

Support Functions

Production Operations  
Procurement Division



Call for expression of interest No: **POPD- AE0055**

Scope: "Demolition/dismantling of Thermal Power Plant and by-product management"

**CALL FOR EXPRESSION OF INTEREST FOR THE PREQUALIFICATION OF  
CANDIDATES FOR THE EXECUTION OF DEMOLITION/DISMANTLING WORKS AND  
BY-PRODUCT MANAGEMENT AT STAGE I BY MEANS OF AN ELECTRONIC  
NEGOTIATION PROCEDURE**

(STAGE I: PROCEDURE - Prequalification)

ISSUE 1 OF 1

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**PUBLIC POWER CORPORATION S.A.**  
**PRODUCTION OPERATIONS PROCUREMENT DIVISION**

STAGE I: Prequalification Procedure

"Demolition/dismantling of Thermal Power Plants (TPPs) and by-product management"

**TERMS AND INSTRUCTIONS TO CANDIDATES**

The Public Power Corporation S.A. (hereinafter PPC or the Company), 30 Chalkokondyli Street, GR 104 32, Athens, pursuant to the provisions of:

- the Regulations for Works, Supplies and Services of PPC S.A. (RWSS/PPC, Board Decision No 4/09.02.2022) published on the official website of PPC at [https://eprocurement.dei.gr/images/kepy\\_dei\\_ae.pdf](https://eprocurement.dei.gr/images/kepy_dei_ae.pdf) and [https://eprocurement.dei.gr/images/kepy\\_dei\\_ae\\_en.pdf](https://eprocurement.dei.gr/images/kepy_dei_ae_en.pdf), and
- the present Call for Expression of Interest

hereby invites interested Candidates to submit applications for the Prequalification procedure (Stage I), followed by the Negotiation procedure (Stage II) which will conclude to the award of Contract.

**Scope:**

- **Project 1:** Demolition/dismantling of Thermal Power Plants of Northern Greece-Phase 1: Rehabilitation of part of the PTOLEMAIDA TPP – Units I-IV, Cooling Towers of Kardia TPP – Units I-IV, Cooling Towers and Chimney of Amyntaio TPP – Units I-II (hereinafter referred to as "Contract 1")
- **Project 2:** Demolition/dismantling of Thermal Power Plants of Southern Greece-Phase 1: Rehabilitation of LAVRIO TPP – Units I-III (hereinafter "Contract 2")

Demolition works are considered to be the main scope of works for the abovementioned Contracts (1 and 2).

Each Project (Project 1, Project 2) shall be assigned through two (2) separate contracts. Both contracts may be executed in parallel.

**Selection procedure:** Open procedure with selection process in more than 1 stages, i.e. Prequalification stage (Stage I) and Negotiation/Tender (Stage II) with estimated time/date of completion by Q1 24'. Contract award by the end of Q1 24' and commencement of works by the beginning of Q2/Q3 24'.

**Requirement to submit tenders** for both Contracts, Contract 1: TPP Ptolemaida Units I-IV (including the Cooling Towers and the Chimney of TPP Amyntaio, Units I-II and the Cooling Towers of TPP Kardia Units 1-4, Contract 2: TPP Lavrio, Units I-III by each candidate.

**Contract Award Criterion:** The most economically advantageous tender based on the best quality/price ratio.

Prequalified Candidates (as defined in Appendix VII.B – Glossary/Definitions) shall submit, under the penalty of exclusion, offers for both Contracts (Contract 1, Contract 2) mentioned above.

In case offers by the same candidate receive the highest scoring, according to the award criterion (best quality/price ratio) for both contracts under tender, the candidate shall be awarded for the contract with the highest scoring difference compared to the immediate runner-up offer.

Regarding the above case, PPC reserves the right to award both Contracts to the same Candidate in case the latter has submitted the lowest financial offers for both Contracts under Tender.

## **Article 1**

### **Call for expression of Interest Documents**

#### **1.1 The present Call for expression of interest, consists of the following:**

##### **1.1.1. Invitation for the submission of applications**

- a. Terms of the selection procedure
- b. Prequalification criteria
- c. Annexes
  - i. Description of facilities of contracts 1 and 2
  - ii. Site layouts/General layouts
  - iii. Detailed presentation of the selection process in more than 1 stages
  - iv. Evaluation criteria for the Negotiation stage
  - v. Declaration Forms
    - Declaration of Candidate's suitability
    - Declaration of Candidates' fulfilment of selection criteria
    - Declaration of Candidate's reliance on the capacity of third parties
    - Declaration of Third party's suitability
    - Declaration of Candidate's acceptance of the selection procedure terms and validity of the Prequalification Application
    - Declaration of Candidate's absence of Exclusion Grounds
    - Declaration of Third Party's absence of Exclusion Grounds
    - Declaration of joint liability for Partnerships/Associations
    - Declaration of joint liability of Third Parties supplying financial capacity
  - vi. Content of the prequalification submission
  - vii. Glossary/Definitions
  - viii. NDA

## Article 2

### Information for Candidates

#### 2.1 Competent PPC Division Responsible for the Procedure - How, Where and When to submit the Application

<b>Competent PPC Division</b>	Department of Supplies Generation Operations
<b>Address</b>	22 Chalkokondyli Street, P.C. 10432,
<b>Tel.:</b>	210 5230301
<b>Contact Person</b>	Ms A. Stathi (tel.:+30-2105292028), Ms C. Chatsidou (tel.: +30-2105292486), Ms E. Loizou (tel.: +30- 2105292036), Ms N. Zafeiropoulou (+30 6956624144)
	<a href="mailto:A.Stathi@dei.gr">A.Stathi@dei.gr</a> , <a href="mailto:C.Chatsidou@dei.gr">C.Chatsidou@dei.gr</a> , <a href="mailto:e.loizou@dei.gr">e.loizou@dei.gr</a> , <a href="mailto:n.zafeiropoulou@dei.gr">n.zafeiropoulou@dei.gr</a>
<b>Technical Information</b>	Mr K. Chronis (tel.: +30 210 5292754), Mr A. Zarkas (tel.: +30 24630 59216)
	<a href="mailto:k.chronis@dei.gr">k.chronis@dei.gr</a> KAI <a href="mailto:a.zarkas@dei.gr">a.zarkas@dei.gr</a>

Table 2. 1 Information for contacting the competent PPC division for the procedure

The Prequalification Procedure will be conducted through the "compareONE" platform of cosmoONE of the PPC Electronic Procurement System, hereinafter referred to as the "System", through the [www.cosmo-one.gr](http://www.cosmo-one.gr) or [www.marketsite.gr](http://www.marketsite.gr) portals.

The System ensures at minimum that:

- (a) Date and time of receipt of Prequalification Applications are precisely determined,
- (b) Access to information transmitted, prior to the specified dates, is fully prohibited,
- (c) Only authorized persons are entitled to designate or modify dates for opening the submitted applications,
- (d) Throughout all stages of the selection procedure, including the opening of the applications, all or part of the information submitted may be accessed only by authorized persons and only after the specified date and time,

(e) In the unlikely event of violation or attempted violation of the restrictions and/or terms of access, as per (b) (c) (d), such violations or attempted violations are clearly traceable.

A prerequisite for participation of the interested parties in all stages of this Call is registration with the System. Upon successful registration, they will be provided with System Access Codes, required for system login and applications and/or tender submissions.

Registration does not incur any expenses for interested parties.

Interested parties can download User Instructions for Registration and System's User Manual free of charge from the Company's official website, <https://eprocurement.dei.gr> Electronic Submission.

Candidates that are already registered in the System are not required to register again. Nevertheless, upon logging into the System, Candidates are strongly advised to promptly update any personal information.

In case of no previous business partnership between Candidate and PPC, the Candidate shall contact the relevant PPC Division (Production Operations Procurement Division, Mrs. A.Stathi, [a.stathi@dei.gr](mailto:a.stathi@dei.gr)) in order to electronically receive the relevant application form so as to be registered with PPC's Electronic Procurement System.

In order to participate to the Procedure, natural persons, or legal representatives of candidates established in EU countries, signing prequalification application documents are required to hold a qualified electronic signature (qualified electronic signature according to EU regulation 910/2014), issued by a qualified trust service provider.

Candidates established outside EU with no access to qualified electronic signatures according to the above paragraph can sign and certify their signature with any other legal means.

Applications are submitted by interested parties electronically. Submission start date is **Tuesday 24.10.2023** and submission closing date is **Monday 27.11.2023 and time 13.00'**.

No application may be submitted after the above deadline.

## 2.2 Communication

Any communication between PPC and the Prequalification procedure applicants shall be made electronically via the System using the "Contact" functionality.

Communication, update and distribution of electronic documents will be carried out through the System, using the following procedures:

- Uploading or communicating relevant information via messages
- Uploading of relevant information by PPC
- Uploading of relevant information by Candidates

All data sent, notified, submitted, or uploaded are displayed at the user interface screens. In particular, the relevant timestamp constitutes proof of communication and circulation of documents through the System. The relevant deadlines begin on the day following the day of notification or submission and expire when the entire last day has elapsed (in case of a Greek public holiday, the deadline expires after the entire next working day has elapsed).

## 2.3 Clarifications

Interested economic operators may request additional information and clarifications regarding electronic documents of the Call no later than fifteen (15) days before the deadline

for submission of the Prequalification Applications through the "Contact" functionality of the System.

In case the deadline for submission of the Prequalification Applications is extended, the relevant deadline for request for additional information and clarifications may be extended accordingly at the sole discretion of PPC.

PPC will respond to the requests submitted by the above closing date, no later than six (6) days before the deadline for submission of the Prequalification Applications. Clarifications will be provided through the "Contact" functionality of the System.

### Article 3

#### Brief description and main characteristics of the Contracts' scope

##### 3.1. Introduction – General

PPC contributes to EU's objective, to become the first climate-neutral continent by 2050 by gradually decommissioning technologically outdated power plants located in Greece by 2028.

More specifically, the abovementioned power plants, are geographically dispersed throughout the Greek Territory and consist of the following: lignite fired units (20), natural gas fired units (2 units) and oil-fired units (7 units).

Out of twenty-nine (29) production units, twenty two (22) have been fully decommissioned and are currently out of service and seven (7) units are still in operation to date. Production units that have been fully decommissioned, had commenced their operation between 1960-1980 and were shut down after an average operational period of 40 years, while those that are still in operation are expected to be decommissioned within the forthcoming decade.

PPC's aim is to form strategic partnerships in order to undertake the demolition projects of the TPPs. The first step of the aforementioned strategy is the current call for expression of interest, initiating a process of rehabilitating all TPPs by 2028.

Key characteristics of the units of each TPP are detailed in Table 3.1.

Location	TPP	Fuel	Total Capacity (MW)	Condition of units	Year of Operation	Year of Decommissioning
Northern Greece	Ptolemaida 1-4	Lignite	620	Decommissioned	1959, '62, '65, '73	2010, '15, '14, '14
Northern Greece	Amyntaio 1-2	Lignite	600	Decommissioned	1987, '87	2020
Northern Greece	Kardia 1-4	Lignite	1,212	Decommissioned	1975, '75, '80, '81	2019 (1-2) 2021 (3-4)



Southern Greece	Lavrio 1-3	Oil - NG	620	Decommissioned	1972, '74, '95	2016
Southern Greece	Aliveri 1-4	Oil	380	Decommissioned	1975 (1-2) 1980 (3), 1981 (4)	2000 (1-2) 2016 (3-4)
Southern Greece	Megalopoli I-III	Lignite	550	Decommissioned	1970, '70, '75	I,II: 2014, III: May 2023
Southern Greece	Megalopoli IV	Lignite	300	Operating	1991	Operating exp. 2025
Northern Greece	Meliti	Lignite	330	Operating	2003	Operating exp. 2025
Northern Greece	Ag.Dimitrios 1-5	Lignite	1,595	Operating	1984, '84, '85, '86, '97	Operating exp. 2025
Southern Greece	Ag.Georgios 8-9	Gas	360	Decommissioned	1968, '71 (retrofitted 1997, '98)	2016, '14

Table 3. 1 Key characteristics of the TPPs.

