

Request for Bids No. 05/WPD104/2020

announced on the 15th June, 2020

as a part of the project entitled: *New approach to glioblastoma treatment addressing the critical unmet medical need*, under the contract No. POIR.01.02.00-00-0084/18-00, co-financed by the European Union under the *Smart Growth Operational Program 2014-2020*, Priority I: *Support for Research and Development work by Enterprises*, Measure 1.2: *Sectorial Research and Development Programs*, Sectorial Program *InnoNeuroPharm*.

I. Awarding Entity.

Awarding Entity's name and address:

WPD Pharmaceuticals sp. z o. o. with its registered office in Warsaw

address: ul. Żwirki i Wigury 101, 02-089 Warsaw

entered in the Register of Entrepreneurs of the National Court Register kept by the District Court for the capital city of Warsaw in Warsaw, 12th Commercial Division of the National Court Register, under No. KRS 0000693186, initial capital of PLN 888 950 NIP: 5252721500

Phone: +48 515 262 381

www.wpdpharmaceuticals.com

Awarding Entity's authorized representative:

Mariusz Olejniczak – President of the Management Board

Contact person for the Request for Bids authorized by the Awarding Entity:

Mariusz Olejniczak

e-mail: oferty@wpdpharmaceuticals.com

II. Contract award procedure

The contract award procedure will be organized as a request for bids compliant with the Competitiveness Rule set out in the *Guidelines on the Eligibility of Expenses under the European Regional Development Fund, European Social Fund and Cohesion Fund for 2014-2020* of 22 August 2019, version valid from 09 September 2019 (reference no.: MIiR/2014-2020/12(4)), issued pursuant to Article 5(1) of the Act of 11 July 2014 on the rules of implementation of cohesion policy programs funded in the 2014-2020 financing perspective (consolidated text: Journal of Laws of 2018, item 1431), available from:

<https://www.poir.gov.pl/strony/o-programie/dokumenty/wytyczne-w-zakresie-kwalifikowalnosci-wydatkow-w-ramach-europejskiego-funduszu-rozwoju-regionalnego-europejskiego-funduszu-spoolecznego-oraz-funduszu-spojnosci-na-lata-2014-2020/>.



III. Description of the Contract Object.

1. Order type: delivery

2. Name and code according to the Common Procurement Vocabulary (CPV):

Software packages and IT systems

CPV: 48000000-8

3. Contract Object.

- 1) The contract object is a delivery of a database system, for conducting clinical studies, as a part of the project No. POIR.01.02.00-00-0084/18.
- 2) Detailed description of the contract object includes delivery of the database system constituting the eTMF system – an electronic database for creating, collecting and managing clinical trial documentation:
 - Providing a database with eTMF module - an electronic system compatible with the TMF reference model (TMF Reference Model, version 3.1), meeting the EMA/FDA standards, including compliance with the requirements of ICH GCP E6 (R2) and with 21CFR Part 11 guidelines;
 - System implementation and providing for the purpose of (2) two clinical trials planned to be conducted under the project, for no more than 10 clinical sites;
 - System configuration and providing validation documentation;
 - Providing complete information on the system update status along with maintaining the validation status (information on system revalidation);
 - Providing training package for the users by a specialized team including training lasting at least 17 hours together with necessary materials/instructions;
 - Technical support and ensuring the continuity of system operation throughout the duration of the contract;
 - Ensuring the security of data and compliance with the requirements of the Personal Data Protection Acts (GDPR).
4. The Awarding Entity provides for the possibility of providing the contractor with an advanced payment for the performance of the contract, with the provision that the amount of the advanced payment will not exceed 25% of the remuneration.
5. Submission of variant-based bids shall not be accepted.
6. The Awarding Entity does not provide for supplementary orders.
7. The indication in the description of the contract object of the trade name or source of origin specifies the class of the product and serves to determine the quality standard and does not indicate a specific product or a specific manufacturer. The original nomenclature or symbolism was given to specify the subject of the order. The Employer allows submission of bids with equivalent solutions that will meet all required quality standards indicated in point 3) above.
8. The Awarding Entity envisages the conclusion of the relevant technical contract(s) after the master contract has been signed.



