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Warsaw 09.07.2026

ADDENDUM no 2

MODIFICATION OF THE ITB AND ITS APPENDICES

Pursuant to clause 5.1 of the ITB and in accordance with the principles of transparency, equal treatment of BIDDERS and proportionality, the COMPANY:

- modifies the BIDDING DOCUMENTS by introducing the requirement to submit the signed NDA in accordance with Appendix 4 to the ITB together with the Request, under pain of Request rejection, as well as by specifying the manner in which Appendix F3, Appendix F4, Appendix F5, Appendix F6, Appendix F7, Appendix F9 and the new Appendix F10 to the REQUEST shall be submitted, and introduces the following amendments to the BIDDING DOCUMENTS:

a) Clause 1.10 of the ITB is amended as follows:

“Draft of PDP+LF AGREEMENT (included in Section II of the RFP) as well as the confidential part of Section III of the RFP will be provided to BIDDERS– on Stage I.2. The NDA draft might be subject to further clarifications by the COMPANY according to the BIDDING PROCEDURE and these modifications shall be taken into account by BIDDERS while submitting the signed NDA with their REQUESTs. The BIDDER shall submit the NDA prepared in accordance with the template set out in Appendix 4 to the ITB and signed electronically (the ELECTRONIC SIGNATURE is required) by the authorised representatives of the BIDDER, together with the

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REQUEST. Submission of the REQUEST without the signed NDA shall constitute grounds for rejection of the REQUEST

- b) Clause 17.5 letter b) point (iii) of the ITB is amended as follows:

“has failed to submit documents or statements constituting the subject matter means of the proof confirming the lack of grounds for exclusion or fulfilment of the conditions for participation in the PROCEDURE, or any other documents or statements required under this ITB, in particular the signed NDA prepared in accordance with the template set out in Appendix 4 to the ITB, despite a request issued under clause 17.2 of the ITB,”

- c) Point 12 of the Appendix 1 to the ITB is amended as follows:

*“The REQUEST shall contain the following **appendices**:*

Appendix F1	<i>Letters of attorney granting power of attorney empowering to act in the Procedure and to sign the REQUEST.</i> <i>Power of attorney declaring the authorisation to sign at least the REQUEST and its appendices (and documents comprising the REQUEST, as well as to perform any other activities related to the preparation / submission of the REQUEST and any documents related to this PROCEDURE), unless the right to sign the REQUEST and its appendices results from other documents submitted with the REQUEST. The wording of the power of attorney must expressly define the activities the representative is authorised to perform.</i> <u>Notice:</u> <i>This document must be submitted by the BIDDER granting the power of attorney. A power of attorney must be attached in a scanned copy of the original containing the handwritten signatures of the authorised representatives of the BIDDER or signed electronically (the ELECTRONIC SIGNATURE is required) by a person(s) authorised to represent the</i>
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	BIDDER. <i>In the case of a jointly acting BIDDERS, the BIDDERS should submit a document appointing a representative for the PROCEDURE (Power of attorney to represent all BIDDERS jointly competing for the award), if such appointment is granted to one of the CONSORTIUM members (authorization of one of the CONSORTIUM members in the CONSORTIUM agreement is admitted). A power of attorney must be attached in a scanned copy of the original containing the handwritten signatures of the authorised representatives of the BIDDER(s) or signed electronically (the ELECTRONIC SIGNATURE is required) by a person(s) authorised to represent the BIDDER(s).</i>
Appendix F2	Register documents of the BIDDER and documents specifying the principles of representation of the BIDDER (e.g. a current and valid excerpt from the National Court Register or an excerpt from another relevant commercial or court register) issued not earlier than 3 months before the deadline for submitting the REQUEST. <i>If, in the country where the BIDDER has its registered office or place of residence, the official documents referred to above are not issued, they shall be replaced, respectively in their entirety or in part, by a document containing a statement by the BIDDER indicating the person or persons authorised to represent it, together with a brief explanation confirming that in the country where the BIDDER has its registered office or place of residence the official documents referred to above are not issued.</i> <u>Notice:</u> <i>This document must present the principle of representation of the BIDDER.</i>

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	<i>In the case of a CONSORTIUM of BIDDERS and/or EPR, the document must be submitted by each BIDDER/EPR.</i>
Appendix F3	A copy of the Consortium Agreement (in the case of the BIDDERS constituting a CONSORTIUM). <u>Notice:</u> <i>A copy of the Consortium Agreement must be attached in a scanned copy of the original containing the handwritten signatures of the authorised representatives of the BIDDERS constituting a CONSORTIUM or signed electronically (the ELECTRONIC SIGNATURE is required) by person(s) authorised to represent the BIDDERS constituting a CONSORTIUM.</i>
Appendix F4	EXCLUSION GROUNDS DECLARATION(s) <u>Notice:</u> <i>In the case of a CONSORTIUM of BIDDERS, the document must be submitted by each BIDDER.</i> <i>In the case of using resources of an EPR, this document must also be submitted by the EPR.</i> <i>An exclusion grounds declaration must be prepared and attached in the form and manner specified in Appendix 2 to the ITB.</i>
Appendix F5	List of Completed Projects and Key Personnel <i>In the case of a CONSORTIUM of BIDDERS, the document must be submitted together by all BIDDERS.</i> <i>A list of completed projects must be prepared and attached in the form and manner specified in Appendix 2 to the ITB.</i>