### 3.2. Scope of Selection Procedure:

The scope of the current selection procedure is the award of contracts for the demolition/dismantling works of the following TPPs:

- Contract 1: PTOLEMAIDA TPP I-IV partial demolition/dismantling, Demolition of cooling towers of Kardia TPP I-IV and the Cooling Towers and Chimney of Amyntaio TPP I-II
- Contract 2: Demolition/dismantling of LAVRIO TPP I-III

Each contract will be awarded distinctly as a single Turnkey project.

		Capacity (MW) /Unit			
Contract 1	TPP	Unit 1	Unit 2	Unit 3	Unit 4
	Ptolemaida 1-4	70	125	125	300
	Kardia 1-4	4 Cooling Towers			

	Amyntaio 1-2	2 Cooling Towers 1 chimney			
Contract 2	Lavrio 1-3	150	300	170	-

Table 3. 2 TPPs included in the scope of Contracts.

The description of the facilities of Contracts 1 and 2 are included in Annex I (Description of facilities of Contracts 1 and 2).

### 3.3. General Description of TPP demolition/dismantling Works

The main categories of works to be performed for the demolition/dismantling of the TPP units that shall be included within the relevant contracts, are the following:

#### Contract 1

1. Preparation and submission to the local authorities of the studies required for the issuance of work permits (e.g. Demolition methods, Waste Disposal Plan, etc.).
2. Dismantling, removal and disposal (temporary storage, transport, final disposal) of hazardous materials (e.g. asbestos, SMF, PCB's etc.).
3. Dismantling and removal of electromechanical/industrial equipment from the industrial facilities of the TPPs as shown on the site layout drawings in Annex II.
4. Demolition/dismantling of facilities and/or metal structures/buildings, management and disposal of demolition waste (ECDW Type) as shown on the site layout drawings (Annex II). Explosives may be used in this project for the demolition of buildings only as provided for by the relevant Rehabilitation Study Approval Decisions. Infrastructure below ground level that is not part of a building shall remain intact unless otherwise provided for in the technical specifications.
5. Disposal/recycling (where applicable) of materials and/or electromechanical/industrial equipment and material dismantled; disposal thereof in accordance with the EU and Greek legislation to lawfully licensed bodies and dispatch to PPC of the final relevant certificates for updating the Electronic Waste Register as appropriate.
6. In case PPC considers that the offer of the awarded economic operator for the scope of materials management (scrap) is not advantageous, it reserves the right to exclude it from the Contract.

#### Contract 2

1. Preparation and submission to the local authorities of the studies required for the issuance of work permits (e.g. Demolition methods, Waste Disposal Plan, etc.).
2. Dismantling, removal and disposal (temporary storage, transport, final disposal) of hazardous materials (e.g. asbestos, SMF, PCB's etc.).
3. Dismantling and removal of electromechanical/industrial equipment from the industrial facilities of the TPPs as shown on the site layout drawings in Annex II.

4. Demolition/dismantling of facilities and/or metal structures/buildings, management and disposal of demolition waste (ECDW Type) as shown on the site layout drawings (Annex II). The use of explosives is not allowed at Lavrio TPP as provided in the decision for approval of the dismantling/demolition works by the relevant Ministry. Particular attention should be paid to protect the antiquities located in the boiler rooms of units 1,2 and time restrictions for the execution of the works apply. Infrastructure that is below ground and does not form part of a building shall remain intact unless otherwise provided for in the technical specifications.
5. Disposal/recycling (where applicable) of materials and/or electromechanical/industrial equipment and material dismantled; disposal thereof must be in accordance with the EU and Greek legislation to appropriately licensed bodies and dispatch to PPC of the relevant certificates/for updating the Electronic Waste Register as appropriate.
6. In case PPC considers that the offer of the awarded economic operator for the scope of materials management (scrap) is not advantageous, it reserves the right to exclude it from the Contract.

The detailed terms and conditions of the disposal procedure of the materials and/or electromechanical/industrial equipment will be described in the Negotiation Stage Tender Document, which will be provided to the prequalified Candidates.

Annex II provides site layout drawings referring to (a) buildings that are not to be demolished, (b) buildings that are not to be demolished but their equipment will be dismantled - removed and (c) buildings that will be demolished after their equipment has been dismantled - removed.

A detailed description of the above will be provided during the Negotiation Stage (Stage II).

### **3.4. Deadlines - Final deadline**

The Contract Completion Deadline, including time required for issuing permit designs, is indicatively set at 34 months for Contract 1 and 24 months for Contract 2, commencing from the date of signing of each respective Contract. The contract's implementation timeline, along with any matters relating to failure to meet contractual/individual milestones, shall be determined during the Negotiation Stage II.

## **Article 4**

### **Brief description of the Prequalification (Stage I) & Negotiation Procedure (Stage II)**

The awarding procedure for the two (2) projects will be carried out in more than one stages in particular:

**Stage I – Prequalification:** During the Prequalification stage, Applications will be submitted by interested candidates. Only those prequalified, according to the criteria set out in paragraph 5.4 of this call, shall receive the detailed Negotiation Stage II tender documents.

The maximum number of selected prequalified Candidates shall be five (5). Should the number of prequalified Candidates meeting the selection criteria be less than two (2), PPC

may, at its sole discretion, continue the selection process while retaining the right to award either both contracts or only one contract or part of contracts as outlined in Annex I.

**Stage II – Negotiation:** In this Stage of the selection procedure (Stage II), prequalified economic operators shall submit technical and financial offers, for both Contracts under award.

Prequalified economic operators shall be distributed the detailed Tender Documents through the System and they will have a total period of at least thirty (30) days from the relevant date to prepare and submit their initial technical and financial offers.

Participants in the Stage II will be evaluated based on their technical and financial offers. More specifically, the contracts will be awarded based on the best quality/price ratio. Annex IV contains evaluation criteria to be applied during Stage II of the selection procedure. The evaluation criteria and the relevant procedure will be described in detail in the Negotiation Procedure tender document, to be provided during Stage II.

A detailed description of the Selection Procedure is presented in “Annex III - Detailed Presentation of the selection procedure in more than 1 stages.

## Article 5

### Participation in the Prequalification Procedure

#### 5.1. Admission of participants

Participation in this Prequalification procedure is open to economic operators or associations of economic operators (as defined in the Glossary/Definitions of Annex VII attached to this Call) established in:

- A Member State of the European Union, or
- A Member State of the European Economic Area (EEA); or
- Third countries which have signed and ratified the Agreement on Government Procurement (GPA), to the extent that the contract to be awarded is covered by Annexes 1, 2, 4, 5 and the General Notes to the European Union's Appendix I to the GPA; or
- Third countries not falling into the above cases that have concluded a bilateral or multilateral agreement with the European Union and the United Kingdom

Each candidate economic operator, individually or as a member of an association of economic operators, may submit only one Prequalification Application. In case more than one application is submitted by an economic operator, all such applications shall be automatically rejected.

Should any candidate rely on the financial or technical capacity of a third-party (the “Third-Party”) to meet pre-qualification criteria, such third party shall be prohibited, under penalty of exclusion, from providing financial or technical resources **to any other candidate**. Non-compliance with such provision, shall result in the exclusion of all involved candidates.

Any third party, on which a candidate economic operator or a member of an association of economic operators relies in order to meet the financial or technical capacity criteria of this Call shall be prohibited, under penalty of exclusion, from participating either as an individual candidate or as a member of an association of economic operators. Non-compliance with such provision, shall result in the exclusion of all involved candidates.

A candidate's linked enterprise (as defined below) submitting an application for the Prequalification procedure, cannot participate in the present Call in the following instances:

- a) As an individual candidate
- b) As a member of an association of economic operators which participates separately in this Call
- c) As a Third-Party (providing technical and/or financial capacity) on which a candidate itself or a member of an association of economic operators already relies, which is not a non-linked enterprise.

Non compliance with the present provision shall lead to the exclusion of all involved candidates. A prerequisite for participation in the present Call is the absence of exclusion grounds provided in para. 5.3 and the relevant declaration in Annex V.

No Application for Prequalification shall be accepted from economic operators who have been excluded from PPC contracts for the period of their exclusion.

The participation in the present prequalification procedure of economic operators having any conflict of interests (competing interests) with PPC is prohibited.

For the purposes of the present Call for Expression of Interest, "conflicts of interest" due to competitive activity arise when an economic operator is:

- either a candidate (an economic operator or an association of economic operators) or
- a third party providing the candidate with financial/technical support or
- a subcontractor,

and active within the Greek electricity market in both sectors of:

- Generation and
- Supply/Trading.

In order to ensure that no conflicts of interests arise, Candidates' Linked Enterprises shall also be excluded from the present Call for Expression of Interest. Under the notion of Linked Enterprises fall:

- Linked Enterprises as provided by Law No.4308/2014, as in force.
- Linked Enterprises as provided in Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (2003/361/ EC)

## **5.2. Special Provisions for Associations of Economic Operators**

Associations of economic operators (consortia, JVs, etc.) are not required to take a specific legal form:

- either for their participation in the prequalification procedure
- or for the implementation of the Contract.

Each member of an association of economic operators, submitting an Application for Prequalification, shall be jointly and severally liable to PPC for all obligations arising from its participation in the call for expression of interest procedure, the negotiation procedure, as well as the Contract.

As regards associations of economic operators, they are eligible to participate provided that all their members meet the requirements for eligibility described in paragraph 5.1 above.

The Prequalification Application submitted shall be a joint Application and shall be mandatorily signed

- either by all members of the association,
- or by a joint representative duly authorized.

The Pre-qualification Application shall be accompanied by a signed private agreement, which:

- a. shall necessarily specify the categories of works to be carried out by each member of the association,
- b. may designate the joint representative of the association, who shall represent it in the pre-qualification procedure and the negotiation procedure.

### **5.3. Grounds for exclusion**

Any candidate or association of economic operators shall be excluded from participation in this Procedure, if one or more of the grounds for exclusion described in the relevant Declaration of Annex V apply to it or to one of its members respectively.

Participants must fill in and sign the above mentioned Declaration.

The provisions of paragraph 9.2.1.4 of this document shall apply for the verification and certification of the absence of grounds for exclusion.

In the event that grounds for exclusion exist for a provider of technical, financial and/or professional capacity, a replacement of such Third-Party shall be requested.

Such replacement of the entity providing technical and financial capacity shall take place by another qualified entity, for the relevant requirement, only once and within one month of the call for replacement.

### **5.4. Qualitative selection criteria**

The selection criteria are divided into two categories:

- On/ Off selection criteria (under penalty of exclusion)
- Evaluation selection criteria

Only candidates fulfilling the On/off qualitative selection criteria (as per para. 5.4.1) will be invited to participate in the Negotiation Procedure (Stage II). In case more than five (5) candidates qualify through the on/off selection criteria stage, further evaluation shall take place so as to shortlist a maximum number of five (5) prequalified candidates. Evaluation for shortlisting will be based on criteria described in para. 5.4.2.

