



Delivery, installation and commissioning of an automatic filling line for 20–30 L containers at ORLEN OIL Sp. z o. o., Gdansk Plant

PL-OIL-WHR-2023-001051

TERMS OF REFERENCE
Purchasing process number: OO/2/000597/25
UPDATE 13.10.2026

ORLEN OIL Spółka z ograniczoną odpowiedzialnością
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The website of the procurement procedure: www.connect.orldn.pl

The address of the online procurement platform and the website where amendments, clarifications to the Terms of Reference (ToR), and other procurement documents directly related to the procedure will be published, and through which bids shall be submitted: www.connect.orldn.pl

I. Object of the order

Delivery, installation and commissioning of an automatic filling line for 20–30 L containers at ORLEN OIL Sp. z o. o., Gdansk Plant.

The detailed scope of the service is specified in the Description of the Subject of the Procurement (Appendix No. 1).

The scope of the investment project includes:

1. Conducting a site survey at the location of the planned investment project, including a detailed inventory of the existing infrastructure.
2. Submission, of the following, for the Purchaser's approval:
 - 2.1. Detailed Design/Technical Documentation covering all disciplines required for the complete execution of the project,
 - 2.2. Layout showing the location of the new equipment,
 - 2.3. Hardware and software specifications,
 - 2.4. Scope and procedure for installation and commissioning, including a description of the execution of the scope of the contract, specifying the required documentation and individual activities,
 - 2.5. Project execution schedule,
 - 2.6. FAT, SAT and SDAT testing,
 - 2.7. Information on equipment parameters and requirements necessary for proper operation that will require advance preparation by the Purchaser.
3. FAT testing of individual line components at the Contractor's premises.
4. Delivery of the filling line components to the Gdansk Plant.
5. Construction of a new container elevator.
6. Installation of the individual filling line components on the ground floor and first floor of Building 13B at the Gdańsk Plant.
7. Provision of electrical power and compressed air utilities required for connection and proper operation of the new filling line.
8. SAT at the Gdańsk Plant, consisting of continuous operation of the filling line for one work shift, achieving a minimum throughput of 180 containers/hour for 20 L containers and 100 containers/hour for 30 L containers.
9. Electrical measurements and tests of the individual line equipment at their final installation locations.
10. Submission of as-built documentation and source codes.



Delivery, installation and commissioning of an automatic filling line for 20–30 L containers at ORLEN OIL Sp. z o. o., Gdansk Plant

11. Training of Operators in the operation of the new filling line, conducted in Polish.
12. Following completion of the SAT and prior to signing the Final Acceptance Report, the Contractor shall enable verification testing of the line parameters on the fully commissioned system for a period of two weeks.

Prior to attending the site visit, it is necessary to submit, by email to: anna.steege@orlenoil.pl , a Confidentiality Undertaking (**Appendix No. 3**), signed by duly authorized representatives as indicated in the National Court Register (KRS) or the Central Register and Information on Economic Activity (CEIDG).

II. Place of Performance

The subject of the procurement shall be performed and delivered to the ORLEN OIL Sp. z o. o. Production Plant in Gdansk, located at 135 Elblaska Street.

III. Deadline for completion of the order

The Contracting Authority expects the contract to be completed within a period not exceeding **60 weeks (420 calendar days) from the date of signing the Agreement.**

