

Warsaw, 14.08.2023 r.

*Purchaser:*

Creotech Instruments S.A.

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### **INQUIRY NO. 10/PIAST/2023**

For the successful realization of the Agreement No. DOB-SZAFIR/10/A/022/01/2021 for the implementation and financing of a project implemented for the benefit of national defense and security under the competition 1/SZAFIR/2020 entitled “The nanosatellite constellation of optoelectronic image recognition PIAST (Polish ImAging SaTellites)” financed by the National Centre for Research and Development, Creotech Instruments S.A. is inviting to submit proposals to procure the object of purchase.

#### **I. Procurement specification:**

The subject of purchase are: Launch Service of all three PIAST spacecrafts and delivery of three separation systems (one per spacecraft):

Due to the confidential nature of the project, all potential bidders must sign a Non-Disclosure Agreement (NDA) with Creotech Instruments S.A. prior to receiving any detailed technical documentation related to the project. The NDA must be signed by both parties in paper or electronic form. The Contracting Authority will provide the necessary documentation within 5 business days of receiving the signed NDA. Bidders who have not yet signed an NDA will not receive any detailed technical documentation related to the project. All potential bidders are responsible for ensuring that any subcontractors or other third parties they work with also sign an NDA before being given access to the documentation. Any breach of this confidentiality clause will result in legal action.

**CPV Code: 60510000-6** – Satellite launch services

1. The proposal that is requested in answer to this Inquiry is described in Annex no 2 (in English) to the Inquiry.
2. The requirements for the subject of the contract are described in detail in Annex no 3 (in English) to the Inquiry.
3. The object of purchase shall be delivered according to dates provided in Annex no 4 (in English) to the Inquiry.

The Purchaser in consultation with the Contractor, may in justified cases, change the date of the contract, as long as it does not contradict the Project implementation schedule.

4. Evaluation criteria:

A. **Criterion – Price** (maximum number of points = 100) - the offer containing the lowest net price will receive the highest number of points and each subsequent one in accordance with the formula:

$$LC = \text{CMIN} / \text{CO} * 100 \text{ points}$$

where:

LC - number of points received for the price criterion

CO - net price of the offer

CMIN - the lowest net price of the offer received in response to the inquiry

**II. Conditions for participation in a procurement procedure:**

Only proposals submitted by tenderers who fulfil requirements below will be assessed.

1. The tenderers shall have required by law regulations entitlements to provide the object of the purchase.
2. The tenderer's economic and financial situation shall allow them to provide the object of the purchase.
3. The tenderers shall not be capital or personally tied to Purchaser or persons authorized to incur liabilities on behalf of Purchaser or persons responsible on behalf of Purchaser for preparing and conducting Tenderer selection procedures.
4. The tenderers shall have necessary technical capacity that is required to provide the object of the purchase.
5. The tenderers have the necessary knowledge and experience required to carry out work specified in the Tender.

The method of evaluating the condition 4 and 5:

1. Documents that proof implementing at least three projects, where:
  - a. Separation systems have been manufactured,
  - b. Manufactured separation systems have been tested in the space environment,
  - c. Manufactured separation systems have the Technology Readiness Level 9,
  - d. Satellites have successfully reached orbit,

2. Documents that prove implementation of relevant projects means a VAT invoice or a declaration on the implementation of a relevant project (in the form of an attachment to the offer).

**III. The place and date of the submission of proposal:**

1. Proposals shall be submitted to the registered office of the Purchaser, at the address: Creotech Instruments S.A., Osmańska 14, Berlin building, 02-823 Warsaw, Poland, or via email address at: [biuro@creotech.pl](mailto:biuro@creotech.pl)
2. Proposals shall be submitted by 13-09-2023. If proposal is supplied by post or courier, the date of delivery to Creotech Instruments S.A. is bounding.
3. Proposals submitted after the last day of period for the submission will not be assessed.
4. The award procedure shall be conducted in the registered office of the Purchaser by 14-09-2023.
5. Results of the award procedure shall be announced via Purchaser's website: [www.creotech.pl](http://www.creotech.pl).
6. Additional information on the subject of purchase may be received from mail: [pmo.support@creotech.pl](mailto:pmo.support@creotech.pl)

**IV. Conditions for the submission of the proposals:**

1. Each Tenderer may submit only 1 (one) proposal.
2. The final pricing for the object of purchase shall be submitted in Annex no. 5 to the request for proposal.
3. The proposal must be submitted in Polish or English language and signed by Tenderer's authorized representative.
4. The proposal price for providing the object of purchase must be in polish zloty (PLN) or euro (EUR) currency and must be presented as gross value (including VAT), net value (excluding VAT) and VAT value.
5. The proposal must have the date of drafting, Tenderer's address, telephone number, email address, VAT identification number.
6. The Tenderers shall be bound by their proposals for the period of 60 days from the last day, on which proposals could be submitted.
7. Statement confirming possession of necessary technical capacity that is required to provide the object of purchase must be submitted with the proposal (Annex no. 6). Statement must be signed by Tenderer's authorized representative.

8. Statement confirming Tenderer's economic and financial situation allowing them to provide the object of purchase must be submitted with the proposal (Annex no. 7). Statement must include information concerning Tenderer in the matter of:
  - not being at risk of bankruptcy, no liquidation proceeding have started, and that the bankruptcy has not been declared,
  - not being in arrears with payments to Treasury.Statement must be signed by Tenderer's authorized representative.
9. Statement of lack of capital and personal ties between Tenderer and Purchaser must be submitted with the proposal (Annex no. 8). Statement must be signed by Tenderer's authorized representative.
10. The tenderers shall bear all their costs connected with their participations in the award procedure initiated by this request for proposal.

**V. Provisions:**

1. The Purchaser will award the tender to the Tenderer, who will fulfil the requirements included in this request for proposal and will submit the most beneficial proposal on the basis of evaluation criteria determined by this request for proposal.
2. When justified, the Purchaser is entitled to cancel the procurement procedure.
3. The Purchaser is entitled to cancel the award procedure anytime to prior to the signature of the contract.
4. The Tenderers are entitled to change or withdraw their proposals before the deadline for submission of proposals. Change or withdrawal shall be made in the same manner as submission of the proposal (par. III, point 1).
5. Proposals which will not fulfil the requirements included in the request for proposal, will not be assessed.
6. During the assessment of proposals, the Purchaser reserves the right to request additional information about the submitted proposal.
7. Proposals submitted after the last day of the period for the submission shall not be assessed.
8. Partial proposals will not be assessed.
9. The Purchaser reserves the right to reject proposals, which technical scope or exceptionally low tender price will be raising justified doubts.
10. If the selected Contractor withdraws from signing the contract with the Ordering Party, it is possible for the Ordering Party to sign the contract with the next Contractor who obtained the next highest number of points in the procedure.

11. The Purchaser reserves the right to negotiate the terms of the contract with the Tenderers.
12. The Purchaser reserves the right to withdraw from the contract during its term, if a delay in the delivery of the subject of the contract may result in the loss of funds from the co-financing allocated for this purpose.

**Annexes:**

Annex no. 1 – Non-disclosure agreement "NDA"

Annex no. 2 – Request for Proposal (under NDA)

Annex no. 3 – Requirements specification (under NDA)

Annex no. 4 – Statement of Work (under NDA)

Annex no. 5 – Offer form

Annex no. 6 – Statement Template 1

Annex no. 7 – Statement Template 2

Annex no. 8 – Statement Template 3