In case of candidates achieving the same total score for the fifth position, a draw shall be held in order to determine the final shortlist. The draw shall take place at the offices of the relevant PPC Division or online, following proper notification, before representatives of the admissible candidates, should they wish to attend in person.

Candidates, who will not be included in the prequalification list, shall not be invited to the Negotiation Procedure (Stage II).

#### **5.4.1. On/Off Type Qualitative Selection Criteria**

Each Candidate must, according to the terms and requirements of the Call, fully meet all of the following selection criteria:

#### **5.4.1.1. Suitability to pursue the professional activity**

Economic operators should demonstrate similar professional activity to the scope of the projects, so as to fulfil the eligibility criterion.

#### **5.4.1.2. Economic and financial capacity**

##### **i. Financial statements**

Candidates must have an average annual turnover of at least € 25,000,000.00 (twenty five million euros) over the last 3 (three) fiscal years. For cases where candidates have been in operation for a period of less than 3 (three) fiscal years, the average annual turnover is calculated over the fiscal years for which they have been in operation.

##### **ii. Equity**

Candidates must have an average annual equity equal or greater than €15,000,000.00 (fifteen million euros) over the last 3 (three) fiscal years.

##### **iii. Annual EBITDA**

Candidates must have a positive annual EBITDA over the last three fiscal years.

EBITDA is defined as Earnings Before Interest, Taxes, Depreciation and Amortisation, calculated as revenues minus cost of goods sold and operating costs.

#### **5.4.1.3. Technical and professional capacity**

##### **i. Experience required**

Candidates must:

A) Have successfully executed at least one (1) turnkey project contract, which includes the following work categories in total:

- dismantling/removal from constructions, transport, temporary storage and final disposal of hazardous materials, including asbestos, of a quantity equal or greater than one hundred fifty (150) tonnes,
- dismantling/removal of equipment and demolition of facilities,
- scrap management and/or disposal,

in a Thermal Power Plant (of one or more units) generating electricity with a total capacity of at least 300MW in the last 15 years.

B) Have successfully completed the execution, as Project Manager in one or multiple contracts (Multi-Contracting) or as main Contractor:

At least three (3) projects of dismantling or erection or installation of electromechanical/industrial equipment or demolition or construction of industrial

buildings / building components / large-scale constructions with a budget equal to or greater than €20,000,000.00 (twenty million euros) each, within the last 15-year period, in Greece.

Evidence for Candidate's technical and professional capacity must be provided in accordance to the provisions of Par. 9.2.1.7.

#### 5.4.1.4. Quality assurance, environmental management, health and safety

Candidates including associations of economic operators should have the following certifications regarding:

- i. Quality assurance
- ii. Environmental management
- iii. Health and safety management

Certificates shall be submitted with the application for pre-qualification, in accordance with Article 9 of the present document. These certificates must cover at least the main scope of works, as this is specified in this Call in par. "Terms and Conditions to Candidates".

#### 5.4.2. Evaluation Selection Criteria

The evaluation selection criteria relate to the technical and professional capacity and in particular the relevant experience of the economic operators.

The aim of those criteria is to ensure that the selected economic operators have:

- Experience in turnkey projects concerning hazardous materials management, equipment dismantling, demolition and scrap management in Thermal Power Plants (TPP) of one or more units with a capacity of >300 MW each
- Experience in final disposal of equipment and/or scrap recovery projects
- Experience in large-scale projects in a country other than the country of fiscal residence
- Experience in demolition projects of industrial sites and/or TPPs using explosives
- Methodological Approach / Case Study for the execution of an integrated turnkey project in TPPs (one or more units) with a capacity of >300MW each in the last 15 years

The detailed evaluation selection criteria/sub-criteria and the weighting factor corresponding to each of them are described below in Table 5.1:

Section	Criterion description	Weighting Factor	Sub-criteria (j)	Sub-criteria Weighting Factors (V <sub>j</sub> )
5.4.2.1	Total experience in turnkey projects in TPPs with a capacity of >300MW each	35%	I.	12%
			II.	12%



			III.	11%
5.4.2.2	Scrap management or disposal	15%	I.	15%
5.4.2.3	Projects outside jurisdiction - locality	10%	I.	10%
5.4.2.4	Experience in demolition of facilities using explosives	10%	I.	10%
5.4.2.5	Methodological Approach / Case study in the execution of an integrated turnkey project in a TPP with a total capacity of >300MW	30%	I.	30%

Table 5. 1 Table of evaluated selection criteria weighting factors

#### **5.4.2.1. Total experience in turnkey projects in TPPs with a capacity of >300MW each**

- i. Cumulative capacity of integrated turnkey projects in Thermal Power Plants (TPPs) for electricity generation, including hazardous materials management, equipment dismantling, demolition of facilities and scrap management over the last 15 years will be evaluated.
- ii. Number of completed projects with a capacity of >300MW each, of equivalent scope, in Thermal Power Plants (TPPs) for electricity generation over the last 15 years will be evaluated.
- iii. Number of completed projects as well as overall experience in hazardous materials management (asbestos, PCB's, SMF's and oil ash) of >150 tonnes cumulatively over the last 15 years shall be evaluated.

#### **5.4.2.2. Scrap management or disposal**

Total previous experience in scrap disposal or management contracts executed within the last five years shall be evaluated in terms of cumulative scrap quantities.

#### **5.4.2.3. Project in a country other than the country of fiscal residence**

Number of completed projects for the demolition/dismantling, erection or installation of electromechanical/industrial equipment or demolition or construction of industrial buildings/building elements/large-scale constructions with a budget equal to or greater than

€10,000,000.00 (ten million euros) each, over the last 15 years, in a country other than the country of economic operators' fiscal residence, shall be evaluated.

#### **5.4.2.4. Experience in demolition of facilities using explosives**

Number of completed projects and previous experience in contracts regarding the demolition of industrial facilities and/or parts of TPPs with a height of >50 m, using explosives over the last 15 years shall be evaluated.

#### **5.4.2.5. Methodological Approach / Case study in the execution of an integrated turnkey project in a TPP with a total capacity of >300M**

A case study of a completed turnkey project in a TPP executed over the last 15 years with a total capacity of >300 MW, shall be evaluated. Evaluation is based among the following:

- Method/Approach of handling hazardous materials depending on the type of fuel used in the plant
- Method/Approach of demolition of installation such as chimneys, cooling towers, etc., by mechanical means and/or explosives
- Demolition of facilities with a height of more than 50m, without using explosives, and a detailed description of the method of demolition
- Demolition of steel and reinforced concrete structures using explosives
- Suitability of all equipment, machinery and vehicles etc. used for the execution of the project

The evaluation shall be based on the content of the case study, relevance to the scope of the Contracts of this call and the complexity of the work described in the case study.

A presentation of the case study will be required.

The weighting factors of criteria as well as sub-criteria are listed in Table 5.1.

#### **5.4.2.6. Terms for meeting selection criteria in case of associations of economic operators**

- A. All members of association of economic operators shall meet the selection criterion of para. 5.4.1.1. (Suitability to pursue the professional activity).
- B. The selection sub-criterion of para. 5.4.1.2. should be met as follows:
  - An association of economic operators can meet the selection sub-criteria of Financial Statements and Equity cumulatively through all its' members.
  - All members of association of economic operators shall meet the selection sub-criterion of Annual EBITDA.
- C. An association of economic operators can meet the selection criterion of para. 5.4.1.4. (Quality assurance systems, environmental management standards, health and safety standards, etc.) cumulatively through all its' members.
- D. An association of economic operators can meet the selection criterion of para. 5.4.1.3. & 5.4.2. (Technical & Professional Capacity) cumulatively through all its' members.

### **5.5. Reliance on Third Parties' capacity**

Economic operators may, as regards the criteria of financial and technical & professional capacity (par. 5.4.1.2. - 5.4.1.3. & 5.4.2), rely on the capacities of third parties, irrespective of the legal nature of their relationship. If the candidates are to rely to the financial, technical and/or professional capacity of Third Parties in order to meet the conditions of participation set out in the above respective paragraphs, Third Parties must declare (Declaration in Annex V) the evidence proving the above mentioned capacity and define in case of technical/professional support the means and resources provided to the Candidate. Moreover, the Candidate must declare, with their Prequalification Application, that they will have at their disposal, throughout the term of the Contract, all the necessary means for its execution, in order to ensure that the above required capacity is sufficiently transferred to the satisfaction of PPC.

Third parties must meet the corresponding selection and non-exclusion criteria which apply to the Candidate to whom they provide the support. To this end, applications must include, filled in and signed by a representative of the Third Party, the following:

- Declaration of suitability to pursue the professional activity of the Third Party in accordance with the relevant template attached to the Call, which includes the relevant evidence and the analysis of provided support (means and resources)
- Declaration of Non-exclusion Grounds

It is clarified that if the Candidate relies upon the capacity of their subcontractors to meet selection criteria, these subcontractors are considered Third Parties and the above shall apply.

Where the economic operator relies on the capacities of third parties for the criteria relating to economic and financial capacity, these entities shall be jointly and severally liable towards PPC for the execution of the Contract.

In the event that some of the above mentioned criteria (par 5.4) will be fulfilled by supporting entities/providers and there is a request for replacement of the aforementioned supporting entities/providers, such replacement shall take place only once and within thirty (30) days commencing from the date the request itself had been received otherwise the application will be rejected.

## **Article 6**

### **Period of Validity of the Prequalification Application**

6.1 Prequalification Applications shall be valid for a period of one hundred eighty (180) calendar days and will be extended for an additional period of one hundred eighty (180) calendar days upon relevant request by PPC.

6.2 In the event of extension of the closing date for online submission of prequalification applications Candidates may amend and/or complete any application submitted in the System or withdraw it and resubmit, if they so wish, a new application by the new closing date/submission thereof, ensuring in any case that the information and supporting documents included in their application are valid as on the new aforesaid date.

## **Article 7**

### **Tender Bond**

No tender bond is required in order to participate at the Prequalification stage (Stage I) of the procedure.

## **Article 8**

### **Submitted Information**

8.1 All documents to be submitted by Candidates in the Prequalification Procedure will be drawn up in Greek or English.

Supporting or accompanying documents or evidence submitted with the prequalification application in a language other than Greek or English, shall be accompanied by an official translation in Greek or English.

8.2 Any additions, amendments or reservations by the Candidates to the terms of this Call will not be accepted and any applications which include such changes shall be rejected.

## **Article 9**

### **Contents of Prequalification Application**

#### **9.1 General requirements for the content of the Prequalification Application**

##### **9.1.1. Prequalification application - Electronic Dossier - Contents**

Prequalification Applications shall be submitted electronically via the System and will include all information specified in the present Call for Expression of Interest, in accordance with the terms of this Call and the System Instructions. More specifically, the prequalification applications include the information mentioned in the paragraphs below.

The name of each electronic document/information of the application shall be preceded by the paragraph of the Call to which it corresponds (e.g. 9.2.1.1 Declaration of applicant's suitability to pursue the professional activity).

The electronic dossier must contain a Table of Contents listing all documents included therein (numbered in accordance with this Article).

##### **9.1.2. Signature of the Prequalification Applications**

The Application and each document submitted must be digitally signed on the last page (declarations etc.) by a person or persons legally representing or authorized to do so by the Applicant according to Article 2.1.