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Appendix F6	Evidence required in the ITB (in particular mentioned in points 9, 10 and 11 of the REQUEST, which must be prepared and attached in the form and manner specified in Appendix 2 to the ITB): - Please provide the list of submitted evidence below: a) [to be indicated by the BIDDER]
Appendix F7	Filled and signed Beneficial Owner Statement as per Appendix F7 to the REQUEST. Notice: - In the case of a CONSORTIUM of BIDDERS, the document must be submitted by each BIDDER. - In the case of using resources of an EPR, this document must also be submitted by the EPR. - A Beneficial Owner Statement must be prepared and attached in the form and manner specified in Appendix 2 to the ITB.
Appendix F8	Information on the BIDDER'S economic or financial standing described in document indicated in p. 10.a. above. Notice: - In the case of a CONSORTIUM of BIDDERS, the document must be submitted by each BIDDER. - Each CONSORTIUM member must submit separate data. - In the case of financial documents prepared in paper form, please attach a copy of the financial documents prepared in the required form and signed by the relevant persons, as required by relevant regulations,

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	<i>confirmed (by an authorised employee of the BIDDER) to correspond to the original.</i> <i>In the case of a loss incurred at the end of one of the reporting periods, an additional explanation as to why the loss occurred is required.</i>
Appendix F9	Appendix F9 to REQUEST - Commitment of EPR (if the BIDDER relies on the resources of the EPR) <u>Notice:</u> <i>A Commitment of EPR must be prepared and attached in the form and manner specified in clause 9.3 of the ITB.</i>
Appendix F10	NDA prepared in accordance with the template set out in Appendix 4 to the ITB <u>Notice:</u> <i>NDA must be signed electronically (the ELECTRONIC SIGNATURE is required) by a person(s) authorised to represent the BIDDER. Scans of the NDA will not be accepted – section 4.11 and 14.3 of the ITB does not apply in this respect. After prequalification, the COMPANY will send back the signed NDA to the BIDDERS who qualify for Stage I.2.</i> <i>In the case of a CONSORTIUM of BIDDERS, the document must be submitted by each BIDDER.</i>

The BIDDER may enclose additional appendices to the obligatory appendices set forth in RFP.

Appendices may be enclosed to the REQUEST, maintaining the order according to their numbering, properly marked in order to ensure fact and unobstructed reference to particular appendices.”

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A new binding version of the RFP: ITB and Appendix 1 to ITB has been published on the CONNECT PLATFORM under the following titles: RFP_ORLEN_Waste-to-Hydrogen Complex_rev.2_09.07.2026 and Appendix no 1 to ITB_Waste-to-Hydrogen Complex_REQUEST TEMPLATE_ver.2_9.07.2026.

- introduces the following amendments to the Appendix 4 to the ITB:

- part of the preamble to Appendix 4 to the ITB is amended as follows:

“ORLEN conducts a bidding process for “EPCC contract for the execution of the Waste-to-Hydrogen Complex in Plock” - Part I and Part II (hereinafter referred to as “Process”). In the course of conducting of the Process, in order to enable the Bidder to prepare and present the offer for ORLEN, disclosure of information will occur, which transfer, disclosure or use may infringe interests of ORLEN. The Parties undertake to conclude this Information Protection Agreement (hereinafter referred to as the “Agreement”) in order to stipulate the terms and conditions under which ORLEN may make information available during the Process. Now, therefore, the Parties agree as follows:”

- the article 3 section 3.1. of the Appendix 4 to the ITB is amended as follows:

“disclosure, including provision of the Business Secrets, to staff members of the Bidder or to other persons, including in particular to advisers, affiliates (i.e. any entity that directly or indirectly, through one or more intermediaries, controls the Bidder, is controlled by the Bidder, or is under common control with the Bidder, for so long as such control exists. The aforementioned control means direct or indirect ownership of more than fifty percent (50%) of the nominal value of the issued equity share capital or more than fifty percent (50%) of the shares entitling the holders to vote for the election of the members of the board of directors or persons performing similar functions) or subcontractors, is necessary for the purposes of the Process, and such persons have been obligated by the Bidder in writing to protect the Business Secrets on the conditions at least such as specified herein or”

- the article 5 of the Appendix 4 to the ITB is amended as follows:

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“This Agreement shall enter into force on the date of its signing and remains effective for a period of 2 years from the date of its signing”

The new binding version of Appendix 4 to the ITB has been published on the CONNECT PLATFORM under the following title: Appendix no 4 to ITB_Waste-to-Hydrogen Complex_NDA_TEMPLATE ver2_09.07.2026.