**Appendix 1 to the ToR**

**Contractor:**

………………………………………

………………………………………

**Requirements and technical parameters of the projection welder for TO headers packaging.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No.** | **Parameter** | **Requirement** | | **To be completed by Bidder \*** |
| **1.** | Type |  | | Specify |
| **2.** | Manufacturer |  | | Specify |
| **3.** | Country of origin |  | | Specify |
| **4.** | Year of manufacturing | 2020/2021 | | Confirm |
| **5.** | Main application | Projection welder for hermetic TO headers packaging. | | Confirm |
| 6. | Basic technical requirements | 6.1. Manual operations mode | | Confirm |
| 6.2. Projection welder suitable for TO headers in range between TO18 - TO3 or more. | | Confirm |
| 6.3.  Real time process parameters monitoring.  Measurement of parameters:   * force * displacement * current * voltage * time | | Confirm |
| 6.4. Voltage supply: 230V | | Confirm |
| 6.5. Throughput: not less than 10 cycles/hour | | Confirm |
| 7. | Weld head | Force range adjustable in range between 550-1700N or more. | | Confirm |
| **8.** | Cover | 8.1. The welder exhaust system to be connected to the laboratory exhaust system (outer diameter ∅250mm) | | Confirm |
| 8.2. Guarding made of plastic e.g. polycarbonate, makrolon | | Confirm |
| **9.** | Welding under process Gass atmosphere | 9.1. Possibility of carrying out welding under process gas atmosphere (e.g. nitrogen, argon). | | Confirm |
|  |  | 9.2. Process stages of welding under the process gas atmosphere:  pumping out the air from process chamber,  filing the chamber with inner gas,  welding. | | Confirm |
| **10.** | Safety | The welding process initiated by pressing two separated buttons in the same time | | Confirm |
| **11.** | Tools | 11.1. Set of electrodes (top and bottom) for TO-39, suitable for welding under the process gas atmosphere | | Confirm |
| 11.2. Set of electrodes (top and bottom) for TO-18, suitable for welding under the process gas atmosphere | | Confirm |
| 11.3. Set of electrodes (top and bottom) for TO-3, suitable for welding under the process gas atmosphere | | Confirm |
| 11.4. Flatness and alignment control tool set | | Confirm |
| 11.5. Pressure indicating film | | Confirm |
| **12.** | Technologia | | 12.1. Recipe of welding of TO-39 headers. | Confirm |
|  |  | | 12.2. Documentation enabling the manufacture of tools (electrodes) by Contracting Entity | Confirm |
| **13.** | Acceptance test | 13.1. TO-39 welding (50 pcs), In factory and on installation site  13.2. TO-18 welding (50 pcs), In factory and on installation site  13.3. TO-3 welding (50 pcs), In factory and on installation site  13.4. Test of helium fine leak – 10 pcs of each (TO-39, TO-18, TO-3). All results better than 3x10-9 atm-cc/sec – in factory  TO headers provided by Contracting Entity | | Confirm |
| **14.** | Installation and training | 14.1.Delivery to the Łukasiewicz - ITE laboratory in Piaseczno and assembly onsite | | Confirm |
| 14.2. Training – 2 day after installation, onsite | | Confirm |
| **15.** | Manual, documentation and software | in Polish or English | | Confirm |
| 16. | Spare parts availability | Ensured within 10 years from the date of signing the acceptance protocol | | Confirm |
| 17. | Service requirements | 17.1. Service response ensured within a maximum of 24h, service onsite maximum within 120 hours from reporting the failure of the tool | | Confirm |
| 17.2. Remote (via internet) maintenance and application support capability | | Confirm |
| 18. | Technical support | Ensured within 10 years from the date of signing the acceptance protocol | | Confirm |
| 19. | Warranty period | At least 12 months warranty | | Specify |
| 20. | Post-warranty service | Ensured within 10 years from the date of signing the acceptance protocol | | Confirm |

..................................................................

signature of the person/persons authorized

to represent the Contractor

**Appendix 2 to the ToR – ESPD**

**STANDARD FORM FOR THE EUROPEAN SINGLE PROCUREMENT DOCUMENT (ESPD)**

**Part 1: Information concerning the procurement procedure and the contracting authority or contracting entity**

***For procurement procedures in which a call for competition has been published in the Official Journal of the European Union* (OJEU)*, the information required under Part 1 will be automatically retrieved, provided that the electronic ESPD[[1]](#footnote-1) service is used to generate and fill in the ESPD***. **Reference of the relevant notice[[2]](#footnote-2), published in the Official Journal of the European Union:**

**OJEU S number[], date [], page[],**

**Notice number in the Official Journal(OJ) S: [ ][ ][ ][ ]/S [ ][ ][ ]–[ ][ ][ ][ ][ ][ ][ ]**

**If there is no call for competition in OJ, the contracting authority or contracting entity must fill in the information allowing the procurement procedure to be unequivocally identified.**

**In case the publication of a notice in the Official Journal of the European Union is not required, please give other information allowing the procurement procedure to be unequivocally identified (e.g reference of a publication at a national level): [……]**

INFORMATION ABOUT THE PUBLIC PROCUREMENT PROCEDURE

**The information required under Part I will be automatically retrieved, provided that the above-mentioned electronic ESPD-service is used to generate and fill in the ESPD. If not, this information must be filled in by the contractor.**

|  |  |
| --- | --- |
| **Identity of the Contracting Entity*[[3]](#footnote-3)*** | Answer: |
| Name: | Łukasiewicz Research Network –  Institute of Electron Technology  02-668 Warsaw, 32/46 Lotników Av. |
| ***Which procurement is concerned?*** | *Answer:* |
| Title or short description of the procurement[[4]](#footnote-4) | **Projection welder for TO headers packaging** |
| File reference number attributed by the contracting authority or contracting entity (if applicable)[[5]](#footnote-5) : | **K1/35/2020** |

