



Warsaw, 23.12.2021

Public procurement: No. CRZP/26/1734/2021

TENDER INQUIRY

1. Ordering party:
*Polish Geological Institute - National Research Institute with registered office in Warsaw (address: 4 Rakowiecka Street, 00-975 Warsaw), entered in the Register of Entrepreneurs of the National Court Register held by the District Court for the Capital City of Warsaw in Warsaw, XIII Economic Division of the National Court Register under the number 0000122099, NIP: 5250008040, Regon: 000332133, hereby presents a tender inquiry for an order that is exempt from the application of the provisions of the Act of September 11, 2019. - Public Procurement Law (i.e. Journal of Laws of 2021, item 1129, as amended) entitled: **Scientific and research service aimed at exploration and identification of areas of occurrence of polymetallic massive sulphide deposits on the Mid-Atlantic Ridge***
2. Scope of Work – attachment no. 1 to the tender inquiry.
3. Contract Site - the exploration area is covered by the Contract with the International Seabed Authority is located in the northern part of the Mid-Atlantic Ridge, between the area covered by the Portuguese Continental Shelf Extension Request and the French (IFREMER) exploration area.
4. Contract completion date: no later than December 15, 2022, including:
 - 1) execution of the surveys between May 15 and September 15, 2022,
 - 2) execution and submission of the final data interpretation to the Ordering Party no later than 3 months after completion of the surveys.
5. Requirements for Tenderers:
 - 1) Knowledge and Experience:

The Tenderer will meet the condition if can demonstrates that within the last five (5) years before the deadline for submission of tenders, and if the period of activity is shorter, in this period - has performed a minimum of one (1) service consisting of exploration of deep-sea areas, i.e. measurements of the bottom surface and acoustic and physico-chemical properties of the water column carried out from the board of vessels using remote measurement methods, including in particular the acquisition, processing and interpretation of data: bathymetric data collected using a high-resolution multibeam echo sounder (MBES), acoustic backscatter, acoustic and physico-chemical data of the water column, magnetic anomalies.

To confirm fulfilment of this condition the Ordering Party requires submission of a list of services (attachment No. 2 to the tender inquiry) including the scope of performed surveys, purpose, place and entity for which the service was performed, together with evidence stating whether the service was performed properly, whereas the evidence referred to are references or other documents issued by the entity for which the service was performed, and if for objective reasons the Tenderer is unable to obtain such documents - a statement by the Tenderer.
 - 2) Technical potential:

The Tenderer will meet the condition if can demonstrate that will have the necessary technical potential to perform the contract, including at least one (1) vessel prepared to safely perform the subject service, equipped with survey systems required for proper implementation of the full range of services specified in the Scope of Work. In order to confirm that the above condition is met, the Ordering party requires the submission of a List of equipment (Appendix No. 3 to the tender inquiry) containing the list and specification of equipment to be used by the Tenderer in order to perform the subject matter of the contract.
 - 3) Personnel participating in the contract performance:

The Tenderer will meet the condition if he demonstrates that for the execution of the contract will have at its disposal persons with education and professional experience necessary for the execution of the subject matter of the contract including, at least:
 - a) project manager - one (1) person, having a university degree in the field of marine geosciences and at least five (5) years of professional experience in deep-sea exploration using remote sensing methods (geophysical, acoustic and physico-chemical), and interpretation of the obtained data, including those conducted onboard vessels;
 - b) specialist for hydrographic and geophysical surveys - four (4) persons with a degree in hydrography, geophysics, marine physics, oceanography or geology with at least three (3) years of professional

experience in the conducting of seabed measurements by remote methods, data processing and elaboration of results;

- c) specialist for measurements of the physico-chemical parameters of the water column - two (2) persons, with a higher education in the field of marine physics or oceanography and a minimum of three (3) years of professional experience in conducting measurements, processing and elaboration of the physico-chemical water column data.

In order to confirm that the above condition is met, the Ordering Party requires the submission of a list of persons (Annex 4 to the request for quotation) directed by the Tenderer to perform the contract, together with information on their experience and education necessary to perform the contract in question, as well as the scope of their planned duties.

Attention: One person can perform only one function in the team, the Ordering Party does not allow the same person to be indicated for more than one function.

Each of the listed persons must be physically present on board during mobilization and cruise and must be fluent in English.

6. Tender Evaluation Criteria

When selecting the most advantageous offer, the Ordering Party will be guided by the following criteria and their importance:

| Name of criterion | Weight in points |
|-------------------|------------------|
| Price | 85 |
| Quality | 15 |

- 1) Method of calculating the point value in the criterion of **Price (P)**:

$$P = \frac{\text{lowest price}}{\text{price of the examined offer}} \times 85 \text{ pt.}$$

The maximum score for this criterion is 85 points.

