

NUKLEARNA ELEKTRARNA KRŠKO D.O.O.





NEK

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



BIDDING DOCUMENTATION

No.: 321/2022-8221711

NEGOTIATION PROCEDURE WITH PRIOR NOTIFICATION
in accordance with Article 45 of Public Procurement Act (ZJN-3)

for

DECOMMISSIONING AND TREATMENT OF OLD STEAM GENERATORS

Krško, 24.11.2022

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



INVITATION FOR APPLICATIONS

Nuklearna elektrarna Krško d.o.o., Vrbina 12, 8270 Krško, Slovenia (hereinafter referred to as »NEK«)

and

ARAO – Agency for Radwaste Management, Vrbina 17, 8270 Krško, Slovenia (hereinafter referred to as »ARAO«)

and

Fund for financing the decommissioning of the Krško Nuclear Power Plant and the disposal of Krško NPP radioactive waste and spent nuclear fuel, Ulica Vjekoslava Heinzela 70a, 10000 Zagreb, Croatia, VAT ID HR22388237533 (hereinafter referred to as »FUND«)

(NEK, FUND and ARAO commonly referred to as »Purchaser«)

hereby invite Applicants, to submit their Applications for:

Decommissioning and treatment of old steam generators

in accordance with Public Procurement Act (ZJN-3 Official Gazette of the Republic of Slovenia No. 91/15, 14/18, 121/21, 10/22, 74/22 – odl. US and 100/22 – ZNUZSZS).

For NEK:

Member of the Management Board

Saša Medaković

President of the Management Board

Stanislav Rožman

For ARAO:

Director

Sandi Viršek

For FUND:

Director

Josip Lebegner

Dokument je elektronsko podpisan s strani
SANDI VIRŠEK, ARAO, LJUBLJANA
Izjavitelja: SIGEN-CA G2 (Republika Slovenija)
datum podpisa 24.11.2022



FUND ZA FINANCIRANJE RAZGRANJEVANJA
OSTANJKAVANJA RADIOAKTIVNOG ODPADA
I IZOSTROENOGA NUKLEARNOG GORIVA
NUKLEARNE ELEKTRANE KRŠKO



Nabavna elektrarna Krško, d.o.o.
Vrtna 12 8270 Krško
Slovenija



Chapter 1

INSTRUCTIONS TO APPLICANTS/BIDDERS FOR PREPARATION OF APPLICATIONS/BIDS

A. GENERAL

1 DEFINITION

Applicant is the entity (or group of entities) submitting the Application for bidding qualification.

Bidder is the entity (or group of entities) invited by Purchaser to submit Bid.

2 PURCHASER CONTACT PERSON

The Purchaser are Nuklearna elektrarna Krško d.o.o., Vrbina 12, Krško, Slovenia, ARAO – Agency for Radwaste management, Vrbina 17, 8270 Krško, Slovenia and Fund for financing the decommissioning of the Krško Nuclear Power Plant and the disposal of Krško NPP radioactive waste and spent nuclear fuel, Ulica Vjekoslava Heinzela 70a, 10000 Zagreb, Croatia, while NEK is a Lead Partner who will organize and perform relevant public procurement procedure.

Contact person: Janja Švajger, NEK International Procurement Department
Tel.: + 386 7 48 02 327, e-mail: janja.svajger@nek.si

3 SCOPE OF SERVICES AND DELIVERY

Fully in accordance with NPP Krško Technical Specification SP-ES1420, Rev.1, Applicant/Bidder shall perform the following project:

Decommissioning and treatment of old steam generators.

4 DEADLINE FOR APPLICATIONS

Applicants must submit their Applications to Lead partner Nuklearna elektrarna Krško d.o.o., Vrbina 12, 8270 Krško, Slovenia (NEK) by the date and hour published on the Slovenian Portal of the Public Tenders ("Portal Javnih Naročil"; <http://www.enarocanje.si>)

According to the Public Procurement Act, the Purchaser can accept only electronically submitted Applications. Please follow the instructions for submittal, Article 8.

5 TENDERING PROCEDURE

The selected procedure for this tender is: Negotiation procedure with prior notification.

The procedure includes two phases:

Phase 1: submission of Applications and assessment of Applicants capability

Phase 2: submission of first bids, negotiations and submission of final bids.

