



Fundusze Europejskie
Inteligentny Rozwój

Unia Europejska
Europejski Fundusz
Rozwoju Regionalnego



European Funds
Smart Growth

European Union
European Regional Development Fund

Kańczuga, dated Feb 14th, 2017

REQUEST FOR PROPOSAL No. 1 / 2.1 / 2017

**Re.: Contract award procedure co-financed as part of
Operational Programme Smart Growth 2014-2020**

**Priority axis II: Support for the environment and capacity of enterprise for R&D&I
activity**

Measure 2.1 Support for investments in R&D infrastructure of enterprises

The procedure is conducted following the rules of competitiveness pursuant to the Guidelines on eligibility of expenditure under the European Regional Development Fund, European Social Fund and Cohesion Fund for 2014–2020 concerning awarding contracts co-financed by the ERDF to which the Public Procurement Law does not apply.

Information about the change, date of publication of the revised query: 04.04.2017

Description of the changes.

Changes are made to the following points:

II. DESCRIPTION OF THE SUBJECT OF THE CONTRACT

Description of the subject of the contract is further specified, by attaching to the inquiry the presentation that illustrates the concept of the stand and types of products to be tested on it.

VIII. PLACE AND DEADLINE FOR THE SUBMISSION OF PROPOSALS

The Purchaser extends the deadline for submission of the proposals by 30 days.

The new deadline for submission of proposals expires on **05.05.2017, at 23.59**.

The remaining terms of inquiry remain unchanged.

Below, please find the standardized content of the query.

I. PURCHASER

AXTONE S.A., with its registered office in 37-220 Kańczuga, ul. Zielona 2, entered in the National Court Register maintained by the District Court in Rzeszów, 12th Commercial Division, under number 0000534382, NIP (tax identification number) 5252420862, with the share capital of PLN 59,432,550.00 fully paid up.

Company Business

The Axtone Group is a supplier of innovative solutions for railways. Years of work on in-house solutions have led to the Group taking a leading position in designing and supplying passive safety solutions for railway vehicles based on controlled energy absorption technology. Axtone is also a leader in the production of draw hook coupling devices for railway freight wagons, passenger coaches, locomotives and public transport vehicles such as trams and metro.

Further information about this technology is available on the Axtone website at: <http://axtone.eu/know-how/?lang=pl>

Contract Purpose

As the energy absorption technology is developing rapidly, the Axtone Group intends to expand the area of its business to include the ability to test products and prototypes and collect data for further development work.

Dynamic tests are an integral part of the process of designing and validating new draw hook coupling devices as well as passive safety systems. The requirement for them is specified by the European Standards and applicable regulations.

II. DESCRIPTION OF THE SUBJECT OF THE CONTRACT

Common procurement vocabulary: (38900000-4 – Miscellaneous evaluation or testing instruments)

Type of contract: supply

Name of contract: dynamic test stand

Key requirements and functionality of the stand

As part of the project called "Developing passive safety systems by expanding the Research and Development Center of Axtone S.A.", Axtone will build a new Research and Development Center which will include, among others, a dynamic test stand.

The test stand will be used to carry out dynamic tests and crash tests by directly striking the tested item with a defined mass traveling at a controlled speed. The tested item shall be understood as the device which absorbs the crash energy in a controlled way (a damper, a shock absorber, a plastically deformable component etc.). During the test, the time, speed, path and deformation (reaction) force of the tested item will be recorded to determine the ability of the tested item to absorb energy. The data produced by the test will be used to verify the planned parameters and will constitute the basis for confirming and approving the protection device of e.g. a railway vehicle.

The dynamics stand should comprise at least:

- the impacting mass;
- the system guiding the impacting mass;
- the mechanism driving the impacting mass;

- the rigid support for fixing the tested item;
- the measuring/recording system;
- the data collection and processing systems;
- the system for video-recording the test course;
- the system for preventing damage to the stand and its surroundings and meeting OSH requirements.

