

<p><u>Zamawiający</u></p> <p><b>Narodowe Centrum Badań Jądrowych Ośrodek Radioizotopów POLATOM z siedzibą w 05-400 Otwock, ul. Andrzeja Sołtana 7, Polska</b></p> <p><u>Wykonawca</u></p> <p><b>IRE ELIT Radiopharma</b>  <b>Avenue de l'Espérance 1</b>  <b>6220 Fleurus</b>  <b>Belgia</b></p> <p style="text-align: right;">Otwock, dnia 30.07.2024</p> <p>Dotyczy: postępowania o udzielenie zamówienia prowadzonego w trybie zamówienia z wolnej ręki, którego przedmiotem jest:</p> <p style="text-align: center;"><b>„Dostawa generatora Galli RD do NCBJ Ośrodka Radioizotopów POLATOM”</b></p>	<p><u>The Orderer</u></p> <p><b>National Centre for Nuclear Research Radioisotope Centre POLATOM with the seat in 05-400 Otwock, A. Sołtana 7, Poland</b></p> <p><u>The Contractor</u></p> <p><b>IRE ELIT Radiopharma</b>  <b>Avenue de l'Espérance 1</b>  <b>6220 Fleurus</b>  <b>Belgique</b></p> <p style="text-align: right;">Otwock, 30.07.2024</p> <p>Regarding: the procedure to be awarded the procurement executed in the mode of a single-source procurement the subject of which is:</p> <p style="text-align: center;"><b>“Delivery of Galli RD generator to NCBJ POLATOM Radioisotope Center”.</b></p>
<p><b>I. ZAPROSZENIE DO UDZIAŁU W NEGOCJACJACH W TRYBIE ZAMÓWIENIA Z WOLNEJ RĘKI:</b></p> <p>Na podstawie art. 305 pkt 1) oraz 214 pkt 1 ppkt 3) ustawy z dnia 11 września 2019r. – Prawo zamówień publicznych (Dz. U. z 2023r. poz. 1605), działając w imieniu Zamawiającego zapraszam do udziału w negocjacjach w trybie zamówienia publicznego z wolnej ręki na:</p> <p style="text-align: center;"><b>„Dostawa generatora Galli RD do NCBJ Ośrodka Radioizotopów POLATOM”</b></p> <p>warunki realizacji opisano w <b>Załączniku 1 – wzór umowy</b></p>	<p><b>I. INVITATION FOR NEGOTIATIONS IN THE MODE OF SINGLE-SOURCE PROCUREMENT:</b></p> <p>On the grounds of article 305 item 1 and 214 item 1 sub- item 3) of the law of 11<sup>th</sup> September 2019 - Public Procurements Law (the Journal of Law of 2023 item 1605), acting on behalf of the Orderer I invite to participate in negotiations in the mode of single-source procurement on:</p> <p style="text-align: center;"><b>“Delivery of Galli RD generator to NCBJ POLATOM Radioisotope Center ”</b></p> <p>The terms of realization are described in <b>Enclosure 1 – Contract draft.</b></p>

**II. TERMIN NEGOCJACJI DO USTALENIA:**

1. Przedmiotem negocjacji będzie ustalenie warunków przyszłej umowy w sprawie zamówienia publicznego – przedmiotu negocjacji: ceny, warunków płatności i warunków gwarancji – negocjacje prowadzone będą w formie elektronicznej za pośrednictwem platformy zakupowej <https://platformazakupowa.pl/pn/polatom> lub e-mail [przetargi@polatom.pl](mailto:przetargi@polatom.pl)
2. Proszę o przedstawienie wstępnej oferty do dnia 02. 08. 2024 r.
3. Termin realizacji przedmiotu zamówienia: do **15 sierpnia 2024 r.**
4. O udzielenie zamówienia mogą się ubiegać wykonawcy, którzy nie podlegają wykluczeniu na podstawie **art. 108** ustawy Prawo zamówień publicznych.
5. 4. O udzielenie zamówienia mogą się ubiegać wykonawcy, którzy nie podlegają wykluczeniu na podstawie art. 7 ust.1 ustawy z dnia 13 kwietnia 2022 r. o szczególnych rozwiązaniach w zakresie przeciwdziałania wspieraniu agresji na Ukrainę oraz służących ochronie bezpieczeństwa narodowego.

