

Request for Tenders

for the supply of injection moulds

under the principle of competition

of 20 November 2019

I. Contracting Party

I.1. Contracting Party:

Optiguard Sp. z o.o., with its registered office in Toruń at ul. Aleksandrowska 6-10, 87-100 Toruń

NIP No. (TAX ID No.): 956-213-03-91

Entered into the National Court Register kept by the District Court in Toruń, VII Commercial Department under KRS No. (National Court Register No.): 217442

I.2. Electronic e-mail address in matters related to the request: j.mikorska@optiguard.pl

I.3. The contact person in matters related to the request is Justyna Mikorska phone number: +48 695 094 736.

II. Subject matter and delivery date

II.1. The subject matter of the request is a supply of injection moulds for individual components of Optiwatch product.

II.2. In view of the need to protect business secrets of the Contracting Party, the drawings describing the subject matter of the order will be sent to a tenderer who undertakes to preserve the confidentiality in respect of such information. In order to obtain them, please contact the person referred to in point I.3.

II.3. The order will be shipped within 30 days from the date of signing the agreement. A tenderer may declare to shorten the delivery date.

II.4. The required minimum period of manufacturer guarantee is 24 months or 100,000 cycles.

II.5. The subject matter of the order is to be performed in the framework and in order to implement the project "Optiwatch - a security system of smart watches and fit bands on open retail displays" financed from the funds of the European Union - the European



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Regional Development Fund under the Regional Operational Program of the Kuyavian-Pomeranian voivodship for the years 2014-2020.

- II.6. The name and code describing the subject matter of the order defined in the Common Procurement Vocabulary (CPV): 43415000.
- II.7. A tenderer shall be obliged to implement all services resulting from the Request for Tenders, including its annexes.
- II.8. The agreement shall be concluded immediately after the selection of the most advantageous bid within the time limit set by the Contracting Party corresponding to an appropriate model constituting Annex 3 to the Request for Tenders.

III. Basis for the request and a possibility to implement changes

- III.1. The Request for Tenders is implemented under the principle of competition in accordance with the Guidelines on the eligibility of expenditure under the European Regional Development Fund, of the European Social Fund and the Cohesion Fund for the period 2014-2020 - with the exception of the obligation for the publication of notices in the Competitiveness Base.
- III.2. The provision of public procurement law shall not apply to the request.
- III.3. The Request for Tenders was published on the website www.optiguard.pl/projects/ and sent to chosen tenderers.
- III.4. In the event of substantial doubts, a tenderer may request the Contracting Party to answer questions in order to clarify the content of the Request for Tenders, by transferring questions to the e-mail address indicated in point I.2.
- III.5. The Contracting Party may modify the content of the Request for Tenders, in particular for the need to remove defects of the request, adapt the request to the requirements of the common law or other regulations binding the Contracting Party, and, if this proves necessary, for the need to properly implement the project or the subject matter of the request (in particular to obtain the due quality of the project or the subject matter of the request and its conformity with the objectives of the project).
- III.6. In the case of modification of the content of the request, the deadline for the submission of bids will be extended, in so far as this is necessary given the scope of introduced changes.
- III.7. Information on the content of questions and explanations and on the modification of the content of the request shall be published in the same way as the request itself.



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IV. Requirements towards a tenderer and demonstration of their fulfilment

- IV.1. The Contracting Party requires that a tenderer, during the last 2 years before the deadline for the submission of bids, and if the duration of the activity is shorter - in this period, has performed at least one delivery of injection moulds.
- IV.2. In order to demonstrate the fulfilment of requirements of a tenderer, it is necessary to complete information relating to the requirements on a Tender Application Form and submit, together with the bid, references or other document which proves a due performance of the delivery, referred to in point IV.1.
- IV.3. Tenderers who are personally or capitally connected with the Contracting Party shall not take part in the Request for Tenders, as specified in Annex 2 to the Request for Tenders.
- IV.4. In order to demonstrate the fulfilment of requirements for a tenderer referred to in point IV.3, a tenderer, together with a bid, shall submit a Statement of no personal and capital connection with the Contracting Party, according to Annex 2 to the Request for Tenders.
- IV.5. A tenderer who is related to the Contracting Party in the manner specified in Annex 2 to the Request for Tenders, shall be excluded from the proceeding and its bid shall be deemed rejected.

