



Open tender with a value that exceeds the amounts set in the regulations issued on the basis of art. 11 par. 8 of the Public Procurement Law Act (Dz. U. of 2015 item 2164)

Realized within the framework of the Human Resources Development Programme for 2014-2020 as a part of the project: „The development of an innovative, universal construction of transmissions for tractors,” number POIR.01.01.02-00-0086/15

Specification of Important Procurement Conditions (SIPC)
Specyfikacja Istotnych Warunków Zamówienia (SIWZ)

For the supply of test stands for URSUS S.A. no. of the case: 05/05/2016. with a division for three tasks (three parts of the subject of the public procurement):

- Task no. 1:** the supply of the functional and endurance test stand of rear lift.
- Task no. 2:** the supply of the endurance test stand.
- Task no. 3:** the supply of the test stand of gearbox and synchronizers.

Lublin, July 2016





The terms used in this SIPC mean:

1. **PLP Act** - the Public Procurement Law Act of 29 January 2004 (the uniform text Dz. U. of 2015, item 2164);
2. **SIPC** – this Specification of Important Procurement Conditions;
3. **The Ordering Party** – URSUS S.A. 20-209 Lublin, Frezerów Street no. 7
4. **The Contractor** – a natural person, a legal entity or organizational unit without corporate existence, who/which is competing for the procurement, submitted a bid or entered into an agreement regarding the procurement.

I. Name and address of the Ordering Party.

URSUS S.A.
20-209 Lublin, Frezerów Street no. 7
(tax identification number) NIP 739 23 88 088
Phone: +48 22 266 02 66
www.ursus.com

II. The contract award procedure.

The proceeding is conducted in the procedure of an open tender on the basis of art. 10 par. 1 and art. 39 of the PLP Act.

III. The description of the subject of the tender for the supply of test stands for URSUS S.A. no. of the case: 05/05/2016 with the division into three tasks (three tasks of the subject of the tender):

Task no. 1: the supply of the functional and endurance test stand of rear lift.

Task no. 2: the supply of the endurance test stand.

Task no. 3: the supply of the test stand of gearbox and synchronizers.

1. Task 1. The supply of the functional and endurance test stand of rear lift.

a) The stand should allow to carry out functional and endurance tests according to the following specification of the Vigus transmission lift:

- Normal load capacity of the lift 70kN (on the hitching point) (required to use safety factor 1,5)
- Operating pressure 200 [bar]
- Three-point linkage system category 3 according to ISO 730
- The ability to test the lift with full attachment to the three-point linkage system and the transport hitch
- Integration with the system EHR Bosch Rexroth SB23 LS-V1

b) The stand should consist of:

- The possibility of programming work cycles of lifting/lowering the three-point linkage system by using inter alia maximum load capacity of the lift (including the safety factor).
- The possibility of measuring the lifting time and the time of staying in lifted position (the so-called lift falling time).
- The external hydraulic system powering the lift, which includes cooling and filtering systems during the tests.



- It should allow to read and save the following working parameters of the lift:
 - The operating pressure of the system measured in [bar] or [MPa] including the measuring of the peak pressure up to 300 bar (with a measurement accuracy of 0,1[bar] 0,01[MPa])
 - Current forces measured in points α , β , γ (attachment no. 1) given in units [N, daN, kN] (with a measurement accuracy of 1[N]; 0,1[daN]; 0,01[kN])
 - Load capacity of the lift measured in [kg] or [kN] measured in points β , γ . (with a measurement accuracy of 0,1[kg] 0,01[kN])
 - Vertical movement of ball hitches within the range T-h –attachment no. 1 (with a measurement accuracy of 1[mm])
 - Lifting time t [s] (with a measurement accuracy of 0,1[s])
 - The stand should be adjusted to tests carried out according to OECD code 2
- c) It is allowed to prepare testing systems for the abovementioned components as one stand including all the requirements.
- d) The Ordering Party requires to install the stand (stands) in the headquarters of Ursus S.A.
- e) The Ordering Party will not purchase the subject of the procurement directly from the Contractor.
- f) The subject of the procurement will constitute an object of a financial lease contract, whose purchase will be financed by the Lessor (hereinafter referred to as „the Buyer”) indicated by the Ordering Party and it will hand it over to the Ordering Party as the Lessee under the terms consistent with the leasing contract concluded by the leasing parties.
- g) The Contractor undertakes to sell the subject of the procurement pointed by the Ordering Party to the Lessor under the terms and conditions stipulated in this proceeding and the placed procurement.
- h) The Sale agreement will be concluded between the Contractor and the Lessor (the Buyer) involving the Ordering Party. The invoice for the execution of the subject of the procurement will be issued to the Lessor (the Buyer).

2. Task 2. The supply of the endurance test stand

- a) The stand will be used to assess the developed construction of chosen components and the elements of transmission in Synchro and Power versions. The test stand should allow to carry out endurance tests according to the following specification of Vigus transmission:
- Maximum input torque 1000 [Nm]
 - Maximum gearbox input rotational speed 2500 [rpm]
 - Types of transmission (number of gears):
 - 24x24 (I module A-B-C synchronized, synchro shuttle F-R; II module 1-2-3-4 synchronized + reducer H-L synchronized,) 3x4x2
 - 32x32 (I module Power A-B-C-D, power shuttle Power F-R; II module 1-2-3-4 synchronized + reducer H-L synchronized,) 4x4x2, Creeper doubling the number of gears as an option.
- b) A stand (stands) for accelerated endurance tests of the two developed versions of transmissions (version 24x24 Synchromesh and version 32x32 Power).

