

This public tender is conducted according to Public Procurement Law of January 29, 2004 (position 177 in Polish Journal of Acts No 19 of February 9, 2004 with later changes).

INSTYTUT TECHNOLOGII ELEKTRONOWEJ
Al. Lotników 32/46, 02-668 Warsaw, Poland

TERMS OF REFERENCE
for:

**DELIVERY OF THE LASER SYSTEM FOR PRECISE CUTTING AND DRILLING OF CERAMIC,
CERAMIC GREENTAPE, POLYMER FOILS AND METAL FOILS.
CPV 31720000**

**Proceedings are conducted according to open procedure for assessed value above EUR
211.000,00**

1. Information on the Awarding entity.

This proceedings are conducted by Tender Committee of Instytut Technologii Elektronowej,
Al. Lotników 32/46, 02-668 Warsaw, Poland.
Web page: <http://ite.waw.pl>

2. Description of this public procurement procedure.

These proceedings are conducted in mode of open procedure according to Article 39 of Public Procurement Law of January 29, 2004 position 177 in Polish Journal of Acts no 19 of February 9, 2004.

The tenders submitted will be opened and evaluated by the Tender Committee according to the evaluation criteria.

From all tenders which have not been rejected, the one will be selected which receives the highest number of points calculated according to the evaluation criteria.

3. The object of the order.

3.1. The object of the order is a delivery, installation and start up of new laser system for precise cutting and drilling of ceramic, ceramic green tape, polymer foils and metal foils hereinafter called **"laser system"**.

The laser system should enable the micro-machining (cutting and drilling) of ceramic green tape, fired ceramics (alumina, aluminium nitride), polyimide foil and metal(Cu) foil.

Specification:

- Cutting range travel range (x,y): (min. 300x300 mm)
- Cutting accuracy: $\pm 12.5\mu\text{m}$
- Setting repeatability: $\pm 2\mu\text{m}$
- Material thickness range: 0,01 – 1 mm (ceramics)
- Laser source: solid state 5 W, diode pumped, UV (355 nm)
- Control: CNC controlled
- Vision system: CCD camera-recognition of the complete working area
- Working table: honeycomb material for vacuum clamping of substrates
- Laser should be equipped with exhaust unit
- Full integration of the galvo and linear axes.

- 3.2. The operating manual, programming instruction and technical documentation should be delivered together with the laser system. All documents should be in Polish or English language.
- 3.3. The laser system should be equipped with set of spare parts for the period of warranty.
- 3.4. Training for 2 persons has to be provided along with laser system delivery, installation and start up.

Attention! Delivery address of the laser system:

Instytut Technologii Elektronowej, ul. Zabłocie 39, 30-701 Krakow, Poland.

4. Partial and variant tenders are not allowed.

5. Contract execution date.

Deadline for completion of the tender including installation, start up and testing – till **31st of July 2008**.

6. In order to be eligible for the tender, contractor shall meet the following conditions :

- 6.1. Fulfil conditions defined in article 22 paragraph 1 and are not being excluded from the proceedings pursuant to Article 24 paragraph 1 and 2 “Public Procurement Law”.
- 6.2. Prove, that within the period of the last three years, or if being active in the business for shorter period – in this period, have completed at least 3 deliveries of the laser system, of similar specification and value to the offered one, pointing the buying company,
- 6.3. Prove that they are in the possession of a insurance policy or other insurance document, proving that they are insured for the civil liability in the area of their business activity.
- 6.4. Ensure warranty period at least 12 months from the final acceptance.
- 6.5. Ensure technical support for a minimum of 10 years of system operation.
- 6.6. Ensure post-warranty service for a minimum of 10 years of system operation.

Evaluation of the above requirements will be performed according to the rule: “fulfil - not fulfil”, on the basis of documents mentioned in point 7 of this Terms of Reference.

