



INVITATION TO BID

**Frame Agreement for 2028-2029 for
Activated Alumina for Air Compressing Unit
for ORLEN S.A.**

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.orsen.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.

Technical appendices will be provided to the Bidders through the CONNECT Platform after submitted declaration of non-disclosure of information constituting company secret (signed NDA between Bidder and Ordering Party OR Protected Information Document).

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 pre-qualification stage for the Suppliers during which we ask you to submit several documents and answer general questions about subject 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 and provide guarantees always backed up by liabilities (without unveiling prices, as percentage to Total Invoiced Value). 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:

Only offers that successfully pass the formal and technical evaluation will proceed to the commercial evaluation stage.

All submitted documents must be signed by authorised persons (acceptable is electronically signature). At this stage we review in details economical aspects of your offers i.e. value, payment terms, guarantees and liabilities, additional discounts etc. We will also evaluate and consider the latest result of Supplier Survey that we have run yearly. 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 expressed 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

Activated alumina is used in Air Drying Section on Air Compressing Unit.

This documentation is the property of ORLEN S.A. and its CAPITAL GROUP COMPANIES and it must not be used without approval for other purposes than this tender. Any copy or distribution of this documentation is not permitted without prior consent of ORLEN S.A. and its CAPITAL GROUP COMPANIES.

REQUIREMENTS (that must be strictly fulfilled)

1. Offered Activated Alumina must be in accordance with the technical specification.
2. Activated Alumina must be packed in big-bags (metal drums are not allowed).
3. Country of origin China is not allowed.
4. Required quantity and delivery time:
 - 20 000kg – delivery on 31.03.2028 (Air Compressing Unit II)
 - 12 000kg – delivery on 31.08.2029 (Air Compressing Unit I)
5. Please define minimum guaranteed life time. Minimum guaranteed life time cannot be less than 24 month with compliance to the parameters specified in the specification.

More detailed information will be sent to Suppliers registered on the CONNECT platform upon their individual requests, submitted via the Q&A section, after signing and submitting the Confidential Information document, attached to the platform.

GENERAL STATEMENTS

Your offer will be evaluated in the aforesaid 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.orklen.pl).

ORKLEN 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.

ORKLEN 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 Bidder is obliged to have a valid and paid public liability insurance policy (contract- tort) for a guarantee sum of not less than 2 000 000 USD (in words: two million USD), per each incident and in

the annual aggregate; additionally the policy should be extended to full guaranteed sum by Product Liability and by Pure Finance Losses and by employers liability.

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.

ORLEN Capital Group shall be entitled to disclose information concerning the Agreement, including the content of the Agreement and information related to its performance, to entities forming part of the ORLEN Capital Group, provided that such disclosure does not violate generally applicable provisions of law and is made exclusively in connection with the need for (a) identification and verification of contractors, security, or risk management, or (b) business analytics. ORLEN Capital Group shall be liable for the acts and omissions of the entity to which such information is disclosed, with respect to maintaining confidentiality, as for its own acts and omissions.

ATTACHEMNTS:

1. DECLARATION OF THE BIDDER

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2. RODO
3. MAR
4. SANCTION CLAUSE
5. ANTI CORRUPTION CLAUSE
6. GENERAL TERMS AND CONDITIONS
7. PACKAGING INFORMATION
8. DECLARATION OF THE BIDDER LEGAL PERSON
9. BENEFICIAL OWNER STATEMENT
10. PROTECTED INFORMATION

Best regards,

Beata Piórkowska
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