All Pre-qualification Application supporting documents shall be submitted electronically by the applicant in PDF format (or equivalent). If requested by PPC, the Candidate is obliged:

- to provide declarations and supporting documents signed, with no digital signature, by third parties and constituting private documents, (either the originals or duly certified copies) within seven (7) working days of PPCs' request,
- to provide declarations and supporting documents in hard copy format, signed, with no digital signatures, by foreign economic operators,
- in case a matter of credibility (of such declarations and supporting documents) arises, to provide declarations and supporting documents in hard copy format.

Associations of economic operators shall submit a joint prequalification Application, which must be signed according to Article 2.1 either by an authorised person or persons, or by a joint representative duly authorised to do so.

### **9.1.3. Confidentiality – confidential information**

If Candidates include in their Application information that can be reasonably classified as confidential, they shall clearly mark it as such, so that it is not disclosed to third parties.

In particular, information concerning technological, or trade secrets or intellectual property may be considered confidential. Candidates are required to provide a separate document justifying the reasonableness of their request that such documents shall not be disclosed to third parties.

### **9.1.4. Validity of Declarations and supporting documents**

All documentation required by the present Call must be valid, on the closing date for submission of the prequalification applications.

All Declarations requested in the context of the present Call, must bear signatures dated the earliest as of the day following the date of official publication of the call of interest until the closing date of submission of the prequalification applications at the latest.

### **9.1.5. Failure to provide information and supporting documents – false representations or inaccurate supporting documents**

It is explicitly stipulated that, in the event that:

- a Candidate fails to submit in electronic format or present in hard copy format in a timely and proper manner the documents confirming the declarations, whenever and if required by the Company,
- PPC establishes by any means that the Candidate has submitted inaccurate or false declarations or forged photocopies of public or private documents, at any stage of the Selection Procedure,

the aforementioned Candidate shall be excluded from the Procedure, any decisions of the Company shall be revoked and PPC reserves the right to disqualify said Candidate from any future selection procedures.

### **9.1.6. Personal Data Protection - Information on the processing of personal data**

PPC informs, in its capacity as data controller, the natural person signing the Application as a Candidate or as a Legal Representative of a Candidate, that its competent bodies and

executives and/or third parties, on its instructions and on its behalf, will process the below data as follows:

I. The scope of processing extends to the personal data included in the application files and the evidentiary means submitted to PPC, in the context of this Procedure, by the natural person who is himself a Candidate or Legal Representative of a Candidate.

II. The purpose of the processing is the evaluation of the Application, the selection of the Counterparty for the Contract, the protection of PPC's rights, the fulfilment of PPC's statutory obligations and the overall safety and protection of transactions. Identity and contact data will also be used by PPC to inform Candidates about the evaluation of applications.

III. The recipients of the abovementioned data are:

(a) Entities to which PPC assigns the execution of specific actions on its behalf, namely Advisors, executives, members of Evaluation Committees, Operators of the System and other agents thereof in general, subject to the condition of confidentiality in each case.

(b) The State, other public bodies or judicial authorities or other authorities or judicial bodies within the scope of their competences.

IV. The data of the Candidates will be kept for a period of time equal to the Contractual duration, and after its expiration for a period of five (5) years, for future tax-fiscal audits or donor audits or other audits provided for by the applicable legislation, unless a different retention period is provided for by the legislation in force. In the event of pending litigation regarding the Contract, the data shall be kept until the end of the pending litigation. After the expiry of the above periods, the personal data will be destroyed.

V. The natural person who is either a Candidate or a Legal Representative of the Candidate, may exercise any legal rights regarding the personal data appertaining thereto, by contacting the Data Protection Officer of PPC.

VI. PPC is obliged to take all reasonable measures to ensure the confidentiality and security of the data processing and to protect the data from accidental or unlawful destruction, accidental loss, alteration, unauthorized disclosure or access by anyone and any other form of unlawful processing.

## **9.2. Electronic Dossier of the Prequalification Applications**

### **9.2.1 Content of the Electronic Dossier**

The electronic Dossier of the "Prequalification Application" shall contain the following in digital format as a PDF file or equivalent:

#### **9.2.1.1. Declaration of suitability to pursue the professional activity of the Candidate**

The Declaration of suitability to pursue the professional activity of the Candidate filled and signed, according to the Template in Annex V.

#### **9.2.1.2. Declaration of Candidate's fulfillment of selection criteria**

The Declaration of fulfillment of the Selection criteria filled and signed, in accordance with the Template in Annex V.

#### **9.2.1.3. Declaration of Candidates acceptance of the selection procedure terms and validity of the prequalification application**

The Declaration on acceptance of the selection procedure terms and validity of the prequalification application filled and signed, according to the Template in Annex V.

#### **9.2.1.4. Declaration on the Absence of Exclusion Grounds of the Candidate**

The Declaration on the Absence of Exclusion Grounds of the Candidate filled and signed, according to the Template in Annex V.

#### **9.2.1.5. Means of Evidence of suitability to pursue the professional activity**

Suitability shall be demonstrated at the pre-qualification stage by means of a declaration of the Declaration of Annex V. A similar/relevant professional activity (suitability) is defined as one of the following, indicatively:

- Civil engineering works (erection, construction, demolition),
- Specialised construction activities (demolition...),
- Erection or dismantling of electromechanical equipment,
- Management of hazardous materials
- Other relevant activity to the scope of this Call.

#### **9.2.1.6. Means of Evidence for Candidates' financial standing**

Candidates' financial standings (e.g. balance sheets, annual financial statements etc.) or any other official financial data as applicable, in accordance with the legislative framework governing the candidate's operations and complying with all the prescribed standards.

#### **9.2.1.7. Means of Evidence for Candidates' technical and professional capacity**

##### **Supporting documents required:**

In order to verify and certify the Candidate's technical and professional capacity, Candidates have to submit at least the following:

- Either a final or provisional acceptance certificate of the referred project duly signed by the client or in lack thereof,
- Or in case of a lack of a Candidate's Declaration, an attached table with the requested experience details as well as the full details of the client along with the full details (telephone number/email address) of the contact person via which PPC shall run such verification process

Information will be examined, verified and evaluated by PPC S.A. during the evaluation stage of the pre-qualification procedure of the Candidates. If, in PPC's reasonable judgment, the minimum required experience is not proven on the basis of information provided, the respective Application shall be rejected.

In the case the Candidate is a company belonging to a Group (subsidiaries and/or affiliated companies), the above required technical experience shall be proven by evidence of contracts that have been executed either by the Candidate or by the other companies belonging to the Group.

#### **9.2.1.8. Quality assurance systems, environmental management standards, health and safety standards, etc.**

The Candidate must hold according to Article 5.4.1.4:

- i. ISO 9001/2015 quality assurance certificate or equivalent or other evidence that it meets equivalent quality assurance requirements.
- ii. ISO 14001/2015 environmental management certificate or equivalent, or other evidence that it meets equivalent environmental compliance requirements.
- iii. ISO 45001/2018 health and safety management certificate or equivalent, or other evidence that it meets equivalent health and safety management requirements.

The burden of proof of the “equivalence” for certificates presented in accordance to the above remains with the party invoking it, while the relevant evidence in support of “equivalence” must be included in the prequalification Application documentation.

#### **9.2.1.9. Evidence of evaluation criteria**

- **For criteria 5.4.2.1- 5.4.2.4:**

In order to demonstrate the required professional capacity according to the criteria mentioned above, Candidates must submit the following evidence:

- Either a certificate of successful completion or final delivery - acceptance of the project by the client.
- or a Declaration which shall include the requested experience details, included in an attached table, as well as the full details of the client along with the full details (telephone number/email address) of the contact person via which PPC shall run such verification process

- **For criterion 5.4.2.5:**

Candidates must submit any case studies requested in paragraph 5.4.2.

#### **9.2.1.10. Declaration of joint liability for financial adequacy for partnerships/associations**

The Declaration of joint liability for financial adequacy for partnerships/associations filled and signed according to the Template in Annex V.

#### **9.2.1.11. Relying on the capacity of Third Parties**



In case Candidates rely on the technical or financial capacity of third parties, they must submit the relevant declarations of Annex V. Third parties must submit the, Declaration of suitability, Declaration on the Absence of Exclusion Grounds, Declaration of joint liability supplying financial capacity, according to the templates of Annex V.

## **Article 10**

### **Electronic Opening and Evaluation of the Prequalification Applications**

#### **10.1. Electronic Opening of the Prequalification Applications**

The Committee appointed by the Company shall proceed to open the prequalification applications on a duly appointed date and time.

#### **10.2. Evaluation of Prequalification Applications**

10.2.1. As part of the evaluation of the prequalification applications, the Committee shall verify the completeness of the documents submitted against the requirements of paragraph 9.2 of the present Call for Expression of Interest. Moreover, the Committee shall verify whether the Dossier contains any documents, other than those provided for in the Call setting terms and conditions non compatible with those set out in Article 5 of the present Call.

10.2.2. During the evaluation process of the applications, the competent Committee may invite through the System the candidates to submit clarifications or additional information or supporting documentation, within a regular period of no less than seven (7) days and no more than twenty (20) days from the date of PPC's relevant digital request.

Clarifications shall be provided only when requested by the competent Committee and only those referred to in the points requested shall be taken into account. In that case, the provision of clarifications is mandatory for the participating/candidate Contractor.

The clarifications of the Candidates must be given through the electronic platform of the System, if requested, at a time to be determined by the competent Committee.

In this context, it is clarified that, the following Declarations must be included in the Electronic Dossier, otherwise the Candidate will be rejected:

- i. Declaration of Candidate's suitability,
- ii. Declaration of Candidate's fulfillment of selection criteria,
- iii. Declaration of Candidate's reliance on the capacity of third parties,
- iv. Declaration of Third Party's suitability,
- v. Declaration of Candidate's acceptance of the selection procedure terms and validity of the prequalification application,
- vi. Declaration of Candidate's absence of exclusion grounds,
- vii. Declaration of Third Party's absence of exclusion grounds,
- viii. Declaration of joint liability for partnerships/associations,
- ix. Declaration of joint liability of Third Parties supplying financial capacity.

PPC may, at its request, accept the submission of supplements and/or clarifications of the submitted documents. Condition for acceptance is that the clarifications fully comply with the relevant requirements of the Call of Expression of Interest.

10.2.3. After taking into account the provisions of the Call regarding admission of participants, grounds of exclusion as well as the On/Off qualitative selection criteria the Committee, decides which Prequalification Applications comply with the terms of the Call.

10.2.4. In case qualifying Applications exceed the number of five, the Committee proceeds to evaluate these Applications with regards to the requirements of Par. 5.4.2.

Applications shall be ranked in descending order based on the following mathematical formula:

$$T = \sum (Ti); \quad i= 1-5$$

$$Ti = \sum (Kj * Vj); \quad j = i, ii, iii, \dots$$

Kj: Score of technical & professional capacity sub-criterion (relevant experience)

Vj: Weighting factor of technical & professional capacity sub-criterion (relevant experience)

Ti: Technical & professional capacity criterion score (relevant experience)

Only the first five (5) applications from the descending list shall qualify to Stage II of the Selection Procedure.