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- The requirements concerning the testing system of the two variants of transmission as far as the transmitting of drive torque to driving wheels is concerned.
 - A supporting structure adjusted to the geometry of the tested transmissions
 - An independent drive system of the test stand in the form of a motor together with the torque receiving system installed on the half shafts of the transmission rear axle and a steering system – a module with a computer equipped with adequate software ensuring precise and smooth possibility of regulating at the full range of the torque (0-1000Nm) and rotational speed (from 550 to 2500 rpm)
 - Interface (adapter) between the motor and the transmission
 - Interface (adapter) between the rear axle hubs and the torque receiving system
 - Systems independent from the transmission system: recirculation, cooling and lubricating of the test stand
 - The cooling system of the hydraulic/transmission oil
 - It is required to share the material concerning the testing possibilities of a concrete stand and DTR documentation;
 - It is required to have the possibility of programming the test stand including the number of load change cycles, types and number of alarm conditions and a systematic backup of the characteristics of working parameters of the tested transmission
 - The stand should allow to read and save the following working parameters in real time:
 - The values of operating pressure in the range of 0-300 [bar] measured by at minimum 20 measuring probes
 - The values of temperature within the range of 0-300 [°C] measured by at minimum 20 measuring probes
 - The value of the power, torque and rotational speed of motors and receiving systems
 - The system should work on the basis of the power flow
- c) The requirements regarding the testing system of power take-off (PTO):
 - A supporting structure adjusted to the geometry of the tested transmissions
 - An independent drive system of the test stand in the form of a motor together with the receiving system installed on the outlet of the universal joint shaft connection of PTO and a steering system - a module with a computer equipped with adequate software ensuring precise and smooth possibility of regulating at the full range of the torque (0-1000Nm) and rotational speed (from 550 to 2500 rpm)
 - Interface (adapter) between the motor and the transmission
 - Interface (adapter) between the PTO shaft and the torque receiving system
 - Systems independent from the transmission system: recirculation, cooling and lubricating of the test stand





- The cooling system of the hydraulic/transmission oil
 - The possibility of testing the PTO ration as described below:
 - PTO shaft revolutions dependant on the drive speed (GD PTO)
 - PTO shaft revolutions independent form the drive speed (IND PTO) within the following range of the outlet rotational speed: 540 rpm and 1000 rpm – in normal and economy mode
 - It is required to share the material concerning the testing possibilities of a concrete stand and DTR documentation
 - It is required to have the possibility of programming the test stand including the number of load change cycles, types and number of alarm conditions and a systematic backup of characteristic working parameters of the tested transmission
 - The stand should allow to read and save the following working parameters in real time:
 - The values of operating pressure in the range of 0-300 [bar] measured by at minimum 20 measuring probes
 - The values of temperature within the range of 0-300 [°C] measured by at minimum 20 measuring probes
 - The value of the power, torque and rotational speed of motors and receiving systems
 - The value of PTO rotational speed
 - The system should work on the basis of the power flow
- d) The requirements concerning the testing system of transmitting drive onto the front axle FWD:
- A supporting structure adjusted to the geometry of the tested transmissions
 - An independent drive system of the test stand in the form of a motor together with the receiving system installed on the outlet of the universal joint shaft connection of front axle drive shaft (FWD) and a steering system - a module with a computer equipped with adequate software ensuring precise and smooth possibility of regulating at the full range of the torque (0-1000Nm) and rotational speed (from 550 to 2500 rpm)
 - Interface (adapter) between the motor and the transmission
 - Interface (adapter) between the PTO shaft and the torque receiving system
 - Systems independent from the transmission system: recirculation, cooling and lubricating of the test stand
 - The cooling system of the hydraulic/transmission oil
 - It is required to share the material concerning the testing possibilities of a concrete stand and DTR documentation
 - It is required to have the possibility of programming the test stand including the number of load change cycles, types and number of alarm conditions and a systematic backup of characteristic working parameters of the tested transmission
 - The stand should allow to read and save the following working parameters in real time:





- The values of operating pressure in the range of 0-300 [bar] measured by at minimum 20 measuring probes
 - The values of temperature within the range of 0-300 [°C] measured by at minimum 20 measuring probes
 - The value of the power, torque and rotational speed of motors and receiving systems
 - The system should work on the basis of the power flow
- e) It is allowed to prepare testing systems for the abovementioned components as one stand including all the requirements.
- f) The Ordering Party requires to install the stand (stands) in the headquarters of Ursus S.A.
- g) The Ordering Party will not purchase the subject of the procurement directly from the Contractor.
- h) The subject of the procurement will constitute an object of a financial lease contract, whose purchase will be financed by the Lessor (hereinafter referred to as „the Buyer”) indicated by the Ordering Party and it will hand it over to the Ordering Party as the Lessee under the terms consistent with the leasing contract concluded by the leasing parties.
- i) The Contractor undertakes to sell the subject of the procurement pointed by the Ordering Party to the Lessor under the terms and conditions stipulated in this proceeding and the placed procurement.
- j) The Sale agreement will be concluded between the Contractor and the Lessor (the Buyer) involving the Ordering Party. The invoice for the execution of the subject of the procurement will be issued to the Lessor (the Buyer).

3. Task 3. The supply of test stand of gearbox and synchronizers

- a) The stand will be used to assess the developed construction of chosen components and the elements of transmission in Synchro and Power versions. The test stand should allow to carry out endurance tests according to the following specification of Vigus transmission:
- Maximum input torque 1000 [Nm]
 - Maximum gearbox input rotational speed 2500 [rpm]
 - Types of transmission (number of gears):
 - 24x24 (I module A-B-C synchronized, synchro shuttle F-R ; II module 1-2-3-4 synchronized + reducer H-L synchronized,) 3x4x2
 - 32x32 (I module Power A-B-C-D, power shuttle Power F-R ; II module 1-2-3-4 synchronized + reducer H-L synchronized,) 4x4x2, Creeper doubling the number of gears as an option.
- b) The requirements of the testing system of the gear shifting mechanism of 24x24 transmission and the electrohydraulic system of gear shifting of 32x32 transmission
- A supporting structure adjusted to the geometry of the tested transmissions
 - An independent drive system of the test stand in the form of a motor together with the torque receiving system installed on the half shafts of the transmission rear axle and a steering system – a module with a computer



