

Notice of invitation to tender under Article 70¹ – 70⁵ of the Polish Civil Code

Tender ID	01/EU/T2/STS – Purchase and delivery of five ship to shore quay container gantry cranes
Estimated value	More than EUR 30,000
Type of contract	Supply
Date of placing the Notice at the Ordering Party's website	30 / 04 / 2014

I. Ordering Party

I.1. Name

- address	DCT Gdańsk S.A. ul. Kontenerowa 7, 80-601 Gdańsk, Poland
- phone no.	(+48 58) 737 9000
- fax. no.	(+48 58) 737 6350
- website	http://www.dctgdansk.com

I.2. Contact person

- address	Cezary Osipuk, Purchasing Coordinator ul. Kontenerowa 7, 80-601 Gdańsk, Poland
- phone no.	(+48 58) 737 91 67
- e-mail	t2-sts-tender@dctgdansk.com

II. Subject of the Contract

II.1. Description of the Contract

A. The subject of the Contract is:

- purchase and delivery of newly built five ship to shore quay container gantry cranes fulfilling or exceeding requirements established in the technical specification (Employer's requirements), and
- delivery of all valid approvals required by law for the cranes' usage issued by relevant statutory authorities (in particular but not limited to authorities supervising technical quality of handling equipment i.e. Transportowy Dozór Techniczny, <http://www.tdt.pl/>).

B. Main characteristics and parameters of the cranes:

- Cranes will load and discharge container vessels and will handle containers, hatch covers and lashing gear
- Cranes will be able to operate with I.S.O. Containers of 20ft., 30ft., 40ft. and 45ft as well as 2 x 20ft lengths

C. Detailed technical specification (Employer's requirements) constitute an integral part of the Tender Documentation and is available in the registered office of the Ordering Party and, at Bidder's written request, shall be sent to the Bidder by post or e-mail by the expiry of the bids' submission date set out in point 6.12 of the Terms of Tender.

At Bidder's written request the Ordering Party may provide the Bidder with other documents. Ordering Party reserves the right to provide certain documents on the condition of receipt of a duly signed by the Bidder Non-Disclosure Agreement (according to the template provided by the Ordering Party).

II.2. Place of Contract performance Ordering Party's address (I.1)

II.3. Is submission of a partial bid No permitted?

II.4. Is submission of a variant bid No permitted?

II.5. Time limits for Contract completion No longer than 23 months since the issuance of Notice to Proceed (as defined in template agreement constituting Annexe No. 1 to Terms of Tender) in accordance to the agreement's provisions

II.6. Delivery terms and conditions: DDP DCT GDAŃSK acc. to INCOTERMS 2010

III. Information about the Bidder and Tender entry criteria

III.1. Required Tender guarantee EUR 0.00

III.2. Information about the Bidder and Tender entry criteria

A. Bidder meeting the following conditions may apply for the award of the Contract:

- a) Bidder possessing required licenses to perform defined activities or activity, if the legal provisions in force impose an obligation to possess the said license
- b) Bidder possessing knowledge and experience in the subject of the Contract
- c) Bidder having at their disposal relevant technical potential and persons able to perform and complete the Contract
- d) Bidder having available financial resources to perform the Contract

B. In order to prove the fulfilment of the conditions set out in III.2.A.a-d) above Bidder is obliged to submit with the bid the following documents:

- a) Copy or copies of required licenses to perform defined activities or activity
- b) Documents confirming successful delivery within last 10 years since the issuance of the Notice (or if the Bidder has operated for a shorter period, then within this period) of at least 30 ship to shore container cranes with an outreach of minimum 50 meters each. Ordering Party accepts the situation in which at least 30 ship to shore container cranes with an outreach of minimum 50 meters each have been supplied within one or more contracts performed by the Bidder
- c) Documents (CVs, reference letters, other relevant documents) confirming having at Bidder's disposal at least two persons dedicated for the performance of the Contract able to perform and complete the Contract, i.e.:
 - Project manager possessing at least 15 (fifteen) years of experience in the subject of the Contract and five years of experience in project management as Project manager, and
 - Site manager possessing at least 10 (ten) years of experience in the subject of the Contract and experience in working in at least 2 (two) container crane delivery projects as site manager

- d) Bidder having available financial resources to perform the Contract. The Bidder must have a credit position or available financials of not less than EUR 15,000,000.00 (fifteen million EUR) confirmed by bank statement.

