

Schema Ajutor de Minimis - Ordinul ministrului economiei nr.1294/16.09.2022, publicat în Monitorul Oficial al României nr.944/27.09.2022: „Sprijin acordat pentru implementarea Programului de creștere a competitivității produselor industriale”  
Tip proiect: Schema de ajutor de minimis „Sprijin acordat pentru implementarea Programului de creștere a competitivității produselor industriale”  
Titlul proiectului: „Creșterea competitivității Softronic SRL prin dotarea cu echipamente de măsurare/etalonare și certificarea locomotivelor electrice fabricate”  
Nr. Contract de finanțare: 54/27.12.2022  
**No. 46 / 17.02.2023**

**Aproved**  
**administrator**  
**Ghiță Ionel**

Invitation to participate to the Procurement Procedure of:

**„Acquisition and implementation of certification services with an accredited body for manufactured products (LEMA locomotive)”**

Softronic S.R.L invites you to submit an offer for "Acquisition and implementation of certification services with an accredited body for manufactured products (LEMA locomotive)"

**Buyer:**

Softronic S.R.L, municipality of Craiova, Dolj county, Calea Severinului Nr. 40 street, postal code 200609, telephone: 0351/178948; fax 0374/476949, e-mail [sofronic@sofronic.ro](mailto:sofronic@sofronic.ro).

**ADDRESS FROM WHICH FURTHER INFORMATION CAN BE OBTAINED:**

[adrian.vancea@sofronic.ro](mailto:adrian.vancea@sofronic.ro), phone number: mobile: +40 766 455 520, contact person: legal adviser Vancea Adrian.

**ADDRESS WHERE OFFERS ARE SENT:**

- e-mail: [adrian.vancea@sofronic.ro](mailto:adrian.vancea@sofronic.ro) (the documents in the offer must be signed with the electronic signature of the supplier's representative)

**I. Objective of the purchase:**

- a) The object of the contract is represented by the provision of services:

„Acquisition and implementation of certification services with an accredited body for manufactured products (LEMA locomotive)”

**b) CPV code:**

1. 79132000-8 - Certification services (Rev.2)

**c) Type of contract:** Services

**d) Brief description of the contract:**

The purchase takes place within the framework of the financing contract nr.54/27.12.2022 for the project entitled „Increasing the competitiveness of Softronic SRL by equipping it with measurement/calibration equipment and certifying the manufactured electric locomotives”, type of project: Minimis help - Minister of the economy order nr.1294/16.09.2022, published in the Official

Monitor of Romania nr.944/27.09.2022: „Support granted for the implementation of the Program for increasing the competitiveness of industrial products”.

The contract will be concluded for a maximum period of 10 months from signing, with the possibility of extension by an additional agreement between the parties involved, depending on the time of installation of the ETCS-OB equipment on the locomotive (equipment provided by Thales).

## II. Purchasing procedure

**Type of procedure:** Invitation to participate at the procurement procedure of products and services.

## III. Method of evaluating offers:

Competitive price/quality ratio - The buyer compares the offers received by comparing them to all the published requirements and chooses the offer that meets the technical requirements and presents advantages over them, at a competitive quality/price ratio.

### JUSTIFICATION:

„Acquisition and implementation of certification services with an accredited body for manufactured products (LEMA locomotive)” is essential for achieving the objectives of the project entitled „Increasing the competitiveness of Softronic SRL by equipping it with measurement/calibration equipment and certifying the manufactured electric locomotives”, type of project: Minimis help - Minister of the economy order nr.1294/16.09.2022, published in the Official Monitor of Romania nr.944/27.09.2022: „Support granted for the implementation of the Program for increasing the competitiveness of industrial products”.

In this regard, Softronic pursues the application of the procedure that offers the possibility of selecting the most advantageous offer of the competitive quality/price ratio that allows to fit within the limits of the allocated budget and the effective implementation of the contract.

Thus, we determined that the price of the offer should have the highest order in the criterion, respectively 60% (because we have the pre-set price in the budget) and the technical evaluation factor to represent 40%,

Establishing evaluation factors for „acquisition and implementation of certification services with an accredited body for manufactured products (LEMA locomotive)”.

