**Appendix No. 1 to the Terms of Reference**

**Technical parameters and requirements for the delivery of the diffractometer**

|  |  |  |  |
| --- | --- | --- | --- |
| **No** | **Parameter** | **Requirement** | **Column to be filled in by the tenderer\*** |
| 1. | Type |  | Specify |
| 2. | Manufacturer |  | Specify |
| 3. | Country of origin |  | Specify |
| 4. | Year of production | 2025 | Confirm |
| 5. | Device | Brand new, unused | Confirm |
| 6. | Main application | Determination of phase composition of powders and thin films with thicknesses in the range 100 - 10 000 nm | Confirm |
| 7. | Functionality | The offered configuration of the device enables the realization of the following measurements and analyses:   1. diffractogram measurement in the θ-θ coupling 2. stress determination samples using the sin2ψ technique 3. rocking curve measurement 4. determination of phase composition 5. Rietveld analysis | Confirm |
| 8. | High voltage generator | At least 600W power | Specify |
| 9. | X-ray tube | 1. Cu anode | Confirm |
| 1. Power larger than generator maximum power | Specify |
| 1. Equipped with a Kβ Ni filter | Confirm |
| 1. Water-cooled using a built-in cooling system | Confirm |
| 10. | Goniometer | 1. Vertical | Confirm |
| 1. Minimum step not smaller than 0,005o | Specify |
| 1. θ-θ geometry (or θ-2θ geometry under the condition, that the Tenderer guarantees that powder samples will not fall off the sample holder during full angle range measurement) | Confirm |
| 1. 2θ range at least from -2o to 140o | Specify |
| 11. | Incident beam optics | Consisting of at least:   1. Beam slits 2. Knife edge for low-angle measurements | Confirm |
| 12. | Diffracted beam optics | Consisting of at least:   1. Optics set including detector anti-scatter slits 2. Slit set for the detector, including Soller slits | Confirm |
| 13. | Detector | 1. Strip-type 2. Semiconductor-based 3. Not gas-filled 4. 1D with possible work as 0D 5. Enabling linearity up to at least 107 counts per second | Confirm |
| 14. | Sample table | Rotating powder sample table enabling the measurements of flat samples as well as powders in reflective geometry | Confirm |
| 15. | Sample holders | 1. 4 pieces of powder sample holders 2. Dome holder enabling closing of the studied material under protective atmosphere (e.g. in a glove-box) and transferring it to the diffractometer for measurement 3. Sample holders in points 1 and 2 compatible with the sample table in row 14. | Confirm |
| 16. | Automatic sample changer | 1. Enabling automatic measurement of a sequence of different samples | Confirm |
| 1. Holding at least 6 samples | Specify |
| 1. Including appropriate sample holders - their number as in point 2. | Confirm |
| 17. | Diffractometer enclosure | Operation of the diffractometer not requiring radiological surveillance according to Polish law | Confirm |
| 18. | Software | 1. Software for diffractometer control and data acquisition 2. Software for qualitative phase analysis 3. Software for determination of stress by sin2ψ 4. Software for Rietveld analysis 5. Integrated diffraction database or open database integration (e.g. Crystallography Open Database) 6. Appropiate computer set compatible with the software and diffractometer requirements | Confirm |
| 19. | Cooling system | Diffractometer cooling system utilizing an internal cooling water circulation. Not requiring an external cooling installation for proper operation. | Confirm |
| 20. | Equipment provided with the device | Technical equipment necessary to ensure the proper operation and functionality of the diffractometer specified in row 7, column 3, such as e.g. connector cables, power supplies, tools required for normal operation of the device | Confirm |
| 21. | Acceptance test after installation and commissioning of the device at at the Awarding Entity’s site | Samples for the acceptance test will be provided by the Awarding Entity. The samples will be the following:   1. 10 mg of ZIF-8 powder; 2. 100 nm NiO/Si film; 3. 10 μm Ti3C2Tx/Al2O3 film   The acceptance test consists of measuring the diffractograms of all samples and analysing their phase composition | Confirm |
| 22. | Training for minimum 4 persons in the usage of the device at the Awarding Entity’s site, for the duration of at least 2 days | to be assured | Confirm |
| 23. | User manual in Polish along with software manual and technical documentation in Polish and English in paper copy | to be assured | Confirm |
| 25. | Spare parts availability minimum 10 years from the date of installation | to be assured | Confirm |
| 26. | Free software updates for a minimum of 5 years from the date of installation | to be assured | Confirm |
| 27. | Post warranty service for 10 years from the date of installation | to be assured | Confirm |
| 28. | Warranty and post-warranty service response within 3 days from the notification of a fault | to be assured | Confirm |
| 29. | Technical support for a period of 10 years from the date of installation | to be assured | Confirm |