All documents set out in III.2.B.a-d) above must be included in the bid submitted by Bidder.

Points 8.3 and 8.4 of the Terms of Tender shall apply however the Ordering Party reserves the right to reject the bid that fails to meet any of the above presented requirements.

C. Bid must meet the following entry criteria:

- a) Technical specification (Employer's requirements) – technical specification is an inherent part of the Documentation. To find the submitted bid valid, it must fulfil or exceed all requirements placed in DCT's technical specification (Employer's requirements)
- b) Crane stiffness – the Bidder must deliver calculation of stiffness proving that proposed cranes' design meets requirements set out in the technical specification (Employer's Requirements) regarding crane stiffness:
- Period of the first mode of natural vibration in the direction of trolley travelling must be less than: 1.5 s
 - Horizontal deflection at boom tip in the direction of crane travelling system cannot exceed 120 mm in result of standard stop of gantry travel at deceleration 0.1 m/s² with rated load and trolley on the position of maximum outreach
 - Vertical deflection cannot exceed 280 mm with rated load and trolley on the position of maximum outreach
 - Vertical deflection cannot exceed 100 mm with rated load and trolley on the position of maximum backreach
- c) Financing conditions – in order to find the submitted bid valid, it must fulfil the following financing structure:

- 10% of the Contract value due on execution of the agreement and in accordance to its provisions (once Notice to Proceed is issued and Performance Security as well as Advance Payment Bond are delivered)
 - 40% of the Contract value upon the receipt of all structural steel by the Contractor and commencement of cranes' fabrication confirmed by the Engineer (proportionally to each crane, e.g. if the cranes' fabrication confirmed by the Engineer relates to three cranes the Employer shall pay 3/5 of 40% of the Contract value)
 - 30% of the Contract value after delivery of the cranes comprising not less than all goods necessary for the selected Bidder to erect, install and commission the cranes (proportionally to each crane)
 - 10% of the Contract value after the issuance of Taking-Over Certificate (proportionally to each crane)
 - 10% of the Contract value after delivery to the Employer all necessary valid approvals of relevant statutory authorities (proportionally to each crane)
- d) Facility readiness – the facility will be ready for delivery of the cranes, erection, connection to the power source as well as commissioning according to the schedule presented in part V. *Facility readiness* of the technical specification (Employer's requirements).
- Bidder is invited to propose own delivery schedule with reasonable number of shipments however requirements set out in part V. *Facility readiness* of the technical specification (Employer's requirements) must be taken into account, in particular cranes must not be delivered prior to 16 months since Notice to Proceed and must be fully operational with Take-Over Certificates signed and all necessary formal statutory authorities' decisions, approvals or certificates (including approvals of Transportowy Dozór Techniczny, <http://www.tdt.pl/>) issued by:
- the end of 21st month for at least three cranes since the issuance of Notice to Proceed

- the end of 23th month for the remaining number of cranes since the issuance of Notice to Proceed

All the elements set out in III.2.C.a-d) above must be included in the bid submitted by Bidder.

Points 8.3 and 8.4 of the Terms of Tender shall apply however the Ordering Party reserves the right to reject the bid that fails to meet the above presented Tender entry criteria.

IV. Bid evaluation criteria

IV.1. Bid evaluation criteria

A. Price

- a) Ordering Party intends to purchase cranes fulfilling or exceeding requirements set out in point *I. Obligatory specification* of the technical specification (Employer's requirements).

However, Ordering Party is entitled to decide, including once the bids are submitted and opened, whether to purchase any, including none or all, of the optional equipment set out in point *II. Optional Equipment*, letter A-E of the technical specification (Employer's requirements).

- b) For the purpose presented in point IV.1.A.a above, Bidder is obliged to price:

- Cranes fulfilling or exceeding the requirements set out in point *I. Obligatory specification* of the technical specification (Employer's requirements), and
- Separately each of the optional equipment set out in point *II. Optional Equipment*, letter A-E of the technical specification (Employer's requirements).