5.1 PHASE 1

Potential Applicants, who are interested in this public tender, can submit an Application for participation based on this Bidding Documentation. After receiving the Applications, the Purchaser will evaluate the capability of the Applicants based on the preconditions defined in this Bidding Documentation (Section D.22) and will issue the Decision on Applicants capability.

In the prequalification stage Applicants must define the subcontractor(s) who will perform certain scope segments as they may be the ones who will enable the Applicant to qualify for Bid permissibility (Applicant's capability to perform the project).

5.2 PHASE 2

The Purchaser will invite all the Applicants, whose capability will be acknowledged in the phase 1, to submit their first Bids.

First Bids shall be submitted within 30 days upon the Purchaser's invitation.

The Bids shall include but not be limited to the following: Bid Form (Attachment No. 8), completed Draft Contract.

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

The Purchaser will negotiate all technical and commercial details including Technical Specification, General Terms and Conditions in the Draft Contract and price. All Final Bids shall be given in writing upon the Purchaser's invitation to submit the Final Bids.

After evaluation of the Final Bids based on criteria defined in Section 7, the Purchaser will issue the Decision on Contract Award.

After the Bids opening, the Purchaser will check whether the Bids are permissible. NEK will accept only permissible Bids. All the other Bids will be rejected.

6 PERMISSIBLE BID

Permissible Bid is the Bid that:

- 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
- price-wise does not exceed the Purchaser's funds available for the purchase (valid only for the final Bid).

The Purchaser shall exclude the Bid from a Bidder who:

- exercised major or constant imperfectness, poor performance in executing material obligations when performing previous Contract(s) that led to termination or to any other sanction by the Purchaser such as Claim for Payment of Liquidated Damages or comparable remedies
- submitted red herring data or cannot submit the requested evidences/documents in the Bidding Documentation.

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.

a) Price

70 %

Price score will be calculated based on the following formula:

Price score (rounded to 2 decimal digits) = $\text{Lowest Bid Price} / \text{Bid Price of the Evaluated Bid} \times 70$

b) Transport of SGs from NEK site without cutting and any processing on NEK site

15 %

c) Earlier transport of SGs from NEK site (with or without cutting and any processing on NEK site)

15 %

- Transport of SGs from NEK site at the latest by 20 Dec 2024 0%
- Transport of SGs from NEK site at the latest by 20 Sep 2024 5%
- Transport of SGs from NEK site at the latest by 20 Jun 2024 10%
- Transport of SGs from NEK site at the latest by 01 Mar 2024 15%

8 ELECTRONIC SUBMITTAL OF APPLICATIONS/BIDS

The Applicants/Bidders are required to use the NEK electronic bidding system in preparing Applications/Bids. In order to participate, the Applicants have to obtain a prior registration on the following link: <http://suppliers.nek.si>

The Applications must be submitted electronically by using the direct link provided on Slovenian Portal of the Public tenders ("Portal Javnih naročil"; <http://www.enarocanje.si>), Art I.3., Section „Sporočanje”.

A detailed guide for registration and submitting bids is available on:
<http://suppliers.nek.si>

The Applicants are strongly encouraged to register in advance and to prepare all necessary information and documentation in a timely manner in order to submit the offer on time. To avoid any inconvenience Applicants should check the web application to verify that their Applications has an "active" status.

An Application/Bid will be deemed to have been submitted on time if Purchaser receives it electronically by the Bidding Deadline given in Paragraph 4 above. When an Application/Bid is submitted successfully, the Applicant/Bidder receives an e-confirmation of Application/Bid submittal. After the Application/Bidding Deadline Applications/Bids can no longer be submitted.

The Applicant/Bidder's Bidding Documentation in hardcopy has to be scanned and attached electronically on the provided link (max 30MB). In case of discrepancies between the attached complete Application/Bid with all requested integral parts of the Application/Bid and the data directly loaded into the Purchaser's application, the data from the attached bid will be considered as valid.

The integral parts of the Application/Bid (cf. Chapter E) have to be submitted with filled-out blank fields (ink or pen in plain printed characters or typed and printed), dated, signed and stamped. Draft Contract shall be filled-out in word file and using track change mode. The statements in the documents must correspond with the actual state of facts at the time of the Application submission and must be provable.

9 CLARIFICATIONS OF REQUESTS FROM BIDDING DOCUMENTATION AND CONTACTS

Should potential Applicants require clarifications of the Purchaser's Bidding Documentation, such requests will be forwarded to the Purchaser through the Slovenian Portal of the Public Tenders "Portal javnih naročil" <http://www.enarocanje.si> not later than five (5) days before the deadline for submission of Applications by 1 p.m. at the latest.

