

Qualification Information and Requirements

**(Enefit Kaevandused) Engineering, Procurement and
Construction (EPC)**

of

Narva Underground Longwall Mining Complex (NLM)

Date 16.03.2017

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Tallinn 2017



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1 GENERAL INFORMATION

1.1 Definitions

In this document, where the context admits, the following terms shall have the meaning as assigned to them in the table below. The headings in this document shall not affect the interpretation of the content.

“Bid”	Shall include the proposal for the EPC of the NLM, with the contents as required by the ITT documents, submitted by the relevant Bidder in response to the ITT.
“Bidder” or “Tenderer”	Any company which has received the ITT documents and is participating in the tender exercise whether separately or jointly.
“Contracting Authority”	Enefit Kaevandused AS Eesti Energia AS owned energy company of Estonia), registered in Estonia, under registration code 10032389, registered address Jaama 10, Jõhvi, 41533 Ida-Viru county, Estonia.
“Contractor”	The Bidder whose Bid has been declared the successful Bid and who has subsequently entered into contract with the Contracting Authority for the purpose of successfully completing the Project.
“EE”	Eesti Energia group of companies including all of its subsidiaries, among others Enefit Kaevandused AS.
“EK”	Enefit Kaevandused Aktsiaselts i.e. Contracting Authority.
“EPC”	Engineering, procurement and construction, including, inter alia, design, supply, delivery and installation of equipment, commissioning and testing, operating, training and all relevant services/works that may be required to be undertaken as part of the Scope of Works.
“Invitation to Tender” (also “ITT”)	Tender documentation package, including instructions and requirements for Bidders, technical scope of works, tender submission forms and any other requirements, information and/or documentation issued by the Contracting Authority to qualified Participants for the purpose of obtaining compliant Bids.
“Longwall Equipment” (also “LE ”)	Shall mean a fully complete, compatible and working longwall equipment set consisting of shearer, armoured face conveyor, powered roof support, power train, belt conveyors, stock yard formation conveyors, etc. The equipment set must form a continuous chain that delivers the material flow from the working face to the surface storage facility.

“Longwall System” (also “LS”)	NLM, including Longwall Equipment and any other mobile and stationary equipment required for the operation of the NLM.
“NDA”	Confidentiality and Non-Disclosure Agreement (Attachment 1)
“NLM”	Narva Underground Longwall Mining Complex, as described in the Scope of Works.
“Participant”	the participating company taking part in this Qualification either jointly or individually
“Project”	means Engineering, Procurement and Construction (EPC) of the Narva Underground Longwall Mining Complex (NLM)
“Qualification Proposal” (also “Proposal”)	the Participant’s submission package containing the required forms, information, data and any other information required by the Contracting Authority in order to assess the Participant’s applicability and capabilities for the intended tender process
“Qualification”	The preliminary stage in the procurement process to determine the applicants (potential tenderers) who have the requisite resources, capabilities and experience to undertake the works required by the Contracting Authority for the successful completion of the Project.
“Scope of Works” (also “SoW”)	The description of the Contracting Authority’s technical requirements to the Contractor for undertaking and completing the contract for the successful implementation of the Project.
“t/d”	Tonne per day, where day is a 24 hour period.

1.2 Introduction

Eesti Energia Aktsiaselts (EE) is the world’s largest oil shale utilising company for power generation and shale oil retorting.

This year we are celebrating 101-year anniversary of oil shale mining.

EE’s power generation capacity consists of 2380 MW electrical power and 200 000 tonnes of shale oil retorting capacity per annum. We are in the final stage of commissioning the new shale oil retort, which will increase our production capacity by 500 000 tonnes of shale oil per year. To meet the increased demand for the shale oil production, we are looking forward to increase our mining capacity. An assessment of competitive mining alternatives indicated a high potential for using the longwall underground mining at our Narva open cast mine.

For the implementation of the longwall mining method in Narva open cast mine, Narva longwall mining project has been initiated. The Project has successfully completed

scoping and pre-feasibility level study for the longwall mining method implementation. The Narva open cast mine is currently producing around 6 million tonnes of oil shale per year. Oil shale is used for power generation and shale oil production. We are looking for the potential increase of the annual mining capacity in the Narva mine (see Appendix 7 for the overview of the Project) by 3 million tonnes of ROM (run of mine) oil shale from a single panel.

