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Contract No **ZZ/1334/009/D/2019**

Gdańsk, on 11.12.2019.

CONTRACT AWARD NOTICE

Contracting authority - Gdańsk University of Technology, Faculty of Electronics, Telecommunications and Informatics, acting pursuant to Article 4d(1)(1) of the Act of 29 January 2004 – Public Procurement Law (Journal of Laws of 2009, item 1843) issues notice of intended scientific procurement of DND and HPHT nanodiamond powders for the implementation of projects financed from NCN and FNP funds, carried out at the Faculty of Electronics, Telecommunications of the Gdańsk University of Technology.

1. General description of the subject matter of the contract

- 1) The subject matter of the contract was divided into 2 parts and described in detail in Appendix 1. The contracting authority allows for the possibility of submitting bids for a selected part.
- 2) The subject matter of the contract will be designated for the needs of the implementation of projects co-financed from the NCN and the FNP under the name of:
 - "New photonic and quantum devices using non-linear and coherence phenomena in diamond colour centres; OPUS 11";
 - "Nanosensors and imaging with the use of quantum effects – synergy of glass and diamond for applications in next generation biodiagnostics" in the TEAM-NET competition, financed by the Regional Development Fund under the Operational Programme Intelligent Development 2014-2020 (PO IR), Axis IV: Enhancing research and development potential, Measure 4.4: Increasing the human resources potential of the R&D sector.
- 3) CPV code 2495000000-8 Specialised chemical products.
- 4) The subject matter of the contract must come from current production, so that it is free from any defects and damage and cannot be subject to the rights of third parties.
- 5) The subject matter of the contract includes delivery to the contracting authority's registered office: Gdańsk University of Technology, Faculty of Electronics, Telecommunications and Information Technology, ul. G. Narutowicza 11/12, 80-233 Gdańsk, WETI A building (41), room 116.
- 6) The subject matter of the contract was defined by indicating objective technical quality features. Possible names (trademarks) provided by the contracting authority are only examples, and their indication is intended to specify the expected standard, while the Contracting Authority allows equivalent offers to be made in terms of the description of the subject matter of the contract.

2. Bid preparation method:

- 1) the bid should be drawn up in accordance with the model bid form attached as Appendix 2 to the notice.
- 2) the bid may be submitted in writing or in electronic form. An bid in electronic form must be submitted as a scan in writing. The bid must include the signature of the person(s) authorized to act on behalf of the contractor (the bid must be accompanied by a power of attorney, in accordance with the requirements of the Civil Code). All appendices to the bid constituting the declarations shall also be signed by the authorised representative. The scope of the entrepreneur's representation must result from the documents presented by the contractor.

- 3) the price should be quoted in gross amount for the performance of the service, taking into account all costs and charges arising from the performance of the contract and the conditions and requirements set by the contracting authority.
- 4) all parties to the tender, as well as the places where the contractor made the changes, should be initialled by the person signing the bid.
- 5) when submitting the bid, the contractor should submit it in an opaque, sealed and described envelope "*Bid under the procedure of the supply of DND and HPHT nanodiamond powders, case designation: ZZ/1334/009/D/2019*". When submitting the bid by e-mail, the contractor should write the following designation in the subject line of the e-mail: "ZZ/1334/009/D/2019 oferta".

3. Offer price calculation:

- 1) the price must be specified in Polish zlotys (PLN) with two decimal places.
- 2) in the case of a bid submitted in a currency other than PLN, the offer price will be converted into PLN at the NBP exchange rate, Table A, in force on the date set as the deadline for submission of bids.
- 3) the price should be given in gross amount for delivery, including all costs and fees which will be payable in connection with the performance of the contract and with the conditions and requirements imposed by the contracting authority.

4. Place and time limit for submission of bids:

- 1) bid should be submitted **by 19.12.2019** by 10:00 a.m., in writing to the address of the Gdańsk University of Technology, Faculty of Electronics, Telecommunications and Information Technology, 80-233 Gdańsk, ul. G. Narutowicza 11/12, WETI A Building, room 116 or by e-mail to: logistyka@eti.pg.edu.pl
- 2) contractor may request the contracting authority to explain the content of the notice by electronic means by e-mail: logistyka@eti.pg.edu.pl.
- 3) bids sent after the deadline will not be considered.
- 4) contractor may change or withdraw its bid before the deadline for submission of bids.

5. Criteria for the evaluation of bids

When selecting a bid, the contracting authority will be guided by the following criteria of evaluation:

- 1. Gross price of the subject matter of the contract – 90 points**
- 2. Years of experience in the production of diamond products – 10 points**

Only non-rejectable bids shall be evaluated.

The contracting authority will add up the points awarded under the criteria of the gross price of the subject matter of the contract and the years of experience in the production of nano-diamond products. A maximum of 100 points may be awarded to a bid.

$$P = P_c + P_d$$

where:

P – total number of points for the bid under consideration

P_c – number of points obtained under the "Gross price of the subject matter of the contract" criterion

P_d – number of points obtained under the criterion "number of years of experience in the manufacture of diamond products"

Method and rules of evaluation of bids according to individual criteria.

