



**HEADQUARTERS
MULTINATIONAL DIVISION NORTH EAST**



LECZYCKA 10-12 STREET, 82-300 ELBLAG, POLAND

DATE: 23 JAN 2018

FAX No + 48 261 312 427 (CR)

P A R T I

BIDDING INSTRUCTIONS

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1. GENERAL

The purpose of Invitation For Bid (IFB) is the competitive selection of the lowest compliant bidder(s) for procurement of an item or service.

2. AMENDMENT OR CANCELLATION OF IFB

HQ MND NE reserves the right to cancel an IFB at any time. No legal liability on the part of HQ MND NE for payment of any sort shall arise and in no event will a cause of action lie with any bidder for the recovery of any costs incurred in connection with preparing or submitting a bid in response hereto. All efforts initiated or undertaken by the bidder shall be done considering and accepting this fact. If an IFB is cancelled prior to the bid opening, the bids already received will be returned un-opened to the senders upon their request.

3. EXTENSION OF BID CLOSING DATE

Any bidder may request directly to the HQ MND NE Contracting Officer an extension of the bid closing date. However, the request must reach the Contracting Officer, in writing (facsimile or email is acceptable), not later than 5 calendar days prior to the bid closing date and must include a strong justification for the request. The HQ MND NE Contracting Officer may, at his own discretion, grant an extension of the bid closing date.

4. PRICE FORMAT

The Price Proposal shall be made in accordance with the attached format (Enclosure 1). The basic breakdown on this format is not strictly limited and bidders may expand on these by adding such sub-items as deemed necessary. However, the basic presentation and numbering system cannot change.

Price quotations for any extra, optional or alternative solution shall be duly separated from the proposed format and will be shown on detached sheets.

Price quotations are to be printed on single sided sheets and grouped so as to constitute detachable components.

For any Extra, Optional or Alternative such as extended warranty, first service, call assistance, special tools for maintenance beyond periodical services, etc., the bidder will provide a complementary Price Format.

5. PRICING BASIS

All prices shall be **firm fixed prices** with validity as indicated by the bidder, but which



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shall not be less than **60 days** after the bid closing day for this IFB. HQ MND NE reserves the right to request an extension of validity if a decision cannot be made within this time. Bidders will be entitled to either grant or deny this extension of validity.

Prices are to be at least as favourable as those extended to any Government, Agency, Company, or individual purchasing/leasing quantities, equipment and parts covered by a contract under similar conditions.

6. CURRENCY

Bidders may quote in PLN or own national currency. See also paragraph 14.2 below.

7. EXEMPTION FROM TAXES

According to the NATO / HQ MND NE agreements, performance under this contract is exempted from taxes, duties and similar charges. Where notwithstanding, these are imposed by national regulations, bidders will enclose the list and the amounts of taxes, duties and similar charges which have been included in their bid, with a justification.

8. ORIGIN AND AVAILABILITY OF EQUIPMENT, SERVICE AND PARTS

8.1 ORIGIN OF EQUIPMENT

Only equipment manufactured, assembled or distributed by companies operating in a NATO member country. The same applies to services that shall also be provided out of a NATO member country. If a bidder is not able to apply with this requirement, it must be stated in Enclosure 2 and Enclosure 3a.

A certificate stating the origin of the equipment, service and parts (Enclosure 2) will be completed and signed by the bidder and forwarded as part of the bid.

All offered supplies shall be new and in the latest available version during the validity duration of the bid.

8.2 AVAILABILITY OF EQUIPMENT

The bidder must agree that, in case of a contract as a result of an IFB, he and his subcontractors will maintain and furnish a source of an adequate supply of services, components, spare parts and sub-assemblies to properly maintain or repair the equipment for a minimum period of three (3) years from the contract execution date. To this effect a certification will be completed and forwarded as part of the bid (Enclosure 2).

9. COMPLIANCE STATEMENTS



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Bidder's proposal must be based on a full compliance with the terms, conditions and requirements of the IFB and its future clarifications and/or amendments. The bidder may offer variations in specific implementation and functional details, provided that stated functional and performance requirements of the IFB are fully satisfied.

