

Wrocław, 07.03.2025
File No.: SZID.272.232.2025

UPDATED REQUEST FOR BID

Contracting Party:

Łukasiewicz Research Network - PORT Polish Center for Technology Development
ul. Stabłowicka 147, 54-066 Wrocław

Invites you to submit a bid for the procedure under the name:
"Pre-clinical trial" for the Łukasiewicz Research Network - PORT Polish Center for Technology Development, for the purposes of implementing the project: **Virtual Research Institute (WIB)**.

I. Procurement procedure:

The present proceedings are conducted excluding the application of the Act of 11 September 2019 – Public Procurement Law (pursuant to Article 2.1(1) of the aforementioned Act).

II. Subject of the contract and completion date:

The subject of the contract is the conduct of pre-clinical trials and the preparation of a report containing protocols and results of conducted trials. A detailed description of the subject of the contract and the deadline for its completion has been included in **Annex 1** to the request for bid – Description of the Subject of the Contract.

III. Terms and conditions for participation in the procedure:

The procedure is open to Contractors who have the necessary experience and knowledge to perform the contract.

1. Contractors who meet the following conditions may apply for the contract:
 - a. They have the competence or authorizations to carry out the specified professional activity
 - 1) Description of how the fulfilment of this condition is evaluated:
 - Confirmation in the form of a statement (Annex 4 – Statement on the Fulfilment of Conditions for Participation in the Procedure) that the Contractor has the appropriate infrastructure, equipment and knowledge to deliver the subject of the contract correctly and on time;
 - b. They have the technical capacity and personnel capable of performing the contract
 - 1) Description of how the fulfilment of this condition is evaluated:
 - Confirmation in the form of a statement (Annex 4 – Statement on the Fulfilment of Conditions for Participation in the Procedure) that the Contractor performs work in compliance with high quality standards, e.g. GLP (good laboratory practice) or similar (including internal) standards;
 - c. They have the necessary experience
 - 1) Description of how the fulfilment of this condition is evaluated:
 - Confirmation in the form of a statement containing the list (Annex 4 – Statement on the Fulfilment of Conditions for Participation in the Procedure) of experience in carrying out a minimum of 5 similar contracts concerning RNA for therapeutic use, carried out during the year preceding the date of submission of the bid;
 - d. They have a qualified team with adequate skills and experience to perform the contract

- 1) Description of how the fulfilment of this condition is evaluated:
 - Confirmation in the form of a statement with a list of persons (Annex 4 – Statement on the Fulfilment of Conditions for Participation in the Procedure) from the Contractor’s team (at least two persons) with competences and experience adequate to perform the contract.
2. The Contracting Party **does not allow** partial bids.
3. If the price or cost offered by the Contractor, or essential components thereof, appears to be abnormally low in relation to the subject of the contract and raise the Contracting Party’s doubts as to whether the subject of the contract can be performed in compliance with the requirements specified by the Contracting Party or resulting from separate regulations, the Contracting Party may ask the Contractor to provide explanations, including to present evidence, concerning the elements of the bid that affect the price or cost.
4. Having regard to the grounds for exclusion contained in Article 7.1 in conjunction with Article 7.9 of the Act of 13 April 2022 on Special Solutions to Prevent Support for Aggression Against Ukraine and to Protect National Security (*Dziennik Ustaw* 2022, item 835), by submitting a bid, the Bidder declares that they are not subject to exclusion from the procedure pursuant to Article 7.1 in conjunction with Article 7.9 of the Act of 13 April 2022 on Special Solutions to Prevent Support for Aggression Against Ukraine and to Protect National Security (*Dziennik Ustaw*, item 835).

IV. Place and deadline for submission of bids:

1. A bid must be submitted on the form attached as Annex 2 – Bid Form and Annex 4 – Statement on the Fulfilment of Conditions for Participation in the Procedure to this Request for Bid via electronic mail to the address: [magdalena.milintowicz@port.lukasiewicz.gov.pl](mailto:magdalenamilintowicz@port.lukasiewicz.gov.pl), by **March 10, 2025 inclusive**.
2. The Bid Form and the Statements must be drawn up in electronic format signed with an electronic signature or in the form of scanned documents with a handwritten signature affixed by an authorized person.
3. The Contractor may submit only one bid.
4. The Contractor shall be bound by the bid for a period of 60 days from the date of its submission.
5. Bids submitted after the deadline for the submission of bids shall not be taken under consideration.