- equipped with adequate software ensuring precise and smooth possibility of regulating at the full range of the torque (0-1000Nm) and rotational speed (from 550 to 2500 rpm)
- Interface (adapter) between the motor and the transmission
 - Interface (adapter) between the rear axle hubs and the torque receiving system
 - The main clutch steering system of the tested transmission
 - The steering system of the electrohydraulic gear shifting system of the tested 32x32 transmission
 - Interface (adapter) between the rear axle hubs and the torque receiving system
 - Systems independent from the transmission system: recirculation, cooling and lubricating of the test stand
 - The cooling system of the hydraulic/transmission oil
 - It is required to share the material concerning the testing possibilities of a concrete stand and DTR documentation;
 - It is required to have the possibility of programming the test stand including the number of load change cycles, types and number of alarm conditions and a systematic backup of the characteristics of working parameters of the tested transmission
 - The stand should allow to read and save the following working parameters in real time:
 - The values of operating pressure in the range of 0-300 [bar] measured by at minimum 20 measuring probes
 - The values of temperature within the range of 0-300 [°C] measured by at minimum 20 measuring probes
 - The value of the power, torque and rotational speed of motors and receiving systems
 - The system should work on the basis of the power flow
- c) The requirements concerning the testing system of the lubricating system of the tested transmissions in conditions simulating angular changes of the tested object.
- A supporting structure adjusted to the geometry of the tested transmissions allowing for angle changes of the transverse and longitudinal axes of the tested transmission, the angle range: 0°- 45°
 - An independent drive system of the test stand in the form of a motor together with a steering system – a module with a computer equipped with adequate software ensuring precise and smooth possibility of regulating at the full range of rotational speed (from 550 to 2500 rpm)
 - Interface (adapter) between the motor and the transmission
 - Systems independent from the transmission system: recirculation, cooling and lubricating of the test stand
 - The cooling system of the hydraulic/transmission oil
 - It is required to share the material concerning the testing possibilities of a concrete stand and DTR documentation;





- It is required to have a possibility of programming the changes of the angles in the test stand of the tested transmission
 - The stand should allow to read and save the following working parameters in real time:
 - The values of operating pressure in the range of 0-300 [bar] measured by at minimum 20 measuring probes
 - The values of temperature within the range of 0-300 [°C] measured by at minimum 20 measuring probes
 - The value of the power, torque and rotational speed of motors and receiving systems
 - The system should work on the basis of the power flow
- d) The requirements regarding the testing system of the transmission brakes system:
- A supporting structure adjusted to the geometry of the tested transmissions
 - An independent drive system of the test stand in the form of a motor together with the receiving system installed on the outlet of the universal joint shaft connection of PTO and a steering system - a module with a computer equipped with adequate software ensuring precise and smooth possibility of regulating at the full range of the torque (0-1000Nm) and rotational speed (from 550 to 2500 rpm)
 - Interface (adapter) between the motor and the transmission
 - Interface (adapter) between the rear axle hubs and the torque receiving system
 - Systems independent from the transmission system: recirculation, cooling and lubricating of the test stand
 - The cooling system of the hydraulic/transmission oil
 - The system loading the rear axle in the form of inertia adapters allowing to model gross vehicle mass (GVM) of a tractor including safety factor 3
 - Wymaga się udostępnienia opracowania dotyczącego możliwości testujących konkretnego systemu oraz dokumentacji DTR;
 - Wymagana jest możliwość programowania stanowiska testującego z uwzględnieniem liczby cykli zmian obciążenia, rodzajów i liczby stanów alarmowych oraz systematycznego tworzenie kopii zapasowych charakterystycznych parametrów pracy badanej transmisji
 - Wymagane jest zastosowanie programowalnych automatycznych mechanizmów załączających układ hamulca zasadniczego oraz postojowego.
 - System powinien umożliwić odczyt oraz zapis w czasie rzeczywistym poszczególnych parametrów pracy:
 - It is required to share the material concerning the testing possibilities of a concrete stand and DTR documentation;
 - It is required to have the possibility of programming the test stand including the number of load change cycles, types and number of alarm conditions and a systematic backup of the characteristics of working parameters of the tested transmission







- It is required to use automatic programmable mechanisms switching the service and parking brake system
 - The stand should allow to read and save the following working parameters in real time:
 - The values of operating pressure in the range of 0-300 [bar] measured by at minimum 20 measuring probes
 - The values of temperature within the range of 0-300 [°C] measured by at minimum 20 measuring probes
 - The value of the power, torque and rotational speed of motors and receiving systems
 - The system should work on the basis of the power flow
- e) The requirements concerning the testing system of the transmission transmitting drive torque onto the driving wheels.
- A supporting structure adjusted to the geometry of the tested transmissions
 - An independent drive system of the test stand in the form of a motor together with the torque receiving system installed on the half shafts of the transmission rear axle and a steering system – a module with a computer equipped with adequate software ensuring precise and smooth possibility of regulating at the full range of the torque (0-1000Nm) and rotational speed (from 550 to 2500 rpm)
 - Interface (adapter) between the motor and the transmission
 - Interface (adapter) between the rear axle hubs and the torque receiving system
 - Systems independent from the transmission system: recirculation, cooling and lubricating of the test stand
 - The cooling system of the hydraulic/transmission oil
 - It is required to share the material concerning the testing possibilities of a concrete stand and DTR documentation;
 - It is required to have the possibility of programming the test stand including the number of load change cycles, types and number of alarm conditions and a systematic backup of the characteristics of working parameters of the tested transmission
 - The stand should allow to read and save the following working parameters in real time:
 - The values of operating pressure in the range of 0-300 [bar] measured by at minimum 20 measuring probes
 - The values of temperature within the range of 0-300 [°C] measured by at minimum 20 measuring probes
 - The value of the power, torque and rotational speed of motors and receiving systems
 - The system should work on the basis of the power flow
- f) The requirements concerning the testing system of the power take-off (PTO):





