

## **Inquiry number 1, dated 11.09.2017 r.**

**Subject:** Delivery of the exhaust gas analyzer for the WR-25 boiler in MPEC Olsztyn

**Project POIR01.01.01-00-0300/16 named:** „ Development of a Predictive Control System for the SNCR System for NOx Reduction for Carbon Fueled Grate Boilers”

**Działania 1.1 „Projekty B+R przedsiębiorstw”, Poddziałania 1.1.1 „Badania przemysłowe i prace rozwojowe realizowane przez przedsiębiorstwa” Programu Operacyjnego Inteligentny Rozwój, 2014 – 2020**

**CPV code:** 38432100-3 Gas-analysis apparatus

1. Name of the buyer and address:	<b>Ecoenergia Sp. z o.o.</b> street Lustrzana 32 01-342 Warsaw, Poland  www.ecoenergia.com.pl
2. Procedure:	Request for proposals, in accordance with the principle of competitiveness defined in the Guidelines on the eligibility of expenditure under the European Regional Development Fund, the European Social Fund and the Cohesion Fund 2014-2020 of 19 July 2017.
3. Date of the inquiry:	11.09.2017 r.
4. Date of offer submission:	Tenders may be submitted by 29 September 2017 until 14:00 Tenders submitted after the deadline will not be considered. The date and time of receipt of the offer to the company counts.
5. Submission way:	<p>The offer can be submitted in English or Polish: Electronically (in the form of a scan of the signed document) to: j.siwinski@ecoenergia.com.pl or k.grabowski@ecoenergia.com.pl or in paper form to the company headquarter: Ecoenergia Sp. z o.o. Street Lustrzana 32 01-342 Warsaw, Poland</p> <p>The deadline for submitting the offer is considered the date of its receipt to the office of the Purchaser or the time stamp of receiving end in the e-mail address indicated above.</p> <p>Inquiries about the subject of the order should be send to the above e-mail addresses until 20.09.2017.</p>

	<p>1) In the course of evaluating submitted offers, the Purchaser may request clarifications from the Tenderers regarding the content of their offers. The deadline for submitting explanations will be indicated in the message sent to the Tenderer (at least 2 working days from receipt of the call for explanations). Failure to provide explanations within the time set by the Awarding Entity and in the required form will be grounds for rejection of the Tender.</p> <p>2) Bidders are required to carefully read the information contained in the Bid Request and prepare the Bid in accordance with the requirements specified in the Bid Request.</p>
6. Order description:	<p>Delivery includes:</p> <p>Complete continuous emission monitoring system that fulfils specified below requirements:</p> <ol style="list-style-type: none"> <li>1. NH<sub>3</sub> range 0-50 ppm</li> <li>2. NO range 0-400 ppm</li> </ol> <p>The system may be un-situ or extractive. The dust concentration before bag filter is up to 20 g/Nm<sup>3</sup>. The gases have to be measured before bag filter. Flue gas temperature in the duct is about 180 deg. C, and pressure is about -500 Pa.</p> <p>Any kind of measuring systems is allowed, for instance in-situ and extractive one with heated sample probe and line. We agree for measurements in one duct only before bag filter.</p> <p>The flue gas insulation is 100 mm. In the case of extractive system the distance from sampling probe head to the analyzer cabinet is less than 10 m. The analyzer or analyzer cabinet should have at least IP54 tightness. The flue gas duct size (one half) is rectangle about 1800x600 mm.</p> <p>The measuring system have to be complete, e.g. including all equipment necessary for measurement as for instance: automatic zero calibration unit, sample pump (if required), additional measurements (duct pressure, temperature, if required), at least manual span calibrations unit, automatic as an option.</p> <p>Other requirements:</p> <p>At least an output signal of each measured gas in 4 to 20 mA standard and a few digital status signals of analyzer/analyzers (work, malfunction, calibration).</p> <p>Linearity: better than 2% of F.S.</p> <p>Repeatability: better than 1%</p> <p>Response time: less than 60 s</p> <p>Zero drift: negligible</p> <p>Span drift: less than 1% a week</p> <p>Working conditions:</p> <p>Ambient temperature: +5 to +40 deg. C</p> <p>Ambient humidity: less than 95%, non-condensing</p> <p>Power supply: 230Vac</p> <p>In one week after sending the information about choosing the contractor we expect basic engineering information about analyzer installation including at least:</p>

