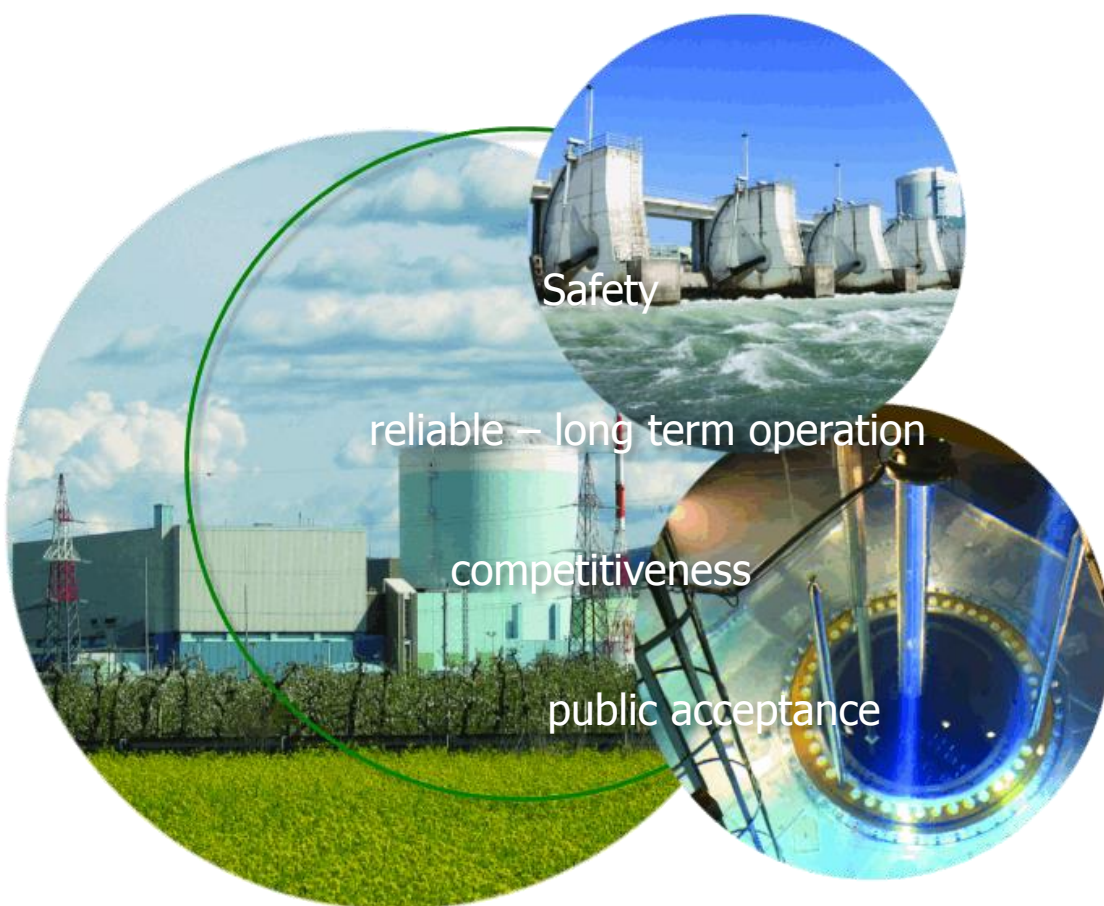


## NUKLEARNA ELEKTRARNA KRŠKO D.O.O.





**NEK**

*Nuklearna elektrarna Krško, d.o.o.*  
Vrbina 12, 8270 Krško  
Slovenija



## **BIDDING DOCUMENTATION**

No.: 29/2017-8170358

Negotiation Procedure with Prior Notification  
in accordance with article 45 of Public Procurement Act

**for**

**NEK SAFETY UPGRADE PROJECT – PHASE 3**

**BB2 Project – Engineering, Design and Construction**

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## INVITATION FOR BIDS

**Nuklearna elektrarna Krško d.o.o., Vrbina 12, Krško** (hereinafter referred to as »Purchaser«) hereby invites Bidders, to submit their Bids for:

**NEK SAFETY UPGRADE PROJECT – PHASE 3, BB2 Project – Engineering, Design and Construction**

in accordance with Public Procurement Act (ZJN-3 Official Gazette of the Republic of Slovenia No. 91/15)

**Hrvoje Perharic**

Member of the Management Board

**Stane Rožman**

President of the Management Board

Krško, 17.03.2017



## Chapter 1

# INSTRUCTIONS TO BIDDERS FOR PREPARATION OF BIDS

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## **A. GENERAL**

### **1 PURCHASER CONTACT PERSON**

The Purchaser is Nuklearna elektrarna Krsko d.o.o., Vrbina 12, Krsko.

Contact person: Vesna Deak, International purchasing department,  
Tel.: + 386 7 48 02 436, Fax: + 386 7 49 21 528, e-mail: vesna.deak@nek.si

### **2 SCOPE OF SERVICES AND DELIVERY OR WORK**

In accordance with NPP Krsko Technical Specification No. SP-ES 5115, Rev. 0 , the Bidder shall perform the following project:

#### **NEK SAFETY UPGRADE PROJECT – PHASE 3, BB2 Project – Engineering, Design and Construction**

### **3 BIDDING DEADLINE**

The Bidder must submit the Bid to Nuklearna elektrarna Krško d.o.o., Vrbina 12, Krsko:

**By May 4, 2017 at 1:00 p.m. at the latest.**

All untimely submitted Bids (regardless of the date of their submission to the post office or untimely delivery if sent via courier service) shall be excluded from the Bid Opening Procedure and returned to the Bidders unopened.

### **4 TENDERING PROCEDURE**

The selected procedure for this tender is: Negotiation Procedure with Prior Notification in accordance with article 45 of Public Procurement Act

### **5 PERMISSIBLE BID**

After the Bids opening, the Purchaser will check whether all of the Bids are permissible. The Purchaser will accept only permissible Bids, all the other Bids will be rejected.

Permissible Bid is the Bid which:

- fulfills all the conditions/requests specified in the Technical Specification and other Bidding Documents
- was submitted on time
- shows no evidence of unpermitted settlement with other potential Bidders or corruption

- that was not evaluated by the Purchaser as the Bid with unusually low Unit and Total Price
- its price does not exceed the Purchaser's funds available for the purchase

The Purchaser shall exclude the Bid from the Bidder who:

- exercised major or constant imperfectness, poor performance when performing previous contract(s) that lead to termination or to any other sanction by the Purchaser
- submitted misleading data or cannot submit the requested evidences/documents in the Bidding documentation.

## **6 NEGOTIATION PROCEDURES**

The Purchaser will only negotiate with the Bidders who have submitted the Permissible Bid(s).

The Purchaser reserves the right to choose the kind of negotiation among the written negotiation, teleconference or negotiation at Purchaser's premises.

The Purchaser will negotiate everything, including but not limited to the following:

- Technical details of the Bids including Technical Specification revision and General Terms and Conditions in the Draft Contract of the subject Project

Depending on the clarity of Bids, the Purchaser will decide how many rounds of negotiations are needed. The Purchaser will notify all the Bidders before the final round giving them the information that next round will be the final one.

All Final Bids shall be given in writing upon the Purchaser's invitation to submit the Final Bids. Purchaser will open all Final Bids at the Bids opening where Bidders are allowed to be present.

## **7 CRITERIA FOR THE BID EVALUATION**

Only permissible Final Bids will be evaluated by pre-established set of criteria and weight factors expressed in percentages.

Bid evaluation result is the percentage of theoretical maximum points, being 100. The Bid with the maximum percentage of points will be selected.

**1. Price****40 %**

Bidder ranking and score will be calculated based on the average price, Bid Price (Final Fixed and Firm Total Bid Price excluding price for Major Equipment indicated in item 3. a) of the Price Breakdown Table given in Attachment No. 1 –Bid Form) and percentage of Bid price deviation from the average price.

