

ZZ/93/005/D/2022

Gdańsk, 07.03.2022 r.

ORDER NOTICE

1. Gdansk University of Technology, the Faculty of Mechanical Engineering and Ship Technology, acting according to art. 11 sec. 5 pnt 1) of the Act of September 11, 2019 - Public Procurement Law (i.e. Journal of 2021, item 1129 as amended) hereinafter referred to as the "PPL Act", informs about the intention to award the contract entitled **delivery of optical sensors with installation in a floating dock at the Myklebust Verft AS Shipyard in Norway** as part of a research project entitled "A Floating Dock Digital Twin towards Efficient, Safer and Autonomous Docking Operations."
2. A detailed description of the subject of the contract is attached as Annex 3 to the order notice along with Annex 3a.

The contracting authority requires the contractor to submit, along with the offer, documents confirming that the offered deliveries meet the requirements specified by the Ordering Authority, i.e. the **technical documentation of the offered optical strain gauges and optical thermometers**. Technical documentation is understood as e.g. catalog cards, technical specifications provided by producers and distributors or own descriptions drawn up by the Contractor on their basis, together with an indication of the sources of the information presented, e.g. own source, manufacturer's or distributor's website address, containing a description of the product. The contracting authority accepts equivalent means of proof if they confirm that the offered supplies meet the requirements, features or criteria specified by the contracting authority.

CPV: 38410000-2, 38412000-6, 38425500-5, 32562000-0, 45262680-1, 45314300-4, 45314310-7, 51210000-7, 51230000-3.

3. Before signing the contract, the Contractor whose offer is considered the most advantageous, will be required to provide the document (documents) confirming the insurance, referred to in § 9 sec. 1 of the contract template.
4. The order is co-financed by the National Center for Research and Development, the EEA Financial Mechanism and the Norwegian Financial Mechanism for 2014-2021 as part of the research project entitled "A Floating Dock Digital Twin towards Efficient, Safer and Autonomous Docking Operations" implemented as part of the POLNOR 2019 Call program, contract number: NOR/POLNOR/DigiFloDock/0009/2019-00.
5. An order is an order for the implementation of a research project. The subject of the contract are supplies and services used solely for the purposes of research, experimental, scientific or development works, which are not used by the Ordering Authority to conduct mass production aimed at achieving market profitability or covering the costs of research or development.

6. CONTRACT AWARD PROCEDURE:

- 1) The procedure is conducted according to art.11 sec.5 pnt 1 PPL Act.
- 2) This contract notice is published on the website of the awarding entity: <https://dzp.pg.edu.pl>
- 3) The contracting authority awards the contract in a manner ensuring transparency, equal treatment of entities interested in the performance of the contract and taking into account the circumstances that may affect its award.

4) The contracting authority reserves that this order notice is an invitation to submit offers and does not constitute an offer, and the receipt of the Contractor's offer as a result of this invitation is not tantamount to placing an order by the Gdansk University of Technology or concluding any contract, and it does not require the Ordering Authority to conclude a contract.

5) a) If it is not possible to select the most advantageous offer due to the fact that two or more offers present the same balance of price and other offer evaluation criteria, the contracting authority selects from among these offers the offer that received the highest score in the price criterion.

b) If the offer cannot be selected in the manner referred to above, the contracting authority calls on the contractors who submitted these offers to submit additional offers containing the new price within the time limit specified by the contracting authority.

c) Contractors, when submitting additional bids, may not offer higher prices than those offered in the bids previously submitted by them.

6) The contracting authority may cancel the contract award procedure before the deadline for submission of tenders, if there are circumstances making the further conduct of the procedure unjustified. In particular, the contracting authority will cancel the procedure if:

a) no offer was submitted;

b) all submitted requests to participate or tenders were subject to rejection;

c) the price or cost of the best offer or the offer with the lowest price exceeds the amount that the contracting authority intends to spend on financing the contract, unless the contracting authority may increase this amount to the price or cost of the most advantageous offer;

d) in the cases referred to in point 5) b), additional bids of the same price or cost have been submitted;

e) there has been a significant change in circumstances causing that the conduct of the procedure or the performance of the contract is not in the public interest, which could not be foreseen earlier;

7) The contracting authority will reject the offer if:

a) was submitted after the deadline for submitting offers;

b) was submitted by a contractor who did not meet the conditions for participation in the procedure,

c) its content is inconsistent with the terms of the contract, including the description of the subject of the contract;

d) it contains an abnormally low price or cost in relation to the subject of the contract;

e) contains errors in the calculation of price or cost.

