

§7. FORMAL REQUIREMENTS

1. Communication with contractors

a. Persons authorised to communicate with contractors

Contractors may contact BOSMAL to request explanations of the terms and conditions of the contract on business days, from 7 a.m. to 2 p.m. The following persons have been authorised by BOSMAL to communicate with contractors:

- Commercial enquiries: Mr Zbigniew Liszewski – Purchasing and Warehousing Department, e-mail: zbigniew.liszewski@bosmal.com.pl,
- Technical enquiries mgr inż. Janusz Łatanik – Mechanical Testing Laboratory, e-mail janusz.latanik@bosmal.com.pl.

b. Method of communication of BOSMAL with contractors

All the statements, notices, notifications or information will be provided by BOSMAL and contractors as part of the tender procedure in question by fax at 48 33 82 28 846 or by electronic mail to zakupy@bosmal.com.pl, pursuant to Article 27 of the Act. The party receiving any such statement, notice, notification or information must confirm its receipt immediately when requested to do so by the sending party.

The statements, applications/requests, notices/notifications and information referred to above will be deemed made or given at the time of their receipt by the receiving party in such a way that the receiving party could have become aware of their content

c. Procedure for making tender documentation available

Each interested party has the right to familiarise itself with the documentation of the tender procedure in question, upon a request made to BOSMAL. In reply to the request, BOSMAL will be required to specify the place, date and conditions of making the documentation available, in accordance with the rules set out in the Act and the regulation issued under the Act and the Prime Minister's Regulation of 26 October 2010 on the procedure for the award of public contracts (published in Dziennik Ustaw No.233, item 1458), issued under Article 96.5 of the Act.

2 Bid bond

Each Contractor must provide security for its performance of the contract, in the form a bid bond provided before the closing date for submitting tenders and for the tender binding period, in the amount of **PLN 25 000** (twenty-five thousand) or **EUR 6 000** (six thousand).

The bid bond may be provided in any of the forms specified in Article 45.6 of the Act.

If the bid bond is a cash deposit, the amount must be paid into BOSMAL's bank account held with Bank Pekao SA O/Bielsko-Biała:

- for PLN - Account No.: 32 1240 4142 1111 0000 4823 8630;
- for EUR - Account No.: 39 1240 4142 1978 0000 4823 0559; SWIFT: PKOPPLPW;

with the following text in the bank transfer description field: **Bid bond in the open-tender procedure for the award of the Brake Inertia Dynamometer.**

If the bid bond is a cash deposit, the cash deposit will deemed to have been paid on the date when the payment is credited to BOSMAL's bank account.

If the bid bond is provided in any other form acceptable by BOSMAL, it must be enclosed, in the original, with the tender document.

The Contractor's guarantee must be irrevocable, unconditional, drawn up in accordance with the applicable laws and regulations and should contain at least the following:

- a) the name of the Contractor, the beneficiary of the guarantee (BOSMAL), the guarantor (the bank or insurance institution providing the guarantee), including their registered offices;
- b) the claim to be guaranteed,
- c) the guarantee amount,
- d) the validity period of the guarantee,