	<ul style="list-style-type: none"> <li>- connection flange size information,</li> <li>- electric power supply requirements,</li> <li>- compressed air parameters and consumption, if required,</li> <li>- other media, if required,</li> <li>- analyzer or analyzer cabinet size and weight,</li> <li>- number and parameters of calibration gases and their consumption, if required.</li> </ul> <p>The bidder will provide a minimum of 12 months guarantee for the scope of supply.</p> <p>The warranty period is calculated from the moment of delivery of the scope of delivery, but no longer than 18 months from the delivery date.</p> <p><b>CPV code:</b> 38432100-3 Gas-analysis apparatus</p>
<p>7. Terms of participation:</p>	<p><b>Terms of participation:</b></p> <ol style="list-style-type: none"> <li>1. The Bidders may submit the offer when they the following conditions at the day of submission of Tenders. : <ul style="list-style-type: none"> <li>• In the last 5 years before the deadline for submission of Tenders, and if the period of activity is shorter then during this period, they have completed at least two orders for the delivery of an exhaust gas analyzer identical to the scope stated in item 6 of this inquiry. Confirmation of experience can be a reference list, reference letter or final acceptance protocol.</li> <li>• The Tenderer will provide a minimum of 12 months warranty on the order described in point 6. "Order description".</li> </ul> </li> </ol> <p><b>Way of evaluation:</b></p> <ol style="list-style-type: none"> <li>1. The Purchaser will evaluate the fulfillment of the conditions for participation in the procedure based on information from the Tenderer presented in the Offer Form and Attachments. Evaluation of the fulfillment of the requirement will be made by the meet / does not meet method.</li> <li>2. The documents requested by the Purchaser to confirm the fulfillment of the conditions for participation in the proceedings should be submitted in the form of original or certified copy by the Tenderer.</li> <li>3. Prior to signing the contract, the Purchaser reserves the right to verify the Tenderer's (meet / does not meet) statements regarding the conditions for participation in the Tender of relevant documents confirming the Tenderer's declaration.</li> <li>4. The Tenderer is obliged to guarantee the way of realization of the contract favorable for the protection of the environment by</li> </ol>

	<p>minimizing the consumption of materials, raw materials, energy, etc. necessary for the performance of the contract.</p> <p>5. Participation in Tender is excluded for companies related personally and in equity with the contracting authority.</p> <p>Capital or personal ties are understood as the relationship between the Purchaser or the persons authorized to incur liabilities on behalf of the Purchaser or persons performing on behalf of the Purchaser activities related to the preparation and conduct of the selection procedure for the Tender and the Bidder, consisting in particular of:</p> <ul style="list-style-type: none"> <li>• Participating in a company, as a partner in a civil law partnership or partnership,</li> <li>• Holds at least 10% of shares</li> <li>• Serves as a member of a supervisory or management body, proxy, attorney,</li> <li>• Marriage, kinship or affinity in a straight line, second degree affinity or second degree affinity in a lateral line or adoption, care or guardianship.</li> </ul>
8. Deliver deadline:	Delivery deadline is set at 15.12.2017 r.
9. Delivery place and conditions:	DDP according to Incoterms 2010 MPEC Spółka z o.o., street Słoneczna 46, 10-710 Olsztyn, Poland
10. Selection criteria and method of evaluation:	<p>1. The selection of the best offer will be based on the following criteria;</p> <ul style="list-style-type: none"> <li>– Net price in PLN(90%)</li> <li>– Net maintenance and operation costs in PLN (10%),</li> </ul> <p>2. Tenders submitted in a currency other than PLN will be converted into PLN at the NBP (Narodowy Bank Polski) average exchange rate on the closing date for submission of Tenders,</p> <p>3. Net maintenance and operation costs submitted in a currency other than PLN will be converted into PLN at the NBP (Narodowy Bank Polski) average exchange rate on the closing date for submission of Tenders,</p> <p>4. In the case of receiving the same number of points by two or more Tenderers, the number of points earned in the "Net price" criterion will determine the bid selection.</p> <p>5. Purchaser will evaluate and compare only these Tenders that:</p> <ul style="list-style-type: none"> <li>– Will not be rejected by the Purchaser due to failure to meet the requirements of the order,</li> <li>– Will be submitted by the Tenderers not excluded by the Purchaser in the present proceedings.</li> </ul>

