

TENDER FORM

INFORMATION IDENTIFYING THE ECONOMIC OPERATOR (This section must be completed.)

Name and registered address of the Economic Operator*:

NIP [tax ID number]: REGON [Industry ID No.]:

Phone

E-mail:.....

ePUAP account address:

KRS [company number] / CEiDG [sole trader registration]

Details of the person authorised to communicate with the Contracting Entity:

.....

The tender is submitted by a consortium*.

Information identifying the consortium leader (The leader's power of attorney must be submitted.)

.....

KRS [company number]: NIP [tax ID number]: REGON [Industry ID No.]:

Phone E-mail:

ePUAP account address:

Details of the person authorised to communicate with the Contracting Entity:

.....

Information identifying the members of the consortium

1.....

KRS [company number]: NIP [tax ID number]: REGON [Industry ID No.]:

2.....

KRS [company number]: NIP [tax ID number]: REGON [Industry ID No.]:

3.

KRS [company number]: NIP [tax ID number]: REGON [Industry ID No.]:

In reply to the publication, in the Official Journal of the European Union, of a tender notice inviting tenders for the supply of *a PN10/PN23 solid particle counters for laboratory testing of engines and vehicles*, we hereby submit our tender to Instytut Badań i Rozwoju Motoryzacji BOSMAL Sp. z o.o., prepared on the basis of the Specification of the Terms of the Contract (Specification).

We offer to perform the contract in accordance with the requirements set out in the Specification. The price stated in the tender includes all the discounts and profit margins.

1. **The object of the contract offered in the tender** is as described in the Specification.

The **gross value** of the tender (inclusive of VAT) is PLN

..... in words:

.....zloty (PLN)

2. **We also offer the following as items considered as non-price criteria in tender assessment:**

Quality guarantee period offered (in months)	Number of months: <u>(Specify a number between 24 and 48 months)</u> If no quality guarantee period is expressly offered, the quality guarantee period will be deemed to be 24 months.
Deadline for delivery completion (in weeks)	Number of weeks: <u>(Specify a number between 14 and 28 weeks)</u> The Purchaser shall assume a maximum period of 28 weeks in the absence of a declaration.
Technical parameter	Maximum measurement range of particle number concentration [# /cm³ in single operating mode

2. We agree to supply the object of the contract within **weeks**.
3. We further agree that the object of the contract we offer to supply meets the requirements for the object of the contract set out in the Specification (including the appendices and any amendments made to the Specification prior to the closing date for tenders).
4. We agree to be bound by the tender for the period stated in the Specification of the Terms of the Contract (Specification).
5. We state that we have read the terms of this contract award procedure and accept them without objection.
- 6A. **No part** of the information provided in this tender form **constitutes a trade secret** within the meaning of the regulations on combating competition.* ¹⁾
- 6B. **This tender form / appendices to this tender form is accompanied by a file named** The file contains documents that constitute a trade secret within the meaning of the provisions the Polish Act on combating unfair competition and, therefore, may be not be disclosed to, in particular, other tenderers* ²⁾. The file also contains information that is protected as trade secrets. Below are those pages of the documents in the file that contain information considered as trade secrets.

No.	Information considered as a trade secret. Type of information. Appropriate documents enclosed.	Pages or sections of the tender that contain trade secret information	
		From	To

Please note:

- 1) 'Trade secret' is defined as technical, technological, organisational and/or other information of economic value which as a whole or a specific combination and collection of parts of the information (a) is not generally known to persons normally dealing with this kind of information or (b) is not easily available to such persons, provided that the person authorised to use and/or disclose such information has, while exercising due care, taken actions to keep the information confidential.}
- 2) The Economic Operator must submit this statement only if it is stated in its tender that certain information contained in the tender form and/or the documents submitted together with the tender constitutes trade secret information and if the Economic Operator provides evidence that the reserved information constitutes trade secret information. The Economic Operator may not reserve the information described in s.222(5) of the Act.

* *Cross off if not applicable

This section of the tender form is accompanied by statements and documents as evidence that the reservation of certain information as trade secret information is effective, binding and in accordance with the requirements of s.18(3) of the Act.

7. If the Economic Operator has submitted a tender which, if selected as the most advantageous tender, would result in the Contracting Entity's tax liability under the Polish VAT Act of 11 March 2004 (Dz.U. [Journal of Laws] of 2023, items 1570, as amended), the Contracting Entity will increase the price or cost item offered in the tender by the VAT amount payable by the Contracting Entity.

If the Economic Operator's tender, if selected, will result in such a tax liability, the Economic Operator must

- a) inform the Contracting Authority that the tender, if selected, will result in the Contracting Entity's tax liability. Will the tender result in the Contracting Entity's tax liability? **YES/NO***

- b) Specify the name (or kind) of the goods and/or services the supply of which will result in a tax liability for the Contracting Entity:

.....
(name/kind)

- c) Specify the net amount of the goods and/or services subject to VAT:

.....
(net amount of the goods and/or services)

- d) Specify the VAT rate that the Economic Operator believes will apply:

.....
(applicable VAT rate)

8. We state that have complied with our information obligations under Article 13 or Article 14 of the GDPR in relations to individuals whose personal data we have obtained directly or indirectly to tender for the public contract in this contract award procedure.

9. Is the Economic Operator a microenterprise, a small enterprise or a medium-sized enterprise?

(Please check one box only.)

