



INVITATION TO BID

„Disposal of spent catalysts and inert material from Prime G unit, CoMoNiMo catalysts (waste code: 160802*)

BID SUBMISSION CONDITION / RULES

The bid must be placed before the deadline specified in the CONNECT system, in English or Polish, through CONNECT - Purchasing Platform of the ORLEN Group available at <https://connect.orlden.pl> by completing all fields in the form and attaching the information/documents requested in the RFP. If the Bidder submits documents subject to evaluation and issued in a language other than English or Polish, they could not be taken into account.

The lack of any document in a bid, or the lack of a declaration of its delivery at another date indicated and agreed with the Ordering Party, may result in the exclusion of the Bidder from further proceedings.

The bid should be signed by a representative of the Bidder, authorised according to the provisions of National Court Register or other respective commercial register of companies or according to the relevant power of attorney.

If you do not wish to submit a bid please send us a short message through CONNECT (in the "Subject of the message" field, please write "Decline the request to submit a bid", please indicate the reasons in the body of the message and click "Decline" (the order of the actions is relevant).

Any requests for additional information and explanations should only be submitted through CONNECT ("Ask the Ordering Party a question" option) in the timeframe provided for by the system. The reply will be submitted in the same way.

The Ordering Party reserves the right not to answer the questions asked if questions are asked within the three (3) days before the required date for submission of tenders.

The Ordering Party reserves the right not to answer the questions concerning the technical information that are considered as confidential.

PROCESS – MODE OF BID SUBMISSION

ORLEN S.A. operates a three-step bid submission process:

Formal and technical documents may not contain any trade information and/or remuneration. Bidders submit documents (scanned copies of documents) through the CONNECT system.

STEP 1:

FORMAL OFFER / formal criteria to be met.

The formal criteria are listed in the subject tender. This is a pre-qualification stage for the Suppliers during which we ask you to submit several documents and answer general questions about this tender, T&C's, your company, Beneficial Owner declaration, etc.

STEP 2:

TECHNICAL OFFER along with the required Appendices should be attached in the item entitled TECHNICAL OFFER. Please do not attach any commercial information at this stage. Once you have passed the formal evaluation, the technical team will evaluate your technical proposal and answers you have provided to technical criteria. You must not provide any prices in the technical documents, otherwise your offer may be withdrawn from further evaluation in the subject tender. The key takeaways are to meet 0/1 criteria, enclose all mandatory documents. Once this stage is completed, we will inform you whether your offer has been qualified further or not. For the latter case we will provide you with feedback in the scope we are allowed to share (not infringing the tender strategy).

STEP 3:

Commercial offer will be opened only to those bidders who have successfully passed the two preceding verification stages - formal and technical - which at the same time confirms their qualification for the commercial round.

All submitted documents must be signed by authorised persons (an electronic signature is acceptable).

At this stage we will review in details economical aspects of your offers i.e. value, payment terms, guarantees and liabilities, additional discounts etc. During this stage we will set up negotiation round. The combination of all stages will lead us to the winning proposal and Supplier.

We may inform you that your proposal will be recommended for the internal approval, which does not mean yet that you have won this tender, this will come after the approval and mutually signed Frame Agreement/Contract. For those Suppliers whose offer did not receive top score – you will receive feedback.

All questions shall be communicated through section Q&A's on the CONNECT platform.

CONFIDENTIALITY

The Bidder undertakes to respect the confidential nature of all information resulting from this bidding process.

These bidding documents are to be used by the Bidder solely for the purpose of preparation and submission of the offer on the express condition that neither the bidding documents nor the information contained therein shall be disclosed to others or used for any other purpose without the expressed prior written consent of the Ordering Party.

The Bidder undertakes to treat all information related to this request for proposal, as well as information acquired during the purchasing procedure, as confidential. Information concerning the fact of being invited to respond to this request for proposal, of submitting a tender, of holding commercial negotiations or of signing a contract may be revealed by Bidders only

subject to a written consent of ORLEN S.A. to publish or reveal such information to third parties. Should it be necessary to obtain bids from subcontractors/sub-suppliers, the Bidder may share information with such parties in the scope necessary to acquire the bids, at the same time obliging the subcontractors/sub-suppliers to keep the information in confidence.