Required offer validity period: **6 months**

IV. Determination of the price of the object of the order:

1. The Contractor shall specify the bid price, which shall be the Contractor's invariable and fixed net lump sum remuneration.
2. The price quoted must be expressed in Polish zloty to two decimal places. The price must take into account all the requirements of the ToR and include all price elements of the order execution.
3. The price quoted in the bid should include all direct costs, indirect costs and profit and should take into account all conditions according to the description of the subject matter of the order and the general terms and conditions specified in the Tor. The price should include all taxes, insurances, fees, transport charges, etc. with the exception of value added tax - VAT.
4. Contractors are required to take great care to familiarise themselves with the subject matter of the order, the conditions of performance and all factors that may affect the pricing of the order.
5. The Contractor will be obliged to issue invoices for the performance of the subject matter of the order, with the VAT rate in force at the date of submission of the invoice.
6. The Contracting Authority does not envisage the possibility of conducting settlements in foreign currencies. Settlements between the Contractor and the Contracting Authority shall be made in Polish zloty (PLN).
7. The Contracting Authority does not envisage granting advance payments for the performance of the order.
8. The Contractor declares that it has carried out all necessary measurements and bills of quantities and made all necessary arrangements, and the remuneration shall include all works necessary to complete the subject matter of the order, including all works necessary for the Contracting Authority to accept the subject matter of the order and which, with due diligence, the Contractor could have foreseen, even though they were not specified in the Appendices, and which are necessary for comprehensive completion of the subject matter of the order.

V. Contractor's insurance

The Contractor shall be obliged to hold, during the term of the contract, a valid policy or other insurance document confirming that the Contractor is insured against civil liability in respect of its business activities for a sum insured of not less than PLN 5 000 000.



Delivery, installation and commissioning of an automatic filling line for 20–30 L containers at ORLEN OIL Sp. z o. o., Gdansk Plant

A photocopy of the policy, certified as a true copy of the original, will be provided by the Contractor at the stage of the proceedings. The Contractor shall **ensure continuity** of insurance during the term of the contract. In the event of termination of the policy period, the Contractor must submit an extension of the insurance with proof of payment of insurance premiums.

VI. Information for the Contractor on the employment of employees

The Contracting Authority specifies the following requirements concerning the employment by the Contractor or Subcontractor of persons performing the activities indicated by the Contracting Authority in the execution of the order on the basis of an employment contract:

1. The Contractor undertakes to employ (either by itself or by a subcontractor) on the basis of an employment contract persons performing construction work, if the performance of such work consists in the performance of work in the manner specified in Article 22(1) of the Act of 26 June 1974 - Labour Code.
2. With respect to the persons performing the activities consisting in the performance of work within the meaning of Article 22(1) of the Labour Code referred to above, the Contractor shall document the fact of their employment by submitting, not later than on the day of signing the contract and also at each request of the Contracting Authority at each stage of the Contract execution, anonymised employment contracts of the persons performing the above-mentioned activities, confirming: the name of the employed person, the type of activities performed, the period of employment, the employer. The Contractor may submit other documents containing the aforementioned information confirming the employment of persons performing the aforementioned activities. The Contracting Authority may at any time demand additional documents or clarification if it finds that the documents presented by the Contractor give rise to doubts as to their authenticity or as to the circumstances which they should confirm. In such a case, the Contractor shall be obliged to present additional documents within the time limit set by the Contracting Authority

VII. Information for Contractors intending to subcontract a part of the contract to subcontractors

1. The Contractor may subcontract parts of the contract to Subcontractors.
2. The Contracting Authority requires that the Contractor indicates in the bid the parts of the contract which it intends to entrust to Subcontractors and the names of any Subcontractors, if known.
3. The Contracting Authority requires the Contractor, prior to commencing performance of the order, to provide the names, contact details and representatives of the Subcontractors involved in the performance of the order, if already known.
4. The Contractor shall be obliged to notify the Contracting Authority of any changes with regard to the information referred to in the first sentence during the performance of the order, as well as to provide the required information on new Subcontractors to whom it subsequently intends to entrust the performance of the order.
5. In the event that the Contractor subcontracts part of the work to its subcontractor, the Contracting Authority may require a written statement from the subcontractor that the Contractor has paid all amounts due to it and a copy confirming the transfer.

VIII. Information on conditions for participation in the proceedings

Contractors, who are not subject to exclusion and who meet the conditions for participation in the proceedings and the requirements specified in this ToR may apply for the award of the contract.

In order to participate, the Contractor is required to submit a formal, technical and commercial bid.

In order to participate in the tender, the Bidder is required to submit both a Technical Proposal and a Commercial Proposal.