The Purchaser shall answer the questions through the same portal site no later than three (3) days before the deadline for submission of Applications.

All answers will be a part of the Bidding Documentation.

The Purchaser reserves the right to modify (change) Bidding Documentation no later than six (6) days before the deadline for Applications submittal either by its own initiative or as a response to the request of potential Bidders. The modifications will be published on the Slovenian website: "Portal javnih naročil" <http://www.enarocanje.si>. Purchaser can extend the Application/Bidding deadline to allow the Applicants/Bidders to consider alterations of their Application/Bid.

10 APPLICATION/BID CHANGES AND WITHDRAWAL OF APPLICATIONS/BIDS

The Applicant/Bidder may withdraw the Application/Bid on the NEK Portal for Suppliers before the deadline for Applications/Bids submittal. The Application/Bid may be supplemented or replaced no later than the deadline for Applications/Bids submittal. In order to supplement or replace an Application/Bid the original Application/Bid has to be withdrawn first. For instructions on how to withdraw, supplement or replace an Application/Bid see NEK Guide for submitting supplier quotation, Section 4, available on: <http://suppliers.nek.si>).

After the expiration of the Application/Bidding deadline the Bidders can no longer change the Applications/Bids submitted, replace or supplement them.

The Applicants are expected to carefully review all the listed documents. Nonfulfillment of Purchaser's requests/conditions from the Bidding Documentation shall disqualify the Applicant from further competition. All Applications must be compliant with the Bidding Documentation and must meet all the conditions for participating in this public tender/bidding.

Bidding Documentation is available to Applicants free of charge.

11 APPLICATIONS/BIDS OPENING

In compliance with the Slovenian Public Procurement Act (ZIN-3) and the provision regarding the public opening of tenders, the information on received Applications/Bids will be accessible electronically to all interested public. Applications/Bids opening will be done in NEK Information System one (1) hour after the Application/Bidding deadline.

Information on all received Applications/Bids will be accessible for viewing for a limited time (2 hours) after the Bids opening through the following link: <https://tinyurl.com/yarkr2lz>. Only the information required by law will be published: Applicant/Bidder's name, alternate options (if required and/or allowed by Purchaser) and total value without VAT (applicable for Bids Opening only). There will be no restrictions for viewing the data. The Applicants/Bidders will receive a pdf. copy of the Minutes of Bids Opening within five (5) days after Application/Bids opening.

12 LAWS AND REGULATIONS

The procedure shall be carried out in full compliance with the applicable legislation. With regard to the subject of the public procurement, the Applicants/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 Decision on public procurement contract award, information related to the review, clarification, evaluation and comparison of the Applications/Bids as well as recommendations for Applicants capability/Bid award shall not be disclosed to the Applicants/Bidders or any other individual, unless specifically required by a relevant procedure.

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

The Purchaser shall decline the Application/Bid if the Applicant/Bidder, who submitted the Application/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 Applicant/Bidder would influence the decision or further course of Applications/Bids evaluation.

If at any time during the process of execution of public procurement 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 Applicant/Bidder participating in the bidding, who maintains that the bidding procedure has not been performed in accordance with the Public Procurement Act (ZJN-3 Official Gazette No. 91/15, 14/18, 121/21, 10/22, 74/22 – odl. US and 100/22 – ZNUZSZS), can request a 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 4,000.00.

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 the publication on the public procurement portal and the last two the year of publication.

B. APPLICATION/BID

15 APPLICATION/BID LANGUAGE

Application/Bid and other relevant documentation related to the Bid should be written in the Slovenian or English language.

16 PRICE AND TERMS OF PAYMENT

In Phase 2 the Bidder shall provide Purchaser with the Total Contract and Price Break down (if requested) for the Scope of Service and Delivery as defined in Bid Form of this Bidding Documentation.

The Bidder shall have no right to the Price(s) increase whatsoever unless revision of Technical Specification occurred affecting the price and was agreed with the Bidder during negotiations. In case of increase/decrease of VAT according to relevant Slovenian Law, net price shall remain the same. Bidder/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 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) and defining a contractual price (fixed and firm), USD will be converted to EUR and fixed using the official Exchange Rate of The Bank of Slovenia on the day of the Bid opening.