10.2.5. The Committee records the result of the evaluation of the Applications in the relevant Minutes which include:

- Candidates rejected due to non-compliance with On/Off criteria
- In case Par. 10.2.4 applies, the result of the shortlisting procedure
- Prequalified Candidates proceeding to Stage II

The result of the evaluation of the Applications is communicated to all candidates by the Committee, via the System.

For rejected Prequalification Applications, grounds of exclusion shall be fully reasoned.

10.2.6. Rejected Candidates, reserve the right to raise objections in accordance with the provisions of Article 11 of the present Call.

## **Article 11**

### **Candidates' Objections**

11.1 Each Candidate is entitled to submit objections only in the event of rejection of his application in the context of prequalification procedure and only on the grounds of said rejection.

Any objection must be submitted electronically via the System.

Objections must be submitted in the form of an electronic PDF or equivalent file with the file name "objection". Objection must bear a qualified digital signature in accordance with paragraph 2.1 of the present Call for Expression of Interest. The objection document must be clear and concise, in no case exceeding 1,500 words and must be accompanied by all necessary evidence to prove the claims it contains.

The date of objection submission is considered as the date of its registration to the system.

The date of registration via the system is considered to be the submission date.

11.2 Objections shall be submitted within a period of five (5) working days from the date on which the contested decision was communicated to the person submitting the objection.

11.3 The examination of Objections is carried out by a Committee competent for this purpose, which shall be set up specifically for that purpose.

11.4 The examination of the Objections shall be conducted within a period of fifteen (15) calendar days of their submission. After the expiry of the above period, they shall be presumed to have been rejected. The decision of the Committee is communicated electronically, via the System, while at the same time an e-mail shall be sent through the System to the concerned complainant.

11.5 The decision rejecting the Objections is irrevocable and immune from appeal before PPC bodies.

11.6 The submission of Objections does not automatically prevent the continuation of the Selection Procedure and any acceptance of Objections does not affect the validity of the Selection Procedure, but may lead, at the sole discretion of the company, to the amendment of the Committee's decision or to the repetition of Stage I or a certain phase.

## **Article 12**

### **Calls for tenders**

Prequalified candidates will be distributed Stage II tender documents and invited to submit their tenders via the System.

## **Article 13**

### **Associations of economic operators (partnerships of natural and/or legal persons)**

#### **13.1 Responsibilities / Liabilities**

In the event that award is given to an association of economic operators, all of its members shall be selected as contractual Counterparties and a provision shall be included in the contract agreement that renders them fully, jointly & severally liable for the execution of the Contract.

#### **13.2 Changes in the composition of the Prequalified Candidate**

Change in the composition of a Prequalified Candidate falls under any of the circumstances listed below or a combination thereof:

- (a) a redistribution of the percentage of shares of the association of economic operators among its existing members,
- (b) the withdrawal of one or more existing members from the association of economic operators

- (c) the entry of one or more new members into the association of economic operators,
- (d) the replacement of a third party on whose capacities the Prequalified candidate relies.

Any change in the composition of the Prequalified candidate shall be allowed after the finalization of the results of Stage I (Phase I) of the Selection Procedure and only under the following conditions, as set out below and as may be further specified in the invitation to participate in Phase II (Negotiated Tender Procedure - Stage II):

(i) The change must be notified to PPC in writing no later than fifteen (15) days prior to the expiration of the initial or extended deadline for submission of Final Tender Offers and will be subject to PPC's prior approval, after consultation with the competent to this end Committee.

(ii) The group of economic operators will continue to meet all the Criteria for Participation in the Procedure under Article 5 and accordingly in the event of the entry of a new member (sub-case c) above).

(iii) In the event of a new member joining the association of economic operators or in the event of replacement of the third party on whose capacity the Prequalified candidate relies, any relevant notification to PPC of a change in the composition, as defined in this Article, should be accompanied by the supporting documents provided for in this Invitation, with regard to the new member or the new third party.

(iv) In the event of the withdrawal (sub case b) of a member, the resigning member may not provide support as a Third Party to another Candidate

(v) No change in the composition of the Prequalified candidate will be permitted during the last fifteen (15) days prior to the deadline for submission of Final Tender Offers except for (i) changes justified by objective reasons (e.g. liquidation, bankruptcy, etc.) or (ii) changes justified by corporate transformation (e.g. merger, division, conversion, etc.).

Any such change will be subject to prior approval by PPC, provided that the Prequalified Person continues to meet the participation criteria set out in Article 5 of the Call.

(vi) The terms and conditions for the evaluation of the above cases by the competent for this purpose PPC Committee will be specified in the Call for Participation in Phase II (Negotiated Tender Procedure - Stage II) of the Selection Process.

Any breach of the conditions set out above will result in the Prequalified candidate being excluded from the Selection Procedure.

## **Article 14**

### **Contractual Object Funding**

From PPC's budget.

## **Article 15**

### **Cancellation of the Procedure**

- 15.1. PPC reserves the right, by reasoned decision of its competent bodies, to cancel the Pre - Selection Procedure in whole or in part, or to repeat it under the same or different terms at any stage of the Procedure.

- 15.2. PPC shall cancel the Procedure, in particular if:
- a. it has been unsuccessful due to non-submission of prequalification applications or due to rejection of all applications or exclusion of all candidates;
  - b. it was carried out without observing the conditions set out in this call and in the relevant legislation, consequently affecting the result;
  - c. the outcome following evaluation of the above set criteria, is not satisfactory for the Company;
  - d. the Company's needs have changed;
  - e. normal performance of the Contract is not possible due to force majeure

## **Article 16**

### **Reservations and Rights of PPC**

- 16.1 Participation in the Procedure (submission of a Prequalification Application by a Candidate) shall be equivalent to a declaration by the Candidate that they were fully aware of all the terms, information and documents of the Call.
- 16.2 PPC reserves the right to postpone the date of submission of applications or make any amendments to this Call. These amendments will be included in relevant Supplements of the Call, the issuance whereof will be published, as well as the Call.
- 16.3 PPC has no responsibility or obligation, in any event, to compensate the Candidates for any expense or damage they might have suffered in preparing and submitting their applications, especially in the event that they are not accepted or the Procedure is postponed or cancelled at any phase and time and for any reason or cause. Consequently, those who participate in the Procedure and submit an application, regardless of whether they were finally accepted or not, do not acquire any right whatsoever against PPC from this Call and their general participation in the Preselection Procedure.

## **ANNEX I – DESCRIPTION OF FACILITIES OF CONTRACTS 1 AND 2**

### **A.I.1. Contract 1**

The Ptolemaida TPP is located in the northern part of Greece, and more specifically in the region of Western Macedonia, in the administrative boundaries of the Municipality of Eordaia, in the Municipal Unit of Ptolemaida and has a total area of approximately 500 acres, of which approximately 288 acres are referred to as the Ptolemaida TPP Area. The altitude of the Plant area is 624 m above sea level. The station is located 5 km from the city of Ptolemaida and was built in the 1960s and early 1970s for the exploitation of the adjacent lignite deposit, which was used as fuel for the production of electricity.

The following units are located in the Ptolemaida TPP:

- Unit I, 70 MW, operating since September 1959
- Unit II, 125 MW, operating since October 1962
- Unit III, 125 MW, operating since October 1965
- Unit IV, 300MW, operating since April 1973

The decommissioning of units 1-4 of the Ptolemaida TPP was carried out in 2010, 2015, 2014, and 2014 respectively.

The above units consist of buildings, 4 chimneys, 4 cooling towers, machine rooms, boiler units and other auxiliary buildings which are to be dismantled and demolished.

This turnkey project includes also dismantling and demolition of parts of the Amyntaio and Kardias TPPs parts s. More specifically,

- the cooling towers of units I-IV of Kardias TPP
- the Cooling Towers of Units I & II and the Chimney of the Amyntaio TPP

Works to be requested for the rehabilitation of the units of the Ptolemaida TPP units (including parts of the Amyntaio and Kardias TPPs) will be described in detail in the Negotiation Stage (Stage II).

The disposal site for the hazardous materials will be negotiated with participants and will be reflected in a binding manner in the contract to be signed. Further details and specifications will be provided at the next stage of the prequalification procedure through the detailed negotiation tender document. Hazardous materials disposal will be carried out by a licensed body in Greece or abroad.

### **A.I.2. Contract 2**

The Lavrio TPP is located within the administrative boundaries of the Municipality of Lavreotiki and has a total area of 328 acres of which approximately 38 acres belong to the exclusive use of IPTO (ADMIE). The following units are located in the Lavrio TPP:

- Unit I, 150MW, operating since 1972
- Unit II, 300MW, operating since 1974
- Unit III, combined cycle (first CCGT gas plant in Greece running on natural gas), 170 MW, operating since 1995
- Unit IV, combined cycle, 550MW, operating since 1996
- Unit V, combined cycle, 378MW, operating since 2004

The decommissioning of units I, II and III of Lavrio TPP took place in 2010, 2015, 2014, respectively.

Units that are the subject of this call are Units I, II & III and their associated facilities that are not used to serve Units IV & V.

Facilities to be removed occupy an area of approximately 33 acres.

The above units consist of 4 chimneys, 3 engine rooms, 3 heat recovery boilers and other auxiliary buildings which are to be dismantled and demolished.

Works to be requested for the rehabilitation of the Lavrio TPP units will be described in detail in the Negotiation Stage.

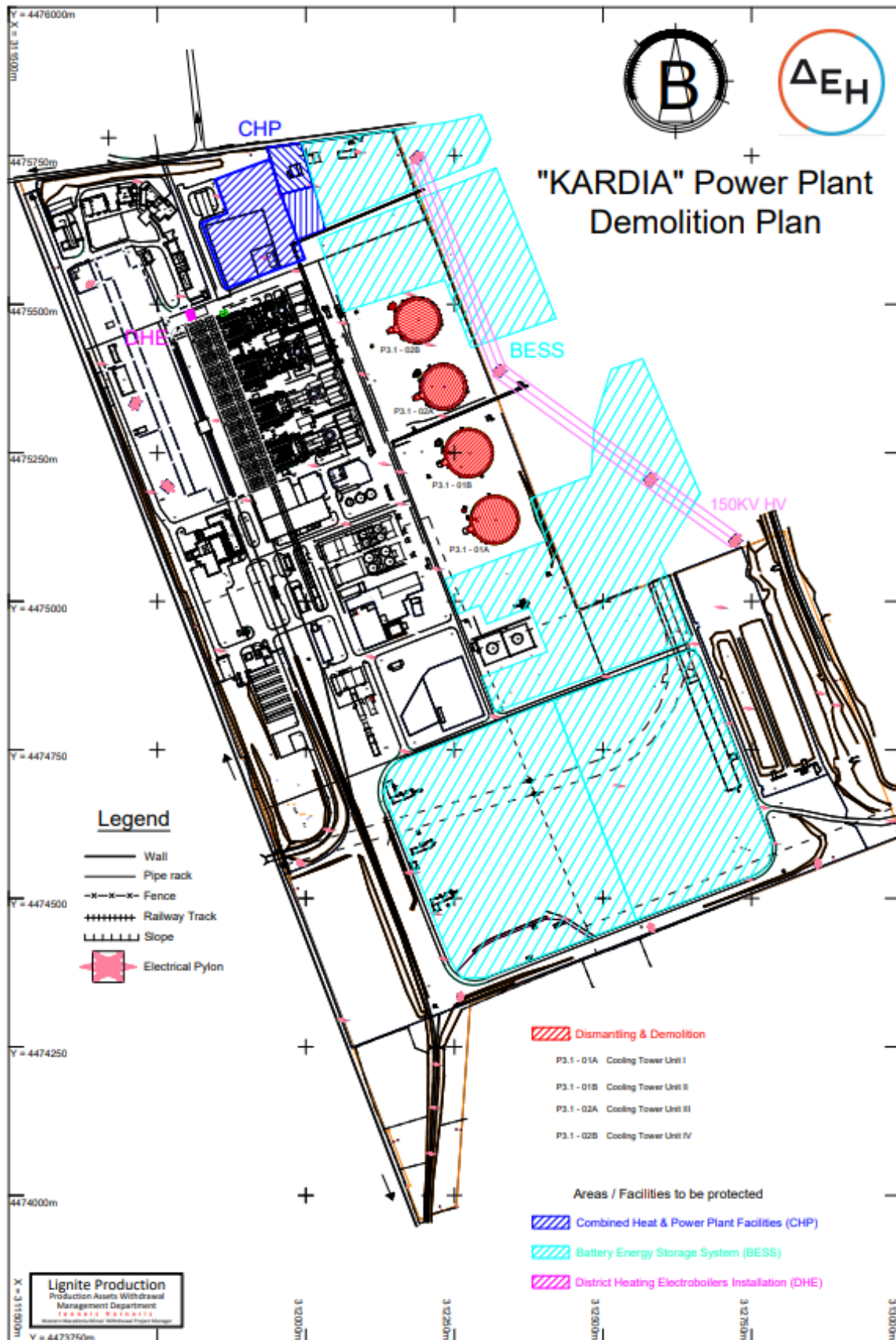
The disposal site for the hazardous materials will be negotiated with participants and will be reflected in a binding manner in the contract to be signed. Further details and specifications will be provided at the next stage of the selection procedure through the detailed negotiation tender document. Hazardous materials disposal must be carried out by a licensed body in Greece or abroad.

