



APPENDIX 2 to INSTRUCTION TO BIDDERS

- EXCLUSION GROUNDS, CONDITIONS FOR PARTICIPATION AND SELECTION CRITERIA

IN THE PROCUREMENT PROCEDURE FOR:

**EPCC contract for the execution of the Waste-to-Hydrogen Complex in Płock
PART I**

STAGE I.1. – PRESELECTION OF THE BIDDERS

Płock, 08.08.2026

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Table I - Exclusion Grounds		
No.	Column A	Column B
	Grounds causing exclusion from the PROCEDURE	Evidence required from the BIDDER to demonstrate the absence of exclusion grounds shall be provided: 1. with the REQUEST submitted in STAGE I.1.; 2. upon the COMPANY's request during the PROCEDURE (e.g. where previously submitted evidence is no longer valid).
1.	The COMPANY shall exclude from the PROCEDURE any BIDDER who has breached obligations relating to the payment of taxes, levies or social or health insurance contributions, unless, sufficiently in advance of the deadline for the submission of the REQUEST, the outstanding amounts, including any interest or fines has been paid, or a binding arrangement for the repayment of such amounts has been entered into.	BIDDER's self-declaration in the form set out in Appendix F4 to the REQUEST. Each BIDDER shall also submit with the REQUEST: (i) certificate issued by the competent tax office; (ii) certificate issued by social security office; - confirming that the BIDDER is not in arrears with the payment of taxes, levies, social and health insurance contributions, issued no earlier than 3 (three) months before its submission; and in the event of arrears with the payment of outstanding amounts, together with the certificate, the COMPANY requires the submission of documents confirming that prior to the expiry of the deadline for the submission of REQUESTs in the PROCEDURE, the BIDDER has made payment of the outstanding

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		amounts including any applicable interest or fines, or has concluded a binding agreement for the repayment of such outstanding amounts.
2.	The COMPANY shall exclude from the PROCEDURE any BIDDER who has unlawfully influenced or has attempted to influence the activities of the COMPANY, has attempted to obtain or has obtained confidential information that may confer upon it advantages in the PROCEDURE.	BIDDER's self-declaration in the form set out in Appendix F4 to the REQUEST.
3.	The COMPANY shall exclude from the PROCEDURE any BIDDER who employs any ORLEN S.A. employees or the employees of the ORLEN S.A. Capital Group.	BIDDER's self-declaration in the form set out in Appendix F4 to the REQUEST.
4.	The COMPANY shall exclude from the PROCEDURE any BIDDER involved in a CONFLICT OF INTERESTS, as defined in clause 8 of the ITB, which cannot be eliminated in any other manner provided in this section.	BIDDER's self-declaration in the form set out in Appendix F4 to the REQUEST.
5.	The COMPANY shall exclude from the PROCEDURE any BIDDER who has not declared compliance with the Code of Conduct for ORLEN S.A. suppliers (Appendix 6 to the ITB), Policy on the Prevention of Corruption and Fraud in the ORLEN Capital Group (Appendix 7 to the ITB), Policy for Accepting and Giving Gifts in the ORLEN Group (Appendix 8 to the ITB), Human Rights Protection Policy in the ORLEN Capital Group (Appendix 9 to the ITB), Whistleblower Protection Policy in the	BIDDER's self-declaration in the form set out in Appendix F4 to the REQUEST.

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	ORLEN Capital Group (Appendix 10 to the ITB), Conflict of Interest Management Policy at the ORLEN Group (Appendix 11 to the ITB).	
6.	The COMPANY shall exclude from the PROCEDURE any BIDDER who is subject to restructuring, liquidation or bankruptcy proceedings, whose assets are being administered by a liquidator or a court, who has entered into an arrangement with creditors, whose business activities are suspended, who is in any analogous situation arising from a similar procedure under national law, or against whom enforcement proceedings are pending.	BIDDER's self-declaration in the form set out in Appendix F4 to the REQUEST.
7.	The COMPANY shall exclude from the PROCEDURE any BIDDER who frustrates or obstructs the finding of the criminal origin of money or conceals its origin, due to the inability to determine the beneficial owner.	BIDDER's self-declaration in the form set out in Appendix F4 to the REQUEST. Each BIDDER shall also submit with the REQUEST BIDDER's Beneficial Owner Declaration in accordance with Appendix No. F7 to the REQUEST.
8.	The COMPANY shall exclude from the PROCEDURE any BIDDER: 8.1. referred to in the lists set out in Council Regulation (EC) No. 765/2006 of 18 May 2006 <i>concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine</i> (OJ L 134, 20.05.2006, p. 1, as amended), hereinafter referred to as "Regulation 765/2006", and Council	BIDDER's self-declaration in the form set out in Appendix F4 to the REQUEST.