7. In order to be eligible for the tender, contractor shall present following documents :

- 7.1. Signed statement, which is enclosed to this Terms of Reference, about fulfillment of conditions defined in article 22 paragraph 1 Public Procurement Law [Appendix No. 1].
- 7.2. Excerpt from the appropriate register or current certificate from commercial entities' evidence, issued not earlier than 6 months prior to deadline for submission of the offers (certified for conformity with original).
- 7.3. Certificate of no delay with tax and social security payments, or has obtained a immunity or postponement of such overdue payments issued by appropriate authority, issued not earlier than 3 months prior to deadline for submission of the offers (certified for conformity with original).
- 7.4. Current information from National Penal Register or equivalent certification of proper judicial or administrative organ, which will confirm that they are not being excluded from the proceedings pursuant to Article 24 paragraph 1 items 4,5,6,7,8 “Public Procurement Law” issued not earlier than 6 months prior to deadline for submission of the offers (certified for conformity with original).
- 7.5. Current information from National Penal Register which will confirm that they are not being excluded from the proceedings pursuant to Article 24 paragraph 1 items 9 “Public Procurement Law” issued not earlier than 6 months prior to deadline for submission of the offers (certified for conformity with original).

7.6. The contractor which has its site outside the territory of Poland should submit the following documents:

- a) Certificate of not being subject to any liquidation, bankruptcy or similar proceedings,
- b) Statement that Contractor has not been precluded from participation in public procurement proceedings,
- c) Certificate of no delay with tax and social security payments, or has obtained a immunity or postponement of such overdue payments issued by appropriate authority,

instead of documents mentioned in points 7.2, 7.3 and 7.5.

The Contractor should submit such documents, in accordance with the legal provisions of the country where they are established signed by authorised person.

If, due to the Contractor's jurisdiction, no official documents are available to confirm any of the requirements listed in items 7.4 and 7.6 above, the Contractor should submit a statement, signed in front of the notary, court or a relevant administrative body, as applicable in contractor's jurisdiction, confirming that the Contractor meets these requirements.

This statement must carry a date, which cannot be more than 6 months in relation to the deadline for the submission of the tender.

7.7. The list of the completed deliveries – mentioned in point 6.2 of the Terms of Reference.

7.8. The insurance policy - for both employer's liability risks and public liability risks.

7.9. Signed statement, which is enclosed to this Terms of Reference, about fulfillment of conditions defined in pp. 6.4 – 6.6 of this Terms of Reference [Appendix No. 2].

These documents can be presented in the form of originals or photocopies and should be signed by Contractor or his authorised representative.

The lack of any of the above documents will cause the tender being rejected from further proceedings.

8. Contact details.

The contact person in matters concerning the tender are:

Michał Urbański MSc. Tel: +4822 548 78 08, e-mail: urbanski@ite.waw.pl

Please address all written correspondence, related to this tended proceedings, to:

Instytut Technologii Elektronowej
Al. Lotników 32/46
02-668 Warsaw, Poland.
Fax: + 48 22 548 78 46.

9. Deposits and guarantees required:

The value of guarantees is 20 000,00 PLN (say: twenty thousand PLN)
It could be introduced in:

- Cash
- Bank guarantee
- Insurance guarantee

Other forms of security defined in article 6b paragraph 5 item 2 . **Act of 9 November 2000 on the establishment of the Polish Agency for Enterprise Development (position 1158 in Polish Journal of Acts No 109 of February 9, 2004).**

The guarantees introduced in cash should be transferred to the bank account : BRE Bank S.A. O/Warszawa 47 1140 1977 0000 5580 4500 1001.

The guarantee introduced in any other forms should be submitted at ITE cash office which is located at Instytut Technologii Elektronowej, Al. Lotników 32/46, 02 – 668 Warsaw, Poland, building VI room 218 (business hours: 9:00÷14:00).

The guarantee has to be provided before submitting the tender.

The Awarding Entity will withhold guarantee within interests in cases defined in article 46 paragraph 5 Public Procurement Law.

