

Rzeszów, 28 July 2021

## **Request for proposal**

**number: 4 /POIR / 2021**

In connection with the announced procedure related to the implementation of the project entitled „**Encapsulation as an innovative method of delivering lipophilic active substances in dietary supplements**”, CHDE Polska Spółka Akcyjna invites to submit offers for the supply of a chemical reagent - sodium hyaluronate.

The project is co-financed by the European Union from the European Regional Development Fund under the Intelligent Development Operational Program for 2014-2020, Operation 1.1.1. - "Industrial research and development works carried out by enterprises".

### **I. Ordering Party**

CHDE Polska S.A.  
ul. Biesiadna 7  
35-034 Rzeszów  
KRS: 0000641273  
REGON: 180291650  
NIP: 813-35-32-43

### **II. Co-financing agreement number**

POIR.01.01.01-00-1013 / 19, signed on: 08.10.2020

### **III. Glossary**

Explanation of the terms

1. Ordering Party - it should be understood as CHDE Polska S.A.,
2. Contractors - it should be understood as a natural or legal person or an organizational unit without legal personality, which has submitted a tender.
3. The highest bid - it should be understood as the offer that presents the best balance of price and other criteria relating to the subject of the contract.

### **IV. Common procurement vocabulary (CPV)**

33696300-8 - chemical reagents

### **V. General provisions**

1. The provisions of the Public Procurement Law of January 29, 2004 (Journal of Laws of 2015, item 2164, as amended) shall not apply to this Request for proposal.
2. The procedure is conducted in Polish and English.
3. The Ordering Party does not reimburse costs of participation in the procedure.
4. The Ordering Party reserves the right to change the Request for proposal, withdraw and cancel the procedure at any time without giving any reason before the deadline for submitting bids.
5. This Request for proposal does not oblige the Ordering Party to sign a contract, and choosing the best bid does not oblige the Ordering Party to make a commitment.
6. The Ordering Party does not allow partial offers.
7. The Ordering Party does not allow the submission of variants

## **VI. Subject of the contract**

The subject of the order is the delivery of a brand new reagent.

A detailed description of the subject of the contract is included in Appendix 1.

## **VII. Order completion date**

Commencement date of the contract: the first delivery at the latest up to 10 weeks from the date of order. One-time delivery of the entire order.

Place of performance:

**Company name: CHDE Polska Spółka Akcyjna**

**Street: 7 Biesiadna**

**Post Code: 35-304 Rzeszów**

**POLAND**

## **VIII. Place and deadline for submitting offers**

Offers must be submitted:

1. By electronic means to the following address: [justyna.niemczyk@chde.pl](mailto:justyna.niemczyk@chde.pl),  
Title of the message should include following text: Request for proposal No. 4/POIR/2021

An offer in electronic form is an offer submitted via e-mail. The electronic offer should be prepared in the same way as an offer submitted in writing - scans of signed documents should be sent to the e-mail address of the Ordering Party indicated as indicated above.

2. By post or courier in a sealed envelope with the note: Request for proposal No. 4/POIR/2021  
Documents should be sent to the following address:

**Company name: CHDE Polska Spółka Akcyjna**  
**Street: 7 Biesiadna**  
**Post Code: 35-304 Rzeszów**  
**POLAND**

If the offer is submitted in paper form, the documents should be submitted in a non-transparent envelope (packaging) ensuring the confidentiality of its content (preventing its content from being read) and securing its integrity, until the designated opening date. The envelope (packaging) should include the name and the address of the Contractor (stamp or handwritten note).

3. Through the Competitiveness Database website available on <https://bazakonkurencyjnosci.funduszeuropejskie.gov.pl/>
4. Offers should be sent by **04.08.2021 by 23:59**. The contractor may submit only one offer.
5. Submitting more than one offer will result in rejection of all offers submitted by the contractor.
6. Inquiries regarding the conducted procedure in terms of the subject of the contract should be sent by e-mail to the following address: justyna.niemczyk@chde.pl. No verbal or telephone information, explanations or answers will be provided by the Ordering Party.
7. All inquiries, including explanations, will be published on the website <https://bazakonkurencyjnosci.funduszeuropejskie.gov.pl/> along with the full text of the inquiry. If the answers to the questions or reported problems involve a change in the terms of the contract, all participants of the inquiry will be notified of the changes.
8. Before the submission deadline, the Bidder may amend or withdraw the submitted offer. Amendments to the offer or its withdrawal must be provided to the Ordering Party in writing, before the deadline for submitting offers. The change of the offer should contain an additional information: "CHANGE OF THE OFFER" or "WITHDRAWAL OF THE OFFER".