**All other information in all sections of the ESPD is to be filled in by the contractor**

**Part II: Information concerning the contractor**

А: INFORMATION ABOUT THE CONTRACTOR

|  |  |
| --- | --- |
| **Identification:** | **Answer:** |
| Name: | [ ] |
| VAT-number, if applicable:  If no VAT-number is applicable, please indicate another national identification number, if required and applicable | [ ]  [ ] |
| Postal address: | [...............**]** |
| Contact person or persons[[6]](#footnote-6)  Telephone:  E-mail:  Internet address (web address) (*if applicable*): | [................**]**  [...............]  [................]  [...........] |
| **General information:** | **Answer:** |
| Is the contractor a Micro, a Small or a Medium-Sized Enterprise [[7]](#footnote-7) ? | [ ] Yes [ ]No |
| **Only in case the procurement is reserved[[8]](#footnote-8):** is the contractor a sheltered workshop, a 'social business'[[9]](#footnote-9) or will it provide for the performance of the contract in the context of sheltered employment programmes?  **If yes,**  what is the corresponding percentage of disabled or disadvantaged workers?  If required, please specify which category or categories of disabled or disadvantaged workers the employees concerned belong to? | [ ]Yes [ ] No  [................]  [...............] |
| If applicable, is the contractor registered on an official list of approved economic operators or does it have an equivalent certificate (e.g. under a national (pre)qualification system)? | **[ ]** Yes [ ]No [ ]Not applicable |
| **If yes:**  **Please answer the remaining parts of this Section, Sections B and, where relevant, C of this Part, complete Part V, where applicable, and, in any case, fill in and sign Part VI.**  a) Please provide the name of the list or certificate and the relevant registration or certification number, if applicable:  b) If the certificate of registration or certification is available electronically, please state:  c) Please state the references on which the registration or certification is based, and, where applicable, the classification obtained in the official list[[10]](#footnote-10):  d) Does the registration or certification cover all of the required selection criteria?  **If no:**  **In addition, please complete the missing information in Part IV, Sections A, B, C or D as the case may be ONLY if this is required in the relevant notice or procurement documents:**  e) Will the economic operator be able to provide **a certificate** with regard to the payment of social security contributions and taxes or provide information enabling the contracting authority or contracting entity to obtaining it directly by accessing a national database in any Member State that is available free of charge?  If the relevant documentation is available electronically, please indicate: | (a) [ ..................**]**  (b) (web address, issuing authority or body, precise reference of the documentation):  [………….. ] [………….. ] [………….. ] [………….. ]  (c) [……… ]  (d) [ ] Yes [ ]No  (e) [ ] Yes [ ] No  (web address, issuing authority or body, precise reference of the documentation):  [.................][ ..................][ ..................][....................] |
| **Form of participation:** | **Answer:** |
| Is the contractor participating in the procurement procedure together with others [[11]](#footnote-11)? | [ ]Yes [ ]No |
| If yes, please ensure that the others concerned provide a separate ESPD form. | |
| **If yes:**  a) Please indicate the role of the contractor in the group (leader, responsible for specific tasks ...):  b) Please identify the other contractors participating in the procurement procedure together:  c) Where applicable, name of the participating group: | (a): [ .................. **]**  (b): [ .................. **]**  (c): [ .................. **]** |
| **Lots** | **Answer:** |
| Where applicable, indication of the lot(s) for which the contractor wishes to tender: | [ ] |

B: INFORMATION ABOUT REPRESENTATIVES OF THE CONTRACTOR

|  |  |
| --- | --- |
| *Where applicable, please indicate the name(s) and address(es) of the person(s) empowered to represent the contractor for the purposes of this procurement procedure:* | |
| **Representation, if any:** | **Answer:** |
| Full name;  accompanied by the date and place of birth, if required: | [.............],  [.............] |
| Position/Acting in the capacity of: | [ ..................**]** |
| Postal address: | [ ..................**]** |
| Telephone: | [ ..................**]** |
| E-mail: | [ ..................**]** |
| If needed, please provide detailed information on the representation (its forms, extent, purpose ...): | [ ..................**]** |

C: INFORMATION ABOUT RELIANCE ON THE CAPACITIES OF OTHER ENTITIES

|  |  |
| --- | --- |
| **Reliance of other entities:** | **Answer:** |
| Does the contractor rely on the capacities of other entities in order to meet the selection criteria set out under Part IV  and the criteria and rules (if any) set out under Part V below? | [ ]Yes [ ] No |

**If yes**, please provide a separate ESPD form setting out the information required under **Sections A and B of this Part and Part III** for **each** of the entities concerned, duly filled in and signed by the entities concerned.

Please note that this should also include any technicians or technical bodies, not belonging directly to the contractor’s undertaking, especially those responsible for quality control, and, in the case of public works contracts, the technicians or technical bodies upon whom the contractor can call in order to carry out the work.

Insofar as it is relevant for the specific capacity or capacities on which the contractor relies, please include the information under Parts IV and V for each of the documents concerned[[12]](#footnote-12).

D: Information concerning subcontractors on whose capacity the contractor does not rely

(Section to be filled-in only if this information is explicitly required by the contracting authority or contracting entity)

|  |  |
| --- | --- |
| **Subcontracting:** | **Answer:** |
| Does the contractor intend to subcontract any share of the contract to third parties? | [ ]Yes [ ]No  If **yes and in so far as known**, please list the proposed subcontractors:  [...**]** |

If the contracting authority or contracting entity explicitly requests this information in addition to the information under this section, please provide the information required under Sections A and B of this Part and Part III for each of the (categories of) subcontractors concerned.