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	Regulation (EU) No 269/2014 of 17 March 2014 <i>concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine</i> (OJ L 78, 17.03.2014, p. 6, as amended), hereinafter referred to as "Regulation 269/2014", or listed on the basis of a decision on entry in the list determining the application of the measure referred to in Article 1(3) of the Act of 13 April 2022 <i>on Specific Solutions to Counteracting Support for Aggression against Ukraine and to Protect National Security</i> (i.e. Journal of Laws 2023, item 1497, as amended), hereinafter referred to as "Act on Special Solutions"; 8.2. whose beneficial owner, as understood in the Act of 1 March 2018 <i>on the Prevention of Money Laundering and Terrorist Financing</i> (Journal of Laws of 2022, item 593 and 655), is a person referred to in the lists set out in Regulation 765/2006 and Regulation 269/2014, or listed or being such a beneficial owner as of 24 February 2022, provided that they have been listed on the basis of a decision on entry in the list determining the application of the measure referred to in Article	
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	1(3) of the Act on Special Solutions; 8.3. whose parent company, as understood in Article 3(1)(37) of the Accounting Act of 29 September 1994 (Journal of Laws of 2021, item 217, 2105 and 2106), is a body referred to in the lists set out in Regulation 765/2006 and Regulation 269/2014, or listed or being such a parent company as of 24 February 2022, provided that it has been listed on the basis of a decision on entry in the list determining the application of the measure referred to in Article 1(3) of the Act on Special Solutions; 8.4. who are Russian nationals, natural or legal persons, entities or bodies established in Russia¹; 8.5. who are legal persons, entities or bodies the ownership rights to which directly or indirectly in more than 50% belong to Russian nationals or natural or legal persons, entities or bodies established in Russia;	
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¹ The COMPANY respects the rules established in the Article 5k of Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's destabilising actions in Ukraine (OJ L 229 of 31.7.2014, p. 1), as amended by Council Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) No. 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 111 of 8.4.2022, p. 1), which establish a ban on the participation of Russian contractors in public contracts and concessions awarded in all Member States of the European Union.

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	8.6. who are natural or legal persons, entities or bodies acting on behalf of or under the direction of: a) Russian nationals or natural or legal persons, entities or bodies established in Russia, or b) legal persons, entities or bodies the ownership rights to which directly or indirectly in more than 50% belong to Russian nationals or natural or legal persons, entities or bodies established in Russia. 8.7. whose subcontractor(s), supplier(s) or EPR(s) account for more than 10% of the value of the PDP+LF AGREEMENT or EPCC CONTRACT, if such a subcontractor, supplier or EPR belongs to any of the categories of entities listed in points 8.1 - 8.6 and points 8.8 – 8.12; 8.8. who does not comply with sanction provisions introduced by the United Nations, the European Union, member states of the European Union, member states of the European Economic Area, the United States of America, the United Kingdom of Great Britain and Northern Ireland (hereinafter: the “Sanction Provisions”); 8.9. who is subject to any sanctions, including economic sanctions, trade embargoes or other restrictive measures under the	
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	Sanction Provisions, and are not legal or natural persons with whom the Sanction Provisions prohibit transactions, (hereinafter: the “Sanctioned Entity”); 8.10. who is directly or indirectly owned or controlled by any Sanctioned Entity; 8.11. who has its domicile or its principal place of business in a country subject to the Sanction Provisions or is incorporated under the laws of a country subject to the Sanction Provisions; 8.12. who is subject to or involved in proceedings or an investigation against it in relation to the Sanction Provisions.	
9.	The COMPANY shall exclude from the PROCEDURE any BIDDER where it determines that employees, members of the governing bodies and shareholders of the BIDDER are in any actual or legal relationship with other entities that are participants of the PROCEDURE that would affect the selection of the given BIDDER in a negative way for ORLEN S.A. or a member of the ORLEN Group, in particular by distorting competition in the PROCEDURE.	BIDDER’s self-declaration in the form set out in Appendix F4 to the REQUEST.
10.	The COMPANY shall exclude from the PROCEDURE any BIDDER, who are in court or arbitration dispute with ORLEN	BIDDER’s self-declaration in the form set out in Appendix F4 to the REQUEST.

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	S.A. and/or any company from the ORLEN Capital Group.	
11.	The COMPANY shall exclude from the PROCEDURE any BIDDER who, as a result of deliberate action or gross negligence, has been guilty of serious misrepresentation in supplying the required information or documents, what might have a material influence on the decisions made by the COMPANY in the PROCEDURE, has withheld such information or is not able to submit the required information or documents.	BIDDER's self-declaration in the form set out in Appendix F4 to the REQUEST.
12.	The COMPANY shall exclude from the PROCEDURE any BIDDER in respect of whom any person authorized to represent the BIDDER is subject criminal proceedings or has been validly convicted of any corruption offense.	BIDDER's self-declaration in the form set out in Appendix F4 to the REQUEST.
13.	The COMPANY shall exclude from the PROCEDURE any BIDDER who has been disqualified within the meaning of clause 4.12 of the ITB.	BIDDER's self-declaration in the form set out in Appendix F4 to the REQUEST.
14.	The COMPANY shall exclude from the PROCEDURE any BIDDER who has not met or has not proved fulfilment conditions for participation or who ceases to meet such conditions	-
15.	The COMPANY shall exclude from the PROCEDURE any BIDDER who fails to submit all documents or information required in BIDDING DOCUMENTS, despite being requested to supplement	-

