

TERMS OF REFERENCE NO.2012/0272/P/BM

in the open tender procedure acc. to "Procedure for purchase of goods and services in ORLEN OIL Sp. z o.o."

I. Contracting Entity:

1. Full name of the Contracting Entity:
ORLEN OIL Sp. z o.o. with its registered seat in Krakow
2. Address:
31-323 Krakow, ul. Opolska 100
3. Tax Identification Number (NIP) 675-11-90-702
4. Internet:
<http://www.orlenoil.pl>, email: centrala@orlenoil.pl
5. Telephone number:
0-12 66-555-00, fax: 0 – 12 66 – 555 – 01

II. Information about the tender:

The procedure is carried out as an open tender according to internal procedures applicable in ORLEN OIL Sp. z o.o., i.e. Procedures for purchase of goods and services in ORLEN OIL Sp. z o.o.

III. Subject of contract: GDI-196T

Centrally controlled high-precision dispensing system with highly efficient heating chamber

IV. Description of the subject of contract:

The subject of contract is the highly efficient and high-precision dispensing system for dispensing the specified liquid amount from barrels to dedicated mixers in a manner ensuring cleanliness and homogeneity of substances being fed. The rinsing system applied shall ensure complete emptying of barrels leaving no additive residues. The unit shall comprise weighing platform for accurate dispensing the amount to be fed, hot base oil tank for flushing the gun and barrels and positioner to control horizontal and vertical movement of the gun.

Description activity

Barrels with additives are manually loaded on a roller conveyor moving them to the weighing platform. The platform design shall ensure easy rotation and orientation of the plug. Once the operator acknowledges with the system proper barrel positioning on the weighing platform, the system lowers the gun, activates the pump and delivers the required (according to the recipe) amount of liquid to the mixer. The gun is submerged slightly below the liquid surface in a barrel and, with the automatic tracking system, it is lowered along with the liquid level. On completion of additive dispensing, and before dispensing other additive (with different properties), the gun is automatically positioned against the "washing pipe" and is flushed with ca. 20 litres of hot base oil. The flushing is performed automatically. While flushing, another additive barrel can be positioned on the weighing platform. Once the barrel is completely emptied, flushing with ca. 40 litres of base oil is started. The system automatically calculates if another barrel of the same additive is needed or not. The system shall allow partial barrel emptying and its identification afterwards during the following dispensing cycle (specific barrel's weight stored in the memory).

Heating chamber allowing simultaneous heating of 12 barrels (3 doors). Barrels are loaded with a forklift truck. Possible sectional heating (program for 4 / 8/ 12 barrels).

Heating chamber specifications

Parameter	Value
Product heated	Additives
Heating to 85°C	8 hours
Energy source	Steam
Other:	Retention tank. Local control panel. Connection to DCS for process control

Dispensing system specification

Parameter	Value
Dispensing rate	85 litres/min.
Cycle time for 1 barrel	5 – 6 minutes
Minimum dispensed amount	3 kg
Weight/scale accuracy	+/- 100g/1 barrel
Dispensing accuracy	+/- 200g/ 1 barrel
Maximum amount of liquid left in a barrel after flushing	Max. 200g additive, 400g base oil
Amount left in DDU after single flushing	200 – 300g oil/additive mixture
Barrel parameters	Capacity 200 l Height 87.5 cm Diameter 58 cm
Automation system	PLC operator- DSC interface

Description of additives

- Enriching additives (barrel):
 - kinematic viscosity at 40°C – 100-6500cSt
 - kinematic viscosity at 100°C – 50-300cSt
 - specific gravity 800-1007kg/m³
- Viscosators (barrels):
 - kinematic viscosity at 40°C – 1000-12500cSt
 - kinematic viscosity at 100°C – 49-1500cSt
 - specific gravity 800-990kg/m³

Steam				
	Unit	Min	Operating	Max.
Column	bar	0,5	1,2	3,2
Temperature	°C	100	150	150

For the selection of pump head, pump pressure line drawing will be made available at the design stage.

Control system

The dispensing system together with the heating chamber (skid) should operate under control of a dedicated control system. The system should communicate with a master DCS control system with Ethernet TCP/IP communication link (or other, to be agreed with the DCS supplier), for monitoring and remote control purposes. The dedicated control system shall be supplied with the necessary system cabling and C&I cabling installed within the skid. Other possible signals to the master DCS control shall be terminated in junction boxes installed in the skid.

Connections

DN32 flanges for steam or oil (2 pcs.)
 DN 50 flange for base oil (1 pc.)
 DN50 flange for mixer (1 pc.)

The C&A air connections should be terminated in air collectors installed in the skid.