**Part III: Exclusion grounds**

А: GROUNDS RELATING TO CRIMINAL CONVICTIONS

Article 57, paragraph  1 of Directive 2014/24/ЕU sets the following reasons for exclusion:

1. Participation in **a criminal organization**[[13]](#footnote-13):

**corruption[[14]](#footnote-14)**:

**fraud[[15]](#footnote-15)**:

**terrorist offences or offences linked to terrorist activities**[[16]](#footnote-16):

**money laundering or terrorist financing**[[17]](#footnote-17)

**child labour** and other forms **of trafficking in human beings[[18]](#footnote-18)**

|  |  |
| --- | --- |
| **Grounds relating to criminal convictions under national provisions implementing the grounds set out in Article 57(1) of the Directive:** | **Answer:** |
| Has **the contractor** itself or any **person** who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of **a conviction** by final judgment for one of the reasons listed above, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable? | [ ] Yes [ ] No  If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ ..................**]** [[19]](#footnote-19) |
| **If yes**, please indicate [[20]](#footnote-20):  a) Date of conviction, specify which of points 1 to 6 is concerned and the reason(s) for the conviction,  b) Identify who has been convicted [ **]**;  c) **Insofar as established directly in the conviction:** | (a) Date: [ ], point(s): [ ], reason(s): [ ]  (b) [......**]**  (c) Length of the period of exclusion.[................... ] and the point(s) concerned [ 1  If the relevant documentation is available electronically, please indicate: (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ ..................**]** [[21]](#footnote-21) |
| In case of convictions, has the contractor taken measures to demonstrate its reliability despite the existence of a relevant ground for exclusion [[22]](#footnote-22) **('Self-Cleaning')**? | [ ] Yes [ ] No |
| **If yes**, please describe the measures taken[[23]](#footnote-23) : | [ ................ ] |

B: GROUNDS RELATING TO THE PAYMENT OF TAXES OR SOCIAL SECURITY CONTRIBUTIONS

|  |  |  |
| --- | --- | --- |
| **Payment of taxes or social security contributions:** | **Answer:** | |
| Has the contractor met all **its obligations** **relating to the payment of taxes or social security contributions**, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment? | [ ] Yes [ ] No | |
| **If not,** please indicate: а) Country or Member State concerned;  b) what is the amount concerned; c) How has this breach of obligations been established: 1) through a judicial or administrative **decision**:  Is this decision final and binding?   * Please indicate the date of conviction or decision. * In case of conviction, **insofar as established directly therein**, the length of the period of exclusion**:**   2) by **other means**? Please specify:  d) has the contractor fulfilled its obligations by paying or entering into a binding arrangement with a view to paying the taxes or social security contributions due, including, where applicable, any interest accrued or fines? | **Taxes** | **Social contributions** |
| (a) [ ................. **]**  (b) [ ................. **]**  (c1) [ ]Yes [ ] No  - [ ] Yes [ ]No  - [ ................. **]**  - [ ................. **]**  (c2) [ ................. **]**  (d) [ ] Yes [ ] No  If yes, please provide details:  [ ..................**]** | (a) [ ..................**]**  (b) [ ..................**]**  (c1) [ ]Yes [ ]No  - [ ] Yes [ ] No  - [ ................. **]**  - [ ................. **]**  (c2) [ ................. **]**  (d) [ ] Yes [ ]No  If yes, please provide details:  [ ..................**]** |
| If the relevant documentation concerning payment of taxes or social contributions is available electronically, please indicate: | (web address, issuing authority or body, precise reference of the documentation)[[24]](#footnote-24):  [ ................ ][.................. ][.................. **]** | |

C: GROUNDS RELATING TO INSOLVENCY, CONFLICTS OF INTERESTS OR PROFESSIONAL MISCONDUCT [[25]](#footnote-25)

**Please note that, for the purpose of this procurement, some of the following exclusion grounds may have been defined more precisely, in national law, in the relevant notice or the procurement documents. Thus, national law may for instance provide that the notion of ‘grave professional misconduct’ may cover several different forms of conduct.**

|  |  |
| --- | --- |
| **Information concerning possible insolvency, conflict of interest or professional misconduct** | **Answer:** |
| Has the contractor, **to its knowledge, breached its obligations** in the fields of **environmental, social and labour law** [[26]](#footnote-26)? | [ ] Yes [ ] No |
| **If yes**, has the contractor taken measures to demonstrate its reliability despite the existence of this ground for exclusion ('Self-Cleaning')?  [ ]Yes [ ] No  **If it has**, please describe the measures taken:[ ..................**]** |
| Is the contractor in any of the following situations:  a) **Bankrupt**, or  b) The **subject of insolvency** or winding-up proceedings, or  c) In an **arrangement with creditors**, or  d) In any analogous situation arising from a similar procedure under national laws and regulations [[27]](#footnote-27), or  e) That its assets are being administered by a liquidator or by the court, or  f) That its business activities are suspended?  **If yes**:  - Please provide details:  - Please indicate the reasons for being able nevertheless to perform the contract, taking into account the applicable national rules and measures on the continuation of business in those circumstances[[28]](#footnote-28)?  If the relevant documentation is available electronically, please indicate: | [ ] Yes [ ] No  - [............. ]  - [ ................... ]  (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ .................. **]** |
| Is the economic operator guilty of **grave professional misconduct** [[29]](#footnote-29)?  If yes, please provide details: | [ ] Yes [ ] No,  [ ................. ] |
| **If yes**, has the economic operator taken self-cleaning measures? [ ] Yes [ ] No  **If it has**, please describe the measures taken:  [ ................. ] |
| **Has the contractor** entered into **agreements** with other economic operators aimed at **distorting competition**?  **If yes**, please provide details: | [ ] Yes [ ] No  [ ................. ] |
| **If yes**, has the contractor taken self-cleaning measures? [ ] Yes [ ]No  **If it** **has**, please describe the measures taken:  [ ................. ] |
| **Is the contractor aware of any** **conflict of interest**[[30]](#footnote-30) due to its participation in the procurement procedure?  **If yes**, please provide details: | [ ]Yes [ ]No  [ ................. **]** |
| Has **the contractor** or an undertaking **related** to it **advised** the contracting authority or contracting entity or otherwise been **involved in the preparation** of the procurement procedure?  **If yes**, please provide details: | [ ]Yes [ ]No  [ ................. **]** |
| Has the contractor experienced that a prior public contract, a prior contract with a contracting entity or a prior concession contract was **terminated early**, or that damages or other comparable sanctions were imposed in connection with that prior contract?  **If yes**, please provide details: | [ ]Yes [ ] No  [ ..................**]** |
| **If yes**, has the contractor taken self-cleaning measures?  [ ]Yes [ ] No  **If it has**, please describe the measures taken:  [ ..................] |
| Can the contractor confirm that:  a) **It has not been** guilty of serious **misrepresentation** in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria,  b) It has **not withheld** such information,  c) It has been able, without delay, to submit the supporting documents required by a contracting authority or contracting entity, and  d) It has not undertaken to unduly influence the decision making process of the contracting authority or contracting entity, to obtain confidential information that may confer upon it undue advantages in the procurement procedure or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award? | [ ]Yes [ ] No |