- A supporting structure adjusted to the geometry of the tested transmissions
 - An independent drive system of the test stand in the form of a motor together with the torque receiving system installed on the half shafts of the transmission rear axle and a steering system – a module with a computer equipped with adequate software ensuring precise and smooth possibility of regulating at the full range of the torque (0-1000Nm) and rotational speed (from 550 to 2500 rpm)
 - Interface (adapter) between the motor and the transmission
 - Interface (adapter) between the PTO shaft and the torque receiving system
 - Systems independent from the transmission system: recirculation, cooling and lubricating of the test stand
 - The cooling system of the hydraulic/transmission oil
 - The possibility of testing PTO ratios according to the description below:
 - PTO rotation dependant on the driving speed (GD PTO)
 - PTO shaft revolutions independent from the drive speed (IND PTO) within the following range of the outlet rotational speed: 540 rpm and 1000 rpm – in normal and economy mode
 - It is required to share the material concerning the testing possibilities of a concrete stand and DTR documentation;
 - It is required to have the possibility of programming the test stand including the number of load change cycles, types and number of alarm conditions and a systematic backup of characteristic working parameters of the tested transmission
 - The stand should allow to read and save the following working parameters in real time:
 - The values of operating pressure in the range of 0-300 [bar] measured by at minimum 20 measuring probes
 - The values of temperature within the range of 0-300 [°C] measured by at minimum 20 measuring probes
 - The value of the power, torque and rotational speed of motors and receiving systems
 - The value of PTO rotational speed
 - The system should work on the basis of the power flow
- g) The requirements concerning the testing system of transmitting drive onto the front axle FWD:
- A supporting structure adjusted to the geometry of the tested transmissions
 - An independent drive system of the test stand in the form of a motor together with the receiving system installed on the outlet of the universal joint shaft connection of front axle drive shaft (FWD) and a steering system - a module with a computer equipped with adequate software ensuring precise and smooth possibility of regulating at the full range of the torque (0-1000Nm) and rotational speed (from 550 to 2500 rpm)
 - Interface (adapter) between the motor and the transmission



- Interface (adapter) between the PTO shaft and the torque receiving system
 - Systems independent from the transmission system: recirculation, cooling and lubricating of the test stand
 - The cooling system of the hydraulic/transmission oil
 - It is required to share the material concerning the testing possibilities of a concrete stand and DTR documentation
 - It is required to have the possibility of programming the test stand including the number of load change cycles, types and number of alarm conditions and a systematic backup of characteristic working parameters of the tested transmission
 - The stand should allow to read and save the following working parameters in real time:
 - The values of operating pressure in the range of 0-300 [bar] measured by at minimum 20 measuring probes
 - The values of temperature within the range of 0-300 [°C] measured by at minimum 20 measuring probes
 - The value of the power, torque and rotational speed of motors and receiving systems
 - The system should work on the basis of the power flow
- h) It is allowed to prepare testing systems for the abovementioned components as one stand including all the requirements.
- i) The Ordering Party requires to install the stand (stands) in the headquarters of Ursus S.A.
- j) The Ordering Party will not purchase the subject of the procurement directly from the Contractor.
- k) The subject of the procurement will constitute an object of a financial lease contract, whose purchase will be financed by the Lessor (hereinafter referred to as „the Buyer”) indicated by the Ordering Party and it will hand it over to the Ordering Party as the Lessee under the terms consistent with the leasing contract concluded by the leasing parties.
- l) The Contractor undertakes to sell the subject of the procurement pointed by the Ordering Party to the Lessor under the terms and conditions stipulated in this proceeding and the placed procurement.
- m) The Sale agreement will be concluded between the Contractor and the Lessor (the Buyer) involving the Ordering Party. The invoice for the execution of the subject of the procurement will be issued to the Lessor (the Buyer).
4. The code of the subject of the procurement according to CPV: 38970000-5 Research, testing and scientific technical simulators.
5. Norms, approvals, technical specifications and systems of reference as well as references to brands, catalogue numbers, trademarks, patents or origins indicated by the Ordering Party in SIPC are only of descriptive nature – they are not limiting. In such cases, the Ordering Party allows comparable solutions. The Contractor who points to comparable solutions is obliged to show that the supplies offered by it will meet the requirements stipulated by the Ordering Party.





6. The Ordering Party reserves the right to carry out an inter-operational examination during the production process of the subject of the procurement. The examination is carried out by a representative of the Ordering Party having a written authorization letter and after prior written notice to the Contractor (by phone or e-mail) about the date of the planned examination.
7. The required period of warranty: minimum 24 months. The period of the warranty starts from the date of signing by the parties the final acceptance protocol of the test stands. The period of guarantee for defects shall be equal to the period of quality warranty.
8. The offered test stands as well as all other parts, elements and components should be brand-new.

IV. Other requirements connected with the realization of the supply.

1. The Ordering Party requires the Contractor to submit a statement that during the realisation of the test it will use devices of the lowest possible energy and water consumption and it will use products which can be recycled (at least 70% of the parts) and reused.

V. Information about partial offers, variant offers, a framework agreement, dynamic system of purchasing and an electronic auction

1. The Ordering Party allows to submit partial offers. The Contractors can submit an offer for the chosen part or parts of the procurement (Task 1, 2 or 3).
2. The Ordering Party does not allow to submit variant offers as understood in art. 83 par. 1 of the PLP Act,
3. The Ordering Party does not plan to conclude a framework agreement on the basis of art. 99 of the PLP Act,
4. The Ordering Party does not plan to choose the most advantageous offer with the use of an electronic auction.

VI. Information about the expected supplementary procurements, referred to in art. 67 par. 1 point 7 of the PLP Act

The Ordering Party informs that it does not plan to issue supplementary procurements.

VII. The Ordering Party does not stipulate in the description of the subject of the procurement the requirements described in art. 29 par. 4 of the PLP Act.

VIII. Required procurement execution date:

The supply of the test stand described in the given tasks (parts) of the subject of the procurement shall be done not later than 9 months from the day of signing the lease contract.

IX. Terms of participating in the proceeding and the description of the way of assessing the meeting of these terms for each part of the subject of the procurement.





The proceeding can be entered by the Contractors who fulfil the conditions of participating in the proceeding, referred to in art. 22 par. 1 of the PLP Act,

- 1. They are authorised to perform certain activities or operations, if the regulations of the law impose so.**

The way of assessing this condition:

The activity conducted in the procurement to realize the subject of the procurement does not require special authorisation. The assessment of this condition in the proceeding will be based on the statement issued by the Contractor according to the formula „meets – does not meet”.