The form of contract agreement will be EPC type, which is widely used in the construction industry, and will include management of works/services, labour, resources and training according to the description in the SoW, which includes EK requirements for the Contractor for the purpose of successfully implementing the solution. A further, detailed technical SoW document will be provided in the ITT documents.

The object of this Qualification is the NLM, which the Contracting Authority intends to have constructed, subject to the successful completion of the tender exercise currently being undertaken and a subsequent positive final investment decision by the Contracting Authority to proceed with the EPC phase. Provided that the result of the tender exercise and the final investment decision are positive, the Contracting Authority intends to engage a competent and experienced Contractor to carry out the EPC works for the NLM.

The aim of this document is to give a clear basis and instructions/guidelines to the Participant of the Qualification criteria required to be met in order to take part in the subsequently anticipated tender process. This document contains general information about the Project and the requirements for preparation and submission of a Qualification Proposal.

For clarity, please note that it is the Contracting Authority's intention to allow joint Proposals and subsequent joint Bids by the Participants. However, it is mandatory to have consistency of legal entities throughout the tender process. Participant may not submit a Proposal if it has given another tenderer the consent to be indicated as a subcontractor in the other Participant's Proposal.

1.3 Project Scope

1.3.1 Scope Overview

The Contracting Authority currently operates one underground mine (room and pillar) and one surface mine (open-cast).

The scope of this Project is the design, engineering and construction of the NLM, for the purpose of providing to the Contracting Authority a complete and fully functioning NLM in the open cast mine.

The scope of work under the EPC contract is summarised in this scope overview (which shall be more specifically detailed in the ITT documents to be issued to the qualified Participants) and will include the following:

- Detailed design and engineering of the underground mining operations and LE;
- Construction, delivery, assembly and installation of the LE;
- Implementation of longwall mining operations;
- Setup of longwall operation;
- Training of the operational personnel;
- Commissioning and operation of the LE, demonstration of the LS operation for selective and full seam mining, including performance tests of the LS.
- Reallocation of the LE to a new panel, pillar recovery and surface subsidence;
- Supply of spare parts for the LE.

1.3.2 Expected Outputs of the NLM

The expected output for the NLM is a fully complete, compatible and working LE which is capable of delivering 11 000 t/d with full seam mining and additional selective mining capability of the same equipment.

1.3.3 Potential Scope Requirements in the ITT

Amongst other requirements that will form part of the tender documents, the Contracting Authority currently foresees the following requirements which it will expect the Participants to include for in their tender submission (corresponding to the requirements included in the tender documents), upon having successfully undertaken the qualification:

- Review of the tunnelling project and hydrogeological, geotechnical studies and communication of substantial issues;
- Main design and performance parameters anticipated to be achieved;
- List of LE including size class, type and technical description;
- Information on the lifetime of the LE, including detailed information on maintenance and scheduled repair;
- List of major components and consumables with prices;

- Description, source of supply and list of proposed suppliers (including identification of long lead items, their lead time and any associated supply risks along with mitigation measures);
- Adherence to required standards;
- Description of commissioning procedure;
- Time schedule for the successful execution of the contract;
- Description of the management and project workforce structure;
- Proposed master document structure based on the Contracting Authority's document management requirements;
- Description of main risks, including risk & mitigation measures;
- Forms of performance guarantees;
- Cost of works to successfully complete the Contract, including cost of main components;
- Description of tasks that would require provision of personnel by Contracting Authority
- Number of personnel, to be provided by the Contracting Authority (operators, mechanics, etc. to be included in the running of the longwall mining operations according to good industry practice) to the Contractor, which is necessary for the successful execution of contract and whom the Contractor shall train and involve in setting up the operations (including provision of training regarding the subsequent mining operations).

The Contracting Authority may require stricter parameters to be fulfilled as part of the technical scope of works within the invitation to tender document as compared to the requirements set in the qualification criteria included in this document (e.g. shearer unit weight tonnage potential increase, expected lifetime, etc). Please note that this document sets the requirements for the qualification of potential tenderers with the anticipated capabilities, capacity etc to undertake the works.

2 PROCUREMENT DETAILS

First part of the tendering process is the Qualification of the potential tenderers for the anticipated EPC tender. Qualification Proposals are expected from experienced international and Estonian contractors.

The Participant will need to sign an NDA before the release of any tender documentation which will be issued following the Contracting Authority's positive investment decision. The NDA document is provided in Attachment 1.

