



Competitive public tender

(Tender Conditions)

Name:

Chemicals

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A. INSTRUCTIONS FOR TENDERERS

A.1 GENERAL INSTRUCTIONS

1.1 Awarding Authority

Organization Name: NAFTA a s.
 Company ID: 36 286 192
 VAT ID: SK2022146599
 Registered Office: Votrubova 1, 821 09 Bratislava
 Registration: Bratislava 1 District Court Business Register,
 Section Sa, Insert No. 4837/B

Awarding Authority Contact:

Contact Person: Ing. Martin Repko
 Phone: +421 2 4024 2551
 Fax: +421 2 4024 2516
 E-mail: chemikalie.2017@nafta.sk
 Website: www.nafta.sk

A.1.2 Subject

Table 1

The subject of the tender is supply of the chemicals shown in Table 1 for the operational needs of NAFTA a.s.

Name	Chemical formula	Estimated 3-year	Requirements	
Potassium carbonate	K ₂ CO ₃	800,000 kg	purity	> 98 wt %
			Anhydrous, granular, dust-free; packaged in big bags with inner moisture resistant foil, laboratory analysis of each production batch (A-test)	
Potassium chloride	KCl	200,000 kg	purity	> 98 wt %
			packaged in big bags with inner moisture resistant foil, laboratory analysis of each production batch (A-test)	
Methanol	CH ₃ OH	1,100,000 kg	purity	> 99 wt %
			outward appearance	clear, colorless liquid without sediment
			specific weight	0.791-0.792 g/cm ³
			aldehydes, ketones (acetone)	< 0.003 wt %
			acidity (acetic acid)	< 0.003 wt %

			permanganate time	> 30min
			miscibility with water	no turbidity
Triethylene glycol	C6H14O4	50,000 kg	purity	> 99 wt %
			outward appearance	clear fluid without sediment
			specific weight	1124-1126 kg/m ³
			other glycol content	< 1.0 wt %
			water content	< 0.1 wt %
			acidity (acetic acid)	< 0.005 wt %
			ash content	< 0.005 wt %
			start of distillation, 5% of volume	280°C
			aldehydes (acetaldehyde)	< 0.01 wt %
Diethylene glycol	HO-(CH ₂) ₂ -O-(CH ₂) ₂ -OH	6,000 kg	purity	> 99 wt %
			outward appearance	clear fluid without sediment
			specific weight	1117-1120 kg/m ³
			contains other glycols	< 1.0 wt %
			water content	< 0.2 wt %
			acidity (acetic acid)	< 0.005 wt %
			ash content	< 0.005 wt %
			start of distillation, 5% of volume	242°C
			aldehydes (acetaldehyde)	< 0.01 wt %
Slovanik 3040	polyethylene-polypropylene glycol	5,000 kg		
Slovafof 906	4-nonylphenol, branched, ethoxylated	6,000 kg		

A.1.3 Contract Type

The outcome of the tender will be a framework sales contract or contracts that will contain provisions agreed by both the Awarding Authority and winning Tenderer. The term of the Contract will be for three (3) years with the possibility of a one-year extension.

A.1.4 Place of Delivery, Delivery Date(s) and Delivery Flexibility

The required amount, date and place of delivery will be determined in individual orders.

Place of delivery: Gbely, Plavecký Štvrtok

A.1.5 Evaluation of Bids and Tender Completion Date

Only bids submitted by Tenderers in the manner and by the deadline stated in this announcement will be evaluated.

NAFTA a.s., Votrubova 1, 820 09 Bratislava

The Awarding Authority reserves the right following the submission of bids to limit the number of Tenderers and to call upon the Tenderers to negotiate individually on the terms of the Contract, with the Awarding Authority submitting a draft contract to Tenderers.

The Awarding Authority reserves the right to negotiate the bid with a Tenderer at any successive stages and may opt to call upon Tenderers to submit updated bids at any stage of negotiations. The Awarding Authority reserves the right to limit the number of Tenderers at any stage.

The Awarding Authority reserves the right to call upon Tenderers to update their price proposals in an electronic auction, in which case the Awarding Authority will communicate it to Tenderers in advance.

The deadline for completion of the tender is December 31, 2017.

A.1.6. Explanation and Communication

Any information between the Awarding Authority and Tenderers will be provided either in writing or electronically. The address for written communications is shown in 3.2 and the e-mail address is chemikalie.2017@nafta.sk.