10. Tender validation time – 60 days.

11. Formal requirements of the tender.

The tender should include:

- a) Name and address of the Contractor,
- b) Date of preparation of the tender,
- c) Filled in Table enclosed in Appendix No 3
- d) Net price in PLN (The price in other currency is allowed. In the case of submission of the tenders in other currencies, the price will be exchanged to polish zlotych PLN according to mid exchange rate of the National Bank of Poland dated on the day before of opening of the tenders
- e) Terms of payment,
- f) Time of delivery,
- g) Conditions of warranty (if different for parts of laser system –indicate for each part separately),
- h) Indication of the component tasks of the order that will be assigned to subcontractors [Appendix No 4],
- i) Documents required from contractors defined at point 7 of this Terms of Reference.

The tender should be signed by Contractor or his authorised representative.

In the case that contractor company is located outside Poland, it is approved to submit the tender as well as the documents required from the contractors as specified under point 7 of this Terms of Reference either in Polish or in English language.

The contractor is allowed to submit only one offer.

All costs of preparation of the tenders, regardless of the results of the tender, shall be covered by the Contractor.

12. Date and place of submission and opening of tenders.

The tenders should be submitted at the site of the Awarding Entity in Warsaw at Al. Lotników 32/46, building No VI, room 207, by 10⁰⁰ am, on 29th November 2007. **The tenders submitted after this deadline will not be considered.**

Opening of the tenders will take place on 29th November 2007 at 10¹⁵ am. in the building No VI, room 120.

The Awarding Entity will open the tenders in accordance with its internal procedures but on occasion may hold a public opening which your representatives may attend.

The offers must be submitted in non-transparent and closed envelopes or packages. The envelope or package must be addressed as follows:

**Instytut Technologii Elektronowej
Al. Lotników 32/46
02-668 Warsaw
Building No VI, room 207
Do not open before 10¹⁵ am, on 29th November 2007.**

OFFER FOR:

DELIVERY OF THE LASER SYSTEM FOR PRECISE CUTTING AND DRILLING OF CERAMIC, CERAMIC GREENTAPE, POLYMER FOILS AND METAL FOILS.

The envelope or package must include full name and address of the Contractor.
The Awarding Entity does not accept responsibility for consequence of contractors failure to keep the above requirements.

13. Price of the tender.

The net price must include:

- a) laser system,
- b) the operating manual, programming instruction and technical documentation,
- c) spare parts kit,
- d) shipment DDU 30-701 Krakow, Zabłocie 39,
- e) insurance,
- f) installation,
- g) start up and acceptance tests
- h) training for 2 persons held at the place of installation of the device.

14. Evaluation of the tender.

The Awarding Entity will evaluate whether the tender meets requirements introduced in this Terms of Reference. If the tender is valid (meets requirements introduced in this Terms of Reference), it will be taken into consideration in choice of the best one.

Offer evaluation criteria:

- Price - 60%
- Quality of laser system - 40%

Within each of the criteria, the evaluation will take place according to the following rules:

14.1 For the price: number of points in the price criteria will be calculated according to the following formula:

$$P_n = C_{\min} / C_n * 100 * W$$

- where: P_n – points in price criteria
 C_{\min} – the lowest price from all the offers
 C_n – the price from the offer of n-th bidder
 W – weight of the “Price” criteria”

Maximum number of points to be gained within the price criteria is 60.

14.2 For the Quality of laser system: number of points in quality criteria will be calculated on base of filled in Table in Appendix 3 according to the following formula:

$$Q_n = \frac{\sum_k \left(\sum_p (0,10,30,60)_p \right)_{kn}}{\max_k \left(\sum_p (0,10,30,60)_p \right)_{kn}} * 100 * W$$

- where Q_n – points in quality criteria
 $(0,10,30,60)_p$ – values of points for validation of p parameter
k – number of commission members
p – number of validated parameters
n – number of offer
W – weight of „Quality” criteria

Maximum number of points to be gained within the quality criteria is 40.

The sum of points received in all criteria makes aggregate evaluation of the tender.

15. Contract.

Contract with the winning Contractor will be signed within the deadline not shorter than 7 days from publication of the tender results, but not later than the date of tender validation.