- 2) Method of calculating the point value in the criterion of **Quality (Q)**:

An offer within the Quality criterion may receive the following number of points for the offered quality of measurement data if the spatial resolution of bathymetric measurement data of MBES obtained at the reference depth of 3,000 m, as declared by the Tenderer, is within the following ranges:

| (Q) | Minimum value | Maximum value | Weight in points |
|------------------------|---------------|---------------|------------------|
| It is in the range of: | > 70 m | <= 80 m | 0 pt. |
| It is in the range of: | > 60 m | <= 70 m | 5 pt. |
| It is in the range of: | > 60 m | <= 60 m | 10 pt. |
| It is in the range of: | < 50 m | – | 15 pt. |

The maximum number of points for this criterion is 15 points.

The selection of the most advantageous offer will be based on the number of points obtained on the basis based on the aforementioned tender evaluation criteria. The most advantageous offer will be an offer, which obtains the highest number of points - "H", based on the offer evaluation criteria calculated according to the formula:

$$H = P + Q$$

where:

H = total number of points obtained for each criterion,

P = number of points obtained in the Price criterion,

Q = number of points obtained in the Quality criterion.

7. Important contract provisions: (warranty, deadlines, terms of acceptance and payment, anticipated changes in the agreement and conditions of such changes): constitutes Annex 6 to the tender inquiry.
8. Offers on the form enclosed as Annex No. 2 to this tender inquiry should be submitted via the purchasing platform available at: <https://platformazakupowa.pl/pn/pgi>
9. The offer and any attachments should be affixed with a qualified electronic signature by an authorized person.
10. 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.
11. **The deadline for submission of tenders is 11.02.2022 at 23:59 CET.**
12. The tender validity period is 60 days from the tender submission deadline.
13. Procurement carried out by the Ordering Party via the purchasing platform takes place using the website <https://platformazakupowa.pl/pn/pgi> which means that tenders submitted otherwise than via the platform are not accepted. The Ordering Party shall inform Tenderers of the selection of the most advantageous tender, indicating the name of the Tenderer whose offer was selected. This message will be published on the purchasing platform in the "Announcements" section.
14. Communication between the Ordering Party and Tenderers, in particular the submission of declarations, requests, notices and the transmission of information, takes place via the Platform - "Send a message to the Ordering Party" form, available on the Platform page for a given procedure. The date of submission (receipt) of declarations, requests, notifications and information shall be considered the date on which they are sent via the Platform by clicking the "Send message to the Ordering Party" button, after which a message will appear that the message has been sent to the Ordering Party.
15. The Ordering Party informs that detailed instructions for submitting, amending and withdrawing a tender can be found in the "Instructions for Bidders" tab on the website at: <https://platformazakupowa.pl/strona/45-instrukcje>
16. Person authorized to contact the Bidders: Ms. Natalia Mosiądz, e-mail: natalia.mosiadz@pgi.gov.pl, on working days from Monday to Friday between 9 a.m. and 3 p.m. (CET).
17. The elements of the tender that the Tenderer intends to reserve as the secrecy of the entity within the meaning of Article 11 (2) of the Act of 16 April 1993 on unfair competition shall be marked and described as "secrecy of the entity". In this case, appropriate justification shall be submitted with the tender.
18. Other Information:
 - 1) The Ordering Party reserves the right to amend this Tender Inquiry before the deadline for submission of tenders.
 - 2) Tenders in the procedure are public.
 - 3) The Tenderers may modify or withdraw their tender by notifying the Ordering party before the tender submission deadline.
 - 4) A tender and its appendices must be in English, legible, logical, in writing using a writing medium which cannot be removed without leaving traces.
 - 5) All prices shall be stated in Euros (EUR) to two decimal places and all payments shall be made in Euros, in accordance with applicable regulations.
 - 6) The Economic Operator may ask the Ordering Party to clarify the contents of the tender inquiry. The Ordering Party shall provide the Tenderer with the answers to their questions without disclosing the source of the question, and if the inquiry is available on the website, it shall be published on the Platform.
 - 7) The Ordering Party may demand explanations from the Tenderer regarding the contents of submitted tenders and supplementation of the requested documents and statements.

8) The Ordering Party reserves the right to correct in the Economic Operator's tender: obvious clerical and accounting errors as well as other errors which do not cause significant changes. In the case of calculation errors, the Ordering Party shall accept as correct the net unit prices and recalculate the tender according to the method indicated in Appendix No. 2 to the request for quotation (Tender Form).

9) Tenders submitted under a condition, after the deadline and variant (alternative) tenders will be rejected.

10) The Ordering Party may request explanations if the price of a tender (or its significant components) seems abnormally low particularly in relation to the subject matter of the contract and raises doubts of the Ordering Party to the possibility of performing the subject matter of the contract in accordance with the requirements specified by the Ordering Party or resulting from separate regulations, including submission of evidence regarding price calculation.