A.2 INSTRUCTIONS FOR TENDERING A BID

A.2.1 Tender Contents

Submitted bids must include documents in the following order:

1. Tenderer's name and exact address, company registration number and contact details of the person authorized to act on behalf of the Tenderer in contractual relationships for further negotiations on terms and conditions.
2. Bid for carrying out the subject of the tender - **quotation**
3. Proof of economic standing as specified in B.1
4. Proof of technical capacity as specified in B.2

A.2.2 Bidding

A Tenderer may submit only one bid.

A bid may be submitted for the entire subject of the tender or for only a certain part.

Bids must be tendered in writing and written in Slovak, Czech or English using a typewriter, computer printer, pen with indelible ink or the like.

Bids must be bound with no possibility of any arbitrary exchange of individual parts.

The tendered bid must be signed by the Tenderer's statutory authority entered in the Commercial Register or a person authorized to sign.

The entire bid is required to include an electronic version either on a CD or USB flash drive in a standard format.

A.2.3 Validity of Tenders

Bids remain valid for the period during which the Tenderer is bound to keep open its tender, at

minimum until **31 December 2017**.

A.3. SUBMISSION OF TENDERS

A.3.1 Labeling of Bid Envelopes

Bids must be placed in a separate sealed envelope, which must include the Awarding Authority's and Tenderer's addresses and be marked with the words "**Výberové konanie - neotvárat**" (Tender - Do Not Open) and "**Chemikálie**" (Chemicals).

Submitted bids must include information and documents in the following order:

In Envelope 1 - "Criteria":

Tenderer's economic and financial standing (as specified in B.1)

Tenderer's technical capacity (as specified in B.2)

In Envelope 2 - "Price":

Quotation (Annex 1 - properly filled table)

Pricing, invoicing and warranty (as specified in C)

A.3.2 Place and Date for Submitting Tenders

Bids should be delivered to the following address:

NAFTA, a.s.

Podateľňa (Mail Room)

Ing. Martin Repko

Mlynské nivy 44/c

825 11 Bratislava

Slovak Republic

Deadline for submission of bids: July 07, 2017.

The Awarding Authority reserves the right to change the deadline for submitting bids. Any change in the deadline will be electronically mailed to all known tenderers and simultaneously announced on the Awarding Authority's website www.nafta.sk.

B. CONDITIONS FOR PARTICIPATION

B.1 ECONOMIC AND FINANCIAL STANDING OF THE TENDERER

The Tenderer's economic and financial standing will be established using the following information:

1. Economic performance (audited income statement, balance sheet or other financial statement) for the last 2 years, if these financial statements were audited.
2. Third party liability insurance contracted between the Tenderer and an insurance company
- demonstrated by submitting a certified photocopy of the insurance contract. The insurance contract must be effective on the date when the bid is submitted and cover at least the term of the Contract;
3. Amount of chemicals shown in the subject of the tender which have been sold in the past two (2) years.
4. Declarations on honor from the Tenderer, issued as a single document:

- That the Tenderer is not subject to insolvency or proceedings or its assets are being administered, that it is not bankrupt or being wound up and no petition for declaration of bankruptcy has been rejected for lack of assets.
- That its business activities are neither suspended nor is it in any analogous situation arising from a similar procedure provided for under national legislation or regulations;
- That the Tenderer is not in arrears of taxes, whose collection is being enforced, in the Slovak Republic or the country in which it is established.
- That, neither in the Slovak Republic nor the country in which it is established, the Tenderer is in breach of its obligations relating to the payment of contributions to health insurance, sickness insurance and social insurance and institutions for occupational retirement, whose collection is being enforced, and is not in breach of its obligations relating to the payment of contributions to unemployment insurance, whose collection is being enforced;
- That the person has not been found guilty of grave professional misconduct during the previous three years;
- That the documents submitted by the Tenderer are true and complete.

B. 2 TECHNICAL CAPACITY OF THE TENDERER

The Tenderer's technical capacity will be established using the following information:

1. Proof that the Tenderer is authorized to do business in the subject of the tender. Such proof is either a business license or extract from the register of trade activities, or an extract from the Commercial register. All proof must reflect the actual state at the time when the Tenderer will be participating in the tender.
2. Submission of a copy of ISO 9000 quality management certification;
3. Safety data sheet for each chemical listed in the tendered bid.

