

Bieruń, 04.11.2023 r.

Request for Proposal no. 2/10/2023

For the project planned for implementation under A2.1.1 Investments supporting robotization and digitization in enterprises, as part of the National Recovery and Resilience Plan

Order Title: Design and purchase of a line for automatic elaboration of delaying elements for detonators, including delivery

Name of the Ordering Party:

NITROERG S.A.
Plac Alfreda Nobla 1
43-150 Bieruń
KRS: 0000268394
NIP: 6462746961
REGON: 240484673

Place and method of submitting offers:

1. The offer must be submitted by November 30, 2023 (by the end of the day):
 - In electronic form in the form of a signed scan to the following address: p.jurak@nitroerg.pl and r.nowaczyk@nitroerg.pl,
or
 - In writing: by post, courier or in person to the address of the Ordering Party's office: Plac Alfreda Nobla 1, 43-150 Bieruń at the reception desk (the Ordering Party's office is open from Mon-Fri from 7 a.m. to 3 p.m.) with the note: procedure - automation.
2. The date of receipt of the offer by the Ordering Party is decisive.
3. Offers submitted after the deadline will not be considered.

Contact person regarding the advertisement:

(Paweł Jurak), tel +48 32 466 1313.

Place of order fulfillment (delivery):

NITROERG S.A.
Plac Alfreda Nobla 1
43-150 Bieruń

Ordered object:

The subject of the order is the design and purchase of a line for automatic elaboration of delaying elements for detonators, including delivery.

The line for automatic elaboration of delaying elements will be used to carry out the production process, which currently consists of the following stages:

- The employee places empty casings in the delay mass dispenser.
- - Dosing the mass into the casings
- - Automatic transfer of casings with delay mass under the press
- - Compressing the mass in casings (the dosing and pressing stage is repeated depending on the length of the casing)
- - Quality control of manufactured casings
- - Transferring checked and correctly manufactured casings to the transport plates. Reject faulty delaying elements into a separate container.

The scope of the order includes:

1. Design of a line for automatic elaboration of delaying elements (according to the stages described above)
2. Construction and delivery of a line for automatic elaboration of delaying elements equipped with at least:
 - Device for automatic preparation of sets of elaboration plates;
 - Systems for transporting elaboration plates with manufactured details between subsequent production stations;
 - Control system during production, checking the correctness of dosing and pressing - 5 pieces;
 - System for cleaning elaboration plates during production;
 - Device for automatic transfer of delaying elements to transport plates
 - Minimum production efficiency: 9,000 pieces of short delaying elements (up to 26 mm long) or 4,500 pieces of long delaying elements (over 26 mm long) per hour of work

Due to the specificity of the Ordering Party's business and the fact that a number of information is covered by business secrets:

- detailed description of the subject of the order
- list of raw materials and semi-finished products used for the production of delaying elements,
- requirements for the finished product (including drawings and diagrams),

will be made available to Contractors after they sign a confidentiality agreement (NDA), which is Annex No. 1 to the Request for Quotation, and send it to the Ordering Party by e-mail p.jurak@nitroerg.pl and r.nowaczyk@nitroerg.pl.

The above documents will be made available after sending a scan of the signed contract, no later than two business days after receiving the signed scan by the Ordering Party.

Additionally, after signing a non-disclosure agreement (NDA), which is Annex No. 1 to the Request for Quotation, the Contractor should make an on-site visit to the headquarters of the Ordering Party in Bieruń, at the Alfred Noble square 1.

The contractor sets the date of the visit by contacting the contact person regarding the announcement by phone or by sending a proposal for a meeting date to the e-mail address p.jurak@nitroerg.pl and r.nowaczyk@nitroerg.pl. The on-site visit must take place during the offer submission period, after prior arrangement of the date with the Ordering Party.

Partial offers are not allowed.

Variant offers are not allowed.

CPV Code: 42900000-5
Various general and special purpose machines

Order fulfillment schedule:

The deadline for completing the subject of the order is December 31, 2024.

Conditions of participation in the proceedings:

1. Preparing an offer in Polish or English, containing at least:
 - contact details of the Contractor
 - contact person details (name and surname, telephone number, e-mail address)
 - reference to the evaluation criteria indicated in the Request for Proposal
 - indication of the currency in which the price was determined
 - date of preparation of the offer and its validity period
 - order completion date
 - date and form of payment
 - signature of the offer issuer.
2. Submitting the attachments to the offer listed in the "Attachments to the offer" field
3. Offers that do not contain the data indicated in section 1 and 2 will be rejected for formal reasons.
4. The evaluation will be made on the basis of the submitted offer and attachments.

Additional conditions regarding the subject of the order and the procedure:

1. All components of the line for automatic elaboration of primer units must meet the requirements set out in the Regulation of the Minister of Economy, Labor and Social Policy of July 9, 2003 on occupational health and safety in the production, intra-plant transport and trade of explosives, including products pyrotechnics as amended by subsequent acts.
2. The line for automatic elaboration of primer units must meet the requirements for devices operating in MW1 category facilities.
3. The line for automatic elaboration of primer units must be new (i.e. not previously used).
4. Payment method: bank transfer.
5. Payment deadline: min. 60 days from the date of receipt of the invoice (payment by the Ordering Party using the split payment mechanism specified in the provisions of Article 108a et seq. of the Goods and Services Tax Act does not require the Tenderer's consent).