INTRODUCTION

Dear Sir/Madam,

We would like to kindly invite you to present an offer for cooperation with ORLEN S.A. in respect of spent catalysts containing nonprecious metals, the catalysts come from Orlen production unit.

We invite you to submit bids for metal recovery or waste disposal.

Waste code 160802*

Please find details below

DELIVERY DATE

The waste is already unloaded.

TECHNICAL DETAILS

This request for proposal concerns the management of a mixture of spent cracked gasoline hydrogenation and hydrodesulphurisation catalysts and inert material (guard beds), together with impurities, unloaded from Prime G unit that belongs to ORLEN S.A. The mixture of spent catalysts with a small quantity of inert materials is listed under line No. 1 in CONNECT, while the guard beds with a small quantity of spent catalyst are listed under line No. 2 of the procedure.

Bids may be submitted separately for each line or for both lines in CONNECT.

- Waste code: 16 08 02*
- Packaging: 200 l, steel drums
- Total net quantity of waste: **32,806.7 kg** net (including packaging and pallets approx. 37,919 kg).

Line No. 1: 21,433.7 kg net (spent catalyst)

Line No. 2: 11,373 kg net (inert material)

Waste description:

1. Line nr. 1 in Connect:

- Mixed spent catalysts with impurities and small quantities of inert materials: 21,433.7 kg (net) (174 drums)

The drums with catalysts contain three different spent catalysts (CoMoNi). It is not possible to precisely separate the individual catalysts.

a) Cobalt-molybdenum catalyst (CoMo) – 17,509.2 kg;
- approximate content of cobalt sulphide: 1–3 wt.% and up to 0.3 wt.% cobalt oxide, i.e. in total approx. 113–382.4 kg of cobalt;
- molybdenum oxide up to 1 wt.%, i.e. up to approx. 117 kg of molybdenum.

b) Nickel-molybdenum catalyst (NiMo) – 2,294 kg; approximate content of nickel sulphide: 5–10 wt.% and nickel oxide up to 1 wt.%, i.e. in total approx. 54.5–127 kg of nickel; molybdenum oxide 1–3 wt.%, i.e. approx. 15.2–45.8 kg of molybdenum.

c) Nickel catalyst (Ni) – 1,630.5 kg; approximate nickel content: 1–10 wt.%, i.e. approx. 12.7–127.9 kg of nickel; molybdenum oxide 10–20 wt.%, i.e. approx. 108.6–217.3 kg of molybdenum.

The catalysts are mixed and contaminated; therefore, in the request for proposal they will be described as CoMoNi catalyst with an estimated weight of 21.5 tonnes. The estimated weight of impurities in the drums with catalyst is approx. 2,173.03 kg, i.e. approx. 6.6% of the mass of fresh catalysts with guard beds and inert materials – corrosion deposits, coke and other mechanical impurities.

2. Line nr. 2 in Connect.

- **Guard and inert material (guard beds) with impurities: 11,373 kg (net)**

The inert material (guard beds) are mixed with each other and with a very small quantity of catalysts.

The drums with guard beds are labelled and separated from the drums with catalyst from line 1..

TRANSPORT REQUIREMENTS:

- ADR information: RID/ADR classification certificate has been issued; the material is subject to ADR.

The mixture of spent hydrogenation and hydrodesulphurisation catalysts from cracked gasoline has been classified as UN 3077 – environmentally hazardous substance, solid, n.o.s. Class/classification code: 9/M7, packing group: III.

The following special provisions have been indicated for the material: 274, 335, 375, 601, as well as the application of special provisions 5.2.1.8.

MINIMUM REQUIRED SCOPE OF BID

Formal part should contain:

1. I declare that I have familiarized myself with and accept the standards in force at ORLEN S.A. concerning the anti-corruption policy, rules for accepting gifts, reporting non-conformities and managing conflict of interest made available on the website www.orklen.pl according to the path: "About the company / Our standards / Our standards / Anticorruption standards." <https://www.orklen.pl/en/about-the-company/company/ethics-and-values/anti-corruption-policy>