Required documents

- Quality Assurance System EN ISO 9001: 2010
- CE Declaration of Conformity
- Electromagnetic Compatibility Certificate – according to EMV §5.2
- Scale Calibration Certificate by the Central Office of Measures

- Automation software complete with loading manual, documentation for scale software, together with protection codes and transfer of copyright.
- Technical documentation in Polish on CD (2 copies) and in hard copy (5 copies) including:
 - Functional diagram
 - User manual
 - Maintenance/preservation manual
 - Part Lists
 - Certificates/approvals
 - Diagrams
 - List of hardware i/o to the local control system and master control system.
 - List of signals transferred via communication links.
 - List of settings complete with units
 - Internal cabling diagrams – circuit diagrams
 - Internal electric connection diagrams
 - Layout of power supply terminal blocks, sizing of terminals and cable glands.
 - Ratings: supply voltage and tolerance, current drawn, power factor.

Warranty

The warranty period required is 36 months, and all related cost shall be related (including cost of travel and accommodation of the possible servicemen, cost of wear parts, seals and consumables, as well as all other, not mentioned above parts required for proper operation of the equipment in said period, unless the faulty operation of the equipment or its damage results from the failure to observe the maintenance and operating manual by the Contracting Entity).

All documents shall be delivered in **Polish**.

Further information available during the obligatory site inspection.

Note

- 1. Bid submission shall be preceded by the obligatory site inspection (Mirosław Smuła phone: +48 603 750 982, Rafał Mierzwa phone: +48 785 080 646)**
- 2. It is an obligatory condition to have documented at least one similar contract completed within the last 5 years for the refinery industry.**

V. Bid preparation method:

1. The bid is to consist of two separate parts: the substantive part and the commercial part, in separate sealed envelopes with a relevant annotation on envelopes: "Substantive part of the bid – procedure no.", "Commercial part of the bid – procedure no.". Envelopes with the substantive and commercial parts are to be appropriately marked.
2. Each bidder may submit only one bid.
3. Bid preparation method:
 - a. The bid is to be written legibly in the Polish language.
 - b. All pages of the bid with appendices should be signed by the person(s) authorized to act on behalf of the bidder.
 - c. All pages of the bid with appendices should be bound together in a manner ensuring the completeness of the bid.
 - d. Any amendments or changes in the text of the bid should be initialled and marked with the relevant date by the person signing the bid or by any other authorized person.
4. Packaging and marking of bids: The bid should be submitted in a sealed packaging in the place indicated in par. X
5. The Contracting Entity will not be responsible for the consequences of the failure to comply with the abovementioned conditions by the Bidder. Failure to meet the a/m requirements will result in rejection of the bid.
6. Any costs of preparing and submitting the bid will be borne by the Bidder.
7. In the bid, the necessity to provide the Performance Bond by the Supplier shall be considered, in a form of a bank/insurance guarantee (for sample form call +48 758-080-646) in the amount of 20 % of the contract value.

8. Site inspection before bid submission is obligatory (acknowledged with a memo).

VI. Information about documents to be delivered by suppliers in the substantive part of the bid:

In the substantive part of the bid, bidders are obliged to submit the following documents:

1. Documents attesting the possession of required qualifications by persons who will perform the contract if the law imposes an obligation to possess such qualifications.
2. The signed statement constituting Appendix no. 1 to the Terms of Reference.
3. The bidder's statement that it is not subject to exclusion from the tender for any of the following reasons:
 - failure to perform at least one agreement for ORLEN OIL with due diligence,
 - being covered by composition arrangement proceedings or any other proceedings related to the restructuring of debt,
 - initiation of bankruptcy procedures, declaration of bankruptcy, or liquidation procedure undertaken.
4. Reference list of customers with particular attention to similar projects and works.
5. Description of the works allowing the assessment of compliance of the offered works with the requirements given in par. IV of the Terms of Reference.
6. A detailed schedule of performance of works and the guaranteed time of execution.
7. Guarantee document and declaration of the guarantee inclusion in the commercial offer and its full compliance with par. IV of the Terms of Reference.
8. The statement which reads as follows: "We state that we are acquainted with the Policy of Integrated Management System of ORLEN OIL Sp. z o.o., which complies with the standards: ISO 9001 and ISO 14001 and requirements of AQAP 2110 that are available on the website of ORLEN OIL Sp. z o.o. and we state that we will perform the subject of contract in conformity with legal regulations."
9. DVD (described as follows: company name + annotation: Tender "2012/0272/P/BM - Centrally controlled high-precision dispensing system with highly efficient heating chamber" with all the above appendices and documents).
10. Copy of the memo of the site inspection (obligatory to for bid submission).
11. Declaration of familiarising with the conditions at the Site (including availability and parameters of utilities required for proper operation of the equipment and assurance of the guaranteed parameters, listed in par. IV), and of inclusion in the bid all works and cost related to the deliveries to Orlen Oil Site in Trzebinia (full bid compatibility) and of having no remarks other than given in the site inspection memo (available at the Project Department, room 20, in Trzebinia Plant).