16. Other important statements which will be included in the contract.

The following statements will be included in the contract:

16.1. Indemnity

- 1) In case of delay, caused by negligence, or poor performance of the Seller, in delivery longer than 30 working days, the Seller will pay to the Buyer an indemnity of 0,1% of the value of the equipment delayed for each working day of delay up to 10% of it's value.
- 2) In case of delay in payment longer then 30 days, the Buyer will pay to the Seller indemnity of 0,1% of the value of delayed payment for each day of delay up to 10% of it's value.
- 3) In case the Seller will cancel the Contract without reason caused by the Buyer, the Seller will pay to the Buyer penalty of the 10% of the total Contract value and the Seller will transfer back all the received payments for the subject of this contract to the Buyer account.
- 4) In case the Buyer will cancel the Contract without reason caused by the Seller, the Buyer will pay to the Seller penalty of the 10% of the total Contract value plus materials and labour costs based on the following schedule:
 - a) in period shorter than 30 days from order placement - 20% of the contract value
 - b) in period shorter than 30 days before delivery and acceptance – 100% of the contract value
 - c) in period between mentioned in points a and b – percentage approximated by linear function.
- 5) In case of delay, caused by the Seller, in delivery longer than 3 months, the Buyer can cancel the Contract and the Seller will pay to the Buyer penalty of the 10% of the total Contract value and the Seller will transfer back all the received payments for the subject of this contract to the Buyer account.

16.2. Warranty

- 1) The Seller undertakes a warranty of correct operation and technical quality of the delivered equipment for "warranty period included in the offer" months, calculated from the date of the final acceptance test .
- 2) The Seller within warranty period covers costs of the repair or replacement of the defective goods and costs of their transport and all arising travel and lodging costs for Seller's support personnel.
- 3) During the warranty period the Seller has the obligation to make the repair or replacement within not longer than eight weeks after the date of the written claim.
- 4) The warranty period will be increased by the time needed for the repair if the repair will be longer than one week.
- 5) For the replaced or repaired parts of equipment the warranty period will be 12 months from the date of replacement or repair.

16.3. Acceptance of the subject of the contract

Start-up of the laser system will be done within 30 days after delivery. Start-up of the device includes technical lunch and performing of the functional tests confirming technical parameters of the system according to technical specification. Acceptance of the subject of the contract will be done by signing by the Seller and by the Buyer final acceptance protocol.

16.4. Setting of disputes

All disputes arising from the present Contract, failing amicable settlement shall be resolved by the Arbitration Court of the Polish Chamber of Commerce in Warsaw in accordance with the rules of this Court.

17. Procedure for additional explanations.

Contractor is authorised to address only in written form the Awarding Entity (e-mail is also allowed) with request for additional information regarding the content of this Terms of Reference. The Awarding Entity will respond all the inquiries promptly, provided that such inquiries are submitted no later than 6 days prior to the deadline for submission of the tenders. The questions and the answers will be published on web site of the Awarding Entity.

18. Contractor's legal protection.

Contractor's legal protection laws are included in Chapter VI of the Public Procurement Law of January 29, 2004 which is available on the Public Procurement Office (PPO) web site: www.uzp.gov.pl

19. Other matters.

For all matters not regulated in this Terms of Reference, the provisions of Public Procurement Law of January 29, 2004 will apply.

Zbigniew Poznański
Deputy Director ITE

Statement

DELIVERY OF THE LASER SYSTEM FOR PRECISE CUTTING AND DRILLING OF CERAMIC, CERAMIC GREENTAPE, POLYMER FOILS AND METAL FOILS

for Instytut Technologii Elektronowej
Al. Lotników 32/46, 02-668 Warsaw, Poland

We state that:

1. We are authorised to perform specific activities or actions, if such authorisations are required by the law;
2. We have the necessary knowledge, experience and have at their disposal the technical potential and personnel capable of performing the contract;
3. We are in a financial and economic situation ensuring the performance of the contract;
4. We are not liable to exclusion from the award procedure.