In addition, the stand should be fixed to the appropriate foundation which ensures its stable operation and absorbing the vibration coming from dynamic impacts.

a. Key parameters of the stand

- an impacting mass adjustable from 10 to 40 tons (in adjustment steps of maximum 3 tons);
- impact speed (starting speed) adjustable, smooth (stepless) speed regulation, from 0 to 36 km/h (accuracy of adjustment +/- 1 km/h);
- the test stand must be equipped with a protection device able to accept the energy of at least 2,5 MJ proportionally to the force of 4000 kN and capable of multiple use;
- the actuation force of the protection device adjustable from 1000 to 4000 kN ;
- room for tested items: 800 x 800 x 3000 mm;
- preferred device drive: hydraulic;
- two variants of disperse of the striking mass:
 - The propelling force acts only before the impact,
 - The propelling force acts before the impact and during the impact, where the minimum value of the propelling force acting in the course of impact is 50 tons.
- stiffness of the test area, not allowed to use rubber and similar materials,
- ability to install the tested items and adjust the parameters of the impacting mass using an overhead crane;
- testing capacity: minimum 1 test per 2 hours;
- CE certificate required.

Additional details of the requirements:

- the impacting mass should be constructed and guided during the test so as to ensure its highest rigidity and not to cause vibrations of the tested system, transverse displacement (vertical and horizontal) of striking mass during the test should not be more than ± 5 mm;
- the tested item should be placed on a stable support whose strength must be sufficient in relation to the reaction force of the tested item energy/force created as a result of the impact;
- the test stand should be protected in case the tested item does not work properly and the kinetic energy of the moving mass is not absorbed by it but transferred to the support. This protection should also protect the measurement instruments from excessive forces that could occur when testing prototypes, and be capable of multiple uses.
- time, crash speed, displacement of the impacting mass/tested item should be measured and the test should be recorded using a fast camera during the test;
- due to the specific nature of the operation of the tested item, it is required that the impacting mass have an opening $\varnothing 300$ mm at least 1 m deep along the axis of the holder of the tested item; there should also be an identical opening in the support to which the tested item will be fixed;

- the stand should make it possible to fix the tested item on the impacting mass, on the support or on both of them at the same time.

b. Maximum installation envelope

The dimensions of the test stand should enable its housing in a bay of the following maximum dimensions: 42 m long, 10 m wide and 8.5 m tall (6 m up to the overhead crane).

c. Requirements for the measurement and recording system

- speed measurement during the test with the precision of 0.1 km/h;
- tested item displacement/deformation (stroke) measurements with the resolution of 0.5 mm and the precision class of 1%, preferred non-contact (remote);
- measurement of forces carried by the tested item within a scope up to 5000 kN and with the precision of 1% for the static measurement, overload of the measurement system 100%, (to 10 000 kN);
- sampling rate up to 40 kHz, eight channels simultaneously;
- measurement data recording, processing and archiving with the function of generating charts and reports containing descriptions of such parameters as the energy, stroke, force, time, standard software, available on the market (not specially dedicated for the test stand);
- a system for video-recording the crash with a fast color camera (two units, at least 1000 frames per second, 59 inch monitor minimum);
- comprehensive equipment of a control station for two employees;

Contract Scope

A "turnkey" solution of the complete dynamic test stand.

- Detailed design of the stand
- Connection guidelines (foundation etc.)
- Stand construction
- Delivery
- Erection
- Start-up
- Training
- Warranty and post warranty maintenance

The concept of functioning of the stand and types of products to be tested on it are presented in the presentation attached to this inquiry.