6. Tenders will be evaluated by the Purchaser based on the following:

Criterion	Criterion percentage value	Maximum number of points per criterion
Net Price (C)	<b>90%</b>	<b>90 points</b>
Net maintenance and operation costs (K)	<b>10%</b>	<b>10 points</b>
<b>The total number of points will be the sum of the points awarded in all criteria.</b>		

Principles of evaluation of the criterion "Net Price"

In the case of the "Net Price" criterion, the offer will receive a rounded to two decimal places the number of points resulting from the action:

$$P_i(C) = (C_{min} / C_i) \cdot \text{Max}(C)$$

where:

$P_i(C)$	-	Number of point received by Tender „i” in „Net Price” criterion
$C_{min}$	-	Lowest „Net Price” received in all valid and not excluded Tenders
$C_i$	-	Net price of Tender "i";
$\text{Max}(C)$	-	Maximum number of points that Tender can receive in „Net Price” criterion

Principles of evaluation of the criterion " Net maintenance and operation costs "

In the case of the "Net maintenance and operation costs " criterion, the offer will receive a rounded to two decimal places the number of points resulting from the action

$$P_i(K) = (K_{min} / K_i) \cdot \text{Max}(K)$$

where:

$P_i(K)$	-	Number of point received by Tender „i” in „Net maintenance and operation costs” criterion
$K_{min}$	-	Lowest „Net maintenance and operation costs” received in all valid and not excluded Tenders
$K_i$	-	Net maintenance and operation costs of Tender “i”
$\text{Max}(K)$	-	Maximum number of points that Tender can receive in „Net maintenance and operation costs” criterion

	<p>The "Net maintenance and operation costs" are recognized as the costs of consumables of the subject of the order along with maintenance costs covering the first 12 months.</p>
<p>11. The offer must include the following items:</p>	<ol style="list-style-type: none"> <li>1. An offer form prepared on the tender draft in Appendix No. 1, should include: <ul style="list-style-type: none"> <li>– Identifying information of the Tenderer (name, address),</li> <li>– Contact person (name and surname, phone number, e-mail),</li> <li>– Date of preparation and validity of the offer (at least 60 days from the last day of submission of bids in the competition),</li> <li>– Identification of the subject of the Tender in accordance with the subject of the Tender described in this inquiry,</li> <li>– Reference to the selection criteria, including the gross and net price, and the net maintenance and operation costs of the subject of the Tender,</li> <li>– Payment terms and conditions,</li> <li>– Information about the Tenderer's experience in the subject of the Tender</li> </ul> <p>(as required under the terms of participation)</p> <ul style="list-style-type: none"> <li>– Signature of the person authorized to issue the offer.</li> </ul> </li> <li>2. Statement that the contract will be implemented in an environmental friendly manner by minimizing the consumption of materials, raw materials, energy, etc. necessary for the execution of the contract (according to Attachment No. 2 to this inquiry).</li> <li>3. Statement of acquaintance with the inquiry, containing the confirmation of the completeness of the offer (according to Attachment No. 3 to this inquiry).</li> <li>4. Statement of lack of capital and personal connections with the Employer (according to Attachment No. 4 to this inquiry)</li> </ol> <p>Absence of any of the elements mentioned above may result in rejection of the offer.</p>
<p>12. Change of contract:</p>	<p>Changes of the provisions of the contract may be made with the consent of both parties (the Purchaser and the appointed Contractor), expressed in writing, subjected to invalidity, in particular for the following reasons</p> <ol style="list-style-type: none"> <li>1. Legitimate changes in the manner of performance of the object of the contract,</li> <li>2. Objective reasons independent of the Purchaser or the Tenderer,</li> <li>3. The circumstances of force majeure,</li> <li>4. Changes to the government regulations which were in force at the date of signing the contract,</li> </ol>