IV. Order Delivery Date.

The Term for the delivery of the contract object – the system implementation shall remain valid for up to (30) thirty days from the date of signing the contract. The delivery will be implemented in stages over a period of (36) thirty six months (system implementation and maintaining its continuous operation during the contract period).

V. Place of the order implementation.

The contract object will be delivered in the form of a link to download and install the system or as a password and login providing access to the system online.

VI. Contract award procedure participation terms.

1. In the contract award procedure may participate Contractors who:
 - 1) have the necessary knowledge and experience and have technical potential and people capable to perform the object of the order or present a written commitment of other entities to provide technical potential and persons capable to perform the object of the order, such as:
 - a) The Awarding Entity requires Contractors to have documented experience in the delivery of the system for creating, collecting and managing clinical trial documentation (e.g. eTMF). To confirm the above, the Contractor have to demonstrate at least (2) two orders duly completed, during the last (3) three years;
 - b) In terms of staff potential, the Awarding Entity requires Contractors to have at least (2) two persons experienced in programming and implementing similar solutions that guarantee support during the system operation;
 - c) In terms of technical potential, the Awarding Entity requires that the Contractor have appropriate technical facility dedicated to the contract implementation, including servers for data storage, properly secured and located in the European Union or in the European Economic Area;
 - d) The Awarding Entity requires Contractors to have implemented standard operating procedures (SOPs) covering data protection and implemented quality system covering information security confirmed by an ISO certificate (e.g. ISO 27000) or equivalent;
 - e) The Awarding Entity requires Contractors to have implemented standard operating procedures (SOPs) covering maintenance, validation/revalidation of the electronic system as well as risk assessment;
 - 2) are in the economic and financial situation ensuring the contract implementation;
 - 3) are not excluded from the contract award procedure.
2. Contractors, in order to confirm the fulfillment of the condition for participation in the contract award procedure, shall submit the declarations and documents indicated below:
 - 1) The “Bid Form” completed in accordance with the specimen and signed by the Contractor, which constitutes Appendix 1 to the Request for Bids;
 - 2) Declaration of the compliance with the requirements indicated in Section VI, paragraph 1 of the Request for Bids, which constitutes Appendix 2 to the Request for Bids;



- 3) Declaration of no capital or personal links, which constitutes Appendix 3 to the Request for Bids: “Declaration of no capital or personal links;
- 4) List of deliveries provided in accordance with the specimen indicated in paragraph 1, point 1) a, which includes:
 - Contract object (i.e. type of data base/ electronic system),
 - Scope and the purpose,
 - Order delivery date,
 - Names of the entities for which the orders have been completed (or the country of origin, if providing name of the entity is not possible),which constitutes Appendix 4 to the Request for Bids: “List of the deliveries”;
- 5) Other documents (or certified true copies), allowing confirmation of compliance with the requirements specified by the Awarding Entity in the description of the contract object, e.g. conformity of the system with the TMF reference model (TMF Reference Model, version 3.1), meeting the EMA/FDA standards, including compliance with the requirements of ICH GCP E6 (R2) and with 21CFR Part 11 guidelines and certificate for information security, e.g. ISO 27000 or equivalent as well as standard operating procedures (SOPs) covering data protection and system maintenance, validation/revalidation and risk assessment.
3. Submitted statements and documents should confirm that the conditions for the participation in the contract award procedure have been met for the date on the day of the deadline for the bid submission.
4. Assessment of compliance with the above conditions will be made in accordance with the formula “meets - does not meet”, based on information contained in the documents listed in clause 2 above. The content of the attached documents must clearly show that the abovementioned conditions are met by the Contractor.
5. Failure to complete at least one of the above conditions will result in exclusion of the Contractor from the contract award procedure.
6. The bid of the excluded Contractor shall be considered rejected. Awarding Entity shall notify the Contractor about the exclusion, stating the justification for the exclusion.
7. The Awarding Entity reserves the right to verify the proper performance of the services referred in paragraph 1 point 1) by calling the selected Contractor to present at the stage of signing the contract documents confirming the proper performance of the services indicate in the bid. As a proof that the order has been duly completed, the Awarding Entity shall consider references of other documents issued by the entity, for which the order has been completed, and in the event of objective reasons that such documents cannot be obtained, a statement of the Contractor.