Each bidder will include in his bid a compliance statement in accordance with Enclosures 3a and 3b. The bidder shall list thereon, when applicable, all deviations from the HQ MND NE General Provision (Part II) and the Specifications (Part III) of the IFB.

In addition to the compliance sheets the bidders must clearly describe what is being offered and how the requirements are met.

Failure to submit a completed compliance sheet may result in disqualification of the bid.

In case of conflict between the Compliance Statement and the detailed evidence or explanations/comments furnished, the detailed evidence or explanations/comments shall take precedence for the actual determination of compliance.

10. CONTENTS OF PROPOSAL

10.1 NUMBER OF COPIES

The bid shall be submitted in one (1) original and one (1) copy, i.e. consisting of two (2) bid packages as described below.

10.2 BID PACKAGES

a. The bid shall be subdivided into two separate parts: the **PRICE PROPOSAL** and the **TECHNICAL PROPOSAL**.

b. The **PRICE PROPOSAL** must include the following as a minimum:

- (1) The Bidder's name, address, point of contact, and numbers for telephone, facsimile, e-mail and Internet site, NIP and REGON, form of business activity: copy of registration documents (for Polish companies extract from KRS, for non Polish nations similar registration number/place etc.) additionally Tax Identification Number (TIN).
- (2) A Table of Contents for the entire bid.
- (3) The Price Quotations in the Price Format, of which a sample is at Enclosure 1.
- (4) The Compliance Statement for Part II – HQ MND NE General Provisions (Enclosure 3a).
- (5) The Terms and Conditions of delivery.
- (6) Any other documents as deemed necessary (references etc.).
- (7) The Certificates of Origin and Availability of Equipment, Service and



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Parts for each offered piece of equipment (Enclosure 2).

c. The **TECHNICAL PROPOSAL** must include the following as a minimum:

- (1) The Compliance Statement for Part III - Specifications - (Enclosure 3b)
- (2) Technical information including all descriptive material, such as illustrations, drawings, layouts, system performance, calculations, and other information as appropriate for a technical evaluation. The objective of the technical information is to determine whether the offer meets all the requirements of the IFB and to identify exactly what the bidder proposes and what HQ MND NE would be purchasing when making the award
- (3) Bidder experience in the supply of similar service.
- (4) List of Patents and/or Copyrights, if any. Identification of all proprietary information.

11. BID SUBMISSION

11.1 LANGUAGE

Bids shall be submitted in the **English and Polish** language unless otherwise stated.

11.2 BID MAILING

Each bid package will be placed in a single envelope including the **PRICE PROPOSAL** and the **TECHNICAL PROPOSAL**. The envelope will be sealed and marked "**Sealed Bid to IFB XX/YY**". The envelope /box containing the sealed bid packages will be placed in another (exterior) envelope or box on which will be glued the mailing label found on Enclosure 4. The bid must be sent to us in hardcopy, it is not possible to forward it as an e-mail.

11.3 BID DELIVERY BY COURIER

HQ MND NE is located in ELBLĄG 10 – 12 ŁĘCZYCKA STREET, in Poland. Bids hand-carried to HQ MND NE or delivered on site by Commercial Courier and Parcel-Delivery Companies must be packed and labelled as indicated in paragraph 11.2 above. Packages are to be handed over to a Staff member of the HQ MND NE **G-8 in Building 2** Łęczycka 10 – 12, 82-300 ELBLĄG (HQ MND NE telephone: +48 261 312 142 and this on working days between 09.00 to 11.45 hrs and 13.15 to 15.45 hrs. The time and date the bid is handed over will be recorded on the envelope or package and the delivery agent will be requested to sign the date/time endorsement, signifying his agreement as to its accuracy.

12. LATE BIDS

The bidder must make every effort to ensure that his bid reaches HQ MND NE before



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or on the exact date and time set for the bid closing. Bids received after that time are late bids. Late bids shall be considered only before the contract has been awarded and on condition that their failure to arrive on time is solely the result of:

- a. A delay in the government channels, i.e. governmental courier service or mail for which the bidder was not responsible. However the bid should have been sent not later than five (5) calendar days before the bid closing, by Registered Mail or by Certified Mail, for which an official Post Office date stamp or the receipt for certification has been obtained.

Note: Commercial Courier or Parcel-Delivery Companies is not considered to be government channels.