The procurement exercise shall be based on Estonian legislation and the tender documents which will be issued to qualified tenderers only, following the Qualification of potential tenderers.

Name of Contracting Authority:	Enefit Kaevandused AS, registry code 10032389, registered address Jaama 10, Jõhvi, 41533 Ida-Viru county, Estonia
Name and object of tender:	Engineering, Procurement and Construction (EPC) of the Narva Underground Longwall Mining Complex (NLM)
Location of the NLM:	Narva mine, Mustanina village, 40102, Ida-Virumaa, Estonia (see Attachment 9)
Clarifications:	Further questions concerning the qualification matters will be handled by:

Mr. Markko Lepikult
(Procurement Manager)
Phone: +372 525 4534
E-mail: markko.lepikult@energia.ee

2.1 Aim of This Qualification

The aim of the Qualification procedure is to select a list of potential tenderers for the currently anticipated EPC tender process. The Contracting Authority anticipates that such list would include competent companies with the relevant and required knowledge, capabilities and experience (including commissioning) in similar projects.

The Contracting Authority is anticipating issuing tender documentation to all qualified Participants.

2.2 Qualification Proposal Submission

The Qualification Proposals shall be submitted by the time, date and at the address given below. The key dates are as follows:

1) Qualification Proposals	17 April 2017
2) NDA signing deadline	17 April 2017
3) Qualification Clarified Concluded	28 April 2017 (indicative)
4) Invitation to Tender (qualified Participants)	28 April 2017 (indicative)
5) Tender Submission Deadline	31 August 2017 (indicative)

- 6) Contract Commencement 1 February 2018 (indicative)
7) Anticipated start of the longwall operations: 01 Jan 2020 (indicative)

Qualification Proposal shall be submitted electronically and in English and/or Estonian language. The Participant shall be solely responsible for the entire cost and risk of their participation in this Qualification process (including, for avoidance of doubt, the Qualification Proposal arriving on time, including force majeure circumstances).

The Contracting Authority will qualify only those Participants who have presented the Qualification Proposal in accordance with the requirements stated in this document ("Qualification Information and Requirements") and presented in their Qualification Proposal items listed in Qualification Criteria (See point 3.1.1 in the current document) that fulfil the stated requirements..

The Participant shall prepare the Qualification Proposal in an electronic format and submit it by e-mail to tenders@enefit.com*.

Qualification Proposal Package submission details:

Proposal type:	Electronic
Proposal submission e-mail:	tenders@enefit.com
Proposal e-mail subject line (only):	(EK-1521)
Proposal submission deadline:	12:00 Estonian Time (GMT +2) 17 th April 2017
Proposal language:	English and/or Estonian
Maximum email size:	7MB

If the size of the email to be submitted exceeds 7MB, the Participant shall submit his proposal documents in two or more subsequent emails, clearly stating in the email text field "Part 1 of [...]", "Part 2 of [...]" etc.

NOTE: the email 'subject' line must contain only the above reference (with brackets), without any additional text, references etc.

- * *The Participant shall ensure that the Qualification Proposal is sent **only** to this specific email address, which will ensure that the Qualification Proposal is received by the Contracting Authority's e-tendering system and remains unopened prior to the Proposal submission deadline.*

Proposals not sent in accordance with the above requirements and/or with the incorrect 'subject line' will not be accepted by the Employer's tendering system.

All Proposal Packages, which the Contracting Authority receives after the due time for the submission of tenders, will be discarded.

2.3 Clarifications and Correspondence Procedure

The Participant should make every effort during the Qualification period to seek clarifications from the Contracting Authority on any and all matters which are not clear and which could give rise to qualifications and/or non-compliances to its Qualification Proposal.

All clarifications by the Participants should be done during the Qualification Proposal preparation period, prior to submission. All correspondence, including clarifications, in connection with this Qualification process should be addressed only in writing to the Contracting Authority at:

Mr. Markko Lepikult
(Procurement Manager)
Phone: +372 525 4534
E-mail: markko.lepikult@energia.ee

To the extent appropriate, any clarification provided by the Contracting Authority to the questions raised by a Participant will be distributed to all Participants without indicating the source of the question. Should the response to any question change or supplement the basis of the Qualification process, the appropriate Qualification document(s) may be revised or an addendum issued by the Contracting Authority.