#### **IX. Announcement of the selection**

1. The Bidder will be notified via e-mail about the selection of their offer. The results of the procedure, in accordance with the principle of competitiveness, will be published on the Competitiveness Database website.
2. Should the Bidder who submitted the most advantageous bid fail to sign the Agreement, the Ordering Party reserves the right to sign the Agreement with the next Bidder who obtained the next highest number of points, within the same procedure.

3. This Request for proposal do not oblige the Ordering Party to conclude a contract, and the selection of the best offer does not mean that the Ordering Party has entered into an obligation.

## **X. NFORMATION ABOUT THE METHOD OF COMMUNICATION**

1. Declarations, applications, notifications and information should be sent by both parties to the following email address:

- justyna.niemczyk@chde.pl or
- electronically, using the Competitiveness Database  
<https://bazakonkurencyjnosci.funduszeuropejskie.gov.pl/> through "Questions" section.

2. During the procedure, the person authorized to communicate with Bidder is:

**Justyna Niemczyk, phone numer +48 690 387 508**

3. The Bidder may ask the Ordering Party for clarification regarding any doubts related to the content of this inquiry, the method of preparing and submitting tenders. The Ordering Party will respond to all inquiries related to the conducted procedure. The inquiry should be received by the Ordering Party not later than by the end of the day on which half of the time limit for submitting tenders expires.

The Ordering Party is not obliged to answer any inquiries received after this date. The content of the inquiries regarding the request for quotation together with the Employer's explanations will be published in the Competitiveness Database.

4. The Ordering Party reserves the right to change or supplement the content of the Request for proposal before the deadline for submission. Information about introducing changes or supplementing the content of the inquiry will be published in the European Funds Competitiveness Database. This information will include at least: a description of the changes made. The The Ordering Party extends the deadline for submitting offers if it is necessary due to the scope of the changes introduced.

5. Contacts between the Bidders and the Ordering Party will take place outside the Competitiveness Base, by e-mail or by phone after the procedure is completed.

## **XI. Binding Offer Date**

The Bidder will be bound by the submitted offer for a period of 120 days. The offer validity period begins with the expiry of the offer submission deadline. The Bidder on his own or at the request of the Ordering Party may extend the period of validity of the offer.

## **XII. Guideines for preparing the offer**

1. The offer must include:

- 1.1 Description of the subject of the contract - **Appendix No. 1**
- 1.2 Offer - **Appendix No. 2,**
- 1.3 Assortment and price form - **Appendix No. 3**
- 1.4 Statement of absence of grounds for exclusion- **Appendix No. 4,**

- 1.5 **National Court Register**, in which a person authorized to represent the Bidder will be indicated, or an authorization to represent the Bidder issued, approved by a person indicated in the Register, or a resolution of the General Meeting appointing a given person to the Management Board in a situation where the change has not yet been published in the Register, or another document confirming the authorization to runbusiness - issued not earlier than 6 (six) months before the deadline for submitting offers;
- 1.6 A document including a detailed specification of the offered product that meets the requirements of the parameters included in **Appendix 1**. The document must contain a description of the offered product, preferably in the form of an MSDS and a certificate of analysis of the raw material of a given batch or a self-declaration ensuring the required properties.
2. The offer price must include all costs related to the execution of the contract. Costs that the Bidder has not included in the offer will not be paid separately by the Ordering Party and it will be considered that they have been included in the price offer.
3. All documents required in the Request for proposal must be attached to the offer.
4. If the Bidder's seat or place of residence of the company is outside the territory of the Republic of Poland, instead of the documents referred to in IX , 1.5, they shall submit a document or documents issued in the country where they have their seat or place of residence, confirming, respectively, that his liquidation or bankruptcy has not been announced - issued not earlier than 6 (six) months before the deadline for submitting bids.
5. If in the country where the Bidder have their seat or place of residence, the documents indicated in point 1.5 are not issued, they are replaced with a document containing a declaration, which also specifies the persons authorized to represent the Bidder, submitted to the competent judicial, administrative or professional or economic self-government body, respectively, of the country of residence of the person or country where the Bidder have their seat or place of residence, or to a notary public - issued not earlier than 6 (six) months before the deadline for submitting bids.
6. In case of doubts as to the content of the document submitted by the Bidder having their seat or place of residence outside the territory of the Republic of Poland, the Ordering Party may apply to the competent authorities with the request to provide the necessary information regarding the submitted document.
7. The documents referred to in items 5 and 6 shall be submitted in the original or a certified copy by the Bidder. The Ordering Party may request the presentation of the original or a notarized copy of the document only if the submitted copy of the document is illegible or raises doubts as to its authenticity.
8. The offer should be submitted in Polish or English.