**Appendix No. 2 to the Terms of Reference**

**Statement of the Contractor**

**submitted pursuant to Art. 125, item 1 of the Act of September 11 2019**

**Public Procurement Law (hereinafter: the PPL Act),**

**THE GROUNDS FOR THE EXCLUSION OF ARTICLE 7 item 1 OF THE ACT**

**ON SPECIAL SOLUTIONS IN THE SCOPE OF COUNTERACTING THE SUPPORT OF AGGRESSION AGAINST UKRAINE AND SERVING THE PROTECTION OF NATIONAL SECURITY**

**ON THE CONDITIONS FOR EXCLUSION FROM THE PROCEDURE**

For the purposes of the procedure for award of a public contract, entitled …………………………………………………… *(name of the procedure)*, conducted by Łukasiewicz Research Network – Institute of Microelectronics and Photonics *(name of the Contracting Authority),* I hereby represent as follows:

**STATEMENTS ON THE CONTRACTOR:**

* I represent that I am not subject to exclusion from the procedure under Art. 108 item 1 and 109 item 1 (4) of the PPL Act and Art. 7 para. 1 (1-3) of the Act of April 13, 2022 on special solutions in the scope of counteracting the support of aggression against Ukraine and serving the protection of national security

or

* that grounds for exclusion from the procedure exist pursuant to Art. …………… of the PPL Act

*At the same time, I represent that, in connection with these circumstances, I have taken the following corrective actions pursuant to Art. 110 item 2 of the PPL Act: ………………………………………………………………………………….*

**STATEMENT CONCERNING THE ENTITY WHOSE RESOURCES WILL BE REFERRED BY THE CONTRACTOR**

* I certify that the following entity/s, whose resources I am referring to in these proceedings, i.e. …………………………………………………………………….……………………… *(full name of the entity, address, and also depending on the entity: Tax ID/Personal ID, National Court Register/Register of Business Activity Number),* is/are not subject of exclusion from the public Contract awarding procedure.

**STATEMENT CONCERNING A SUBCONTRACTOR WHICH IS NOT AN ENTITY WHOSE RESOURCES WILL BE REFERRED TO BY THE CONTRACTOR**

* I certify that the following entity/s, being the Subcontractor/s: ……………………………………………… *(full name of the entity, address, and also depending on the entity: Tax ID/Personal ID, National Court Register/Register of Business Activity Number)*, is/are not subject of exclusion from the public Contract awarding procedure.

**DECLARATION CONCERNING THE INFORMATION PROVIDED:**

* I declare that all the information provided in the above statements is up-to-date and truthful and has been presented with full awareness of the consequences of misleading the Contracting Authority when providing the information.

I indicate that the documents confirming these facts, referred to in Chapter VII of the ToR, are available in electronic form at the following internet addresses of public and free *(please select):*

* <https://prod.ceidg.gov.pl>
* <https://ems.ms.gov.pl>
* Other register:[………………………………..](https://ems.ms.gov.pl)

**Appendix No. 3 to the Terms of Reference**

**Contractors who jointly apply for a contract:**

………………………………………

………………………………………

(Full name/Company name, address)

Represented by:

………………………………………

(Representative Name, Surname, Position, Title)

**STATEMENT OF THE CONTRACTOR**

**ABOUT THE SCOPE OF PERFORMANCE OF THE CONTRACT BY THE CONTRACTORS**

**WHO JOINTLY APPLY FOR A CONTRACT**

submitted on the basis of art. 117 item 4 of the Act of September 11, 2019 - Public Procurement Law (Official Journal of 2019, item 2019 with later changes)

in the procedure for awarding a public Contract for

**………………………………………………………………………………………..**

we declare that:

1. Contractor …………………………………………………………………………………………………….…………….…..

*(name and address name and address of one of the Contractors who jointly apply for a contract, e.g. a consortium member or partner in a civil partnership)*

will perform the following services \*:…………………………………………

1. Contractor ……………………………………………………………………………………………….……………..……..

*(name and address name and address of one of the Contractors who jointly apply for a contract, e.g. a consortium member or partner in a civil partnership)*

will perform the following services \*:…………………………………………

NOTE!