1. The price of the offer 60 points
2. The technical component- 40 points

**Total score = price offer (60 points) + technical component (40 points)= 100 points**

### 1. The price of the offer- 60 points

For the lowest eligible offer- 60 points

For the rest of the eligible offers, the score will be calculated using the following formula:

$P_{price(n)} = \frac{Price(min)}{Price(n)} \times 60$  where:

Price(n)= the score obtained by the admissible offer under evaluation

Price(min)= the lowest of the admissible price offers

Price(n)= the price of the admissible offer under evaluation.

**2. Technical component- 40 points**

The score for the evaluation factor included in the "Technical Component" will be calculated using the information from the technical proposal submitted by the offerer.

The following **PERFORMANCE CRITERION** has been established:

<b>CRITERION: SIMILAR EXPERIENCE</b>	<b>Points</b>
At least 2 contracted projects and implemented at their level to have carried out similar activities (evaluation/certification) to those in the present proposal.	40 points
Mention at least 2 references of similar complexity	

The total score obtained will be determined as follows:

The score awarded for the evaluation factor 1. Price offer (maximum 60 points) +

The score awarded for the evaluation factor 2. Technical component (maximum 40 points)= 100 points.

The ranking of the offers will be determined based on the total score..

Based on the calculation method above, the offerer with the highest total score will be declared the winner.

If two or more offers are ranked first, with equal scores, the tie-breaking will be done by taking into account the score obtained for the evaluation factors in the descending order of their offers..

In the event of another tie, the buyer has the right to request new financial proposals, and the winning offer will be designated the one with the lowest financial proposal.

- IV. Estimated value of the purchase without VAT:** 662,202.00 lei without VAT, determined according to the project budget.
- V. Estimated total purchase value with VAT:** 788,020.38 lei, determined according to the project budget.
- VI. The purchase is completed by:** conclusion of a services contract for the winning offer of the first ranked offerer.
- VII. Contract duration:** a maximum of 10 months from the signing by both parties of the service provision contract, with the possibility of extension by additional act between the parties, depending on the time of installation of the ETCS-OB equipment on the locomotive.
- VIII. Organization of the procedure and conditions of participation**

The purchase takes place in two stages:

(1) the stage of submission by the economic operators of the preliminary offer composed of the following: qualification documents, technical proposal, financial proposal.

(2) The verification stage for the technical/financial analysis from the point of view of the required technical characteristics and the price offered by the offerers.

The submitted offer must comply with the conditions set out in the documentation attached to the invitation to participate, all documents must be signed electronically and must include:

**(a) Qualification documents** - sent by email

**(b) The technical/financial proposal** - submitted in electronic format and sent by email

Estimated purchase schedule:

➤ Deadline for submission of the offers: 08.03.2023, 13:00 hours

➤ The opening date of the offers: 08.03.2023, 14:00 hours

The offers received and the submitted documents will be recorded in the minutes of the opening meeting.

- The offers opening meeting is not public.

### 1. Offer submission stage

To participate in the procurement procedure, the offer that includes the qualification documentation, the financial proposal and the technical proposal must be sent electronically by e-mail to the e-mail address: [adrian.vancea@softronic.ro](mailto:adrian.vancea@softronic.ro), until the date of 08.03.2023, 13:00 hours.

The offer must include:

a) To be submitted to the **qualification documentation**:

a.1 The company's status certificate, issued at least 20 days before the submission of the offer.

Certificate issued by the Trade Register attached to the territorial courts in accordance with Law 26/1990 on the updated Trade Register or equivalent for foreign legal entities from which real/current information can be obtained at the time of presentation, respectively the object of activity of the bidder. The object of the contract must have a correspondent in the main or secondary CAEN codes of the ascertaining certificate issued by the Trade Register.

Foreign offerers submitting an offer must prove a form of registration under the law of the country of residence, to show that the offerer is legally established, that he is not in any of the situations of cancellation of the establishment and that he has the professional capacity to perform the activities covered by the contract.

a.2 Form no. 1 Declaration regarding false statements and conflict of interest

**b) The following are submitted to the technical/financial proposal:**

b.1 Technical/Financial Proposal - form no. 2

### 2. Offer evaluation stage

The evaluation stage is the subsequent stage carried out in order to evaluate the offers from the technical and financial point of view of the offered price. This stage is carried out with all the candidates who have submitted an offer in order to evaluate it by applying the quality/price ratio.