5.1. Criterion: "Gross price of the subject matter of the contract" – 90 points

The total gross offer price in PLN is subject to evaluation.

The bid with the lowest price will be awarded a maximum number of points – 90 points.

The contracting authority shall award the remaining bids with points calculated according to the formula:

$$P_c = \frac{C_n}{C_b} \times 90$$

where:

P_c – number of points awarded to the examined offer according to the “price” criterion;

C_n – the lowest gross price among the valid, not rejected bids in PLN;

C_b – gross price under the bid being evaluated in PLN;

90 – weight of the criterion.

The calculations shall be made by the contracting authority to two decimal places.

5.2. Criterion: “Years of experience in the production of diamond products” – 10 points

- a) the experience required by the contracting authority in the production of diamond powders is at least 3 years.
- b) the number of years of experience in the production of diamond products resulting from the bid submitted by the contractor will be assessed.
- c) the scoring of the bid in this criterion will be carried out according to the following rules:
 - 3 years of experience as required by the contracting authority in the production of diamond powders 0 points;
 - over 3 years of experience required by the contracting authority in the production of diamond powders 10 points.

On the bid form, the contractor submits a statement on the fulfilment of the above requirements. The contracting authority reserves the right to demand from contractors documents confirming that they meet the requirements for participation in the procedure in question.

6. The contracting authority reserves the right to cancel the procedure at any time without giving reasons.

7. The contracting authority will sign a contract with the selected contractor (Appendix 3).

8. Information clause on the processing of personal data and the free movement of such data.

Pursuant to Article 13(1 and 2) 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 L119 of 4 May 2016 page 1), hereinafter “GDPR”, the contracting authority informs that:

- the administrator of your personal data is Gdańsk University of Technology ul. Narutowicza 11/12, 80-233 Gdańsk;
- the personal data protection inspector at the Gdańsk University of Technology is M.Sc. Paweł Baniel (contact): tel. +48 58 348 66 29, iod@pg.edu.pl;
- Your personal data will be processed pursuant to Article 6(1)(c) of the GDPR for the purpose of the public procurement procedure for the supply of DND and HPHT nano-diamond powder, No ZZ/1334/009/D/2019 carried out pursuant to Article 4d(1)(1) of the Act of 29 January 2004 – Public Procurement Law (Journal of Laws of 2019 No 147, item 1843).
- the recipients of your personal data will be persons or entities to whom the documentation of proceedings based on Article 8 and Article 96 paragraph 3 of the Act of 29 January 2004 – Public Procurement Law (Journal of Laws of 2019, item 1843), hereinafter referred to as the “PPL Act”, will be made available
- your personal data will be stored, in accordance with Article 97(1) of the PPL Act, for a period of 4 years from the date of completion of the contract award procedure, and if the duration of the contract exceeds 4

years, the storage period will cover the entire duration of the contract. Records of public procurement procedures financed from the resources coming from the European Union funds (EU) will also be kept for the period resulting from the contracts for co-financing projects financed from the resources coming from the EU.

- your obligation to provide your direct personal data is a statutory requirement under the provisions of the PPL Act relating to your participation in a public procurement procedure; the consequences of not providing certain data result from the PPL Act;
- decisions related to your personal data will not be taken automatically, applying to Article 22 of the GDPR;
- you have:
 - the right of access to your personal data pursuant to Article 15 of the GDPR;
 - the right to rectify your personal data pursuant to Article 16 of the GDPR (*the exercise of the right to rectify cannot result in a change in the outcome of a public procurement procedure or in a change in the provisions of the contract to the extent inconsistent with the PPL Act and cannot violate the integrity of the certificate and its appendices*);
 - the right to require the controller to restrict the processing of personal data pursuant to Article 18 of the GDPR, except in the cases referred to in Article 18(2) of the GDPR (*the right to restrict the processing does not apply, under the storage in question, in relation to ensuring the exercise of remedies or to protecting the rights of another natural or legal person or for important reasons of public interest of the European Union or of a Member State*);
 - the right to lodge a complaint with the President of the Personal Data Protection Office, if you believe that the processing of your personal data violates the regulations of the GDPR;
- you are not entitled to:
 - the right to erasure of personal data pursuant to Article 17(3)(b), (d) or (e) of the GDPR;
 - the right to transfer personal data as referred to in Article 20 of the GDPR;
 - the right to object to the processing of personal data pursuant to Article 21 of the GDPR, as the legal basis for the processing of your personal data is Article 6(1)(c) of the GDPR.

9. Appendices to the contract notice:

- 1) description of the subject matter of the contract;
- 2) model bid;
- 3) price and material list;
- 4) specimen contract;

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Prof. Ph.D. (dr hab.) Eng. Jerzy Wtorek