Delivery, installation and commissioning of an automatic filling line for 20–30 L containers at ORLEN OIL Sp. z o. o., Gdansk Plant

Any comments or proposed amendments to the Agreement may be submitted by the Bidder only during the question-and-answer stage and within the deadline specified by the Contracting Authority.

As part of the formal submission, the Bidder shall be required to provide a declaration accepting the terms and conditions of the Agreement. Submission of such declaration shall constitute a condition for the validity of the bid and shall be deemed as full acceptance of the Agreement without reservation.

A mandatory condition for participation in the tender procedure is the payment of a bid bond (tender security) in the amount of **PLN 20,000** (in words: twenty thousand Polish zlotys) to the following bank account:

Account No.: 21 1030 1188 0000 0000 0361 9201

Bank Handlowy w Warszawie S.A.

ul. Senatorska 16, 00-923 Warsaw, Poland

The transfer reference must include the procedure number: **OO/2/000597/25**.

The Bidder is required to attach proof of payment of the bid bond to the formal part of the tender submission.

Following the completion of the tender procedure, bidders whose offers have not been selected shall have their bid bond refunded **without interest**. The bid bond shall be forfeited if the Bidder refuses to sign the Agreement on the terms specified in its offer or if the Bidder has provided false information in its offer.

If the selected Bidder signs the Agreement, the bid bond paid shall be retained by the Contracting Authority as part of the performance security for the proper execution of the Agreement until a bank guarantee or insurance guarantee has been submitted.

In the event that the Agreement is concluded and the Contractor provides a bank guarantee or insurance guarantee securing the proper performance of the Agreement, the Contracting Authority shall, within **14 days** of receiving such guarantee, refund to the Contractor the amount of **PLN 20,000** (in words: twenty thousand Polish zlotys) paid as the bid bond.

NOTE: no price information should be included in the formal and technical section.

A. Formal part of the bid

Bidders are required to submit the following statements/documents in the formal part of their bid:

1. Current excerpt from the appropriate register or a current certificate of entry in the register of business activity, if separate regulations require entry in the register or entry in the register of business activity, issued no earlier than 6 months before the deadline for submission of bids, (or a document certified by the issuing authority by that date).
2. Document confirming that the Bidder is registered as an active VAT taxpayer and has not been removed from the VAT taxpayers register (to be attached as an appendix).
3. A power of attorney if the bid is submitted by a person other than the one authorized by the KRS (the National Court Register) or CEiDG (Central Registration and Information on Business).
4. Bidder's Declaration, signed by duly authorized representatives in accordance with the rules of representation, in the form set out in **Appendix No. 10**.
5. Signed CONTRACTOR'S DECLARATION OF COMPLIANCE WITH THE SANCTIONS REGIME – **Appendix No. 8**.



Delivery, installation and commissioning of an automatic filling line for 20–30 L containers at ORLEN OIL Sp. z o. o., Gdansk Plant