- 2. They have knowledge and experience.**

The way of assessing this condition:

The Ordering Party accepts that the Contractor has necessary knowledge and experience if within the last three years, before the final date for submitting the offers to participate, and if the period of conducting business activity is shorter – then within that period of time, it is able to prove adequate realization of at least one supply encompassing in its range one of the test stands below:

- a) functional and endurance test stand,
- b) PTO system test stand,
- c) transmission test stand,
- d) test stand of gearbox and synchronizers,

and the value of this supply was not lower than 100.000,00 PLN.

- 3. They have at their disposal adequate technical potential and appropriate people to execute the procurement.**

The way of assessing this condition: The assessment of this condition of the proceeding will be based on the statement issued by the Contractor according to the formula „meets – does not meet”.

- 4. They are in an economic and financial situation which ensures the realization of the procurement.**

The way of assessing this condition:

The Ordering Party accepts this condition as fulfilled if: the Contractor will show to have in total:

- financial resources or credit capacity in the amount of min. 200 000,00 PLN;



- valid insurance policy or other document confirming that the Contractor holds professional civil liability insurance covering the performed activity connected with the subject of the procurement up till the amount of 1 000 000,00 PLN.

In case of Contractors which want to participate together in an open tender, each of the abovementioned conditions of participation in the proceeding should be met by at least one Contractor or all Contractors together. The Contractor can rely on the knowledge and experience, technical potential, people who are able to execute the procurement or financial or economic capacity of other entities, independently from the legal character of their connections. In such situation the Contractor is obliged to demonstrate to the Ordering Party that it will have these resources at its hand during the realisation of the procurement, especially by demonstrating a commitment of these entities, in a written form (in the original), that they place at his disposal necessary resources to execute the procurement. The submitted evidence shall include the information about the range of the resources of the other entity available to the Contractor, the way of using the resources of the other entity by the Contractor during the realization of the procurement, the character of the relation which will connect the Contractor with the other entity, the range and period of share of the other entity while realizing the procurement. The entity which/who undertook to provide the abovementioned resources, is jointly liable with the Contractor for any loss incurred by the Ordering Party resulting from the failure to supply these resources, unless it is not guilty for failing to supply these resources.

The participation in the award of procurement can be entered by the Contractors which/who cannot be excluded on the basis of art.24 par. 1 and 2 of the PLP Act,

X. Information about the statements and documents which should be delivered by the Contractors to be assessed whether they meet the conditions of participating in the proceeding referred to in art. 22 par. 1 of the PLP Act and to demonstrate no grounds for their exclusion from the award of the procurement on the basis of art. 24 of the PLP Act

1. In order to fulfil by the Contractor the conditions referred to in art. 22 par. 1 of the PLP Act, the following documents should be presented:
 - 1.1 The statement of fulfilling the conditions of participation in the proceeding – **Annex no. 3 to SIPC** (*the original of the document*).
 - 1.2 The list of the supplies already made and in case of periodical and continuous services, the supplies which are being made, in a range which is necessary to demonstrate the fulfilling of the condition of knowledge and experience in the period of the last three years, before the final date for submitting the offers to participate, and if the period of conducting business activity is shorter – then within that period of time, including their value, the subject, the dates of the supplies and the entities to whom the supplies had been made – **according to the annex no. 4 to SIPC** and also the evidence confirming that the supplies were or are made adequately (*the original of the documents or the copies certified by the Contractor*).
 - 1.3 The information from a bank or a credit and savings union confirming the amount of the financial resources owned or the creditworthiness of the



Contractor, issued not earlier than 3 months before the final date for submitting the offers to participate.

1.4 Paid insurance and in case of its lack, other document confirming that the Contractor holds professional civil liability insurance covering the business related to the subject of the procurement.

1.5 In case of the instance stipulated in chapter IX of SIPC, a written commitment of other entities to place at the disposal of the Contractor necessary resources for the period of using them to execute the procurement – according to the annex no. 6 to SIPC (*the original of the document*).

2. In order to confirm by the Contractor that it cannot be excluded, basing on the art. 24 par. 1 and art. 24 par. 2 point 5 of the PLP Act, the following documents should be presented:

2.1 The statement of the absence of the grounds for exclusion from the proceeding – according to the annex no. 6 to SIPC (*the original of the document*).

2.2 A valid copy of an extract from the appropriate register or the central registration and information on business, should separate regulations require such an entry into the register, in order to demonstrate the lack of the grounds for exclusion, basing on the art. 24 par. 1 point 2 of the PLP Act, issued not later than 6 months before the final date for submitting offers to participate; (*the original of the documents or the copies certified by the Contractor*).

2.3 A valid certificate of a competent head of a tax office confirming the Contractor's absence of the arrears in the payment of taxes, or a certificate, as provided for by the law, that it has been exempted from the outstanding payments, or such payments have been postponed or divided into instalments, or the enforcement of the whole decision of a competent body has been suspended, with such a certificate issued not earlier than 3 months before the final date for submitting the offers to participate.

2.4 A valid certificate of a relevant ZUS (Social Insurance Institution) or KRUS (Agricultural Social Insurance Fund) branch, confirming the Contractor's absence of the arrears in the payment of fees and health and social insurance contributions, or a confirmation that, as provided for by the law, it has been exempted from outstanding payments, or such payments have been postponed or divided into instalments, or the enforcement of the whole decision of a competent body has been suspended, with such certificate issued not earlier than 3 months before the final date for submitting the offers to participate.

2.5 A valid information from the National Criminal Record within the scope determined in art. 24 par. 1 point 4-8 of the Act, issued not earlier than 6 months before the final date for submitting the offers to participate.

2.6 A valid information from the National Criminal Record within the scope determined in art. 24 par. 1 point 9 of the Act, issued not earlier than 6 months before the final date for submitting the offers to participate.





