



Contract No.: **ZZ/197/009/D/2024**

Gdańsk, 29/08/2024

CONTRACT AWARD NOTICE

Contracting Authority – Gdańsk University of Technology, Faculty of Electronics, Telecommunications and Informatics, based in Gdańsk (80-233) at ul. G. Narutowicza 11/12, NIP Tax ID): 5840203593, REGON (Business ID): 000001620, acting pursuant to Article 11(5)(1) of the Act of 11 September 2019 – Public Procurement Law (consolidated text, Journal of Laws of 2023, Item 1605, as amended) informs about the intention to award a contract and invites you to submit tenders for: ***“Delivery of three pieces of the precision pellet dispenser for the Faculty of Electronics, Telecommunications and Informatics of Gdańsk University of Technology.”***

1. Contract award procedure

- 1) The proceedings are conducted pursuant to Article 11(5)(1) of the Act of 11 September 2019 – Public Procurement Law (consolidated text, Journal of Laws of 2023, Item 1605, as amended) – hereinafter referred to as the PPL.
- 2) Contracting Authority's website: <https://pg.edu.pl>
E-mail address: szp@eti.pg.edu.pl
- 3) This contract notice is published in the Public Information Bulletin on the Contracting Authority's website: <https://dzp.pg.edu.pl>
- 4) The Contracting Authority awards the contract in a manner that ensures transparency, impartiality and objectivity, as well as equal treatment of entities interested in the performance of the contract, taking into account the circumstances that may affect its award.
- 5) The Contracting Authority stipulates that this notice is an invitation to submit tenders and does not constitute an offer. The receipt of the Contractor's tender as a result of this invitation is not tantamount to placing an order by Gdańsk University of Technology or concluding any agreement, and it does not require the Contracting Authority to conclude an agreement.
- 6) The Contracting Authority shall not disclose information that qualifies as a trade secret as defined by the provisions on combating unfair competition. This applies if the party interested in entering into the contract has stipulated, prior to the agreement being finalised, that such information cannot be disclosed. Additionally, the party must provide evidence that the proprietary information indeed meets the definition of a trade secret. Proprietary information must constitute a trade secret within the meaning of the Act of 16 April 1993 on combating unfair competition (consolidated text Journal of Laws of 2022, Item 1233). The Contractor should submit an appropriate reservation on the TENDER form, which constitutes Appendix 1 to this notice. Otherwise, the entire tender may be disclosed. Reservation of information that does not constitute a trade secret within the meaning of the Act on combating unfair competition is treated as ineffective and results, in accordance with the resolution of the Supreme Court of 20 October 2005 (Ref. no. III CZP 74/05), in its declassification.

2. Detailed description of the subject of the contract and terms of performance

- 1) The subject of the contract is the delivery of three pieces of the precision pellet dispenser, with the following technical parameters:

Purchase is part of a project No. 2022/47/P/NZ4/03358 within the POLONEZ BIS programme cofunded by the National Science Centre and the European Union's Horizon 2020 research and innovation programme under the Marie Skłodowska-Curie grant agreement No. 945339



Precision Pellet Dispenser for 45mg Pellets – 3 units:

Requirements:

- Wide input voltage 12-28VDC
 - 5V TTL full control
 - Single operate line with optional status report
 - Manual operate button for prime and test
 - Warning LED and error feedback
 - Drop detector with automated refeed
 - Includes at least 1m cable
 - Drop detector with automated refeed
 - 3 different stand / mounting options
 - Pellet capacity – no less than 1800 pellets
- 2) The subject of the contract will be financed from the project No. 2022/47/P/NZ4/03358 within the POLONEZ BIS programme cofunded by the National Science Centre and the European Union's Horizon 2020 research and innovation programme under the Marie Skłodowska-Curie grant agreement No. 945339.
- 3) The subject of the contract must be brand new, from current production, free from any defects and damage, without previous use, and cannot be the subject of third-party rights.
- 4) In order to confirm that the offered supplies meet the requirements specified by the Contracting Authority in the description of the subject of the contract, the Contracting Authority requests that the Contractor submit technical documentation **along with the tender**. Technical documentation is understood by the Contracting Authority as technical specifications provided by manufacturers, distributors, or descriptions prepared by the Contractor based on them. It should also include an indication of the sources of the information provided, such as the address of the manufacturer's website containing a description of the devices included in the tender. The sources of information used to prepare the technical documentation must be verifiable during the procedure. The technical documentation must confirm all the required technical parameters specified in the description of the subject of the contract. The Contracting Authority allows the documentation to be submitted in English.
- 5) Nomenclature (code) according to CPV: 39300000-5 Miscellaneous equipment.
- 6) Place of contract performance:
Gdańsk University of Technology, Electronics, Telecommunications and Informatics,
11/12 Gabriela Narutowicza Street, 80-233 Gdańsk, WETI A building (No. 41), room 116.

3. How to prepare the tender:

- 1) The tender must include at least:
- a) a completed tender form prepared using the template attached as Appendix 1 to the notice;
 - b) optional power of attorney (if applicable);



- c) technical documentation of the offered subject of the contract, referred to in Chapter 2 Paragraph 4 of this notice.
- 2) The Contractor is obligated to indicate the offered equipment in its tender, characterising it by indicating the manufacturer and model, or catalogue number, or name, or other information clearly identifying the offered subject of the tender.
 - 3) Each Contractor may submit only one tender and propose only one price.
 - 4) The tender must be submitted in writing, in Polish or English.
 - 5) Tenders are submitted:
 - **in writing** (with a handwritten signature) – in a closed and marked envelope, at the registered office of the Contracting Authority: Gdańsk University of Technology, Faculty of Electronics, Telecommunications and Informatics, 80-233 Gdańsk, ul. G. Narutowicza 11/12, WETI A building (No. 41), Room 127
 - or**
 - **using electronic means of communication:**
 - a. in electronic form (with a qualified electronic signature)
 - or**
 - b. in electronic form (with a trusted signature or personal signature) sent to the following address: logistyka@eti.pg.edu.pl, with the following in the subject line ref.: "ZZ/197/009/D/2024 - TENDER".
 - 6) The tender must be signed by a person or persons authorised 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 organisational form of the Contractor or by an authorised representative of the Contractor.
 - 7) Consequences of submitting a tender contrary to the description above is the sole responsibility of the Contractor.
 - 8) If the authorisation to sign the tender is not directly derived from the document confirming the Contractor's legal status, the tender must be accompanied by a relevant power of attorney. The power of attorney should clearly state its scope and be issued by authorised individuals.
 - 9) The Contractor may ask the Contracting Authority to clarify the content of the notice (by way of e-mail) to the address: szp@eti.pg.edu.pl.

4. How the tender price is calculated

- 1) The Contractor specifies the price for the performance of the contract in the tender form prepared using the template constituting Appendix 1 to this notice.
- 2) The tender price should be specified in PLN.
- 3) The tender price should be specified in gross value with an accuracy of two decimal places.
- 4) The VAT rate should be determined in accordance with the legal provisions in force on the date of submission of the tender.



- 5) If the offer is submitted in a currency other than PLN, the tender price will be converted into PLN according to the NBP exchange rate, table A, applicable on the day designated as the offer submission date.
- 6) The tender price should be calculated taking into account all elements related to the correct and timely execution of the contract. Costs incurred by the Contractor but not included in the tender price are not additionally settled by the Contracting Authority.
- 7) The price specified in the tender is valid for the entire period of validity of the tender and is binding for the concluded agreement.
- 8) The tender price is not subject to any negotiations.
- 9) In the case of Contractors jointly applying for the award of the contract, settlements are made only with the proxy.
- 10) If a tender is submitted in the proceedings – the selection of which would result in the Contracting Authority being subject to tax obligations in accordance with the Act of 11 March 2004 on tax on goods and services (consolidated text: Journal of Laws of 2023, Item 1570, as amended), for the purposes of applying the price or cost criterion – the Contracting Authority adds to the price presented in this tender the amount of tax on goods and services that it would be obliged to settle. In such a case, when submitting a tender, the Contractor must inform the Contracting Authority that selecting their tender will result in the Contracting Authority being subject to tax obligations. The Contractor should also provide the name and value of the goods or services, excluding tax amounts, as well as the expected goods and services tax rate, based on the Contractor's knowledge.