- **Contract 1:** PTOLEMAIDA TPP I-IV,

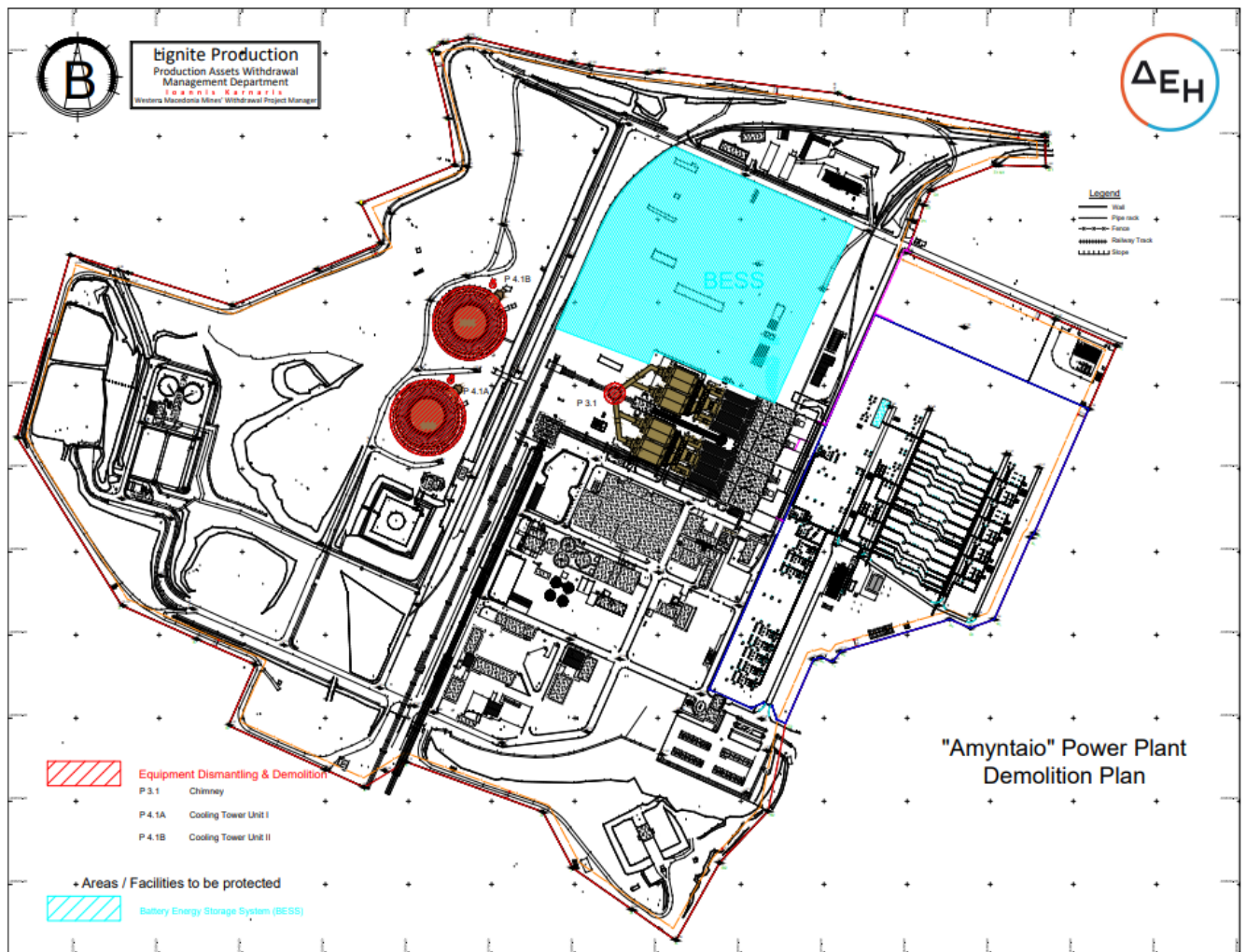




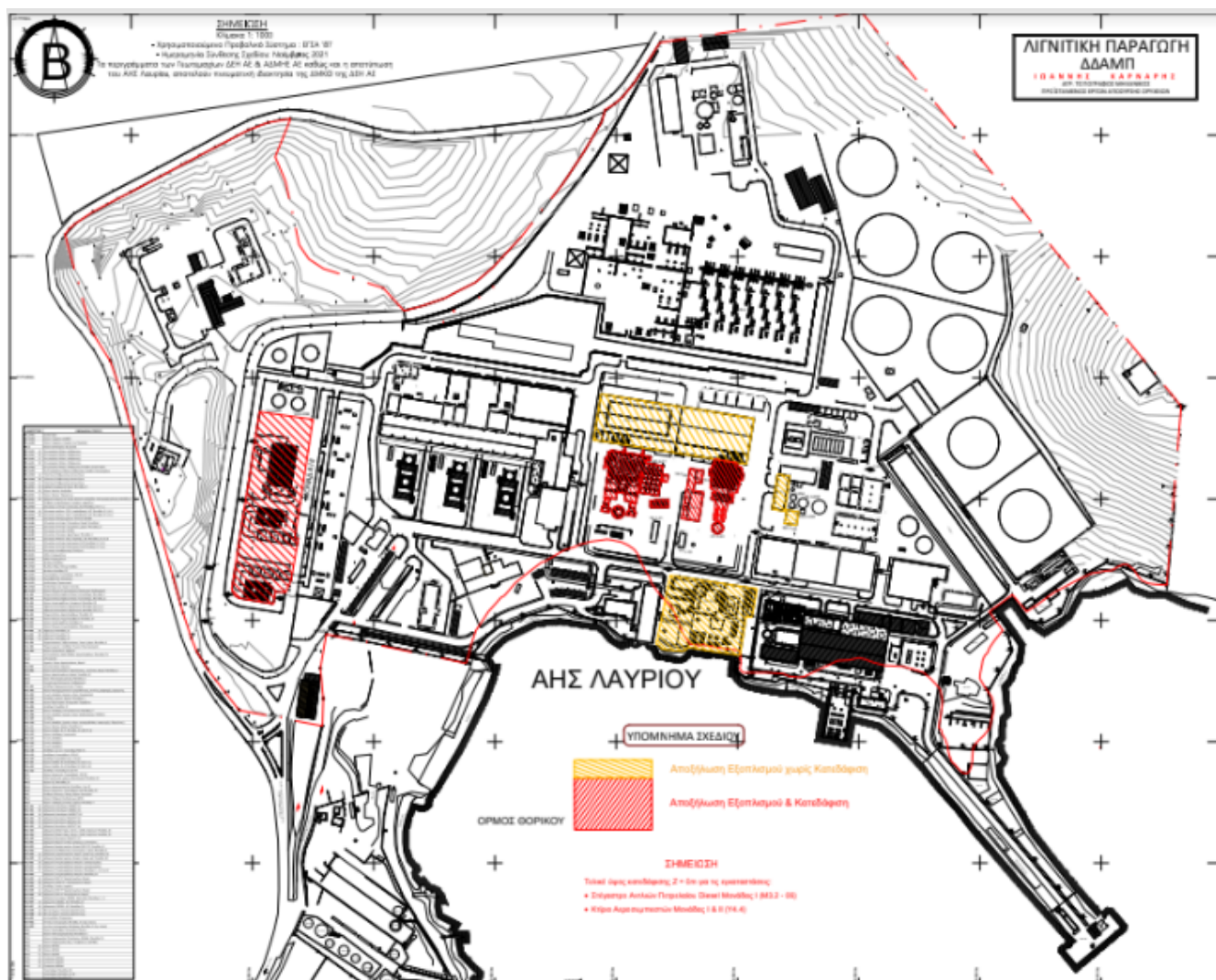
- **Contract 1:** Cooling towers of Kardia TPP I-IV,



- **Contract 1:** Cooling towers and Chimney of Amyntaio TPP I-II



- **Contract 2:** Rehabilitation of LAVRIO TPP I-III



ΛΙΓΝΙΤΙΚΗ ΠΑΡΑΓΩΓΗ ΔΔΑΜΠ	LIGNITE PRODUCTION, DIVISION OF WITHDRAWN EQUIPMENT
ΑΗΣ ΛΑΥΡΙΟΥ	LAVRIO TPP
ΥΠΟΜΝΗΜΑ ΣΧΕΔΙΟΥ	PLAN'S LEGEND
Αποξήλωση Εξοπλισμού & Κατεδάφιση	Equipment Dismantling and Demolition
ΟΡΜΟΣ ΘΟΡΙΚΟΥ	ORMOS THORIKOU
ΣΗΜΕΙΩΣΗ	NOTE

## **ANNEX III – OUTLINE OF THE SELECTION PROCEDURE**

The Selection procedure consists of two distinct phases leading to the award of Contracts.

### **A.I.3. Stage I - Pre-qualification:**

At this stage, interested economic operators will receive the Prequalification Document including Templates of the declarations requested at that stage.

Interested economic operators will have the opportunity to visit the site for a limited period of time specified by PPC (1 week).

At the Prequalification stage (Stage I), “Applications for Participation in the Pre-qualification Procedure” shall be submitted by the interested economic operators and those selected will receive the detailed document of the negotiated selection procedure (Stage II), in accordance with the criteria set out in Article 5 of this Call. The procedure for the submission and evaluation of the Prequalification Applications, as well as the relevant requirements, are described in detail in the main part of the present Call for Expression of Interest.

In particular, the procedure includes the following:

- Submission of a Prequalification Application by each interested economic operator,
- Evaluation of Applications by the PPC Committee and announcement of results.