<i>Bid</i>	<i>Bid Price</i>	<i>Price Deviation of Bid</i>	<i>Score (%)</i>

Calculation will be made as follows:

Average price = (SUM of all bids)/number of bids

Deviation of Bid Price ( X ) = ((Bid Price – Average price)/Average Price ) \* 100

<i>Bid</i>	<i>Deviation of Bid Price (%)</i> = X	<i>Deviation of Bid Price (%)</i>	<i>Score (%)</i>
		X ≤ - 20	40
		-15 ≥ X > - 20	36
		-10 ≥ X > -15	31
		-5 ≥ X > - 10	27
		0 ≥ X > - 5	22
		5 ≥ X > 0	18
		10 ≥ X > 5	13
		15 ≥ X > 10	9
		20 > X > 15	4
		20 ≤ X	0

**2. Number of references for personnel listed in Attachment No.10****11%**

<i>Bidder's personnel as per Attachment No.10</i>	<i>Number of references for personnel listed in Attachment No.10</i>	<i>Provided number of references for personnel listed in Attachment No.10</i>	<i>Score [%]</i>
Responsible <b>Project Manager</b> per item a) of Attachment No. 10	1 (min)		0
	2		1
	3 or more		2
Responsible <b>Project Designer</b> for <b>Electrical</b> Part per item b) of Attachment No. 10	2 (min)		0
	3 or more		1



Responsible <b>Project Designer for Mechanical</b> Part per item c) of Attachment No. 10	4 (min)		0
	5 or more		1
Responsible <b>Project Designer for Civil Scope</b> per item d) of Attachment No. 10	1 (min)		0
	2		1
	3 or more		2
Responsible <b>Project Designer for Civil Scope (Construction Pit)</b> per item e) of Attachment No. 10	1 (min)		0
	2 or more		1
Responsible <b>Installation Manager</b> per item f) of Attachment No. 10	2 (min)		0
	3 or more		1
<b>Registered engineers by IZS/ZASP</b> or equivalent chamber in the country of origin of the Bidder/Subcontractor per item g) of Attachment No. 10	6 (min)		0
	8 or more		1
<b>Registered Professional Engineer (RPE)</b> in accordance with ASME (American Society of Mechanical Engineers) per item h) of Attachment No. 10	1 (min)		0
	2		1
	3 or more		2

### 3. Warranty period

**11%**

- a) Warranty period for Civil Construction and ABWT, ACYT tanks as per Art.12.3, item a) of Draft Contract

<i>Warranty period for Civil Construction ABWT and ACYT tanks (years)</i>	<i>Proposed Warranty period for Civil Construction ABWT and ACYT tanks [years]</i>	<i>Score [%]</i>
10		0
12		1
14		3
16 or more		4

- b) Warranty period for Major Equipment except ABWT and ACYT tanks as per Art. 12.3, item b) of Draft Contract

<i>Warranty period for Major Equipment except ABWT and ACYT tanks (years)</i>	<i>Proposed Warranty period for Major Equipment except ABWT and ACYT tanks [years]</i>	<i>Score [%]</i>
3		0
4		2
5 or more		4

- c) Warranty period for Services and Miscellaneous Hardware as per Art. 12.3, item c) of Draft Contract

<i>Warranty period Services (years)</i>	<i>Proposed Warranty period for Services [years]</i>	<i>Score [%]</i>
2		0
3		1
4		2
5 or more		3

**4. Project Schedule optimization for BB2 Building Construction 3 %**

<i>End of BB2 Building Construction T0+ [months]</i>	<i>Proposed end of BB2 Building Construction T0+ [months]</i>	<i>Score [%]</i>
28		0
27		1
26		2
25		3

**5. ABWT volume optimization 5 %**

<i>ABWT volume [m<sup>3</sup>]</i>	<i>Proposed ABWT volume [m<sup>3</sup>]</i>	<i>Score [%]</i>
1367 to 1499		0
1500 to 1599		3
1600 or more		5

**6. ACYT volume optimization****5 %**

<i>ACYT volume [m<sup>3</sup>]</i>	<i>Proposed ACYT volume [m<sup>3</sup>]</i>	<i>Score [%]</i>
1300 to 1399		0
1400 to 1499		3
1500 or more		5

**7. Deviations from Payment Milestones  
as per Art.8.1 of Draft Contract****3 %**

Each deviation in percentage results in reducing the score by 1% (max deviation per milestone is 5%). Other changes of the payment milestones will not be accepted and will lead to the rejection of the Final Bid.

**8. Percentage of Bidder's mark-up on suppliers's prices for  
Major Equipment****7 %**

<i>Percentage of Bidder's mark-up on suppliers's prices for Major Equipment (as per Attachment 1 of BD item/table 2)</i>	<i>Proposed percentage of Bidder's mark-up on suppliers's prices for Major Equipment (as per Attachment 1 of BD item/table 2)</i>	<i>Score [%]</i>
up to 10%		7
from 11% to 13%		5
from 14% to 17%		3
from 18% to 20%		1
more than 20%		0

**9. Liquidated Damages as per Art. 10 of Draft Contract****15 %**

Each deviation from the proposed Liquidated Damages as stated in the Contract Art. 10, results in the score 0%. Minimum % of the Liquidated Damage stated in the Contract must be accepted. If not, this will lead to the rejection of the Final Bid

- a) per entire week (7 days) of delay in the submittal/completion of the milestones as per Art. 5 of Draft Contract, Item 3, 4, 5, 6, 7a), , 9, 10, 11, 12 a), 12b), 15 and 17

<i>Liquidated Damages for delay in submittal/completion of the milestones as per Art. 5 of Draft Contract, Item 3, 4, 5, 6, 7 a), , 9, 10, 11, 12 a), 12 b), 15 and 17 [EUR /Week]</i>	<i>Proposed Liquidated Damages for delay in submittal/ completion of the milestones as per Art. 5 of Draft Contract, Item 3, 4, 5, 6, 7 a), 9, 10, 11, 12 a) 12 b), 15 and 17</i>	<i>Score [%]</i>

	<i>[EUR /Week]</i>	
50.000 (min)		0
50.001 to 100.000		1
100.001 to 200.000		2
200.001 to 300.000		3
300.001 to 400.000		4
400.001 to 500.000		5

- b) for each day of delay (on a pro rata basis) in completion of outage activities related to BB2 Project implementation (each outage) as per Art. 5, item 13 of Draft Contract and further defined in PMM approved by PURCHASER

<i>Liquidated Damages for delay in completion of outage activities related to BB2 Project implementation (each outage) as per Art. 5, item 13 of Draft Contract and further defined in PMM approved by PURCHASER [EUR/day]</i>	<i>Proposed Liquidated Damages for delay in completion of outage activities related to BB2 Project implementation (each outage) as per Art. 5, item 13 of Draft Contract and further defined in PMM approved by PURCHASER [EUR/day]</i>	<i>Score [%]</i>
500.000 (min)		0
500.001 to 600.000		1
600.001 to 700.000		2
700.001 to 800.000		3
800.001 to 900.000		4
900.001 to 1.000.000		5

- c) per each day of delay (on a pro rata basis) in completion of Site Acceptance Tests for BB2 Project as per Art. 5, item 14 of Draft Contract and further defined in PMM approved by PURCHASER

<i>Liquidated damages for delay in completion of Site Acceptance Tests for BB2 Project as per Art. 5, item 14 of Draft Contract and further defined in PMM approved by PURCHASER [EUR/day]</i>	<i>Proposed Liquidated damages for delay in completion of Site Acceptance Tests for BB2 Project as per Art. 5, item 14 of Draft Contract and further defined in PMM approved by PURCHASER [EUR/day]</i>	<i>Score [%]</i>
50.000 (min)		0
50.001 to 100.000		1
100.001 to 200.000		2
200.001 to 300.000		3
300.001 to 400.000		4
400.001 to 500.000		5

## 8 BID SEALING AND MARKING

The Bidder shall duly seal in the envelope with its stamp the original 1 copy of the Bid. The envelope must be addressed as follows:

**NUKLEARNA ELEKTRARNA KRSKO d.o.o. Vrbina 12**  
**8270 KRSKO, SLOVENIA**  
**Attn: Zoran Heruc, Purchasing Director**

and bear proper marking in capital letters:

»DO NOT OPEN! THE BID FOR: NEK SAFETY UPGRADE PROJECT – PHASE 3, BB2 PROJECT – ENGINEERING, DESIGN AND CONSTRUCTION”

If the Bidder submits the Bid in more than one envelope, the envelopes must be sequentially numbered and their number shall be quoted.

Bidder can mark everything in Bidding documentation as proprietary except price per item, number of items to be delivered and total price.

The Bidder **must enclose also the Bid on USB key or on CD**. Draft contract shall be in word file filled in in track change mode.

## 9 CLARIFICATIONS OF REQUESTS FROM BIDDING DOCUMENTATION AND CONTACTS

Should potential Bidders require clarifications of the Purchaser's Bidding Documentation, such requests shall be forwarded to the Purchaser through the Slovenian website for Public Tenders “Portal javnih naročil” not later than ten (10) days before the deadline for Bid submission by 2 p.m. at the latest.

The Purchaser shall answer the questions through the same web site no later than six (6) days before the deadline for Bid submission.

All answers will be part of the Bidding Documentation for the Preparation of Bids.

The Purchaser reserves the right to modify (change) Bidding Documentation no later than six (6) days before the deadline for Bid submittal either by its own initiative or as a response to the request of potential Bidders without extending bid deadline. The modifications shall be published on Slovenian website: “Portal javnih naročil”.