5. Validity period of the tender

Validity period of the tender: 30 days, i.e. until 05/10/2024

6. Deadline and method of submitting tenders

- 1) The deadline for submitting tenders is 06/09/2024 at 10:00 a.m.
- 2) The Contractor may change or withdraw its tender before the deadline for submitting tenders.
- 3) Tenders sent after the deadline will not be considered.
- 4) Documents in the form of copies should be certified as true copies of the original by the person or persons authorised to represent the Contractor in accordance with the Contractor's authorised form of representation.

7. Criteria for evaluating tenders

- a) When selecting the most advantageous tender, the Contracting Authority is guided by the following criterion: tender price – 100%, as follows:
 - a) The total gross price of the tender in PLN is subject to evaluation;



- b) The Contracting Authority awards the maximum number of 100 points to the tender with the lowest price;
- c) The Contracting Authority awards points to the remaining tenders according to the formula:

$$P_c = \frac{C_n}{C_b} \times 100$$

where:

P_c – the number of points awarded to the evaluated tender in the ‘tender price’ criterion;

C_n – the lowest gross price among the submitted valid, non-rejected tenders in PLN;

C_b – gross price of the evaluated tender in PLN;

100 – criterion weight.

Calculations are made by the Contracting Authority with an accuracy of two decimal places.

- 1) If two or more tenders with the same price are submitted, the Contracting Authority calls on the Contractors submitting these tenders to submit additional tenders within the deadline specified by the Contracting Authority. Contractors submitting additional tenders cannot offer prices higher than those offered in previously submitted tenders.
- 2) In the course of evaluating the tenders submitted, the Contracting Authority may request the Contractor to provide explanations regarding the content of the tender submitted.
- 3) The Contracting Authority corrects obvious typing errors in the text of the tender and immediately informs the Contractor whose tender was corrected. An obvious typing error should be understood, in particular, as a visible, unintentional misuse of a word; a clearly incorrect spelling of a word; an obvious grammatical error; an unintentional omission of a word or part thereof.
- 4) The Contracting Authority corrects obvious calculation errors, taking into account the calculation consequences of the corrections made, and immediately informs the Contractor whose tender was corrected.
- 5) The Contracting Authority corrects other errors consisting in non-compliance of the tender with the content of the notice, which do not result in significant changes in the content of the tender, immediately informing the Contractor whose tender was corrected.
- 6) The Contracting Authority provides for the possibility of supplementing the documents required with the tender.
- 7) The Contracting Authority rejects the tender in the cases specified in Article 226 of the PPL.
- 8) The Contracting Authority cancels the procedure in the circumstances specified in Article 255 and 256 of the PPL.
- 9) The Contracting Authority excludes from the contract award procedure the Contractor in relation to which any of the circumstances referred to in Article 7(1)(1) to (3) of the Act on special solutions for counteracting support for aggression against Ukraine and for the protection of national security of 13 April 2022. (Journal of Laws of 2023, Item 1497, as amended), hereinafter referred to as the Sanctions Act.
The Contracting Authority independently verifies the Contractor in terms of exclusion from the procedure based on the above-mentioned grounds. In the case of a Contractor excluded under Article 7(1) of the Sanctions Act, the Contracting Authority rejects the tender pursuant to Article 226(1)(2)(a) of the PPL in connection with Article 7(1) and (3) of the Sanctions Act.



