



EZP.26.242.6.2021.NM

Warsaw, 4 March 2022

Public procurement procedure: **Scientific and research service aimed at exploration and identification of areas of occurrence of polymetallic massive sulphide deposits on the Mid-Atlantic Ridge**, No.: EZP.26.222.2021.

#### CLARIFICATION OF THE CONTENT OF THE TENDER INQUIRY

The Ordering Party informs that it has received questions to the content of the tender inquiry. Their content and explanations are provided below.

##### Question 3:

In your specifications you indicate that the Project manager must have the necessary experience and that he must be present on board.

Usually, this role is that of the Party chief who is the interface of the customer representative on board, the Project Manager remains ashore and interacts with the customer.

thank you for confirming this distribution of roles in the organization of the mission

##### Answer:

The person responsible for the success of the offshore party of the project must have the required qualifications (Party Chief). P.C. report to a person who is responsible and coordinates the whole project, including the onshore party (Project Manager), with proven qualifications and experience. This person does not have to be on board. Both should be involved in the discussion and mission preparation process.

##### Question 4:

in the attachments 2 you indicate, item 8 :

8. The attachments to this form are:

a. ....;

b. ....;

c. ....

What are you expected? we don't understand at what document you refer

##### Answer:

The tender shall be supplemented by:

- a) formal documents of the Tenderer, such as information from a relevant register, such as a court register, or, if there is no such register, another equivalent document issued by a competent judicial or administrative authority of the country where the Tenderer has its registered office or place of residence, which shows the power or basis to represent the Tenderer;
- b) if the Tenderer is represented by a representative, the power of attorney shall be attached to the tender and signed by a person/s authorized to represent the Tenderer. The content of the power of attorney has to clearly indicate the activities that the attorney is authorized to perform (scope of authorization);
- c) initial plan of execution of the service together with the schedule of the proposed offshore survey, as well as information concerning organization of work and workflow, including the methods of ensuring quality of collected data and its control, as well as methods of recording and safe storage.

##### Question 5:

It is requested to embark 10 people from the PGI / ISA for the duration of the mission at sea. is this staff constrained by a boarding time limit?

##### Answer:

Anticipated PGI-NRI representatives have no time constraints on embarkation date and cruise length, including necessary procedures. It is not excluded that the final number of individuals designated to participate in the cruise will be lower.

##### Question 6:

In order to ensure transparency, tenders must be submitted with a complete set of documentation and qualified signatures via a tendering platform to which the potential contractor must register (Register here: <https://platformazakupowa.pl/register/>)

what do you expect by qualified signature? the link on the platform seems not to be available? do you have another link?

##### Answer:

A qualified electronic signature is an electronic signature that is compliant with EU Regulation No 910/2014 (eIDAS Regulation) for electronic transactions within the internal European market. It enables to verify the authorship

of a declaration in electronic data exchange over long periods of time. Qualified electronic signatures can be considered as a digital equivalent to handwritten signatures.

#### Question 7:

1. Please confirm if WithHolding Tax (WHT) will be applied to the pricing.
  2. If yes to above item 1, Please confirm 10% WHT will be applied or confirm percentage of WHT.
  3. Tender Inquiry documents quote all prices to be in Euro (EUR), but the purchasing platform requests rates to be entered in Poland zloty (PLN). Please confirm the currency to be entered.
  4. Within the purchasing platform (<https://platformazakupowa.pl/pn/pgi>), Subject of request section makes provision for VAT. Please confirm what VAT is applicable to this tender; and is this in addition to the WHT?
- For item 3 & 4 we upload a screenshot to avoid ambiguities.

#### Answer:

1&2

According to 15.8 Proposal of provisions of the Contract between the Ordering Party and the Contractor attached to the proceedings:

The CONTRACTOR shall provide on demand of the COMPANY in original an up-to-date certificate of tax residence of the CONTRACTOR issued by the relevant tax authority and a dully executed declaration of beneficial ownership of the CONTRACTOR. Failure to provide these documents may result in the Polish withholding tax being charged and deducted from the CONTRACTOR's Remuneration.