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

17 PROPRIETARY INFORMATION

The Applicant/Bidder must mark as "PROPRIETARY" all the documents in the Application/Bid which they consider to be their proprietary data in the upper right corner of each page. If only specific data in the Application/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 Applicant/Bidder 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 Applicant/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. legal requirements to disclose data) are marked as confidential, the Purchaser will ask the Applicant/Bidder to remove the mark CONFIDENTIAL or PROPRIETARY. This will be done by the Applicant/Bidder's representative, namely by indicating "CANCELLATION", dating and signing the note. If the Applicant/Bidder fails to cancel the confidentiality of data within the time limit set by the Purchaser, the latter may remove the marks "PROPRIETARY".

18 APPLICATION/BID VALIDITY

Application/Bid validity date must be clearly specified in the Application/Bid. Application/Bid validity specified in the Application/Bid shall be at least 90 days after the date of Applications/Bids opening.

19 CLARIFICATION OF APPLICATIONS/BIDS

The Purchaser may, by its own choice, ask the Applicants/Bidders for clarifications of their Applications/Bids. Such a request can be forwarded to the Applicants/Bidders until the date of the Purchaser's acknowledgement of the Applicant's capability or in the case of Bids until the Decision on Public Procurement Contract award.

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

The Purchaser reserves the right to ask the Applicant/Bidder to provide additional explanations of the Application/Bid in addition to the reasons from Article 89 in the ZJN-3 in case of any ambiguities in the Application/Bid. The Purchaser shall inform the Applicant/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 Applicant/Bidder fails to provide the requested clarifications and supplements to the Application/Bid within the set deadline, such an Application/ Bid shall be excluded from the process of public procurement.

20 TERMINATION OF PROCEDURE AND WITHDRAWAL FROM THE CONTRACT AWARDING

The Purchaser reserves the right to terminate the procedure for awarding the Contract at any time prior to the deadline for Bid submittal. The Purchaser shall not offer compensation for the costs incurred by the Applicants for compiling the Bidding documentation, of which the Applicant has been informed.

After adopting the Decision on Contract Award, the Purchaser shall have the right not to sign the Contract for the reasons defined in the paragraph 5 and 8 of Article 90 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 select the most competitive Bid and issue a Notification on Contract Award through "Portal javnih naročil".

The Decision on Contract Award will evidence the reasons for Purchaser's selection of the best Bid and the amount to be paid by the Purchaser to the Bidder for the execution of the Contract.

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 shall 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 APPLICANT CAPABILITY

22 GENERAL

Conditions and signed supporting evidences shall be submitted by the Applicants proving that conditions were met.

1. Fulfillment of all requirements listed in the Applicants' Declaration of Eligibility (Attachment No. 2) proven by signing the said document.
2. At least three (3) references regarding decommissioning/treatment of old steam generators successfully performed in the last five (5) years (see Attachment No. 5).

The conditions must be filled in by Applicants and partners in a common Application. The Applicant may reference condition to be met with other entity the Applicant belongs to or subcontractor only to the extent that it will actually take and pass a subcontractor. If the Applicant has fulfilled the reference condition with a subcontractor, Purchaser will not allow the exchange of such subcontractor, unless the Applicant 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 Applicant/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 Applicant/Bidder should engage subcontractors for part of the Scope of Services and Delivery, the Applicant/Bidder shall consider Article 94 of ZJN-3.

For each subcontractor the Applicant and subcontractor shall fill in the Attachment no.4.

The Applicant 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 Applicant 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 Applicant's authorization to the Purchaser to make payments to the subcontractors for the services provided directly, based on the approved invoice or specification in case subcontractors requests direct payment.

Contractor and subcontractors shall authorize the Purchaser to make payment instead of the Contractor directly to the subcontractors if he requests the direct payment. The terms of payment to Contractor 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 Applicant/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 Contractor concludes a Contract with a new subcontractor after the public Contract award, the Contractor 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 Applicant) 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 the subcontractor directly based on the Contractor's authorization for direct payment with subcontractors' consent (Attachment No. 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 signed statement, by which both contractor and subcontractor confirm 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.

A subject that meets the criteria of a **related company** under the law regulating companies, based on the relationship with the selected Bidder, shall not be considered a subcontractor. In this case:

- a subject, legal or natural person, actually providing goods, services or civil works directly related to the subject of the public Contract for a person, related to the selected Bidder, shall be deemed subcontractor for the purpose of direct payments if requested.
- the selected Bidder must also conclude a Contract with such subcontractor from the previous line.