8. Payment settlement method

- 1) The basis for issuing an invoice for the completion of the subject of the contract is an unreserved acceptance report signed by both parties.
- 2) Payment takes place within 21 days from the date of receipt by the Contracting Authority of a correctly issued invoice, from the Contracting Authority's account to the Contractor's account indicated in the list of entities kept by the Head of the National Tax Administration, referred to in Article 96b of the Act on goods and services.
- 3) The day of debiting the Contracting Authority's account is considered the payment date.

10. Information clause regarding 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 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) (OJ of the EU L 119 of 04/05/2016, p. 1, as amended: Journal of the UE L 127 of 2018, No 127, p. 2), hereinafter referred to as the "GDPR", the Contracting Authority informs you that:

- 1) The controller of your personal data is Gdańsk University of Technology ul. Narutowicza 11/12, 80-233 Gdańsk;
- 2) The personal data protection officer at Gdańsk University of Technology is Paweł Baniel | Tel. +48 58 348-66-29, e-mail: iod@pg.edu.pl;
- 3) Your personal data is processed pursuant to Article 6(1)(c) of the GDPR for purposes related to the public procurement procedure for the "Delivery of three pieces of the precision pellet dispenser for the Faculty of Electronics, Telecommunications and Informatics of Gdańsk University of Technology.", no.: ZZ/197/009/D/2024" conducted pursuant to Article 11(5)(1) of the Act of 11 September 2019 – Public Procurement Law (Journal of Laws of 2023, Item 1605, as amended) hereinafter referred to as the 'PPL';
- 4) the recipients of your personal data are persons or entities to whom the documentation of the procedure will be made available pursuant to Article 18(1) of the PPL;
- 5) your personal data is stored in accordance with Article 78(1) and (4) of the PPL for a period of four years from the date of completion of the contract award procedure, and if the duration of the agreement exceeds four years, the storage period covers the entire duration of the agreement. Documentation of public procurement procedures financed from European Union (EU) funds is also kept for the period resulting from contracts for co-financing of projects financed from EU funds;
- 6) the obligation to provide your personal data directly concerning you is a statutory requirement specified in the provisions of the PPL, related to participation in a public procurement procedure; the consequences of not providing certain data arise from the PPL;
- 7) in relation to your personal data, decisions are not made in an automated manner, pursuant to Article 22 of the GDPR;
- 8) you have:
 - pursuant to Article 15 of the GDPR, the right to access your personal data;
 - pursuant to Article 16 of the GDPR, the right to rectify your personal data (*exercising the right to rectify may not result in a change in the outcome of the public procurement procedure or a change in the provisions of the agreement to*



- the extent inconsistent with the PPL and may not violate the integrity of the protocol and its attachments);*
- pursuant to Article 18 of the GDPR, the right to request the controller to limit the processing of personal data, subject to the cases referred to in Article 18(2) of the GDPR (*the right to limit processing does not apply to storage, to ensure the use of legal remedies 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 Personal Data Protection Office with its registered office in Warsaw when you consider that the processing of your personal data violates the provisions of the GDPR;
- 9) you do not have:
- in connection with Article 17(3)(b), (d) or (e) of the GDPR, the right to delete your personal data;
 - the right to data portability referred to in Article 20 of the GDPR;
 - pursuant to 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 Article 6(1)(c) of the GDPR.
- 10) Additionally, pursuant to Article 19(4) of the PPL, the Contracting Authority informs you about the restrictions referred to in Article 19(2) and (3) and Article 75 of the PPL:
- a) if the Contractor exercises the right to obtain confirmation as to whether personal data concerning the Contractor are being processed, the Contracting Authority is entitled to request additional information from the Contractor specifying the request (e.g. name or date of the contract award procedure);
 - b) if the Contractor exercises the right to limit the processing of its personal data, the Contracting Authority is entitled to process such data until the contract award procedure is completed.

Appendices to the contract award notice:

- 1) Appendix 1 – Tender form.

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prof. dr hab. inż. Jacek Stefański