

**Announcement of Contest of Tenders together with the Terms of Reference
Inquiry on the contract:**

"The acquisition of sand cooler with capacity of 120-150 t/h"

1. Name and address of the Buyer.

Metalpol – Węgierska Górka
34-350 Węgierska Górka
Kolejowa Street 6

2. Subject of the order

Delivery of sand cooler with a cooling capacity of molding sand from 120 to 150 tons per hour with the control systems for parameters of molding sand, which guarantee the right temperature and humidity of molding sand.

Sand cooler parameters:

- Sand cooler for continuous operation, the mixing type (octal) or a fluidized bed type
- Cooling capacity of 120 to 150 tons per hour of molding sand
- Cooling of molding sand from 90 to 40 degrees ° C in a continuous cycle
- Age of equipment (sand cooler) of up to ten years, with the age of the sand cooler will be granted an appropriate score according to the criteria specified in Section 13

Elements of the sand cooler:

- Sensors for temperature and humidity of the molding sand
- The control system of sand cooler with a system of automatic temperature and humidity control of molding sand based on PLC
- Engines for sand cooler driving and sand cooler fan
- Cyclone with accessories
- Connection cabinet

An additional element of equipment of sand cooler are stirrers allowing pre-mixing of molding sand. For this element of equipment will be awarded additional points in accordance with the criteria set out in section 13.

Guarantee and elements of the service package:

- Supervision of the assembly and start-up (accommodation and travel costs of the service included)
- Guarantee Package for complete device with all its components

3. The period for the realization of the contract.

A maximum of 6 months from signing the contract.

4. Place of the delivery

DAP Metalpol
Metalpol - Węgierska Górka Sp. o.o.
Kolejowa Street 6
34-350 Węgierska Górka

POLAND

5. Partial orders.

Buyer does not accept partial bids.

6. Information about the variant tenders.

Buyer does not accept the variant tenders.

7. Conditions for the participation in the contest and assessment of the fulfilment of these conditions.

7.1 In the contest can participate contractors who meet the following conditions:

- a. They have the right to perform specific activities or actions;
- b. They have the necessary knowledge and experience
- c. The feature technical potential and personnel capable of performing the contract;
- d. They are in an economic and financial situation ensuring the performance of the contract;
- e. Are not to be excluded from the proceedings according to Paragraph 24, Point 1 and 2 of the Public Procurement Law.

7.2 In the tender cannot participate companies personally or by capital connected to the Buyer. Through capital or personal connections are understand the interactions between the Buyer or persons approved to commit the Buyer or persons performing on behalf of the Buyer's activities related to the prepare and undertake the procedure for selecting the contractor and the contractor itself, in particular by:

- a) participation in the company as a partner or partnership,
- b) the possession of at least 10% of shares or stocks,
- c) to function as the member of the management board, or supervisory board, proxy or plenipotentiary,
- d) to have the relationship of the marriage, the consanguinity or affinity in a straight line, the second degree of kinship or affinity of the second degree in the collateral line or by adoption, guardianship or custody,
- e) remaining with the Buyer in such a legal or actual relationship, it may raise justified doubts as to the impartiality of those people.

8. The list of statements and documents to be provided by the contractor to confirm the fulfillment of conditions for participation in the contest.

8.1 In order to meet the requirement set out in section 7.1:

In order to confirm the potential to complete the contract the Contractor shall be required to provide a current excerpt from the relevant registry or current certificate of entry in the business registry, if separate regulations require an entry in the registry or the register of business activity, issued no earlier than 6 months before the deadline for the tender and references confirming the execution in recent years, identical or similar sand coolers.

In addition, contractors are required to submit an appropriate declaration, constituting Appendix 1 to this announcement.

8.2. In order to meet the requirement, set out in section 7.2:

In order to prove the absence of grounds for exclusion on account of belonging to the same capital group, the contractor with the tender must submit declaration, constituting Appendix 2 to this announcement.

9. Persons authorized to contact the Contractors:

Jan Jurasz phone: (33) 8641801 mobile: 505 107 348 e-mail: j.jurasz@metalpol.com	Zbigniew Rzepała phone: (33) 8641801 mobile : 505 714 884 e-mail: z.rzepala@metalpol.com	Paweł Zaziębło phone: (33) 8641801 mobile : 519 309 423 e-mail: p.zazieblo@metalpol.com
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10. Place and date of the sending the tenders.

The tender can be supplied as follows:

- by mail to: Węgierska Górka, Kolejowa Street 6, 34-350 Węgierska Górka
- by e-mail to: metalpol@metalpol.com
- personally in the office Metalpol Węgierska Górka Sp. o.o., ie .: 34-350 Węgierska Górka, Kolejowa Street 6,

Deadline time for sending the tenders is 25 August 2016 3.00 p.m.

11. The term of validity of the tenders.

The Contractor shall remain bound by the tender for 60 days. This period begins with the submission of deadline for sending the tenders.