- b. Mishandling by HQ MND NE personnel upon or after receipt.

Other late bids cannot be considered for award. These bids will be treated as non-responsive and will be returned un-opened to the bidder, at his expense.

13. BID WITHDRAWAL

A bidder may withdraw his bid up to the date and time specified for the bid closing, by written or facsimile notice to the HQ MND NE Contracting Officer. The bid will be returned un-opened to the bidder, at his expense.

14. BID EVALUATION

14.1 RESPONSIBILITY

The evaluation of Bids and the determination as to the responsiveness and technical adequacy of the services, products and materials offered shall be the responsibility of HQ MND NE and shall be based on information provided by the bidders. HQ MND NE will not be responsible for searching, locating or confirming any information, which is not clearly identified and available in the bid.

14.2 PRICE COMPARISON

For the purpose of price comparison all quoted prices will be converted into Polish Zloty (PLN) on the basis of the average official commercial buying and selling exchange rates of the NATIONAL POLISH BANK at close of business of the last working day preceding the bid closing date.

14.3 EVALUATION PROCESS

- a. The evaluation of bids shall be conducted as follows:



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- (1) Identification of lowest bidder, based on the Price Format(s), with early payment discounts excluded.
 - (2) Assessment of compliance with the bidding, contractual and technical provisions / specifications.
 - (3) Verification of compliance with the required Performance / Delivery schedule.
- b. If the lowest bid is deemed non-compliant then the next lowest bid will be reviewed for compliance. This procedure will continue until the lowest compliant bidder is designated.
 - c. Although Partial Bidding is authorised, bidders must note that for standardisation purpose, HQ MND NE may consider critical that all equipment should be sourced from the same supplier or manufacturer or both.

14.4 CLARIFICATION OF PROPOSALS

During the entire bid evaluation process HQ MND NE Contracting Officer reserves the right to discuss any bid with the bidders in order to clarify what is being offered and to resolve any potential areas of non-compliance. However, no change to the content of the bid, including technical, financial and delivery schedule, shall be permitted.

15. AWARD

A HQ MND NE Contract Award Committee (CAC) will adjudicate contracts to the lowest compliant bidder who has, if required, successfully passed the pre-award demonstration. However, HQ MND NE may award contracts to another bidder based upon a strong justification or operational factors. In this instance and depending on the value of the contract the final approval will be sought from the HQ MND NE Commander or from the HQ MND NE Military Budget Committee prior to making such an award. The CAC proceedings are not public, only CAC final decision will be published to bidders.

16. COMMUNICATION AND CONTACT FOR CLARIFICATION

16.1 COMMUNICATION

Any communication related to an IFB, between a prospective bidder, a bidder and HQ MND NE shall only be through the HQ MND NE Contracting Officer in the first instance. Designated HQ MND NE personnel will assist the Contracting Officer in the administration of this IFB. There shall be no contact with other HQ MND NE personnel. This is to maintain all bidders on equal and competitive footing.

16.2 BIDDERS REQUEST FOR CLARIFICATION



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- a. Prospective bidders should seek clarification as soon as possible. Any explanation desired by a bidder regarding the meaning or interpretation of this IFB, clauses, specifications etc., must be requested in writing (letter or facsimile) from the Contracting Officer. The Contracting Officer must receive such requests for clarification **not later than 5 calendar days before the bid closing date.**
- b. Information given to a prospective bidder will be furnished to all prospective bidders, as an amendment to this IFB, only if such information is necessary to bidders in submitting offers or if the lack of such information would be prejudicial to other bidders. Oral explanations or instructions will not be binding unless confirmed in writing by the Contracting Officer.

16.3 POINTS OF CONTACT:

Major ARTUR ADAMCZYK, Branch Head Contracts

Telephone: +48 261 312 152

Fax: +48 261 312 427

Email address: a.adamczyk@hqmndne.ron.mil.pl

Captain Robert KROCIAK, Contracting Officer

Telephone: +48 727 041 201

Fax: +48 261 312 427

Email address: r.krociak@hqmndne.ron.mil.pl

All correspondence will be forwarded to:

HQ MND NE

CONTRACTING OFFICER

ul. Łęczycka 10 - 12

82-300 ELBLĄG

POLAND