7. CONDITIONS FOR PARTICIPATION:

Contractors who meet the following conditions may apply for the contract:

1) have at least 3 persons with welding qualifications confirmed by a certificate compliant with ISO 9606 or equivalent and can delegate them to complete this order

2) have at least 3 persons with NEK 400 electrical qualifications and can delegate them to complete this order (The management of an Enterprises that perform work related to electrical installations and repair of electrical equipment is cf. the regulations for electrical enterprises and qualification requirements for work

related to electrical installations and electrical equipment (Nek), obligated to register the Enterprise into Elvirksomhetsregisteret (the Norwegian register of enterprises that design, install and maintain electrical installations and electrical equipment). The Norwegian Directorate for Civil Protection (DSB) is the owner of the register) or equivalent, authorizing to perform activities in the territory of Norway.

In order to confirm compliance with the conditions specified in point 1) and 2) above, the contractor **must submit, together with the offer, a list of persons directed by the contractor to perform the contract**, in particular those responsible for the provision of services, along with information on their professional qualifications, powers, certificates necessary to perform the public contract, as well as the scope of the activities they perform - using the template constituting Annex 4 to the order notice.

Together with the list, copies of the professional qualifications, powers and certificates referred to in point 1) and 2), for each person indicated in the list, must be submitted.

3) has completed at least 2 contracts in the last 3 years, covering the delivery of electrical installations or automation systems, including optical sensors and fiber optic cables, on docks, sea-going ships or ocean-going vessels, in conditions of keeping tanks and watertight bulkheads tight, with the value of each contract at least PLN 150,000.

In order to confirm the fulfillment of the above-mentioned conditions, the contractor **must submit, along with the offer, a list of services performed in the last 3 years**, and if the period of business activity is shorter - in this period, along with their value, subject, dates and entities, for whose services have been performed **and evidence that these services have been performed properly**, the evidence in question being references or other documents drawn up by the entity for which the supplies or services were performed - using the template constituting Annex 5 to the order notice.

8. DEADLINE AND PLACE OF ORDER FULFILLMENT:

According to point 9 of the DETAILED SPECIFICATION OF THE SUBJECT MATTER OF THE AGREEMENT, which is Annex no. 3 to this order notice:

a) delivery of the optical sensors

The specified optical sensors, fiber optic cable and connectors are to be delivered to Myklebust Verft AS Shipyard in Norway, Gurskevegen 68, 6082 Gursken - within 70 days from the date of the contract.

b) sensors' installation service

The specified optical sensors installation service is to be performed at the premises of Myklebust Verft AS Shipyard in Norway, Gurskevegen 68, 6082 Gursken, in a floating dock located there.

i) the scope specified in point 5.2. from a) to e) and i) of the DETAILED SPECIFICATION: the assembly service will be performed within 6 working days between April 15, 2022 and October 30, 2022. Due to the uncertainty of breaks in the floating dock's work, with a specific date of commencement of assembly works at the dock, which will take place within the time interval specified above, the Contractor will be informed at least 72 hours before that date. The service performance time may not exceed 6 business days.

ii) the scope specified in point 5.2. from f) to j) of the DETAILED SPECIFICATION: not later than 10 days from the commencement of the provision of the service specified above in point 8. b) i) of this notice.

- c) providing a device for collecting data from sensors with a box for a period of 14 calendar days within 6 months from the date of completion of the sensor assembly service in the dock in order to conduct additional tests.

