



**ANNOUNCEMENT OF COMPETITION OF OFFERS NO. 1/E/OS/2018
FOR THE SALE OF ARMAMENTS**

*organised by the Military Property Agency (AMW) in Warsaw, ul. Nowowiejska 26A
- Qualified Trading Department*

TIME LIMIT OF SUBMITTING THE OFFERS: 2018-03-30

I GENERAL CONDITIONS

1. The object of the sale in the form of competition of offers is the armaments decommissioned from the resources of the Ministry of National Defence (MON) and the Ministry of The Interior and Administration (MSWiA), enumerated in the control lists of armaments (Common Military List of the European Union and specification of armaments, appended to the regulation of the Minister of Development and Finance of the Republic of Poland (RP) *on the specification of armaments the trading in which is subject to licensing*), the export and intra-community transfer of which is subject to the acquisition of a license issued by a relevant official authorities, responsible for controlling the trading in armaments of the Republic of Poland based on import certificate or end user certificate.
2. The competition of offers may be acceded by entities having their registered seat outside the boundaries of the Republic of Poland, in a signatory country of Wassenaar Arrangement that are not subject to the ban on trading in armaments imposed by the European Union.
3. The competition of offers shall be implemented in keeping with the rules of the competition of offers for the sale of armaments to foreign entities, appended to decision no. 86/2017 of the President of AMW dated 25th September 2017.
4. The information concerning the subject of full competition offer (name, type, quantity, minimum net unit price, place of the storage of armaments) is listed on AMW website: www.amw.com.pl/en in tab "*Armaments and equipment - Competition of offers*" (**appendix no. 1**), accessible exclusively to entities that have been given the password.

The downloading of offer form shall be possible following the receipt of password to full competition offer from the organiser of the competition of offers.

II PROCEDURE AND CONDITIONS FOR ACCESS PASSWORD TO FULL COMPETITION OFFER

1. The access password to full competition offer shall be provided exclusively to the entities which following the dispatch of the "*Application for the provision of access password to full competition offer*", appended to the announcement (**appendix no. 2**), inclusive of the registration document of such entity and powers-of-attorney (when applicable), as stipulated in Item IV Section 9 (document in the form of a scan) are positively verified by the organiser of the competition of offers in keeping with the internal control system of trade of armaments in place at AMW.

3. Withdrawal, supplementation or change of offer prior to the expiration of the time limit for submitting offers shall be effected in the same manner as the submission of offers. In such case, an appropriate annotation must be made on the envelope, i.e. "withdrawal of offer in the competition of offers no. 1/E/OS/2018" or "supplementation/change of offer in the competition of offers no. 1/E/OS/2018".
4. The offer price for armaments being the object of the competition of offers must be provided in hardcopy on offer form appended to the announcement of the competition of offers, posted on AMW website www.amw.com.pl/en in tab "Armaments and equipment - Competition of offers". The lack of price offer made on offer form will result in rejection of such offer. A participant to the competition may submit a partial offer, i.e. covering only these positions from the offer form it is interested in, or an offer covering all items. A participant to the competition of offers may not submit more than a single price offer for given item from the offer form.
5. The net unit offer price may not be less than the minimum net unit price indicated in the offer form and must be expressed in *EUR* rounded to second decimal place.
6. The offer form must be signed by person(s)* duly authorised to represent a participant to the competition of offers (i.e. to submit statements of will on behalf of a participant to the competition of offers) in keeping with the representation rules in place, shall directly ensue from the registration document of such participant to the competition of offers appended to the offer form as stipulated in Section 9.1).
7. Any corrections or changes in the text of price offer in the offer form shall be introduced in a legible manner and signed by person(s)* who signed the offer form.
8. Shall the offer form be signed by any representative of the participant of the competition of offers, the offer must be appended with the original copy of a document (powers-of-attorney), confirming the authorisation of such person(s)* to submit statements of will on behalf of a participant to the competition of offers, as stipulated in Section 9.2).
9. The offer form shall be appended with:
 - 1) a copy of valid excerpt or print-out from relevant register, such as i.e. register of entrepreneurs in the country of where a participant to the competition of offers has its registered seat, confirming the legal nature and capacity to undertake legal actions and the scope of operations and rules of representation of such participant to the competition of offers. The copy referred to above shall be:
 - confirmed as consistent with the original document, in keeping with the rules of representation binding to the participant to the competition of offers,
 - submitted inclusive of a sworn translation to Polish language provided by a sworn translator, listed in the register of sworn translators kept by the Minister of Justice of the Republic of Poland;
 - 2) original copy of powers-of-attorney, in keeping with Section 8 (if applicable), inclusive of a sworn translation to Polish language provided by a sworn translator, listed in the register of sworn translators kept by the Minister of Justice of the Republic of Poland.
10. Any costs associated with the participation in the competition of offers, including but not limited to the preparation and submission of application, offer, and of other documents, shall be covered by the entity/participant to the competition of offers, irrespective of the result of such competition of offers.

V OFFER EVALUATION PROCEDURE

1. The opening and examination of competition of offers shall be effected at a closed meeting by the Commission, appointed by the President of AMW.
2. Criteria applied in the selection of buyer's offer:

required. The decision to issue the permit for exports/intra-community transfer of armaments from the Republic of Poland may be undertaken by an official authorities responsible for control of trading of armaments in RP does not depend upon the organiser of the competition of offers and may not be subject to claims against the organiser of the competition of offers.

4. The decisions of the President of AMW in the matter of selection of buyer's offer may not be appealed against.
5. The Polish language version of the announcement of the competition of offers shall be the binding version thereof.
6. Correspondence concerning the competition of offers shall be made in English language.
7. Photographs of licensed movables attached to the competition of offers have exclusively information character and don't constitute a trade offer. Photographs cannot be spread without AMW permission.

Additional information may be acquired under the following e-mail address/ telephone number: a.pracon@amw.com.pl/ (+48) 22 314 97 00, (48) 22 314 97 91.

Appendices:

- Appendix no. 1: offer form with appendices from 1 to 6;
- Appendix no. 2: application for provision of access password to full offer;
- Appendix no. 3: application for inspection of armaments;
- Appendix no. 4: standard sales contract of armaments to foreign counterparties – intra-community transfer;
- Appendix no. 5: standard sales contract of armaments to foreign counterparties – export;
- Appendix no. 6: requirements of official authorities responsible for controlling trade in armaments of the Republic of Poland concerning the end user certificate.

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