Purchaser can extend the Bid deadline to allow the Bidders to consider alterations of their Bid.

## 10 BID CHANGES AND WITHDRAWAL OF BIDS

The Bidder may withdraw the Bid, supplement or replace it no later than the deadline for Bid submittal.

After expiration of the bidding deadline, the Bidders cannot change the Bids submitted, replace or supplement them.

Possible corrections in the Bid shall be marked, stamped and signed by a duly authorized person.

The Bidders are expected to carefully review all the listed documents. Nonfulfillment of Purchaser's requests/conditions from the Bidding Documentation shall disqualify the Bid

from further competition. All Bids must be compliant with the Bidding Documentation and must meet all the conditions for participation in this public tender/bidding.

Bidding Documentation is available to Bidders free of charge.

## **11 BIDS OPENING**

Expert commission (hereinafter referred to as »Commission«) or responsible persons for the public tender, appointed by the Purchaser's Management Board, shall open the Bids in the premises of NPP KRSKO, Vrbina 12, Krsko, on

**May 4, 2017 at 2:00 p.m.**

regardless of the presence of Bidders' representatives. Before the beginning of the Bids Opening, the Bidders' representatives shall submit to the Commission a Letter of Authority for their participation at the Bids Opening which will also allow them to give objections to the Bids opening procedure. Other entities can be present at the opening but will not be allowed to object to the Minutes of the Bid(s) opening

Please consider the time required to enter the nuclear facility (at least 15 minutes).

The Commission will prepare the Minutes of the Bids Opening, containing the information required by Article 88 of the ZJN-3. The Minutes shall be signed by the president of the Commission, its members and the authorized Bidders' representatives participating at the Bids opening. A copy of the Minutes shall be given to Bidders after Bids opening or shall be sent to the Bidders no later than 5 days after the Bid opening.

## **12 LAWS AND REGULATIONS**

Contract shall be awarded based on the clauses from the Public Procurement Act (ZJN-3 Official Gazette of the Republic of Slovenia, No. 91/15) as well as regulations resulting therefrom including also Ionising Radiation Protection and Nuclear Safety Act (Zakon o varstvu pred ionizirajočimi sevanji in jedrski varnosti Official Gazette of the Republic of Slovenia, No. 102/2004 - official consolidated version, 60/2011 and 74/15) Rules on Radiation and Nuclear Safety Factors (Pravilnik o dejavnikih sevalne in jedrske varnosti- Official Gazette of the Republic of Slovenia, No. 74/16.) if applicable.

Also the provisions of the following regulations and other documents will be used in awarding the contract:

- Legal Protection in Public Procurement Procedures Act (ZPVPJN, Official Gazette of the RS, no. 43/2011, 63/13 and 96/15);
- Public Finance Act (ZJF, Official Gazette of the RS, no. 11/11 – official consolidated text, 14/13 – corr. and 101/13);
- Value Added Tax Act (ZDDV-1, Official Gazette of the RS, no. 13/11 – official consolidated text, 18/11, 78/11, 38/12, 83/12 and 86/14, 90/15));

- Civil Procedure Act (ZPP-UPB3, Official Gazette of the RS, no. 73/2007, 45/08, 10/17) if applicable;
- Decree on Green Public Procurement (Official Gazette of the RS, no. 102/11, 18/12, 24/12, 64/12, 2/13 and 89/14);
- ZGO-1 (Slovenian Construction Act) if applicable
- the relevant legislation regulating this area.

The procedure shall be carried out in full compliance with the applicable legislation, mentioned above. With regard to the subject of the public procurement, the Bidder satisfies and complies with all provisions concerning the subject of the public procurement prescribed by the applicable legislation.

### **13 ANTICORRUPTION CLAUSE**

Before the official notification on the selection of the winning Bidder, information related to the review, clarification, evaluation and comparison of the Bids as well as recommendations for Contract award shall not be disclosed to the Bidders or any other individual, unless specifically required by a relevant procedure.

The Purchaser and the Bidder shall not perform activities which might influence the selection of a particular Bid.

The Purchaser shall decline the Bid if the Bidder, who submitted the Bid, gives or is prepared to give the Purchaser's current or former employee a present in cash or any other valuable object, offer them a job or any other present or service the value of which can be expressed in currency and by means of which the Bidder would influence the decision or further course of Bids evaluation.

If at any time during the Contract award or execution of the Contract it becomes known beyond reasonable doubt that bribery act from the previous paragraph has been committed or attempted, or that the Contract has been awarded due to the bribery act being promised or committed, directly or indirectly, or if Purchaser's employee or other individual with the potential influence on Contract award or execution requested any kind of service or present, the Contract shall be null and void regardless of the phase of its execution.

### **14 REVISION/ REVIEW REQUEST**

Every Bidder participating in the bidding, who maintains that the bidding procedure has not been performed in accordance with Public Procurement Act (ZJN-3 Official Gazette No. 91/15), can request the review of the procedure.

The Review shall be performed in accordance with the Legal Protection in Public Procurement Procedures Act (ZPVPJN).

The applicant must submit with the request for review the certificate for the payment of tax from Article 71 of the ZPVPJN in the amount of EUR 7.000,00.

Tax is paid to the account of the Ministry of Finance no. 01100-1000358802 – implementation of the budget of the RS, reference 11 16110-7111290-XXXXXXX. The six X digits represent the number of publication on the public procurement portal and the last two year of publication.

## B. BID

### 15 BID LANGUAGE

Bids and other relevant documentation related to the Bid should be written in the Slovenian or English or Croatian language

### 16 PRICE AND TERMS OF PAYMENT

The Bidder shall provide the Bid with the Total Fixed and Firm Contract Price and Price break down for the Scope of Service and Delivery as defined in the Bid form – Attachment No. 1 to this Bidding Documentation.

The Bidder shall have no right to the Price(s) increase whatsoever unless revision of Technical Specification occurred and be agreed with all the bidders during negotiations that are affecting the price. In case of increase/decrease of VAT according to relevant Slovenian Law, net price shall remain the same. Bidders/Purchaser has the right to change the amount resulting from the change in VAT.

The currency of the Bid shall be EUR or USD. In the case the Bid Price is expressed in USD, Purchaser will proceed as follows:

- For the purpose of Bid ranking and evaluation (clause 84 of ZJN-3) USD will be converted to EUR and fixed using official average Bloomberg Exchange Rate, on the day of the Bid opening.
- For the purpose of defining a contractual price (fixed and firm), USD will be converted to EUR and fixed using official average Bloomberg rate, on the effective day of the Contract

The payments shall be effected in EUR and in accordance with payment milestones stated in the final Contract.

### 17 PROPRIETARY INFORMATION

The Bidders must mark as "PROPRIETARY" all the documents in the Bid which they consider to be their proprietary data in the upper right corner of each page. If only specific data in the Bid are considered to be confidential, such data must be underlined and "PROPRIETARY" must be indicated at the end of that line. The Purchaser hereby informs the Bidders that the data that are considered public in line with the provision of the second paragraph of Article 35 of the ZJN-3 cannot be marked as confidential. **These include specifications of the offered goods, services and/or civil works, quantity of these goods, value of individual items and total value of the Bid** and all the data used for the ranking of the Bid by the predefined criteria. Documents that are validly marked as confidential or PROPRIETARY by the Bidder shall only be used for the purpose of the public tender/Bidding and shall not be made available to anybody outside the circle of persons included in the Bidding procedure. The Purchaser will be fully responsible for protecting confidentiality of data obtained in such a way. Such data will never be published.



The Purchaser will treat as confidential those data in the Bidding documentation marked as "PROPRIETARY" and will not be responsible for the confidentiality of the data not marked as indicated, except for the data that are considered confidential data, proprietary or protected personal data under the applicable regulations. If the data that do not meet the legal criteria (e.g. ZDIJZ) are marked as confidential, the Purchaser will ask the Bidder to remove the mark CONFIDENTIAL or PROPRIETARY. This will be done by the Bidder's representative, namely by indicating "CANCELLATION", dating and signing the note. If the Bidder fails to cancel the confidentiality of data within the time limit set by the Purchaser, the latter may remove the marks "PROPRIETARY" by itself.

## **18 BID VALIDITY**

Bid validity date must be clearly specified in the Bid.

Bid validity specified in the Bid shall be at least 120 days after the date of Bids opening.

## **19 CLARIFICATION OF BIDS**

The Purchaser may, by its own choice, ask the Bidders for clarifications of their Bids including the analysis of unit prices. Such a request can be forwarded to the Bidders until the date of the Purchaser's selection of the best Bid.

Requests for clarifications as well as the answers to the requests must be in writing.