9. The offer should be initialed and signed by the person / persons authorized to represent the Bidder. The authorization to sign the offer should be attached to the offer, unless it results from the registration documents attached to the offer.
10. Any changes relating to the deadline for submitting bids will be published on the Competition Database website.
11. The offer submitted without Appendix No. 1 (Detailed description of the subject of the order) and Appendix No.2 (Offer) will be rejected.
12. Offers submitted after the deadline will be rejected.
13. During evaluating the submitted offers, the Ordering Party may request the Bidders to provide explanations regarding the content of the offers submitted by them. Failure to submit explanations within the deadline and in the required form specified by the Ordering Party may be grounds for rejection of the offer.
14. In the course of evaluation of the offers, the Ordering Party allows to complement the offer with missing appendices (except Description of the subject of the contract - **Appendix No. 1** and Offer - **Appendix No. 2**). The lack of the required attachments, or failure to complete them within the prescribed period, or supplementing them incorrectly, may be the basis for rejection of the offer.
15. During the evaluation of the offers, the Ordering Party allows for of correction of errors made in the offer, i.e. obvious typographical errors.
16. The costs related to the preparation of the offer are borne by the Bidder.
17. Submitting an offer is tantamount to accepting the content of a given Request for proposal without reservations.
18. In the event of rejection of the offer or exclusion of the Bidder, the Bidder shall not be entitled to any claims against the Ordering Party.
19. The offer must be signed, in places designated for signature, by a person or persons authorized to represent the Bidder. If the right to representation does not result from the documents submitted with the offer, an appropriate power of attorney or other document confirming the right to represent the Bidder should be attached to the offer.
20. **The offer should include the price in PLN in gross and net amounts**, up to two decimal places. Should the amount be provided in foreign currencies, the Ordering Party shall convert these amounts into PLN according to the average exchange rate of the National Bank of Poland applicable on the day of submitting offers, specified in point VIII.4 of this Request of Proposal.
21. Financial settlements between the Ordering Party and the Bidder will be made in the currency - PLN.
22. The price given in the Offer – Appendix 1 should be the final price including the cost of the delivery of the product to the Ordering Party.

23. In the case of applying handwritten corrections to documents relating to the offer, the Bidder is obliged to include the date of the correction and the initial of the person authorized to submit the offer.

### XIII. Evaluation of proposals

After analyzing the submitted offers, the Ordering Party will inform about the selection of the most advantageous offer by announcing the results on the Competitiveness Base.

### XIV. Offer evaluation criteria and their weighting

No..	Criteria	The weighting
1	Price	70%
2.	Delivery time	30%
	Sum:	<b>100%</b>

### XV. Scoring procedure

1. When evaluating the offers, the Ordering Party will follow the following criteria:

- Price - 70%,
- Delivery time - 30%

2. The evaluation of the offer will be made in accordance with the formula:

$$L = C + D$$

where:

- L - evaluation of the offer in points
- C - number of points obtained in the "Price" criterion
- D - number of points obtained in the "Delivery time" criterion

3. Price criterion:

By criterion (C), points will be awarded on the basis of the declared values by the Bidder in the Offer Form – Appendix 1, according to the following formula:

$$C = \frac{C_n}{C_B} \times 70$$

where:

C - number of points awarded to the Bidder under consideration in the price criterion

CN - the lowest price offered in the procedure  
CB - price of the evaluated offer

4. Criterion of the delivery time:

By criterion (D), points will be awarded on the basis of the values declared by the Bidder in the Offer Form Offer Form – Appendix 1, according to the following formula:

$$D = \frac{D_N}{D_B} \times 30$$

where:

D - number of points awarded to the Bidder under consideration in the delivery time criterion  
DN - The shortest offered delivery time  
DB - Offered delivery time

5. The Ordering Party will select the most advantageous offer on the basis of the offer evaluation criteria specified in this inquiry. The Bidder may obtain a maximum of 100 points. Calculations will be made to two decimal places. The Ordering Party will publish the information on the results on the Competitiveness Database

## **XVI. CONDITIONS FOR PARTICIPATION IN THE PROCEDURE**

The bidders who may apply should:

1. have the necessary knowledge and experience as well as have technical potential and people capable of performing the contract;
2. be in an economic and financial situation that allows for the proper performance of the contract.

## **XVII. Exclusions from the procedure**

In order to avoid a conflict of interest, the contract to which this request for proposal relates to will not be signed with entities related to the Ordering Party personally or by capital. Capital or personal ties are understood as mutual connections between the Ordering Party or persons authorized to incur obligations on behalf of the Ordering Party or persons performing activities on behalf of the Ordering Party related to the preparation and conduct of the contractor selection procedure and the contractor, in particular on:

- a) participating in the company as a partner in a civil partnership or partnership,
- b) having at least 10% of shares or stocks,
- c) acting as a member of the supervisory or management body or proxy,



d) being married, being in a kinship or affinity in a straight line, kinship of the second degree or affinity in the lateral line, or in relation to adoption, care or guardianship.

