

**INDEPENDENT POWER TRANSMISSION OPERATOR (IPTO)  
PURCHASING & LOGISTICS DEPARTMENT  
89, DIRRAHIOU & KIFISSOU Street  
104 43 ATHENS GREECE**

**INQUIRY No: 401504  
OBJECT: NODAL TELEPHONE EXCHANGES  
(PABX)**

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**SPECIAL TERMS FOR FOREIGN BIDDERS**

1. FORMULATION OF THE BIDS

1.1 The offers shall have to contain all evidence requested by the attached Technical Specifications and the technical remarks of the Inquiry, in a clear-cut and unique way. Technical offers containing lacking or contradictory particulars- according to the Dpt of IPTO performing the technical evaluation – shall be rejected.

1.2 Offers, shall have to contain all the particulars herebelow, stated in compliance with the order and numbering, as follows. The herebelow referred to technical particulars do not substitute the prerequisite technical information of the Technical Description and complement it, where necessary.

1.2.1 Full, explicit and binding technical description of the offered items (description of material, type/dimensions, factory of manufacturing).

More specifically, the factory of manufacturing of the offered materials shall be stated together with the following distinct pieces of related information.

- Mail address of the factory.
- Data on the human resource structure of the factory.
- Description of the facilities.
- Description of the testing equipment.

1.2.2 An EN ISO 9001 conformity certificate issued for the factory, which shall cover all offered items, shall be submitted.

1.2.3 An original statement of Compliance of the offered material with the correspondent Technical Specifications/ Descriptions of IPTO SA and the technical remarks of the Inquiry, duly signed by the factory of manufacturing, shall be also submitted.

1.2.4 In case the Bidder that takes part in this Inquiry, is not the manufacturing factory itself, his offer shall have to be accompanied by an original statement of the manufacturing factory, by means of which the latter shall allow the Bidder to supply IPTO SA with the materials in question, for this Inquiry.

1.2.5 If the technical inspections cite is rather than the manufacturing factory, the following should be stated:

- Name and address of the Company at which the technical inspection shall take place.
- List of the existing testing equipment of this Company, so as to check whether it has the possibility of performing the quality control at the proposed cite.

1.3 The particulars of para 1.2 shall be evaluated by the Technical Department and all shortcomings shall be stated as causes for rejection of the offer.

1.4 Complementary elements shall be accepted only in case this is requested in writing by the competent services of IPTO SA and this has to do with clarifications on the already submitted offers

1.5 All Bidders shall have to state the manufacturers of the material, as well as all related sub-contractors, if any.

1.6 Alternative offers for the same type of material are not allowed.

2. SPECIAL TECHNICAL TERM

In compliance with article 34 of the Directive 2004/17/EU, offers are acceptable provided they comply with approved European or international standards and respond in an equivalent manner, to the performance or functional requirements of the material of the present inquiry.

Bidders shall have to prove in a satisfactory, for the purchaser, way and using every proper means, that the offered material, which complies with the technical standard, responds to the performance or functional requirements defined in the specification of the present inquiry.

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The foregone proving evidence shall have to be submitted together with the offer. A posteriori submission of the evidence is not acceptable.

3. PRICES TO BE QUOTED

3.1 All prices shall be quoted mandatorily, on penalty of nullity, in EURO as follows:

3.2 Prices quoted shall be clear for IPTO and they will include all legal charges and expenses related with the supply of the material except VAT as per Law-1642/86, which will be obligatorily stated by the Bidders for the offered material.

3.3 Greek Bidders

1. All prices shall be mandatorily quoted, on penalty of nullity, in EURO, for delivery of material free at IPTO warehouses at ROYF Attiki.

2. Suppliers shall have to mandatorily quote, in their offers, the costs of the material transportation from their installations up to IPTO warehouses.

3. All offered prices shall be net prices for IPTO, and shall include all legal surcharges and expenses associated with the delivery of the material, apart from VAT, which, bidders shall have to mandatorily quote, for the offered material.

