

Wrocław, October 24; 2019

REQUEST FOR QUOTATION NO. 23/Bioceltix/2019

for the delivery of cryoboxes for 2R size glass vials – 100 pcs

CPV CODE: 33140000-3 medical consumables

within the framework of Project no. POIR.01.01.01-00-0281/16 entitled: *The production of adipose tissue-derived allogeneic mesenchymal stem cells as compliant with the requirements of Good Manufacturing Practice – an active substance for the investigational medicinal product for advanced-therapy veterinary use, intended for clinical trials in the treatment of degenerative changes of joints and dysplasia in dogs*, co-financed by the European Union under Measure 1.1.1. of Operational Programme Intelligent Development 2014-2020 [Program Operacyjny Inteligentny Rozwój 2014-2020].

I. ORDERING PARTY:

Bioceltix S.A.

ul. E. Kwiatkowskiego 4, 53-135 Wrocław, Poland

phone no.: +48 71 725 34 10 , fax: +48 71 734 55 09

NUMBER IN THE NATIONAL COURT REGISTER [KRS]: 0000744521, TAX IDENTITY NUMBER [NIP]: 899-27-94-360, BUSINESS STATISTICAL NUMBER [REGON]: 364963245

II. DESCRIPTION OF THE SUBJECT OF COMMISSIONED WORKS:

1. The subject of commissioned works is the delivery of **cryoboxes for 2R size glass vials** whose detailed "USER REQUIREMENTS SPECIFICATION" [URS] constitutes Attachment no. 1 to this Request for Quotation.
2. The delivery shall be executed on the basis of an order placed via electronic means of communication, namely e-mail.

III. Other requirements:

1. The minimal offer validity (in calendar days) is established at 30 calendar days from the deadline for submission of offers.
2. The Ordering Party shall not allow for partial bids.
3. The Ordering Party shall not allow for the option of variant bids.

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IV. REQUIREMENTS FOR PARTICIPATION IN PROCEEDINGS:

1. Contractors being either personally or financially associated with the Ordering Party shall be excluded from further proceedings¹.
2. Contractors putting forward incomplete bids or bids lacking required attachments (according to the provisions of part V of the Request for Quotation) shall be excluded from further proceedings
3. Only those Bidders who satisfy the following criteria may join the proceedings:
 - those with documented experience in delivery performance being correspondent to the scope of the subject of purchase.
 - those Bidders who are able to deliver equipment satisfying the Ordering Party's requirements (detailed description can be found in Appendix no. 1).

V. BID PREPARATION DESCRIPTION

1. The Bidder prepares a bid (in Polish or in English) and sends it to the Ordering Party.
2. The bid should be signed by a person authorized to represent the Bidder.
3. The bid should be prepared with the use of the bid form specimen (Appendix no. 2 to the Request for Quotation).
4. The bid should:
 - include the Bidder's name and contact details, including their phone number and e-mail address,
 - include net and gross prices²,
 - refer to the number and title of the Request for Quotation, e.g.:
"re: Request for Quotation no. 23/Bioceltix/2019 for delivery of cryoboxes for 2R size glass vials"
 - include the following attachments:
 - a filled-up Appendix no. 2 to the Request for Quotation;
 - a scan of the declaration of lack of personal or capital ties with the Ordering Party (a model of this declaration constitutes Attachment no. 3 to this Request for Quotation);
5. Lack of one of the above-mentioned elements may result in rejection of the offer for formal reasons. The Ordering Party reserves the right to request Tenderers to supplement / clarify.

VI. BID EVALUATION CRITERIA

1. Ordering Party appraises valid bids on the basis of the following criteria:
 - the submission of a bid on time;
 - the bid being prepared in accordance with regulations in part V of the RfC;

¹What is meant as capital and personal links are any mutual links between the Ordering Party or any persons they authorized to undertake liabilities on their behalf, or, any persons performing actions associated with the preparation and carrying out of the Contractor bidding procedure as authorized by the Ordering Party, and the Contractor, particularly with regard to:

- participating in a partnership or a civil law partnership;
- holding at least 10% shares or stocks;
- performing the function of a member of a supervisory or managing body, proxy or attorney;

remaining in a marital relationship, or in lineal consanguinity or affinity, or in collateral consanguinity or affinity up to the second degree, or, with relation to adoption, custody or guardianship.

²In the case of prices expressed in foreign currencies, they shall be converted into PLN with the use of an average exchange rate announced at the date of publication of this RfC.

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2. Bid evaluation criteria

- 90% - price,
- 10% - the deadline for the execution of delivery, based on the order placed (according to the contractual provisions, the Ordering Party allows for a 4-week delivery period at its maximum).

3. Appraisal method:

The bids that are not voidable shall be audited and subject to a comparison. The Ordering Party shall appraise bids on the basis of criteria described in point VI.2. The Ordering Party shall verify and allocate points to particular bids according to particular appraisal criteria and shall calculate **Bid Total Points Appraisal (P)** with the use of the following formula: $P = C + Td$, where:

C – points allocated according to the criterion of "offer pricing";

Td – points allocated to the criterion of "the deadline for the execution of delivery on the basis of an individual order placed".