D: OTHER EXCLUSION GROUNDS THAT MAY BE FORESEEN IN THE NATIONAL LEGISLATION OF THE CONTRACTING AUTHORITY'S OR CONTRACTING ENTITY'S MEMBER STATE

|  |  |
| --- | --- |
| **Purely national exclusion grounds** | **Answer:** |
| Do the **purely national grounds of exclusion**, which are specified in the relevant notice or in the procurement documents, apply?  If the documentation required in the relevant notice or in the procurement documents is available electronically, please indicate: | [ ] Yes [ ] No  (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ .................. ] [[31]](#footnote-31) |
| **In case any of the purely national exclusion grounds apply**, has the contractor taken self-cleaning measures?  **If it has**, please describe the measures taken: | [ ]Yes [ ] No  [ ................. **]** |

**Part IV: Selection criteria**

Concerning the selection criteria (Section α or Sections A to D of this part), the contractor declares that:

α: GLOBAL INDICATION FOR ALL SELECTION CRITERIA

**The contractor should only fill in this field in case the contracting authority or contracting entity has indicated in the relevant notice or in the procurement documents referred to in the notice that the contractor can limit itself to filling in Section α of Part IV without having to fill in any other Section of Part IV:**

|  |  |
| --- | --- |
| **Meeting all required selection criteria** | **Answer** |
| It satisfies the required selection criteria: | []Yes []No |

А: Suitability

**The contractor should only provide information where the selection criteria concerned have been required by the contracting authority or contracting entity in the relevant notice or in the procurement documents referred to in the notice.**

|  |  |
| --- | --- |
| **Suitability** | **Answer** |
| 1) **It is enrolled in the relevant professional or trade registers** kept in the Member State of its establishment [[32]](#footnote-32):  If the relevant documentation is available electronically, please indicate: | [ ................. ]  (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ .................. ] |
| 2) **For service contracts:**  Is a particular **authorisation or membership** of a particular organisation needed in order to be able to perform the service in question in the country of establishment of the contractor?  If the relevant documentation is available electronically, please indicate: | []Yes []No  If yes, please specify which and indicate whether the economic operator has it: [...]  []Yes [] No  (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ .................. ] |

B: ECONOMIC AND FINANCIAL STANDING

**The contractor should only provide information where the selection criteria concerned have been required by the contracting authority or contracting entity in the relevant notice or in the procurement documents referred to in the notice.**

|  |  |
| --- | --- |
| **Economic and financial standing** | **Answer:** |
| 1a) Its ('general') **yearly turnover** for the number of financial years required in the relevant notice or the procurement documents is as follows:  **And/or,**  1b) Its **average** yearly **turnover for the number of years required in the relevant notice or the procurement documents is as follows[[33]](#footnote-33) ( )** :  If the relevant documentation is available electronically, please indicate: | year:[........]turnover:[.....][…]currency  year:[........]turnover:[.....][…]currency  year:[........]turnover:[.....][…]currency  (number of years, average turnover):  [.........],[........][.......]currency  (web address, issuing authority or body, precise reference of the documentation):  [.................][..................][ ..................] |
| 2a) Its yearly ('specific') **turnover in the business area covered by the contract** and specified in the relevant notice or the procurement documents for the number of financial years required is as follows:  **And/or,**  2b) Its **average** yearly **turnover in the area and for the number of years required in the relevant notice or the procurement documents is as follows[[34]](#footnote-34)** :  If the relevant documentation is available electronically, please indicate: | year:[........]turnover:[.....][…]currency  year:[........]turnover:[.....][…]currency  year:[........]turnover:[.....][…]currency  (number of years, average turnover):  [.........],[........][.......]currency  (web address, issuing authority or body, precise reference of the documentation):  [.................][..................][ ..................] |
| 3) In case the information concerning turnover (general or specific) is not available for the entire period required, please state the date on which the contractor was set up or started trading: | [ ................. ] |
| 4) Concerning the **financial ratios[[35]](#footnote-35)** specified in the relevant notice or the procurement documents, the contractor declares that the actual value(s) for the required ratio(s) is/are as follows:  If the relevant documentation is available electronically, please indicate: | (identification of the required ratio- ratio between x and y[[36]](#footnote-36) -and the value):  [ ................ ] [ ................... **]** [[37]](#footnote-37)  (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ .................. ] |
| 5) The insured amount in its **professional risk indemnity insurance** is the following:  **If this** information is available electronically, please indicate: | [ ........],[......... ][...]currency  (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ .................. ] |
| 6) Concerning the **other economic or financial requirements, if any,** that may have been specified in the relevant notice or the procurement documents, the contractor declares that:  If the relevant documentation that **may** have been specified in the relevant notice or the procurement documents, is available electronically, please indicate: | [ ................. ]  (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ .................. ] |