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	them, where such supplementation is permitted under the PROCEDURE.	
[ADDITIONAL INFORMATION REGARDING FORM AND TYPES OF EVIDENCE] 1.1. If the documents referred to in points 1 and 7 above were issued by the BIDDER/EPR or other entities in paper form, a scanned copy of the original shall be submitted. If, however, the document was issued in electronic form, its original electronic form shall be submitted. 1.2. If any documents originate from the BIDDER/EPR, they shall be signed with a handwritten signature (scanned copy) or by ELECTRONIC SIGNATURE (electronic form) of the persons authorised to act on behalf of BIDDER/EPR. 1.3. If the BIDDER has its registered office or place of residence outside the territory of the Republic of Poland, instead of the documents referred to in points 1 above, the BIDDER shall submit a document or documents issued in the country in which the BIDDER is domiciled or has its registered office, confirming that the BIDDER has not breached its obligations relating to the payment of taxes, charges, or social or health insurance contributions (issued no earlier than 3 (three) months before its submission). 1.4. If in the country where the BIDDER has its registered office or place of residence the official documents referred to in p. 1 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, as well as a short 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. 1.5. In the event of BIDDERS' joint participation in the PROCEDURE (CONSORTIUM), the documents and declarations listed in Column B above shall be submitted separately by each member of the CONSORTIUM. 1.6. In the event that a BIDDER makes use of the resources of an EPR, the BIDDER shall submit together with the REQUEST the EPR's self-declaration in the form set out in Appendix F4 and EPR's Beneficial Owner Statement in accordance with Appendix No. F7 to the REQUEST.		

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Table II - Conditions of participation in the PROCEDURE		
No.	Column A	Column B
	Condition	Evidence required from the BIDDER to demonstrate fulfilment of the condition shall be provided: 1. with the REQUEST submitted in STAGE I.1.; 2. upon the COMPANY's request during the PROCEDURE (e.g. where previously submitted evidence is no longer valid).
	ECONOMIC AND FINANCIAL STANDING:	
	A BIDDER shall have:	For the purpose of verifying the BIDDER's compliance with this condition, the BIDDER shall submit:
1.	a) no negative shareholders' equity resulting from the last available quarterly financial statement or, if it is not available, the financial statement for the last closed fiscal year; b) the net loss for the last closed fiscal year cannot exceed: - 25% of the current equity value, and - 25% of the total revenues achieved for the last closed fiscal year; c) total revenues achieved for the last closed fiscal year not less than 300 000 000 PLN or the equivalent in the BIDDER's settlement currency;	a) with reference to condition set out in point 1. a), b), c), d) of Table 2 Column A - statement included in Appendix 1 to the ITB as well as following documents confirming suitable economic and financial standing: i) the complete financial statements for two full reporting years (or if the period of business activity is shorter, for that period), including profit and loss account (income statement), ii) balance sheet, iii) cash flow statement, and

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	d) debt ratio, understood as total liabilities/total assets for the last closed fiscal year, not higher than 0,9;	iv) the most up-to-date quarterly financial report for the current period including profit and loss account (income statement).
	e) disputed entries (in particular in Economic Information Bureau (Biuro Informacji Gospodarczej – BIG) or National Debt Register (Krajowy Rejestr Długów – KRD)) not higher than 10% of the value of total revenues for the last closed fiscal year or undisputed entries (in particular in BIG or KRD) not exceeding 1% of the value of total revenues for the last closed fiscal year (entries regarding the BIDDER as a debtor).	b) with reference to condition set out in point 1 e) of Table 2 Column A - statement included in Appendix 1 to the ITB. The Company will verify that the BIDDER meets the conditions referred to in the point e) also by verifying any other appropriate means, including the data contained in the National Debt Register (Krajowy Rejestr Długów) or in other registers kept pursuant to the provisions of the Act of 9 April 2010 on the sharing of economic information and exchange of economic data. <u>NOTE: 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, confirmed (by an authorised employee of the BIDDER) to correspond to the original. If, however, the financial documents were issued in electronic form, its original electronic form shall be submitted.</u>
	The requirements in points a), b), d) and e) above shall be fulfilled by each CONSORTIUM member individually. The requirement in point c) above may be fulfilled by one CONSORTIUM member or jointly by several / all CONSORTIUM members.	In the case of a CONSORTIUM, the required information and documents shall be submitted separately by each CONSORTIUM member, together with the consortium agreement or other written arrangements between the CONSORTIUM members, indicating the percentage of involvement of each CONSORTIUM

