

**REQUEST FOR QUOTATION no. 9/2023/Z/KONGO****dated 15.12.2023r.**

Application number FENG.01.01-IP.01-A032/23

In connection with the planned implementation of the project entitled "Development of the first innovative immunoconjugate with immunomodulatory and cytotoxic effects as a drug candidate in cancer therapy" under the European Funds for the Modern Economy Program, recruitment: FENG.01.01-IP.01-002/23, Measure FENG.01.01, Priority FENG.01 Support for entrepreneurs.

**CONTRACTING AUTHORITY:**

Celon Pharma S.A.

Ogrodowa 2A,

05-092 Kielpin

VAT no.: 118-16-42-061

**PARTIAL BIDS ACCEPTED: NO****ACCEPTANCE OF VARIANT OFFERS: NO****ORDER COMPLETION DATE: no later than February 29, 2024****I. ORDERING PROCEDURE:**

- This order is not subject to the provisions of the Act of 11 September 2019. *Public Procurement Law*;
- This procurement is carried out in accordance with the principles of competitiveness, openness, transparency and equal access;
- The Contracting Authority reserves the right to cancel the procedure at any stage, without giving reasons;
- The Contracting Authority shall inform the Bidders and publish relevant information on the website of the Competitiveness Database in the event of changes to this request for proposal;
- The Contracting Authority reserves the right to ask the Bidders supplementary questions regarding additional information, documents or explanations;

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**Headquarters:** 2A Ogrodowa Street, 05-092 Łomianki / Kielpin, **Research and Development Centre:** 15 Marymoncka Street, 05-152 Kazuń Nowy  
Tel.: +48 22 751 59 33; e-mail: [info@celonpharma.com](mailto:info@celonpharma.com), [www.celonpharma.com](http://www.celonpharma.com)

**Registration authority:** District Court for the Capital City of Warsaw, XIV Commercial Division of the National Court Register

**President of the Management Board:** Maciej Wieczorek, Share capital: **PLN 5,105,650**, KRS: 0000437778, NIP: 1181642061, BDO: 00010958

- In justified cases, before the deadline for submission of tenders, the Contracting Authority reserves the right to modify or amend the content of the invitation to submit tenders;
- This invitation to submit tenders does not oblige the Contracting Authority to conclude a contract.

## I. DESCRIPTION OF THE SUBJECT OF THE REQUEST FOR QUOTATION

CPV code: 33696500-0

### Set 1.

Lp.	Description	Pack size	Quantity
1.	DBCO-NHS ester (CAS: 1353016-71-3) (Preferred product Angene ref. F983667 or equivalent)	50 g	1
2.	DBCO-amine 95% (1255942-06-3) (Preferred product Angene ref. AS170296 or equivalent)	10 g	1
3.	(S)-2-((((9H-Fluoren-9-yl)methoxy)carbonyl)amino)-3- ((((2R,3R,4S,5R,6R)-3,4,5-triacetoxy-6-(acetoxymethyl)tetrahydro- 2H-pyran-2-yl)oxy)propanoic acid, 98%,(CAS: 118358-38-6) (Preferred product Angene ref. AG008V0W or equivalent)	5g	1

## II. TERMS AND CONDITIONS OF PARTICIPATION IN THE REQUEST FOR QUOTATION

1. Due to the continuation of research work under the project in question, their specificity and unique nature of the reagents/materials used in the research process will significantly affect the shape of the conducted R+D work, in the description of the subject of the contract, for technical reasons of an objective nature, the catalogue number of the product(s) is given;
2. Due to the uniqueness, uniqueness, strictly defined methodology of the projects, scientific research and experiments carried out, as well as the need to maintain the continuity and repeatability of the research conducted by the Ordering Party, the Supplier offering products equivalent to the products described in the RFP is obliged to:
  - on the basis of technical documentation/safety data sheets/etc. and a written declaration that the equivalent products offered by the Contracting Party meet the requirements allowing for the continuation of the Contracting Authority's scientific research without the need to perform

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additional activities (procedures), including, for example, calibration of equipment, validation of developed laboratory methods;

- demonstrate (by means of a written declaration in the bid) that the equivalent products offered will not result in increased costs due to the need to purchase additional products and other consumables;
  - accept – in the form of a written declaration – responsibility for damage to the equipment resulting from the use of equivalent products offered and supplied, on the basis of an opinion issued by an authorized service provider of the equipment manufacturer.
3. The offer should also be accompanied by the "Statement of lack of personal and capital ties with the Contracting Authority", which is attached as Appendix 1 to this RFP.

# 1. CRITERIA FOR THE SELECTION OF TENDERS

## Price (C) – 100 points (100%)

Method of assessment:

Criterion	Weight (%)	Maximum number of points to be obtained	Method of evaluation according to the following formula
Price	100%	100 pts	$C = \frac{\text{Lowest quoted price}}{\text{Quoted price}} \times 100 \text{ points}$

The total number of points that a given offer will receive will be calculated according to the following formula:

$$L = C$$

**L** – total number of points;

**C** – points obtained in the "Price" criterion.

# III. ADDRESS AND DEADLINE FOR SUBMISSION OF TENDERS

1. The offer should be submitted via the website of the Competitiveness Database

<https://bazakonkurencyjnosci.funduszeuropejskie.gov.pl/>;

Below is instruction how to add an offer:

<https://bazakonkurencyjnosci.funduszeuropejskie.gov.pl/pomoc/50-dodanie-oferty-do-ogloszenia>

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2. Withdrawal from the communication referred to in point 1 is permissible if:
  - a) the nature of the order requires the use of tools, devices or file formats that are not supported with BK2021, or
  - b) file format applications that are suitable for the preparation of bids or competition entries, use file formats that cannot be supported by any other open source or generally available applications, or are licensed and cannot be made available for download or remote use by the Contracting Authority, or
  - c) the procurer requires the submission of a physical model, scale model or sample that cannot be provided via BK2021, or
  - d) this is necessary due to the need to protect sensitive information, which cannot be sufficiently guaranteed by BK2021.

