

Warsaw, 08.03.2019

Request number: 1/03/2019

REQUEST FOR PROPOSAL

for

the provision of counselling service - preparation of analysis of the US market for niche kids clothing brands and a strategy of entry to the US market of Kids on the Moon brand, for the purpose of promotional action of Moon Spółka z ograniczoną odpowiedzialnością Sp. k., under project "Development of exporting activity of MOON Enterprise - Promotion of clothing sector products abroad"

The procedure is conducted in the competitive "Request for Proposal" formula under the *"Wytyczne w zakresie kwalifikowalności wydatków w ramach Programu Operacyjnego Inteligentny Rozwój"* [Cost eligibility guide under the Smart Growth Operational Programme] for 2014-2020.

I. CONTRACTING AUTHORITY:

MOON Spółka z ograniczoną odpowiedzialnością Sp.k.

12/2, Lisa Kuli str.

01-512 Warsaw

Poland

VAT nr PL 525 26 08 301

Procedure conducted by:

Contact person: Joanna Zasada

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II. CONTRACTING METHOD

1. This procedure is conducted as part of project no. POIR. 03.03.03-14-0075/17-00 Development of exporting activity of MOON Company - Promotion of clothing sector products abroad, of Priority Axis III *“Support for innovation in enterprises”*, Measure 3.3 *“Support for promotion and internationalisation of innovative enterprises”*, Sub-measure 3.3.3 *“Support for SMEs in the promotion of Polish product brands – Go to Brand”* under the Smart Growth Operational Programme 2014-2020. This project will be co-financed by the European Union under the European Regional Development Fund.

2. This is a competitive procedure, as per provisions of Article 12 of the Template Contract for Co-financing of Projects under Sub-measure 3.3.3 *“Support for SMEs in the promotion of Polish product brands – Go to Brand”* POIR 2014-2020, under which the project will be implemented.

3. The provisions of the Act of 29 January 2004 *“Public Procurement Law”* are not applicable to this Request for Proposal.

III. SUBJECT-MATTER AND DESCRIPTION OF CONTRACT:

1. The subject-matter of the contract is counselling service - to prepare an analysis of the market for niche kids clothing brands in the US market.
2. The contract mentioned in Section 1 of this chapter of the Request for Proposal covers the development of a report containing the following elements, among others:
 - analysis of the potential for Moon company to expand in the US market
 - diagnosis of the company’s US market export potential
 - analysis of the competition in the US market (other non-chain, European clothing brands, children’s fashion)
 - presentation of the available and optimal distribution channels
 - presentation of the available and optimal forms of promotion/marketing – B2B and B2C wholesale press, and - primarily - social media promotion (analysis and recommendation of influencers and bloggers of children’s fashion, estimate of the costs of collaboration on FB, Instagram platforms)
 - presentation of the available and optimal pricing strategies for Moon products in the US market, given the specific features of the clothing market
 - identification of potential paths for Moon to expand in the US market

IV. CPV CODE AND NAME - 85312320-8 – Counselling services

V. CONTRACTOR OF THE SUBJECT-MATTER OF PUBLIC PROCUREMENT

1. This Request for Proposal is addressed to active business operators, i.e., natural persons, organisations with legal capacity, or legal persons conducting business activity. Companies active in the US market may compete for the contract.

2. Contractors meeting the following conditions may participate in this procedure:

- a) hold a permission for conducting business or activities corresponding to the subject-matter of this contract
- b) hold the necessary knowledge and experience as well as technical capacity and qualified personnel capable of performing the contract.

The Contracting Authority will consider these criteria to be met when the Contractor demonstrates that they have duly performed, within the last 5 years prior to the submission of their proposal, and – if the period of their business activity is shorter – within such period, at least 2 counselling services for companies from the kids clothing sector in the US market. Having regard to the above, the Contractor is required to attach to their proposal the statement of completed counselling services as per **Appendix 2** to this Request for Proposal.

- c) are not related to the Contracting Authority personally or by capital.

Personal or capital relationship means the following types of relationship between the Contracting Authority and the Contractor:

- participation in a civil-law or other partnership as a member/partner,
- holding at least 5% of shares, unless a lower threshold is established by legislation,
- acting as member of a governance or management body, general commercial representative, attorney-in-fact, being in marital relationship, relationship by blood or by marriage in direct line, relationship by blood or by marriage up to the second degree in collateral line, or in relationship of adoption, guardianship or wardship.