The Purchaser reserves the right to ask the Bidder to provide additional explanations of the Bid in addition to the reasons from Article 89 in the ZJN-3 in the case of any ambiguities in the Bid. The Purchaser shall inform the Bidder of any ambiguities that need to be clarified and set the date for providing clarifications and supplements. The deadline may not be shorter than three (3) days. If the Bidder fails to provide the requested clarifications and supplements to the Bid within the set deadline, such a Bid shall be excluded from the process of awarding public contract.

## **20 TERMINATION OF PROCEDURE AND WITHDRAWAL FROM THE CONTRACT AWARDING**

The Purchaser reserves the right to terminate the procedure for awarding the contracts at any time prior to the date for delivering the Bids. The Purchaser shall not offer compensation for the costs incurred by the Bidders for compiling the Bidding documentation, of which the Bidders have been informed.

After adopting the decision on the award of contract, the Purchaser shall have the right not to sign the contract for the reasons defined in the sixth paragraph of Article 90 of the ZJN-3 or paragraph 8 of the ZJN-3.

## **C. CONTRACT AWARD**

### **21 DECISION ON CONTRACT AWARD**

The Purchaser shall award the Contract to the Bidder of the most competitive Bid.

The Purchaser shall make selection of the most competitive Bid, and make a Notification on Contract Award through "Portal javnih naročil".

The Purchaser shall invite the best Bidder to sign the Contract.

Within the period of eight (8) working days after receipt of the Contract, the selected best Bidder shall sign the Contract and return it to the Purchaser. Otherwise the Purchaser can deem the Bidder has withdrawn the Bid. From the moment of the best Bid selection till the beginning of the Contract validity, both the Purchaser and the Bidder must not undertake any activity which might jeopardize the beginning of the Contract validity or its execution.

The Purchaser retains the right to accept or decline any or all the Bids.

## D. CONDITIONS FOR BID ACCEPTANCE

### 22 GENERAL

Signed evidences shall be submitted by the Bidders proving that conditions were met.

1. Fulfillment of all requirements listed in the *Bidder Declaration of Eligibility* (see Attachment No. 2) confirmed by signing the said document.
2. Submittal of all documents required in Chapter 14.1 of NEK Technical Specification No. SP-ES5115, Rev. 0.
3. Fulfilment of the following *References* (for each reference Attachment No. 5 must be fulfilled):

3.1. At least one (1) reference within the last ten (10) years as the main contractor or the leading partner of joint venture regarding successful **coordination and execution of the multidisciplinary project in nuclear industry of more than forty (40) million EUR value.**

***NOTE: It is considered that the below listed required conditions for Bid acceptance have been met if the Bidder or member of joint venture or its subcontractor executed 100% of the relevant contractual scope as defined below.***

3.2. At least one (1) reference within the last ten (10) years regarding successfully and timely delivered **Design Analysis for Seismic Category I Buildings with PGA greater than 0,3g** on European or US Nuclear Power Plants per US applicable standards and requirements as per Attachment 22.6 of Technical Specification SP-ES5115, Rev. 0.

3.3. At least two (2) references within the last seven (7) years regarding successful and timely **design and construction of Diaphragm Wall Construction Pit.**

3.4. At least four (4) references within the last ten (10) years regarding successfully and timely delivered **Design Analysis for ASME Class 2 and Class 3 Piping** (including piping and support design of at least 7 supports) on European or US Nuclear Power Plants per applicable US standards and requirements.

3.5. At least two (2) references within the last ten (10) years regarding successfully and timely delivered **Design Analysis for Class 1E Electrical Equipment** (including design and sizing of **at least one** motor control center, electrical protection calculation, cable and cable raceway sizing towards power loads (MOV, Pump motors, etc) on European or US Nuclear Power Plants.

- 3.6. At least one (1) reference within the last ten (10) years regarding successfully and timely delivered **Construction of Seismic Category I Buildings with PGA greater than 0,3g** on European or US Nuclear Power Plants.
- 3.7. At least two (2) references within the last ten (10) years regarding successfully and timely delivered **Installation of ASME Class 2 and Class 3 Piping** (including piping and support design of at least 7 supports) on European or US Nuclear Power Plants.
- 3.8. At least two (2) references within the last ten (10) years regarding successfully and timely delivered **Installation of Class 1E Electrical Equipment** (including installation of at **least one** motor control center, cable and cable raceway towards power loads (MOV, Pump motors, etc.) on European or US Nuclear Power Plants.
- 3.9. At least one (1) reference within the last ten years for each of the **offered Major Equipment from Attachment 5.9** successfully installed at (or ordered by) Nuclear Power Plant Krško and/or at other nuclear power plants of PWR design in EU countries or USA. If installed anywhere else it shall be designed in accordance of US standards (ASME, IEEE).
4. Fulfillment of *Personnel Capabilities requirements* as stated in Attachment No.10  
For the personnel mentioned in Attachment No. 10 the CVs have to be provided with the Bid.
5. Bidder's Statement of Familiarity with NEK Procedures as requested in Attachment No. 11.

The Bidder Declaration of Eligibility as per item 1. above must be filled in by Bidder, and in case of Joint Venture, by all partners in a common Bid.

The conditions as per item 4. above shall be met by Bidder and/or its subcontractor(s). If the Bidder has fulfilled the reference condition with a subcontractor, Purchaser will not allow the exchange of such subcontractor, unless the Bidder shall provide another subcontractor that meets the reference condition.

The Purchaser reserves the right to verify the statements and request additional evidence (eg.: contract with the investor or an employer statement, proof of payment, ...) for the reference or check the reference directly with investor.

## 23 SUBCONTRACTORS

The Bidder may execute the public tender/bidding alone or partly or completely using subcontractors fulfilling requirements declared herein, as well as declared in the Technical Specification.

In case the Bidder should engage subcontractors for part of the Scope of Services and Delivery, the Bidder shall consider Article 94 of ZJN-3.

For each subcontractor the Bidder and subcontractor shall fill in the Attachment No.4.

The Bidder must submit, for each subcontractor, the following relevant data:

- part of the public contract assumed by individual subcontractor in the scope of the public contract;
- part of the public contract assumed by the lead Bidder in the scope of the public contract;
- contact persons and legal representatives of the proposed subcontractors
- **subcontractor's statement of request to the Purchaser to directly settle the subcontractor's receivables due or not** from the lead contractor, instead of the latter
- the Bidder's authorization to the Purchaser to make payments to the subcontractors for the services provided directly, based on the approved invoice or specification.

Contractor/Bidder and subcontractors shall authorize the Purchaser to make payment instead of the Contractor/Bidder directly to the subcontractors if he requests the direct payment. The terms of payment to Bidder and his subcontractors shall be the same. Direct payments to subcontractors are obligatory according to ZJN-3 if they are requested by the subcontractor.

The Bidder is fully responsible for the fulfillment of the complete Scope of Services and Delivery.

If a subcontractor is replaced after the public contract is awarded or if the Bidder concludes a contract with a new subcontractor after the public contract award, the Bidder that concluded the Contract with the Purchaser must submit to the latter, within 5 days of change:

- the statement that all non-disputed liabilities have been settled to the original subcontractor;
- contact persons and legal representatives of the new proposed subcontractors;
- **subcontractor's statement of request to the Purchaser to directly settle or not** the subcontractor's receivables due from the lead contractor, instead of the latter

The Purchaser reserves the right and has to eliminate the new subcontractors if there are reasons (reasons are the same as for the Bidder) for elimination stated in this Bidding Documentation and shall inform the Contractor about the elimination in 10 days following the submitted proposal of a new subcontractor.

The Purchaser shall pay directly the subcontractor based on the Contractor's authorization for direct payment with subcontractor's consent (Att.4) and subcontractor's invoices enclosed to Contractor's invoices.

If the subcontractor does not request direct payment, Contractor and subcontractor must provide the Purchaser with a statement signed by both Contractor and subcontractor confirming that the subcontractor has received payment for his part of the provided services and/or goods. The statement must be provided to the Purchaser within 60 days after the Contractor has issued the final invoice to the Purchaser.

## **24 THE BID OF A GROUP OF LEGAL BUSINESS ENTITIES (JOINT VENTURE)**

In the case that a group of business entities should Bid together as one entity (joint venture), each entity shall fulfill the conditions regarding basic capabilities demanded by Purchaser (declaration of eligibility, compliance with the Bidding documentation, compliance with the technical specification for its part of scope). Economic, financial, technical and staff capabilities may be fulfilled by all Bidders together.

Bid shall contain data demanded by the Purchaser regarding the basic capabilities of each entity separately.

The rest of the attachments shall be fulfilled by all Bidders together.