In such cases, the offer with the required attachments should be submitted to the e-mail address [anna.zalecka@celonpharma.com](mailto:anna.zalecka@celonpharma.com).

3. The offer must be submitted no later than **27.12.2023.**;
4. Offers submitted after the deadline indicated above will not be considered;
5. Offers will be evaluated no later than **19.01.2024.**;
6. Offers submitted in foreign currency will be converted according to the exchange rate of the National Bank of Poland as of the date of settlement of the inquiry;
7. Information on the selection of offers will be published on the website of the <https://bazakonkurencyjnosci.funduszeuropejskie.gov.pl/> Competitiveness Database.

#### IV. PRESENTATION OF OFFERS

1. Each Bidder may submit only one offer in Polish or English;
2. The offer must include:
  - The number of the request for quotation
  - Date of preparation of the offer
  - The details of the Tenderer: address, telephone number, e-mail address, Tax Identification Number (NIP) (if available),
  - Include detailed information on the compliance of the proposed subject matter of the RFP with the specification,

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- If the offer was submitted by the Bidder operating in Poland: net price, gross price and tax due,
  - If the offer was submitted by the Bidder operating outside Poland: net price and information on the absence of VAT and other taxes.
3. The offer must be valid for at least 30 days.
  4. The costs of preparing the offer shall be borne by the Tenderer;
  5. The due date of each invoice must be at least 30 days;
  6. The offer must be signed by persons authorised to represent the Contractor/Supplier (according to the National Court Register or power of attorney).

## **V. CONCLUSION OF THE CONTRACT**

The bidder, whose offer is assessed as the most advantageous, is obliged to conclude a contract with the Contracting Authority. If the Tenderer whose offer has been selected refuses to conclude the contract, the Contracting Authority has the right to select the next Tenderer whose offer was the most advantageous among the remaining offers.

## **VI. CONTRACTUAL PENALTIES**

The Tenderer shall pay the Contracting Authority the following contractual penalties:

- for delay in the delivery date of the subject of the contract, for each commenced day of delay, unless the delay is due to the fault of the Contracting Authority,
- in the event that the results of studies conducted with an equivalent product are not in line with expectations,
- the supplier agrees to deduct the amount of contractual penalties directly upon payment of the VAT invoice for the delivery.

### **Comments:**

- Due to the necessity to maintain the continuity of research, the Contracting Authority provides for the possibility of placing a supplementary order in the amount not exceeding 50% of the contract value specified in the contract concluded with the selected Contractor/Supplier;
- The Contracting Authority allows for the possibility of cancelling the order or resigning from the order of goods and services included in the partial procedure or from the entire procedure, in the event of failure to obtain funds for the performance of this contract or in other cases when the performance of

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the order will not be in the interest of the Contracting Authority;

- Entities related to the Contracting Authority personally or by capital are excluded from participation in this procedure. Capital or personal ties shall be understood as mutual relations between the Contracting Authority or persons authorised to incur liabilities on behalf of the Contracting Authority or persons performing activities on behalf of the Contracting Authority related to the selection of the contractor and the contractor, consisting in particular of:
  - a) participation in a company as a partner in a civil law partnership or a partnership,
  - b) holding at least 10% of shares, unless the lower threshold results from the law or has not been determined by the MA PO,
  - c) acting as a member of a supervisory or management body, proxy, proxy,
  - d) being married, in a relationship of consanguinity or affinity in the direct line, in a relationship of the second degree or affinity in the collateral line of the second degree, or in a relationship of adoption, guardianship or guardianship.
- The Contracting Authority allows for the possibility of negotiating the presented offer;
- The Contracting Authority reserves the right to amend the contract concluded with the selected Tenderer as a result of the public procurement procedure for the following reasons:
  - a) justified changes in the manner in which the subject matter of the contract is performed,
  - b) objective reasons beyond the control of the Contracting Authority or the Tenderer,
  - c) changes in legal regulations in force on the date of signing the agreement,
  - d) Majeure
  - e) the occurrence of another obstacle beyond the control of the Tenderer, preventing the performance of the work,
  - f) in the event of introducing changes to the Subject of the Agreement exceeding the material and/or financial scope indicated in the Offer, the Parties undertake that such changes will be introduced on the basis of an appropriate annex.
- In connection with the entry into force of the Act of 13 April 2022 on Special Solutions for Counteracting Support for Aggression against Ukraine and for the Protection of National Security (Journal of Laws, item 835), entities or citizens from the Russian Federation subject to the sanctions specified in Article 1 of the above-mentioned Act are excluded from participation in this procedure, provided that they are on the list of persons and entities on the date of submission of the offer, against which sanctioning measures should be applied, maintained on the website of the Public Information Bulletin of the Minister of the Interior and Administration.

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