4. All foregone unit prices shall be quoted in accordance with the Summary of Proposal (FORM DYPM 32.30), which must be fully completed.

5. On penalty of nullity, offers prices must not depend in any way whatsoever, on the exchange rate of the offer currency with any other currency.

Foreign Bidders

1. All prices shall be mandatorily quoted, on penalty of nullity, in EURO. Offers which depend their prices on the exchange rate between the offer currency and any other currency, shall not be taken into consideration.

2. Bidders must quote strictly in accordance with the requirements of the attached Summary of Proposal FORM DAPM- 32.26L and must include all costs chargeable to Supplier (custom duties, expenses of custom clearance, storage, transport charges etc) for the delivery of material free DDP at IPTO warehouses.

3.4 On penalty of nullity, the dependence of any kind of the offered prices on the exchange rate between the offer currency and any other currency, is excluded.

4. EVALUATION OF THE BIDS

4.1 The criterion of the evaluation of the Bids, will be the lowest price.

4.2 In case where a Bidder offers special discount for the whole award quantities of Inquiry, IPTO reserves the right to compare this offer to total relative price of per item lowest bidder and choose the lowest price

4.3 The evaluation of the Bids, for the showing forth off the lowest Bidder, will be done on the prices of the material for delivery at IPTO's warehouses, on a supplier's vehicle.

5. TERMS OF PAYMENT

Payment shall be made on the 20<sup>th</sup> day of the second calendar month following the submission of all the documents, to IPTO offices in Athens, (89 DIRRAHIOU & KIFISSOU, 104 43 ATHENS), provided that Materials have been delivered. If the 20<sup>th</sup> day of the second calendar month is not a working day, the payment will be settled the following working day. All these documents must be issued to the name of IPTO. Terms of payment against Advance Payment or Letter of Credit are not accepted. In case where be submitted these terms, shall not be taken into consideration.

Each contracting party will bear all charges commissions and expenses of the Bank of its country relevant to the fulfillment of Purchaser's payment obligations towards the Seller.

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6. PRICE ESCALATION

Prices which will be given must be firm and aren't subject to price escalation. Offers including prices with an escalation term will be rejected.

7. DELIVERY TIME / PLACE

The material will be delivered in IPTO's Warehouse at ROUF Attiki within three (3) months from the effective date of the contract.

8. PARTICIPATION LETTER OF GUARANTEE

8.1 Participants submitting an offer for the whole of the materials included in the Inquiry, must also submit a Participation Letter of Guarantee according to paragraph 9 of General Bidding Terms (FORM D2/30.10.2000 MODIFIED ACCORDING TO THE DECISION OF GENERAL DIRECTORS) for a sum of EURO 1.582,00.-

8.2 The validity time of the Participation Letter of guarantee shall be six (06) months from the issuing date, and shall be liable to extension.

8.3 Participation Letter of Guarantee will be enclosed in the envelope containing technical elements.

9. FOR FOREIGN BIDDERS ONLY

In their tenders Bidders are required to name their attorney-in-fact in Greece. The special clause below shall be included in the contract that will be established.

"The contracting firm ..... declares hereby that it appoints and constitutes Mr. .... (name, father's name, surname, profession) resident of ..... (city or town, street, number, postal code as its attorney-in-fact (Antiklitos) in Greece.

At the instance of IPTO or of its general or special successors and representatives the attorney-in-fact (Antiklitos) appointed as above and at his aforementioned address will also be served upon all documents under article 142, paragraph 4 of the Code of Civil Procedure, that is all extra judicial and judicial deeds related to the contract, including the documents initiating court or arbitration proceedings and the decisions (awards) or deeds requiring action which may be taken only by the person himself upon whom the document has been served, unless otherwise expressly specified in the contract.

In case of doubt, the service of documents on the attorney-in-fact (Antiklitos) appointed under the contract is optional, while his revocation or resignation entails consequences for IPTO or its general or special successors only as from its or their receipt of the relevant notice and only if same includes the appointment of another attorney-in-fact (Antiklitos) in the same city or town stating his exact address. The same also applies in case of change of the address of the attorney-in-fact (Antiklitos) appointed in the contract or later on".

