

Building second furnace Stolzle Częstochowa Sp. z o. o.
Implementation Innovation accordance subsidize agreement UDA-POIG.04.04.00-24-003/08-00

INVITATION TO TENDER

In connection with the planned expansion of our plant we invite to submit tender bids (price and technical offers) for the purpose of selecting the General Contractor for the following investment: Building of a second glass furnace for Stolzle Czestochowa Sp. z o.o. including such works as: building new gas installation (connecting with new production hall)

Investor:

Stolzle Częstochowa Sp. z o.o.
42-209 Częstochowa
ul. Warszawska 347

Address for correspondence:

Stolzle Częstochowa Sp. z o.o.ul.
Warszawska 347
42-209 Czestochowa, Poland
VAT 573-011-37-36, REGON: 150250367

Person to be contacted in the bid preparation procedure:

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1. Subject of investment

The investment project encompasses the performance of the following tasks according to the formula of General Contracting: "building new gas installation including the following specific tasks:

1.1 Project realization and expansion of the already existing gas reduction station

1.2 Project realization and providing a gas connection from the reduction station to the new production building

2. Guidelines for bid development

2.1 Visit to the building site.

2.2 In their bid the Tenderer should determine the lump-sum price for investment realization, which shall not change during the whole period of realization, and shall be specified taking into account also the following matters:

2.3.1 Price of developing execution designs and as-built designs required for the investment

2.3.2 Price of the station expansion and its start-up;

2.3.3 Price of providing a gas connection between the reduction station and the new production building including switching;

2.3.4 cost of the organization and maintenance of the building site, including: welfare and office facilities, temporary fencing, construction and maintenance of internal roads, providing the utility supply connections for the period of construction, cost of utility consumption during the period of construction, etc., as well as the cost of maintaining the building site clean during the construction and cleaning it up after the investment realization has been completed.

2.4 In the course of investment realization the contractor has to provide gas supply to the already existing production building (ca. 1000 m³/h)

3. Deadlines to be met in the realization of the investment

3.1 Starting the realization: October 2010

3.2 Completing the works: May 2011

3.3 Putting the subject of investment into operation: June 2011

4. Dates and procedures for submitting bids

Submit your offers until the deadline of 30 July 2010 in written form to the secretary's office at the Investor's headquarters at the following address: Stoelzle Czestochowa Sp. z o.o. ul. Warszawska 347, 42-209 Czestochowa and simultaneously in the electronic form, to the following e-mail addresses: lukasz.dziwinski@stoelzle.com and lech.kot@stoelzle.com

4.1 The expire date offer till 30th of October 2010



5. Conditions to be fulfilled by participants under the Contract award procedure and ways of evaluating their fulfillment

5.1 The following Contractors may apply for the Contract award:

- a) Contractors who are qualified to perform specific activities or specific actions if there exists a statutory requirement for any such qualifications;
- b) Contractors with necessary knowledge and experience as well as technical potential and employees enabling them to perform the Contract;
- c) Contractors who are in an economic and financial condition enabling them to perform the Contract;
- d) Contractors who are not subject to exclusion from the Contract award procedure.

6. Contractor exclusion

6.1 The following Contractors shall be excluded from the Contract award procedure:

- a) Contractors responsible for non-performance or improper performance of a contract in the course of three years preceding the Contract award procedure;
- b) Contractors with an opened liquidation procedure or ones who have declared bankruptcy, apart from Contractors who have concluded an arrangement confirmed by a legally binding court decision after declaring bankruptcy, unless the arrangement requires satisfying creditors' claims by the liquidation of the bankrupt's assets;
- c) Contractors who are in default regarding the payment of taxes, social insurance contributions or health insurance premiums, excluding the cases where a statutory tax relief has been obtained or the default payments have been statutorily spread out over a period of time or the execution of a relevant body's decision has been superseded in full;
- d) Contractors who have not submitted required documents and/or statements, have not met the requirements set forth in the Procurement Notice, Terms of Reference or any other document specifying the conditions to be met in order to participate in the Contract award procedure;
- e) Contractors who have been directly involved in activities connected with the preparation of the procedure or used the services of persons participating in such activities for developing the tender bid, apart from the cases where the participation of such Contractors shall not result in unfair competition;
- f) Contractors who have provided false information which influenced the result of the Contract award procedure;

6.2 The following tenders shall be rejected:

- a) Tenders which do not meet requirements specified in the invitation to tender;
- b) Tenders which contain mistakes in price calculation;
- c) Tenders of Contractors who have not agreed to correct an obvious mistake within 3 days of notification;
- d) Tenders which are invalid according to separate provisions.



6.3 Should the Contractors fail to submit the certificates and statements confirming that they meet the necessary requirements qualifying them for participating in the tender procedure, the Investor may set an additional deadline for the completion of required documentation.

6.4 A tender submitted by an excluded Contractor shall be deemed as rejected.

7. List of documents/information which the Tenderer is required to enclose in their bid

7.1 Proposed schedule of works and schedules of payment;

7.2 The concept of investment realization;

7.3 The Contractor's statement of not being subject to exclusion under 6.1;

7.4. An updated extract from the National Court Register or an updated entry into the Register of Business Activity if separate provisions require the entry into the National Court Register or into the Register of Business Activity, dated not earlier than six months before the deadline for tender submission.