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	However, if the requirement set out in point c) is fulfilled by the CONSORTIUM, the percentage share of fulfilment of such requirement by a given CONSORTIUM member must correspond to the percentage of involvement of such CONSORTIUM member under the PDP+LF AGREEMENT and the EPCC CONTRACT, as evidenced by the consortium agreement.	member under the PDP+LF AGREEMENT and the EPCC CONTRACT.
	TECHNICAL AND PROFESSIONAL CAPABILITY	
2.	The BIDDER shall demonstrate that, within the last 10 years prior to the date of submission of the REQUEST in the PROCEDURE, it has duly completed (at least up to Provisional Acceptance Certificate ("PAC")) at least one contract as a General Contractor, performed under an EPCC, EPC, EPCm or similar formula, covering a construction of a process production unit in the refining, petrochemical, chemical, energy sectors (excluding the pharmaceutical, food, metallurgy, infrastructure and IT sectors), with a contractual nett value of at least PLN 300 000 000 or the equivalent in another currency. For the purposes of this RFP, "EPCC, EPC, EPCm or similar formula" shall mean overall responsibility comparable to EPC/EPCC, including at least engineering, procurement and construction, with single-point responsibility for delivery of a complete process production unit NOTE: This requirement shall be fulfilled by the same entity (BIDDER, CONSORTIUM member or EPR) which fulfils the	The BIDDER shall submit, together with the REQUEST to participate in the PROCEDURE: (i) a list of performed projects (Table I of Appendix F5 to the REQUEST– "List of Completed Projects and Key Personnel") carried out no earlier than within the last 10 years together with information on their type, value and other information necessary to assess the fulfilment of the condition for participation, as indicated in the template "List of Completed Projects and Key Personnel", the date and place of performance, and the entities on whose behalf the works were carried out; (ii) evidence confirming whether the services and construction works were duly performed, whereby the evidence referred to shall consist of references or other documents (e.g. acceptance certificates, invoices) drawn up by the entity on whose behalf the services and construction works were carried

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	requirements set out in Table II, point 7, 8 and 9.	out, or, if the BIDDER is unable to obtain such documents for reasons beyond its control, other relevant documents. With regard to the condition set out herein, a BIDDER/CONSORTIUM may rely on the capabilities of a CONSORTIUM member or the EPR, provided that such CONSORTIUM member or EPR performs the construction works or services for which those capabilities are required.
3.	The BIDDER shall demonstrate that, within the last 15 (fifteen) years prior to the date of submission of the REQUEST in the PROCEDURE, it has performed at least one contract under which it acted as a licensed technology integrator for investment projects related to process units in the petrochemical, chemical or energy sectors. The scope of its role shall include, at a minimum, supervision over contract execution with responsibility for ensuring the lawful right to use at least three (3) technologies for the purposes of a given project, as well as their integration at both the legal and design levels, resulting in the effective and successful use of the design documentation in the course of the executed investment project.	The BIDDER shall submit, together with the REQUEST to participate in the PROCEDURE: (i) a list of performed contracts (Table II of Appendix F5 to the REQUEST– “List of Completed Projects and Key Personnel”) carried out no earlier than within the last 15 years, together with information on their type and other information necessary to assess the fulfilment of the condition for participation, as indicated in the template List of Completed Projects and Key Personnel, the date and place of performance, and the entities on whose behalf the works were carried out; (ii) evidence confirming whether the contracts were duly performed, whereby the evidence referred to shall consist of references or other documents (e.g. acceptance certificates, invoices) drawn up by the entity on whose behalf the works were carried out, or, if the BIDDER is unable to obtain such documents for

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		reasons beyond its control, other relevant documents. With regard to the condition set out herein, a BIDDER/CONSORTIUM may rely on the capabilities of a CONSORTIUM member or the EPR, provided that such CONSORTIUM member or EPR performs the construction works or services for which those capabilities are required.
4.	The BIDDER shall demonstrate that it has (or will have) at its disposal at least one person who will be assigned to the performance of the PDP+LF AGREEMENT as well as the EPCC CONTRACT, possessing professional qualifications, experience and education appropriate to the function (specialisation) performed — Lead Gasification Technology Designer. The person shall have experience as a designer of a gasification technology in a project comprising at least the design and construction of a waste or other fuel gasification installation. The person must have performed this role for at least 2 years during the implementation of the investment project, i.e. between the commencement of design work and the completion of acceptance tests. If the reference project was completed in a period shorter than 24 months, the condition shall be deemed to be met if the period of performing the specified function covered the entire duration of the project. This person shall be provided for the execution of the PDP+LF AGREEMENT as well as EPCC Contract. Any substitution	The BIDDER shall submit, together with the REQUEST to participate in the PROCEDURE, a list of proposed personnel in accordance with Table III of Appendix F5 to the REQUEST– “List of Completed Projects and Key Personnel”, containing the information necessary to assess compliance with this condition as indicated in that Appendix.

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	shall require fulfilment of the conditions of change specified in the PDP+LF AGREEMENT as well as EPCC Contract respectively and be accepted by the COMPANY. This person shall not be designated for the fulfilment of the conditions for participation set out in points 5 and 6 of Table II of Appendix 2 to the ITB.	
5.	The BIDDER shall demonstrate that it has (or will have) at its disposal at least one person who will be assigned to the performance of the PDP+LF AGREEMENT as well as the EPCC CONTRACT, possessing professional qualifications, experience and education appropriate to the function (specialisation) performed — Process Engineer. The person shall have experience as a process engineer of a gasification technology in a project comprising at least the design and construction of a waste or other fuel gasification installation. The person must have performed this role for at least two years during the implementation of the investment project, i.e. between the commencement of design work and the completion of acceptance tests. If the reference project was completed in a period shorter than 24 months, the condition shall be deemed to be met if the period of performing the specified function covered the entire duration of the project. This person shall be provided for the execution of the PDP+LF Agreement as well as EPCC Contract. Any substitution	The BIDDER shall submit, together with the REQUEST to participate in the PROCEDURE, a list of proposed personnel in accordance with Table IV of Appendix F5 to the REQUEST — "List of Completed Projects and Key Personnel", containing the information necessary to assess compliance with this condition as indicated in that Appendix.