3. If a proposal is submitted by a Contractor related with the Contracting Authority personally or by capital, the Contractor will be excluded from this procedure.

VI. REQUIREMENTS FOR PARTICIPATION IN THE PROCEDURE:

1. Proposals shall be submitted in writing, on the Proposal Form attached as **Appendix 1** to this Request for Proposal.
2. No proposals referring to a certain lot of the contract are accepted.
3. The content of the Proposal must correspond to the content of this Request for Proposal.

4. Proposals shall be submitted in Polish or in English.
5. The Contractor is required to submit their statement of the absence of personal or capital relationship to the Contracting Authority attached as Appendix 1 to this Request for Proposal.
6. Proposal validity period – until the validity date stated in this Request for Proposal.
7. Proposal validity period is until 31 March 2019.
8. The proposal shall be signed in accordance with representation rules by all individuals authorised to sign proposal as per current registration documents or a power of attorney. Incorrect authorisation of the proposal results in the proposal being rejected without examination.
9. The contract may be sought by Contractors who are not in bankruptcy or liquidation at the date of the proposal and make a representation on this in their proposal.
10. The proposal shall be stated in the PLN with the statement of the total contract price pre-VAT and post-VAT. We hereby permit for proposals stated also in the USD.
11. All costs related to the submission of the proposal shall be paid by the bidder.
12. A Contractor may submit one proposal only.
13. The Contracting Authority reserves the right to cancel the procedure if one or more of the following is true:
 - a) no proposal is submitted as part of the procedure,
 - b) only one proposal is submitted, from a Contractor excluded from the procedure,
 - c) when proposals with an abnormally low price are submitted,
 - d) change of circumstances which the Contracting Authority has been unable to anticipate, rendering the procedure or performance of the contract inconsistent with public interest,
 - e) when a defect is inherent in the procedure that is impossible to remove and makes it impossible to enter into a valid contract agreement.
14. If the procedure is invalidated, the Contractor is ineligible for any claims against the Contracting Authority.

VII. LIST OF STATEMENTS AND DOCUMENTS DEMONSTRATING THAT THE PROCEDURE PARTICIPATION REQUIREMENTS ARE MET AND THERE ARE NO GROUNDS FOR EXCLUSION

1. Completed Proposal Form attached as Appendix 1 to this Request for Proposal.
2. Completed form of at least 2 finished counselling services for the kids clothes sector, attached as Appendix 2 to this Request for Proposal.
3. All of the above-mentioned documents must be signed by a person authorised to represent the Contractor or by other person authorised by an appropriate document, otherwise the proposal will be rejected.
4. Failure to attach a Proposal Form as per the template attached as Appendix 1 to this Request for Proposal and other required appendices will result in the proposal being rejected.

5. The Contractor shall have no claims versus the Contracting Authority due to rejecting their proposal.

VIII. CONTRACT TERM AND PERFORMANCE TERMS:

1. The final contract completion date is 12 April 2019.
2. The contract start date is the agreement signing date, and the contract end date is the date of acceptance on which the subject-matter of the contract is complete and handed over to the Contracting Authority, but no later than 12 April 2019.

IX. PROPOSAL EVALUATION CRITERIA:

1. Only proposals meeting all requirements will be examined as part of this procedure.
2. The maximum possible score is 100.

No.	Evaluation criterion	Score and weight	How the score is awarded for meeting the proposal evaluation criterion
1	Price	Score from 0 to 100 points Weight 100%	<p>The bidder offering the lowest price will receive the highest score for the criterion.</p> <p>The comparison will be made by dividing the price of the lowest-price Proposal by the price of the examined proposal.</p> <p>The score will be awarded to particular Proposals by multiplying the resulting quotient by 100.</p> <p>K cena - Criterion of price = $(C \text{ min} / C \text{ bof}) \times 100$</p> <p>C min - Price of the lowest-price Proposal</p> <p>C bof - Price of the examined Proposal</p> <p>If Proposals are stated in a foreign currency, the contract value will be translated into the zloty according to the NBP middle rate on the date of contract. Maximum score for that criterion: 100 points.</p>

3. The best Proposal is considered by the Contracting Authority to be the one which is not rejected and is awarded the highest score as part of the criterion.
4. In the course of examination and evaluation of the Proposals submitted, the Contracting Authority may require the Contractors to provide explanations concerning the content of their Proposals. If the offered price seems to be abnormally low in relation to the contract and raises doubts of the Contracting Authority as to the capacity to perform the subject-matter of the contract in keeping with the requirements determined by the Contracting Authority or the

presented scenario, the Contracting Authority will ask for explanations, including for providing evidence of how the price has been calculated. The burden of proof that the Proposal's price is not abnormally low rests on the Contractor.

