



TERMS OF REFERENCE

Regarding: Recovery of precious metals from low-grade dust.

Any information on the subject procedure will be provided by:

- Sebastian Okrojek, Head of Nitric Acid Division A – 21, phone: +48 /54/ 414 31 65, mob. +48 661 962 813, e-mail: sebastian.okrojek@anwil.pl
- Kamil Strużyna, Senior Production Process Engineer Nitric Acid Division (A-21), phone: +48 /24/ 20 21 764, mob. +48 607 191 046, e-mail: kamil.struzyna@anwil.pl

1. Technical specification.

The subject of the order is the **recovery of precious metals** from **so-called low-value** dust collected during maintenance shutdowns from boilers and superheaters. These devices are located under the catalytic-catchment gauzes packages in ammonia oxidation reactors at the Nitric Acid Installations in ANWIL S.A. The waste is dominated by metals and their inorganic compounds, including precious metals (platinum, palladium and rhodium). The waste has been classified as hazardous mainly due to its nickel content. The waste is packed in sealed bags inside barrels. In the waste there is mainly by metals and their inorganic compounds, including precious metals (platinum, palladium and rhodium). The waste is classified as hazardous mainly due to its nickel content. The waste is packed in sealed bags inside barrels. Total net weight is approx. 2800 kg. This weight can be changed and the exact information will be established between the parties in the immediate executive response based on the weight report.

Dusts are waste intended for the recovery of precious metals and are classified under the code:

- Waste code PL: 16 08 02*
- Waste code for cross-border transport: A2030

The waste is not subject to the regulations on the transport of dangerous goods ADR/RID.

The recovery of precious metals will be carried out using the method proposed by the contractor – in accordance with the applicable legal regulations and in accordance with the decisions held authorizing the performance of the above-mentioned service.

2. Scope of work/delivery.

Estimated scope of work:

2.1. Transport:

The collection of barrels from the territory of ANWIL S.A. and transport to the place of recovery is the responsibility of the Contractor. Loading is the responsibility of ANWIL S.A.

Carrying out the sampling process of the obtained material and analysis of the content of recovered precious metals.

2.2 Before starting the recovery process, three samples should be taken for each batch, previously specified by the Contractor, based on which the content of recovered metals will be determined. One for the Contractor, one for ANWIL S.A. and a referee sample.

2.3 Carrying out the sampling process of the obtained material and analysis of the content of recovered precious metals.

2.4 Carrying out the recovery (R4, R5, R8 processes allowed) in accordance with generally applicable legal regulations and in accordance with the decisions held authorizing the

performance of the precious metal recovery service and the best technical knowledge. The service is performed after the acceptance of the sample results by ANWIL S.A. and after delivery of a statement confirming the completion of the recovery.

- 2.5 Acceptance of the results by ANWIL S.A. and the Contractor, followed by financial settlement between the parties, including all financial settlements for: precious metal recovery service.
- 2.6 Transfer of recovered metals to the designated ANWIL S.A. metals account.
- 2.7 Weighing on the scales of both the Ordering Party and the Contractor.
- 2.8 Confirmation of the refinery's status as an entity listed on the LPPM (London Platinum and Palladium Market).

3. Deadline for completion/delivery.

Expected completion date: The Bidder will submit a proposed schedule based on which the completion date will be set. Preferred deadline is up to 6 months from the date of receipt of the waste.

4. Technical conditions for the performance and receipt of the service/delivery.

- 4.1. The Ordering Party requires that the offered service include the recovery of precious metals from the specified waste. Offers that involve the commercial repurchase of waste, without any processing element, will not be evaluated.
- 4.2. Minimum guaranteed metal purity after recovery of Pt, Pd at the level of 99.95%, in the case of Rh 99.9%. Loss on ignition (LOI) / loss on reduction (LOR) maximum 0.05% by weight.
- 4.3. Representatives of ANWIL S.A. will (at their own expense) supervise the key stages of recovery, which will be established by the parties in the contract.
- 4.4. The deadlines for the completion of individual stages and the participation of ANWIL S.A. representatives will be agreed between the parties in the contract. The preliminary schedule will be presented in the offer.

5. Guarantee.

The bidder will provide a minimum **12-month** warranty for the service performed.

6. Additional requirements.

- 6.1. In case of recovery/cleaning process proceed in Poland, it is required:
 - a) Confirmation of the Bidder's authorizations to collect and transport waste by:
 - attaching copies of relevant waste management permits (with specified waste code 16 08 02*) to the offer;
 - providing the BDO register entry number for waste processing;
 - providing the BDO register entry number authorizing the transport of waste covered by this inquiry. In the event that the company collecting the waste uses the services of a waste transport company, it is necessary to provide the BDO register entry number authorizing the transport of waste covered by this inquiry by the indicated company or a declaration that the Bidder will not use the services of a waste transport company.
 - b) Declaration that the Bidder undertakes to immediately confirm the receipt of waste and its transport in BDO.
 - c) Providing the NIP number under which the service will be provided, documented by a certificate confirming the status of a VAT payer.
 - d) Providing the PKWiU classification for the service.
- 6.2. In case of services performed outside of Poland, it is required:
 - a) Confirmation of the Bidder's authorisation to collect and transport waste by:
 - Attaching to the bid copies of relevant waste management permits (with specified waste code 16 08 02*) together with a version translated into Polish or English;