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	shall require fulfilment of the conditions specified in the PDP+LF Agreement as well as EPCC Contract respectively and be accepted by the Company. This person shall not be designated for the fulfilment of the conditions for participation set out in points 4 and 6 of Table II of Appendix 2 to the ITB.	
6.	The BIDDER shall demonstrate that it has (or will have) at its disposal at least one person who will be assigned to the performance of the PDP+LF Agreement as well as the EPCC CONTRACT, possessing professional qualifications, experience and education appropriate to the function (specialisation) performed — I&C Designer (Instrumentation and Control Designer). The person shall have experience as a I&C Designer in a project comprising at least the design and construction of industrial installations in the energy, refinery or petrochemical industries with a project net value of at least PLN 100 million. The person must have performed this role for at least 5 years during the implementation of the investment project, i.e. between the commencement of design work and the completion of acceptance tests. The required experience, including the minimum five-year experience period, may be demonstrated cumulatively based on experience gained in different projects; however, the values of individual projects shall not be aggregated for the purpose of meeting this requirement.	The BIDDER shall submit, together with the REQUEST to participate in the PROCEDURE, a list of proposed personnel in accordance with Table V of Appendix F5 to the REQUEST — "List of Completed Projects and Key Personnel", containing the information necessary to assess compliance with this condition as indicated in that Appendix.

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	This person shall be provided for the execution of the PDP+LF Agreement as well as EPCC Contract. Any substitution shall require fulfilment of the conditions specified in the PDP+LF Agreement as well as EPCC Contract respectively and be accepted by the Company. This person shall not be designated for the fulfilment of the conditions for participation set out in points 4 and 5 of Table II of Appendix 2 to the ITB.	
7.	The BIDDER shall demonstrate that it has implemented and maintained health & safety standards in compliance with ISO 45001:2018 (or equivalent). This requirement shall be fulfilled throughout the entire duration of the PROCEDURE, the PDP+LF Agreement and the EPCC Contract, which means that the validity of the certificate must be extended sufficiently in advance. NOTE: This requirement shall be fulfilled by the same entity (BIDDER, CONSORTIUM member or EPR) which fulfils the requirements set out in Table II, point 2,8 and 9.	The BIDDER shall submit, together with the REQUEST to participate in the PROCEDURE, the certificate drawn up by independent body attesting that the BIDDER complies with health and safety standards in accordance with ISO 45001:2018 (or equivalent). The validity of the certificate must be extended sufficiently in advance (ensuring continuous fulfilment of the condition for participation in the PROCEDURE), and proof of such extension must be submitted to the COMPANY without delay. With regard to the condition set out herein, a BIDDER/CONSORTIUM may rely on the capabilities of a CONSORTIUM member or the EPR, provided that such CONSORTIUM member or EPR performs the construction works or services for which those capabilities are required.
8.	The BIDDER shall demonstrate that it has implemented and maintained Quality Management System applied to all activities required for the EPCC CONTRACT realization (including project management, engineering and design,	The BIDDER shall submit, together with the REQUEST to participate in the PROCEDURE, the certificate drawn up by independent body attesting that the BIDDER implemented and maintained Quality Management System applied to all

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	procurement and construction services) conforming to the ISO 9001 standard quality system (or equivalent). This requirement shall be fulfilled throughout the entire duration of the PROCEDURE, the PDP+LF Agreement and the EPCC Contract , which means that the validity of the certificate must be extended sufficiently in advance. NOTE: This requirement shall be fulfilled by the same entity (BIDDER, CONSORTIUM member or EPR) which fulfils the requirements set out in Table II, point 2, 7 and 9.	activities required for the EPC realization (including project management, engineering and design, procurement and construction services) conforming to the ISO 9001 standard quality system (or equivalent). The validity of the certificate must be extended sufficiently in advance (ensuring continuous fulfilment of the condition for participation in the PROCEDURE), and proof of such extension must be submitted to the COMPANY without delay. With regard to the condition set out herein, a BIDDER/CONSORTIUM may rely on the capabilities of a CONSORTIUM member or the EPR, provided that such CONSORTIUM member or EPR performs the construction works or services for which those capabilities are required.
9.	The BIDDER shall demonstrate that it has implemented and maintained Environmental Management System conforming to the ISO 14001 standard (or equivalent). This requirement shall be fulfilled throughout the entire duration of the PROCEDURE, the PDP+LF Agreement and the EPCC Contract, which means that the validity of the certificate must be extended sufficiently in advance. NOTE: This requirement shall be fulfilled by the same entity (BIDDER, CONSORTIUM member or EPR) which fulfils the requirements set out in Table II, point 2, 7 and 8.	The BIDDER shall submit, together with the REQUEST to participate in the PROCEDURE, the certificate drawn up by independent body attesting that the BIDDER implemented and maintained Environmental Management System conforming to the ISO 14001 standard (or equivalent). The validity of the certificate must be extended sufficiently in advance (ensuring continuous fulfilment of the condition for participation in the PROCEDURE), and proof of such extension must be submitted to the COMPANY without delay. With regard to the condition set out herein, a BIDDER/CONSORTIUM may rely on the capabilities of a CONSORTIUM member or the EPR, provided that such

