

**The announcement: technical dialogue under the Public Procurement Act, prior to the initiation of the public procurement procedure**

**The construction / delivery of multi-purpose response vessel able to combat threats and pollution at sea**

Maritime Search and Rescue, hereinafter referred further as the Inviting Party informs, that intends to lead technical dialogue under the Public Procurement Act, prior to the initiation of the public procurement procedure related to the construction / delivery of multi-purpose response vessel able to combat threats and pollution at sea. All parties having experience in the work covered by the future contract and interested in participating in the technical dialogue, are requested to notify their intention by providing all the information required in the application, which is attached to this notice. **(NZ-RR/DT/02/13.)**

**II. Participation in the dialogue**

The participants of the technical dialogue may be entities – shipyards, having expertise and experience in designing and building multi-purpose rescue vessels or other specialized vessels which may be adapted to the needs of Inviting Party.

**III. The aim and object of the dialogue**

The purpose of this dialogue is to obtain technical advice and information on the best, most modern and the most favorable technically, technologically and economically solutions that meet the needs of the Inviting Party. The information obtained will be used further for description of the subject of the competitive tendering, as well as the terms of reference related to completion of the agreement in the award of the contract for the design / construction and delivery of multi-purpose response vessel. The Inviting Party declares that the further procedure for the construction of a ship depends on circumstances that will occur in the future, including obtaining funds for the realization of the contract.

**IV. Description of the project**

The Inviting Party has a pre-developed functional and practical requirements for the ship, which will be able to be updated. This description, written in Polish is attached to this notice.

**V. Timeframe for the dialogue**

The dialogue will be conducted until the Inviting Party will be able to determine whether information on possible technical solutions received from participants is sufficient to initiate proceedings on granting public procurement.

Estimated timeframe for the dialogue: 12.2013r - 12.2014r

**VI. Deadline for submission**

Potential participants are invited to submit their applications until 30.12.2013r. After this date the Inviting Party will start the dialogue. At the same time Inviting Party reserves the right of admission to the dialogue, those parties who have submitted the request at a later stage, but because of their experience, their participation in this dialogue might provide additional

solutions related to the subject of the dialogue, and which might deliver information still sought after by the Inviting Party. Furthermore the Inviting Party stipulates that in such situation it may refuse to come back to the topics already discussed.

Inviting the declaration made in the following forms:

- Electronic address: dialog.statek @ sar.gov.pl
- By fax to the following number: +48 58 660 76 61
- Personally, the Secretariat of Maritime Search and Rescue in Gdynia, ul. Hryniewickiego 10, 81-340 Gdynia, Poland

Application for participation in the technical dialogue, should contain the following information :

The name of the company and its registered office address and contact details.

First name and surname of the relevant contact person, it is advisable also to include an e - mail address of the entity concerned, as well as telephone and fax numbers.

The application must be written in Polish. When the application is sent using e-mail or fax , it is advisable to send a request by mail, in writing by the ordinary post office, or provide it directly to the Inviting Party at the first meeting .

Inviting Party recommends following attachments to the application documents:

A recent extract from the National Court Register, records of business or in the case of foreign entities, an extract from the relevant commercial register translated into Polish, as well as evidence that the person (s ) signing the application is authorized to represent the the entity concerned. At the same time Inviting stipulates that evidence of authorization of the person(s) signing the application must be submitted no later than during the first meeting conducted in the framework of the dialogue. Documents written in a foreign language must be submitted together with their translation into Polish.

## **VII. Preparing for talks**

The participants are invited to a dialogue on the basis of verification of applications for participation, please call for dialogue and will send, within the prescribed period, but not less than 30 days, the initial development as a basis then the talks.

## **VIII. The technical dialogue**

1. This dialogue is conducted on the basis of Art. 31 in the Act of 29 January 2004, the Public Procurement Law (Official Journal of 2013, pos. 907, as amended) according to m (8) of Directive 2004/18/EC of the European Parliament and the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts

and public service contracts (OJ L 134, 30.4.2004, p 114)

2. The Inviting Party and technical dialogue participants are required to act in a way that does not restrict fair competition at the stage of technical dialogue, so that it does not restrict or prevent the participation of the participants, who are potential contractors in procedures under the Public Procurement Law. The Inviting Party ensures that actions connected with the preparation and conduct of the dialogue procedures shall be performed by persons ensuring impartiality and objectivity, instructed on the need to maintain fair competition.

3. Technical dialogue is conducted in a manner ensuring fair competition and equal treatment of potential participants involved in its implementation and their offered solutions. The Inviting Party reserves the right to conduct a dialogue with the Participants who will be selected on the basis of experience, in accordance with Section II.

4 Inviting Party will prepare a written record of the dialogue. Inviting Party reserves the right to record the dialogue.

5. The dialogue is open to the public. Participants taking part in the technical dialogue agree that the Inviting Party will use the information provided as the content of future terms of reference and other documents related to further procedures for the construction of the ship, to open public procurement. At the same time participants of the dialogue may provide the confidential nature of information, where the information is confidential, within the meaning of the Act on combating unfair competition, which is not disclosed to the public technical, technological, organizational, business or other information having commercial value, which an entrepreneur has taken the necessary action in order to preserve their confidentiality. Disclaimer trade secrets can not be in contrary to the purpose of the dialogue.

6 Technical dialogue is conducted in Polish. If a participant of the dialogue speaks a language other than Polish, he should provide an interpreter. Documents submitted in other languages must be accompanied by a translation into Polish signed by a person representing the participants in the dialogue

7. This announcement is not an invitation to bid within the meaning of Art. 66 of the Civil Code, nor is it a publication of a contract under the provisions of the Public Procurement Law (especially it is not a procedure on the basis of a competitive dialogue )

8. The Inviting Party has the right to terminate the technical dialogue at every stage, when the Inviting Party will have the information needed to initiate proceedings for awarding a public contract, or when there is a change in circumstances resulting in the lack of legitimacy to engage in further dialogue procedures.

9 Technical dialogue will be conducted separately with each of the parties interested in participating in the dialogue, within the deadlines set by the Maritime Search and Rescue Service. The dialogue will be conducted at the premises of the Maritime Search and Rescue Service in Gdynia, Hryniewickiego 10 Str. Dialogue participant will be informed about the planned meeting at least at ten day notice of the date of dispatch of information about the meeting. Information about the date of the meeting shall be forwarded by fax or e-mail , according to the indication of the Participant.

10. Participation in the technical dialogue is not a condition to apply in the future for public contracts. The participation in the dialogue is free of charge, but participants shall cover their own costs related to the application / participation in the Technical Dialogue.)

If the participant has a representative acting on behalf of the entity, and the authorizing for the representation doesn't result directly from the presented entities' register, the representative is obliged to submit appropriate power of attorney, which should be signed by a person who is appointed in register.

11. Correspondence will be conducted with the person and in the manner specified by the Participant ( fax, email , in writing ) .

**Dyrektor**

**Marek Dlugosz**