11) If in a procedure the only criterion for evaluation of tenders is the price and it is impossible to select the winning tender due to the fact that tenders with the same price have been submitted, the Ordering Party shall have the right to call upon the Tenderer who submitted tenders to submit additional tenders within the established time limit. When submitting additional offer the Tenderer cannot offer less advantageous conditions than those offered in their tenders.

12) The Ordering Party reserves the right to score offers based on the criteria specified in the request for quotation first and then examine only the offer of the Economic Operator who received the highest number of points regarding the offer evaluation criteria. The Ordering Party may not examine the remaining tenders.

13) If the Economic Operator, whose tender was considered the most advantageous, evades entering into a public procurement contract, the Ordering Party may choose the most advantageous tender from among the remaining tenders.

14) The Ordering Party reserves the right not to award a contract which is the subject matter of this procedure without giving any reason and to cancel the procedure.

15) The Ordering Party reserves the right not to award a contract in the event of not receiving two valid bids. In such a situation, the Ordering Party reserves the right to repeat the procedure.

19. In accordance with Article 13(1) and (2) of Regulation (EU) 2016/679 of the European Parliament and of the Council (EU) of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Official Journal of the EU L 119 of 04.05.2016, p. 1), hereinafter "RODO", the Ordering Party informs that:

- the controller of your personal data is the Polish Geological Institute - National Research Institute, 4 Rakowiecka Street, 00-975 Warsaw, phone no. (+48) 22 45 92 000, fax no. (+48) 22 45 92 001, e-mail: biuro@pgi.gov.pl;
- the controller appointed a data protection officer whom you can contact in matters concerning protection and processing of your personal data at the following e-mail address: iod@pgi.gov.pl or in writing to the address of PGI-PIB headquarters;

- Your personal data will be processed pursuant to Article 6(1)(c) of RODO for the purpose of conducting the public procurement proceedings in question and concluding a contract, and the legal basis for the processing is the legal obligation to apply formalized procedures for the award of public contracts incumbent on the Ordering Party;

- the recipients of your personal data will be persons or entities to whom the documentation of the proceedings will be made available on the basis of Article 18 and Article 74 of the Public Procurement Law (PPL);

- Your personal data will be stored, in accordance with art. 78 par. 1 of the PPL, for a period of 4 years from the date of completion of the contract award procedure, and if the duration of the contract exceeds 4 years, the storage period covers the entire contract duration;

- the obligation to provide personal data concerning you directly is a requirement specified in the provisions of the PPL Act, related to participation in the public procurement procedure; consequences of failure to provide certain data result from the PPL Act;

- with regard to your personal data, decisions will not be taken in an automated manner, pursuant to Article 22 RODO;

- You have:

- a. pursuant to Article 15 RODO the right to access personal data concerning you;

- b. pursuant to Art. 16 RODO the right to correct or supplement your personal data, while exercise of the right to correct or supplement your personal data shall not result in changing the outcome of the public procurement procedure or amend the provisions of the agreement to the extent inconsistent with the PPL Act, and shall not affect the integrity of the protocol and its annexes);

- c. pursuant to Article 18 RODO the right to demand from the controller restriction of processing of personal data, subject to cases referred to in Article 18 paragraph 2 RODO, however the right to restrict processing shall not apply in relation to storage, in order to ensure the exercise of legal remedies or to protect the rights of another natural or legal person, or due to important considerations of public interest of the European Union or a Member State, and shall not restrict processing of personal data until the end of the contract award procedure;

- d. the right to lodge a complaint with the President of the Polish Office for Personal Data Protection if you consider that the processing of personal data concerning you violates the provisions of the RODO;

You do not have the right to:

- a. in relation to Article 17(3)(b), (d) or (e) of the RODO, the right to erasure of personal data;
- b. the right to the portability of personal data referred to in Article 20 RODO;
- c. pursuant to Article 21 RODO the right to object to the processing of personal data, since the legal basis for the processing of your personal data is Article 6(1)(c) RODO;

At the same time the Ordering Party would like to remind you of the information obligation resulting from art. 14 RODO towards natural persons whose data will be provided to the Ordering Party in connection with the procedure and which the Ordering Party will indirectly obtain from a Tenderer participating in the procedure, unless at least one of the exemptions referred to in art. 14 section 5 RODO applies.

Dr. Engr. Mateusz Damrat

DIRECTOR

Polish Geological Institute
- National Research Institute

/digitally signed/

SCOPE of WORK
(attached)

To:
POLISH NATIONAL GEOLOGICAL INSTITUTE
- NATIONAL RESEARCH INSTITUTE
4 RAKOWIECKA STR., 00-975 WARSAW

OFFER

We, the undersigned

.....
acting for and on behalf of:
.....