VII. Grounds for exclusion from the contract award procedure.

1. Excluded from the contract award procedure shall be Contractors who:
 - a) do not meet the conditions listed in Section VI;
 - b) performed activities directly related to the preparation of the contract award procedure or used to prepare the bid with persons participating in these activities, unless the participation of these contractors does not hinder the fair competition;



- c) submitted false information affecting the outcome of the contract award procedure.
2. Contractors who have capital or personal links to the Awarding Entity shall also be excluded from participation in the contract award procedure; capital or personal links shall be understood as mutual ties between the Contractor and the Awarding Entity or persons authorized to incur obligations on behalf of the Awarding Entity, or persons performing any activities related to the contractor selection procedure on behalf of the Awarding Entity; such links shall in particular include:
- participation in the company in the capacity of a partner in a civil law company or partnership;
 - ownership of at least 10% of shares or stock, provided that a lower threshold is not mandated under legal regulations or rules concerning the principles of implementation of the project covered by the Request for Bids,
 - holding the function of a member of a supervisory or management body, a commercial representative or an attorney;
 - being married to or having lineal consanguinity or direct affinity, collateral consanguinity or affinity to the second degree to, or being adopted by, or being under the guard or custody of such persons,
- or any other relationships which may result in the conflict of interests while awarding the contract and in the violation of the competition principle. Should any capital or personal links be revealed between the Contractor and the Awarding Entity, the contract shall not be awarded to the Contractor.
3. In order to demonstrate the absence of premises referred to in the paragraph 2, being the basis for excluding the Contractor from participation in the contract award procedure, the Contractor is obligated to submit together with the Bid Form, completed in accordance with the specimen, which constitutes Appendix 1 to the Request for Bids, declaration of no capital or personal links, according to the specimen, which constitutes Appendix 3 to the Request for Bids: "Declaration of no capital or personal links".
4. Failure to submit the declaration referred to in paragraph 3 will exclude the Contractor from the contract award procedure. Excluding the Contractor from the contract award procedure means rejection of the Bid submitted by the Contractor.
5. The Awarding Entity may exclude the Contractor from the contract award procedure at any stage.

VIII. Bid evaluation criteria and method. Information on the weights assigned to particular criteria.

1. In selection the best offer the Awarding Entity shall evaluate the criteria:

L.p.	Description of the Bid evaluation criteria	Value (%)
1	Total Gross Price (C)	60 %
2	Time to target resolution of the service request (CR)	40 %
TOTAL		100 %



2. The score for these criteria shall be calculated as follows:

Criterion: Total Gross Price - 60 pkt

$$C = \frac{C_{min}}{C_b} \times 60 \% \times 100$$

where:

C - score granted to the evaluated bid for the total gross price criterion

C_{min} - the lowest bid price

C_b - evaluated bid price

Criterion: time to target resolution of the service request for major incidents (High priority incidents, e.g. in particular Application Outage, Network Outage) - 40 pkt

$$CR = \frac{CR_{min}}{CR_b} \times 40 \% \times 100$$

where:

CR - score granted for time to target resolution of the service request for major incidents

CR_b – evaluated bid time for target resolution of the service request for major incidents

CR_{min} – minimum time offered for target resolution of the service request for major incidents

NOTE: The Awarding Entity accepted the minimum time for target resolution of the service request for major incidents reported to technical support 8 hours from the time of notification and no longer than 48 hours from the time of notification. If other values are specified in the Bid Form, the bid will be rejected.

The final score will be assessed according to the formula: $O = C + CR$

where:

O – the final score granted to the evaluated bid,

C – score granted for the criterion „total gross price”

CR - score granted for the criterion „Time for target resolution of the service request for major incidents”

3. The score will be expressed with the accuracy of up to two decimal places.

4. As a result of the evaluation, according to the criterion indicated in the clause 1 above, the bid may receive the score of maximum 100 points.