The legal act on joint action must be submitted (signed and stamped contract between all partners) by all Bidders, clearly specifying the following:

- appointment of the lead Bidder (also core partner) in the implementation of public contract,
- authorization of the lead Bidder (also core partner) and the person in charge for signing the Bid and the contract,
- scope of work (detailed specification of type and scope of works) to be performed by individual Bidders and their responsibilities,
- statement that all Bidders participating in the joint Bid have been acquainted with the Instructions to Bidders and the Bidding conditions and criteria for awarding public contracts and that they fully agree with them,
- statement that all Bidders have been informed of the payment conditions from the Bidding documentation, and
- unlimited joint and several liability of all the Bidders in the joint Bid.

The Contract shall define the core partner that shall be authorized for signing the complete Bid Documentation, Contract and for taking full responsibility and accepting instructions in the name and for the account of each and all business partners.

Data on the type of work to be provided by the partner, on the partner name, full address, registration number, tax number, and transaction account, subject, amount, value, place and time of implementation of these works are an important element of the contract on the implementation of public contract.

In the Contract the core partner shall authorize the Purchaser to pay directly to partners all the invoices previously authorized for payment by the core partner. Contractor/Bidder and partners shall authorize the Purchaser to make payment instead of the

Contractor/Bidder directly to the partners. The terms of payment to Bidder and his partners shall be the same.

Lead Bidder shall invoice the whole amount and then in the text clearly state the amount of Partners in JV separately and enclose invoices of the partners, addressed to the lead partner, to be paid directly by the Purchaser.

## **E. INTEGRAL PARTS OF THE BID**

In order to be accepted as complete and valid, the Bids submitted by the Bidder must have the following attachments (signed, stamped and completed) and forms:

- Attachment No.1 **BID FORM**
- Attachment No.2 **BIDDER DECLARATION OF ELIGIBILITY**
- Attachment No.3 **BIDDER'S STATEMENT OF ACCEPTANCE OF CONDITIONS FROM THE PURCHASER'S BIDDING DOCUMENTATION**
- Attachment No.4 **SUBCONTRACTOR'S DATA AND BIDDER'S CONSENT FOR DIRECT PAYMENT (in case there are any subcontractors and they request direct payment)**
- Attachment No.5 **PROJECTS PERFORMED BY THE BIDDER AS CONTRACTOR IN THE PAST YEARS- REFERENCES (Attachments No. 5.1 thru No.5.9)**
- Attachment No.6 **STATEMENT THAT THE BIDDER SHALL MEET TECHNICAL AND OTHER REQUIREMENTS FROM TECHNICAL SPECIFICATION**
- Attachment No.7 **CONFIDENTIALITY STATEMENT**
- Attachment No.8 **STATEMENT OF QUALITY MANAGEMENT SYSTEM (for Bidder; group of bidders)**
- Attachment No.9 **LETTER OF AUTHORITY FOR THE BIDDER'S PARTICIPANT AT THE BIDS OPENING**
- Attachment No.10 **PERSONNEL CAPABILITIES**
- Attachment No.11 **STATEMENT OF FAMILIARITY WITH NEK PROCEDURES**
- Attachment No.12 **BIDDER'S DECLARATION – WARRANTED PERFORMANCE DATA**
- Attachment No.13 **DRAFT CONTRACT (with completed blank fields; for procedures including negotiations it does not have to be signed and stamped)**
- Attachment No.14 **DOCUMENTS REQUESTED PER SP- ES5115, REV.0**





## Chapter 2

### DRAFT CONTRACT

Draft Contract is enclosed hereto, represents the integral part of the Bidding Documentation and must be filled in on empty spaces. Any inserts or deletions of the Contract's wording must be marked in Track change mode.



## Chapter 3

# TECHNICAL SPECIFICATION

Technical Specification is enclosed hereto and represents the integral part of the Bidding Documentation.



## Chapter 4

### BID FORM

Bid is enclosed hereto as attachment and represents the integral part of the Bidding Documentation.



## Chapter 5

# VERIFICATION FORMS FOR BIDDER'S QUALIFICATION AND CAPABILITIES

The Bidders must submit proofs for their qualification and capability to perform the Scope of Services and Delivery offered in the Bid. The proofs shall substantiate the capability and qualification of the Bidder and its offered subcontractors (if applicable) to successfully perform the Scope of Services and Delivery under the Contract.

Therefore, the Bidder shall submit the following verification documents for the Bidder and also for its subcontractor (s) (if any) as listed in the forms below:

## BID FORM

Bid No. ....

For: NEK SAFETY UPGRADE PROJECT – PHASE 3, BB2 Project – Engineering, Design and Construction

Bidder Name and Address:.....

Company Account No and swift code:.....

Tax No.:.....

Representative.....email: .....

Date .....

1. Hereby we're informing you that we have reviewed the Bidding Documentation (Technical Specification, Instructions to Bidders) and are ready to accept all the conditions from the above documents and execute the works under the Contract for NEK SAFETY UPGRADE PROJECT – PHASE 3, BB2 Project – Engineering, Design and Construction at the

**Fixed and Firm Total Price:**

(EUR or USD) .....

(in words: EUR/or USD .....) )

+ (VAT )..... %

2. PRICE BREAKDOWN TABLE of the above Total Fixed Price:

<i>Item</i>	<i>Scope of Services and Delivery</i>	<i>Fixed price / € (excl. VAT) EU origin</i>	<i>Fixed price /€ or \$ (excl. VAT) non EU origin</i>
1	Engineering & Licensing		
2	Design Total		
	Documentation per ZGO (IDZ, PGD, PZI, PID)		
	Documentation per NEK ESP procedures (DMP)		

<b>3</b>	<b>Procurement &amp; Manufacturing</b>		
	a) Major Equipment as per below tables a) <i>List of Supply of Major Equipment &amp; Prices Proposed by Bidder as the Best Scope of Supply- Subset of Major Equipment Option I or Option II (including recommended spare parts)</i>		
	b) Bidder's mark-up on supplier's prices as per item a) above		
	c) Miscellaneous Hardware including installation costs as per below tables b) <i>List of Supply of Miscellaneous Hardware including installation costs &amp; contingency costs</i>		
<b>4</b>	<b>BB2 Construction Pit (excavation preparation)</b>		
<b>5</b>	<b>BB2 Construction (1024-BS-L)</b>		
<b>6</b>	<b>Installation &amp; Commissioning</b>		
	<b>1005-SI-L modification</b>		
	<b>1010-AF-L modification</b>		
	<b>1030-EE-L modification</b>		
<b>7</b>	<b>Preparation of Turn-over packages and Project closure</b>		
<b>8</b>	<b>Other services:</b> ..... ..... .....	..... ..... .....	..... ..... .....
	<b>TOTAL Fixed and Firm Price that includes Best Option for Major Equipment suggested by Bidder</b>		

Subset of Major Equipment Option I (either this option or option II below shall be included in Table above - 2.PRICE BREAKDOWN TABLE of the above Total Fixed Price):

<b>Equipment</b>	<b>Manufacturer</b>	<b>Quantity</b>	<b>Total Fixed Price</b>
Alternate Safety Injection Pump (ASME Class 3 centrifugal pump; design pressure greater than 140 bar)			
Motor Operated Isolation Valve (ASME Class 2; greater than 2")			
ABWT and ACYT Tanks (ASME Class 3, Stainless Steel, Volume min 300 m <sup>3</sup> )			
Piping Containment Penetration Module (Nuclear Safety Related)			

Alternate Auxiliary Feedwater Pump (ASME Class 3 centrifugal pump; design pressure greater than 100 bar)			
HVAC VA system (safety related)			
Well Pump			
Motor Control Center (Class 1E)			
125 VDC Panel (Class 1E)			
	/	Percentage (%)	Total (EUR)
Bidders Markup on above listed equipment			

Subset of Major Equipment Option II (either this option or option II below shall be included in Table above - 2.PRICE BREAKDOWN TABLE of the above Total Fixed Price):

<b>Equipment</b>	<b>Manufacturer</b>	<b>Quantity</b>	<b>Total Fixed Price</b>
Alternate Safety Injection Pump (ASME Class 3 centrifugal pump; design pressure greater than 140 bar)			
Motor Operated Isolation Valve (ASME Class 2; greater than 2")			
ABWT and ACYT Tanks (ASME Class 3, Stainless Steel, Volume min 300 m <sup>3</sup> )			
Piping Containment Penetration Module (Nuclear Safety Related)			
Alternate Auxiliary Feedwater Pump (ASME Class 3 centrifugal pump; design pressure greater than 100 bar)			
HVAC VA system (safety related)			
Well Pump			
Motor Control Center (Class 1E)			
125 VDC Panel (Class 1E)			
	/	Percentage (%)	Total (EUR)
Bidders Markup on above listed equipment			

a) **List of Supply of Major Equipment & Prices Proposed by Bidder as the Best Scope of Supply**

