

Dziekan

Order No **ZZ/021/009/2023**

Gdansk, day 26.01.2023r.

## **ANNOUNCEMENT OF AWARDED CONTRACT**

Ordering Party - Gdańsk University of Technology, Faculty of Electronics, Telecommunications and Information Technology, acting pursuant to art. 2 sec. 1 of the Act of September 11, 2019. Public Procurement Law (Journal of Laws of 2022, item 1710, as amended) informs about the intention to award a contract for the supply of COMSOL software for simulation with CFD and Electrochemistry modules for the Faculty of Electronics, Telecommunications and Computer Science of the Gdańsk University of Technology.

### 1. Contract award procedure

- 1) The proceedings are conducted pursuant to Art. 2 sec. 1 of the Act of September 11, 2019. - Public Procurement Law (Journal of Laws of 2022, item 1710, as amended).
- 2) This contract notice is published in the Public Information Bulletin on the contracting authority's website: <https://dzp.pg.edu.pl>
- 3) The contracting authority shall award the contract in a manner that ensures 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 stipulates that this notice constitutes an invitation to submit tenders and does not constitute an offer, and that the receipt of a contractor's offer as a result of this invitation is not tantamount to placing an order by Gdańsk University of Technology or concluding any contract, and moreover, it does not require the contracting authority to conclude contract.

### 2. Detailed description of the subject of the order:

- 1) The subject of the contract is the supply of COMSOL software for simulation with CFD and Electrochemistry modules for the needs of the Faculty of Electronics, Telecommunications and Computer Science of the Gdańsk University of Technology, constituting Appendix 2 to the notice.
- 2) The subject of the order must be brand new, coming from current production, free from any defects and damage, without prior use and may not be the subject of third party rights.
- 3) In order to confirm that the offered devices meet the requirements specified by the contracting authority, the contracting authority may request the contractor who submits the best offer to submit a description of the offered subject of the contract, by which the contracting authority understands technical and functional descriptions, prospectuses, catalog cards, technical documentation, etc. made available by manufacturers and distributors or own descriptions and information prepared by the contractor about the offered device, specifying the manufacturer, model, type. Technical specifications must be detailed and unambiguous and confirm all the required parameters specified in the description of the subject of the contract. The Ordering Party allows the description to be submitted in English. The authenticity of the description must be certified by the contractor.
- 4) The subject of the contract was defined by indicating objective technical and qualitative characteristics.
- 5) CPV code - 48461000-7 Analytical or scientific software packages.

### 3. Description of the method of calculating the offer price:

- 1) The Contractor specifies the price for the performance of the contract in the tender form prepared using the template constituting Annex No. 1 to this notice.
  - 2) The offer price should be specified in gross value in Polish zlotys with an accuracy of two decimal places.
  - 3) If an offer is submitted in a currency other than PLN, the price of the offer will be converted into PLN according to the exchange rate of the National Bank of Poland, table A, applicable on the date set as the deadline for submitting offers.
  - 4) The bid price should be calculated taking into account all the price-setting elements related to the correct and timely execution of the order, which will arise in connection with the execution of the order and the conditions and requirements set by the ordering party.
  - 5) The price of the offer will be valid for the entire period of the offer, will not be subject to negotiations and will be binding for the parties to the contract.
  - 6) The offer price will not be changed during the execution of the order and will not be subject to indexation.
  - 7) The contractor may request the contracting authority to clarify the content of the notice by e-mail: [logistyka@eti.pg.edu.pl](mailto:logistyka@eti.pg.edu.pl)
4. Deadline and manner of submitting bids:
- 1) The offer should be submitted by December 14, 2022, at 10:00, in writing - in a closed and labeled envelope, to the address of the ordering party Gdańsk University of Technology, Faculty of Electronics, Telecommunications and Informatics, ul. G. Narutowicza 11/12, 80-233 Gdańsk, WETI A building, room 116, with the note: "Offer in the procedure for the supply of COMSOL software for simulation with CFD and Electrochemistry modules for WETI, ZZ/021/009/2023".  
**or in electronic form** - a scan of the signed offer should be attached to the e-mail sent to the following address: [logistyka@eti.pg.edu.pl](mailto:logistyka@eti.pg.edu.pl) with the message "ZZ/021/009/2023-offer" in the body of the message.
  - 2) The offer must be signed by a person or persons authorized to represent the contractor in accordance with the form of representation of 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.
  - 3) Offers sent after the deadline will not be considered.
  - 4) The Contractor may change or withdraw his offer before the deadline for submission of tenders.
  - 5) Each contractor may submit only one offer and propose only one price.
  - 6) Consequences of submitting an offer contrary to the above-mentioned description shall be borne by the contractor. The Ordering Party shall not be liable for incorrect submission of the offer.
5. Offer evaluation criteria
- When selecting a bid, the contracting authority will be guided by the following bid evaluation criterion: Price - 100%. The contracting authority will award the contract to the contractor who submits an offer that meets all the conditions of the contract and offers the lowest price. In the event that two or more tenders with the same price are submitted, the contracting authority shall call on the contractors who submitted these tenders to submit additional tenders within the time limit specified by the contracting authority. Contractors submitting additional bids may not offer prices higher than those offered in previously submitted bids.
6. The Ordering Party reserves the right to cancel the procedure at any time and without giving reasons.
7. The contracting authority shall exclude from the contract award procedure a contractor in relation to whom any of the circumstances referred to in Art. 7 sec. 1 point 1-3 in accordance with the Act of April 13, 2022 on special solutions for counteracting the support of aggression against Ukraine and for the protection of national security. (Journal of Laws of 2022, item 835).