9. CRITERIA FOR EVALUATING OFFERS:

The ordering authority, when selecting the best offer, will be guided by the following offer evaluation criteria:

Price – 60%

Reaction time to a report about defects – 20%.

Deadline to deliver the installation service (the scope specified in point 5.2. from a) to e) and i) of the detailed specification) – 20%

- 1) Points in the Price criterion will be awarded according to these rules:

$$Kc = Cn / Cb \times 60 \text{ pnts}$$

where:

- Kc - points in the **Price** criterion,
- Cb - the price in the examined offer,
- Cn - the lowest price among not rejected offers,
- 60 - weight of the criterion.

The ordering authority informs that it intends to allocate the gross amount of **PLN 380,000** for the financing of the contract in question.

- 2) Points in the Reaction time to **a report about defects** criterion will be awarded according to these rules:

$$Kr = [(Rmax - Rb) / (Rmax - Rn)] \times 20 \text{ pnts}$$

where:

- Kr - points in the **Reaction time to a report about defects** criterion,
- Rb - the reaction time in the examined offer,
- Rn - the shortest reaction time among not rejected offers,
- Rmax - the maximum allowed reaction time: 24 hours,
- 20 - weight of the criterion.

to be used in the above formula:

Minimum adopted reaction time – 6 hours.

If the offered reaction time to a report about defects is shorter than 6 hours, the ordering authority will award points as for the minimum adopted reaction time, despite the time offered in the offer.

If the reaction time to a report about defects is not entered, the ordering authority will award points as for the maximum allowable reaction time to **a report about defects**.

Maximum allowed reaction time to a report about defects - 24 hours.

The reaction time is defined as time since notifying the Contractor about defects until the Contractor starts repairing the reported defects at the site of failure.

If the offered reaction time to a report about defects is longer than 24 hours, the ordering authority will reject the offer.

In case when $Rn = Rmax$, offers are assigned 0 points in this criterion.

The reaction time to a report about defects is to be offered in whole hours.

- 3) Points in the **Deadline to deliver the installation service** criterion will be awarded according to these rules:

$$K_t = [(T_{\max} - T_b) / (T_{\max} - T_n)] \times 20 \text{ pnts}$$

where:

- K_t - points in the **Deadline to deliver the installation service** criterion,
T_b - the deadline in the examined offer,
T_n - the shortest deadline among not rejected offers,
T_{max} - the maximum allowed deadline: 6 dni,
20 - weight of the criterion.

to be used in the above formula:

Minimum adopted Deadline to deliver the installation service – 4 days.

If the deadline of the installation service offered is shorter than 4 days, the ordering authority will award points as for the minimum adopted deadline of the installation service, but the contract will include the deadline of the installation service offered.

If the deadline of the installation service is not entered, the ordering authority will award points as for the maximum allowable deadline for the installation service.

Maximum allowed Deadline to deliver the installation service – 6 days.

If the offered deadline of the installation service is longer than 6 days, the ordering authority will reject the offer.

In case when T_n=T_{max}, offers are assigned 0 points in this criterion

The deadline of the installation service is to be offered in whole days.

- 4) During evaluation of the submitted offers, the ordering authority may request the Contractor to provide explanations regarding the content of the submitted offer.
- 5) The ordering authority shall correct obvious typing errors in the text of the offer, informing immediately the Contractor whose offer has been corrected about it. An obvious spelling mistake, in particular, should be understood as a visible, unintended misuse of a word, an apparently misspelled word, an evident grammatical error, an unintentional omission of a word(s) or part of it.
- 6) The ordering authority will correct obvious accounting errors, taking into account the accounting consequences of the corrections made, informing immediately the Contractor whose offer has been corrected.
- 7) The ordering authority will correct other errors consisting in the non-compliance of the offer with the content of the order notice, which will not cause significant changes in the content of the offer, informing immediately the Contractor whose offer has been corrected.
- 8) The ordering authority provides for the possibility of supplementing the documents required with the offer.

