

Warsaw, 09.10.2024.

## PRICE INQUIRY NO. NUSI/85/PR78340/202 4

In connection with the implementation of the project entitled "*Development of a universal fast-response platform, based on RNA technology, ensuring the national drug and epidemiological safety*" co-financed by the state budget from the Agency for Medical Research, Polpharma Pharmaceutical Plant S.A., is requesting bids **for purchase and delivery of packaging directly for technological trials.**

### I. NAME AND ADDRESS OF THE BUYER

Zakłady Farmaceutyczne Polpharma S.A.  
19 Pelplińska Street  
83-200 Starogard Gdanski

### II. 'MODE OF INQUIRY

- 2.1. This inquiry is not subject to the provisions of the Act of September 11, 2019. Public Procurement Law (i.e. Journal of Laws of 2019, item 2019).
- 2.2. Proceedings conducted by market discernment, in an expedient and economical manner in compliance with the rules:
  - 1) Getting the best results from given inputs;
  - 2) Optimal selection of methods and means to achieve the set goals;
  - 3) openness, fair competition and equal treatment of contractors.

### III. DESCRIPTION OF THE SUBJECT OF THE INQUIRY

- 3.1. The subject of the price inquiry is the **purchase and supply of direct packaging for technological trials: 6R vials, stoppers and aluminum caps.**
- 3.2. Scope of the price inquiry:
  - 3.2.1. *Lot 1 Vial ISO8362-1-A-6R, 8 mL, packaged in NEST of 48 pieces, sterile, total 67,008 pieces.*
  - 3.2.2. *Part 2 Dedicated stopper for 6R 8 mL vial, gray, RTU, Flurotec, packaged in a GLC 190 port bag of 4,000 each, for a total of 68,000 units.*
  - 3.2.3. *Part 3 Aluminum cap dedicated to 6R 8mL vial, RTU, Flip-Off, packaged in a bag of 1,500 pcs. (400x600mm bag), for a total of 67,500 pcs.*
- 3.3. **CPV code: 33141000-0 Disposable, non-chemical medical and hematological supplies**

### IV. PLACE AND TIME OF DELIVERY OF THE PRICE INQUIRY

- 4.1. The object of the request must be delivered at the Seller's expense to the address: Bologna, Italy
- 4.2. **Delivery time of the subject of the price inquiry: maximum by 15.01.2025, all items, complete in one delivery.**
- 4.3. Due to the fact that the delivery date of the subject of the price inquiry is a criterion for evaluation of bids, the implementation will take place in accordance with the submitted bid, but no later than 15.01.2025.
- 4.4. Planned date of order: October 2024, immediately after selection of Contractor.



## V. REQUIREMENTS FOR BIDDERS

- 5.1. The contracting authority does not allow partial bids.
- 5.2. The purchaser does not allow other package sizes than those specified.
- 5.3. **The vendor shall provide with the bid materials confirming compliance with the specification requirements. The Purchaser shall accept specifications of the offered products, links to the websites of the offered products, datasheets and quality certificates of the objects of the request.**
- 5.4. Entities for which there are circumstances are excluded from participation in the proceedings:
  - a) described in Article 7 (1) of the Law of April 13, 2022, on special solutions to prevent support for aggression against Ukraine and to protect national security;
  - b) described in Article 5k of Council Regulation (EU) No. 833/2014 of July 31, 2014 concerning restrictive measures in connection with Russia's destabilizing actions in Ukraine.

Method of verification of grounds/absence of grounds for exclusion:

*Verification will be made on the basis of the Bidder's statement, Attachment 1.*

## VI. DESCRIPTION OF PRICE CALCULATION

- 6.1. How to calculate the bid price: the price should be calculated net and gross.
- 6.2. Bids submitted in a currency other than PLN will be converted into PLN at the average exchange rate of the National Bank of Poland (<https://www.nbp.pl/>) on the closing date for submission of bids.
- 6.3. The price should include all costs associated with the preparation and execution of the subject of the request.
- 6.4. The price submitted in the bid cannot be changed during the execution of the contract.