	<p>5. Receive the decision of the project financing entity with changes in the scope of tasks, deadlines or additional terms to which the Purchaser will be obliged.</p>
13. Additional information:	<p>1. The Purchaser reserves that:</p> <ul style="list-style-type: none"> <li>– has the right not to choose any of the submitted Offers;</li> <li>– has the right to cancel the Tender at any time without giving any reason or prior information to the Tenderers;</li> <li>– has the right to change or supplement the documents included in the inquiry, which will become an integral part thereof;</li> <li>– may extend the time limit for submission of tenders;</li> </ul> <p>In the case of the above, there are no claims entitled to the Tenderer against the Purchaser.</p> <p>2. In the cases referred to above, Tenderers shall not have any claim against the Purchaser. In the event of a changes in the Inquiry, information on this fact will be announced immediately on the website on which the Purchaser has been made public. Information on this matter will also be sent to the Tenderers who submitted the Tender prior to the change</p> <p>3. In the event of a change to the Inquiry, the deadline for submission of Offers will be extended by the time necessary to replace the Offers, if it is necessary due to the scope of the changes.</p> <p>4. The Purchaser does not provide the public opening of the Tenders.</p> <p>5. Bidders will be informed of the results of the evaluation of the Offers immediately after the selection of the Contractor by the Purchaser.</p> <p>6. The selected Tenderer will be informed by telephone or e-mail of the date and place of signature of the Contract. The agreement will be deemed concluded after it has been signed by both parties.</p> <p>7. W przypadku nie przystąpienia do zawarcia Umowy przez Oferenta, który złożył najkorzystniejszą Ofertę, Zamawiający zastrzega sobie prawo do podpisania Umowy z kolejnym Oferentem, który uzyskał kolejną najwyższą liczbę punktów bez przeprowadzania ponownego Postępowania Ofertowego.</p> <p>8. In the event of failure to sign the Agreement by the Tenderer who has submitted the most favorable Offer, the Purchaser reserves the right to sign the Agreement with the next Tenderer who has</p>

	<p>received the next highest number of points without conducting the Bidding Process.</p> <p>9. The Purchaser reserves the right to grant the Contractor a supplementary order (as described in the subject of the basic order) of up to 50% of the value of the basic order specified in the contract concluded with the Contractor, among others:</p> <ul style="list-style-type: none"><li>– For technical or economic reasons, the separation of an additional order from the subject of the Inquiry would require a disproportionately high cost,</li><li>– execution of the subject of the basic order is dependent on performance of the additional order.</li></ul> <p>10. This proceeding is not conducted in accordance with the provisions of the Act of 29 January 2004 Public Procurement Law.</p> <p>11. The contracting authority does not provide for the possibility of lodging protests and appeals.</p> <p>12. In case of discrepancies between the language versions of the inquiry, the Polish version takes precedence.</p>
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Attachment No. 1 to the inquiry

### Tender draft

In response to Inquiry number 1 dated 11.09.2017 we place the following offer:

<b>Bidder data</b>		
Name		
Address		
NIP (for Polish companies)		
NR KRS/EDG (for Polish companies)		
Legal type (e.g. limited liability company)		
The company fulfills the non-ban condition regarding related parties (YES/NO)		
<b>Contact person</b>		
Full name		
Phone		
e-mail		
<b>Offer parameters</b>		
Date of offer		
Validity date of the offer		
<b>References to access conditions</b>		
Minimal 12 months warranty period	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<b>Subject of offer</b>		
<b>Reference to selection criteria</b>		
Net price (with currency)		
Gross price (with currency)		
Net maintenance and operation costs (with currency)		
<b>Payment terms and conditions (minimum 30 days)</b>		



Attachment No. 2 to the inquiry

**Declaration of the Tenderer:**

We declare that the contract will be implemented in an environmental friendly manner by minimizing the consumption of materials, raw materials, energy, etc. necessary for the execution of the contract.

.....  
Date and place

.....  
Signature

Attachment No. 3 to the inquiry

**Declaration of the Tenderer:**

We declare that we have read the Inquiry and that our offer contains all the elements specified in the Inquiry.

Full name of the authorized person	
Position in the company	

.....  
Date and place

.....  
Signature

Attachment No. 4 to the inquiry

**Non-connection declaration**

We declare,

.....  
(full bidder name)

Is not related personally or related by equity with the Purchaser

Personally relationship or equity relationship are understood as the relationship between the Purchaser or the persons authorized to incur liabilities on behalf of the Purchaser or persons performing on behalf of the Purchaser activities related to the preparation and conduct of the selection procedure for the Tender and the Bidder, consisting in particular of:

- Participating in a company, as a partner in a civil law partnership or partnership,
- Holds at least 10% of shares
- Serves as a member of a supervisory or management body, proxy, attorney,
- Marriage, kinship or affinity in a straight line, second degree affinity or second degree affinity in a lateral line or adoption, care or guardianship.

.....  
Date and place

.....  
Signature