5. The most economic and best quality bid shall be the one which has not been excluded from the procedure and which receives the highest score during the evaluation.
6. The price shall be given in Polish zlotys (PLN) or any currency other than PLN.
7. The price must be expressed numerically with the accuracy of up to two decimal places and in words.
8. The price must include all the costs of the contract including all fees and taxes (including goods and services).
9. Any other costs which have been incurred by the Contractor while completing the order and have not been included in the bid price will not be additionally covered by the Awarding Entity.
10. If the bid would be submitted, and the selection of this bid would lead to the establishment of the tax obligation to the Awarding Entity in accordance with the provisions on Value Added Tax Act, the Awarding Entity, in order to evaluate such bid, will add to the price presented in the Bid Form the tax on goods and services, which it would be obliged to settle in accordance with these provisions. The Contractor, by submitting the bid, informs the Awarding Entity whether the selection of the bid will lead to a tax obligation for the Awarding Entity, indicating the name (type) of the good or service whose delivery or provision will lead to its creation, and indicating their value without the amount of tax.
11. Bids submitted by the foreign Contractors participating in the contract award procedure, who under other regulations are not obligated to pay VAT in Poland, contain prices without VAT (0% VAT). Tax liability in the situation of acquiring goods or services from foreign entities rests with the Awarding Entity, in accordance with the provisions of the Value Added Tax Act. For the purpose of comparing the bids Awarding Entity will add to the bid price submitted by the foreign Contractors, the amount of VAT and custom duty (if applicable, for Contractors from outside the European Union), which are charged to the Awarding Entity for the performance of the contract.
12. For the purpose of comparing the bids the bid price in a foreign currency will be converted into PLN using the average exchange rate given by the National Bank of Poland (NBP) valid for the day of the request for bids publication in the Competitiveness Base. Average exchange rate is available at the NBP official web site: <http://www.nbp.pl>.
13. The prices stated in the bid shall remain valid throughout the entire period of its validity and shall be binding for the signed contract.
14. When the two or more bids receive the same score, the Awarding Entity will select the best offer by the criterion of positive environmental impact. Positive environmental impact may be demonstrated by, for example:
 - the use of solutions that reduce energy consumption during service performance or during the operation of the object of the contract,
 - the use of solutions that reduce or eliminate the amount of waste generated during the service performance or during the operation of the object of the contract,
 - the use of solutions that reduce the consumption of consumables during the service performance or during the operation of the object of the contract,
 - other.



The Contractor may indicate and describe any number of solutions having a positive impact on the environment, indicating technical parameters that allow verification of the declared impact in comparison with standard solutions.

The bid may receive (1) one point for each solution indicated regarding positive environmental impact. If no solution is indicated or solution is indicated but without technical parameters allowing verification of the declared environmental impact in comparison with standard solutions, the bid will not receive a point.

15. The Awarding Entity shall award the contract to the Contractor whose bid received the highest score during the evaluation process.

IX. Bid preparation method.

1. The bid must be prepared using the form which constitutes Appendix 1 to the Request for Bids - "Bid Form".
2. The content of the submitted bid must be consistent with the Request for Bids and it must include all of the required documents and declarations indicated in the Section VI. Contractor shall submit with the Bid:
 - a) Declaration of the compliance with the requirements, which constitutes Appendix 2 to the Request for Bids;
 - b) Declaration of no grounds for exclusion, according to the specimen which constitutes Appendix 3 to the Request for Bids: "Declaration of no capital or personal links",
 - c) List of deliveries, according to the specimen which constitutes Appendix 4 to the Request for Bids: "List of deliveries",
 - d) Other documents confirming the compliance with the requirements specified by the Awarding Entity in the description of the contract object, including in particular, e.g. conformity of the system with the TMF reference model (TMF Reference Model, version 3.1), meeting the EMA/FDA standards, including compliance with the requirements of ICH GCP E6 (R2) and with 21CFR Part 11 guidelines and ISO 27000 or equivalent certificate for information security as well as standard operating procedures (SOPs) covering data protection and system maintenance, validation/revalidation and risk assessment.
 - e) a power-of-attorney for submitting the bid, an original or certified copy, where the bid has been signed by an attorney-in-fact on behalf of the Contractor (if applicable),
 - f) where the contractor transfers any personal data other than the data which concerns it directly and where the information obligation referred to in Article 13(4) or Article 14(5) of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, p. 1) is not excluded, the following declaration: "I declare that I have fulfilled the information obligation set out in Article 13 or Article 14 of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119 of 4 May 2016, p. 1) with respect to any natural persons whose personal data I have