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		CONSORTIUM member or EPR performs the construction works or services for which those capabilities are required.
10.	The BIDDER shall demonstrate that the BIDDER's PROPOSED TECHNOLOGY comprises gasification technology for the processing of MSW or MSW-derived feedstock (based on oxygen gasification technology, including at least syngas production), which has achieved a Technology Readiness Level (TRL) 7 and shall demonstrate operational experience within the last 15 years prior to REQUEST submission. The COMPANY does not specify a minimum duration of such operational experience.	The BIDDER shall, together with the REQUEST to participate in the PROCEDURE: (i) submit a list of projects (Table VI of Appendix F5 to the REQUEST– “List of Completed Projects and Key Personnel”) together with information necessary to assess the fulfilment of the condition for participation, as indicated in the template “List of Completed Projects and Key Personnel”, the date and place of performance, and the entities responsible for the performance; (ii) submit evidence confirming that the offered gasification technology (based on oxygen gasification technology, including at least syngas production) has achieved TRL 7 and has been operational within the last 15 years, whereby the evidence referred to shall consist of references or other documents (e.g. acceptance certificates, invoices) drawn up by the entity for which the technology was provided, or, if the BIDDER is unable to obtain such documents for reasons beyond its control, other relevant documents. (iii) submit BIDDER's own report or statement, alternatively report issued by an independent research institution (e.g., involved in R&D if the installation was a research installation), a financing entity (if the

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	installation was funded by a third party), public authorities (e.g., environmental agencies), or documents submitted to such authorities (e.g., reports on processed waste quantities, emitted pollutants, etc.), covering at least: • general description of the installation and installation parameters, • feedstock characteristics (type of feedstock, its physicochemical properties, and physical form), • general information about energy and mass balance, • operational data: system uptime (% and h/year), reasons for downtime, maintenance activities, • all other information necessary to confirm that the offered technology has achieved TRL 7.
[ADDITIONAL INFORMATION REGARDING FORM AND TYPES OF EVIDENCE] 2.1. If the documents referred to in points 1 - 10 above were issued by the BIDDER or EPR (in respect of the documents referred to in points 2 - 10 above) or other entities in paper form, a scanned copy of the original shall be submitted. If, however, the document was issued in electronic form, its original electronic form shall be submitted. 2.2. If any documents originate from the BIDDER/EPR, they shall be signed with a handwritten signature (scanned copy) or by ELECTRONIC SIGNATURE (electronic form) of the persons authorised to act on behalf of BIDDER/EPR. 2.3. If the BIDDER has its registered office or place of residence outside the territory of the Republic of Poland, instead of the evidence referred to in points 1, 7, 8 and 9 above, the BIDDER shall submit a document or documents issued in the country in which the	

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BIDDER has its registered office or place of residence, confirming that the BIDDER has fulfilled the given condition for participation.

- 2.4. If in the country where the BIDDER has its registered office or place of residence the official documents referred to in p. 1, 7, 8 and 9 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, as well as a short 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.
- 2.5. In the event of BIDDERS' joint participation in the PROCEDURE (CONSORTIUM), the documents and declarations listed in Column B p. 2-10 above shall be submitted jointly by the CONSORTIUM.
- 2.6. The rules referred to in points 2.3 and 2.4 above shall apply accordingly to the EPR.

Table III - Selection criteria, total points: [100]

No.	Criterion:	Evidence required from the BIDDER to demonstrate fulfilment of the selection criteria shall be provided:
		1. with the REQUEST submitted in STAGE I.1.; 2. upon the COMPANY's request during the PROCEDURE (e.g. where previously submitted evidence is no longer valid).
1.	The BIDDER may obtain points under this criterion for demonstrating installations in which the PROPOSED TECHNOLOGY (gasification technology) was implemented and applied, irrespective of the entity responsible for the execution of the installation. Eligible installations shall be those that: - produce syngas from municipal solid waste (MSW) or MSW-derived	The BIDDER shall submit, together with the REQUEST to participate in the PROCEDURE: (i) a list of projects, where the technology required under this criterion was / has been implemented (p. 1, Table VII of Appendix F5 to the REQUEST — "List of Completed Projects and Key Personnel") together with information necessary to assess