10. DESCRIPTION OF HOW THE PRICE IS CALCULATED:

- 1) The Contractor, with reference to the detailed specification of the subject matter of the agreement, **will determine the gross flat price with a breakdown into individual stages of the subject of the agreement** (in EURO), on the offer form, using Annex No. 1 to this order notice.

- 2) The VAT rate must be determined in compliance with the Act of March 11, 2004 on tax on goods and services (consolidated text, Journal of Laws of 2017, item 1221, as amended).
- 3) The price should include all costs related to the performance of the subject of the contract, including, but not limited to: delivery costs, transport costs, accommodation, border fees (including customs, customs services), domestic and foreign insurance, packaging and warranty costs , assembly services, etc.
- 4) A foreign Contractor based in the European Union or in third countries specifies the price of the offer in EURO in the net amount (excluding VAT).
- 5) If an offer has been submitted, the selection of which would lead to the creation of a tax obligation for the ordering authority in compliance with the provisions on tax on goods and services, the ordering authority, in order to evaluate such an offer, shall add to the price presented therein the tax on goods and services, which would be required to settle in compliance with these regulations. When submitting an offer, the Contractor informs the ordering authority whether the selection of the offer will lead to the ordering authority's tax obligation, indicating the name (type) of goods or services, the delivery or performance of which will lead to its creation, and indicating their value without the tax amount.
- 6) The Ordering Authority does not provide for the possibility of settlements in foreign currencies. Settlements between the Contractor and the Ordering Authority will be made in EURO.
- 7) The costs incurred by the Contractor and not included in the offer price will not be additionally billed by the Ordering Authority.
- 8) The price of the offer will be valid for the entire period of validity of the offer, it will not be negotiable and will be binding on the Parties to the contract.
- 9) Settlements between the Ordering Authority and the Contractor will be made in EURO. The invoice will be issued only on correct implementation of the given stage of the subject of the contract, confirmed by the delivery and acceptance protocol.
- 10) In the case of Contractors jointly applying for the award of the contract, settlements will be made only with the attorney.
- 11) The detailed method of settlements, including making payments, is specified in the agreement template constituting Annex No. 2 to this order notice.
- 12) For the conversion into PLN of the value indicated in the documents submitted to confirm the fulfillment of the conditions for participation in the procedure, expressed in currencies other than PLN, the Ordering Authority shall adopt the average exchange rate published by the National Bank of Poland on the date of publication of the notice. If the course has not been announced on that day, to the above-mentioned conversion, the last announced rate before that date will be used.

11. FORM, PLACE AND DEADLINE FOR SUBMISSION OF OFFERS:

- 1) Offers are to be submitted:
 - a) in a written form - with a handwritten signature or
 - b) in an electronic form (i.e. with a qualified electronic signature) or
 - c) in an electronic form with a trusted signature or
 - d) in an electronic form with a personal signature
signed by the person/persons authorized to represent the Contractor specified in the register or other document appropriate for the given organizational form of the Contractor or by an authorized representative of the Contractor.
- 2) The offer should be attached to the e-mail sent to the following address: wioletta.gladysz@pg.gda.pl and entitled: Offer - ZZ/93/005/D/2022 regarding the procedure "delivery of optical sensors with installation in a floating dock at Myklebust Verft AS Shipyard in Norway".

- 3) The offer should be submitted on the offer form, constituting an attachment to this order notice, by **15.03.2022, by 12:00.**
- 4) Offers sent after the deadline will not be considered.
- 5) The contractor may, before the deadline for submitting offers, change or withdraw its offer.
- 6) Each contractor may submit only one offer and propose only one price.
- 7) The procedure is conducted in Polish and English language. The offer must be submitted in Polish or English language. The Ordering Authority allows the submission of technical documentation in Polish, English or Norwegian languages.
- 8) The contractor shall bear the consequences of submitting an offer contrary to the above-mentioned description. The ordering authority is not responsible for incorrect submission of the offer.
- 9) In justified cases, the Ordering Authority may change the content of the order notice before the deadline for submission of offers. The change to the content of the order notice will be made available at the website.