directly or indirectly obtained in order to apply for the award of a public contract as part of this procedure”.

3. The bid, including attachments, must be signed by a person authorized to represent the Contractor. The bid unsigned will be considered invalid and will be rejected.
4. The Awarding Entity accepts submission of the bid, including all appendices in the Polish or English language.
5. Before the expiry of the deadline for bid submission, the Contractor may amend or withdraw the submitted bid.
6. The Awarding Entity announces that the bids submitted in this procedure are public and may be made available from the moment of their opening, with the exception of any information which constitutes a business secret. Any elements of the bid which the Contractor would like to withhold from the public as a business secret within the meaning of Article 11(4) of the Polish Unfair Competition Act of 16 April 1993 (consolidated text: Journal of Laws of 2018, item 419) should be placed in a separate sealed envelope (or protected in a different manner, e.g. if bids are submitted electronically) with the note: “business secret”, attached to the original bid. The content of the bid should include the information that the document is confidential. The Contractor shall be obliged to demonstrate that the confidential information constitutes a business secret. Consequently, if the Contractor fails to fulfil the above obligation, the Awarding Entity will have reason to deem the classification of information as a business secret ineffective and thus it shall not treat the information as subject to protection or as a business secret within the meaning of the Polish Unfair Competition Act.
7. The Contractor shall bear all the costs related to the preparation and submission of the bid.

X. Bid submission place and method.

1. Bid submission method: by email to the Awarding Entity’s e-mail address:
oferty@wpdpharmaceuticals.com with the note “Request for Bids No. 04/WPD104/2020”.

XI. Bid submission date.

1. The bid submission deadline shall expire on the **25th June, 2020 at 11:59p.m. CET**.
2. The submission date shall be deemed as the date when the bid is received at the Awarding Entity’s email address.
3. Bids submitted past the bid submission deadline shall not be considered.
4. The Awarding Entity reserves the right to extend the bid submission deadline. In such an event, the Awarding Entity shall each time publish a relevant notice at the site of the publication of Request for Bids No. 05/WPD104/2020, i.e. in the Competitiveness Base at <https://bazakonkurencyjnosci.funduszeuropejskie.gov.pl/> and on the Awarding Entity’s website at: www.wpdpharmaceuticals.com.

XII. Bid validity period.

1. The bid shall be valid for (30) thirty days starting from the date of the bid submission deadline.
2. The Contractor alone or at the request of the Awarding Entity may extend the period of being bound by the bid with the provision that the Awarding Entity may only once, at last (3) three



days before the expiry of the bid validity period, ask the Contractor for permission to extend this period for a designated time, but no longer than (30) thirty days.