To assist the examination, evaluation, and comparison of the Qualification Proposals, the Contracting Authority may, at its discretion, ask any Participant for clarification of its Qualification Proposal. The request for clarification and the response provided by the Participant shall be in writing and sent by e-mail. No change in the substance of the Qualification Proposal shall be sought, offered, or permitted except as required to confirm the correction of errors discovered by the Contracting Authority in the evaluation of the Qualification Proposals. Clarifications received from Participants shall be deemed to be a part of their Qualification Proposal.

2.4 Confidentiality and Non-Disclosure Agreement

Terms and conditions of the present Qualification exercise, as well the subsequently anticipated tender and all information made known to the Participant in the course of the procurement exercise are confidential and shall not be disclosed to third parties without the prior written consent of the Contracting Authority.

The Participant shall have signed a NDA with the Contracting Authority, before the release of any tender documentation. The Contracting Authority will not issue any tender documents or any other tender related confidential or commercially sensitive information to any Participant who has not signed a NDA. The Contracting Authority requires that a NDA is signed in the form or substantially similar to the form enclosed as Attachment 1 and submit it latest by the NDA signing deadline indicated above in point 2.2. The Participant is encouraged to ensure that it has signed a NDA with the Contracting Authority as early as reasonably possible.

The Contracting Authority endeavours to achieve executed NDA-s with all qualified Participants.

This document together with all the attachments shall remain the property of the Contracting Authority. Any public announcement concerning the Qualification, tender process or award of any subsequent contract shall only be made by the Contracting Authority or with the Contracting Authority's prior written approval including agreement as to the format and content thereof.

2.5 Non-Collusion between Participants

Every person or legal entity submitting a Proposal in respect of this Qualification shall do so in accordance with the requirements in this document and the following conditions:

- The Proposal shall be a bona fide Proposal and shall not be fixed or adjusted by or in accordance with any agreement or arrangement with any other person except for entities participating jointly as a Participant, or a sub-contractor whose references are used in agreement with such sub-contractor for the purpose of the qualification criteria (3.1.1);
- The Participant shall not enter into any agreement or arrangement with any other person/legal entity that would compel other person/legal entity to refrain from participating in the Qualification;
- The Participant (and/or members of a joint Participant) shall not submit any other Proposals or be a sub-contractor or a party to any other Proposal if they already participate in one Proposal. The Participant shall be allowed to be a party to one Proposal only.

3 COMPILING THE QUALIFICATION PROPOSAL

When preparing the Qualification Proposal, this document ("Qualification Information and Requirements"), current legislation, other legal acts and Estonian and European standards must be taken into account.

The Participant shall not be compensated for any loss or expenses in connection with taking part in the Qualification exercise. The Participant undertakes to incur all costs related to preparing the Qualification Proposal and entering into the currently anticipated subsequent tender exercise.

Participants are allowed to present joint Qualification Proposals. The Participant may not present a joint Qualification Proposal if it presents a Qualification Proposal alone or if it presents another joint Qualification Proposal along with other joint Participants. The Participant may not present a Qualification Proposal if it has given its approval to another Participant to be appointed as a subcontractor in the Qualification Proposal for the performance of the subsequently anticipated contract.

The Participant must conform to the requirements and conditions provided in this document (“Qualification Information and Requirements”) and any referenced and/or enclosed documents thereto, and their Qualification Proposal may not be misleading in any way.

The Contracting Authority may remove the Participant from the procurement proceedings at any time if it emerges that the data submitted about the Participant is wrong or the documents have been falsified.

The Contracting Authority has the right to defer the deadline for presenting Qualification Proposals.

The Contracting Authority has the right to make changes to this document (“Qualification Information and Requirements”) or any referenced and/or enclosed documents thereto up to the deadline for presenting Qualification Proposals, immediately notifying all Participants and all interested persons who have received the Qualification documentation and have informed the Contracting Authority of their interest in receiving such notifications. If the change in this document (“Qualification Information and Requirements”) or any referenced and/or enclosed documents is significant, the deadline for presenting Qualification Proposals shall also be deferred.

Sub-contractor evidence

Participants are allowed to rely on sub-contractors’ evidence, with reference to the qualification criteria requirements as stated in section 3.1.1.

In case the Participant relies on its sub-contractor’s evidence regarding such qualification criteria requirements, then the Participant shall provide also a written confirmation from its sub-contractor signed by the sub-contractor’s authorised representative, providing approval from the sub-contractor to participate in this tender process as a sub-contractor to the Participant, in relation to this requirement.