### **A.I.4. Stage II - Negotiation**

Within the context of the Negotiation stage (Stage II), the selected economic operators (prequalified in Stage I) will receive the detailed Negotiation Procedure tender documents following the conclusion of a Confidentiality Agreement with PPC. Signing of the confidentiality agreement is mandatory for participating in the negotiated procedure of Stage II.

The detailed Tender Document for Stage II shall include the following supporting documents for each contract:

- Hazardous materials survey
- TPP technical description
- Templates for the offer

Thereafter, the selected economic operators shall be invited to submit technical and financial offers.

Matter(s) and subject(s) of the negotiation

- Financial offer
- technical offer
- terms of the Contract

The Negotiation Procedure will be conducted in stages as follows:

Pre selected economic operators will submit initial tenders.



PPC will conduct individual negotiations with the economic operators regarding the technical, commercial, legal and financial issues of the Negotiation Procedure Tender Document.

Negotiations will be conducted in rounds. After the completion of each round:

1. PPC will notify participants of the amended Negotiation Procedure Tender Document
2. The economic operators will submit interim tenders based on the respective amended tender document.

PPC will evaluate, during each phase of tender offers, whether the mandatory requirements are fulfilled and will exclude economic operators that do not comply with them.

PPC, on the basis of achieving the best price-quality ratio, reserves the right to amend, at any stage of the negotiations the mandatory or evaluated requirements.

The above mentioned requirements cannot result to critical changes of the works or the whole nature of the project as prescribed in Stage II, for which economic operators are called to submit their tenders, or to the amendment of the fundamental elements of this Call.

All Candidates participating in the negotiations will be notified simultaneously of the updated version of the Tender document, and will be given the same time period for preparation and submission of interim or final tenders.

Following completion of all negotiation rounds, PPC will notify the Final Negotiation Procedure tender document to the remaining economic operators and will invite them to submit their final technical and financial offers (Best and Final Offers - BAFO).

## ANNEX IV - EVALUATION CRITERIA FOR THE NEGOTIATION STAGE

Tenders that meet the mandatory requirements of the Tender documents will be evaluated according to the Indicative categories set out in Table T.IV.1. The evaluation will be carried out in two stages, where the evaluation of the initial offers will focus on the Solution and the evaluation of the Best and Final Offers (BAFO) will focus on the Financial Offer. The indicative categories listed in Table T.IV.1 along with their weightings will be included in the detailed Negotiated Procedure tender document.

*Table T.IV. 1 Table of categories of evaluation criteria for the Negotiation stage*

Offer	Category	Evaluation of Initial Offers	Evaluation of Final Offers
Technical Offer	Project implementation methodology / Specification of the offered solution	✓	✓
	Project team	✓	✓
	Project Management	✓	✓
	Health, safety and well-being management	✓	✓
	Support services provided	✓	✓
	Corporate responsibility and the Environment	✓	✓
Financial Offer	Price/TCO (Total Cost of Ownership)	✓	✓

Each of the categories in Table T.IV.1 corresponds to a set of evaluation requirements.

Evaluation requirements are rated on a scale of 0 to 10 for each requirement, where PPC evaluates on the basis of the responses of the Candidate Counterparties. The evaluation depends on the quality of the responses and their level of compliance with the requirements, as described in detail in the Negotiation Procedure document.

## ANNEX V – DECLARATIONS FORMS

### DECLARATION OF CANDIDATE'S SUITABILITY<sup>1</sup>

I, the undersigned acting as representative of the Candidate .....<sup>2</sup>..... hereby declare that:

1. - (For Greek candidates)

The Candidate is registered with the General Electronic Commercial Registry (GEMI) under record number ..... and with the respective Registry/Chamber ..... under record number ..... for the below mentioned activities .....and complies with all publicity obligations in accordance with the applicable law and more specifically Legislation 3419/2005.

- (For foreign candidates)

The candidate is registered with the Registry/Chamber of .....for the below mentioned activities .....

(indicate the relevant register, the relevant legislation of their country of fiscal residence and the necessary information for their access - web address, telephone, Contact person etc.)

2. ....<sup>1</sup>..... of the candidate - legal person is:

.....  
.....  
.....

3. The legal representative of the candidate - legal person is .....

4. The candidate - legal person legally:

- 4.1 decided to participate in the Procedure .....,
- 4.2 appointed ..... to sign the application

5. The Candidate has read, complied and adhered to the company's Code of Conduct (([https://www.dei.gr/media/sn4c32vc/kodikas-deontologikhs-sumperiphoras-09-06-2022\\_.pdf](https://www.dei.gr/media/sn4c32vc/kodikas-deontologikhs-sumperiphoras-09-06-2022_.pdf))).

Date: .....

The Declarant

(Full name - capacity - signature)



## DECLARATION OF CANDIDATE'S FULFILLMENT OF SELECTION CRITERIA

I, the undersigned acting as the representative of the Candidate ..... hereby declare that I can meet all selection criteria and will provide all necessary evidential documents according to para. 5.4. of the present Call of Interest and Annex VI.

Date: .....

The Declarant

(Full name - capacity - signature)

## DECLARATION OF CANDIDATE'S RELIANCE ON CAPACITY OF THIRD PARTIES

I, the undersigned ..... hereby declare that:

1. Will rely on the capacity of third parties for the fulfillment of the below mentioned:

Para. (Criterion)	Third Party	Analysis of the support to be provided (according to Annex VI)	Analysis of the support to be provided (resources, means)
5.4.1.2			
5.4.1.3			
5.4.2			

2. And I will have the abovementioned information/data, during the execution period of the contract which I will provide, upon request by PPC.

Date: .....

The Declarant

(Full name - capacity - signature)

## DECLARATION OF THIRD PARTIES' SUITABILITY <sup>4</sup>

I, the undersigned, acting as representative of the third party .....<sup>5</sup>..... hereby declare that:

1. - (For Greek companies/entities)

The company is registered with the General Electronic Commercial Registry (GEMI) under record number ..... and with the respective Registry/Chamber ..... under record number ..... for the below mentioned activities.....

and complies with all publicity obligations in accordance with the applicable law and more specifically Law 3419/2005.

- (For foreign companies/entities)

The company is registered with the Registry/Chamber of ..... for the below mentioned activities.....

(indicate the relevant legislation of their country of fiscal residence and the necessary information for their access - web address, telephone, Contact person etc.)

2. ....<sup>6</sup>..... of the third party is:

.....  
.....  
.....

3. The third party - legal person legally:

3.1 decided to provide support to the Candidate ..... on the Procedure ..... for the below criteria:

Para. (Criterion)	Proof of evidence (according to Annex VI)	Analysis of the support to be provided (resources, means)
5.4.1.2		
5.4.1.3		
5.4.2		

3.2 appointed ..... to sign this declaration

3.3. until today the Third Party does not fall under any grounds for exclusion from this Procedure

4. Third Party has read, complied and adhered to the company's Code of Conduct (([https://www.dei.gr/media/sn4c32vc/kodikas-deontologikhs-sumperiphoras-09-06-2022\\_.pdf](https://www.dei.gr/media/sn4c32vc/kodikas-deontologikhs-sumperiphoras-09-06-2022_.pdf))).

Date: .....

The Declarant

(Full name - capacity - signature)

**DECLARATION OF CANDIDATES' ACCEPTANCE OF THE SELECTION PROCEDURE  
TERMS AND VALIDITY OF THE PREQUALIFICATION APPLICATION**

I, the undersigned, acting as the representative of the candidate .....<sup>7</sup>..... hereby declare that the candidate:

1. has acknowledged the Call of Interest for Prequalification Selection Process under number ..... and specifically of all the tender documents referred to in Article 1 of the present Call.
2. Expressly and unconditionally accepts all the terms of the Procedure, .....<sup>8</sup>.....
3. The prequalification Application shall remain valid throughout the specified validity period as per Article 6 of the present tender document. Throughout the abovementioned "validity period", prospective applicants, shall be precluded from withdrawing, modifying or supplementing in any way their already submitted application.

Date: .....

The Declarant

(Full name - capacity - signature)

## DECLARATION OF CANDIDATES' ABSENCE OF EXCLUSION GROUNDS

I, the undersigned, as representative of the candidate ..... in the ..... Procedure, declare, under penalty of rejection of the application thereof, that:

1. The Candidate does not fall under any of the grounds for exclusion from participation in this procedure, and summarised as follows:
  - I. Participation in a criminal organisation, as defined in ar. 2 of the Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime.
  - II. Corruption – bribery, as per article 3 of “Anti-corruption Act” and article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and Article 2(1) of Council Framework Decision 2003/568/JHA
  - III. Fraud within the meaning of Articles 386 and 386A of the Criminal Code or Article 1 of the Convention on the protection of the European Communities’ financial interests
  - IV. Terrorist offences or offences linked to terrorist activities as defined in the Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism or moral or accessorial liability or attempted commission of crime.
  - V. Money laundering or financing of terrorism as defined in article 1 of the EU Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing
  - VI. Child labour and other forms of human trafficking, according to article 2 of the EU Directive 2011/36/EU
  - VII. Severe or continuous non-compliance with environmental, social security and labour legislation
  - VIII. Bankruptcy, subjection to restructuring procedure, special liquidation, administrative receivership or composition procedure or suspension of business activities or any other similar situation
2. There is no conflict of interest, as per article 5.1. of the present Call.
3. The Candidate undertakes, if requested by the competent PPC Division, to provide within fifteen (15) working days of the notification of the request, the respective evidence - supporting documents of those stated above.
4. In the event of a late change to any detail of our application, regarding the conditions for the absence of exclusion grounds, throughout the term of validity of the pre-qualification application, the candidate undertakes to notify PPC immediately of the change in question, otherwise PPC may reject his application and exclude him from the Selection Procedure.

Date: .....

The Declarant

(Full name - capacity - signature)

## DECLARATION OF THIRD PARTY'S ABSENCE OF EXCLUSION GROUNDS

I, the undersigned, as the representative of the Third Party providing capacity ..... to the candidate ..... for the ..... Procedure, declare that:

1. The Third Party does not fall under any of the grounds for exclusion from participation in this procedure, summarised as follows:
  - I. Participation in a criminal organisation, as defined in ar. 2 of the Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime.
  - II. Corruption – bribery, as per article 3 of “Anti-corruption Act” and article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and Article 2(1) of Council Framework Decision 2003/568/JHA
  - III. Fraud within the meaning of Articles 386 and 386A of the Criminal Code or Article 1 of the Convention on the protection of the European Communities’ financial interests
  - IV. Terrorist offences or offences linked to terrorist activities as defined in the Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA or moral or accessorial liability or attempted commission of crime.
  - V. Money laundering or financing of terrorism as defined in article 1 of the EU Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing
  - VI. Child labour and other forms of human trafficking, according to article 2 of the EU Directive 2011/36/EU
  - VII. Severe or continuous non-compliance with environmental, social security and labour legislation
  - VIII. Bankruptcy, subjection to restructuring procedure, special liquidation, administrative receivership or composition procedure or suspension of business activities or any other similar situation
2. There is no conflict of interest, as per article 5.1. of the present Call.
3. The Third Party undertakes, if requested by the competent PPC Division, to provide within fifteen (15) working days of the notification of the request, the respective evidence - supporting documents of those stated above.
4. In the event of a late change to any detail of our declaration, regarding the conditions for the absence of exclusion grounds, throughout the term of validity of the pre-qualification application, the Third Party undertakes to notify PPC immediately of the change in question, otherwise the terms, as defined in Articles 5.5 and 10.2 of this Call, are applied.