- 2.7 A valid information from the National Criminal Record within the scope determined in art. 24 par. 1 point 10 and 11 of the Act, issued not earlier than 6 months before the final date for submitting the offers to participate.
- 2.8 A statement of membership to the capital group – according to the annex no. 7 to SIPC (*the original of the document*).
3. In order to confirm the fulfilment of the conditions of participating in the procurement and the lack of grounds for exclusion from the proceeding, the Ordering Party allows to submit together with the offer to participate a self-declaration of the Contractor as the single European procurement document according to the Commission Implementing Regulation (EU) 2016/7 of 5 January 2016 establishing a standard form of the single European procurement document – referred to as ESPD (EU Official Journal L 3/16), but in case of failing to submit with the offer the documents confirming the fulfilment of the conditions of participating in the proceeding and the lack of grounds for the exclusion from the proceeding, the art. 26 par. 3 of of the PLP Act, subject to point 10, shall be applied.
4. The Ordering Party may withdraw from calling the Contractor to complete the documents confirming the fulfilment of the conditions of participating in the proceeding and the lack of grounds for the exclusion from the proceeding, basing on the art. 26 par. 3 of the PLP Act, if:
- 4.1 The Contractor relies in ESPD on the availability of these documents in free and publicly available EU Member States databases and it points these databases, and the Ordering Party can download these documents on its own.
- 4.2 The Contractor relies on the documents which the Ordering party already holds.
5. ESPD is submitted by the following entities:
- 5.1 The Contractor; in case of Contractors who/which are jointly applying for the award of the procurement, each Contractor submits ESPD;
- 5.2 Third parties; ESPD of the third party is submitted by the Contractor, if it will have the resources of the third party at its disposal in order to fulfil the conditions of participation in the proceeding, ESPD should be filled regarding the range in which the Contractor uses the resources of the third party, ESPD should also concern the verification of the grounds for exclusion, moreover, it refers to the situation when the third party will not be a Subcontractor while executing the procurement and also a situation when it will be a Subcontractor.
- 5.3 The Subcontractor; it concerns the subcontractors pointed by the Contractor, to whom the Contractor intends to entrust a part of the execution of the procurement, if the ordering party requires this pointing of the subcontractors in the proceeding, ESPD should concern the verification of the grounds for the exclusion;
6. The documents submitted by the Contractors having seat or place of residence beyond the territory of the Republic of Poland. If the Contractor has the seat or place of residence beyond the territory of the Republic of Poland, instead of the documents referred to in par. 2, it submits a







document or documents issued in the country in which it has the seat or place of residence and which confirm that:

- 6.1 It is not put into liquidation and its bankruptcy was not announced,
- 6.2 It is not in arrears with the payment of taxes, fees and health and social insurance contributions or as provided for by the law it has been exempted from the outstanding payments, or such payments have been postponed or divided into instalments, or the enforcement of the whole decision of a competent body has been suspended.
- 6.3 Submitting the offers to participate is not prohibited for the Contractor,
- 6.4 It was not convicted, which is confirmed by submitting a certificate issued by a court or administrative body proper for its seat or place of residence, whom the documents regard, as referred to in art. 24 par. 1 point 4-8, 10 and 11 of the act.
- 6.5 Documents, referred to in par. 3 indent 1,3 and 4, should be issued not earlier than 6 months before the final date for submitting the offers to participate,
- 6.6 Documents, referred to in par. 3 indent 2, should be issued not earlier than 3 months before the final date for submitting the offers to participate.
- 6.7 If in the place of residence of a person or a country where the Contractor has the seat or place of residence, the documents, referred to in par. 3, are not issued, then they can be replaced with a document containing a statement made before a notary, a competent judicial or administrative authority of the place of residence or country in which the Contractor has the seat or place of residence.
- 6.8 In case of doubts concerning the content of the documents which were submitted by the Contractor having the seat or place of residence beyond the territory of the Republic of Poland, the Tender Committee may ask the bodies proper for its seat or place of residence, in which the Contractor has the seat or place of residence, for necessary information concerning the submitted document.

7. In order to confirm that the offered services meet the conditions stipulated by the Ordering Party, the Contractor will submit:

A statement that during the carrying out of the tests, the Contractor uses devices of the lowest possible energy and water consumption and it will use products which can be recycled (at least 70% of the parts) and reused.

8. Remarks concerning the forms of submitting the documents:

- Documents issued in a foreign language should be submitted with their translation into Polish.
- The condition of accepting a copy instead of a document is by the application on each page of the copy the clause *'copy true to the original'* and the signature of a person/people authorised to represent the Contractor.
- If the submitted document is illegible or it casts doubts regarding its authenticity, the Ordering Party may request to present the original document or a copy certified by a notary.





XI. Information on the method of communication between the Ordering Party and the Contractors:

- Statements, application forms, notifications and information may be forwarded in a written form, by fax or e-mail.
- If the Ordering Party or the Contractor submits statements, application forms, notifications and information by fax or e-mail, each of the parties shall confirm their reception immediately upon request.

XII. The method of providing explanation:

- The proceeding of awarding the procurement, subject to the exceptions set out in the PLP Act, is conducted in writing. The statements, application forms, notifications and information may be submitted by fax or e-mail.
- The Contractor may request from the Ordering Party the explanation of the content of SIPC. The Ordering Party shall provide explanation as soon as possible but not later than 2 days before the final date for submitting the offers to participate, under the condition that the application form regarding the explanation of the content of SIPC is received by the Ordering Party, not later than till the end of the day in which the half of the defined offer submission period ends.
- The content of the questions together with the explanation will be forwarded to all of the Contractors who received SIPC, without pointing to the source of the question and also it will be published on the internet website:
www.ursus.com and www.bazakonkurencyjnosci.funduszeuropejskie.gov.pl
- The person who is directly responsible for the contact with the Contractors is **Mr Rafał Słomka, e-mail: rafal.slomka@ursus.com, phone number: +48 22 266 02 66.**

XIII. The requirements concerning tender guarantee

1. The Contractor is obliged to pay a tender guarantee in the amount of:
 - a) Task no. 1: the supply of the functional and endurance test stand of rear lift - 7200,00 PLN. (in words: seven thousand złoty).
 - b) Task no. 2: the supply of the endurance test stand – 12000,00 PLN. (in words: twelve thousand złoty).
 - c) Task no. 3: the supply of the test stand of gearbox and synchronizers - 30000,00 PLN. (in words: thirty thousand złoty).
2. The tender guarantee has to be paid before the final date for submitting the offers to participate, depending on the Contractor's choice of one or several forms presented below:
 - a) cash, by a transfer to the bank account of the Ordering Party: BZ WBK PL18 1500 1298 1212 9003 7126 0000 before the final date for submitting the offers to participate, with the title „wadium - przetarg nieograniczony znak sprawy 05/05/2016” (“tender guarantee – open tender case number 05/05/2016”);
 - b) bank sureties;
 - c) credit and savings union sureties;
 - d) bank guarantees;
 - e) insurance guarantees;