<b>Modification: 1005-SI-L</b>			
<b>Equipment</b>	<b>QTY</b>	<b>Unit Price [€]</b>	<b>Sub-Total [€]</b>
Alternate Safety Injection Pump	1		
ASI Boric Acid Batching Tank	1		
ASI Boric Acid Batching Tank Mixer	1		
Motor Operated Isolation Valve, Safety Class 2	1		
Alternate Borated Water Tank Nuclear Safety Class 3	1		
Piping Containment Penetration Module	1		
Recommended Spare Parts (list to be provided)	1		
		<b>TOTAL</b>	

<b>Modification: 1010-AF-L</b>			
<b>Equipment</b>	<b>QTY</b>	<b>Unit Price [€]</b>	<b>Sub-Total [€]</b>
Alternate AFW PUMP	1		
Motor Operated Isolation Valve, Safety Class 3	2		
Alternate Demineralized Water Tank Nuclear Safety Class 3, Nominal Internal Volume	1		
Piping Containment Penetration Module	2		
Recommended Spare Parts (list to be provided)	1		
		<b>TOTAL</b>	

<b>Modification: 1024-BS-L</b>			
<b>Equipment</b>		<b>Unit Price [€]</b>	<b>Sub-Total [€]</b>
Well Pump	1		
Sump Pump	2		
Electric Heaters	6		
Lighting	1 set		
HVAC VA system	1 set		
Hoist cranes for installation and maintenance of ASI and AAF Pumps	2		
Doors	1 set		
Recommended Spare Parts (list to be provided by the Contractor)	1 set		
		<b>TOTAL</b>	



Modification: 1030-EE-L			
Equipment	QTY	Unit Price [€]	Sub-Total [€]
Motor Control Center 1E	1		
Lighting Distribution Panels	2		
125 VDC Panel	1		
Recommended Spare Parts (list to be provided)	1		

b) **List of Supply of Miscellaneous Hardware including installation costs & contingency costs**

Modification: 1005-SI-L				
Equipment	Unit	Installation Cost per [€/Unit]	Estimated Quantity	Sub-Total [€]
Class 2 piping (Category 2501):				
4"	m			
6"	m			
Class 3 piping (Category 2501):				
3"	m			
4"	m			
6"	m			
Class 3 piping (Category 151):				
8"	m			
NNS Piping (Category 150)				
2"	m			
3"	m			
Pipe Supports				
Large support (>4" pipe)	piece			
Small support (≤4" pipe)	piece			
Welding Fittings				
Elbows: 90° 45°	piece			
Bends	piece			
Tie-in connections:	piece			
Reducers:	piece			
Other equipment:				
Level indicators	piece			
Level transmitters	piece			
Temperature indicators	piece			
Flow indicators	piece			
Flow transmitters	piece			
Pressure indicators	piece			
Pressure transmitters	piece			
Vent valve	piece			
Drain valve	piece			
Check valve	piece			
Manual Isolation valve	piece			
Piping Containment Penetration	piece			
Other Installation Costs	pc			
Contingency material and installation costs				
			TOTAL (fixed and firm price)	

Modification: 1010-AF-L				
Equipment	Unit	Installation Cost per [€/Unit]	Estimated Quantity	Sub-Total [€]
Class 2 piping (Category 1501):				
3"	m			
Class 3 piping (Category 1501):				
4"	m			
1" (drains, vents)	m			
Class 3 piping (Category 151):				
6"	m			
Class 2 piping (Category 1501)				
3"	m			
1"(drains, vents)	m			
Pipe Supports				
Large support (>4" pipe)	piece			
Small support (≤4" pipe)	piece			
Welding Fittings				
Elbows:	piece			
90°				
45°				
Bends	piece			
Tie-in connections:	piece			
Reducers:	piece			
Other equipment:				
Level indicators	piece			
Level transmitters	piece			
Temperature indicators	piece			
Flow indicators	piece			
Flow transmitters	piece			
Pressure indicators	piece			
Pressure transmitters	piece			
Vent valve	piece			
Drain valve	piece			
Check valve	piece			
Manual Isolation valve	piece			
Piping Containment Penetration	piece			
Other Installation Costs	pc			
Contingency material and installation costs				
			TOTAL (fixed and firm price)	

Modification: 1024-BS-L				
Equipment	Unit	Installation Cost per [€/Unit]	Estimated Quantity	Sub-Total [€]
Pipe 4" HDPE	m			
Pipe 4" (Category 150)	m			
Large support (>4" pipe)	pc			
Small support (≤4" pipe)	pc			
Fire Detection	pc			
Fire Suppression	pc			
Freeze Shield Piping Insulation	m			
Other Installation Costs	pc			
Contingency material and installation costs				
			TOTAL (fixed and firm price)	

Modification: 1030-EE-L				
Equipment	Unit	Installation Cost per [€/Unit]	Estimated Quantity	Sub-Total [€]
Cable Trays	m			
Other Installation Costs	pc			
Contingency material and installation costs				
			TOTAL (fixed and firm price)	

Total Fixed and Firm Price for the subject of the public procurement should be indicated in the Bid, provided that the above PRICE BREAKDOWN TABLE should be filled in too, in order to enable Purchaser to make quality Bid evaluation. The items of the calculation with price "0", N/A or "/" shall be considered as already included in the total Bid Price. If the price is not filled in, the Bid will be disqualified.

3. In case of Purchaser's acceptance of our Bid, we are ready to start the works under the Contract and complete them all in accordance with the schedule proposed in the Bidding Documentation.
4. We agree that the Bid is binding for us 120 days from the date of the Bids Opening and that it can be accepted by the Purchaser any time within the 120 days' period.

Place and date:

Stamp:

Bidder's signature:

**BIDDER DECLARATION OF ELIGIBILITY**

Project: **NEK SAFETY UPGRADE PROJECT – PHASE 3, BB2 Project – Engineering, Design and Construction**

We .....  
.....  
.....

**HEREBY DECLARE**

Under criminal and material responsibility,

1. We are registered by public agency or the relevant court for the field of activity that is subject of this public procurement.
2. We and our subcontractors comply with ZVISJV for the scope of contractual work.
3. We are not the subject of initiated compulsory settlement, bankruptcy or liquidation proceedings or other procedure that may result in or which purpose is the winding up of operation; and whatever other procedure similar to procedures stated above in accordance with the regulations of the country of our origin.
4. That our law does not forbid us to sign the Contract.
5. We are not a Bidder with negative reference from paragraph 4 of the Article 75 point a of ZJN-3.
6. We are not in mutual dispute that could affect our capability to fulfill the Contract awarded under this public procurement procedure.
7. We have qualified and experienced staff and proper technical equipment for the Scope of Services and Delivery completion.
8. We will follow and fulfill all Quality Assurance requirements requested in the TS SP-ES5115, Rev. 0.  
Our Quality Management System is described in the document .....  
(document ID, title, revision number)
9. We shall meet all key time requirements as specified in section 10 of NEK Technical Specification SP-ES5115 Rev. 0.
10. Income of our company for the last five (5) years is more than forty (40) million EUR per year.

Place and date:

Stamp:

Bidder's Signature:

**BIDDER'S STATEMENT OF ACCEPTANCE OF CONDITIONS FROM THE PURCHASER'S  
BIDDING DOCUMENTATION**

Company: \_\_\_\_\_

Bidder Address: \_\_\_\_\_

**STATEMENT OF ACCEPTANCE**

by means of which we hereby declare that we meet the conditions as defined in  
Article 22 of the Purchaser's Bidding Documentation for:

**NEK SAFETY UPGRADE PROJECT – PHASE 3  
BB2 Project – Engineering, Design and Construction**

Place and date:

Stamp:

Bidder's signature:

Attachment No.4

**SUBCONTRACTOR'S DATA AND BIDDER'S CONSENT FOR DIRECT PAYMENT (in case there are any subcontractors and they request direct payment)**

Bidder.....  
.....

We declare that we will engage below stated subcontractor for the part of the Scope of Services and Delivery under the Contract for

.....  
Name and head office: .....

TAX number: .....

Registration number: .....

IBAN: .....

Statutory representative: .....

Scope of services and delivery to be performed by subcontractor:

.....  
Value of the services and delivery to be performed by subcontractor:

.....without VAT..... with VAT

Place of performance of work:

.....  
Deadline for performance of work:

.....  
We declare to be engaged in above stated Scope of Services and Delivery performance as the subcontractor to the Contractor.

