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Order number ZZ/037/009/2023

Gdańsk, on February 02, 2023

CONTRACT AWARD NOTICE

Ordering Party - Gdańsk University of Technology, Faculty of Electronics, Telecommunications and Informatics, acting pursuant to Art. 2 sec. 1, point 1 of the Act of September 11, 2019, Public Procurement Law (i.e. Journal of Laws 2022, item 1710, as amended), informs about the intention to award the contract and invites you to submit offers for the supply of HPHT monocrystalline diamond powders of high purity for the Faculty of Electronics, Telecommunications and Informatics of the Gdańsk University of Technology.

1. Detailed description of the subject of the contract

- 1) The subject of the contract is the supply of HPHT monocrystalline diamond powders of high purity for the project "Nanosensors and imaging with the use of quantum effects - synergy of glass and diamond for applications in new generation biodiagnostics" in the TEAM-NET competition, financed by the Regional Development Fund under the Smart Growth Operational Program 2014-2020 (OP SG), Axis IV: Increasing the scientific and research potential, Measure 4.4: Increasing the human resources potential of the R&D sector, implemented at the Faculty of Electronics, Telecommunications and Information Technology of the Gdańsk University of Technology.
- 2) The description of the subject of the contract is attached as Annex 2 to the contract award notice.
- 3) The subject of the contract was defined by indicating objective technical qualitative characteristics.
- 4) 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.
- 5) The subject of the order includes delivery to the seat of the ordering party: Gdańsk University of Technology, Faculty of Electronics, Telecommunications and IT, ul. Narutowicza 11/12, 80-233 Gdańsk, WETI A building (no. 41), room 116.
- 6) CPV code 24950000-8 specialty chemicals, 14521140-2 gemstone dust or powder.

2. Description of the method of preparing the offer

- 1) The offer should be prepared in accordance with the model offer form attached as Appendix 1 to this notice.
- 2) The offer may be submitted in writing or in electronic form with a qualified electronic signature or in electronic form with a trusted signature or a personal signature. The offer must contain the signature of the person (s) authorized to act on behalf of the contractor (powers of attorney should be attached to the offer, in accordance with the requirements of the Civil Code). All appendices to the offer, constituting declarations, should also be signed by an authorized representative. The scope of representation of the entrepreneur must result from the documents submitted by the contractor.
- 3) When submitting an offer in writing, the Contractor should submit it in an opaque, sealed and labeled envelope: "Offer in the procedure for the supply of HPHT monocrystalline diamond powders of high purity for WETI PG, case reference: ZZ/037/009/23". When

submitting an offer via electronic means of communication, the Contractor should enter the following designation in the email subject line: "ZZ/037/009/23 offer".

3. Description of the method of calculating the offer price
 - 1) The offer price is the price specified in the offer form constituting Appendix 1 to this notice.
 - 2) The price must be specified in Polish zlotys.
 - 3) The offer price should be specified in gross value (including VAT), with an accuracy of two decimal places.
 - 4) The offer 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.
4. Place and deadline for submitting offers:
 - 1) The deadline for submitting offers expires **on February 13, 2023 at 10:00.**
 - 2) Offers must be submitted in writing to the address of Gdańsk University of Technology, Faculty of Electronics, Telecommunications and Informatics, 80-233 Gdańsk, ul. G. Narutowicza 11/12, WETI A building, room 116 or by e-mail to the following address: logistyka@eti.pg.edu.pl.
 - 3) The contractor may request the contracting authority to clarify the content of the notice by e-mail: logistyka@eti.pg.edu.pl.
 - 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.
5. Description of the method of calculating the offer price
 - 1) The offer price is the price specified in the offer form constituting Appendix No. 1 to this announcement.
 - 2) The price must be specified in Polish zlotys.
 - 3) The offer price should be specified in gross value (including VAT), with an accuracy of two decimal places.
 - 4) The offer 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 with the conditions and requirements set by the Ordering Party.
6. Criteria for the evaluation of offers

When selecting a tender (applies to each part of the contract), the contracting authority will use the following tender evaluation criteria:

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

Only non-rejected offers are subject to evaluation.

The contracting authority will add up the points awarded in the criterion gross price of the subject of the contract and the number of years of experience in the production of nanodiamond products. The offer may receive a maximum of 100 points.

$$P = P_c + P_d$$

where:

P - total number of points for the offer under consideration

P_c - number of points obtained in the criterion "Gross price of the subject of the contract"

P_d - the number of points obtained in the criterion "number of years of experience in the production of diamond products"

The method and rules for evaluating offers according to individual criteria.