## VII. DESCRIPTION OF THE CRITERIA THAT THE BUYER WILL BE GUIDED IN THE SELECTION OF THE OFFER

- 7.1. When evaluating bids, the Buyer will be guided by the given criteria:
  - Price - 50%,
  - Delivery time - 50%,
- 7.2. The evaluation criteria apply to both partial bids and bids covering all parts of the subject matter of the contract. Evaluation and thus scoring will be carried out individually for each part of the subject matter of the contract, regardless of whether the offer will cover all parts of the subject matter of the contract or will be a partial offer.
- 7.3. The scoring of the bid will be done according to the formula:

$$O_P = P_C + P_S$$

Where:

- $O_P$  - offer scoring
- $P_C$  - number of points obtained in the criterion "Price"
- $P_S$  - number of points obtained in the criterion "Delivery time "



7.4. The number of points ( $P_C$ ) in the criterion "Price" will be calculated according to the formula:

$$P_C = \frac{C_N}{C_B} * 50 \text{ pkt}$$

Where:

- $P_C$  - number of points for the criterion "Price"
- $C_N$  - of the non-rejected bids, the lowest total net bid price
- $C_B$  - total net price of the tested offer

Bids submitted in a currency other than PLN will be converted into PLN at the average exchange rate of the National Bank of Poland on the closing date for submission of bids.

7.5. The number of points ( $P_S$ ) in the criterion "Delivery time" will be calculated according to the formula:

$$P_S = \frac{S_N}{S_B} * 50 \text{ pkt}$$

Where:

- $P_S$  - Number of points for the criterion "Delivery time"
- $S_N$  - Among the offers that were not rejected, the shortest bid delivery time
- $S_B$  - delivery time of the tested offer

By delivery time, the Buyer means the time counted in calendar days from the date of the Buyer's order to the Seller's execution.

**The bid will be rejected if the delivery date of the subject of the price inquiry is longer than 15.01.2024.**

7.6. The most advantageous offer will be considered the offer from among the offers that have not been rejected, which in total will obtain the highest number of points. The maximum the Seller can obtain is 100 points. Calculations will be made to two decimal places.

## VIII. PLACE AND DATE OF SUBMISSION AND OPENING OF TENDERS

- 8.1. Bids must be submitted by the deadline of **16/10/2024** electronically to: [barbara.wendolowska@polpharma.com](mailto:barbara.wendolowska@polpharma.com) in the form of electronically signed documents or scans of documents.
- 8.2. The deadline is determined by the date and time of receipt of the offer by the Buyer.
- 8.3. Bids submitted after the deadline will not be considered.
- 8.4. The Buyer does not anticipate a public opening of the Bids.
- 8.5. The bidder may amend or withdraw its bid before the deadline for submission of bids.

## IX. DESCRIPTION OF BID PREPARATION

- 9.1. The Bidder must prepare a single price bid in accordance with the sample form attached as Appendix No. 1 to the request. Submitting more than one bid for a given part will result in rejection of all bids submitted by the Bidder.
- 9.2. The bid should be prepared in Polish or English,



- 9.3. Bidders are required to carefully review the information contained in the Price Request.
- 9.4. The bidder shall bear all costs associated with the preparation and submission of the bid.
- 9.5. Until the deadline for submission of bids, the Procuring Entity reserves the right to amend or supplement the contents of this price inquiry.
- 9.6. A bidder submitting a bid shall remain bound by it for a period of 60 calendar days counting from the deadline for submission of bids.
- 9.7. The minimum payment term of the invoice is 30 days from the date of the invoice. Bids with payment terms of less than 30 days will be rejected.

## **X. METHOD OF COMMUNICATION BETWEEN THE BUYER AND THE SELLERS, AUTHORIZED PERSONS TO CONTACT**

- 10.1. In the proceedings, statements, applications, notices and information shall be submitted by the Buyer and the Seller in Polish or English
- 10.2. All notices, statements, requests and information transmitted in electronic form shall require, at the request of either party, immediate confirmation of receipt.
- 10.3. In the absence of an acknowledgement of receipt of correspondence by the Seller, the Buyer shall presume that the correspondence sent by the Buyer to the email address provided by the Seller has been delivered to the Buyer in such a way as to enable the Buyer to become acquainted with its contents.
- 10.4. Correspondence related to this inquiry should be addressed to the e-mail address: [barbara.wendolowska@polpharma.com](mailto:barbara.wendolowska@polpharma.com)
- 10.5. In correspondence related to this inquiry, the Seller should use the proceeding number **NUSI/85/PR78340/2024**.
- 10.6. The person authorized to communicate with the Seller is Ms. Barbara Wendolowska.
- 10.7. No oral or telephonic information, explanations or answers are provided to inquiries addressed to the Buyer.
- 10.8. Any questions regarding this inquiry should be submitted by email to the address indicated above no later than 3 days before the deadline for submission of bids.
- 10.9. Responses to questions and the detailing of the Inquiry resulting from questions from potential Sellers will be sent to the entity that sent the question.