2. I have read and understood and accept the rules presented in the Suppliers' Code of Conduct that is available at www.orldn.pl, in Home / For Business / Tenders and supplies / Supplies / ORLEN S.A. Supplier Code of Conduct. <https://www.orldn.pl/en/for-business/tenders-and-supplies/deliveries/supplier-code-of-conduct>
3. I declare that I have read and accept the applicable ORLEN S.A. Human rights protection policy at ORLEN CG made available on the website www.orldn.pl according to the path: "Sustainable Development / Reports and Indicators / Human Rights Protection Policy. <https://www.orldn.pl/en/sustainability/human-rights-protection-policy>
4. I declare that I have read and attached a filled Beneficial Owner Declaration document (attached to the RFP), or that the Beneficial Owner Declaration document attached in the Documents on the Supplier's Profile is current, i.e. it represents the state as of the date of the offer and I have attached the printout from the Central National Register of Beneficial Owners.
5. I hereby declare that I have read and attached the signed and completed Sanctions Declaration (attached to the RFP), or that the Sanctions Declaration previously attached to Documents in the Supplier Profile is valid, i.e. presents the status as of the date of the offer submission. The Sanctions Declaration is also available at: CONNECT / Help / Regulations and Instructions.
6. For Polish companies only: Prosimy o załączenie aktualnego KRS , zaświadczenia z Urzędu Skarbowego o byciu czynnym podatnikiem VAT (nie starsze niż 3 miesiące) lub Potwierdzenia (w pdf, wygenerowane ze strony: <https://pfr.mf.gov.pl/?link=VAT&>), że oferent jest zarejestrowanym podatnikiem VAT czynnym, oświadczenie o złożeniu deklaracji VAT za ostatnie pół roku i zaświadczenie o niezaleganiu z podatkami i składkami w US i ZUS za ostatnie pół roku.
7. Confirmation of being an authorized recipient of waste under code specified in the title of the tender, according to the EU regulations.
8. In case of Frame Agreement or Purchase Order, the final confirmation of the agreed terms of cooperation and any commitment on behalf of ORLEN Group can be only made by the person with the appropriate power of attorney. Please confirm this statement is acceptable for you.
9. ORLEN Group reserves the right to cancel this RFP and withdraw from any negotiations without giving any reason. Bidders are not eligible for any claims against the Inviting Party in this connection. Please confirm if this statement is acceptable for you.
10. Please confirm the acceptance of the conditions of this tender.
11. Please confirm the offer is signed by the person authorised to represent the company and through account of the company with which Frame Agreement would be signed/Party of the Frame Agreement. Otherwise please enclose explanations.
12. Please confirm that you are authorized to perform legal acts in accordance with applicable laws, that you are not subject to any economic sanctions applicable in Poland or in the European Union, and that you have no arrears in public levies (taxes and fees) related to your business activities;

Technical part should contain:

1. Please enclose technical offer in accordance with requirements. Please remove any commercial conditions from the technical offer. Please, include a description of the metal recovery process (if applicable), metal content determination procedure, results exchange procedure, splitting limits, umpire procedure, the sampling moment determination, the procedure for the representative sample preparation, confirmation whether the samples to be sent for analysis are a mixture of all beds, or catalyst will be

pre-sieved, submission of the analytical method used to calculate the metal content (if applicable to the bid). The certified scale is required.

2. Confirmation that weighting and sampling process can be witnessed on Client's demand by his representative and that a certified weight is available.
3. Please provide information what disposal/ recovery process (R1-R13, D1-D15) the waste will be subjected to.
4. Please attach permits to manage (recover) waste under code specified in the title of the tender in accordance with applicable regulations and other required documents permitting recovery or disposal in the indicated facility
5. Confirmation of readiness to issue a certificate that the recovery or disposal has been completed in accordance with Article 16 of Regulation No. 1157/2024.
6. Confirmation of readiness to comply with all formalities related to obtaining appropriate permits from the relevant authorities of receiving and transit countries in accordance with Regulation (EC) No Nr 1157/2024 of the European Parliament and of the Council on shipments of waste - if applicable
7. Declaration that in the event of cooperation, the company will undergo the audit (if applicable) referred to in Article 46 of Regulation 2024/1157 on waste shipments and provide confirmation of a successful audit to ORLEN S.A.
8. Company name and exact address of the metal recovery facility (Country, city, street name and number, area code).
9. Confirmation that the recovery (waste management) permit and other attached documents are up to date and meet all requirements for acceptance of waste for recovery within the specified country
10. Exact address of the waste management facility (Country, city, street name and number, area code).