6. Declaration of the Ultimate Beneficial Owner (UBO), signed by duly authorized representatives in accordance with the rules of representation, in the form set out in **Appendix No. 11**.
7. Annual tax returns (PIT) for the last two calendar years, together with confirmation from the Tax Office of their submission, for all partners/shareholders, and additionally the most recent authorized statement of revenues, costs, and income for the current reporting period – for entities maintaining simplified accounting records.
8. Confidentiality Undertaking (**Appendix No. 3**), duly executed by individuals authorized to represent the Company in accordance with the National Court Register (KRS).
9. Certificates confirming that the Bidder has no outstanding tax liabilities and no outstanding social security contributions owed to the Tax Office (US) and the Social Insurance Institution (ZUS), issued no earlier than three (3) months prior to the bid submission deadline (to be attached as an appendix).
10. Proof of payment of the bid bond in the amount of **PLN 20,000** (in words: twenty thousand Polish zlotys) – please attach.
11. Declaration confirming that the Bidder holds all licenses, permits, and authorizations required to perform the activities constituting the subject matter of the bid, or that it uses the services of subcontractors holding the necessary authorizations; furthermore, confirming that the Bidder possesses the required knowledge and experience, economic and technical capacity, and personnel capable of performing the scope of work covered by this request for quotation.
12. I declare that I accept the draft Agreement (Appendix No. 2) to the Terms of Reference (ToR). Submission of this declaration shall constitute a condition for the validity of the bid and shall be deemed full acceptance of the contents of the draft Agreement.
13. A statement by the Bidder, in the form of a “yes” or “no” response, on the Connect platform:
 - a. I declare that I have familiarized myself with and accept the standards applicable within the ORLEN Group concerning the anti-corruption policy, gift acceptance rules, whistleblowing procedures, and conflict of interest management, available at www.orlden.pl under the following path: “About the Company / About the Company / Our Standards / Anti-Corruption Standards”: <https://www.orlden.pl/pl/o-firmie/o-spolce/nasze-standardy/standardy-antykorupcyjne>
 - b. I declare that I have familiarized myself with and accept the principles set out in the Supplier Code of Conduct, available at www.orlden.pl under the following path: Home Page / For Business / Tenders / Supplier Code of Conduct.
 - c. I declare that I am in a financial position that ensures the proper execution of the work covered by this bid.
 - d. I declare that my company is not subject to any restructuring, liquidation, or bankruptcy proceedings. I declare that no enforcement proceedings are being conducted against my company.
 - e. I declare that I am not involved in any litigation or arbitration proceedings with ORLEN S.A. or any company within the ORLEN Capital Group.
 - f. I declare that the Bidder’s employees, management board members, shareholders, and partners are not in any legal or factual relationship with ORLEN S.A., companies within the ORLEN Capital Group, or their management board members and employees, that could raise justified doubts as to the impartiality of the supplier selection process conducted under this procurement procedure.
 - g. I declare that I am authorized to conduct business activities in accordance with applicable legal requirements and that I am not subject to any economic sanctions imposed by the United Nations, the European Union, the Member States of the European Union and the European Economic Area, the United States of America, or the United Kingdom of Great Britain and Northern Ireland.
 - h. I declare that I have no outstanding public-law liabilities (taxes and fees) arising from my business activities.
 - i. I declare that I have familiarized myself with the contents and conditions of the Request for Quotation, including in particular the payment terms, and have no objections thereto, and I agree to be bound by its provisions and procedural rules.



Delivery, installation and commissioning of an automatic filling line for 20–30 L containers at ORLEN OIL Sp. z o. o., Gdansk Plant

- j. In performing the subject matter of the contract, all work will be carried out independently by me – YES, if performed independently; NO, if I intend to use subcontractors.
- k. I confirm that we (the Bidder), acting on behalf of ORLEN OIL Sp. z o. o., have fulfilled the information obligation towards the natural persons employed by us whose personal data has been provided to ORLEN OIL Sp. z o. o. for the purpose of participation in this procurement procedure, by providing them with the information clause (**Appendix No. 7**).
- l. I declare that none of the persons authorized to represent the Bidder is the subject of criminal proceedings, nor has any such person been finally convicted of a corruption-related offense.
- m. I declare that the Bidder, its employees, members of its governing bodies, attorneys-in-fact, shareholders/partners, and affiliated entities are not linked through any capital, personal, organizational, or other factual relationships with other entities that they know to be participating in this procurement procedure conducted by ORLEN OIL Sp. z o. o. or another company within the ORLEN Capital Group.

B. Technical Proposal

Bidders are required to submit the following documents as part of the technical section of their proposal:

1. Description of the method of execution of the Subject Matter of the Procurement, in accordance with the detailed requirements specified in the Request for Quotation and the Description of the Subject Matter of the Procurement. Within the Technical Proposal, please present layouts and proposed solutions for the design and construction of the individual equipment units.
2. The procurement procedure is open to Contractors who have at their disposal personnel qualified to perform the subject matter of the contract (please attach copies of the relevant qualifications/licenses), including:
 - a. at least one person holding a license/authorization to carry out works in the installation specialty covering electrical and power networks, installations, and equipment, without limitations, or equivalent qualifications issued under previously applicable regulations.
 - b. any other qualifications, licenses, permits, or authorizations required for the complete performance of the contract.
3. Warranty Period (the minimum warranty period shall be **36 months** from the date of signing the Final Acceptance Certificate).