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	feedstock (syngas combustion permitted); - were/have been in operation at any time within the last 5 (five) years prior to the REQUEST submission date; - within the above-mentioned five-year period, were or have been operated in continuous operation for a minimum period of at least two (2) years, during which they achieved a total operating time of not less than 6,000 hours; - the nominal throughput of the declared installation shall be at least 1 t/h of feedstock, or alternatively, the total amount of processed feedstock over the two-year period of continuous operation shall not be less than 6,000 t. The BIDDER may obtain 11 points for each reference (installation) fulfilling the aforementioned requirements, and 33 points in total. Each reference shall relate to a separate and different installation.	the fulfilment of the selection criterion, as indicated in the template "List of Completed Projects and Key Personnel"; (ii) evidence confirming whether the declared installation fulfils the requirement of this criterion, whereby the evidence referred to shall consist of references or other documents (e.g. acceptance certificates, invoices) drawn up by the entity on whose behalf the declared technology was implemented, or, if the BIDDER is unable to obtain such documents for reasons beyond its control, other relevant documents; (iii) BIDDER's own report or statement, alternatively report issued by an independent research institution (e.g. involved in R&D if the installation was a research installation), a financing entity (if the installation was funded by a third party), public authorities (e.g., environmental agencies), or documents submitted to such authorities (e.g., reports on processed waste quantities, emitted pollutants, etc.), covering at least: • general description and reference installation parameters, • feedstock characteristics (type of feedstock, its
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		physicochemical properties, and physical form), • general information about energy and mass balance, • operational data: system uptime, reasons for downtime, maintenance activities.
2.	The BIDDER may obtain points under this criterion for demonstrating installations in which the PROPOSED TECHNOLOGY (gasification technology) was implemented and applied, irrespective of the entity responsible for the execution of the installation. Eligible installations shall be those that: - produce syngas from municipal solid waste (MSW) or MSW-derived feedstock (syngas combustion is permitted); - were/ have been in operation at any time within the last 15 (fifteen) years prior to the REQUEST submission date; - within the above-mentioned fifteen-year period, were/ have been operated in continuous operation for a minimum period of at least one (1) year, during which they achieved a total operating time of not less than 4,000 hours; - the nominal throughput of the installation shall be at least 2,5 t/h of feedstock, or alternatively, the total amount of processed feedstock over one-year period of continuous	For the purpose of verifying whether the BIDDERS are eligible to receive points for a given reference, the BIDDER shall submit, together with the REQUEST to participate in the PROCEDURE: (i) a list of projects, where the technology required under this criterion was implemented (Table VIII of Appendix F5 to the REQUEST — "List of Completed Projects and Key Personnel") together with information necessary to assess the fulfilment of the selection criterion, as indicated in the template "List of Completed Projects and Key Personnel", (ii) evidence confirming whether declared installation fulfils the requirement of this criterion, whereby the evidence referred to shall consist of references or other documents (e.g. acceptance certificates, invoices) drawn up by the entity on whose behalf the declared technology was implemented, or, if the BIDDER is unable to obtain such documents for

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	operation shall not be less than 10,000 t. The BIDDER may obtain 7 points for each reference (installation) fulfilling the aforementioned requirements, and 21 points in total. Each reference shall relate to a separate and different installation.	reasons beyond its control, other relevant documents. (iii) BIDDER's own report or statement, alternatively report issued by an independent research institution (e.g., involved in R&D if the installation was a research installation), a financing entity (if the installation was funded by a third party), public authorities (e.g., environmental agencies), or documents submitted to such authorities (e.g., reports on processed waste quantities, emitted pollutants, etc.), covering at least: • general description and reference installation parameters, • feedstock characteristics (type of feedstock, its physicochemical properties, and physical form), • general information about energy and mass balance, • operational data: system uptime (% and h/year), reasons for downtime, maintenance activities.
3.	The BIDDER may obtain points under this criterion for demonstrating installations in which the PROPOSED TECHNOLOGY (gasification technology) was implemented	The BIDDER shall submit, together with the REQUEST to participate in the PROCEDURE: (i) a list of projects, where the

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	and applied, irrespective of the entity responsible for the execution of the installation. Eligible installations shall be those that: - produce syngas from municipal solid waste (MSW) or MSW-derived feedstock, where the syngas is used to produce other products (i.e. methanol, hydrogen, etc.); - were/ have been in operation at any time within the last 30 years prior to the REQUEST submission date; - within the above-mentioned thirty-year period, were/ have been operated in continuous operation for a minimum period of at least 1 year, during which they achieved a total operating time of not less than 4,000 hours; - the nominal throughput of the installation shall be at least 2,5 t/h of feedstock, or alternatively, the total amount of processed feedstock over one year of continuous operation must be not less than 10 000 t. References regarding installations where syngas from the gasification process were combusted in power boilers will not be accepted. The BIDDER may obtain 6 points for each reference (installation) fulfilling the aforementioned requirements, and 18 points in total. Each reference shall relate to a separate and different installation.	technology required under this criterion was implemented (Table IX of Appendix F5 to the REQUEST — "List of Completed Projects and Key Personnel") together with information on their necessary to assess the fulfilment of the selection criterion, as indicated in the template "List of Completed Projects and Key Personnel"; (ii) evidence confirming whether declared installation fulfils the requirement of this criterion, whereby the evidence referred to shall consist of references or other documents (e.g. acceptance certificates, invoices) drawn up by the entity on whose behalf the declared technology was implemented, or, if the BIDDER is unable to obtain such documents for reasons beyond its control, other relevant documents; (iii) BIDDER's own report or statement, alternatively report issued by an independent research institution (e.g., involved in R&D if the installation was a research installation), a financing entity (if the installation was funded by a third party), public authorities (e.g., environmental agencies), or documents submitted to such authorities (e.g., reports on processed waste quantities, emitted pollutants, etc.), covering at least:
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		• general description and reference installation parameters, • feedstock characteristics (type of feedstock, its physicochemical properties, and physical form), • general information about energy and mass balance, • operational data: system uptime (% and h/year),, reasons for downtime, maintenance activities.
4.	The BIDDER may obtain points under this criterion for demonstrating installations in which the PROPOSED TECHNOLOGY (gasification technology) was implemented and applied, irrespective of the entity responsible for the execution of the installation. Eligible installations shall be those that: - produce syngas from any feedstock, where the syngas is used to produce other products (i.e., methanol, hydrogen, etc.); - were/ have been in continuous operation within the last 2 (two) years prior to the REQUEST submission date, during which they achieved a total operating time of not less than 15,000 hours. - the nominal throughput of the installation shall be at least 2.5 t/h of feedstock, or alternatively, the total amount of processed feedstock over the two-year period of continuous	The BIDDER shall submit, together with the REQUEST to participate in the PROCEDURE: (i) a list of projects, where the technology required under this criterion was implemented (Table X of Appendix F5 to the REQUEST — "List of Completed Projects and Key Personnel") together with information necessary to assess the fulfilment of the selection criterion, as indicated in the template "List of Completed Projects and Key Personnel", (i) evidence confirming whether the declared installation fulfils the requirement of this criterion, whereby the evidence referred to shall consist of references or other documents (e.g. acceptance certificates, invoices) drawn up by the entity on whose behalf the declared