12. INFORMATION CLAUSE IN COMPLIANCE WITH ART. 13 OF "GDPR" ACT:

In accordance with Article 13 (1) and (2) of Regulation of the European Parliament of 27 April 2016 on the protection of natural persons 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, hereinafter "GDPR"), I inform you that:

- The Administrator of your personal data is Gdańsk University of Technology (Politechnika Gdańska), 11/12 Gabriela Narutowicza Str., 80-233 Gdańsk, Poland;
- The Administrator has appointed a data protection officer Mr Pawel Baniel, who can be contacted at the following e-mail address: iod@pg.edu.pl and phone number: +48 58 348 66 29;
- Your personal data shall be processed for the purposes of a public procurement order **No. ZZ/93/005/D/2022 "delivery of optical sensors with installation in a floating dock at Myklebust Verft AS Shipyard in Norway"** in compliance with art. 6 sec. 1 letter c of "GPRD" Act;
- The public procurement order is processed according to art. 11 sec. 5 pnt 1) of the Act of September 11, 2019 - Public Procurement Law (i.e. Journal of 2021, item 1129 as amended) - the PPL Act;
- Recipients of your personal data will be persons or entities, who are entitled to share the documents of this public procurement procedure in compliance with art. 18 of the PPL Act;
- Your personal data will be stored in compliance with art. 78 sec. 1 and 4 of the PPL Act for the period of 4 years since completion of the public procurement procedure or for the duration of the contract if the contract lasts longer than 4 years;
- The obligation to provide your personal data directly concerning you is a statutory requirement specified in the provisions of the PPL Act, related to participation in the public procurement procedure. The consequences of not providing specific data result from the PPL Act;
- In compliance with art. 22 of GDPR Act, decisions related to your personal data will not be made in an automated manner;
- You have the right to:
 - access your data according to art. 15 of GDPR Act;
 - rectify your data according to art. 16 of GDPR;
 - restrict processing your data according to art. 18 of GDPR Act subject to the cases referred to in art. 18 sec. 2 of GPRD Act;
 - lodge a complaint to the President of the Personal Data Protection Office, if you feel that the processing of your personal data violates the provisions of GDPR Act;
- You do not have the right to:
 - erase your personal data according to art. 17 sec. 3 letter b, d or e of GDPR Act;
 - transfer your personal data according to art. 20 of GDPR Act;

- object to the processing of personal data according to art. 21 of GDPR Act, because the legal reason for the processing of your personal data is art. 6 sec. 1 letter. c of GDPR Act.
- Additionally, pursuant to art. 19 sec. 4 of the PPL Act, the Awarding Entity informs about the limitations referred to in Art. 19 sec. 2 and 3 and art. 75 of the PPL:
 - 1) if the contractor exercises the right to obtain confirmation as to whether personal data concerning him are being processed, the ordering authority will be entitled to request additional information from the contractor specifying the request (e.g. name or date of the contract award procedure);
 - 2) if the contractor exercises the right to limit the processing of his personal data, the ordering authority will be entitled to process this data until the end of the contract award procedure.

.....
*(podpis kierownika zamawiającego
lub osoby upoważnionej)*

List of Annexes:

1. Offer form
2. Agreement template
3. Detailed specification of the subject matter of the agreement
- 3a. Sensors' arrangement initial design
4. List of persons
5. List of completed contracts

....., date r.
(Contractor's name and address)

Reference number: ZZ/93/005/D/22

OFFER FORM

Gdansk University of Technology
11/12 G. Narutowicza Str.
80-233 Gdańsk, Poland

With reference to public procurement order notice procedure entitled **”delivery of optical sensors with installation in a floating dock at Myklebust Verft AS Shipyard in Norway”**

the undersigned hereby:

first name family name

first name family name.....