#### **XVIII. Rejection of the offer**

The offer will be rejected if:

- a) it will be submitted by a Bidder who does not meet the conditions presented in Appendix No. 1 (Detailed description of the subject of the contract)
- b) The Bidder is subjected to the exclusion conditions specified in this inquiry,
- c) does not include Appendix No. 1 and Appendix No. 2 required in this procedure
- d) the parameters of the offered product are inconsistent with the description of the subject of the contract,
- e) is left blank and / or unsigned,
- f) was submitted after the deadline,
- g) The Bidder will provide false information in the offer, seeking to mislead the Ordering Party, and the Ordering Party will have evidence of submitting false information,
- h) The Bidder made an agreement with another bidder, which was aimed at distorting competition, and the Ordering Party will have evidence of such an unfavorable agreement,
- i) The bidder does not respond on time to submit explanations or supplement formal deficiencies in the offer, or submit incomplete explanations.

In the event of the above circumstances, the bidders are not entitled to appeals, as the procedure is not carried out under Public Procurement Law of January 29, 2004, so the appeal methods not apply.

#### **XIX. Persons authorized to communicate with Bidders:**

Mrs. Justyna Niemczyk

e-mail address: justyna.niemczyk@chde.pl

Telephone number: +48 17-229-37-89 ext. 200 / +48 690-387-508

#### **XX. Terms of payment**

The Ordering Party specifies the payment term for a minimum of 30 days from the moment of a correctly issued VAT invoice.

#### **XXI. Terms of contract amendment**

The Ordering Party reserves the right to amend the Agreement signed with the Bidder, i.e.:

- a. terminate the Agreement, without any compensation by the Ordering Party, if the contract for co-financing by the National Center for Research and Development (NCBiR) is terminated with the Ordering Party;
- b. increase the remuneration specified in the Agreement, as a result of a change in the provisions of European Union or national law, to the extent affecting the implementation of the Agreement (in particular, changes in VAT rates);

Change of the essential provisions of the Agreement in relation to the content of the offer is allowed due to the following reasons:

- a. force majeure circumstances,
- b. the occurrence of any other events that were impossible to predict at the time of the conclusion of the Agreement, and that affect the performance of the Agreement, for which neither party is responsible,
- c. obvious typographical errors in the content of the Agreement,
- d. changes in legal regulations in force on the date of signing the Agreement,
- e. decision made by project financing unit having influence on scope of tasks, completion dates or establishing additional provisions to which the Ordering Party will be obliged.

## **XXII. Changing the content of the Request for proposal**

The content of the request for proposal may be changed by the Ordering Party before the deadline for submission of offers indicated in this document. In the event of a change, the Ordering Party will extend the deadline for submitting bids by the time necessary to introduce changes to bids.

Information about the change of the content of the inquiry will be submitted by:

- a) publication on the website of the Ordering Party,
- b) publication on the Competitiveness Database
- c) notification by e-mail of entities to which the Request for proposal was sent to and entities that have already submitted an offer.

## **XXIII. Other information and final conditions**

1. Each Bidder may submit only one offer. If two or more offers are submitted by one Bidder, all his offers will be rejected.
2. During the evaluation of the submitted offers, the Ordering Party may ask the Bidders for additional explanations or supplementing the formal deficiencies within the indicated deadline. No response from the Bidder will result in rejection of the offer.
3. The Ordering Party shall notify all Bidders who submitted an offer about the result of the procedure by placing information on the Competitiveness Database and on the website: [www.chde.pl](http://www.chde.pl). Protocol will be published after the best offer is chosen.

4. The Ordering Party anticipates the possibility of repeating the orders to the selected Bidder for products that are the subject of the contract.
5. If the best price offered still exceeds the budget planned by the Ordering Party, all offers will be rejected and the procedure for these products will be announced again.
6. The costs related to the participation in the procedure shall be borne by the Bidders.
7. The Ordering Party authority does not send back offers submitted in paper form.
8. The Ordering Party does not allow the submission of variants.

#### **XXIV. Procedure for awarding the contract**

1. This procedure is conducted in accordance with the principle of competition, as defined in the Project Co-financing Agreement and in the Guidelines on the eligibility of expenditure under the European Regional Development Fund, the European Social Fund and the Cohesion Fund for 2014-2020, in force on the date of publication of the contract. The inquiry was published in the Competitiveness Database and on the website of the Ordering Party ([www.chde.pl](http://www.chde.pl)).

Attachments to Request for proposal:

- Appendix 1: Detailed description of the subject of the order
- Appendix 2: Offer
- Appendix No. 3: Assortment and price form
- Appendix 4: Statement of absence of grounds for exclusion