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	operation shall not be less than 37,500 t. Installations where syngas from the gasification process was combusted in power boilers will not be accepted under this criterion. Each reference shall relate to a separate and different installation. The BIDDER may obtain 5 points for each reference (installation) fulfilling the aforementioned requirements, and 15 points in total.	technology was implemented, or, if the BIDDER is unable to obtain such documents for reasons beyond its control, other relevant documents. (ii) BIDDER's own report or statement, alternatively report issued by an independent research institution (e.g., involved in R&D if the installation was a research installation), a financing entity (if the installation was funded by a third party), public authorities (e.g., environmental agencies), or documents submitted to such authorities (e.g., reports on processed waste quantities, emitted pollutants, etc.), covering at least: • general description and reference installation parameters, • feedstock characteristics (type of feedstock, its physicochemical properties, and physical form), • general information about energy and mass balance, operational data: system uptime, reasons for downtime, maintenance activities.
5.	The BIDDER may obtain points in this criterion for references confirming the experience in performance as a general contractor of EPC EPCC, EPC, EPCm or similar formula contract in the market of a	For the purpose of verifying if the BIDDERS are to receive points for a given reference, the BIDDER shall submit: (i) a list of performed projects (p.

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	Member State of the European Union, or a country that is a party to the World Trade Organisation (WTO) Agreement on government procurement, or a country that is a party to an international agreement with the EU that guarantees mutual and equal access to the public procurement market (particularly in Poland) within the refining, petrochemical, chemical, and energy sectors (excluding pharmaceutical, food, metallurgy, infrastructure, and IT sectors). Only EPC EPCC, EPC, EPCm or similar formula contract, covering the construction of a process production unit in the refining, petrochemical, chemical, energy sectors (excluding the pharmaceutical, food, metallurgy, infrastructure and IT sectors), with a contractual net value of at least PLN 300 000 000 or the equivalent in another currency shall be taken into consideration. The BIDDER may obtain points under this criterion for each investment fulfilling the above condition, as follows: - 4 points for each investment implemented in Poland; - 2 points for each investment implemented in another Member State of the European Union, or a country that is a party to the World Trade Organization (WTO) Agreement on government procurement, or a country that is a party to an international agreement with the EU that guarantees mutual and equal access to the public procurement market.	1, Table XI of Appendix F5 to the REQUEST — "List of Completed Projects and Key Personnel") together with information on their type and other information necessary to assess the fulfilment of the selection criterion, as indicated in the template "List of Completed Projects and Key Personnel", the date and place of performance, and the entities on whose behalf the works were carried out. (ii) evidence confirming whether the services and construction works were duly performed, whereby the evidence referred to shall consist of references or other documents (e.g. acceptance certificates, invoices) drawn up by the entity on whose behalf the services and construction works were carried out, or, if the BIDDER is unable to obtain such documents for reasons beyond its control, other relevant documents.
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	The total number of points awarded under this criterion shall not exceed 13 points.	
[ADDITIONAL INFORMATION REGARDING FORM AND TYPES OF EVIDENCE] 3.1. If the documents referred to in in points 1 - 5 above were issued by the BIDDER/EPR or other entities in paper form, a scanned copy of the original shall be submitted. If, however, the document was issued in electronic form, its original electronic form shall be submitted. 3.2. If any documents originate from the BIDDER/EPR, they shall be signed with a handwritten signature (scanned copy) or by ELECTRONIC SIGNATURE (electronic form) of the persons authorised to act on behalf of BIDDER/EPR. 3.3. In the event of BIDDERS' joint participation in the PROCEDURE (CONSORTIUM), the documents and declarations listed in Column B above shall be submitted jointly by the CONSORTIUM.		