- c) Once decided what, if any, optional equipment will be purchased, the Ordering Party shall equally compare all bids taking into account proposed prices for:

- Cranes fulfilling or exceeding the requirements set out in point *I. Obligatory specification* of the technical specification (Employer's

requirements), and

- Optional equipment, if any, that was decided to be purchased by the Ordering Party among those set out in point II. *Optional Equipment*, letter A-E of the technical specification (Employer's requirements).

d) If the Bidder does not price:

- Cranes fulfilling or exceeding the requirements set out in point I. *Obligatory specification* of the technical specification (Employer's requirements), and/or
- Separately each of the optional equipment set out in point II. *Optional Equipment*, letter A-E of the technical specification (Employer's requirements)

the bid may be rejected by the Ordering Party.

e) If the Bidder does not price:

- Cranes fulfilling or exceeding the requirements set out in point I. *Obligatory specification* of the technical specification (Employer's requirements), and/or
- Optional equipment, if any, that was decided to be purchased by the Ordering Party among those set out in point II. *Optional Equipment*, letter A-E of the technical specification (Employer's requirements)

the bid shall be rejected by the Ordering Party.

f) Prices presented by the Bidder for:

- Cranes fulfilling or exceeding the requirements set out in point I. *Obligatory specification* of the technical specification (Employer's requirements), and
- Optional equipment, if any, that was decided to be purchased by the Ordering Party among those set out in point II. *Optional Equipment*, letter A-E of the technical specification (Employer's requirements), and
- Financial equivalent of the continuous power demand for the cranes calculated as follows:
(*maximum continuous power demand per crane*)

as stated in the bid – 1,500 kVA) × EUR 15,000
(if maximum continuous power demand per crane as stated in the bid does not exceed 1,500 kVA it is assumed that financial equivalent of the continuous power demand equals to zero)
shall be summed up and as such shall constitute **Total Contract Value** used for the purpose of bid's assessment taking into account the following formula:

$$P = (P_{low} / P_o) \times 100 \text{ pts.}$$

where:

- P – number of points to be granted (before weight is assigned)
- P_{low} – lowest Total Contract Value among all valid bids
- P_o – Total Contract Value of the assessing bid

Weight assigned to the criterion 'Price': 85%.

Final result for the criterion 'Price' shall be calculated as follows:

$$FP = P \times 85\%$$

where:

FP – final points to be granted for the criterion 'Price'

P – number of points to be granted (before weight is assigned)

The bid will receive number of points rounded to two decimal points arising from the above presented equation.

B. Warranty period

Warranty terms mean time counted in months from the date of signing by the Ordering Party the Take-Over Certificates.

Warranty period proposed by Bidder shall be assessed as follows:

$$W = (W_o / W_{max}) \times 100 \text{ pts.}$$

where:

- W – number of points to be granted (before weight is assigned)
- W_o – offered warranty time (in months)
- W_{max} – longest offered warranty time (in

months) among all valid offers

All offers with warranty period shorter than 12 months shall be rejected.

If warranty periods placed in the bid vary for separate components, the warranty period shortest commonly for all components shall be taken into account.

For the purpose of calculation one month = four weeks.

Weight assigned to the criterion 'Warranty period': 15%.

Final result for the criterion 'Warranty period' shall be calculated as follows:

$$FW = W \times 15\%$$

where:

- FW – final points to be granted for the criterion 'Warranty period'
- W – number of points to be granted (before weight is assigned)

The bid will receive number of points rounded to two decimal points arising from the above presented equation.

IV.2. Bid's final assessment

Each of valid bids shall be granted points after assessment in accordance to IV.1.A and IV.1.B with the following formula:

$$BS = FP + FW$$

where:

- BS – bid's final score
- FP – final points to be granted for the criterion 'Price'
- FW – final points to be granted for the criterion 'Warranty period'

In accordance with point 8.7 of the Terms of Tender the best bid shall be deemed as the bid that received the highest total of points obtained jointly for particular criteria.

V. Other information

For details regarding the Tender procedure please refer to Terms of Tender applicable to this Tender that constitute an integral part of the Documentation, were published with this Notice at DCT's website, are available in the registered office of DCT and at the written request of the Bidder will be sent by post or e-mail.