III. CONDITIONS FOR PARTICIPATING IN THE PROCEDURE

To be admitted to the procedure, the Tenderer shall fulfill the following conditions:

Item	Conditions that must be met by the Tenderer	Description of the method of assessing condition fulfillment
1.	<u>Knowledge and experience of the subject of the contract:</u> Tenderer has, in the last five years (2011–2016), executed at least	The fulfillment of this condition will be assessed using the evidence of the execution of at least three projects concerning test devices (or similar) worth at least EUR 0.6 million and presented by the

	three projects identical or similar to the subject of the contract. (that is, projects of similar equipment, functionality / tests stands) with a minimum value of 0.6 million Euro.	Tenderer, and by the Purchaser's reference visit, made possible by the Tenderer.
2.	<u>Having individuals capable of performing the contract at their disposal:</u> The Tenderer should have engineering staff with knowledge and experience in the area of designing and producing stands for research and tests.	The fulfillment of this condition will be assessed using a list of individuals who will be involved in executing the contract, in particular with responsibility for managing the work and constructing the stand, quality control, contract completion date control etc, together with information about their professional qualifications, experience and education necessary to execute the contract, and also the scope of activities performed by them, as well as information on the basis for having such persons at their disposal.
3.	<u>Economic and financial situation of the company:</u> The Tenderers average annual turnover in the past three years, should not be lower than EUR 2 million, if the activity period is shorter – then in this activity period, the average annual turnover should not be lower than EUR 2 million.	The fulfillment of this condition will be assessed based on submitted by the Tenderer statement on meeting the conditions, on the basis of Appendix 2 to this inquiry.

IV. EXCLUSION SCOPE

Entities with personal or equity ties to the Purchaser may not participate in the procedure. The Purchaser advises that entities with equity and personal ties to it will be excluded from the procedure and the contract forming the subject of this procedure shall not be awarded to them. Equity of personal ties are understood as mutual links between the Purchaser or persons authorized to undertake obligations on the Purchaser's behalf or persons taking action on the Purchaser's behalf in connection with preparing and conducting the procedure to select a Contractor, and the Contractors, consisting in particular in:

- 1) interest in a company/partnership as a partner of a civil law partnership or a partnership;
- 2) holding at least 10% of shares;
- 3) holding the office of a member of a supervisory or management authority, commercial representative, attorney;
- 4) having the following relationship: a spousal or a consanguinity relationship or affinity in the direct line, consanguinity once removed or affinity once removed in the collateral line, adoption, ward's or custody relationship.

In order to confirm meeting the above condition for participating in the procedure, it is necessary to submit a representation of no ties to the Purchaser, which constitutes Appendix 1 to the request, together with the proposal.

V. DESCRIPTION OF PROPOSAL PREPARATION METHOD

Obligatorily contents of the proposal

- operating concept of the stand, including the following details:
 - a drawing (initial) of the stand (a 3D model is suggested);
 - a description of the planned course of the test;
 - a stand operation description (fixing the elements to be tested, adjusting the parameters of the stand etc.);
 - key assumptions (the maximum number of tests per 24h);
 - main components;
 - a cost estimate of the subject of the contract;
 - the cost of delivering (transport) and training should be itemized.

In addition, the proposal should contain:

- the date of its drafting
- the full name of the Tenderer
- the registered address of the Tenderer, the telephone number and the tax identification number (NIP)
- the proposed value given in the net and gross amounts
- the proposed validity date of the offer
- terms of payment
- guarantee terms and conditions (minimum 24 months)
- a reference to the conditions for participating in the procedure
- a reference to the method of executing the subject of the contract
- a reference to the proposed assessment criteria
- a reference to all components of the description of the subject of the contract

The proposal must be signed by an individual or individuals authorized to make legal transactions on behalf of the Tenderer, whereas the signature must be legible or accompanied by name stamps.

Proposal validity period: minimum 6 months.

VI. COMMUNICATION BETWEEN THE PURCHASER AND THE TENDERERS DURING THE PROCEDURE

Inquiries concerning the proposal procedure should be emailed to the following address: nowak.ag@axtone.eu

The Purchaser shall respond without undue delay, but no later than 3 business days from the request received.

The individuals authorized to communicate with Tenderers shall be:

Commercial Issues: Agnieszka Nowak: nowak.ag@axtone.eu, mob. (+48) 882 040 185.