The warranty period shall cover all costs associated with the warranty obligations. The scope of the bid shall include all technical inspections, maintenance services, and periodic checks of the equipment that are mandatory during the warranty period in order to maintain the validity of the warranty.
4. Current Contractor's Third-Party Liability Insurance Policy (Public Liability Insurance) with a minimum insured amount of PLN 5,000,000 or a declaration undertaking to conclude the insurance policy should the offer be awarded.
5. List of services of similar nature performed within the last three (3) years, including preferably at least two (2) projects with an investment value of not less than PLN 3,000,000.00 each, confirming that the Bidder possesses the experience and capability required to perform the subject matter of the Request for Quotation.
6. Work schedule (without indicating any prices/costs) – please specify the number of weeks required for completion - **Appendix No. 12a**
7. Signed Site Visit Report, in accordance with the template attached to the Terms of Reference (ToR). Participation in the site visit prior to submission of the bid is mandatory - **Appendix No. 4**.



Delivery, installation and commissioning of an automatic filling line for 20–30 L containers at ORLEN OIL Sp. z o. o., Gdansk Plant

8. Template of the Performance Bond and the Defects and Deficiencies Warranty Bond referred to in §19 of the draft Agreement attached to the Terms of Reference (ToR), in an amount equal to 5% of the Contract Price increased by VAT, or alternatively a declaration by the Bidder confirming that it will provide the above-mentioned guarantees prior to the conclusion of the Agreement, or pay a cash security deposit in the event that its bid is selected.

C. Commercial section of the proposal

Bidders are required to submit the following documents as part of the commercial section of their proposal:

1. Price and Payment Terms

The price shall include: the cost of materials, delivery to the plant, installation and commissioning, as well as the preparation of as-built documentation. Please attach the completed Cost and Financial Schedule – **Appendix No. 12b**.

The Contractor shall specify in its commercial offer a lump-sum net price for the complete performance of the scope of the Request for Quotation. The total offer price shall include remuneration for all Stages of the Works:

- i. Stage I – Approval and submission of the Detailed Design Documentation;
- ii. Stage II – FAT, delivery and installation of the machinery.
- iii. Stage III – SAT, DSAT and Final Acceptance, including submission of the documentation.

The first payment/ instalment (Stage I) shall not exceed 10% of the total remuneration specified in the offer.

The final payment /instalment (Stage III) shall not be less than 50% of the total remuneration specified in the offer.

2. Payment term - min.30 days from the date of receipt of a correctly issued VAT invoice.
3. Information on the period of validity of the bid from the date of its submission. Expected minimum bid validity: **6 months**.

IX. REQUIREMENTS FOR SECURING PROPER PERFORMANCE OF THE CONTRACT

1. The bidder shall be liable for defects in the object of the contract under guarantee.
2. The bidder shall be liable for the non-performance or improper performance of its obligation under the contract in accordance with the terms and conditions contained therein and in accordance with the rules of generally applicable law. No contractual (non-contractual) exclusion or limitation of the Bidder's liability is envisaged, irrespective of its title, if such liability arises from generally applicable law.
3. The Contractor shall provide a Performance Security in the amount of 5% of the gross contract price specified in the bid. The Performance Security shall serve as security for claims arising from non-performance or improper performance of the Agreement.
4. At the Contractor's discretion, the performance security may be provided in one or more of the following forms:
 - a. cash;
 - b. bank sureties or sureties issued by a cooperative savings and credit union, provided that the union's liability shall always constitute a monetary obligation;
 - c. bank guarantees;
 - d. insurance guarantees.



Delivery, installation and commissioning of an automatic filling line for 20–30 L containers at ORLEN OIL Sp. z o. o., Gdansk Plant

5. Where the performance security is provided in cash, the Contractor shall pay the relevant amount by bank transfer to the Purchaser's bank account.