5. If the best Proposal cannot be identified due to the fact that two or more Proposals are submitted that contain the same prices, receive the same score, the Contracting Authority will request the Contractors which have submitted such Proposals to submit Additional Proposals by the date determined by the Contracting Authority.

X. DEADLINE AND PLACE OF PROPOSAL SUBMISSION:

By 15 March 2019.

What counts is the date of receipt at the Company offices, address:

MOON Sp. z o.o. Sp.k.
Lisa Kuli 12/2
01-512 Warsaw
Poland

in any of the forms below (subparagraphs a, b, c):

- a) E-mail (scanned Proposal Form, completed and signed) –
joanna.markert@kidsonthemoon.com
- b) In person (signed original copy of the proposal form and appendices thereto)
Address: Moon Sp. z o.o. Sp.k, Lisa Kuli str. 12/2, Warsaw 01-512, Poland
- c) By courier service (signed original copy of the proposal form and appendices thereto)
Address: Moon Sp. z o.o. Sp.k, Lisa Kuli str. 12/2, Warsaw 01-512, Poland

Proposals submitted in person or by courier service to the Company's offices shall be delivered from Monday through Friday, at 09:00 am - 04:00 pm, upon prior notice provided to the Contracting Authority.

XI. AGREEMENT SIGNING CONDITIONS:

1. The Contracting Authority reserves the right to cancel this Request for Proposal procedure without reason, and to abandon the procedure without selecting any Proposal.
2. The submission of a Proposal by the Contractor is not tantamount to entering into an agreement.
3. If the Contractor fails twice to appear, without a valid excuse, on the prescribed time, to sign the agreement, this is regarded as cancellation of the intention to sign the agreement.

4. If the Contractor whose Proposal is selected as the best one avoids entering into the agreement on public procurement, the Contracting Authority may select the best Proposal from among the remaining Proposals, without their re-examination and re-evaluation.
5. Detailed regulations on the acceptance of the documents developed by the Contractor will be included in the agreement entered into with the Contractor selected by this bidding procedure.
6. The Contractor agrees to keep confidential the information received for the purpose of preparing and performing the subject-matter of the contract. The confidentiality obligation shall survive Proposal rejection or any other termination of Proposal. Failure to comply with the confidentiality obligation results in the Bidder's liability for all damages that the Contracting Authority may suffer as a result of that.

XII. AGREEMENT AMENDMENT TERMS:

1. The Contracting Authority provides for the possibility of amending the agreement to the extent that the applicable legislation affecting the performance of the subject-matter of the agreement is amended.
2. The Contracting Authority provides for the possibility to amend the agreement by extending the performance date due to fortuitous events or for reasons over which the Contracting Authority and the Contractor have no control.
3. The agreement may be cancelled if the Contracting Authority abandons its participation in trade fairs or due to force majeure.

XIII. TERMS FOR AWARDING SUPPLEMENTARY CONTRACTS

The Contracting Authority provides for the possibility of awarding to the Contractor selected in a competitive procedure supplementary public contracts at maximum 50% of the public contract value determined in the agreement entered into with the Contractor, provided that such public contract is consistent with the subject-matter of the underlying public contract.

XIV. APPENDICES ATTACHED TO THIS REQUEST FOR PROPOSALS AND HOW THIS REQUEST FOR PROPOSALS HAS BEEN PUBLISHED

- Appendix 1 - Proposal Form
- Appendix 2 - List of advisory services provided by the Bidder

This request for proposals has been published at the Contracting Authority's offices, on its website <http://www.kidsonthemoon.com/> and was sent to potential Contractors.

We hereby authorise this Request for Proposal and welcome all proposals.

Warsaw, 08.03.2019
Joanna Zasada