Date: .....

The Declarant

(Full name - capacity - signature)

**DECLARATION OF JOINT LIABILITY FOR PARTNERSHIPS/ASSOCIATIONS**  
**In the case of a Partnership / Association of natural and/or legal persons**

We, the undersigned members .....<sup>9</sup>..... for .....<sup>10</sup>.....

1. ....

2. ....

3. ....

declare that as part of submitting our prequalification application in the above procedure, and if the contract is awarded to us, we shall be fully liable to PPC, jointly, severally and in full, in the performance of our obligations arising from our Offer and from the contract.

Date: .....

The Declarants

(Full name - capacity - signature)

## DECLARATION OF JOINT LIABILITY OF THIRD PARTIES SUPPLTING FINANCIAL CAPACITY

I, the undersigned, acting as the representative of the Third Party ..... hereby declare that:

1. I will provide support to the candidate ..... in terms of financial capacity according to para. 5.4.1.2 of this Call of Expression of Interest.
2. I will hereby expressly agree, in accordance with Article 5.5 of this Call for Expression of Interest, to be jointly and severally liable to PPC for the execution of this Contract

Date: .....

The Declarants

(Full name - capacity - signature)

## ANNEX VI – CONTENT OF THE PRE-QUALIFICATION ELECTRONIC DOSSIER

Content of the Electronic Dossier	
Declarations***	Declaration of Candidate's suitability
	Declaration of Candidate's fulfillment of selection criteria
	Declaration of Candidate's reliance on the capacity of third parties*
	Declaration of Third Party's suitability*
	Declaration of Candidate's acceptance of the selection procedure terms and validity of the prequalification application
	Declaration of Candidate's absence of exclusion grounds
	Declaration of Third Party's absence of exclusion grounds*
	Declaration of joint liability for partnerships/associations**
	Declaration of joint liability of Third Parties supplying financial capacity*
Financial Standing Criterion	Financial statements such as company balance sheets or other official financial data
Evidence of technical and professional capacity	<ul style="list-style-type: none"> <li>- Either a certificate of successful completion or final delivery – acceptance of the project by the client.</li> <li>- Or a Declaration which will include an attached table with the requested experience details as well as the full details of the client for confirmation including the contact details of the contact person for confirmation.</li> </ul>
Quality assurance systems, environmental management standards, health and safety standards, etc.	An ISO 9001/2015 quality assurance certificate or equivalent or other proof that it meets equivalent quality assurance requirements.
	An ISO 14001/2015 environmental management certificate or equivalent, or other proof that it meets equivalent environmental compliance requirements.
	An ISO 45001/2018 health and management certificate or equivalent, or other proof that it meets equivalent health and safety management requirements.
Evaluation criteria 5.4.2.1 - 5.4.2.4	<ul style="list-style-type: none"> <li>- Either a certificate of successful completion or final delivery – acceptance of the project by the client.</li> <li>- Or a Declaration which will include an attached table with the requested experience details as well as the full details of the client for confirmation including the contact details of the contact person for confirmation.</li> </ul>

Evaluation criteria 5.4.2.5	The necessary case studies requested in paragraph 5.4.2.5
Other evidence/declarations	A private agreement in the case of an association of companies, also indicating the scope of work to be carried out by each member of the association**
	NDA – Non Disclosure Agreement
	In case of foreign interested parties that do not have an advanced digital signature because it is not mandatory in their country: A declaration stating that the use of advanced digital signature is not prescribed/not mandatory in the country of origin.

\*Will be submitted only in case Candidate relies on Third Party's financial/technical support

\*\*Will be submitted only in case Candidate is an association of economic operators

\*\*\* In case of association of economic operators, relevant declarations will be submitted separately by each member of the association, if a joint representative of the association is not designated.

## ANNEX VII – GLOSSARY/DEFINITIONS

### A. English translation of technical terms

Greek	English
ΑΗΣ – Ατμοηλεκτρικός Σταθμός	Thermal Power Plant
Απομάκρυνση και διαχείριση επικίνδυνων υλικών	Removal and management of hazardous materials
Αποξήλωση εξοπλισμού	Dismantling of Equipment
Κατεδάφιση	Demolition
Διαχείριση και διάθεση αποβλήτων	Management and disposal of waste
Διαχείριση και διάθεση scrap	Scrap management and disposal
Ανακύκλωση	Recycling
Καθαίρεση	Demolition
Αποκατάσταση	Rehabilitation
Σύμβαση	Contract
Προεπιλογή	Prequalification
Διαπραγμάτευση	Negotiation
Αντισυμβαλλόμενος -	Counterparty
Τεχνική και Οικονομική Προσφορά	Technical and Financial offer
On/off Κριτήρια Επιλογής	On/off prequalification criteria
Αξιολογήσιμα Κριτήρια Επιλογής	Evaluation Criteria
Καταλληλότητα	Suitability

### B. Definitions

Candidate	Economic operator/ association of economic operators which can be : A natural or legal person or a partnership/association of natural or legal persons or consortium
Procedure	Selection procedure for the award of the contract
Contract	Contract I and Contract II
Stage I	Prequalification Procedure
Stage II	Negotiation /Tender Procedure

Committee	PPC's committee who is responsible to open and evaluate the prequalification applications, issue decisions and evaluate any changes in the composition of a prequalified Candidate.
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**CONFIDENTIALITY AGREEMENT**

In Athens today on ..... between the contracting parties hereof, on the one hand the society anonyme under the corporate name "Public Power Corporation" (PPC), having its registered office in Athens, 30 Chalkokondyli Street, as legally represented for the signing hereof by....., ..... and on the other hand the company..... having its registered office at ..... as legally represented by ....., the following were agreed, stipulated and mutually accepted:

1. PPC, hereinafter referred to as the "Company", has completed the pre qualification Procedure of Call of Expression of Interest for..... and will upload on CosmoONE System the Negotiation Tender document, inviting prequalified economic operators to participate..
2. The company/association of economic operators.....as a prequalified economic operator (hereinafter Counterparty) in order to participate in the aforementioned Procedure, hereby undertakes the obligation to keep absolute and strict confidentiality of all Confidential Information provided to them or to which they have access due to their participation in the Procedure.
3. **Definitions. Confidential Information.**

The term Confidential Information refers to Stage II Negotiation Tender Procedure of the aforementioned Selection Procedure (Call NO.....) and covers any commercially important information about the organization, services, financial structure, financial policy, partnerships and investments of the Company or/and its affiliated companies, which has been acquired by the Counterparty in any way and in any material or immaterial form. Also, Confidential Information means any information designated by the applicable stock exchange legislation as confidential, and any information made known to the Counterparty during the execution and on the occasion of the Cooperation and/or this Agreement.

**4. Counterparty's Obligations.**

In particular, the Counterparty shall undertake the following obligations:

- a. - not to use the Confidential Information for any purpose other than for the purpose of the Negotiation Tender Procedure
- not to disclose Confidential Information to other partners employed by the Company or third parties except when it is necessary in order to carry out the project they have undertaken and only upon written authorization and consent of the Company
- neither to reproduce the Confidential Information at any time nor to store it in electronic form, except to complete the project undertaken by the Company. In case of reproduction of the information in whole or in part



the copies must be marked with the indication "COPY" and a record of all copies shall be kept

- to maintain all Confidential Information under safe conditions, as well as any item containing Confidential Information
  - to return at any time, upon request of the Company, all or part of the Confidential Information in their possession
  - not to exploit the Confidential Information in order to confer a financial benefit for themselves, in particular from the acquisition or transfer of the Company's shares or other rights on the Company's assets by themselves or through third intermediate party, in accordance with Presidential Decree 53/1992 as well as any other relevant provision of stock exchange legislation.
- b. to cooperate with the Company's Shareholders' Registry, and to provide it with any information deemed necessary for the monitoring of its transactions in shares or derivative products of PPC and its affiliates; and
- c. not to make transactions in shares and derivative products of PPC and its affiliates without complying with the provisions of article 31(2) of the current PPC Operation Regulation of which the Counterparty hereby declares that they became aware of.
5. In the event the Company fails to complete Stage II of the Procedure and is not awarded the Contracts or parts thereof as final Counterparty for any reason or at any time requested by the Company even before the completion of the Procedure, if a violation of the terms hereof on the part of the Counterparty is found by the Company, they shall be obliged to:
- (a) immediately stop using the Confidential Information
  - (b) immediately deliver to the Company any items or documents which contain Confidential Information and are in their possession or, in violation of the terms hereof, in the possession of third parties; and
  - (c) communicate in writing a list of the names and addresses of third parties to whom the Counterparty has communicated Confidential Information in accordance with the terms hereof or in violation of the terms hereof.
6. It is explicitly agreed that in the event the Company fails to complete Stage II of the Procedure and is not awarded the Contracts or parts thereof as final Counterparty the obligations of Article 4(a) continue to be borne by the Counterparty for ten (10) years from this event.
7. It is explicitly agreed that in the event of violation of the obligations that the Counterparty undertakes herein, the Counterparty shall be exclusively liable for the recovery of any damages of the Company.

8. In addition to the contractual and legal civil liability, the Counterparty bears as well criminal liability in accordance with the relevant legislative provisions for the protection of the Professional and Industrial Confidentiality, in particular in accordance with Article 371 of the Greek Penal Code and the provisions of Articles 16, 17 and 18 of L. 146/1914 on Unfair Competition, as well as the provisions of stock exchange legislation on the obligation of privacy and non-exploitation of confidential information.
9. The Counterparty will undertake the obligation towards PPC to:
  - A) not provide, directly or indirectly, unless approved in writing by PPC, advice to PPC's competitors on matters relating to PPC and its operation.
  - B) not undertake a project, for which the Confidential Information involved in this project will be subject to (co-)evaluation.This obligation of the Counterparty shall apply throughout the term hereof and for a period of two (2) years from the completion of the project.
10. None of the Contracting Parties hereby assigns to the other any patents rights, inventions, patents, trade secrets, copyrights or any other industrial or intellectual property rights.
11. It is explicitly agreed that for the settlement of any dispute arising from this Agreement the Courts of Athens are solely competent.
12. Any amendment to the terms and agreements of this Agreement shall be made only in writing, being agreed that the written form is constitutive and excluding any other form as constitutive, also excluding any other means of proof, including that of oath.
13. Subject to par. 6 above, this Agreement is valid upon its signing until the expiration, in any way, of the Negotiations between the Company and the Counterparty.

After the contracting parties agreed upon, stipulated and mutually accepted the above, the present Agreement was drawn up, and after its contents were read and certified, it was signed as follows, and each contracting party received one copy.

#### THE CONTRACTING PARTIES

FOR THE COMPANY

FOR THE COUNTERPARTY

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## Instructions

1. Where the candidate is a natural person this Declaration must, with appropriate wording, cover the following paragraphs 1 and 5
2. The participant shall indicate the name of the tendering counterparty
3. Indicate as appropriate the legal form of the tenderer "Board members.." or "managers ...."
4. Where the candidate is a natural person this Declaration must, with appropriate wording, cover the following paragraphs 1 and 5
5. The candidate shall indicate the name of the tendering counterparty
6. Indicate the corporate name of the participating third party
7. Indicate the corporate name of the candidates
8. If Supplements to the Call have been issued, the declarant must indicate "and of its Supplement(s) No ... up to and including No ..."
9. Indicate depending on the form of the tenderer, e.g. "partnership" or "association" or "consortium".
10. Indicate the subject matter of the procedure