C: TECHNICAL AND PROFESSIONAL ABILITY

**The contractor should only provide information where the selection criteria concerned have been required by the contracting authority or contracting entity in the relevant notice or in the procurement documents referred to in the notice.**

|  |  |
| --- | --- |
| **Technical and professional ability** | **Answer:** |
| 1a) For **public works contracts** only:  During the reference period[[38]](#footnote-38) , the contractor **has performed the following construction works of the specified type**:  If the relevant documentation concerning satisfactory execution and outcome for the most important works is available electronically, please indicate: | Number of years (this period is specified in the relevant notice or the procurement documents):[.................] Construction Works:[................]  (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ .................. ] |
| 1b) For **public supply and public service contracts**only:  During the reference period[[39]](#footnote-39)  , the contractor has delivered **the following principal deliveries of the type specified or provided the following main services of the type specified**: When drawing up the list, please indicate the amounts, dates and recipients, whether public or private[[40]](#footnote-40) : | Number of years (this period is specified in the relevant notice or the procurement documents):  [ ..................**]**   |  |  |  |  | | --- | --- | --- | --- | | Description | Amounts | Dates | Recipients | |  |  |  |  | |
| 2) It can call upon the following **technicians or technical bodies**[[41]](#footnote-41) , especially those responsible for quality control:  In the case of public works contracts, the economic operator will be able to call on the following technicians or technical bodies to carry out the work: | [ ..................**]**  [ ..............] |
| 3) It uses the following **technical facilities and measures for ensuring quality and its study and research facilities** are as follows: | [ ..................] |
| 4) It will be able to apply the following **supply chain management and tracking systems** when performing the contract: | [ ..................] |
| 5) **For complex products or services to be supplied or, exceptionally, for products or services which are required for a special purpose**:  The contractor will allow **checks**[[42]](#footnote-42) to be conducted on the **production capacities or the technical capacity** of the contractor and, where necessary, on **the means of study and research** which are available to it and on the **quality control measures**? | [ ] Yes [ ] No |
| 6) The following **educational and professional qualifications** are held by:  a) The service provider or the contractor itself,  **or** (depending on the requirements set out in the relevant notice or the procurement documents)  b) Its managerial staff: | (a) [ ..................]  (b) [ ..................] |
| 7) It will be able to apply the following **environmental management measures** when performing the contract: | [ ..................] |
| 8) **The contractor's average annual manpower** and the number of managerial staff for the last three years were as follows: | Year, average annual manpower:  [ .................],[ ................... ],  [ .................],[ ................... ],  [ .................],[ ...................],  Year, number of managerial staff:  [ .................],[ ................... ],  [ .................],[ ................... ],  [ .................],[ ................... ] |
| 9) The following **tools, plant or technical equipment** will be available to it for performing the contract: | [ ..................] |
| 10) The contractor **intends possibly to subcontract**[[43]](#footnote-43) the **following proportion (i.e. percentage)** of the contract: | [ ..................] |
| 11) For **public supply contracts:**  The contractor will supply the required samples, descriptions or photographs of the products to be supplied, which do not need to be accompanied by certifications of authenticity;  Where applicable, the contractor furthermore declares that it will provide the required certificates of authenticity.  If the relevant documentation is available electronically, please indicate: | [ ] Yes [ ] No  [ ] Yes [ ] No  (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ .................. ] |
| 12) For **public supply contracts:**  Can the contractor provide the required **certificates** drawn up by official **quality control institutes** or agencies of recognised competence attesting the conformity of products clearly identified by references to the technical specifications or standards, which are set out in the relevant notice or the procurement documents?  **If not,** please explain why and state which other means of proof can be provided:  If the relevant documentation is available electronically, please indicate: | [ ] Yes [ ] No  [ ................. ]  (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ .................. ] |

D: QUALITY ASSURANCE SCHEMES AND ENVIRONMENTAL MANAGEMENT STANDARDS

**The contractor should only provide information where quality assurance schemes and/or environmental management standards have been required by the contracting authority or contracting entity in the relevant notice or in the procurement documents referred to in the notice.**

|  |  |
| --- | --- |
| **Quality Assurance Schemes and Environmental Management Standards** | **Answer:** |
| Will the contractor be able to produce **certificates** drawn up by independent bodies attesting that the contractor complies with the required **quality assurance standards,** including accessibility for disabled persons?  **If not,** please explain why and specify which other means of proof concerning the quality assurance scheme can be provided:  If the relevant documentation is available electronically, please indicate: | [ ] Yes [ ] No  [ ................ ] [ ................. ]  (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ .................. ] |
| Will the contractor be able to produce **certificates** drawn up by independent bodies attesting that the contractor complies with the required **environmental management systems or standards?**  **If not,** please explain why and specify which other means of proof concerning the **environmental management systems or standards** can be provided:  If the relevant documentation is available electronically, please indicate: | [ ]Yes [ ] No  [ ................ ] [ ................. ]  (web address, issuing authority or body, precise reference of the documentation):  [ ................ ][ .................. ][ .................. ] |

Part V: Reduction of the number of qualified candidates

**The contractor should only provide information where the contracting authority or contracting entity has specified the objective and non-discriminatory criteria or rules to be applied in order to limit the number of candidates that will be invited to tender or to conduct dialogue. This information, which can be accompanied by requirements concerning the (types of) certificates or forms or documentary evidence, if any, to be produced, is set out in the relevant notice or in the procurement documents referred to in the notice.**

**For restricted procedures, competitive procedures with negotiation, competitive dialogue procedures and innovation partnerships only:**