V. Criteria for the evaluation of bids

- V.1. The Contracting Party shall evaluate the retained bids on the basis of the following criteria for the evaluation of bids:

Criterion	Importance	Description of a criterion and method of awarding points
Net price	90%	Assessment of a criterion according to the following model: The lowest offered net price among retained bids / net price offered in the reviewed bid x (90 points)



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Execution period	10%	<p>Assessment of a criterion according to the following model:</p> <p>The shortest offered execution time of the subject of agreement among retained bids / offered execution period of the subject of agreement in the reviewed bid x (10 points)</p>
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- V.2. Price may be expressed in any currency, for which the NBP publishes an average exchange rate in relation to the Polish zloty. The price should be given without taking into account the VAT (net price).
- V.3. In order to award points for a criterion, a net price of the offer expressed in a foreign currency will be converted into the Polish zloty according to an average exchange rate established by the NBP on the day of publishing an order notice.
- V.4. If a bid does not set out the execution period, the Contracting Party shall consider that the bid offers a maximum execution period compatible with the request, i.e. 30 days from the date of signing of the agreement
- V.5. The price and other terms of the bid shall not be subject to negotiation.

VI. Requirements towards a bid

- VI.1. A bid must be submitted as a scan of a signed document or a document bearing a qualified electronic signature sent to the email address indicated in point I.2.
- VI.2. A bid must be submitted in accordance with the requirements described in the request using a Tender Application Form constituting Annex 1.
- VI.3. The time limit for submission of bids shall end with the expiry of the day 27 November 2019. It is the time of receipt of a bid by the Contracting Party that is important.
- VI.4. A bid shall be signed by a person authorised to submit statements of will on behalf of a tenderer, however the Contracting Party does not require attaching documents confirming an authorization of a person signing the bid.
- VI.5. A tenderer is bound by the submitted bid for 30 days from the end of the period for submission of bids. An agreement concerning the performance of the order shall be signed



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in this period.

- VI.6. A bid shall be complete and the submitted documents and statements shall contain a confirmation of fulfilling requirements specified in the request.
- VI.7. Any attached statements not submitted by the tenderer shall be confirmed to be in conformity with the original copy.
- VI.8. A bid shall be drawn up in Polish or English. Documents and statements required by specification, which are drawn up in a different language, shall be submitted together with a translation into Polish or English.
- VI.9. A tenderer may submit only one tender.
- VI.10. A tenderer may stipulate that the information covered by the obligation of professional secrecy, within the meaning of the regulations on unfair competition, shall not be made available to other tenderers. This information should be accordingly marked as follows: "Information constituting professional secrecy" and at the same time demonstrate that the proprietary information is a trade secret. A tenderer shall not reserve information constituting a criterion of bids evaluation.

VII. Examination of the submitted bids and selection of the most advantageous bid

- VII.1. A bid which does not meet the requirements of this Request for Tenders, in particular a bid submitted after the deadline, incomplete or not being a bid within the meaning of civil law or in another way not complying with the provisions of law, shall be rejected subject to a clearly expressed possibility for correcting formal errors and completing defects.
- VII.2. The Contracting Party shall also reject a bid if a tenderer has not demonstrated, despite the Contracting Party's doubts, that the bid does not include an abnormally low price in relation to the subject of the order.
- VII.3. The Contracting Party permits a correction of formal errors and completion of defects in the submitted bid (this does not concern the criteria for the evaluation of tenders or an incorrect bid form, or a lack of signature on the tender). The Contracting Party shall inform a tenderer about such necessity by e-mail in accordance with contact data present in the submitted bid. In the notice referred to above, the Contracting Party shall designate a tenderer with a deadline to correct errors or complete defects. A failure to do so shall result in the rejection of the bid by the Contracting Party.
- VII.4. A bid completed or corrected at the request of the Contracting Party shall meet all the requirements of the Request for Tenders.



Republic
of Poland



Kujawsko-Pomorskie
Region

European Union
European Regional
Development Fund



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- VII.5. The Contracting Party reserves the right to a detailed verification of compliance of the submitted documents and statements with the facts, including by calling a tenderer to clarify the content of the documents or statements.
- VII.6. The Contracting Party shall correct obvious errors in a bid, i.e. the ones which do not leave doubt as to the correct content of a bid.
- VII.7. The Contracting Party will review the submitted bids in accordance with the requirements of the Request for Tenders. Bids meeting these requirements shall be reviewed in accordance with the evaluation criteria set out in the request.
- VII.8. A bid deemed the most advantageous shall be a bid which scored the highest number of points in the framework of the criteria for the evaluation of tenders.
- VII.9. The Contracting Party reserves the right to cancel the Request for Tenders in a justified case, in particular where the price of the most advantageous bid exceeds the price which it is able to pay for the execution of the order or in the event that a settlement proceedings would entail the risk of lowering the value of the subsidy.
- VII.10. Information on the selection of the most advantageous bid or on the cancellation of proceedings will be published in the same way as the request itself.

VIII. Signing of the Agreement

- VIII.1. After selecting the most advantageous bid, an agreement will be signed with a tenderer whose bid was considered as the most advantageous.
- VIII.2. The Contracting Party shall not require the tenderer to provide a performance bond for a proper implementation the agreement.

IX. Annexes

- 1) Tender Application Form
- 2) Statement of no personal and capital connection with the Contracting Party
- 3) Model Agreement



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