6.1 Criterion: "Gross price of the subject of the contract" - 90 points.

The total gross price of the offer.

The tender with the lowest price will be awarded the maximum number of points - 90 points.

The remaining tenders will be awarded points calculated according to the formula:

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

where:

Pc - number of points awarded to the examined offer according to the "price" criterion;
Cn - the lowest gross price among valid, not rejected offers;
Cb - gross price of the evaluated offer ;
90 - weight of the criterion.

The calculations will be made by the contracting authority with an accuracy of two decimal places.

6.2 Criterion "Number of years of experience in the manufacture of diamond products" - 10 points.

- a) the number of years of experience required by the ordering party in the production of diamond powders, at least 3 years.
- b) the number of years of experience in the production of diamond products resulting from the offer submitted by the contractor will be assessed.
- c) the evaluation of the offer in terms of this criterion will be carried out according to the following rules:
 - an offer with the number of years of experience in the production of diamond products required by the contracting authority equal to 3 years 0 points.
 - an offer with the number of years of experience in the production of diamond products as required by the contracting authority over 3 years 10 points.

The contractor submits a declaration of compliance with the above requirements on the offer form. The contracting authority reserves the right to request from contractors documents confirming compliance with the requirements for participation in the procedure in question.

7. The contracting authority reserves the right to cancel the procedure at any time without giving reasons.
8. The contracting authority will sign a contract with the selected contractor, constituting Appendix 3.
9. 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.

10. Information clause regarding the processing of personal data and the free movement 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 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 of the EU L of 2016 No. 119, p. 1, amended: Journal of Laws UE. of 2018 No. 127, p. 2), hereinafter referred to as "GDPR",

The contracting authority informs that:

- a) the administrator of your personal data is the Gdańsk University of Technology with headquarters in Gdańsk (80-233) at ul. Narutowicza 11/12;
- b) the inspector of personal data protection at the Gdańsk University of Technology is MSc. Paweł Baniel, phone no. 58 348-66-29, e-mail: iod@pg.edu.pl;
- c) your personal data will be processed on the basis of art. 6 sec. 1 lit. c GDPR for the purposes related to the public procurement procedure for the HPHT monocrystalline diamond powders of high purity for the Faculty of Electronics, Telecommunications and Informatics of the Gdańsk University of Technology, case reference number: ZZ/037/009/2023, conducted on the basis of art.2 sec. 1, point 1 of the Act of September 11, 2019 - Public Procurement Law (i.e. Journal of Laws of 2022, item 1710, as amended),
- d) the recipients of your personal data will be persons or entities to whom the documentation of the procedure will be made available pursuant to art. 18 of the Act of September 11, 2019 - Public Procurement Law (Journal of Laws of 2022, item 1710, as amended),
- 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 with funds from the European Union (EU) funds will also be kept for the period resulting from contracts for co-financing projects financed with funds from the EU,
- f) 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;
- g) in relation to your personal data, decisions will not be made in an automated manner, in accordance with art. 22 GDPR,
- h) you have:

- based on Article. 15 of the GDPR, the right to access your personal data;
 - based on Article. 16 of the GDPR, the right to rectify your personal data (the exercise of the right to rectification may not result in a change in the result of the public procurement procedure or a change in the provisions of the contract to the extent inconsistent with the PPL Act and may not violate the integrity of the protocol and its attachments.);
 - based on Article. 18 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 restriction of processing does not apply to storage, to provide legal remedies or to protect the rights of another natural or legal person, or for reasons of important public interest of the European Union or a Member State.);
 - the right to 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 the GDPR;
- i) 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 GDPR, the right to object to the processing of personal data, as the legal basis for the processing of your personal data is art. 6 sec. 1 lit. c GDPR.
- 2) Additionally, pursuant to Art. 19 paragraph 4 of the Public Procurement Law, the Awarding Entity informs about the limitations referred to in Art. 19 paragraph 2 and 3 and art. 75 of the Public Procurement Law:
- a) if 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 from the Contractor additional information specifying the request (e.g. name or date of the completed contract award procedure);
- b) if the Contractor exercises the right to limit the processing of his personal data, the Ordering Party will be entitled to process such data until the completion of the contract award procedure.

11. Annex to the contract award notice:

- 1) Model of the offer;
- 2) Detailed description of the subject of the contract;
- 3) The proposed provisions of the contract.

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prof. dr hab. Eng. Jacek Stefanski