**The contractor declares that:**

|  |  |
| --- | --- |
| **Reduction the number of candidates** | **Answer:** |
| It **meets** the objective and non-discriminatory criteria or rules to be applied in order to limit the number of candidates in the following way: In case certain certificates or other forms of documentary evidence are required, please indicate for each whether the economic operator has the required documents: if some of these certificates of forms of documentary evidence are available electronically[[44]](#footnote-44), please indicate for which: | [……]   […] [] Yes [] No[[45]](#footnote-45)  (web address, issuing authority or body, precise reference of the documentation): [……][……][……][……][[46]](#footnote-46) |

**Part VI: Concluding statements**

*The undersigned formally declare that the information stated under Parts II-V above is accurate and correct and that it has been set out in full awareness of the consequences of serious misrepresentation.*

*The undersigned formally declare to be able , upon request and without delay, to provide the certificates and other forms of documentary evidence referred to, except where:*

*а) the contracting authority or contracting entity has the possibility of obtaining the supporting documentation concerned directly by accessing a national database in any Member State that is available free of charge[[47]](#footnote-47) or*

*b) as of 18 October 2018 at the latest[[48]](#footnote-48) the contracting authority or contracting entity already possesses the documentation concerned*.

*The undersigned formally consent to [identify the contracting authority or contracting entity ass et out in part I, Section A] gaining access to documents supporting the information which has been provided in [identify the Part/Section /Point(s) concerned] of this European Single Procurement Document for the purposes of*  [identify the procurement procedure: (summary description, reference of publication in the *Official Journal of the European Union*, reference number)].

Date, place and , signature (s): …………………………………………………………………………………

**Appendix 3 to the ToR – Bid Form**

**Contractor:**

………………………………………

………………………………………

*(full name / company, address)*

**BID FORM**

For the Łukasiewicz Research Network – Institute of Electron Technology

|  |  |  |
| --- | --- | --- |
| The subject-matter of the contract | | **Delivery of projection welder for TO headers packaging** |
| 1. | Contractor's name and address | ………………………………………………………………………………….. |
| 2. | VAT Identification Number/ [National Business Registry Number](https://www.diki.pl/slownik-angielskiego?q=National+Business+Registry+Number) or relevant numbers from countries | …………………………………………………………………………………. |
| 3. | Telephone  e-mail: | .................................................................  .................................................................. |
| 4. | Total net offer price  VAT rate  VAT value  Total gross offer price | **to be provided**: ............................ PLN/EUR/USD/GBP\*  say:........................................................  **to be provided**: .....................%  **to be provided**: .................................................PLN/EUR/USD/GBP\*  **to be provided**: ............................ *PLN*/EUR/USD/GBP\*  say: ...................................................... |
| 5. | Contract completion date – maximum up to **18** **weeks** from the date of signing the Contract | **to be provided (weeks):** ....................................... |
| 6. | Declaration | I declare that the selection of my offer **will/will not**\* lead to a tax obligation for the Contracting Entity.  I indicate the following product or service name (type), whose delivery or provision will result in tax obligation and their **value excluding tax** is the following: ........... **product name** …..……………………………… |
| 7. | Declaration | I declare that I am/I am not \* a **small/medium**\* enterprise within the meaning of the Entrepreneurs Act of 6 March 2018. |
| 8. | Declaration | I declare that I have read the content of the ToR (together with appendices constituting its integral part) and I accept it without reservation. |
| 9. | Persons authorized to represent the contractor | **to be provided:** ........................................... |
| 10. | Parts of the contract which the Contractor shall entrust to subcontractors | **specify the parts of the contract:**...........................  **provide company names**: …………………………………………. |
| 11. | Documents attached to the offer | 1. …………………………………………………..  2. ……………………………………………………. |
| 12. | Place and date of the offer | ………………………….. date: ……………………………. |
| 13. | I declare that I have fulfilled the information obligations provided for in art. 13 or art. 14 of GDPR towards natural persons from whom I have obtained personal data directly or indirectly in order to apply for the award of a public contract in these procedure. | **to be confirmed:**……………………………………………..  *If the contractor does not provide personal data other than directly related to the contractor or the application of the information obligation is excluded, pursuant to art. 13, para. 4 or art. 14, para. 5 of GDPR, the contractor does not submit the declaration (remove the content of the declaration, e.g. by deleting it).* |

\**delete as appropriate*

..................................................................

signature of the person/persons authorized

to represent the Contractor

**Attachments to the form:**

- completed Appendix 1 to the ToR

- register printout (if any)

**Appendix 4 to the ToR – List of provided deliveries**

**Contractor: Date …………………**

………………………………………

………………………………………

*(full name / company, address)*

**LIST OF PROVIDED DELIVERIES**

By submitting an offer in an open tender procedure for **delivery of** projection welder for TO headers packaging we declare that in the last three years before the offer submission deadline, and if the business period is shorter – in this period, we have made the following deliveries:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Pos. | Item | Value | Date of delivery | Customer  *(Name and address)* |
| ***1*** | ***2*** | ***3*** | ***4*** | ***5*** |
| 1. |  |  |  |  |

***Note! Attach relevant evidence\* confirming proper performance of deliveries presented in the table.***

..............................................................

signature of the person/persons authorized

to represent the Contractor

\**Note:*

*1) The evidence referred to above are:*

1. *certification, except that for current periodic or continuous deliveries, the certification should be issued not earlier than 3 months before the expiry of the time limit for submission of tenders;*
2. *Contractor's declaration – if for justified reasons of an objective nature, the Contractor is not able to obtain the certification referred to in point a).*
3. *If the Contracting Entity is the entity for whom deliveries indicated in the above list were made, the Contractor is not obliged to submit the evidence mentioned above.*