C. PRICING, INVOICING AND WARRANTY

C.1 PRICE DETERMINATION METHOD

1. The price for the subject of the tender must be defined in accordance with National Council of the Slovak Republic Act 18/1996 Coll. on prices, as amended;
2. Prices will be given by the Tenderer in euro, exclusive of VAT;
3. The unit price will be presented in the bid in euro, exclusive of VAT, and rounded to three (3) decimal places.
4. The prices for individual chemicals are valid for **three (3) years**. If it is not possible for a price to remain valid for this period, the Tenderer will bring this to attention.
5. The Tenderer will not invoice costs for distribution (DAP and DDP) and technical assurance for goods, but will take them into account and include them in the quoted unit prices.

C.2 INVOICES

Invoices are issued after proper delivery of goods and based on an acceptance

report. The acceptance report must be attached to the invoice. Invoices are due within sixty (60) days from date of receipt. Invoices are deemed to be settled when the invoiced amount has been credited to the customer's account.

C.3 WARRANTY

Detailed specifications of warranty conditions and the handling of complaints will be included in the contract.

D. ADDITIONAL TERMS AND CONDITIONS

1. The Awarding Authority reserves the right to change the conditions of the tender or cancel the tender anytime during it. Any change in conditions or cancellation of the tender will be communicated to Tenderers.
2. Any Tenderer that fails to submit any of the required proof or documents, does not respond to any questions from the Committee to comments about bids during an explanation of them or fails to meet conditions for participation under these tender conditions may be excluded the tender.
3. A tenderer is not entitled to be reimbursed for costs associated with its participation in the tender.
4. The Contracting Authority reserves the right during an evaluation of bids to require Tenderers to explain the bids and to verify any data and facts stated in the bid.
5. Neither the completion of the tender nor an announcement of its outcome automatically results in a contractual relationship.
6. The Awarding Authority reserves the right to negotiate provisions of the Contract with the selected Tenderer.
7. No received bids will be returned to Tenderers, but will remain filed with the Awarding Authority as part of its tender dossier.
8. The Awarding Authority reserves the right not to disclose criteria for evaluating bids.
9. The Awarding Authority is entitled to select the tender it prefers and not obliged to communicate the reasons for its decision. Likewise, it is entitled to reject all submitted bids.
10. Tender documents are a trade secret and remain confidential indefinitely. The Awarding Authority will enter into a contract with the winning tenderer after the results of the competitive public tender have been approved in accordance with the Awarding Authority's internal rules.
11. All other tenderers will be notified in writing by the Awarding Authority of the rejection of their bids. No other information will be provided by the Awarding Authority.
12. Language(s) in which documentary evidence of compliance with the conditions of participation can be submitted: Slovak, Czech
13. The Awarding Authority reserves the right, in compliance with Sec. 283 of the Commercial Code, to change the publicized conditions of this tender or to cancel the tender without cause. Any change in the publicized conditions of the tender or cancellation of the tender will be announced on the Awarding Authority's website www.nafta.sk.
14. The Awarding Authority reserves the right either to select none of the tenderers or to enter into a contract with several tenderers.
15. The Awarding Authority reserves the right to reject all submitted bids.

16. All expenditures associated with the preparation and submission of a bid and any related communication between the Awarding Authority and a tenderer are borne in full by the tenderer. Any potential failure in the tender does not entitle the tenderer to be reimbursed by the Awarding Authority for costs associated with participation in the tender. A tenderer is not entitled to be reimbursed for costs associated with its participation in this tender, even if its bid is accepted as the winning bid.
17. The conditions specified in this announcement will only be explained if a written request has been electronically mailed to the Awarding Authority's contact person at latest **by June 28, 2017 at 2:00 PM.**
18. Working hours at the Awarding Authority are Monday to Friday from 9:00 AM to 2:00 PM.
19. Tender documents are a trade secret and remain confidential indefinitely.
20. Tenderers acknowledge that they have no right to file an appeal or seek other remedies if a tenderer's bid is rejected, excluded from evaluation or not accepted, or if the competitive public tender is canceled.
21. Tenders acknowledge when they submit their bids that the Awarding Authority is required by provisions of Sec. 29 (5) of Act 250/2012 Coll. on Regulation of Network Industries to communicate certain tender related information to the Office for Regulation of Network Industries and that they give their consent thereto by submitting their bids.

E. CONFIDENTIALITY OF TENDERING

Information contained in these Tender Documents or exchanged between a Tenderer and the Awarding Authority in connection to this tender, any negotiation of prices and contractual conditions and all information which constitutes trade secrets of either Party are strictly confidential and no Tenderer is allowed to disclose or otherwise provide such information to a third party or use it for its own needs, contrary to the purpose thereof, without the prior written consent of the Awarding Authority.

F. LIST OF ANNEXES

Annex 1

Quotation - fill the table