It should be indicated which supplies/services/construction works \* included in scope of the subject of the contract are performed by individual contractors (consortium members or partners of a civil partnership)

**STATEMENT REGARDING THE INFORMATION PROVIDED**

I/We\* hereby represent that any and all information provided in this Statement are up-to-date and accurate and that they I/we are fully aware of the consequences of providing the Contracting Authority with misleading information.

*\*Delete as appropriate*

**Appendix No. 4 to the Terms of Reference**

**BID FORM**

for: Łukasiewicz Research Network – Institute of Microelectronics and Photonics

|  |  |  |
| --- | --- | --- |
| Subject of the Order | | Delivery of the diffractometer |
| 1. | Name and address of the Contractor | ……………………………………………………………………………….  ………………………………………………………………………………. |
| 2. | Taxpayer’s Identification Number NIP  REGON number:  or the relevant foreign identification numbers | ………………………………………………………………………………  ……………………………………………………………………………..  ……………………………………………………………………………. |
| 3. | Telephone:  E-mail: | ...............................................................................  .............................................................................. |
| 4. | Total net price of the bid  VAT rate  VAT amount  Total gross price of the bid | **enter:** ..................... PLN/EUR/USD/GBP\*  Say: .................................................................................  ........................................................................................**enter:** .....................%  **enter:** ..................... PLN/EUR/USD/GBP\*  **enter:** ..................... PLN/EUR/USD/GBP\*  Say: ................................................................................. |
| 5. | Time of performing the Contract:  Maximum time: up to **4 months** from the date of signing the agreement | **enter:** ........................................ *(months)* |
| 6. | Warranty period: **at least 12 months** | **enter:……………………..** *(months)* |

|  |  |  |
| --- | --- | --- |
| 7. | Statement | I hereby represent that the selection of our bid **will/will not**\* result in imposing taxation obligation on the Contracting Authority. The following (name or type of the goods or services) will lead to the emergence of a tax obligation:  **Value without tax:……………………………………………………. Name of goods:…………………………………………………………** |
| 8. | Type of Contractor | I declare that I am:   * Microentrepreneur * Small enterprise * Medium enterprise * A sole proprietorship * A natural person who does not conduct business activity * Other types: **specify** ……………………….   within the meaning of the Act of March 6, 2018 Entrepreneurs Law.  (Note! Mark the "X" in the appropriate box)) |
| 9. | Statement | I hereby represent that I have read the Terms of Reference (together with the Appendices constituting an integral part thereof) and that I accept its content without reservations. |
| 10. | I hereby represent that I have fulfilled the information obligations foreseen in Art. 13 or Art. 14 of the GDPR towards natural persons whose personal data I obtained directly or indirectly in order to apply for awarding a public contract in the present procedure. | **confirm:……………………………………..**  *In the event if the Contractor does not transfer the personal data other than their own or if the information obligation is excluded pursuant to Art. 13, item 4 or Art. 14, item 5 of the GDPR, the Contractor shall not submit this statement (delete the content of the statement e.g. by crossing out).* |
| 11. | Persons authorised to represent the Contractor | **enter:** ........................................... |
| 12. | Parts of the Contract that will be entrusted to subcontractors | **Specify the parts of the Contract:** .......................  **Enter names of companies:** ………………………….. |
| 13. | Documents attached to the bid | 1. ………………………………………………………………….  2. ………………………………………………………………….  3. …………………………………………………………………. |

*\* Delete as appropriate*

**Appendix No. 6 to the Terms of Reference**

**STATEMENT**

STATEMENT OF THE CONTRACTOR CONFIRMING THE VALID OF INFORMATION PROVIDED   
IN THE STATMENT SPECIFIED IN ART. 125 OF THE PPL ACT, ON THE GROUNDS FOR EXCLUSION

Contractor :…………………………………………………………………………………………………………………………………………….

…………………………………………………………………………………………………….…………………………………………………………

For the purposes of procurement procedure, the subject of which is

…………………………………………………………………………………………………….…………………………………………………………

We declare that the information provided in the statement placed pursuant to Art. 125, item 1 of the PPL Act, with respect to the ground for exclusion from proceeding, stipulated in:

1. **art. 108 ust. 1** of the PPL Act
2. **art. 7 para. 1 (1-3)** of the Act of April 13, 2022 on special solutions in the scope of counteracting the support of aggression against Ukraine and serving the protection of national security

**are up-to-date / are out-of-date\***

NOTE: In the previously provided information is not up-to-date, please submit additional information in this regard, in particular specify which data the change relates to and indicate its scope

*\*delete as appropriate*