**Appendix 5 to the ToR - Statement of belonging to a capital group**

**Contractor:**

…………………………………………

…………………………………………

*(full name / company, address)*

**Statement of belonging or not belonging to the same capital group**

**as referred to in art. 24, para. 1 (23) of PPL**

**acting on behalf of the CONTRACTOR:**

|  |  |  |
| --- | --- | --- |
| **Pos.** | **Contractor(s) Name(s)** | **Contractor(s) Address(es)** |
|  |  |  |
|  |  |  |

*(for entities submitting an offer jointly, please provide names (companies) and exact addresses of all partners of a civil law partnership or consortium members)*

and being duly authorized to represent the Contractor, being obliged to demonstrate the lack of grounds for exclusion pursuant to art. 24, para. 1 (23) of the Act of 29 January 2004 – Public Procurement Law – I inform that:

* \*I do not belong to a capital group in the meaning of the Act of 16 February 2007 on competition and consumer protection (Official Journal No. 184,1618 and 1634) with any of the Contractors who submitted offers in this procedure (based on information on the Contracting Entity's website from the opening of the offers referred to in art. 86, para. 5 of the Act)
* \*I belong to a capital group in the meaning of the Act of16 February 2007 on competition and consumer protection (Official Journal No. 184,1618 and 1634) together with the entities listed below which have submitted an offer in this procedure\*\*:

1. Name :………………………………………., Seat: …………………………
2. Name :………………………………………., Seat: …………………………

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date) ……………. ………………..................................

signature of the person(s) authorized

to represent the Contractor

**\****delete or remove as appropriate*

**Appendix 6 to the ToR**

**A statement that the contractor is/was not subject to a final court judgment or final administrative decision regarding late payment of taxes, fees or social security or health insurance contributions**

**Contractor:**

…………………………………………

…………………………………………

*(full name / company, address)*

STATEMENT

Acting on behalf of the above the contractor I declare that the contractor is/was not subject to a final court judgment or final administrative decision regarding arrears in payment of taxes, fees or social security or health insurance contributions

…………………………………… ……………………………………………

*Place and date signature of a person authorized*

*to represent the contractor*

*Note: the contractor whose tender was selected as the best or the contractors who will be called by the Contracting Entity for submission of all or some statements or documents confirming that they meet the conditions for participation in the procedure and there are no grounds for exclusion in the cases referred to in art. 26, para. 2(f) of PPL will be obliged to submit this statement.*

**Appendix 7 to the ToR**

**Statement on the absence of a decision prohibiting competing for public procurement**

**as a precautionary measure**

**Contractor:**

…………………………………………

…………………………………………

*(full name / company, address)*

STATEMENT

Acting on behalf of the above the contractor I declare that the contractor has not been subjected to prohibition of competing in public procurement as a precautionary measure.

…………………………………… …………………………………………………

*place and date signature of a person authorized*

*to represent the contractor*

*Note: the contractor whose tender was selected as the best or the contractors who will be called by the Contracting Entity for submission of all or some statements or documents confirming that they meet the conditions for participation in the procedure and there are no grounds for exclusion in the cases referred to in art. 26, para. 2(f) of PPL will be obliged to submit this statement.*

**Appendix 8 to the ToR**

**Contractor:**

……………………………………….

……………………………………….

*(full name / company, address)*

**DECLARATION OF ANOTHER ENTITY TO MAKE AVAILABLE TO THE CONTRACTOR THE RESOURCES NECESSARY TO PERFORM THE CONTRACT**

After reviewing the contract notice and terms of reference for the **delivery of……………………………..**, we:

………………….. (name of the signatory)

………………….. (name of the signatory)

declaring to be persons appropriately empowered to perform this activity, acting on behalf of ................................................... (*name of the providing entity*) with registered office in ................... .......... *(address of the providing entity)* we undertake to:

make our resources required to perform the contract available to ………………. *(whom)* with its registered office in…………… , hereinafter referred to as the Contractor.

1. The range of resources we provide to the contractor:
   1. …………………………………………………………………………………………………………………….

*(please specify shared resources)*

* 1. ……………………………………………………………………………………………………………………

*(please specify shared resources)*

* 1. ……………………………………………………………………………………………………………………

*(please specify shared resources)*

1. The manner of using resources while contract performance: ………………………………………………………………………………………………………………………………………………………
2. The scope and period of our participation in the contract performance: ………………………………………………………………………………………………………………….

4) We will provide the following services in the scope of the subject-matter of the contract (only if education, experience (persons or contractors) or professional qualifications are available):

………………………………………………………………………………………………………………………………………….

Therefore, we provide the Contractor with the above-mentioned resources to be used by the Contractor – if the Contractor’s offer was selected and the contract was awarded in the said procedure – when performing the subject-matter of the contract.

………………………………………….. …………………………………………………..

*place and date signature of the person authorized to represent the entity*

1. Commission Services will make the electronic ESPD-service available, free of charge, for contracting authorities, contracting entities, economic operators, providers of electronic services and other interested parties. [↑](#footnote-ref-1)
2. For **contracting authorities**: either **a Prior Information Notice** used as a means of calling for competition or **a Contract Notice**.

   For **contracting entities**: **a Periodic Indicative Notice** used as a means of calling for competition, **a Contract Notice or a Notice on the Existence of a Qualification System**. [↑](#footnote-ref-2)
3. *Information to be copied from Section I, Point I.1, of the relevant notice*, In case of joint procurement, please indicate the names of all involved contracting entities. [↑](#footnote-ref-3)
4. *See points II.1.1 and II.1. 3 of the relevant notice* [↑](#footnote-ref-4)
5. *See point II.1.1 of the relevant notice* [↑](#footnote-ref-5)
6. Please repeat the information concerning contact persons as many times as needed. [↑](#footnote-ref-6)
7. Cf. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises, (Official Journal L 124, 20.5.2003, p. 36).This information is required for statistical purposes only. **Micro enterprises**: enterprise **which employs fewer than 10 persons** and whose annual turnover and/or annual balance sheet total **does not exceed EUR 2 million**.