**III. INFORMACJE O SPOSOBIE POROZUMIEWANIA SIĘ ZAMAWIAJĄCEGO Z WYKONAWCĄ ORAZ PRZEKAZYWANIA OŚWIADCZEŃ I DOKUMENTÓW:**

Kontakt z Zamawiającym za pośrednictwem platformy zakupowej <https://platformazakupowa.pl/pn/polatom> lub e-mail [przetargi@polatom.pl](mailto:przetargi@polatom.pl)

Z poważaniem,

Narodowe Centrum Badań Jądrowych  
Ośrodek Radioizotopów POLATOM

DYREKTOR

*mgr inż. Tomasz Dziel*

**II. THE NEGOTIATIONS' DATE TO BE SETTLED:**

1. The subject of negotiations will be setting of terms of the future contract in the matter of public procurement – subject of negotiations: price, terms of payment and warranty terms – negotiations will be conducted in the electronic form via on purchasing platform <https://platformazakupowa.pl/pn/polatom> or e-mail [przetargi@polatom.pl](mailto:przetargi@polatom.pl)
2. Please describe the new valid offer to 02.08.2024 r.
3. Deadline for the execution of the subject matter of the contract: up **August 15 2024.**
4. A contractor who not excluded from public procurement award procedure on the grounds of **article 108** of the Public Procurement Law may apply for the procurement.
5. A contractor who is not subject to exclusion under Art. 7 section 1 of the Act of April 13, 2022 [on special solutions for counteracting support for aggression against Ukraine and for the protection of national security] may apply for the contract.

**III. INFORMATION ABOUT THE WAY OF COMMUNICATION BETWEEN THE ORDERER AND THE CONTRACTOR AND TRANSFER OF STATEMENTS AND DOCUMENTS:**

Contact with the Orderer by purchasing platform <https://platformazakupowa.pl/pn/polatom> or e-mail [przetargi@polatom.pl](mailto:przetargi@polatom.pl)

Yours sincerely,

National Centre for Nuclear Research  
Radioisotope Centre POLATOM

DIRECTOR

*Tomasz Dziel*

**Załącznik/Annex:**

- projekt umowy/contract draft
  
- Załącznik nr 1 Statement by the Contractor

**The necessary regulations' parts of Public Procurement Law – enclosed below.****Grounds for exclusion from the public procurement procedure:****Art. 108 (1)** A contractor shall be excluded from the contract award procedure:

- 1) being a natural person who has been legally sentenced for the crime of:
  - a) participation in an organised criminal group or association aimed at committing a crime or fiscal offence, referred to in Article 258 of the Penal Code,
  - b) trafficking in human beings as referred to in Art. 189a of the Penal Code
  - c) referred to in Art. 228-230a, Art. 250a of the Penal Code or in Art. 46 or Art. 48 of the Act on Sport of 25 June 2010,
  - d) financing of an offence of a terrorist nature, referred to in Art. 165a of the Penal Code, or an offence of preventing or hindering the determination of the criminal origin of money or concealing its origin, referred to in Art. 299 of the Penal Code,
  - e) an offence of a terrorist nature, as defined in Art. 115 § 20 of the Penal Code, or aiming to commit such an offence
  - f) work of foreign minors, referred to in Art. 9 paragraph 2 of the Act of 15 June 2012 on the effects of delegating work to foreigners unlawfully residing on the territory of the Republic of Poland (Journal of Laws No. 769)
  - g) against economic turnover, referred to in Article 296-307 of the Penal Code, an offence against fraud referred to in Article 286 of the Penal Code, an offence against credibility of documents referred to in Article 270-277d of the Penal Code, or a fiscal offence,
  - h) referred to in Art. 9 Sections 1 and 3 or Art. 10 of the Act of 15 June 2012 on the effects of delegating work to foreigners unlawfully residing on the territory of the Republic of Poland- or for a corresponding offence defined in the provisions of foreign law;
- 2) if an incumbent member of its managing or supervisory body, a partner in a general partnership or partnership or a general partner in a limited partnership or a limited joint-stock partnership, or a proxy has been validly convicted of a crime referred to in item 1;
- 3) who has been sentenced by a final court decision or a final administrative decision on default of payment of taxes, fees or contributions for social or medical insurance, unless the economic operator, respectively before the deadline for filing requests to participate in the proceedings or before the deadline for submitting tenders, has paid the due taxes, fees or contributions for social or medical insurance together with interest or fines, or has concluded a binding agreement on repayment of these receivables;
- 4) has been banned from competing for public procurement;

- 5) if the contracting authority can establish, based on reliable grounds, that the economic operator entered into an arrangement with other economic operators aimed at distorting competition, in particular if they belong to the same group within the meaning of the Act of 16 February 2007 on competition and consumer protection and they submitted separate tenders, partial tenders or requests to participate, unless they prove that they prepared those tenders or requests independently
- 6) if, in the cases referred to in art. 85 sec. 1, there has been a distortion of competition resulting from previous involvement of that economic operator or an entity which belongs with the economic operator to the same capital group within the meaning of the Act of 16 February 2007 on competition and consumer protection, unless the distortion of competition caused thereby can be eliminated in a way other than by excluding the economic operator from the procurement procedure.