X. Additional requirements for Bidders:

1. During the execution of the works, the Contractor is obliged to comply with current order regulations applicable at ORLEN OIL Sp. z o. o. with regard to: OHS, fire protection, property protection, environmental protection and a pass system for the movement of people and materials.
2. The Contracting Authority reserves the right to verify the financial credibility of the Bidder and the Bidder is obliged to produce the relevant documents upon request of the Contracting Authority:
 - for entities having full accounting system: authorized balance sheet and profit and loss account for two full reporting years and the most recent - quarterly statement for the current period (balance sheet and profit and loss account or F01),
 - for businesses with simplified accounting reporting - annual statements (PITs with confirmation from the Tax Office that they have been received for all shareholders) for the last two calendar years and, in addition, the most recent authorized statement of income, expenses and revenues for the current reporting period,
 - for foreign entities: authorized balance sheet and profit and loss account for two full reporting years and the most recent - quarterly/semi-annual report for the current period.

XI. Method of communication between the parties:

The Bidder has the right to ask questions about the subject matter of the order via the Connect platform. The Contracting Authority is obliged to respond to questions submitted up to two working days before the end of the proceedings.

Employees of the Contracting Authority authorised to deal directly with suppliers:

Mikołaj Kalkowski	(Technical issues)
Stanowisko służbowe:	Specialist
Numer telefonu:	+48 663 731 169
E-mail:	mikolaj.kalkowski@orlenoil.pl

Mariusz Kadzik	(Technical issues)
Stanowisko służbowe:	Project Manager
Numer telefonu:	+48 512 389 176
E-mail:	mariusz.kadzik@orlenoil.pl

Dariusz Durlik	(Technical issues)
Stanowisko służbowe:	Department Manager
Numer telefonu:	+48 510 043 723
E-mail:	dariusz.durlik@orlenoil.pl

Anna Steege	(Commercial terms)
Stanowisko służbowe:	Specialist
Numer telefonu:	+48 517 033 184
E-mail:	anna.steege@orlenoil.pl



Delivery, installation and commissioning of an automatic filling line for 20–30 L containers at ORLEN OIL Sp. z o. o., Gdansk Plant

XII. Information on the date, place of submission and opening of bids and the procedure for opening and evaluating bids:

1. Deadline and place for submission of initial bids:

Initial bids should be submitted via the "CONNECT" purchasing platform. Bids submitted after the deadline will not be considered.

2. Assessments of bids.

The Contracting Authority will assess the validity of the bids in terms of the formalities and the bid evaluation criteria adopted in the specifications via the "CONNECT" purchasing platform.

XIII. Remedies

Bidders are not entitled to attend the opening of bids.

Bidders are not entitled to any remedies in the proceedings.

XIV. Final provisions

The Contracting Authority will inform Bidders of the results of the proceedings.

The Contracting Authority shall have the right to choose the bid freely; it may conduct additional negotiations with selected bidders and may also cancel the procedure without giving any reason.

The Contracting Authority reserves the right to limit the scope of the object of purchase of the service.

Upon receipt of the order, verification of the documents required to start the work must be agreed with the Health and Safety Service.

XV. List of Appendices

Appendix No. 1 - DESCRIPTION OF THE SUBJECT OF THE CONTRACT

Appendix No. 2 - Draft Agreement

Appendix No. 3 - NDA

Appendix No. 4 - Site Visit/ Technical meeting Report

Appendix No. 5 - Information Guide on Rules of Conduct and HSE Standards for Contractors and Subcontractors.

Appendix No. 6 - Schedule of Monetary Penalties for Violations of Occupational Health and Safety (OHS), Fire Protection, or Process Safety Regulations.

Appendix No. 7 - Information clause

Appendix No. 8 - COUNTERPARTY'S STATEMENT ON COMPLIANCE WITH THE SANCTIONS REGIME

Appendix No. 9 – HSE Standard

Appendix No. 10 - Bidder's Declaration

Appendix No. 11 - BENEFICIAL OWNER STATEMENT

Appendix No. 12a – Technical Schedule

Appendix No. 12b – Commercial

Appendix No. 13 – OT Cybersecurity Standards