Documents are submitted in paper version in the form of the original or a photocopy certified for conformity with the original. Apart from paper versions, all documents listed in the above items must also be submitted in electronic version on a DVD.

VII. Information about documents to be submitted by suppliers in the commercial part of the bid:

In the commercial part of the bid, bidders are obliged to submit the following documents:

1. Price and terms of payment. Price should include: the entire scope of works including training for the equipment;
2. A current copy from the relevant register or a current certificate of entry into the record of business activity, if any separate regulations require an entry to be made into the register or into the record of

business activity, which is issued not earlier than 6 months before the deadline for submission of bids (or any document confirmed within that period by the issuing body).

3. Power of attorney, if the bid is signed by any other persons than those authorised to incur liabilities on behalf of the bidder;
4. Statement of completeness of the guarantee and its compliance with the provisions of par, IV of the Terms of Reference.
5. Detailed information on terms and availability of the post-guarantee service.
6. Information about fulfilment of special requirements stated in point VIII of TOR.
7. Acceptance of the term of payment of 60 days, starting from the date of receipt of the invoice by ORLEN OIL Sp. z o.o.

VIII. Specific requirements for performance:

- The bidder is fully responsible for any faults in the subject of the agreement in respect of the warranty.
- **The bidder is fully responsible for non-performance or improper performance of any obligation under the agreement according to the provisions of the agreement and the rules resulting from generally applicable laws and regulations.** There is no possibility of contractual (non-contractual) exclusion or limitation of the bidder's responsibility regardless of its title, if such responsibility results from generally applicable laws and regulations.

IX. Period for which the Supplier will be bound by the submitted bid:

The Supplier will be bound by the submitted bid for a period of 4 months from the deadline for submission of bids.

X. Information on the deadline, place of submission, and opening of bids, and on the mode of opening and evaluation of bids:

1. Deadlines and place of submission of preliminary bids:
 - a) Preliminary bids should be submitted to ORLEN OIL's office in Krakow, 31-323 Krakow, ul. Opolska 100, by **2012-08-01 – 15.00.**

Bids submitted after this deadline will be returned to the bidder without being considered.

2. Evaluation of bids.

The Contracting Entity will evaluate the validity of bids from the formal perspective and perspective of the criteria accepted in the TOR for evaluation of bids during a closed meeting.

XI. Description of the method of calculation of the bid price:

The price should be stated:

- a) in numbers in PLN,
- b) as net price,

XII. Description of bid selection criteria and their importance:

- a) Price and payment date

- b) Payment date
- c) References presented, bearing in mind the experience in design and completion of the system described in par. IV of the Terms of Reference
- d) Warranty conditions and duration
- e) Compliance of the proposed solution with the requirements set out in par. IV of the Terms of Reference – **obligatory condition**.

XIII. Method of providing clarifications concerning the terms of reference:

1. Each bidder has the right to request the Contracting Entity to clarify the content of the terms of reference not later than 6 days before the deadline for submission of bids.
2. Correspondence in the course of the tender procedure, including questions of Tenderers, may be submitted by e-mail.

XIV. Employees of the Contracting Entity authorized to contact suppliers directly:

Smuła Mirosław (substantive matters)

Official position: Specialist for Blending in the Project Department
Telephone number: +48/032 618 03 93 mob. 48 603 750 982;
E-mail: miroslaw.smula@orlenoil.pl

Mierzwa Rafał (substantive matters)

Official position: Project Manager
Telephone number: 48 785 080 646
E-mail: rafal.mierzwa@orlenoil.pl

Buła Marek (commercial matters)

Official position: Senior Specialist for Purchase
Telephone number: 48 605 856 480
E-mail: marek.bula@orlenoil.pl

The person performing the function of Senior Specialist for Purchase is empowered to submit statements of will required in the course of the purchasing procedure as a sole representative of Orlen Oil Sp. z o.o.

XV. Means of appeal:

The bidders do not have the right to participate in the opening of bids.

Bidders are not entitled to use any measures of appeal in the procedure.

XVI. Final provisions

The results of the procedure will be notified to bidders by the Contracting Entity.

The Contracting Entity has the right to choose the bid at its sole discretion, to carry out additional negotiations with selected bidders and to cancel the procedure without justification.