24 THE APPLICATION/BID OF A GROUP OF LEGAL BUSINESS ENTITIES (JOINT VENTURE)

In the case that a group of business entities should apply 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). Economic, financial, technical and staff capabilities may be fulfilled by all Applicants together.

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

The rest of the attachments shall be filled out by all Applicants together.

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

- appointment of the lead Applicant (also core partner) in the implementation of public Contract,
- authorization of the lead Applicant (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 Applicants and their responsibilities,
- statement that all Applicants participating in the joint Application have been acquainted with the Instructions to Applicants and the bidding Conditions and Applicant Capability and that they fully agree with them,
- statement that all Applicants have been informed of the payment conditions from the Bidding Documentation, and
- unlimited joint and several liability of all the Applicants in the joint Application.

The Contract shall define the core partner that shall be authorized for signing the complete Bidding Documentation including 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 and partners shall authorize the Purchaser to make payment instead of the Contractor directly to the partners. The terms of payment to Applicant and his partners shall be the same.

Lead Applicant/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 core partner, to be paid directly by the Purchaser.

E. INTEGRAL PARTS OF THE APPLICATION

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

- | | |
|-----------------|---|
| Attachment no.1 | APPLICATION FORM FOR APPLICANT'S QUALIFICATION CONFIRMATION |
| Attachment no.2 | APPLICANT'S DECLARATION OF ELIGIBILITY |
| Attachment no.3 | APPLICANT'S STATEMENT OF ACCEPTANCE OF CONDITIONS FROM THE PURCHASER'S BIDDING DOCUMENTATION |
| Attachment no.4 | SUBCONTRACTOR'S DATA AND APPLICANT'S CONSENT FOR DIRECT PAYMENT (in case there are any subcontractors and they request direct payment) |
| Attachment no.5 | PROJECTS PERFORMED BY THE APPLICANT AS CONTRACTOR IN THE PAST YEARS REFERENCES |
| Attachment no.6 | APPLICANT'S STATEMENT OF COMPLIANCE WITH TECHNICAL AND OTHER REQUIREMENTS FROM TECHNICAL SPECIFICATION |
| Attachment no.7 | STATEMENT OF QUALITY MANAGEMENT SYSTEM (for Applicant; group of applicants) |

NEK

Arbitrazna komisija Krško, d.o.o.
Ulica 12 8270 Krško
Slovenija



Chapter 2

DRAFT CONTRACT

Draft Contract is enclosed hereto and is an integral part of the Bidding Documentation. In Phase 2 blank fields must be filled in. **Any inserts or deletions of the Contract's wording must be marked in track change mode.**



Nuklearna elektrarna Krško, d.o.o.
Vrtna 12 8270 Krško
Slovenija



Chapter 3

TECHNICAL SPECIFICATION

Technical Specification SP-ES1420, Rev.1 for Decommissioning and treatment of old steam generators is enclosed hereto and represents an integral part of the Bidding Documentation. In Phase 2 we expect the Bidder to consider the Purchaser's Technical Specification in its quotation and give comments (if necessary).

In Phase 2 the Bidder shall submit **Technical Approach Plan** in accordance with Section 17 of the Technical Specification and **Project QA Plan** as stated in Section 20 of Technical Specification.



Ahilsarna elektrarna Krško, d.o.o.
Ulica 12 8270 Krško
Slovenija



Chapter 4

APPLICATION FORM

Application Form is enclosed hereto as attachment and represents an integral part of the Bidding Documentation.



Nuklearna elektrana Krško, d.o.o.
Ulica 12 8270 Krško
Slovenija

Chapter 5

VERIFICATION FORMS FOR APPLICANT'S QUALIFICATION AND CAPABILITIES

The Applicant must submit proofs for their qualification and capability to perform the Scope of Services and Delivery offered in the Application. The proofs shall substantiate the capability and qualification of the Applicant and its offered subcontractors (if applicable) to successfully perform the Scope of Services and Delivery under the Contract. Therefore, the Applicant shall submit the following verification documents for the Applicant and also for its subcontractor (s) (if any) as listed in the forms below:

APPLICATION FORM FOR APPLICANT'S QUALIFICATION CONFIRMATION

Subject of Application: Decommissioning and treatment of old steam generators

Application No.: _____ dated _____

Purchaser: Nuklearna elektrarna Krško

APPLICANT (mark)