7.5 An updated certificate issued by the head of the relevant Tax Office and the relevant branch of Social Security Office confirming that on the Contractor's side there is no default regarding tax payments, fees, health insurance premiums and social insurance contributions, or a certificate confirming that the Contractor has obtained a statutory exemption, or payment deferment or that the payments have been spread out over a period of time, or the execution of a relevant body's decision has been superseded in full. The relevant certificates have to be dated not earlier than 3 months before the deadline for tender submission.

7.6 A power of attorney authorizing for signing the tender if the authorization to represent the Contractor does not follow from the above listed documents.

7.7 In the case of Contractors jointly submitting the tender, the list of Joint Contractors and a power of attorney authorizing a representative to act on behalf of the Joint Contractors in the course of the tender procedure and entering into an agreement regarding the Investment.

7.8 A copy of the Contractor's civil liability insurance policy regarding the conducted business activity with the amount of insurance not lower than PLN 5.000.000,00 (say: five million Polish zlotys).

7.9 A list of at least 3 investments of similar value and character to the investment being the subject of the present tender, realized in the course of 3 years immediately before the date of starting the Contract award procedure (or during the period of the Contractor's business activity if it is shorter than 3 years), each of the value of at least 1.000.000,00 PLN, consisting in the design/redesign of a natural gas metering and reducing station with flow capacity not lower than 5 000 m³/h and hermetic switches to maintain the continuous gas flow. The following data must be provided with reference to each investment on the list: scope of the investment including information about the flow capacity of the designed/redesigned station, value of the investment, date of realization, name of the ordering party. Moreover, with regard to each realized investment there has to be provided a document confirming its proper performance.

7.10 A list of persons who shall participate in the investment realization and information on their professional qualifications (according to the Ordinance of the Minister of Economy, Labour and Social Policy on the rules of checking professional qualifications of persons operating installations, machines and networks (Journal of Laws 03.89.828, as amended). The required information shall concern, among others, the following persons:



a) A site manager with an installer's license regarding heat, ventilation, gas, water supply and sewage networks, installations and equipment, according to the Ordinance of the Minister of Transport and Construction of 28 April 2006 on independent technical functions in construction (Journal of Laws of the Republic of Poland no. 83 item 578 of 16 May 2006, as amended), or a corresponding valid building license and currently being a member of the Chamber of Construction Engineers.

b) A project manager with an installer's license regarding electrical and electromagnetical networks, installations and equipment, according to the Ordinance of the Minister of Transport and Construction of 28 April 2006 on independent technical functions in construction (Journal of Laws of the Republic of Poland no. 83 item 578 of 16 May 2006, as amended), or a corresponding valid building license issued on the basis of previously binding legal provisions, and currently being a member of the Chamber of Construction Engineers.

c) At least two persons with a valid Supervisory Certificate of the energy group 3, who shall supervise a team of workers. Each person with the Supervisory Certificate of the energy group 3 should be qualified with reference to the whole range of activities, i.e. service, maintenance, repair, assembly, as well as control and measurement (a minimum of points 4, 5, 6, 7 and 10 for points 4-7). The person at the supervision post cannot simultaneously perform functions specified under a).

d) A team of workers consisting of at least 3 persons with valid Operator's Certificates of the energy group 3. Each person with the Supervisory Certificate of the energy group 3 should be qualified with reference to the whole range of activities, i.e. service, maintenance, reappear, assembly, as well as control and measurement (a minimum of points 4, 5, 6, 7 and 10 for points 4-7).

e) At least one person with a valid Supervisory Certificate and two persons with a valid Operator's Certificate of the energy group 1. Each person with the Supervisory Certificate of the energy group 3 should be qualified with reference to the whole range of activities, i.e. service, maintenance, repair, assembly, as well as control and measurement within the group 1 for the following types of equipment, installations and networks: points 2,9 and 10 (point 10 for points 2,9). The person at the supervision post cannot simultaneously perform functions specified under a).

f) At least one person with a valid Supervisory Certificate and one person with a valid Operator's Certificate of the energy group 2; these persons should be qualified with reference to the whole range of activities, i.e. service, maintenance, repair, assembly, as well as control and measurement within the group 2 for the following types of equipment, installations and networks: points 1,2 and 10 for points 1 and 2.

7.11 Information about the number of people employed on a contract.

7.12 List of other investments realized as General Contractor in the course of the last 5 years, specifying the value of each such investment.

7.13 Balance sheet and profit and loss account for the years 2008 and 2009, and in the absence of the balance sheet for 2009 – the F01 form for the 12 months of the year in question.

7.14 Documents confirming that the Contractor has implemented a certified system of quality management for gas network design, welding, occupational health and safety (BHP) and environmental protection.

7.15 Documents confirming that the Contractor has a 1st degree mobile substitute station required to assure continuous gas supplies.

7.16 Documents confirming that the Contractor applies a welding technology approved by the Technical Supervision Office (UDT) and compliant with the standard PN-EN-ISO-15614-I.



8. Criteria of assessment of tender bids

8.1 Tender price.

8.2 Term execution project documentation

8.3 Experience in realization of investments of similar value and character.

8.4 Experience in realization Industries object.

9. Additional information

9.1 The Investor reserves the right, at their discretion, to choose the companies who shall be invited to participate in negotiations, as well as to resign from conducting negotiations or close the negotiations without choosing a contractor.

9.2 The Investor reserves the right to modify this invitation or the provisions thereof and resign from holding the tender without providing any explanation of reasons for doing so.

9.3 All costs of bid preparation shall be borne by the Tenderer, who shall not be entitled to any claims due to the fact that they have not been invited to participate in the negotiations or have not concluded the agreement with the Investor following the negotiations.

Yours faithfully,

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