- f) sureties provided by entities referred to in art. 6b par. 5 point 2 of the act of 9th November 2000 on the creation of the Polish Agency for Enterprise Development (that is Dz. U. of 2007 no. 42, item 275 with amendments).
3. The tender guarantee submitted as a surety or guarantee should be submitted in the original and it cover the whole period of binding of the procurement. The tender guarantee submitted in the abovementioned form should be issued to: **URSUS S.A. 20-209 Lublin, Frezerów Street no. 7.** In case of submitting the tender guarantee as a guarantee or surety, it is necessary that the guarantee or surety covers the liability for all cases which may cause the loss of the tender guarantee by the Contractor, as referred to in art. 46 par. 4a and 5 of the act of 29th January 2004 – Public Procurement Law.
4. The tender guarantee in cash paid by a bank transfer has to be received onto the bank account of the Ordering Party, as mentioned in point 2, at the latest before the final date for submitting the offers to participate. The date of receiving the tender guarantee is the date on which the funds are credited to the Ordering Party's bank account.
5. The Ordering Party will return the tender guarantees basing on the rules specified in art. 46 par. 1-4 of Public Procurement Law Act.
6. According to the art. 46 par. 5 of Public Procurement Law Act, the Ordering Party will keep the tender guarantee together with the interest, in case when the Contractor whose offer is chosen:
- refuses to sign the agreement of public procurement on the conditions specified in the offer;
 - does not lodge the required security which is necessary to perform the agreement;
 - concluding the agreement of the public procurement will be impossible the reasons directly attributable to the Contractor.
7. The Ordering Party shall withhold the tender guarantee together with the interest also in a situation described in art. 46 par. 4a of Public Procurement Law Act.

XIV. The tender validity period

- The tender validity period of this proceeding is **60 days**.
- The Contractor alone or upon the request of the Ordering Party may extend the tender validity period but the Ordering Party may only once, at least 3 days before the expiry of the tender validity period, ask the Contractors for their permission for extending this period by a specific period, however, not longer than 60 days. The time-limit for the tender validity period starts with the final date of submitting the offers.

XV. Instructions for preparing the offer

- The offer should be prepared according to the specimen and requirements of the offer application form which is the **Annex no. 2 to SIPC**. (*the original of the document*).
- The offer should be accompanied by:







- A schedule of the realization of the subject of the procurement, which is the **annex no. 1 of the application form of the offer**,
 - Statements and documents mentioned in Chapter X of SIPC and possibly powers of attorney.
-
- It is recommended that the offer should be bound together with all of the attachments in order to prevent their detachment.
 - The offer should be in writing in Polish under pain of invalidity.
 - It is recommended that every page of the offer should be numbered and initialled by the Contractor or a person/people authorised to represent the Contractor. The Ordering Party advises to include the table of contents.
 - The offer together with all attachments has to be signed by the Contractor or a person/people authorised to represent the Contractor. The power of attorney should be attached to the offer if it is not implied in other attached documents. The power of attorney should be submitted in the original or a copy certified by a notary.
 - The corrections should be made legibly and accompanied by signatures of the Contractor or a person/people authorised to represent the Contractor.
 - Costs connected with the preparation of the offer are incurred on the Contractor who/which submits the offer.
 - The content of the offer has to match the content of SIPC. The Ordering Party does not agree for submitting an offer in an electronic form.
 - The Contractor should submit the offer in a closed envelope addressed to the Ordering Party. On the envelope there should be the name and the address of the Contractor and a notice: **Oferta: Dostawa stanowisk badawczych dla URSUS S.A. nr sprawy: 05/05/2016. Zadanie nr Nie otwierać przed dniem 17.08.2016 r. godz. 14:00. (Offer: the delivery of test stands for URSUS S.A. no. of the case 05/05/2016. Task no. Do not open before 17.08.2016 at 14:00.)**
 - The Contractor may introduce changes in the submitted offer before the final date of submitting the offers to participate. Introducing changes to the submitted offer should be done in the form described in point 10, labelled as „Zmiana oferty” (“The change of the offer”).
 - The Contractor before the final date of submitting the offer to participate may withdraw its offer by sending information to the Ordering Party about withdrawing its offer, under the condition that this information will be received by the Ordering Party before the final date of submitting the offers.
 - Information presented in the offer constituting the company secret, as understood in the act of 16 April 1993 on the fight against unfair competition (the uniform text Dz. U. of 2003, No. 153, item 1503 with later amendments), and which the Contractor claimed – not later than within the period of submitting the offers – that it cannot be disclosed, has to be labelled with the notice „Tajemnica przedsiębiorstwa” (“company secret”). **In case where it is stipulated that certain parts of the offer constitute a company secret, the Contractor is obliged to demonstrate that such reservation is applicable basing on the regulations art. 11 par. 4 of the act of 16 April 1993 on the fight against unfair competition (the uniform text Dz. U. of 2003, No. 153, item 1503 with later amendments).**

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The Contractor cannot reserve information regarding the name (company) and the address of the Contractor and also the information connected with the price of the offer, the date of the execution of the procurement, warranty period and the payment terms included in the application form of the offer. Furthermore, it is recommended to have the documents bound, clearly labelled and secured against its separation from the rest of the offer.