☐ Independent Applicant☐ Group of Applicants

APPLICANT DATA

Applicant's name: _____

Address: _____

VAT ID: _____

Register Number: _____

All Bank Accounts:

| | Bank | Bank Number | Account | Place of central bank |
|----|------|-------------|---------|-----------------------|
| 1. | | | | |
| 2. | | | | |
| 3. | | | | |
| 4. | | | | |
| 5. | | | | |
| 6. | | | | |
| 7. | | | | |

Phone: _____

Fax: _____

E-mail: _____

Legal Representative(s): _____

AUTHORIZED PERSON FOR SIGNING THE APPLICATION

Name and Surname: _____

Phone: _____

E-mail: _____

CONTACT PERSON DURING THE APPLICATIONS ASSESSMENT PROCESS

Name and Surname: _____

Phone: _____

E-mail: _____

1. Hereby we're informing you that we have reviewed the Bidding Documentation and are ready to accept all the conditions from the above document.
2. In case of Purchaser's acknowledgement of our capability and its invitation to submit a Bid, we are ready to submit the Bid in Phase 2.
3. We agree that the Application is binding for us 90 days from the date of the Applications Opening and that the Purchaser can accept it any time within the 90 days period.

Place and Date:

Stamp:

Signature of Authorized Applicant's
Representative

| |
|---|
| APPLICANT'S DECLARATION OF ELIGIBILITY |
|---|

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 comply with ZVISJV for the scope of contractual work (if applicable and requested in Technical specification).
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 an Applicant 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 completion.
8. We shall organize transportation of the old steam generators and secondary waste fully in comply with European, Slovenian, ADR and IAEA regulations.

Place and Date:

Stamp:

Signature of
Representative

Authorized

Applicant's

**APPLICANT'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 accept the conditions from the
Purchaser's Bidding Documentation for:

Decommissioning and treatment of old steam generators

Place and date:

Stamp:

Signature of
Authorized Applicant's Representative:

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

Applicant.....

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:

Applicant's Signature:

Subcontractor's Signature:

**PROJECTS PERFORMED BY THE APPLICANT AS CONTRACTOR IN THE PAST YEARS
REFERENCES**

At least three (3) references regarding decommissioning/treatment of old steam generators successfully performed in the last five (5) years.

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

| No | Service Name and Description | Contract Value | Year | Investor, Purchaser |
|----|------------------------------|----------------|------|---------------------|
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |

Place and date:

Stamp:

Applicant's Signature:

**APPLICANT'S STATEMENT OF COMPLIANCE WITH TECHNICAL AND OTHER
REQUIREMENTS FROM TECHNICAL SPECIFICATION**

Applicant

Under criminal and material responsibility,

HEREBY DECLARES,

that we shall meet the main technical and other requirements as specified in NEK Technical Specification SP-ES1420, Rev.1 for Decommissioning and treatment of old steam generators.

Place and Date:

Stamp:

Applicant's Signature:

STATEMENT OF QUALITY MANAGEMENT SYSTEM (for Applicant; group of applicants)

Subject of the Contract: Decommissioning and treatment of old steam generators

Purchaser: Nuklearna elektrarna Krško

Applicant: _____

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

Signature: _____
(Person authorized, in Applicant's name)

Place and Date: _____

Applicant's stamp:

APPLICATION FORM

For: Decommissioning and treatment of old steam generators

Bid No.:

Bidder's Name and Address:

Company account number 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 the Bidder) and are ready to accept all the conditions from the above documents and execute the delivery under the Contract for **"Decommissioning and treatment of old steam generators"** at the

Fixed and Firm Total Price: EUR/USD

(in words: EUR/USD)

The above price excludes Slovenian taxes, fees, duties and permits.

2. **PRICE STRUCTURE** for the above amount:

| Item | Scope of Services and Delivery | Price (in EUR/USD) |
|------|--|--------------------|
| 1 | Phase 1 Study as per Section 2 of SP-ES1420 | |
| 2 | Potential partial disassembly and transport of old SGs from Krško NPP to the decommissioning / treatment site | |
| 3 | Decommissioning and treatment of old SGs | |
| 4 | Transportation of the secondary radioactive waste back to Krško NPP using the specified NPP Krško acceptable packaging | |
| | Fixed and Firm Total 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.

The mandatory date for old SGs takeover/pickup from NEK site (Milestone #2 from the Contract) is:

Date MM, YYYY

Place and Date:

Stamp:

Signature of Authorized Bidder's
Representative