VII. PROPOSAL EVALUATION CRITERIA

Proposals submitted by Tenderers that meet the conditions for participating in the procedure shall be scored according to the following criteria:

Item	Name	Score weight assigned to particular criteria	Method of awarding the score for the given criterion
1	Net total price	50 points	<p>The score for this criterion will be awarded according to the following formula:</p> <p>50 points – the proposal with the lowest total net price</p> <p>The remaining proposals according to the formula below:</p> $P = C_{\min} / C_k \times 50 \text{ points}$ <p>P – number of points awarded to the next proposal C_{\min} – the price of the least expensive proposal C_k – the price of the proposal under consideration</p>
2	Terms of warranty	10 points	<p>The score for this criterion will be awarded according to the following:</p> <p>10 points – the proposal with longest warranty period 6 points – the proposal with the next longest warranty period 5 points – the proposal with the third longest warranty period</p> <p>Further proposals – 0 points</p>
4	<p>Quality, measured by the following specifications:</p> <ul style="list-style-type: none"> • Test Bench Drive Type • The strength of the liberation of the protection system, • The accuracy of conducting mass striking (lateral movement) 	35 points	<p>Points under the criterion will be awarded as the sum of points obtained in the framework of individual parameters (max. 35 pts.):</p> <p><u>Test Bench drive type:</u> Hydraulic – 15 points Pneumatic – 7 points Other – 0 points</p> <p><u>The strength of the liberation of the protection system:</u> 6000 kN and more – 10 points 5000 kN – 5 points 4000 kN – 0 points</p> <p><u>The accuracy of conducting mass striking (lateral movement):</u> Less than 3 mm – 10 points +/- 3 mm – 5points +/- 5 mm – 0 points</p>

5	Time to respond in case of failure during the warranty period	5 points	<p>Points under the criterion will be awarded according to the following:</p> <p>5 points - offer the shortest period of failure removal</p> <p>3 points - the second offer period in order to remove a failure</p> <p>1 points - the offer of the third period to remove a failure</p> <p>Subsequent offers - 0 points</p>

VIII. PLACE AND DEADLINE FOR THE SUBMISSION OF PROPOSALS

1. The proposal should be delivered

- by e-mail to the following address: sum.m@axtone.eu , nowak.ag@axtone.eu or
- by post/courier/hand to the following address:
AXTONE S.A.
 ul. Zielona 2
 Kańczuga 37-220,
 Poland

2. The proposal submission deadline ends with the expiry of **May 5th, 2017.**

3. Proposals received after the above date will not be considered.

4. Before the deadline for proposal submission, the Tenderer may withdraw or amend their proposal.

5. The proposal submission date is the day and time when the proposal is received by the Purchaser.

IX. CONTRACT PERFORMANCE DEADLINE

Maximal time for execution of the scope of contract, not longer than 12 months from the date of contract signature.

X. AWARDING OR CANCELLING THE CONTRACT

The Purchaser shall award the contract in writing to the Tenderer whose proposal meets all the requirements laid down in this announcement and has been assessed as the most advantageous using the above proposal assessment criteria.

The Purchaser shall cancel the procedure, in particular, when the following prerequisites occur, for example:

- 1) no proposal has been submitted which is not subject to rejection,
- 2) circumstances changed to such an extent that conducting the procedure to award the contract or the performance of the contract is not in the Purchaser's interest, which could not have been predicted earlier;

3) the procedure contains an unrepairable defect which prohibits concluding a valid contract;
The Purchaser reserves the ability:

- 1) to cancel the procedure at any time;
- 2) to finish the procedure without selecting a Tenderer;
- 3) to invalidate the procedure, both before and after selecting the most advantageous proposal, without giving grounds.

In the above cases, the Tenderer shall not be entitled to any claim for damages against the Purchaser, nor are they entitled to the reimbursement of the cost of executing and submitting their proposal.

XI. MOST ADVANTAGEOUS PROPOSAL SELECTION

After selecting the most advantageous proposal, the Purchaser shall, without undue delay, publish the information about the selection on its website at www.axtone.eu and send it to every Tenderer that has submitted a proposal.