12. Date and place of opening of tenders.

The opening of bids will take place on 25.08.2016r. at the Buyer. Buyer does not provide for the public opening of tenders. The Buyer, after the opening of tenders, is permitted to send to potential Bidders question to clarify the tender in accordance with the criteria and the scope defined in section 2 "Subject of the order" and section No. 13. "Award criteria of the tenders and a description of how they are calculated."

13. Award criteria of the tenders and a description of how they are calculated.

The maximum number of points possible to achieve – 100

No.	Type of the criteria	Score	Evaluation method
1.	Price	From 0 to 40	Ratio of the lowest prices to the price in the rated tender, multiplied by 40.
2.	Age of machine	From 0 to 10	New machines receive 10 points, Used machines receive relatively fewer points than furnishing new - by 1 points less for each year of age of machine, ie. for example, machines 1 year old gain 9 points and five years old 5 points. Maximum age of machines - 10 years.
3.	The possibility of pre-mixing of molding sand	From 0 to 20	Scored is the ability of pre-mixing of molding sand in the sand cooler. In the case of confirmation of the possibility of pre-mixing of the molding sand in the sand cooler are awarded 20 points.
4.	Energy consumption in kWh per 1ton of cooled molding sand	From 0 to 10	Ratio of the energy consumption in the tender with the lowest energy consumption to the energy consumption in the rated tender, multiplied by 10.
5.	Payment period	From 0 to 10	Ratio of the payment period in the rated tender to the payment period in the tender with the longest payment period, multiplied by 10.

6.	Warranty	From 0 to 10	Ratio of the warranty period in the rated tender to the warranty period of the tender with the longest warranty period, multiplied by 10.
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14. The bid bond.

Contractors are required to pay a deposit (bid bond). The conditions for filing and refund the deposit are as follows:

1. The amount of the bid bond

The contractor is obliged to secure its bid security deposit in the amount of: EUR 1,000 (in words: one thousand and 00/100). The bid bond must cover the entire period of the bid.

2. Form a bid bond

1) The bid bond can be carried in the following forms:

- a) cash,
- b) bank guarantees or guarantees of the savings and credit banks, where guaranteeing of these is always a monetary guarantee,
- c) bank pledges,
- d) insurance guarantees,
- e) pledges given by entities referred to in Article. 6b section. 5 point 2 act from 9 November 2000 on Establishment of the Polish Agency for Enterprise Development (Dz. U. 2014. Item. 1804, as amended.).

2) In the case of submitting the bid bond by the Contractor in the form of a guarantee, the guarantee shall be made in accordance with applicable law and should contain the following elements:

- a) the name of the principal (the Contractor), beneficiary of the guarantee (the Buyer), the guarantor (bank or insurance institution of the guarantee) and showing their registered headquarters,
- b) determining the debt to be secured by a guarantee,
- c) the amount of the guarantee,
- d) validity of the guarantee,
- e) an obligation on the guarantor to pay the amount of the guarantee at the first written request of the beneficiary declaring that the Contractor loses the deposit to the beneficiary in relation to:

- Refusal to sign the contract under the conditions specified in the offer, or
- Inability to conclude the contract for reasons attributable to the Contractor, or
- The occurrence of circumstances referred to in art. 46 paragraph. 4a of the Public Procurement Law (PPL), ie. If the Contractor, in response to the call, referred to in art. 26 paragraph. 3 of the PPL, for reasons attributable to him, did not submit documents or statements, referred to in art. 25 paragraph. 1 of PPL, powers of attorney, a list of entities belonging to the same group referred to in Article. 24 paragraph. 2 Section 5 of the Public Procurement Law, or information about it, that does not belong to the group, or did not consent to correct errors referred to in Article. 87. Paragraph 2 point 3, resulting in the inability to select the tender submitted by the Contractor as the best.

f) the guarantee must be irrevocable and unconditional.

3. Where and how make a tender bond

Contributed bid bond in cash to be paid by bank transfer to the following account of the Buyer:

Name of Buyer: Metalpol Hungarian Hill sp. Z. O.o

Address: Kolejowa Stret 6, 34-350 Węgierska Górka

Account number: PL 37 1140 1049 0000 4276 8400 1007

Bank name: mBank SA

In the transfer must be a notice "the deposit for contest of tenders of cooler"

It is recommended that with the offer to give a copy of the bank transfer.

Contributed bid bond in other forms approved by the Employer shall be submitted to the Secretary's Office of the Buyer (open every day except Saturdays, Sundays and holidays from 8:00 to 15:00), with giving the document, the person concerned will receive a confirmation.

It is recommended to submit with the offer a copy of the bond document (pledge / guarantee).

It allowed to submit the original of a bond document directly in the offer.

4. The deadline for the lodging of bid bond

1) The bid bond shall be lodged before the deadline for submission of the tenders, the contribution of the deposit in cash via bank transfer to the Buyer will be considered effective only if the amount of the deposit account will affect the Buyer account prior to the deadline for submission of tenders.