V. Bid evaluation criteria:

1. The Contracting Party shall evaluate valid bids on the basis of the following criteria:

Gross price – 100%

Total price (C) – weight of 100 points, according to the formula:

$$\text{Price (C)} = \frac{\text{Minimum price}}{\text{Price under evaluation}} \times \text{weight (100)} = \dots\dots\dots \text{Points}$$

Number of points scored = C
Maximum number of points scored: 100

VI. The right to withdraw from negotiations and to select the next bid:

1. The Contracting Party reserves the right to cancel, terminate or invalidate this procedure without selecting a bid and without stating any reason. Contractors shall not be entitled to any financial claims against the Contracting Party with respect to the above.
2. In the event that no agreement can be reached with the selected contractor as regards common contract provisions acceptable to both parties, the Contracting Party reserves the right to withdraw from further negotiations and to select the next most favourable bid that meets the requirements set forth in the procedure.
3. The exercise of this right shall not result in any obligation to pay compensation or indemnity to the contractor with whom negotiations were originally undertaken.

VII. Bid price and payment terms:

The prices specified on the Bid Form must be stated in PLN, EUR or USD, with accuracy to two decimal places (i.e. to 1 *grosz*/cent). If the calculated prices have more decimal places (fractions of a *grosz*/cent), they should be rounded in such a way that digits from 1 to 4 should be rounded down, whereas digits from 5 to 9 should be rounded up.

1. Settlements between the Contracting Party and the Contractor will be made in Polish zloty (PLN). The Contracting Party also allows for settlement with the Contractor to be carried out in a foreign currency, i.e. in EUR or USD. Should the Contractor submit a bid in a foreign currency, i.e. in EUR or USD, in order to compare the bids the Contracting Party will convert EUR/USD according to the average foreign exchange rate of the National Bank of Poland as at the day the procedure was initiated. Should the Contractor fail to specify the settlement currency in the bid, the Contractor's bid shall be rejected.
2. Should the Contractor fail to specify the currency of the bid (PLN, EUR or USD) on the Bid Form (Annex 2), the bid shall be rejected by the Contracting Party. The same shall also apply, if the Contractor leaves the fields blank or indicates a currency other than PLN/EUR or USD. If, according to the binding regulations, the Contractor is not under an obligation to comply with the VAT Act, then the Contractor shall leave the field in the VAT rate column on the Bid Form blank or indicate "not applicable", making consideration additional statements on the bid form.
3. The price stated in the bid must be a complete and unambiguous price and must include the costs necessary to complete the contract in its entirety.
4. The time limit for payment shall not be shorter than 14 days from the date of delivery of a duly issued invoice. Only electronic invoices shall be accepted, to which the Contracting Party hereby agrees as the recipient. Invoices must be sent to the address of the Contracting Party: e-faktury@port.lukasiewicz.gov.pl, otherwise the time limit for payment shall not start running.

VIII. Information about the contract

The performance of the contract shall be confirmed by the conclusion of a service contract, in accordance with the principles set out in this request for bid, with the stipulation that the terms and conditions of that contract cannot be less favourable than those set out in the draft contractual provisions attached as Annex 3 to the request for bid. The Contracting Party requires that a non-disclosure agreement be concluded as part of the performance of the contract. **The Contractor shall provide a draft contract, unless the parties agree otherwise.**

IX. Information on how the Contracting Party communicates with Contractors:

1. The Contractor may ask the Contracting Party to clarify the contents of the request for bid no later than 2 days before the deadline for the submission of bids resulting from the original request for bid. After that deadline passes, the Contracting Party shall not be under an obligation to

- answer the questions asked. The Contracting Party shall provide clarifications before the deadline for the submission of bids and post them at the place of publication.
2. The Contracting Party may amend the contents of the Request for Bid before the deadline for the submission of bids by posting information about the amendment at the place of publication.
 3. Before the deadline for the submission of bids expires, the Contracting Party may extend the deadline for the submission of bids, in particular if the contents of the request for bid or annexes thereto are amended.
 4. Where it is not possible to select the most beneficial bid due to the fact that two or more bids offer the same price balance, the Contracting Party will conduct negotiations with the Contractors who have received the highest number of points. The subject of negotiations will be the price, as the only selection criterion. The Contracting Party shall send Contractors a Letter of Invitation to Negotiations. The price offered by Contractors during the negotiations cannot be less favourable than the price offered in the original bid.
 5. The Contracting Party shall promptly inform the Contractors who submitted bids in the procedure about:
 - the selection of the most favourable bid,
 - the rejection of the bid,
 - the invalidation of the procedure.
 6. The Contracting Party shall publish information on the selection of the most favourable bid or the invalidation of the procedure in the place of publication.

X. List of Annexes:

1. Annex 1 - Description of the Subject of the Contract.
2. Annex 2 - Bid Form.
3. Annex 3 - Material draft contractual provisions.
4. Annex 4 - Statement on the Fulfilment of Conditions for Participation in the Procedure.
5. Annex 5 - Information Clause on the Processing of Personal Data by Łukasiewicz – Port.

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(signature of an authorized person)