XVI. Place and date of submitting and opening the offers

1. The offers shall be submitted to the headquarters of the Ordering party **Frezerów Street no. 7, 20-209 Lublin (Management Board Secretary Office – second floor).**
2. Only the offers, which will be received by the Ordering Party until the date of **17.08.2016 till 14:00 (2.00 p.m.)**, shall participate in the tender. The factor, which will decide about keeping the abovementioned date and time, is the date and time of receiving the offer by the Ordering party – not the date of its submission by post or courier.
3. The opening of the offers will be held in the headquarters of the Ordering Party **Frezerów Street no. 7, 20-209, Lublin on 17.08.2016 at 14:15 (2.15 p.m.)**
4. The opening of the offers is open.
5. Immediately before the opening of the offers, the Tender Committee will inform the Contractors which amount of money it would like to spend on financing of the procurement.

XVII. The way of calculating the price

- The price should be provided according to the requirements of the application form of the offer. It is necessary to present the nett value, value added tax (VA)T and the gross price for the realization of the total of a given task (part).
- The price has to encompass the total procurement for the given task and include all costs which the Contractor will have to pay in connection with the execution of the subject of the procurement.
- The price has to be complete, unequivocal and final, including the appropriate rate of VAT.
- The price has to be provided in PLN (Polish złoty) with an accuracy of two decimal places.

XVIII. The description of the criteria regarding the choice of the offers and the procedures of their examination.

All offers, which are not rejected, shall be examined on the basis of the following criteria:

- **the price of the offer – weight 90%,**
- **the date of the execution of the procurement - weight 10%**

The maximum number of points is equal to a certain weight of the criterion in %.

1. The procedure of examining the criterion price – the Ordering Party will examine the price of the offer pointed by the Contractor in the application form of the offer, calculated in the method stipulated in point XVII SIPC, on the basis of inserting data





to the formula below. While examining the offer, The Ordering party will consider the final price presented in the application form of the offer to two decimal points.

The number of the points, which may be gathered in the criterion price, will be calculated according to the following formula:

$$PK = [CN / CR] \times 90$$

PK – number of points for the criterion

CN – the lowest offered price

CR – gross price of the examined offer

2. The procedure of examining the criterion execution – The Ordering Party will examine the offers considering this criterion on the basis of the time of the execution of the subject of the procurement, (presented in full months) and matching the time stipulated by the Ordering Party, that is 9 months for each task, declared by the Contractor in the offer and in the schedule of the execution of the agreement, which is the annex no. 1 to the offer.

- a) In case of offering the date of the execution of the subject of the procurement for a given task within 9 months that is the minimal time required by the Ordering Party – the Contractor receives 0 points.
- b) The offer of the Contractor, who will offer the date of the execution of the total subject of the procurement for the given task over 9 months, will be rejected as incompatible with SIPC.
- c) In case of not filling in the application form of the offer the date of the execution, the Ordering Party will take the date specified in the schedule of the execution of the subject of the procurement.
- d) The number of points in the criterion execution of the procurement will be calculated in the following way:

$$TW = [NOTW / OTW] \times 10$$

TW – number of points for the criterion execution

NOTW – the shortest deadline among the offers

OTW – the deadline from the offer

- e) The Contractor may gather max. 10 points for the criterion execution

XIX. Information about the formalities which should be completed following offer selection in order to enter into a public procurement contract.

1. The Ordering Party concludes the contract of a public procurement not less than 15 days from the date of sending the notice informing about the selection of the most advantageous offer, if this notice was sent in the way specified art. 27 par. 2 of the PLP Act or 15 days – if it was send in other way.



2. The Ordering Party may conclude the contract of public procurement before the deadlines referred to in point 1 if **just one offer was submitted, no offer was rejected and no Contractor was excluded** in the proceeding of awarding the procurement in case of an open tender.
3. In case of selecting the offer of Contractors who/which are jointly applying for the award of the procurement, they are obliged to submit to the Ordering Party the agreement regulating their cooperation (in the original or a copy certified to be true by the Contractor).

XX. The requirements regarding the performance bond.

- The Ordering Party demands a performance bond.
- The performance bond shall act as the means of securing the claims of the Ordering Party with respect to non-performance or improper performance of the agreement.
- The Ordering Party sets the performance bond in the amount of 2% of the total price given in the offer.
- The performance bonds may be paid in one of the several forms below:
 - cash,
 - bank sureties or credit and savings union sureties, but the liability of the union is the monetary one,
 - bank guarantees,
 - insurance guarantees,
 - sureties provided by entities referred to in art. 6b par. 5 point 2 of the act of 9th November 2000 on the creation of the Polish Agency for Enterprise Development

XXI. Instruction on legal remedies available to the Contractor during the course of the proceeding of the award of the procurement.

1. If the Contractors and also other entities have or had an interest in being awarded the procurement, and they have suffered or may suffer damage as a result of a breach by the Ordering Party of the provisions of the act, they shall receive legal protection.
2. The provisions concerning legal protection are regulated by the rules of the Section VI of the PPL Act.

XXII. Other information

All activities, powers and duties of the Contractors and the Ordering Party not covered by this SIPC and the notice, and which the PLP Act does not order the Ordering party to include in SIPC and which may contribute to the proper course of the proceeding, are regulated by the PLP Act and decrees issued on its base.

XXIII. Annexes to SIPC

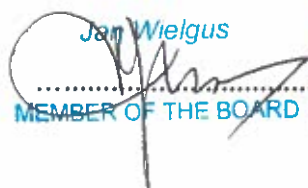
1. Three-point linkage system
2. Application form of the offer with the schedule






3. The statement of the Contractor of fulfilling the conditions of the participation in the proceeding pursuant to art. 22 par. 1 of the PLP Act.
4. The list of supplies which have been done and which confirm the fulfilling of the condition of the participation in the proceeding.
5. The statement of the Contractor of the lack of grounds for the exclusion from the proceeding of the award of the public procurement on the basis of art. 24 par. 1 of the PLP Act.
6. The commitment of third parties that they place at the disposal of the Contractor necessary resources to execute the procurement for the period of their using while executing the procurement for the supply of the test stands for URSUS S.A., no. of the case: 05/05/2016. Task no.
7. The statement of the Contractor about the membership or the lack of membership to the capital group, pursuant to art. 26 par 2d of the PLP Act.

Lublin 4.07.2016


Jan Wielgus
MEMBER OF THE BOARD


PROXY OF THE BOARD
C/O
Marcin Matuszewicz

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