- The Ordering Party awards the public contract to the Contractor whose offer has not been rejected and is allocated the highest total number of points.
- All calculations shall be expressed in numbers with two or more decimal places taken into account in order to facilitate the best bid choice.
- The Ordering Party shall calculate the number of points for **bid price** for each not rejected offer according to the formula: $C = C_{min} \times 90 / C_o$, where:
C – the number of points allocated to each bid subject to appraisal according to "the Bid price" criterion;
C_{min} – lowest gross price (VAT included) for the whole contract implementation proposed by approved bids made in the proceedings;
C_o – gross price (VAT included) of the implementation of the contract within an appraised bid;
90 – weight of "Bid price" criterion.
- The Ordering Party shall calculate the number of points for **the deadline for the execution of delivery, based on the order placed** for each not rejected offer according to the formula:
 $Td = Td_{min} \times 10 / Td_o$, where:
Td – the number of points allocated to each bid subject to appraisal according to the deadline for the execution of delivery, based on the order placed criterion;
Td_{min} – the lowest value of the deadline for the execution of delivery, based on the order placed for each not rejected offer submitted in the proceedings;
Td_o – the deadline for the execution of delivery, based on the order placed indicated within an appraised bid;
10 - weight of "the deadline for the execution of delivery, based on the order placed " criterion.

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VII. ORDER EXECUTION DEADLINE

Deadline for performance of the subject of contract: a maximum of 4 weeks from the date of contract.

VIII. DEADLINE AND DESTINATION OF BIDS

1. Deadline of bids: **01.11.2019**
2. A bid should be sent by e-mail, its attachments included. E-mail: **zakupy@bioceltix.com**. The bid should be sent by the deadline stated in pt. 1, part VIII.
3. The bids made after the deadline shall not be considered. The valid date and hour is the time at which the bid was received by the Ordering Party.
4. The Bidder may change / withdraw their bid before the deadline.
5. The Ordering Party has the right to demand further details from their Bidders in the course of bid comparison and appraisal.
6. **The request for quotation can be found on the following website:**
<http://bioceltix.com/projekty-dotowane-ue/>

IX. INFORMATION REGARDING BEST BID CHOICE

The Ordering Party will inform Bidders of their choice via electronic means: with the use of e-mail address from which the bid was distributed or the e-mail address provided in the bid.

X. CONTRACT CONCLUSION /AWARD OF ORDER

1. The Bidder whose bid has been evaluated as the most beneficial one is obliged to conclude a contract with the Ordering Party **within 3 calendar days** from the date when the contract specimen was sent. In the case of a low-price purchase, the Ordering Party will make a purchase based on a one-time order and the Bidder should accept the order without delay for execution.
2. Should the Contractor whose bid was chosen avoid sealing the contract/ acceptance of the order in the aforementioned time, the Ordering Party has the right to choose the best bid from among the remaining ones.

XI. CONTRACT CHANGES (if applicable)

The Contracting Authority provides for the possibility of making changes to the provisions of the concluded contract in relation to the content of the offer on the basis of which the contractor was selected in the following scope:

1. Termination of the contract, without compensation from the contractor, if the contract for financing the project by the Intermediate Body is terminated with the Employer.
2. Changes to the schedule of performance of the contract resulting from the provisions of the contracting party with the institution providing support, if the contract was changed after the contract was awarded.
3. Changing the essential provisions of the contract in relation to the content of the offer is acceptable if it is beneficial for the Employer and it was not foreseeable at the signing stage, and its implementation is indicated in particular when:
 - a. there will be a change in the generally applicable laws to the extent that affects the implementation of the subject of the contract;
 - b. there will be discrepancies or ambiguities in the contract that can not be removed in any other way, and the change will allow for removing the discrepancies and clarifying the Agreement in order for the Parties to interpret its provisions unequivocally.

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XII. SUPPLEMENTARY INFORMATION

1. The Ordering Party reserves the right to change the contents of the Request. Should the changes substantially influence the bid proceedings, the Ordering Party will extend the deadline of bid delivery. Both the information and announcement shall be made available on the following website: <http://bioceltix.com/projekty-dotowane-ue/>
2. The Ordering Party reserves the right to annul this Request for Quotation without any justification and end the proceeding without choosing any bid.
3. Any questions regarding the subject of works commissioned or bid preparation should be sent at the following e-mail address: zakupy@bioceltix.com The Ordering Party should answer within 24 hours since the reception date (business days). Questions should include the number of RfC in the e-mail title: "Question regarding Request for Quotation no. 23/Bioceltix/2019".
4. Appendices to the Request for Quotation
 - Appendix no. 1 – Detailed description of the subject of contract / User Requirements Specification
 - Appendix no. 2 – Specimen of bid proposal form
 - Appendix no. 3 – Model declaration of lack of personal or capital ties with the Ordering Party

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