If the Tenderer withdraws from signing the contract with the Purchaser, the Purchaser shall be entitled to sign the agreement with the next Tenderer who will have been awarded the next highest score in the public contract award procedure.

XII. AMENDMENTS TO TERMS AND CONDITIONS OF THE CONTRACT

That Purchaser envisages the ability to make significant changes to the provisions of the contract concluded compared to the wording of the proposal on the basis of which the Tenderer was selected, to the following extent and under the following conditions:

- 1) The remuneration amount, if the VAT rate has changed, with regard to the part of the remuneration to which this change applies;
- 2) The deadline for performing the contract if this change is caused by:
 - a) the need to execute additional works which impact the deadline for executing the works covered by this main contract;
 - b) the effect of changes made to the effective legal regulations which influence the performance of the subject of the contract, including regulations concerning the execution of investment projects financed with the EU funds;
- 3) The quality or other parameters of materials or devices offered in the proposal, whereas this change may be caused, in particular, by:
 - a) materials or devices identified in the design documentation or the technical specification for the execution and acceptance of works not being available on the market as a result of the discontinuation of their production or their withdrawal from the market;
 - b) a new generation of materials or devices appearing on the market and making it possible to:
 - reduce the cost of executing the subject of the contract, the operating cost of the completed subject of the contract, achieve a better quality of the works
 - improve the safety and operating conditions of the future facility;
 - c) a newer technology for executing the planned works becoming available and allowing:
 - the investment project execution time to be shortened
 - to reduce the cost of the works executed, the operating cost of the completed subject of the contract, achieve a better quality of the works;
 - improve the safety and operating conditions of the future facility;
 - d) the need to execute the project using technical/technological solutions other than those identified in the technical documentation for the execution and acceptance of the works if

the use of the planned solutions posed a risk of failing to complete or the defective completion of the subject of the contract;

- e) the necessity to execute the subject of the contract using other technical or material solutions as a result of changes to the applicable law.

XIII. NO SUBMISSION OF PARTIAL PROPOSALS

The Purchaser does not permit submitting partial proposals.

XIV. OTHER

This request for proposals has been published on the company website: www.axtone.eu, and <https://www.biznes-polska.pl/>, <https://platforma.logintrade.net/>, www.automatyka.pl, <http://www.laboratoria.xtech.pl/>, <http://www.obrabiarki.xtech.pl/>, <http://www.bizzzone.pl/>.

APPENDICES

1. Representation of no ties
2. Statement of fulfillment of conditions

PROKURENT
GŁÓWNY KSIĘGOWY

Agata Pienczak

.....
(Signature and stamp of the
Purchaser)

Representation of no ties to the Purchaser

Acting for and on behalf of the Tenderer (Tenderer details):

Name:

Registered address:

I/we represent that:

- 1) I/we have no personal or equity ties to the Purchaser, i.e.:
I/we have no ties to the Purchaser or persons authorized to undertake obligations on the Purchaser's behalf or persons taking action on the Purchaser's behalf in connection with preparing and conducting the procedure to select a Tenderer, and the Tenderer, consisting in particular in:
 - a. an interest in a company/partnership as a partner of a civil law partnership or a partnership;
 - b. holding at least 10% of shares;
 - c. holding the office of a member of a supervisory or management authority, commercial representative, attorney;
 - d. a spousal or a consanguinity relationship or affinity in the direct line, consanguinity once removed or affinity once removed in the collateral line, adoption, ward's or custody relationship.

.....
Place and date

.....
*signature and stamp of the individual authorized
to represent the Tenderer*

Statement of fulfillment of conditions for participation in the Tender procedure

Name of the Tenderer:

Registered address of the Tenderer:

By joining and participating in the Tender for the supply of the Dynamic Test Bench in the framework of the project entitled. "The development of passive safety systems through the expansion of R&D Center in Axtone SA"

I/We Declare

that I/We meet the conditions for participation in this procedure set out in chapter III, RFP 1 / 2.1 / 2017 on the economic and financial situation.

.....
Place and date

.....
*signature and stamp of the individual authorized
to represent the Tenderer*