- Attaching to the bid copies of relevant permits authorising the transport of waste (within and outside Poland) together with a version translated into Polish or English
 - b) Confirmation of readiness to comply with all formalities related to obtaining appropriate permits from the relevant authorities of the receiving and transit countries in accordance with Regulation (EU) 2024/1157 of the European Parliament and of the Council of 11 April 2024 on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056 and repealing Regulation (EC) No 1013/2006.
 - c) Specification of the planned route and alternative route.
 - d) Attachment to the offer of copies of the transporter's insurance policies required to obtain a notification decision.
 - e) Declaration that the Bidder will issue confirmation within 3 days of receiving the waste that the waste has been delivered/received.
 - f) Provision of a current tax residence certificate..
 - g) Providing the place of work.
 - h) Providing the VAT number under which the service will be provided.
- 6.3. For local and foreign recipients, we also ask for:
- a) Declaration that the Bidder is an authorized recipient of the waste covered by the request for proposals within the meaning of applicable legal regulations governing waste collection.
 - b) Declaration that the waste will be transported in accordance with applicable regulations governing waste transport.
 - c) Declaration that the Bidder assumes full responsibility for the waste collected.
 - d) Declaration that the Bidder will submit, via DIWASS system, a statement confirming the collection of waste and the subsequent performance of final recovery of waste has been carried out in accordance with applicable legal regulations.
 - e) Providing information on what recovery process R4, R5 or R8 the waste will be subjected to (if it is necessary to carry out intermediate processes R12, R13, the final recovery process should also be indicated).
 - f) Confirmed references (information on waste collection agreements) or teleinformatic data to persons who can confirm the provision of a service corresponding to the scope of this inquiry
 - Documented experience in the recovery of precious metals from nitric acid installations and technical capabilities to carry out the process.
 - References with descriptions of similar works – recovery of precious metals from dust collected from devices located under catalytic-catchment gauzes packages.
 - g) Description of the precious metal recovery process.
 - h) Schedule of execution of individual operations and sample analyses.
 - i) Determination of the total cost of operations included in the scope of the demand, broken down into individual stages and works.
 - j) Providing the INCOTERMS database.
 - k) The Contractor is required to comply with ANWIL S.A.'s rules and regulations, as well as its requirements regarding occupational health and safety, fire safety, and environmental protection.
- 6.4. Other requirements:
- Before commencing the task, the Contractor is required to prepare an implementation schedule.
 - The method of performing the service must be designed to take into account environmental protection requirements as well as safety, human life, and health, and must be structured to minimize negative environmental impact.
 - The Client reserves the right to increase or decrease the scope of work.
 - Confirmation that a representative of the Client may, at the Client's request, be present during the sampling and weighing procedures, and that a certified scale is available.

- A description of the procedure and method for testing the metal content in the waste.
- A description of the weighing method and sampling procedure.

7. Contractor selection criteria.

7.1. The first stage involves the evaluation of the technical part of the offer, which includes (score 0-1):

- Confirmation of familiarization with the terms of this ITB and their acceptance.
- Attachment of declarations and copies of documents/confirmations of the qualifications held, which are described in points 6.1., 6.2., 6.3.
- Submission of references confirming experience in conducting the process that is the subject of this inquiry.
- Confirmation of the possibility of conducting an audit by ANWIL S.A. verifying the declared technical capabilities to conduct the process that is the subject of this inquiry and the compliance of its conduct with the requirements included in the ITB (audit of formal and legal documentation and waste processing installation) during the purchasing process and during the term of the contract.
- Presentation of the address of the recovery installation.
- Description of the precious metal recovery and refining process.
- Schedule of execution of individual operations and sample analysis.
- Presentation of a proposal for guaranteed recovery of Pt, Pd, Rh metals. If it depends on the concentration in the sample, please present such a relationship.
- Confirmation of the minimum required purity of the recovered metals.
- Signing a Confidentiality Agreement with the Ordering Party – confirmation by attaching completed and signed confidentiality agreements and then providing the originals of the signed agreements in 2 copies.

7.2. After receiving a positive technical evaluation, the second stage will begin – the commercial evaluation of the offers.

- The Contractor whose offer meets substantive expectations, and the price and other commercial conditions are the most favorable, will be selected. Due to the specificity of the procedure and its complexity, the evaluation of the commercial part of the offers will be carried out based on a special calculator.
- In the commercial offer, the Bidder will present a detailed cost estimate, cash settlement terms and, as an option, settlement in recovered metal.
- The commercial offer must include a total price for the service, taking into account individual unit costs (rates), including: pre-treatment per kg of dust (if required), refining per kg of dust, transport, transfer of metal to the ANWIL S.A. account and other unspecified costs.

8. Enclosure.

Enclosure No. 1 – Conditions of participation in the tender procedure – RFP.

Enclosure No. 2 – Information protection.

Enclosure No. 3 – Sanction clause.

Enclosure No. 4 – Anti corruption clause.

Enclosure No. 5 – MAR Clause information note.

Enclosure No. 6 – GDPR Clause.

Enclosure No. 7 – Declaration – Beneficial Owner.

Enclosure No. 8 – Privacy notice for natural persons who are Contractor or representatives of Contractors, of ORLEN Group Companies and whose details are shared across ORLEN as part of the Trade Credit Centralisation.

Enclosure No. 9 – Privacy notice for natural persons who are Contractors, or representatives of Contractors, of ORLEN Group Companies and whose details are shared across ORLEN as part of the Debt Collection Centralisation.

Enclosure No. 10 – Draft of Bank Guarantee.

Enclosure No. 11 – Disposal (Green) Contract draft.