   **Small enterprises**: an enterprise **which employs** **fewer than 50 persons** and whose annual turnover and/or annual balance sheet total **does not exceed EUR 10 million**;

   **Medium enterprises, enterprises which are neither micro nor small** and which **employ fewer than 250** persons and which have **an annual turnover not exceeding EUR 50 million**, ***and/or* an annual balance sheet total not exceeding EUR 43 million.** [↑](#footnote-ref-7)
8. See contract notice point III.1.5 [↑](#footnote-ref-8)
9. I.e. its main aim is the social and professional integration of disabled or disadvantaged persons. [↑](#footnote-ref-9)
10. The references and the classification data, if any, are set out on the certification. [↑](#footnote-ref-10)
11. Notably as part of a group, consortium, joint venture or similar. [↑](#footnote-ref-11)
12. E.g. for technical bodies involved in quality control: Part IV, Section C, point 3: [↑](#footnote-ref-12)
13. As defined in Article 2 of Council Framework Decision 2008/841/WSiSW of 24 October 2008 on the fight against organized crime (Official Journal L 300, 11.11.2008, p. 42). [↑](#footnote-ref-13)
14. As defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, Official Journal C 195, 25.6.1997, p. 1, and in Article 2(1) of Council Framework Decision 2003/568/WSiSW of 22 July 2003 on combating corruption in the private sector (Official Journal L 192, 31.7.2003, p. 54). This exclusion ground also includes corruption as defined in the national law of the contracting authority (contracting entity) or the contractor. [↑](#footnote-ref-14)
15. Within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests (Official Journal C 316, 27.11.1995, p. 48). [↑](#footnote-ref-15)
16. As defined in Articles 1 and 3 of Council Framework Decision of 13 June 2002 on combating terrorism (Official Journal L 164, 22.6.2002, p. 3). This exclusion ground also includes inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision. [↑](#footnote-ref-16)
17. As defined in Article 1 of Directive 2005/60/WE of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (Official Journal L 309, 25.11.2005, p. 15). [↑](#footnote-ref-17)
18. As defined in Article 2 of Directive 2011/36/WE of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/WSiSW (Official Journal L 101, 15.4.2011, p. 1). [↑](#footnote-ref-18)
19. Please repeat as many times as needed. [↑](#footnote-ref-19)
20. Please repeat as many times as needed. [↑](#footnote-ref-20)
21. Please repeat as many times as needed. [↑](#footnote-ref-21)
22. In accordance with national provisions implementing Article 57(6) of Directive 2014/24/EU. [↑](#footnote-ref-22)
23. Taking into account the character of the crimes committed (punctual, repeated, systematic ... ), the explanation should show the adequacy of the measures to taken. [↑](#footnote-ref-23)
24. Please repeat as many times as needed. [↑](#footnote-ref-24)
25. See Article 57(4) of Directive 2014/24/WE [↑](#footnote-ref-25)
26. As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU. [↑](#footnote-ref-26)
27. See national law, the relevant notice or the procurement documents. [↑](#footnote-ref-27)
28. This information needs not be given if exclusion of contractors in one of the cases listed under letter a to f has been made mandatory under the applicable national law without any possibility of derogation where the contractor is nevertheless able to perform the contract. [↑](#footnote-ref-28)
29. Where applicable, see definitions in national law, the relevant notice or the procurement documents. [↑](#footnote-ref-29)
30. As indicated in national law, the relevant notice or the procurement documents. [↑](#footnote-ref-30)
31. Please repeat as many times as needed. [↑](#footnote-ref-31)
32. As described in Annex XI of Directive 2014/24/UE; contractors from certain Member States may have to comply with other requirements set out in that Annex [↑](#footnote-ref-32)
33. Only if permitted in the relevant notice or the procurement documents. [↑](#footnote-ref-33)
34. Only if permitted in the relevant notice or the procurement documents. [↑](#footnote-ref-34)
35. E. g. the ratio between assets and liabilities. [↑](#footnote-ref-35)
36. E. g. the ratio between assets and liabilities. [↑](#footnote-ref-36)
37. Please repeat as many times as needed. [↑](#footnote-ref-37)
38. Contracting authorities may **require**  up to five years and **allow** experience dating from **more** than five years. [↑](#footnote-ref-38)
39. Contracting authorities may **require** up to three years and **allow** experience dating from **more** than three years. [↑](#footnote-ref-39)
40. In other words, **all** recipients should be listed and the list should include both public clients and private clients for the supplies or services concerned. [↑](#footnote-ref-40)
41. For technicians or technical bodies not belonging directly to the economic operator's undertaking but on whose capacities the economic operator relies as set out under Part II, Section C, separate ESPD forms must be filled in. [↑](#footnote-ref-41)
42. The check is to be performed by the contracting authority or, in case the latter consents to this, on its behalf by a competent official body of the country in which the supplier or service provider is established; [↑](#footnote-ref-42)
43. Please note that if the contractor **has decided** to subcontract a part of the contract **and** relies on the subcontractor's capacities to perform that part, then please fill in a separate ESPD for such subcontractors, see Part II, Section C above. [↑](#footnote-ref-43)
44. Please indicate clearly , which item the answer relates to. [↑](#footnote-ref-44)
45. Please repeat as many times as needed. [↑](#footnote-ref-45)
46. Please repeat as many times as needed. [↑](#footnote-ref-46)
47. On condition that the contractor has provided the necessary information *(*web address, issuing authority or body, precise reference of the documentation) allowing the contracting authority or contracting entity to do so. Where required, this must be accompanied by the relevant consent to such access. [↑](#footnote-ref-47)
48. Depending on the national implementation of the second subparagraph of Article 59 (5) of Directive 2014/24/UE. [↑](#footnote-ref-48)