Income tax is paid in Poland by the taxpayer (CONTRACTOR) but is collected as the COMPANY as the tax remitter.

In case of the existence of international agreements between Poland and the Contractor's country of residence with respect to avoidance of double taxation, and providing up-to-date certificates confirming the country of tax residence and declaration of beneficial ownership, the Contractor may avoid having his remuneration decreased by the withholding tax.

In the absence of relevant international agreements between Poland and the Contractor's country of residence or in the absence of required documents, the WHT tax is collected by the COMPANY (PGI-NRI) by deducting 20% of the amount due and remitting this amount to the tax office in Poland. In this case, the Contractor will receive a certificate confirming payment of the WHT tax in Poland.

- 3 On the platform it is not possible to change the currency to other than PLN. The contractors type the amount in EURO according to the information in the documents. It should not be converted into PLN.
4. Contractors shall transfer to the platform the amount from the offer form, without indicating the tax rate.

#### Question 8:

you are publishing today a new extension of the response deadline to March 18, 2022.

Do you maintain the realization of the survey between May 15 and September 15, 2022?

#### Answer:

Yes, we are going to proceed with the Leg 1 still within the weather window provided of the 2022.

We are aware that due to the need to make the necessary arrangements, including within the expected technical reports, the start date of the survey work in Q2 2022 may be jeopardized.

#### Question 9:

Following the new extension of deadlines (1) are you modifying the conditions for submitting the offer?

(2) do you modify the scope of work?

#### Answer:

At this stage we make no changes to the conditions of participation in the submission of tenders and selection of the contractor. The nature of the participation of the contracting authority's representatives in the Leg 1 will be mentioned in the SoW. The changes will apply to the model contract provisions and will include, among others, the terms of payment, as follows:

10% of the contract value after signing the contract for which the contractor must provide a bank guarantee.

10% after completion of the design phase and acceptance of the technical reports

20% upon successful completion of mobilization

30% upon successful completion of demobilization and transfer of data

30% upon acceptance of the final reports related to the processing and interpretation of data.

In addition, the terms of the contract specify the conditions for the transfer of works and intellectual property to be delivered that will be announced by 11.03.2022.

**Question 10:**

In light of the recent extension to the submission deadline of the tender, could you please confirm if there's any extension allowed to the contract dates such as execution dates or the completion date?

**Answer:**

We are mindful of the complications for potential contractors resulting from the delay in the entire contractor selection process. We appreciate the commitment and willingness to complete the survey work to date.

We anticipate that the entire project should take no longer than 300 days. Taking into account the weather window for conducting survey in the study area, the project shall be accomplished still before end of 2022 (submitting final reports with data interpretation).

**Question 11:**

The deadline for your offer has been postponed to the 18th of March 2022 without any change of the SoW and schedule. This new deadline has implications regarding the planning for the mission at sea and risk of stand-by weather. Our offer in date of the 15th of February 2022 considers the mission at sea during this summer and so a low probability of weather stand-by. A report of the survey has implication regarding the weather stand-by and so the lump-sum we propose in our offer.

This new deadline has implications regarding the availability of the survey vessel (....) we propose in our offer in date of the 15th of February 2022 has to be reserved urgently for our offer still to be valid.

Please indicate the most probable schedule for the realisation of the operation.

**Answer:**

Thank you for your questions and all your concern. Please consider our answers to the questions 8, 9 and 10 (above).

The deadline of 18.03.2022 is the final date for submitting offers - we exclude its extension.

We are able to inform about awarding the contract by 31.03.22. The contract shall be signed within next 10 days which should begin the project design phase and the completion of technical reports.

**Dr. Engr. Mateusz Damrat**  
DIRECTOR  
Polish Geological Institute  
- National Research Institute  
/digitally signed/