April 2022 on unique solutions to prevent support for aggression against Ukraine and protect national security, is excluded from the proceedings:

- a. a contractor and a participant in the competition listed in the lists specified in Regulation 765/2006 and Regulation 269/2014, or included in the list on the basis of a decision on inclusion in the list resolving the measure referred to in Article 1, point 3 of the Law;
- b. a contractor and a participant in the competition whose beneficial owner within the meaning of the Act of March 1, 2018 on the prevention of money laundering and terrorist financing (Journal of Laws of 2022, item 593 and 655) is a person listed in the lists set forth in Regulation 765/2006 and Regulation 269/2014, or listed or being such a beneficial owner as of February 24, 2022, provided that he or she is listed on the basis of a decision on listing resolving the measure referred to in Article 1, item 3 of the Law;
- c. a contractor and a participant in the competition whose parent entity, within the meaning of Article 3(1)(37) of the Accounting Act of September 29, 1994 (Journal of Laws of 2021, Item 217, 2105 and 2106), is an entity listed in the lists set forth in Regulation 765/2006 and Regulation 269/2014, or listed or being such a parent entity as of February 24, 2022, provided that it has been listed on the basis of a decision on listing conclusive of the measure referred to in Article 1(3) of the Act.

Please read the information clause for bidders regarding the processing of personal data, attached as Appendix No. 2 to this inquiry.