



Modification of 03.01.2023

**BRIEF INFORMATION
FOR FOREIGN CONTRACTOR**

Name of the procedure:

Delivery of the magnetron modulator with accessories

procedure no.: EZP.270.80.2022

The procurement proceeding shall be conducted under the basic nonnegotiated procedure provided for in Article 275 (1) - of the Public Procurement Law, hereinafter referred to as the "PPL Law".

The binding document is a document in Polish (SWZ with attachments), which contains FULL information for Contractors to submit the bid.

1. The procurement procedure is conducted in accordance with the provisions of the Act of September 11, 2019. Public Procurement Law (Journal of Laws of 2022, item 1710, as amended), hereinafter referred to as the Public Procurement Law.
2. The Contractor participating in the procedure must have a qualified electronic signature.
3. The Ordering Party indicates a link to the list of qualified trust service providers
<https://esignature.ec.europa.eu/efda/tl-browser/#/screen/home>
4. The proceedings are conducted in Polish using electronic means of communication via the Purchasing Platform at: <https://platformazakupowa.pl/pn/ncbj>.
The instructions for using the Platform are posted on <https://platformazakupowa.pl/pn/ncbj>
5. Based on Article. 20 sec. 3 of the Public Procurement Law, the Ordering Party allows the possibility of submitting the bid, statements or other documents in a language commonly used in international trade - English. Documents or statements drawn up in a foreign language shall be provided by the Contractor together with a translation into Polish or English.
6. Order completion time: up to 6 months from the date of conclusion of the contract.
7. The minimum required warranty period for the subject of the contract shall be 12 months from the date of acceptance of the Subject of the contract, without reservation .
8. The Ordering Party does not specify the conditions for participation in the procedure.
9. The Ordering Party does not require a deposit and performance bond.
10. The Contractor may request the Ordering Party to clarify the content of the SWZ. The request should be sent via the Platform and the "Send a message to the Ordering Party" form.
The Ordering Party requests that questions also be submitted in editable form, as this will shorten the time for clarification.
11. The bid, i.e. Form 2.1 Bid (template Form 2.1_Bid_eng) together with the price form (template TOM IV Price Form_eng) and other required documents should be signed with a qualified electronic signature.
12. Together with the Bid, the Contractor is obliged to submit via the Platform:
 - 1) a copy or information from the National Court Register, the Central Register and Information on Business Activity or another relevant register issued not earlier than 3 months before its submission, unless the Ordering Party can obtain them using free and publicly available databases and the Contractor in the Form 2.1 of the Bid in point 13 indicated data (e.g. website address) allowing access to these documents;
 - 2) power of attorney or other document confirming the authorization to represent the Contractor, unless the authorization to represent results from the documents referred to in point 12 point 1 above;
 - 3) power of attorney or other document confirming the power to represent all Contractors jointly applying for the contract (e.g. agreement on cooperation). A proxy may be appointed to represent the Contractors in the proceedings or to represent them in the proceedings and conclude the contract.
 - 4) the declaration referred to in Art. 125 sec. 1 of the Public Procurement Law constituting evidence confirming the lack of grounds for exclusion and meeting the conditions for participation in the procedure as at the date of submission of bids (template Form 3.1_Declaration of Art. 125 sec. 1 uPzp_eng);.
 - 5) the evidence in question Form 2.2 IDW - List of technical parameters (template Form 2.2_List of technical parameters_eng).

If the Contractor fails to submit the evidence in question, or if the evidence submitted is incomplete, the Ordering Party will call on the Contractor to submit or supplement it by the specified deadline.
13. The bid and the statement shall be submitted, under pain of invalidity, in electronic form (i.e. bearing a qualified electronic signature). These documents should be signed by a person authorized 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 organizational form of the Contractor, or by an authorized representative of the Contractor.
14. The Ordering Party provides in version in English the documents and forms:
 - a) Template Form 2.1_Bid_eng;
 - b) Template TOM IV Price Form_eng
 - c) Template Form 2.2_List of technical parameters_eng;

- d) Template Form 3.1_Declaration of Art. 125 sec. 1 uPzp_eng;
- e) TOM II SWZ PPU_pol_eng;
- f) TOM III SWZ Detailed Specification_eng.

15. Formal requirements for documents submitted in the proceedings:

15.1. Where the evidence in question, other documents or documents evidencing authority to represent have been issued by authorized parties:

- 1) as an electronic document - the Contractor provides this document;
- 2) as a paper document - the Contractor provides a digital copy of this document with a qualified signature, certifying that the digital reproduction is consistent with the paper document;

Certification of the conformity of the digital reproduction with the document in paper form, referred to in subsection 2) above, shall be performed by a notary or:

- a) in the case of documents confirming the power of attorney to represent - respectively, the Contractor, the Contractor jointly applying for the award of the contract, the entity providing resources, each in the scope of the document that concerns him;
- b) in the case of other documents - the Contractor or the Contractor jointly applying for the award of the contract, respectively, each to the extent of the document that concerns him;
- c) in the case of the means of proof in question, the Contractor or the Contractor jointly applying for the award of the contract, respectively.

15.2. The evidence in question, which was not issued by authorized entities, and the required powers of attorney:

- 1) The contractor submits it in electronic form and affixes it with a qualified electronic signature;
- 2) when they have been drawn up as a document in paper form and bearing a handwritten signature, the Contractor shall provide a digital reproduction of these documents bearing a qualified electronic signature, certifying the conformity of the digital reproduction with the document in paper form.

Certification of the conformity of the digital reproduction with the document in paper form, referred to in subsection 2) above, shall be made by a notary or:

- a) in the case of subjective evidence - the Contractor, the Contractor jointly applying for the award of the contract, the entity providing the resources or the subcontractor, respectively, to the extent of the subjective evidence that concerns each of them;
- b) in the case of the measure in question, the Contractor or the Contractor jointly applying for the award of the contract, respectively;
- c) in the case of a power of attorney, the principal.

16. The evidence in question or other documents or statements prepared in a foreign language shall be submitted by the Contractor together with a translation into Polish or English.

17. Bids should be submitted via the Platform by 27 January.2023, at 10:00 a.m.

18. The bids will be opened on 27 January 2023 at 11:00 a.m. via the Platform.

19. The Contractor is bound by the bid from the date of submission of bids until 25 February 2023.

20. When choosing the most advantageous bid, the Ordering Party will apply the criteria for evaluation of bids:

$$\text{Price} - 100\% = 100 \text{ points}$$

21. Immediately after selecting the most advantageous bid, the Ordering Party shall simultaneously inform all Contractors who submitted bids of the following:

- 1) selection of the most advantageous bid, stating the name or surname, registered office or place of residence, if it is the place of business of the Contractor whose bid was selected, and the names or surnames, registered offices or places of residence, if they are the places of business of the Contractors who submitted bids, as well as the score awarded to the bids in each bid evaluation criteria and the total score,
- 2) Contractors whose bids were rejected,
- stating the factual and legal reasons.