**The manner in which the offers are evaluated:**

1. The buyer compares the offers received by comparing them to all the published requirements and chooses the offer that meets the technical requirements and presents advantages over the rest of them, at a competitive quality/price ratio.
2. In the situation where no offer is submitted, the procurement procedure can be resumed in compliance with all related procedural provisions, after an analysis of the causes that led to the cancellation of the procedure.
3. If only offers are submitted that do not comply with the provisions of the invitation to participate, the procedure will be cancelled. In this case, the procedure can be resumed (with compliance with all the provisions related to the competitive procedure), after an analysis of the causes that led to this situation.
4. If only one offer is received, the purchaser can analyze it and proceed to awarding the contract, only if the offer complies with the technical specifications developed and the financial offer falls within the estimated price provided in the invitation to participate.
5. This procedure establishes the obligation to set up an evaluation committee.
6. The buyer does not evaluate offers that are submitted after the deadline for submitting offers (date and time in the invitation to participate above).
7. In order to ensure a proper justification in the choice of the offerer for contracting, the award report is drawn up, starting from the requested requirements, detailing the advantages and disadvantages of the offers received in relation to each individual specification/the other offers. Afterwards, the supply contract will be signed.
8. For possible inconsistencies, the buyer may send clarifications to the initial offer submitted by the offerers after the opening of the offers. Offerers (suppliers) have a period of 5 working days to respond to the request for clarification sent by the buyer, if the request for clarification is not answered within the specified period or the answer is unclear, the purchaser reserves the right to reject the submitted offer.
9. Offerers (suppliers) can submit clarifications for the procurement documentation within 5 days of receiving the invitation to participate. The purchaser is obliged to respond to these clarifications within 2 working days of receipt.

**Other information:**

- a) The technical/financial proposal of the offer can be made in the currency of: lei, euro or american dollar.
- b) Minimum offer validity period: 30 days (from the deadline for receiving offers)
- c) The elements/conditions that remain unchanged throughout the duration of the contract are:
  - The obligations that the offerer assumed through the technical proposal.
  - The price.

The offer can be withdrawn and modified before the date and deadline for submission of offers mentioned in the invitation to participate.

## NOTE:

- The submission of alternative offers is not accepted.
- Attached here is the documentation consisting of: Templates of forms that include: technical/financial proposal and Qualification Documents

**Project Manager,  
Persida Ciulu**

**Elaborated,  
Responsible for Purchasing  
Vancea Adrian**



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**SR EN ISO 9001:2015**  
Seria SMC, nr. 037  
**SR EN ISO 14001:2015**  
Seria SMM, nr. 104  
**SR ISO 45001:2018**  
Seria SSM, nr. 079

The Forms section contains the forms intended, on the one hand, to facilitate the preparation and presentation of the offer and the accompanying documents and, on the other hand, to allow the evaluation committee to examine and evaluate quickly and correctly all submitted offers.

Each offerer who participates individually in the procedure for awarding the contract for the purchase of services has the obligation to present the forms provided for in this section, duly completed and signed by the authorized people.

The model forms contained in this section refer to::

1. Statement regarding false statements and conflict of interest (form 1)
2. Technical/financial proposal (form 2)

OFFERER

.....

(name)

**STATEMENT ON FALSE INFORMATION AND  
AVOIDANCE OF CONFLICT OF INTEREST.**

The undersigned,....., as....., regarding the procedure....., I declare on my own responsibility, under penalty of perjury, as it is provided at art. 326 from Law nr. 286/2009 regarding the Criminal Code, with subsequent amendments, I declare that the information and statements made are complete, correct and consistent with reality.

I also declare that the members of the board of directors are not in a conflict of interest with the purchaser according to Government Emergency Ordinance no. 66/2011 on the prevention, detection and sanctioning of irregularities arising in obtaining and using European funds and/or national public funds related to them, approved with amendments and additions by Law no. 142/2012, with subsequent amendments and additions.

The undersigned,....., I declare that I will inform immediately the purchaser if there will be changes in this statement. I also declare that the information provided is complete and correct in every detail and I understand that the purchaser Softronic S.R.L has the right to request, for the purpose of verifying and confirming the statement, any additional information.