XIII. The manner, scope and persons authorized to communicate with Contractors.

1. Communication between the Awarding Entity and Contractors shall be carried out using electronic means of communication and messages shall be sent to the email address of the Awarding Entity specified in Section I of the Request for Bids:
[\(oferty@wpdpharmaceuticals.com\)](mailto:oferty@wpdpharmaceuticals.com)
2. The Contractor may request clarifications of the content of the Request for Bids from the Awarding Entity. The Awarding Entity shall reply to the questions posed by the Contractor within a time limit enabling the bid to be submitted, but not later than (3) three days prior to the bidding deadline, provided that the request for the clarifications is received by the Awarding Entity no later than by the end of the day when half of the bidding period has lapsed.
3. If the request for clarifications of the content of the Request for Bids has been received later than by the end of the day when half of the bidding period has lapsed, the Awarding Entity may provide the clarifications or leave the request unconsidered.
4. The Awarding Entity shall publish the questions and answers at the site of publication of Request for Bids No. 05/WPD104/2020, i.e. in the Competitiveness Base at: <https://bazakonkurencyjnoscifunduszeuropejskie.gov.pl/> and on the Awarding Entity's website at: www.wpdpharmaceuticals.com. The clarifications will constitute an integral part of the Request for Bids.
5. The Awarding Entity reserves the right to amend or supplement the Request for Bids at any time before the lapse of the bid submission deadline. In such an event, the Awarding Entity shall promptly publish a notice of the amendments or supplements made, providing the date of announcement of the changes and a description of such changes or supplements, at the site of the publication of Request for Bids No. 05/WPD104/2020, i.e. in the Competitiveness Base at <https://bazakonkurencyjnoscifunduszeuropejskie.gov.pl/> and on the Awarding Entity's website at: www.wpdpharmaceuticals.com.
6. Where the scope of the changes introduced into the Request for Bids or the clarifications provided result in the need to modify the bids, the Awarding Entity shall at the same time extend the bid submission deadline, according to the Section XI, paragraph 4.
7. In case the price indicated in the bid by the Contractor seems abnormally low and raises doubts of the Awarding Entity as to the possibility of performing the object of the contract in accordance with the requirements specified in the Request for Bids, the Awarding Entity may request the Contractor to provide explanations, including providing evidence regarding the calculation of the price.
8. The Awarding Entity reserves the right to correct obvious spelling mistakes in the bid, as well as obvious calculation errors, taking into consideration the calculation consequences of the corrections made, provided that they do not significantly alter the content of the bid. The Awarding Entity shall not correct the "Gross total price" quoted in the offer.
9. The Awarding Entity reserves the right to demand that Contractors whose bids were submitted on time but contain missing information or errors supplement or correct them or provide clarifications, while at the same time the Awarding Entity shall set an appropriate deadline and specify the scope of the necessary corrections and supplements and how they should be



submitted. Corrections and supplements submitted past the deadline set by the Awarding Entity will result in the bid being rejected. Requests for correction, supplementation or clarification may only concern missing elements or errors of a formal nature. Complex changes to the submitted bids shall not be allowed.

XIV. Announcement of the selected bid and grounds for the selection.

1. The Awarding Entity shall publish the results of the procedure identifying the selected Contractor on the site where Request for Bids No. 05/WPD104/2020 was first published, i.e. in the Competitiveness Base on: <https://bazakonkurencyjnosci.funduszeuropejskie.gov.pl/> and on the Awarding Entity's website on: www.wpdpharmaceuticals.com, not later than within (30) thirty days of the expiry of the bid submission deadline.
2. The Awarding Entity is not planning to hold a public opening of the bids.

XV. Procedure cancellation conditions.

1. The Awarding Entity reserves the right to cancel or amend the contract award procedure at any stage or to declare the procedure null and void or not to select any Contractor, without stating the cause. At the same time, the Awarding Entity announces that pursuant to valid legal regulations this Request does not constitute an offer within the meaning of Article 66 of the Act of 23 April 1964 – Civil Code (Journal of Laws of 2019, item 1145, as amended), neither is it an announcement within the meaning of the Public Procurement Act (Journal of Laws of 2019, item 1843, as amended).
2. Contractors shall not assert any claims against the Awarding Entity should the Awarding Entity enforce the right referred to in clause 1 above.

XVI. Contract signing and amendment terms; contract performance deadline.

1. Contract signing terms.

- 1) The Awarding Entity shall request the selected Contractor to sign the contract by sending a notice to the email address stated in the bid, indicating date of signing the contract.
- 2) Where a Contractor chooses not to sign the contract, the Awarding Entity may sign it with the next Contractor whose offer received the second highest score.
- 3) The contract will be signed based on the relevant provisions, which are indicated in the Appendix 5 to the Request for Bids.

2. Contract amendment terms.

The Awarding Entity indicated the contract amendment terms in the Appendix 5 to the Request for Bids.