.....
in reply to the announcement No. **E.ZP.26.222.2021 (CRZP/26/1734/2021)** concerning the tender inquiry for an order entitled: **Scientific and research service aimed at exploration and identification of areas of occurrence of polymetallic massive sulphide deposits on the Mid-Atlantic Ridge, we hereby submit this offer.**

1. We offer to execute the subject matter of the contract for the price (including all costs related to the appropriate execution of the subject matter of the contract, under the conditions specified in the tender inquiry and Scope of Work):

including,

- daily cost of using the vessel together with the necessary equipment:
- cost of mobilization:
- cost of demobilization:
- cost of personnel remuneration:
- cost of participation of Ordering Party's Cruise Participants:

including daily cost of food/personnel and necessary courses/certificates:

2. We declare that the MBES configuration will allow survey to be carried out over the entire study area, including achieving spatial resolution of bathymetric survey data at a reference depth of 3,000 m within the range of (mark appropriate):

- > 70 m <= 80 m
- > 60 m <= 70 m
- > 60 m <= 60 m
- < 50 m

3. We declare that we will provide the opportunity for a minimum of ten (10) Ordering Party's Cruise Participants, including two natural persons selected by the International Seabed Authority, to participate in the cruise and necessary training/certification.

4. We undertake to execute the subject matter of the contract within the period specified in item 4 of the Tender Inquiry:

- proposed contract completion date:
including offshore survey:
- for the mobilization port we propose:
- for the port of demobilization we propose:

5. We consider ourselves bound by this tender 60 days after the deadline for submission of tenders.

6. If our offer is selected, we commit to sign a contract on the terms specified by the Parties and in the place and time specified by the Ordering Party, taking into account the provisions of the draft contract annexed to the Tender Inquiry.

7. We declare that we have fulfilled the information obligations provided for in Article 13 or Article 14 of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Official Journal of the EU L 119 of 2016,) towards natural persons from whom we have directly or indirectly obtained personal data in order to apply for public procurement in this procedure.

8. The attachments to this form are:

- a.;
- b.;
- c.

9. Person authorized to contact the Ordering Party :,
(forename and surname)

Phone no., e-mail

place, date

.....
signature of the Tenderer
or an authorized representative of the Tenderer
(This file must be signed with a qualified electronic signature)

LIST OF SERVICES PERFORMED

Submitting our offer in the public procurement procedure entitled: **Scientific and research service aiming at exploration and identification of areas of occurrence of polymetallic massive sulphide deposits on the Mid-Atlantic Ridge**, we declare that during the last five years, and if the period of running a company is shorter, in this period we have completed the following services in accordance with the condition specified in point 5, item 1 of the request for proposal:

| | | |
|----------|---|--|
| 1 | Name and address of the entity for which the service was performed | |
| 2 | Subject of conducted research / survey | |
| 3 | Scope of conducted research/survey | |
| 4 | Aim of the study | |
| 5 | Location of research/survey work performed | |
| 6 | Implementation dates | |

Documents confirming that the service specified above has been duly performed are attached.

This file must be signed with a qualified electronic signature.

LIST OF EQUIPMENT TO BE USED TO PERFORM THE SERVICE

Submitting our offer in the public procurement procedure entitled: **Scientific and research service aiming at exploration and identification of areas of occurrence of polymetallic massive sulphide deposits on the Mid-Atlantic Ridge**, we declare that in order to properly perform the full scope of services included in Scope of Work we are providing the following equipment:

| No. | Producer/type/model of equipment | Technical specifications |
|------------|---|---------------------------------|
| 1 | | |

This file must be signed with a qualified electronic signature.

LIST OF PERSONNEL DECLARED TO PERFORM THE SERVICE

Submitting our offer in the public procurement procedure entitled: **Scientific and research service aiming at exploration and identification of areas of occurrence of polymetallic massive sulphide deposits on the Mid-Atlantic Ridge**, we declare that to execute the contract we will dispose of personnel having education and professional experience necessary to execute the subject matter of the contract in accordance with the condition described in item 5 item 2 of the inquiry, including at least”

| No. | Role in the team | First name and surname | Education | Experience |
|-----|--|------------------------|-----------|------------|
| 1 | Project Manager | | | |
| 2 | Hydrographic and geophysical survey specialist | | | |
| 3 | Hydrographic and geophysical survey specialist | | | |
| 4 | Hydrographic and geophysical survey specialist | | | |
| 5 | Hydrographic and geophysical survey specialist | | | |
| 6 | Specialist in physico-chemical measurements of water | | | |
| 7 | Specialist in physico-chemical measurements of water | | | |

This file must be signed with a qualified electronic signature.

**IMPORTANT PROVISIONS OF THE CONTRACT
(attached)**