

Poznań, February 27<sup>th</sup> 2023

**CALL FOR TENDERS  
regarding  
SUPPLY OF:  
50 TONS OF ALUMINUM EXTRUSION INGOTS**

**I Purchaser**

Albatros Aluminium Sp. z o.o., 1/27 Czartoria Street, 61-102 Poznań, Poland  
Phone number: + 48 061 8533550  
Fax number: + 48 061 8557241  
E – mail address: prawo@albatros-aluminium.com

**II Subject of tender**

1. The subject of order shall be SUPPLY of:

- 50 tons of aluminium extrusion ingot as a part of project „Nowe powłoki zwiększające trwałość narzędzi w procesach kucia i wyciskania”, contract for the grant no. TECHMATSTRATEG-III/0017/2019-00. Project shall be co-founded by Narodowe Centrum Badań i Rozwoju as a part of programme Strategiczny Program Badań Naukowych i Prac Rozwojowych „Nowoczesne technologie materiałowe” TECHMATSTRATEG.

Deadline of delivery as of call-off: 30 days as from call-off. Call-off shall take place not later than on June 30<sup>th</sup> 2023.

Place of delivery: Wałcz (78-600), ul. Południowa 36, Poland

2. Minimum demands regarding subject of tender:

- alloy 6005A - 50 tons (acceptable tolerance +/- 10%) in one or two call - offs
- the alloy must meet the requirements of the standard EN 573-3 or equivalent
- required ingot parameters in terms of length thereof 5800-7300 mm (acceptable tolerance +/- 10mm)
- diameter 178 mm (acceptable tolerance +/- 2 mm)
- incoterms 2000 delivery formula: DDP Wałcz

If the description of the subject of the order includes: the name of the particular manufacturer, the name of the particular product, this should be treated only as a help in the description of the subject of the order. In each case, products equivalent in terms of design, materials, functionality are acceptable. If the description of the subject of the order indicates any trademark, patent or origin, it is to be assumed that the patents, trademarks and origin indicate technical, operational and usability parameters, which means that the Contracting Party accepts proposals in this part of the subject of the contract with equivalent technical, operational and usability parameters.

3. Partial offers shall not be allowed.

4. Each offer should include:

- Premium net price for 1 ton of aluminum ingot expressed in USD

- Net upcharge regarding 6005A alloy for 1 ton of aluminum ingot expressed in USD

provided, that base price of aluminum expressed in USD shall be determined via phone/online pursuant to LME 3 MTH Ask not later than 7 days in advance before planned deliver and shall be adjusted including contango/backwardation.

Total fixed net price of subject of tender shall be calculated in a following manner:

[LME 3 MTH Ask (as defined above) for 1 ton of aluminum alloy + offered premium for 1 ton of aluminum ingot + offered upcharge for 1 ton of aluminum ingot] x50

And shall be converted into Euro pursuant to LME exchange rate as from pricing date.

- fixed date (deadline) of delivery calculated as from call-off,
  - terms and dates of payments
- (otherwise shall be null and void).

5. Each offer shall also:

- indicate date of its validity (duration of the offer) not shorter than 60 days as from expiry of term for making offers hereto as stipulated under Clause IV point 1 (deadline for the tenderers), and
  - has to be signed by duly authorized representative of the tenderer
- otherwise shall be null and void.

6. Purchaser shall be entitled to ask tenderer for further information and/or explanation in order to verify whether offered price has not been grossly undersold and/or whether tenderer has actual ability to perform with regard to subject of tender. Should the offered price has been grossly undersold and/or required information suggests risk of non fulfillment or improper fulfillment of subject of tender by tenderer and/or non fulfillment of requirements as set forth under section III point 1, 2 and/or 3 Purchaser shall be entitled to reject the offer in question.

### III Requirements towards tenderers

Each tenderer shall be obliged to fulfill all following requirements under a penalty of rejection of tenderer:

1. tenderer does not fulfill any of rejections criterion as stipulated under article 108 of Polish Act of public procurement law (hereinafter: the Act). Fulfillment of any of criterion stipulated in abovementioned articles shall result in rejection of tenderer. Each tenderer may prove fulfillment of herewith requirement by placing a proper declaration, draft of which is attached hereto, provided however that Purchaser reserves the right to verify this requirement by other means;
2. tenderer fulfills criterion mentioned in article 57 of the Act. Each tenderer may prove fulfillment of herewith requirement by placing a proper declaration, draft of which is attached hereto, provided however that Purchaser reserves the right to verify this requirement by other means;
3. tenderer fulfills all following conditions:

- tenderer is not linked to, is not subsidiary, co-subsiary nor parent company, within the meaning of Polish Act of Accountancy, in relation to Purchaser; and
- neither tenderer nor members of its bodies remain in such a factual and/or legal relation to Purchaser, which could justify doubts regarding impartiality while accepting supplier of goods or services, in particular remain in a marriage relationship, in a family relationship or affinity in a straight line, relationship or affinity in the collateral line to the second degree, or in a relationship of adoption, guardianship or custody, including but not limited to presence of the Purchaser in managing bodies of the tenderer; and
- tenderer is not linked enterprise nor partner enterprise within the meaning of Commission Regulation (EU) no 651/2015, in relation to Purchaser; and
- tenderer is not personally related to the Purchaser within the meaning of Polish Value Added Tax Act.

Each tenderer may prove fulfillment of herewith requirement by placing a proper declaration, draft of which is attached hereto, provided however that Purchaser reserves the right to verify this requirement by other means.

#### **IV Time limit, form and address for making offers**

1. Complete offers are to be made in writing, in Polish or English, and delivered personally in a closed package or envelope, not later than on March 10<sup>th</sup> 2023, 4:00 p.m. (deadline for tenderers). The destination address for making offers shall be Purchaser's premises: ul. Czartoria 1/27, 61-102 Poznań, Polska (each offer shall be considered made on a date when it has been delivered to the address set forth above, except for the case stipulated under clause 2 below).
2. The offers may also be sent by post, in a registered form, or by courier providing however that in each case the offer shall be considered made on a date when it has been delivered to the address set forth under clause 1 above. The offer may also be sent by e-mail directly to [prawo@albatros-aluminium.com](mailto:prawo@albatros-aluminium.com)
3. Validity of each offer shall be 60 days calculated as from the deadline for tenderers. During the said period the offers made shall be reviewed by the Purchaser and required explanation shall be given.
4. Each offer shall be accompanied by following attachments otherwise shall be null and void:
  - Document stipulated under section III point 1-3.

Foreign tenderers are allowed to attach documents equal to the abovementioned.

Each documents are to be original or certified true copy or scans thereof in case of offers sent by e-mail.

Should the tenderer not fulfill any of the requirements described under section III or IV he shall be excluded and the offer shall be rejected.

#### **V Offers' assessment criteria**

In the assessment and review process shall only be verified the offers meeting jointly requirements set forth under section II and IV above.

When selecting the most advantageous offer, the Purchaser will use the following criteria: sum of Premium net price for 1 ton of aluminum alloy expressed in USD and net upcharge regarding 6005A alloy for 1 ton of aluminum alloy expressed in USD.

The highest number of points (i.e. 100) will be awarded to the offer offering the lowest sum as defined above. The price should be given to 2 decimal points.

For the purpose of evaluation amounts expressed in EURO or USD shall be converted into PLN pursuant to middle exchange rates of NBP as of the date fixed hereto as the last day for placing offers, published on <http://www.nbp.pl/home.aspx?c=/ascx/archa.ascx>

The number of points for each subsequent offer will be calculated as follows:

$$\text{Number of points} = \left[ \frac{\text{the lowest sum of premium and upcharge}}{\text{evaluated sum of premium and upcharge}} \right] \times 100$$

#### **VI Acceptance of the offer**

1. The offers' assessment and acceptance shall be conducted by Purchaser's committee.
2. The present proceeding and acceptance of the best offer shall be conducted with the observance of rules of fair competition, fair treatment, efficiency, openness and transparency. At the same time the Purchaser declares that he shall make his strongest effort to provide impartiality and objectiveness of the final acceptance.
3. From amongst the offers made according to section II and IV, the offer gaining majority of points pursuant to section V above shall be accepted (the best economic offer).
4. The Purchaser shall have the right to terminate this proceeding at each stage and/or to withdraw from this proceeding without acceptance of any offer made and without being obliged to give explanation.
5. Should the Purchaser accept any of the offers made, execution of the contract shall take place by giving a representation accepting the specific offer placed in this proceeding. Respective supply shall take place upon call-off placed by Purchaser.

#### **VII Miscellaneous**

1. Any questions regarding present proceeding should be put in a written form on address: ul. Czartoria 1/27, 61-102 Poznań, Polska or on e-mail address: [prawo@albatros-aluminium.com](mailto:prawo@albatros-aluminium.com)
2. Answers to the abovementioned questions shall be given promptly in the same form.
3. Provisions of Polish Civil Code shall apply to any matter that has not been regulated hereto.
4. This call for tenders together with schedules hereto has been displayed also at Purchaser's premises as well as on following web site: [www.albatros-aluminium.com](http://www.albatros-aluminium.com)