3. Deadline and manner of contract execution.

- 1) The Awarding Entity plans to sign the contract with the selected Contractor within a maximum of (30) thirty days from the date of the submission of the bids. This deadline may change in the event of the extension of the period of being bound by the bid.
- 2) The deadline for contract execution shall start on the day of the contract is signed and end in line with its validity.



- 3) The Awarding Entity shall pay the remuneration according to the important provisions of the contract.

XVII. Additional information.

Protection of natural persons with respect to personal data processing:

Pursuant to Article 13(1) and (2) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119 of 4 May 2016, p. 1) (henceforth “GDPR”), the Awarding Entity would like to inform you that:

- WPD Pharmaceuticals sp. z o. o. is the controller of your personal data;
- Your personal data shall be processed pursuant to Article 6(1)(c) of GDPR for purposes related to contract award procedure 05/WPD104/2020, organized in the form of a request for bids compliant with the Competitiveness Rule set out in Section 6.5.2 of the *Guidelines on the Eligibility of Expenses under the European Regional Development Fund, European Social Fund and Cohesion Fund for 2014-2020*;
- Recipients of your personal data will include persons or entities who will be granted access to the bidding procedure documentation under:
 - Regulation 1303/2013 (EU) of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347 of 20 December 2013, page 320, as amended), hereinafter referred to as “Regulation 1303/2013”;
 - Regulation (EU) No 1301/2013 of the European Parliament and of the Council of 17 December 2013 on the European Regional Development Fund and on specific provisions concerning the Investment for growth and jobs goal and repealing Regulation (EC) No 1080/2006 (OJ L 347 of 20 December 2013, p. 289);
 - Commission Regulation No 651/2014 (EU) of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187 of 26 June 2014, p. 1, as amended);
 - Act of 11 July 2014 on the principles of implementation of cohesion policy programs funded in the 2014-2020 financial perspective (Journal of Laws of 2017, item 1460);
- Your personal data will be stored for the period referred to in Article 140(1) of Regulation 1303/2013 and at the same time for not less than 10 years of the date when the last aid was granted under the aid scheme, with the provision that the indicated deadline is a minimum one and may be extended by the Intermediate Body, i.e. National Centre for Research and Development with its registered seat in Warsaw, at the following address: ul. Nowogrodzka 47a.
- The obligation for you to provide your personal data results from the Guidelines on the eligibility of expenses under the ERDF, ESF and CF for 2014-2020 (Chapter 6);



- Decisions concerning your personal data will not be taken in an automated manner, pursuant to Article 22 of GDPR;
- You have:
 - The right to access your personal data, under Article 15 of GDPR;
 - The right to correct your personal data, under Article 16 of GDPR*;
 - The right to demand the restriction of the processing of your personal data from the organizer, subject to the cases referred to in Article 18(2) of GDPR**, under Article 18 of GDPR;
 - The right to lodge a complaint with the President of the Office for Personal Data Protection if you believe that the processing of your personal data violates provisions of GDPR;
- You do not have:
 - The right to have your personal data erased, in conjunction with Article 17(3)(b)(d)(e) of GDPR;
 - The right to transfer your personal data referred to in Article 20 of GDPR;
 - The right to object to personal data processing under Article 21 of GDPR, as the legal basis for the processing of your personal data is Article 6(1)(c) of GDPR,

* Explanation: The exercise of the right to correct your personal data must not lead to a change of the result of the contract award procedure or to an amendment of the provisions of the contract in a manner which is inconsistent with the request for bids and it must not violate the integrity of the best bid selection report or any attachments thereto.

** Explanation: The right to restrict processing shall not apply to the storage of data for the purpose of ensuring the use of any judicial remedies or for protecting the rights of a different natural or legal person or for important reasons of public interest of the European Union or a Member State.

XVIII. Appendices:

Appendix No. 1 - Bid form

Appendix No. 2 - Declaration of the Contractor

Appendix No. 3 - Declaration of no capital or personal links

Appendix No. 4 - List of deliveries

Appendix No. 5 – Important provisions of the Contract – Template