We, the Subcontractor agree to be paid as follows (please encircle your option):

1. We request to be paid directly by Purchaser at our account number, for our part of performed scope of Services and Delivery based on the invoice approved by the Contractor.
2. We do not request to be paid directly by Purchaser and therefore we declare that we are informed that no later than 60 days after signing the hand over protocol we and the Contractor need to submit the Statement to NEK that we have been reimbursed for the performed services, delivery and/or civil works.

With signature of this statement we declare the fulfillment of the following conditions:

- subcontractor fulfills all the conditions requested with this Bidding documentation for his part of the work, delivery or civil works.

We authorize the Purchaser to acquire the necessary data for this public procurement process, which will confirm the fulfillment of the above conditions.

Place and date:

Stamp:

Bidder's signature:

Subcontractor's signature:

**PROJECTS PERFORMED BY THE BIDDER AS CONTRACTOR IN THE PAST YEARS-  
REFERENCES**

1. At least one (1) reference within the last ten (10) years of the main contractor or the leading partner of joint venture regarding **successful coordination and execution of the multidisciplinary project in nuclear industry of more than forty (40) million EUR value.**

No	Service Name and Description	Contract Value	Year	Investor, Purchaser	We have performed the reference work as (A, or B)
1					
2					
3					
4					

We have performed the reference work as:

- A. as the only contractor
- B. as a leading partner of joint venture

The Purchaser reserves the right to request additional confirmation of all the references, including the statement by the Purchaser of the services and supplies.

Place and date:

Stamp:

Bidder's signature:



**PROJECTS PERFORMED BY THE BIDDER AS CONTRACTOR IN THE PAST YEARS-  
REFERENCES**

2. At least one (1) reference within the last ten (10) years regarding successfully and timely delivered **Design Analysis for Seismic Category I Buildings with PGA greater than 0,3g** on European or US Nuclear Power Plants per US applicable standards and requirements as per Attachment 22.6 of Technical Specification SP-ES5115, Rev. 0

*NOTE: It is considered that the above listed required conditions for Bid acceptance have been met if the Bidder or member of joint venture or its subcontractor executed 100% of the relevant contractual scope as defined below.*

No	Service Name and Description	Contract Value	Year	Investor, Purchaser	We have performed the reference work as(A, B or C)
1					
2					
3					
4					

We have performed the reference work as:

- A. as the only contractor
- B. as a member of joint venture
- C. as a subcontractor executing

The Purchaser reserves the right to request additional confirmation of all the references, including the statement by the Purchaser of the services and supplies.

Place and date:

Stamp:

Bidder's signature:

**PROJECTS PERFORMED BY THE BIDDER AS CONTRACTOR IN THE PAST YEARS-  
REFERENCES**

3. At least two (2) references within the last seven (7) years regarding successful and timely **design and construction** of **Diaphragm Wall Construction Pit**.

*NOTE: It is considered that the above listed required conditions for Bid acceptance have been met if the Bidder or member of joint venture or its subcontractor executed 100% of the relevant contractual scope as defined below.*

No	Service Name and Description	Contract Value	Year	Investor, Purchaser	We have performed the reference work as(A, B or C)
1					
2					
3					
4					

We have performed the reference work as:

- A. as the only contractor
- B. as a member of joint venture
- C. as a subcontractor executing

The Purchaser reserves the right to request additional confirmation of all the references, including the statement by the Purchaser of the services and supplies.

Place and date:

Stamp:

Bidder's signature:

**PROJECTS PERFORMED BY THE BIDDER AS CONTRACTOR IN THE PAST YEARS-  
REFERENCES**

4. At least four (4) references within the last ten (10) years regarding successfully and timely delivered **Design Analysis for ASME Class 2 and Class 3 Piping** (including piping and support design of at least 7 supports) on European or US Nuclear Power Plants per applicable US standards and requirements.

*NOTE: It is considered that the above listed required conditions for Bid acceptance have been met if the Bidder or member of joint venture or its subcontractor executed 100% of the relevant contractual scope as defined below.*

No	Service Name and Description	Contract Value	Year	Investor, Purchaser	We have performed the reference work as(A, B or C)
1					
2					
3					
4					

We have performed the reference work as:

- A. as the only contractor
- B. as a member of joint venture
- C. as a subcontractor executing

The Purchaser reserves the right to request additional confirmation of all the references, including the statement by the Purchaser of the services and supplies.

Place and date:

Stamp:

Bidder's signature:

**PROJECTS PERFORMED BY THE BIDDER AS CONTRACTOR IN THE PAST YEARS-  
REFERENCES**

5. At least two (2) references within the last ten (10) years regarding successfully and timely delivered **Design Analysis for Class 1E Electrical Equipment** (including design and sizing of **at least one** motor control center, electrical protection calculation, cable and cable raceway sizing towards power loads (MOV, Pump motors, etc.) on European or US Nuclear Power Plants.

*NOTE: It is considered that the above listed required conditions for Bid acceptance have been met if the Bidder or member of joint venture or its subcontractor executed 100% of the relevant contractual scope as defined below.*

No	Service Name and Description	Contract Value	Year	Investor, Purchaser	We have performed the reference work as(A, B or C)
1					
2					
3					
4					

We have performed the reference work as:

- A. as the only contractor
- B. as a member of joint venture
- C. as a subcontractor executing \_\_\_% of total contractual work

The Purchaser reserves the right to request additional confirmation of all the references, including the statement by the Purchaser of the services and supplies.

Place and date:

Stamp:

Bidder's signature:

**PROJECTS PERFORMED BY THE BIDDER AS CONTRACTOR IN THE PAST YEARS-  
REFERENCES**

6. At least one (1) reference within the last ten (10) years regarding successfully and timely delivered **Construction of Seismic Category I Buildings with PGA greater than 0,3g** on European or US Nuclear Power Plants.

*NOTE: It is considered that the above listed required conditions for Bid acceptance have been met if the Bidder or member of joint venture or its subcontractor executed 100% of the relevant contractual scope as defined below.*

No	Service Name and Description	Contract Value	Year	Investor, Purchaser	We have performed the reference work as(A, B or C)
1					
2					
3					
4					

We have performed the reference work as:

- A. as the only contractor
- B. as a member of joint venture
- C. as a subcontractor

The Purchaser reserves the right to request additional confirmation of all the references, including the statement by the Purchaser of the services and supplies.

Place and date:

Stamp:

Bidder's signature:

**PROJECTS PERFORMED BY THE BIDDER AS CONTRACTOR IN THE PAST YEARS-  
REFERENCES**

7. At least two (2) references within the last ten (10) years regarding successfully and timely delivered **Installation of ASME Class 2 and Class 3 Piping** (including piping and support design of at least 7 supports) on European or US Nuclear Power Plants.

*NOTE: It is considered that the above listed required conditions for Bid acceptance have been met if the Bidder or member of joint venture or its subcontractor executed 100% of the relevant contractual scope as defined below.*

No	Service Name and Description	Contract Value	Year	Investor, Purchaser	We have performed the reference work as(A, B or C)
1					
2					
3					
4					

We have performed the reference work as:

- A. as the only contractor
- B. as a member of joint venture
- C. as a subcontractor

The Purchaser reserves the right to request additional confirmation of all the references, including the statement by the Purchaser of the services and supplies.

Place and date:

Stamp:

Bidder's signature:

**PROJECTS PERFORMED BY THE BIDDER AS CONTRACTOR IN THE PAST YEARS-  
REFERENCES**

8. At least two (2) references within the last ten (10) years regarding successfully and timely delivered **Installation of Class 1E Electrical Equipment** (including installation of at **least one** motor control center, cable and cable raceway towards power loads (MOV, Pump motors, etc) on European or US Nuclear Power Plants.

*NOTE: It is considered that the above listed required conditions for Bid acceptance have been met if the Bidder or member of joint venture or its subcontractor executed 100% of the relevant contractual scope as defined below.*

No	Service Name and Description	Contract Value	Year	Investor, Purchaser	We have performed the reference work as(A, B or C)
1					
2					
3					
4					

We have performed the reference work as:

- A. as the only contractor
- B. as a member of joint venture
- C. as a subcontractor

The Purchaser reserves the right to request additional confirmation of all the references, including the statement by the Purchaser of the services and supplies.

Place and date:

Stamp:

Bidder's signature:

**PROJECTS PERFORMED BY THE BIDDER AS CONTRACTOR IN THE PAST YEARS-  
REFERENCES**

9. At least one (1) reference within the last ten years for each of the **offered Major Equipment from the below table** successfully installed at (or ordered by) Nuclear Power Plant Krško and/or at other nuclear power plants of PWR design in EU countries or USA. If installed anywhere else it shall be designed in accordance of US standards (ASME, IEEE).