The Ordering Party will independently verify the Contractor in terms of exclusion from the procedure based on the above. the conditions set out above.

8. The Ordering Party will sign a contract with the selected contractor (Appendix 3).

9. Information clause regarding the processing of personal data and the free flow of such data..
- 1) Pursuant to Art. 13 sec. 1 and 2 of Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 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) (Official Journal EU L 119 of 04.05.2016, p. 1), hereinafter "GDPR", the ordering party informs that:
    - a. a. the administrator of your personal data is the Gdańsk University of Technology with its registered office in Gdańsk (80-233) at ul. G. Narutowicza 11/12;
    - b. b. the personal data protection officer at the Gdańsk University of Technology is mgr inż. Paweł Baniel, phone no. 58 348-66-29, e-mail: [iod@pg.edu.pl](mailto:iod@pg.edu.pl);
    - c. c. Your personal data will be processed on the basis of art. 6 sec. 1 lit. c of the GDPR for the purpose of the public procurement procedure No. ZZ/021/009/2023 for the "Supply of COMSOL software for simulation with CFD and Electrochemistry modules for WETI PG", conducted pursuant to art. 2 sec. 1 of the Act of September 11, 2019 - Public Procurement Law (i.e. Journal of Laws of 2022, item 1710, as amended);
    - d. d. the recipients of your personal data will be persons or entities to whom the documentation of the proceedings will be made available pursuant to art. 18 sec. 1 of the Act of September 11, 2019 - Public Procurement Law (Journal of Laws of 2022, item 1710, as amended).
    - e. e. Your personal data will be stored 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 covers the entire duration of the contract. Documentation of public procurement procedures financed from European Union (EU) funds will also be stored for the period resulting from contracts for co-financing projects financed from EU funds;
    - f. f. the obligation to provide your personal data directly concerning you is a statutory requirement specified in the provisions of the Public Procurement Law, related to participation in a public procurement procedure; the consequences of not providing certain data result from the Public Procurement Law;
    - g. g. in relation to your personal data, decisions will not be made in an automated manner, pursuant to art. 22 GDPR;
    - h. h. you have Mr./Mrs:
      - based on Article. 15 GDPR, the right to access your personal data;
      - based on Article. 16 GDPR, the right to rectify your personal data  
*(Exercising the right to rectification may not result in a change in the outcome of the public procurement procedure or a change in the provisions of the contract to the extent inconsistent with the Public Procurement Law and may not violate the integrity of the protocol and its attachments.);*
      - based on Article. 18 of the GDPR, the right to request the administrator to limit the processing of personal data, subject to the cases referred to in art. 18 sec. 2 GDPR  
*(the right to limit processing does not apply to storage, to ensure the use of legal protection measures or to protect the rights of another natural or legal person, or for important reasons of public interest of the European Union or a Member State.);*
      - the right to lodge a complaint with the President of the Office for Personal Data Protection, if you believe that the processing of your personal data violates the provisions of the GDPR;
      - you are not entitled to:
        - in connection with Art. 17 sec. 3 lit. b, d or e GDPR, the right to delete personal data;
        - the right to transfer personal data referred to in art. 20 GDPR;
      - based on Article. 21 of the GDPR, the right to object to the processing of personal data, because the legal basis for the processing of your personal data is art. 6 sec. 1 lit. c GDPR.

2) Additionally, pursuant to art. 19 sec. 4 of the Public Procurement Law, the Contracting Authority informs about the restrictions referred to in Art. 19 sec. 2 and 3 and art. 75 of the Public Procurement Law:

- a. in the event that the Contractor exercises the right to obtain confirmation as to whether personal data concerning him are being processed, the Ordering Party will be entitled to request additional information from the Contractor specifying the request (e.g. name or date of the completed procurement procedure);
- b. if the Contractor exercises the right to limit the processing of his personal data, the Ordering Party will be entitled to process this data until the conclusion of the contract award procedure.

10. Annex to the contract award notice:

- 1) offer form,
- 2) description of the subject of the contract,
- 3) draft provisions of the contract.

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prof. dr hab. inż. Jacek Stefański