## **XI. PROCEDURE FOR EVALUATION OF TENDERS AND ANNOUNCEMENT OF RESULTS**

- 11.1. In the course of examination and evaluation of bids, the Buyer may request from the Seller supplements (if this does not violate competitiveness) and clarifications regarding the content of submitted bids. He may also request correction of obvious mistakes and calculation errors.
- 11.2. The Buyer reserves the right to check, in the course of evaluating the offer, the credibility of the documents, statements, lists, data and information presented by the Sellers.
- 11.3. If two or more Sellers obtain the same number of points, the bid with the most favorable environmental and climate impact will be selected. For this purpose, the Buyer has the right to call on the Bidders whose bids received the highest final number of points to supplement their bids by providing the information indicated by the Buyer regarding the environmental impact of the subject of the bid.



## XII. AMENDMENT TO THE CONTENT OF THE AGREEMENT

- 12.1.** The Buyer reserves the right to make significant changes to the provisions of the Agreement for the offered services in relation to the content of the offer on the basis of which the Contractor was selected, in the following scope and situations:
- 12.1.1.** Changes in the provisions of law, to the extent affecting the performance of the Agreement (in particular, changes in VAT rates);
- 12.1.2.** Improving the technical parameters of the subject of the Agreement, resulting from the update of solutions due to technological progress, without affecting the gross lump sum price.
- 12.1.3.** extension of the term of execution of the Agreement as a result of the necessity to perform additional work, the performance of which is necessary for the proper execution of the Agreement, and the performance of which the Buyer, acting with due diligence, could not have foreseen earlier, subject to subsection 12.1.6 below;
- 12.1.4.** Extension of the deadline for execution of the Agreement as a result of force majeure, together with all consequences occurring in connection with the extension;
- 12.1.5.** changes in the parameters of the subject matter of the Agreement, not leading to changes in the nature of the Agreement - technological changes, in particular: the need to implement the Agreement using other technical/technological, material solutions than those indicated in the Request for Proposal, in a situation where the use of the provided solutions would threaten non-performance or faulty performance of the Agreement, subject to item 12.1.7. below;
- 12.1.6.** changes relate to the performance of additional supplies or services of the Contractor, not covered by the Contract, if they have become necessary and the following conditions have been met together:
- change of the Contractor cannot be made for economic or technical reasons, in particular concerning interchangeability or interoperability of equipment, services or installations, ordered within the basic subject of the Contract,
  - change of Contractor would cause significant inconvenience or a significant increase in costs for the Buyer,
  - the value of each subsequent change does not exceed 50% of the net value of the original net subject of the Agreement;
- 12.1.7.** the change does not lead to a change in the nature of the Agreement and the following conditions are met together:
- the need to amend the Agreement is caused by circumstances that the Buyer, acting with due diligence, could not foresee,
  - the value of the change does not exceed 50% of the value of the original net subject of the Agreement;
- 12.1.8.** The contractor is to be replaced by a new contractor:
- as a result of a merger, demerger, transformation, bankruptcy, restructuring or acquisition of the Contractor or its enterprise, provided that the new contractor meets the conditions for participation in the proceedings, there are no grounds for exclusion against it and it does not involve other material changes to the Contract,
  - as a result of the Buyer's assumption of the Contractor's obligations to its subcontractors.
- 12.2.** The Buyer also provides for the possibility of making non-material changes to the provisions of the concluded Agreement in relation to the content of the offer on the basis of which the Contractor was selected.
- 12.3.** Amendments to the Agreement shall be made in the form of annexes signed by both Parties, and the possibility of their introduction is subject to acceptance by the Buyer.