2) In the above case, attachment of the copy of the bank transfer is desired condition, but not sufficient for a finding by the Buyer timely bid bond by the Contractor.

3) The Buyer requests re-bid bond by the Contractor, who paid the deposit after the selection of the best bid, or cancellation proceeding, if, upon settlement of the appeal his offer was chosen as the most advantageous. The Contractor shall pay a deposit within the period specified by The Buyer.

5. The Buyer returns the deposit:

1) To all Contractors immediately after choice of the best tender or annulling the tender, except for the Contractor, whose offer was chosen as most profitable, subject to Art. 46 paragraph. 4a of the Public Procurement Law.

2) To the Contractor, whose offer has been selected as the best, the Buyer will return the security deposit immediately after the conclusion of the contract.

3) Immediately at the request of the Contractor who withdrew the offer before the deadline for submission of tenders.

4) Brought in cash, together with interest resulting from the bank account agreement, where it was stored, reduced by the costs of running a bank account and bank fees for transferring money to the bank account indicated by the Contractor.

6. The Buyer will seize the bid bond with interest, if:

1) The Contractor in response to the call, referred to in art. 26 paragraph. 3 of the PPL, for reasons attributable to him, did not submit the relevant documents or statements, which resulted in the inability to select the tender submitted by the Contractor as the most advantageous.

2) The Contractor, whose offer was chosen, refused to sign the contract under the conditions specified in the offer.

3) The conclusion of the contract became impossible for reasons attributable to the Contractor.

15. Information on how the price is calculated.

1. Please note that the price offer must include all costs to be incurred by the Contractor under proper and in accordance with the requirements execution of the contract set out in the Contest of Tenders involving the supply of the sand cooler.

2. Specified in the tender prices (values) should be specify in Euro or Polish zloty. The values specified in Euro shall be transferred to Polish zloty at an average euro exchange rate published by the Polish National Bank on the day, that is the deadline for submission of the tenders.

16. Date of sending of the announcement to the Publications Office of the European Union

The announcement on the Contract has been submitted for publication to the Publications Office of the European Union on 16 July 2016.

17. Other information

By submitting a tender Bidder agrees to provide to the other Bidders tender details. The Tenderer has the right to refuse to provide information the technical details of the contract.

The Contractor reserves the right to:

- 1) revoke the tender,
- 2) leave without consideration the tender, that is contrary to the requirements of this announcement.

Węgierska Górka, 16 July 2016

PREZES ZARZĄDU

Marek Podgrodzki

METALPOL WĘGIERSKA GÓRKA Sp. z o. o.
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Tel. +48 33 864-18-01 Fax +48 33 864-18-05
KRS 51266 Sąd rejonowy w Bielsku-Białej
VIII Wydział Gospodarczy

.....
(place and date)

.....
(Company stamp of the Tenderer)

DECLARATION ON MEETING THE CONDITIONS OF PARTICIPATION IN THE PROCEEDINGS REFERRED TO IN ARTICLE 22 PARAGRAPH 1 AND ON NO GROUNDS FOR EXCLUSION BASED ON ARTICLE 24 PARAGRAPH 1 & 2 of PUBLIC PROCUREMENT LAW

According to the Law of 29 January 2004. - Public Procurement Law (Dz. U. of 2010. No. 113, item. 759 as amended.) submitting an offer the award of public procurement contract, as the authorized representative of the Contractor I declare that my company /meet - do not meet /* the conditions for participation in the procedure referred to in Article. 22 paragraph. 1 of Public Procurement Law, in a way that:

- 1 / We have - we do not have /* permissions to perform specific activities or actions;
- 2 / We have - we do not have /* the necessary knowledge and experience;
- 3. / We have - we do not have / * technical potential and personnel capable of performing the contract;
- 4. We are in an economic and financial situation / ensuring - not ensuring / * the execution of the contract; and at the same time, as the authorized representative of the Contractor, I certify that:
 - 1 / We are - we are not / * excluded from the proceedings pursuant to Article 24 paragraph 1 and 2 of the Public Procurement Law.

.....
Signatures and stamp of the persons authorized to represent the Contractor

* - Delete as appropriate

Appendix 2

.....
(place and date)

.....
(Company stamp of the Tenderer)

I declare the lack of capital links or personal with the Buyer, as follows.

Through capital or personal connections are understand the interactions between the Buyer or persons approved to commit the Buyer or persons performing on behalf of the Buyer's activities related to the prepare and undertake the procedure for selecting the contractor and the contractor itself, in particular by:

- a) participation in the company as a partner or partnership,
- b) the possession of at least 10% of shares or stocks,
- c) to function as the member of the management board, or supervisory board, proxy or plenipotentiary,
- d) to have the relationship of the marriage, the consanguinity or affinity in a straight line, the second degree of kinship or affinity of the second degree in the collateral line or by adoption, guardianship or custody,
- e) remaining with the Buyer in such a legal or actual relationship, it may raise justified doubts as to the impartiality of those people.

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Signatures and stamp of the persons authorized to represent the Contractor