.....
/date/

.....
/signature of authorised representative/

S t a t e m e n t

**DELIVERY OF THE LASER SYSTEM FOR PRECISE CUTTING AND DRILLING OF CERAMIC,
CERAMIC GREENTAPE, POLYMER FOILS AND METAL FOILS**

for Instytut Technologii Elektronowej,
Al. Lotników 32/46, 02-668 Warsaw, Poland

We state that :

1. We ensure warranty period at least 12 months from acceptance.
2. We ensure technical support for a minimum of 10 years of system operation.
3. We ensure post-warranty service for a minimum of 10 years of system operation.

.....
/date/

.....
/signature of authorised representative/

**DELIVERY OF THE LASER SYSTEM FOR PRECISE CUTTING AND DRILLING OF CERAMIC,
CERAMIC GREENTAPE, POLYMER FOILS AND METAL FOILS**

for Instytut Technologii Elektronowej,
Al. Lotników 32/46, 02-668 Warsaw, Poland

TABLE

Laser System General Data

No.	Name	Requirement	Offer (fill in)
1.	Model number		specify
2.	Producer of the system		specify
3.	Country of origin		specify
4.	Producer of laser		specify
5.	Laser system	new, original	confirm

Laser System Technical Data

No	Parameter	Requirement	Offer	Points
1.	Processed material	ceramic green tape, fired ceramics (alumina, aluminium nitride), polyimide foil and metal(Cu) foil	specify, describe	(10,30,60)
2.	Cutting and drilling functions		confirm	-
3.	Cutting range: travel range (x,y)	min. 300x300 mm	specify	(10,30,60)
4.	Cutting accuracy	min. $\pm 12,5\mu\text{m}$	specify	(10,30,60)
5.	Setting repeatability	$\pm 2\mu\text{m}$ or better	specify	(10,30,60)
6.	Setting accuracy		specify	(10,30,60)
7.	Material thickness range	0,01 – 1mm (ceramics)	specify	(10,30,60)
8.	Holes diameters range		specify	(10,30,60)
9.	Electrical supply and cooling requirements		specify	(10,30,60)
10.	Laser source: solid state a) diode pumped, b) UV (355 nm)	Minimum 5W	specify confirm confirm	(10,30,60) - -
11.	Laser protection goggles		confirm (specify number of pieces)	(0,10,30)
12.	Control: CNC controlled		confirm, describe	(10,30,60)
13.	Software		describe	(10,30,60)
14.	Scan area		specify	(10,30,60)
15.	Vision system: CCD camera-recognition of the complete working area		confirm, describe	(10,30,60)
16.	Working table: honeycomb material for vacuum clamping of substrates		confirm	-
17.	Capability of switching between processing via Galvo and high resolution focusing objective		confirm	(0,60)

18.	Pulsed Synchronized Output Capability allowing precise, "on-the-fly" synchronization of the laser's pulse, power level and firing pattern with the exact position of a multi-axis positioning system		confirm	(0,60)
19.	Laser should be equipped with exhaust system		describe, specify filters lifetime under normal use e.g. 2000h per year	(10,30,60)
20.	Full integration of the galvo and linear axes		confirm, describe	(10,30,60)
21.	Options, flexibility and capability of future upgrading		describe, supply drawings or photos showing this flexibility	(0,10,30,60)
22.	Interfaces		specify	(0,10,30,60)
23.	Datasheet		enclose	(0,30)
24.	The operating manual, programming instruction and technical documentation in Polish or English language.		confirm	-
25.	Set of spare parts for the period of warranty		confirm	-
26.	Training for 2 persons along with system delivery, installation and start up		confirm	-
27.	Others		describe	(0,10,30,60)

Points: missing - 0 points
 acceptable - 10 points
 good - 30 points
 excellent - 60 points

**DELIVERY OF THE LASER SYSTEM FOR PRECISE CUTTING AND DRILLING OF CERAMIC,
CERAMIC GREENTAPE, POLYMER FOILS AND METAL FOILS**

for Instytut Technologii Elektronowej,
Al. Lotników 32/46, 02-668 Warsaw, Poland

**List of the component tasks of the order that the Tender intends to assign to
subcontractors**

(in case no such tasks please fill in with dashes)

No.	The scope of contract, which the Tender intends to assign to subcontractors.
1.	
2.	
3.	
4.	
5.	

.....
/signature of authorised representative/