Commercial part should contain:

1. Total price for recovery or waste management service (please enclose example calculation via connect)
2. Treatment charge per 1 ton of waste.
3. Commercial proposal in pdf file signed by authorized person.
4. Other costs (if any). Please attach description of the cost
5. Transport cost per truck (if available)
6. Cost of lot charge (if any) - please provide cost in total, i.e. for all lots estimated on the basis of quantity or value.
7. Payment term for service in days.
8. Payment term for metal/catalyst in days (if relevant).

GENERAL STATEMENTS

Your offer will be evaluated based on the above-mentioned technical and commercial conditions. In case of order, General Terms of Purchase of Commodities and the Terms of Purchase of Commodities and Rendering of Services Devised by ORLEN S.A. OWZ Rev. III/2012 06.12.2012 shall apply (available on our website www.orlden.pl).

ORLEN S.A. reserves the right to select at its own option a winning bidder, winning bidders or other persons, and negotiate with them a part or entirety of the submitted bids and to conclude agreements with more than one bidder selected through negotiations, where the scope of a given agreement can cover the entirety or a part of works.

ORLEN S.A. reserves the right not to issue the references without giving any reason.

Moreover, ORLEN S.A. reserves the right to cancel this invitation for tenders and withdraw from negotiations without giving any reason. Bidders are not eligible for any claims against the Inviting Party in this connection. ORLEN S.A. is not bound by the provisions of the act of 29 January 2004 on public procurement law.

In case of Purchase Order/Contract the confirmation of the agreed terms of cooperation on behalf of ORLEN S.A. can be only issued by the person with the appropriate power of attorney.

The Bidder acknowledges and accepts that all communications received during the purchasing procedure, irrespective of their form, are for information only and will not be considered a statement of intent to conclude a contract. The signing of the Contract and incurring financial obligations will take place after receiving corporate approvals. A potential contract will be concluded upon signing by both parties.

The CONTRACTING AUTHORITY may, at its sole discretion, at any time prior to awarding the contract, exclude the TENDERER from the PROCUREMENT PROCESS and/or reject its TENDER if the TENDERER or its proposed suppliers or subcontractors offer a product or service originating in a third country, which shall be understood as a country:

- other than a Member State of the European Union, or
- other than a country that is a party to the World Trade Organisation (WTO) Agreement on government procurement, or
- other than a country that is a party to an international agreement with the EU that guarantees mutual and equal access to the public procurement market.

The CONTRACTING AUTHORITY shall immediately notify the TENDERER of its exclusion and/or rejection of its TENDER, and the TENDERER shall not be entitled to any claims against the CONTRACTING AUTHORITY in this respect.

WORK SAFETY AND OHS REGULATIONS

<https://www.orlden.pl/en/about-the-company/company/ethics-and-values/Safety-in-ORLEN/External-Contractors/Safety-requirements>

PEDESTRIAN AND MATERIAL TRAFFIC RULES

In the event that the delivery of the Goods or Services makes it necessary for the Seller to have access to the Buyer's manufacturing site, the Seller shall read and comply with provisions in the extract from the currently applicable version of the Regulation on the pedestrian and material traffic rules in ORLEN S.A.(it means – 1) Excerpt from Operational Disposition no. 5_2020_GC individual traffic_for external entities_eng.pdf and 2) Excerpt from Guidelines Of The Director Of The Control And Safety Office to organisation of individual traffic in ORLEN SA.pdf and 3) guidelines of the executive director for control and security office on organization of material movement in orlen s.a._v2.2.pdf available at <https://connect.orlden.pl/app/help>) . In the event that the Seller fails to observe and comply with the provisions in the provided extract from the Regulation, the Seller shall pay a contractual penalty prescribed for a given type of non-compliance as specified in an appropriate section of the Instruction on pedestrian traffic in ORLEN S.A.

ATTACHMENTS:

1. RODO
2. MAR
3. SANCTION CLAUSE
4. ANTI CORRUPTION CLAUSE
5. GENERAL TERMS AND CONDITIONS
6. DECLARATION OF THE BIDDER