(the authorization to sign the offer results from the documents attached to the offer)

acting on behalf of and for:

Contractor's full name:		
Address:		
Statistical ID	Business register ID	VAT tax ID
Contact person:		
E-mail:		

1. we submit the **offer** for the subject of the contract in the scope specified in the order notice.
2. we **offer** the implementation of the subject of the order for a **gross remuneration** of _____ **EURO, including parts (stages) as defined in the order:**

Part (stage) of the order	Net value	VAT tax rate %	Gross value (Net value + VAT)
Delivery – according to pnt 5.1 of the detailed specification**	%	
Installation service – according to pnt 5.2 of the detailed specification	%	
Provision of a DAQ device – according to pnt 5.3 of the detailed specification	%	

3. We declare that

Offered reaction time to a report about defects is:	Offered deadline to deliver the installation service is:
..... hours business days

4. We **declare** that the price of the offer **includes all price-generating** components resulting from the scope and method of implementation of the subject of the order, specified in the order notice with annexes.
5. All other costs that we incur while performing the order, not included in the offer price, will not be charged to the Ordering Authority.
6. We **declare** that we have read the order notice, we do not raise any objections to its content and we consider ourselves bound by the provisions and rules of conduct set out in it.
7. We **declare** that we have read the agreement template, which is attached to the order notice. We present no formal complaints to its content. We undertake, in the event of choosing our offer, to conclude a contract under the conditions specified therein.
8. We consider ourselves bound by this offer for a period of 30 days from the deadline for submitting offers.
9. We declare that we have fulfilled the information obligations provided for in art. 13 or art. 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) (Journal of Laws

UE L 119 of 04.05.2016, p. 1) towards natural persons from whom I have obtained personal data directly or indirectly in order to apply for a public contract in this procedure.

The appendices to this offer, constituting its integral part, are:

- 1)
- 2)
- 3) technical documentation of optical strain gauges**
- 4) technical documentation of optical thermometers**

(signature and stamp of a person authorized
to sign offers
or electronic signature)

** If the contractor does not provide personal data other than directly concerning him or there is an exclusion from the application of the information obligation, pursuant to Art. 13 sec. 4 or article. 14 sec. 5 GDPR, the contractor does not submit the content of the declaration (removing the content of the declaration, e.g. by deleting it).*

**** The Ordering Authority requires the contractor to submit, along with the offer, documents confirming that the offered deliveries meet the requirements specified by the Ordering Authority, i.e. the technical documentation of the offered optical strain gauges and optical thermometers. Technical documentation is understood as e.g. catalog cards, technical specifications provided by producers and distributors or own descriptions drawn up by the Contractor on their basis, together with an indication of the sources of the information presented, e.g. own source, manufacturer's or distributor's website address, containing a description of the product. The ordering authority accepts equivalent means of proof if they confirm that the offered supplies meet the requirements, features or criteria specified by the ordering authority**

List of persons

"Delivery of optical sensors with installation in a floating dock at Myklebust Verft AS Shipyard in Norway"

We hereby declare that we will have the following persons who meet the requirements specified in sec. 7 ptns 1) and 2) the order notice:

No.	first name and family name	professional qualifications/ certificates/ education	scope of duties/ function planned in contract execution	description of professional experience:
1				
2				
3				
4				
5				
6				

Along with the list, copies of the certificates referred to in sec. 7 pnts 1) and 2), for each person indicated in the list are to be supplied.

(signature and stamp of a person authorized
to sign offers
or electronic signature)

List of completed contracts
(for reference)

**”Delivery of optical sensors with installation in a floating dock at Myklebust Verft
AS Shipyard in Norway”**

We hereby declare that we have provided the following services that meet the requirements listed in sec. 7 pnt 3) of the order notice, i.e. contracts covering the delivery of electrical installations or automation systems, including optical sensors and fiber-optic cables, on docks, sea-going ships or ocean-going vessels in conditions of keeping tanks and watertight bulkheads tight, with a value of at least PLN 150,000 per contract:

subject/service/contract (declared scope confirming the fulfillment of the participation condition in the procedure)	Value of the service/contract	Contract duration (since ... until ...)	Name of the entity for whom the contract was performed

WE ATTACH THE evidences whether these services/contracts have been properly performed (references or other documents prepared by the entity for whom the supplies or services have been done)

(signature and stamp of a person authorized
to sign offers
or *electronic signature*)