10. FOR GREEK BIDDERS ONLY

On penalty of nullity of the relevant bids, bidders shall attach to their offers a Declaration of the Law 1599/86, worded in compliance with the attached sample 21.15, that no person that participates in their Companies in a capacity that is cited in this sample, is a Member of Parliament.

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**SPECIAL TERMS FOR FOREIGN BIDDERS**

11. GOOD PERFORMANCE LETTER OF GUARANTEE
- 11.1 GREEK BIDDERS  
According to paragraph 14 of the General Contracting Terms (FORM S2/30.10.2000).
- 11.2 FOREIGN BIDDERS  
According to paragraph 16 of the General Contracting Terms (FORM S2/30.10.2000).
12. INCREASE OR DECREASE OF QUANTITIES  
According to paragraph 16 of General Contracting Terms (FORM D2/30.10.2000) IPTO reserves the right to increase or decrease the quantity of the materials by up to 30% of the total value of the materials before, during or after the award of the supply, the Supplier has no right to increase the unit prices or request any further benefits.  
Notification of the supplier concerning the increase or decrease of contractual quantities shall be provided after the signing of the relevant Contract within a predetermined time period which is to be specified in the respective Contract.  
The said time period will not exceed  $\frac{1}{4}$  of the total contractual delivery period however it can be extended up to the expiry date of the Contract, provided that this term is accepted by the supplier.
13. PENALTY CLAUSE
- 13.1 For the calculation of the penalty clause which will be according the General Contracting Terms (FORM S2/30.10.2000) it shall be taken into consideration the date of the delivery at IPTO warehouse after it has been deducted the time period from the date of inspection readiness up to the date of inspection.
- 13.2 The penalty clause for each delayed delivery will be no more than five percent (5%) of the contractual value of this quantity.
14. VALIDITY DATE
- 14.1 Bids shall be valid for (120) (one hundred and twenty) days (attached Specimen 24.14.1).
- 14.2 In case of extension of the bid, the bids that have already been submitted can be returned to the suppliers. If the bids are not claimed and remain in competent Office, they will be valid, as they are, also for the extension of the bid, unless the bidders modify, complete or withdraw their bid by their declaration which must be submitted by the new date/time of the unsealing.
15. EFFECTIVE DATE OF THE CONTRACT  
The following term shall be included in the signed Contract:
- 15.1. For Greek Bidders  
The effective date of the contract will be the 20<sup>th</sup> day from the date which is referred in the first page of the Contract.
- 15.2. For Foreign Bidders  
The effective date of the contract will be the 20<sup>th</sup> day from the date which is referred in the first page of the Contract.
16. GENERAL BIDDING AND CONTRACTING TERMS
- 16.1 GREEK BIDDERS  
General Bidding Terms valid at the present Inquiry are included in the attached FORM Δ2/30.10.2000 and General Contracting Terms are included in the attached FORM Σ2/30.10.2000.

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**SPECIAL TERMS FOR FOREIGN BIDDERS**

16.2 FOREIGN BIDDERS

General Bidding Terms valid at the present Inquiry are included in the attached FORM D2/30.10.2000 and General Contracting Terms are included in the attached FORM S2/30.10.2000.

17. In case of conflict between the Special Terms and the General Terms and Conditions of the present Inquiry, Special Terms shall prevail.
18. All texts and specifications attached hereto constitute an integral part of the present Inquiry.
19. The present Inquiry is issued in English and Greek text for foreign bidders. In case of conflict the Greek tests shall prevail.
20. PARTS OF THE INQUIRY

The present Inquiry is constituted of the following parts:

1. FORM D3/30.10.2000
2. SPECIAL BIDDING TERMS (5pages)
3. GENERAL BIDDING TERMS (FORM D2/30.10.2000) and it's attached
4. GENERAL CONTRACTING TERMS (FORM S2/30.10.2000) and it's attached
5. FORM S4/30.10.2000
6. TECHNICAL SPECIFICATION T-2088 Γ