<b>Equipment</b>	<b>Reference Name and Description</b>	<b>Contract Value</b>	<b>Year</b>	<b>We have performed referenced work as (A, B or C)</b>
Alternate Safety Injection Pump (ASME Class 3 centrifugal pump; design pressure greater than 140 bar)				
Motor Operated Isolation Valve (ASME Class 2; greater than 2")				
ABWT and ACYT Tanks (ASME Class 3, Stainless Steel, Volume min 300 m <sup>3</sup> )				
Piping Containment Penetration Module (Nuclear Safety Related)				
Alternate Auxiliary Feedwater Pump (ASME Class 3 centrifugal pump; design pressure greater than 100 bar)				
HVAC VA system (safety related)				
Well Pump				
Motor Control Center (Class 1E)				
125 VDC Panel (Class 1E)				

We have performed the reference work as:

- A. as the only contractor
- B. as a member of joint venture
- C. as a subcontractor

The Purchaser reserves the right to request additional confirmation of all the references, including the statement by the Purchaser of the services and supplies.

Place and date:

Stamp:

Bidder's signature:



**STATEMENT THAT THE BIDDER SHALL MEET TECHNICAL AND OTHER REQUIREMENTS  
FROM TECHNICAL SPECIFICATION**

Bidder.....  
.....  
.....

Under criminal and material responsibility,

HEREBY DECLARES,

that we shall meet the technical and all other requirements as specified in NEK Technical Specification No. SP-ES5115, Rev.0 for:

**NEK SAFETY UPGRADE PROJECT – PHASE 3,  
BB2 Project – Engineering, Design and Construction**

Place and date:  
\_\_\_\_\_

Stamp:

Bidder’s signature:  
\_\_\_\_\_

**CONFIDENTIALITY STATEMENT**

On the basis of Articles 39 and 40 of the Law on Commercial Companies (Official Gazette of the Republic of Slovenia Nos. 30/93, 29/94, 82/94 and 20/98) this document (saved on disks, CD ROM's, etc...) is the property of, and contains proprietary information of, Krško Nuclear Power Plant.

It is submitted in confidence and is to be used solely for the purpose for which it is furnished and returned upon request.

This document (and all its respective attachments) is delivered on condition that it is used exclusively to fulfill the responsibility to Nuclear Power Plant Krško and it shall not be reproduced, transmitted, disclosed or used otherwise in whole or in part without prior written consent of the Nuclear Power Plant Krško.

Place and Date:

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Stamp:

Bidder's Signature:

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Purchaser Signature:

---

STATEMENT OF QUALITY MANAGEMENT SYSTEM (for Bidder; group of bidders)
---

**Project : NEK SAFETY UPGRADE PROJECT – PHASE 3, BB2 Project – Engineering, Design and Construction**

**Purchaser: Nuklearna elektrarna Krško**

**Bidder:**

\_\_\_\_\_

\_\_\_\_\_

Bidder states that his company has established and implemented an efficient quality management system, which complies with international standards.

(Please mark)

- ☐ ISO 9001
- ☐ ISO 17025
- ☐ 10 CFR 50 App. B
- ☐ 10 CFR 21
- ☐ ASME III NCA-4000; NCA-3800
- ☐ ASME NQA-1
- ☐ ANSI N45.2
- ☐ \_\_\_\_\_

(If the Bidder has not established and implemented a quality management system complying with the required standards, the Bidder must attach a comparative analysis and an explanation.)

The Bidder will satisfy quality requirements of QS-610, rev.1.

**Note: Bid must include copies of quality certificates and a valid revision of quality management system manual.**

**Signature:** \_\_\_\_\_  
*(Person authorized, in bidder's name)*

**Place and date:** \_\_\_\_\_

**Bidder's stamp:**

**LETTER OF AUTHORITY FOR THE BIDDER'S PARTICIPANT AT THE BIDS OPENING**

No:

Place and date:

**BIDDER:** \_\_\_\_\_

\_\_\_\_\_  
(Name and head office of the company)

Represented by

**AUTHORIZED REPRESENTATIVE:** \_\_\_\_\_

\_\_\_\_\_  
(Name and head office of representative)

With this letter of authority, we authorize our representative to:

1. Represent the Bidder at the Bids' Opening and to give remark to the work of technical commission, to procedure of public procurement or the content of the meeting minutes
2. To sign the meeting minutes of Bids' Opening

This authorization refers to Bids' Opening for:

**NEK SAFETY UPGRADE PROJECT – PHASE 3, BB2 Project – Engineering, Design and  
Construction**

Place and Date:

Stamp:

Bidder's Signature:

\_\_\_\_\_

\_\_\_\_\_

## PERSONNEL CAPABILITIES

We confirm that the following specialists for the areas below will be engaged within the Scope of Services and Delivery under the Project: NEK SAFETY UPGRADE PROJECT – PHASE 3, BB2 Project – Engineering, Design and Construction

<i>Item</i>	<i>Specialist Area</i>	<i>Specialist Full Name</i>	<i>Name of the Company</i>	<i>Reference Project (as per Att. 5.1 to 5.9)</i>
a)	Responsible <b>Project Manager</b> who has successfully conducted at least one (1) project similar to NEK BB2 Project and who successfully coordinated and executed the multidisciplinary project of more than forty (40) million EUR value.			
b)	Responsible <b>Project Designer for Electrical</b> Part who has successfully designed at least two (2) confirmed references within the last ten (10) years regarding successful and timely delivered Design Analysis for Class 1E Electrical Equipment.			
c)	Responsible <b>Project Designer for Mechanical</b> Part who has successfully designed at least four (4) confirmed references within the last ten (10) years regarding successfully and timely delivered Design Analysis for ASME Class 2 and Class 3 Piping.			
d)	Responsible <b>Project Designer for Civil Scope</b> who has successfully designed at least one (1) confirmed reference within the last ten (10) years regarding successfully and timely delivered design analysis for Seismic Category I Deeply Embedded Buildings with PGA greater than 0,3g on European or US Nuclear Power Plants per US applicable standards.			

e)	Responsible <b>Project Designer for Civil Scope</b> who has successfully designed at least one (1) confirmed reference within the last ten (10) years regarding successfully and timely delivered design analysis for the construction pit designed as an anchored diaphragm wall with ground water behind the wall and the bottom of the pit more than 10 meters below ground level.			
f)	Responsible <b>Project Installation Manager</b> who fulfill all the criteria in accordance with ZGO-1 (Slovenian Construction Act) at the time of the Bid submittal and who has successfully performed at least two (2) installation scope similar to BB2 Project Installation Scope			
g)	At least <b>6 engineers registered by IZS/ZASP</b> or equivalent chamber in the country of origin of the Bidder/subcontractor			
h)	At least one <b>Registered Professional Engineer (RPE)</b> in accordance with ASME (American Society of Mechanical Engineers)			

Place and date:

Stamp:

Bidder's signature:

\_\_\_\_\_

\_\_\_\_\_

STATEMENT OF FAMILIARITY WITH NEK PROCEDURES
--

Company: \_\_\_\_\_

Bidder Address: \_\_\_\_\_

Project: **NEK SAFETY UPGRADE PROJECT – PHASE 3, BB2 Project – Engineering, Design and Construction**

### STATEMENT

by means of which we hereby, declare that we are familiar with the content of the following NEK procedures as defined in NEK Technical Specification SP-ES5115, Rev. 0, Section 5:

ED-1	NEK Design Modification Control Program
ED-2	NEK Document Control Program
ED-12	Environmental Qualification Program
ED-15	NEK Configuration Control Program
ED-16	Managing Changes that Affect Reactor Core and Nuclear Fuel
ADP-1-1-016	NEK Document Control Program
ADP-1.2.003	Plant Design Modification and Control Process
ESP-2.301	Technical Specification Changes and Licensing Amendments
ESP-2.607	Design Verification
QD-1	Quality Assurance Plan
QS610	Quality Specification - Generic Quality Assurance Program Requirements

Place and date:

Stamp:

Signature of

Authorized Bidder's Representative:

\_\_\_\_\_

\_\_\_\_\_

<b>BIDDER'S DECLARATION - WARRANTED PERFORMANCE DATA</b>
--

Company: \_\_\_\_\_

Bidder Address: \_\_\_\_\_

Project: **NEK SAFETY UPGRADE PROJECT – PHASE 3, BB2 Project – Engineering, Design and Construction**

### DECLARATION

by means of which we hereby, declare that we shall meet the following Performance Data :

- a) ABWT volume is ..... m<sup>3</sup> (to be filled by Bidder)
- b) ACYT volume is ..... m<sup>3</sup> (to be filled by Bidder)
- c) End of BB2 Building construction is T0 + ..... months (to be filled by Bidder)

Place and date:

Stamp:

Signature of  
Authorized Bidder's Representative:

\_\_\_\_\_

\_\_\_\_\_