- microenterprise,
- small enterprise,
- medium-sized enterprise,
- large enterprise,
- sole trader,
- non-business individual,
- other.

Important:

Cf. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ EU L 124 of 20 May 2003, p. 36). This information is required for statistical purposes only.



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A microenterprise is defined as an enterprise which employs fewer than 10 persons and whose annual turnover and/or annual balance sheet total does not exceed EUR 2 million.

A small enterprise is defined as an enterprise which employs fewer than 50 persons and whose annual turnover and/or annual balance sheet total does not exceed EUR 10 million

A medium-sized enterprise is defined as an enterprise which is not a microenterprise or a small enterprise and which employs fewer than 250 persons and which has an annual turnover not exceeding EUR 50 million, and/or an annual balance sheet total not exceeding EUR 43 million.

STATEMENT CONCERNING MEASURES TO PREVENT SUPPORT FOR RUSSIA'S AGGRESSION AGAINST UKRAINE

10. **Statement(s) by the Economic Operator/Economic Operators tendering for the contract jointly**, concerning grounds for exclusion under Article 5k of Regulation 833/2014 and s.7(1) of the Polish Act of 13 April 2022 on special measures to prevent support for Russia's aggression against Ukraine and to protect Poland's national security (Dz.U. [Journal of Laws] of 2023, item 1497, as amended).

Important! Where two or more Economic Operators are tendering for the contract jointly, the statement below must be made (submitted) by each of the Economic Operators tendering jointly.

STATEMENTS CONCERNING THE ECONOMIC OPERATOR

- A. 1. I hereby state that I am not subject to exclusion under Article 5k of Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ EU L 229 of 31/07/2014, page 1, "Regulation 833/2014"), according to Council Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ EU L 111 of 8 April 2022, p. 1, "Regulation 2022/576").
- B. I hereby state that I am not subject to exclusion under s.7(1) of the Polish Act of 13 April 2022 on special measures to prevent support for Russia's aggression against Ukraine and to protect Poland's national security.



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INFORMATION CONCERNING AN ECONOMIC OPERATOR'S RELIANCE ON THE ABILITY AND/OR SITUATION OF AN ENTITY PROVIDING RESOURCES, WHERE SUCH PROVISION EXCEEDS 10% OF THE VALUE OF THE PUBLIC CONTRACT

[IMPORTANT: Complete this section only in the case of an entity providing resources on whose abilities and/or situation the Economic Operator relies to the extent that such provision exceeds 10% of the value of the public contract. If the Economic Operator relies on the abilities and/or situation of more than one entity providing resources to the extent that such provision exceeds 10% of the value of the public contract, please complete the following statement for each such entity.]

I hereby state that in order to demonstrate that I meet the eligibility-to-tender criteria set out by the Contracting Entity in the Specification, I rely on the abilities and/or situation of the following entity providing resources:

(Specify the name, address and, depending on the legal form of the entity, the entity's NIP [tax ID number] / PESEL [national identification number] / KRS [company number] / CEiDG [sole trader registration]

The entity will provide the following resources: _____
(Specify the resources to be provided by the above entity.)

The above resources to be provided by the entity account for more than 10% of the value of the public contract.

A STATEMENT CONCERNING A SUBCONTRACTOR RESPONSIBLE FOR MORE THAN 10% OF THE VALUE OF THE PUBLIC CONTRACT

[IMPORTANT: Complete this section only in the case of a subcontractor (other than an entity providing resources) that is responsible for more than 10% of the value of the public contract. If the Economic Operator has engaged more than one subcontractor whose abilities and/or situation the Economic Operator does not rely on, but which is responsible for more than 10% of the value of the public contract, please complete the following statement for each such subcontractor.]

I hereby state that the below-named subcontractor responsible for more than 10% of the value of the public contract:

(Specify the name, address and, depending on the legal form of the entity, the entity's: NIP [tax ID number] / PESEL [national identification number] / KRS [company number] / CEiDG [sole trader registration]

is not subject to exclusion from the contract award procedure under Article 5k of Regulation 833/2014 as worded in Regulation 2022/576.

A STATEMENT CONCERNING A SUPPLIER RESPONSIBLE FOR MORE THAN 10% OF THE VALUE OF THE PUBLIC CONTRACT

[IMPORTANT: Complete this section only in the case of a supplier that is responsible for more than 10% of the value of the public contract. If the Economic Operator has engaged more than one supplier that is responsible for more than 10% of the value of the public contract, each of the Economic Operators tendering for the contract jointly must submit this statement.]

I hereby state that the below-named supplier responsible for more than 10% of the value of the public contract:

(Specify the name, address and, depending on the legal form of the entity, the entity's NIP [tax ID number] / PESEL [national identification number] / KRS [company number] / CEiDG [sole trader registration])

is not subject to exclusion from the contract award procedure under Article 5k of Regulation 833/2014 as worded in Regulation 2022/576.

STATEMENT OF TRUTH

11. I state that all the information I have given in the above statements is true and accurate. I further state that I know and understand the consequences of providing misleading information to the Contracting Entity in any of the above statements.

This tender form is accompanied by the following appendices:

1.
2.
3.
4.
5.
6.
7.

.....
Qualified electronic signature of the Economic Operator's authorised representative

**Cross off if not applicable*