6. The Ordering Party is not obliged to conclude a contract with the selected contractor even though he has submitted the best offer among all offers, even if this offer meets the criteria indicated in this inquiry.
7. This tender procedure may be cancelled, terminated without selecting the Contractor, or invalidated both before and after selecting the most advantageous offer without giving a reason.
8. Information about the outcome of the proceedings will be posted by the Ordering Party on the website www.nitroerg.pl within 8 days of its completion.
9. Entities that are related to the Ordering Party personally or by capital are excluded from participating in the proceedings. Personal and capital connections are understood as:
 - participating in a company as a partner in a civil partnership or partnership;
 - ownership of at least 10% of shares (unless a lower threshold is provided for by law);
 - serving as a member of the supervisory or management body, proxy, proxy;
 - being married, in a relationship of consanguinity or affinity in the direct line, consanguinity or affinity in the collateral line up to the second degree, or being related by virtue of adoption, guardianship or guardianship, or cohabiting with the contractor, his legal representative or members of the managing bodies, or supervisory bodies of contractors applying for the contract;
 - being in such a legal or factual relationship with the contractor that there is justified doubt as to their impartiality or independence in connection with the contract award procedure.

Important provisions regarding the contract with the selected contractor:

1. The contract with the contractor is concluded in writing or electronically (with a qualified electronic signature).
2. In the event of failure to comply with the terms of the contract, the Contractor will pay the Ordering Party a contractual penalty of 25% of the order value.

Conditions for changing the contract:

The Ordering Party reserves the right to make changes to the contract concluded with the Contractor who will be selected as a result of the procedure. Any changes to the provisions of the contract will be concluded in the form of a written annex, and they may also be introduced due to:

- occurrence of justified changes in the scope and method of performing the subject of the order;
- ☒ occurrence of objective reasons beyond the control of the Ordering Party and the Contractor;
- ☒ occurrence of circumstances resulting from force majeure;
- ☒ changes in significant legal regulations.

Supplementary and additional orders

1. During the implementation of the Subject of the order, it is possible to award supplementary orders to the selected contractor, in an amount not exceeding 50% of the value of the order specified in the contract concluded with this contractor, provided that these orders are consistent with the subject of the basic order.
2. During the execution of the subject of the order, it is possible to award additional orders to the selected contractor, not covered by the basic order and not exceeding 50% of the value of the order being implemented, necessary for its proper performance, the execution of which became necessary as a result of a situation that was previously impossible to predict, if:

- a) for technical or economic reasons, separating an additional order from the main order would require incurring disproportionately high costs, or
- b) the execution of the basic order depends on the execution of the additional order.

Criteria for evaluating offers

1. The criteria for evaluating the offers are:

- a. **Offer price** understood as the net price of the entire subject of the order, including:
 - Net price of the design of the line for automatic elaboration of primer units indicated in the subject of the order
 - The net price of the elements of the line for automatic elaboration of primer units indicated in the subject of the order
 - The net price of delivery of the line for automatic elaboration of primer units indicated in the subject of the order to the company's headquarters in Bieruń at Alfred Nobel square 1.
- b. **Warranty** understood as the longest warranty period for the line for automatic reloading of primer units indicated in the subject of the order, expressed in months.
- c. **Service** understood as the shortest time for diagnosing a fault in the line for automatic elaboration of primer units indicated in the subject of the order, expressed in working days.

2. The Ordering Party will select the most advantageous offer based on a point system for assessing the criteria according to the following allocation of points (maximum 100 points can be obtained):

a. Offer price (C) – a maximum of 70 points can be obtained

The contractor who offered the lowest bid receives 70 points. For other performers, the score for this criterion will be calculated according to the following formula:

$$C = (\text{Lowest offer price} / \text{Offer price in the offers under consideration}) \times 70 \text{ points}$$

b. Warranty (G) – a maximum of 10 points can be obtained

The contractor who offered the longest warranty period receives 10 points. For other performers, the score for this criterion will be calculated according to the following formula:

$$G = (\text{Number of months of the warranty period in the offer considered} / \text{Number of months of the longest warranty period}) \times 10 \text{ points}$$

c. Service (S) – a maximum of 20 points can be obtained

The contractor who offered the shortest fault diagnosis time receives 20 points. For other performers, the score for this criterion will be calculated according to the following formula:

$$S = (\text{Shortest number of working days for fault diagnosis} / \text{Number of working days for fault diagnosis in the offers under consideration}) \times 20 \text{ points}$$

3. The offer that receives the highest total number of points will be considered the most advantageous from all evaluation criteria.
4. The Contractor undertakes to sign an agreement with the Ordering Party within no more than 30 days from the date of selection of the Contractor, but not earlier than after the Ordering Party applies for funding under A2.1.1 of the KPO to the appropriate Institution.
5. If the Contractor whose offer has been selected refrains from concluding the contract, the Ordering Party may choose the most advantageous offer from among the remaining offers.
6. For the criterion - offer price, in the case of offers submitted in a foreign currency, the conversion into PLN will be based on the average NBP exchange rate as of the offer evaluation date, i.e. December 5, 2023.

Attachments to the offer:

1. Annex No. 1 - Declaration regarding the processing of personal data
2. Annex No. 2 - Declaration of lack of personal and capital connections
3. Annex No. 3 - Current extract from the relevant business register
4. Annex No. 4 - Declaration that all components of the line for automatic elaboration of primer units will meet the requirements set out in the Regulation of the Minister of Economy, Labor and Social Policy of July 9, 2003 on occupational health and safety in production, intra-plant transport and trade in explosives, including pyrotechnic articles, as amended by subsequent acts.
5. Annex No. 5 - Declaration that the line for automatic elaboration of primer units will meet the requirements for devices operating in MW1 category facilities.

Attachments to the Request for Proposal:

1. Non-Disclosure Agreement (NDA)
2. Sample declaration regarding the processing of personal data
3. Sample declaration on the lack of personal and capital connections