### XIII. OTHER INFORMATION

- 13.1.** The Contractor submitting a bid remains bound by it for a period of 60 calendar days counting from the date of expiration of the deadline for submission of the bid. As a result of the procedure, the Buyer may enter into an Agreement for the execution of the subject matter of the order with the Contractor whose bid is considered the most advantageous. The selection of the most advantageous bid does not imply an obligation on the part of the Buyer to enter into an Agreement with the Contractor.
- 13.2.** With respect to the Bidding Proceedings, the Buyer stipulates that:
- has the right not to select any of the submitted Offers;
  - has the option to cancel the Bidding Proceedings at any time without giving any reason or informing Contractors in advance;
  - has the right to amend or supplement the documents included in the Request for Quotation, which will become an integral part of it;
  - may extend the deadline for submission of bids,
- whereby the Contractor shall have no claims against the Buyer on the above grounds.
- 13.3. The Contracting Authority reserves the right to negotiate bids with Bidders**, in particular if the price offered by Bidders exceeds the budget allocated by the Contracting Authority for the execution of the contract
- 13.4. DATA PROTECTION.**
- With regard to the personal data contained in the bids, the Buyer shall, upon submission of the bid, become the controller of such data within the meaning of Article 4(7) of Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 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 ("RODO"). The Buyer will process the data for the purpose of evaluating tenders, entering into a contract with the selected contractor and for the purpose of executing the concluded contract, i.e. on the basis of Article 6(1)(b) of the RODO.
- The buyer will transfer personal data contained in the submitted bids, on the basis of relevant legislation, to authorized bodies and institutions authorized to inspect projects co-financed with funds from the budget of the Medical Research Agency. Information on the scope of data processing by relevant institutions can be found at: <https://abm.gov.pl/pl/wolnytekst/198,Polityka-dotyczaca-cookies.html>
- The buyer will process personal data for the period of time that the buyer is required by applicable law to keep all documentation related to the project co-financed by the Medical Research Agency budget.

### XIV. OTHER INFORMATION

- 14.1.** The bidder shall bear all costs associated with the preparation and submission of the bid.
- 14.2.** Until the deadline for submission of bids, the Contracting Authority reserves the right to amend or supplement the contents of this price inquiry .

### XV. LIST OF ANNEXES

The following documents are attached to this Price Request:

Annex Designation	Name of the Annex
Appendix 1	Sample price form

### PRICING FORM

**Bidder:**

<b>Full name (company) or first and last name</b>	
<b>Registered office/place of residence/address of main place of business</b>	
<b>The e-mail address to which the Buyer should send correspondence related to the price inquiry</b>	
<b>NIP</b>	
<b>REGON</b>	
<b>Phone</b>	
<b>Contact person for the buyer</b>	

We offer to carry out the subject of the order **purchase and delivery of packaging directly for technological trials**, in accordance with the requirements of the Price Request, at a **price:**

Part no.	Subject of the price inquiry  Full description with catalog number	i.m.	Quantity	Net price PLN/EUR/ USD* per IU.	Total net value PLN / EUR / USD*	Total gross value PLN / EUR / USD*	Delivery time [number of calendar days counted from the day the order is placed].	Payment term  Not less than 30 days
1							<del>                    </del>	<del>                    </del>
2							<del>                    </del>	<del>                    </del>
3							<del>                    </del>	<del>                    </del>
<b>SUMMARY TOTAL :</b>					.....	.....	..... days	.....days

\*delete as necessary, select the correct currency.



**At the same time, we declare that:**

- a. we have familiarized ourselves with the Request for Quotation and its attachments and do not raise any objections, and we have acquired the necessary information to prepare our offer,
- b. The price includes a lump sum remuneration for all the Seller's obligations necessary to complete the subject of the Price Request,
- c. we consider ourselves bound by this bid for a period of 60 calendar days from the deadline for submission of bids ,
- d. circumstances do not apply to us :
  - b) described in Article 7 (1) of the Law of April 13, 2022, on special solutions to prevent support for aggression against Ukraine and to protect national security;
  - c) described in Article 5k of Council Regulation (EU) No. 833/2014 of July 31, 2014 concerning restrictive measures in connection with Russia's destabilizing actions in Ukraine.

.....

(place and date)

.....

(Signature of person(s) authorized to make a statement of intent on behalf of  
the Bidder)