I understand that if this statement is not in accordance with reality, I am liable to violate the provisions of criminal law regarding false statements.

**Art. 326 Penal Code:**

*The improper declaration of the truth, made to a person from those provided in art. 175 or a unit in which it carries out its activity in order to produce a legal consequence, for itself or for another, when, according to the law or the circumstances, the statement made serves to produce that consequence, is punished with imprisonment from 3 months to 2 years or with a fine.*

.....

(the name and position of the authorized person)

.....

(signature of the authorized person)

To complete/particularize.....

## TECHNICAL/FINANCIAL PROPOSAL

### Form no.2

Reference number	Requirements	Description of the requirement
<b>1</b>	<b>2</b>	<b>3</b>
1	<b>Services requested</b>	<b>Requirements regarding the requested services</b>
2	Acquisition and implementation of certification services with an accredited body for manufactured products (LEMA locomotive)	<p>Object of the contract: evaluation and certification services regarding the installation of ETCS on the LEMA locomotive manufactured by Softronic</p> <p>The assessment will be conducted in accordance with Regulation CE/919/2016 updated in 2019 and 2020, specification set #3 and module SH1</p> <p>Assessment includes: design review, tests, ISA/AsBo safety assessment.</p> <p>The deliverables that will be generated within the service contract:</p> <ol style="list-style-type: none"> <li>1. ISA evaluation report</li> <li>2. AsBo report</li> <li>3. NoBo report</li> <li>4. EU conformity certificates</li> </ol>

		<p>Term definitions:</p> <p>-ETCS - European technical system for traffic management and train speed control - is a modern solution for achieving interoperability in the European rail transport system under safe conditions.</p> <p>-ISA is an independent body (normally a private company) authorized to carry out independent safety (and secondarily reliability, availability and maintainability, RAMS) analysis of a railway application or product according to CENELEC standards: UNE-EN50126 and UNE-EN50129.</p> <p>-AsBo is an independent body (normally a private company) authorized to carry out risk analysis -assessment and evaluation- according to Implementing Regulation 402/2013 on the adoption of a common safety method and risk assessment and evaluation and Regulation 2015/1136 according to ISO 17020.</p> <p>-NoBo is an independent body (usually a private company) that is authorized to carry out the EC verification process of the interoperability of railway systems and equipment, as well as to assess the conformity or suitability for use of such systems or equipment.</p> <p>-The EU Declaration of Conformity is a mandatory document that manufacturers or their authorized representatives must sign to declare that their products comply with EU requirements</p>
3	Duration of the contract	Duration: maximum 10 months from the signing of the contract, with the possibility of extension by additional agreement between the parties, depending on the time of installation of the ETCS-OB equipment on the locomotive.
4	Duties and Responsibilities of the Parties	Compliance with the assumed contractual conditions; Delivery of the services established according to the technical proposal.

5	Receipt of deliverables defined in the contract	<p>The reception of the services will be carried out based on the handover and reception of the services:</p> <ol style="list-style-type: none"> <li>1. ISA evaluation report</li> <li>2. AsBo report</li> <li>3. NoBo report</li> <li>4. EU conformity certificates.</li> </ol>
6	Payment methods and conditions	<p>The supplier will issue the invoice for the contracted service. The invoice will include the name of the contracted services, the contract number and the due date for payment. Payments in favor of the Supplier will be made within 30 days from the date of issuance of the tax invoice.</p> <p>The invoice will be issued after the services delivered.</p>
7	Requirements during the contract period	<p>The activity of the supplier must comply with the legislation in the fields of environment, social and labor relations, in force, for all the personnel engaged in the execution of the contract, throughout the execution of the contract.</p> <p>Link: <a href="https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm">https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm</a></p>

**FINANCIAL OFFER**

In accordance with our Technical Proposal and based on the information provided by the Buyer up to the time of submission of the Offer:

- i. we offer the total price of \_\_\_\_\_[The supplier enters the currency of the procedure: leu, euro, dollar] [enter the amount in numbers and letters], without VAT, to which is added the VAT of \_\_\_\_\_ [enter the amount in numbers and letters], for the equipment „Acquisition and implementation of certification services with an accredited body for manufactured products (LEMA locomotive)”
- ii. We maintain the validity of the price for a period of 30 days after signing the offer