In the case of using sub-contractor evidence, the Participant shall provide details of the sub-contractors stated, including their full company name, registration number, registered address and contact details of the representative (full name, job title, address, telephone numbers, email address, as a minimum). The Contracting Authority requires that only such sub-contractor reference information is submitted by the Participant that is pertinent to the specific evidence provided by the Participant.

If the Participant does not comply with the minimum qualification requirements set by the Contracting Authority (foremost the economic standing) and the Participant decides to rely on the sub-contractor’s evidence to prove its compliance to the requirements, the sub-contractor is obligated to obtain for the Participant a security guarantee (bond), in the sum of 600 000 EUR. The security guarantee is to provide confirmation that the sub-contractor allows the Participant, if it is to be announced

successful Contractor, to use the relevant funds and/or financial means for the performance of the contract.

The security guarantee (bond) shall be in the form of a first call irrevocable bank guarantee issued by a first class international bank, which is permanently established, including via a branch in a European Union member state, European Economic Area or Switzerland, with long term credit rating of A3 or higher from Moody's, or A- or higher from Standard&Poor's. In the event that the rating of the guarantor falls below the ratings stated above, the Contractor shall have the obligation to replace the security with a bank guarantee complying with the requirements set forth in this Qualification Requirements within three (3) Weeks as of the publication of the reduced ratings.

The Contracting Authority will request a full list of proposed sub-contractors, from the successfully qualified Participants only, in the subsequent tender submission / Bid to be submitted, following the qualification process. The Contracting Authority currently foresees that changes in such proposed sub-contractors, that are presented in the Qualification Proposal, are acceptable, with the Contracting Authority's written approval, only if alternative sub-contractors fulfil the equivalent requirements (i.e. not less strict than included and/or referred to within this document) as applied to them for the purpose of the Participant submitting the Qualification Proposal, regarding the personal and economic situation of the sub-contractors and their capabilities for providing the supply of goods/services/works to an equivalent set of requirements.

3.1 Qualification Criteria & Structure of the Proposal

3.1.1 Qualification Criteria

The Qualification Proposal must meet the following criteria:

3.1.1.1 The Participant shall submit a signed application to participate in the procurement procedure (refer to Attachment 2);

3.1.1.2 **(a)** The Participant shall provide certificate(s) of the Tax and Customs Board or an institution with respective competence of the Participant's country of location, about the absence of tax arrears as of not older than the date of issue of the Qualification documents by the Contracting Authority confirming the absence of :

- tax arrears for local and social tax payments;
- tax arrears for national taxes;
- interest payment arrears on any tax arrears by the payment due date.

(b) Only if the Tax and Customs Board or an institution with respective competence of the Participant's country of location does not issue certification for the absence of the particular circumstances specified in (a) above, the Participant may provide certificate(s) of the Tax and Customs Board or an institution with respective competence of the Participant's country of location confirming the absence of tax arrears;

(c) only if the Tax and Customs Board or an institution with respective competence of the Participant's country of location does not issue any certification / confirmation regarding the absence of tax arrears, the Participant shall provide:

- a written approval to and consent for the Contracting Authority to request confirmation of the absence of relevant tax arrears from the Tax and Customs Board or an institution with respective competence of the Participant's country of location; and
- a self-declaration, signed by its authorised representative, confirming the absence of the tax arrears as required in (a) above.

The Contracting Authority shall not qualify a Participant who has arrears of state taxes or local taxes of their place of residence or seat or arrears of social insurance contributions or interest charged on overdue tax amount (hereinafter tax arrears) as of the date of commencement of the procurement procedure or if the payment of the tax arrears has been staggered for a period exceeding six months starting from the date of commencement of the procurement procedure, unless the staggering of payment of the tax arrears has been guaranteed in full. For the purposes of this Act, arrears of state taxes or local taxes of the place of residence or seat means state taxes or local taxes of the place of residence or seat not paid by a tenderer or candidate by the due date and the interest charged on the tax arrears, which exceed 100 euros. In case of a joint Participant, each entity of the joint Participant shall provide the required confirmations.

(Refer also to Attachment 6)

- 3.1.1.3 The Participant shall clearly demonstrate in its Proposal, based on their annual report that its liquidity is equal to or higher than 1 based on the following formula:

$$\text{Liquidity} = \text{current assets} / \text{current liabilities}$$

The Participant shall submit the above calculation in the same format as stated above and provide its annual financial report/statement, which shall be approved by the supervisory and/or management board, for the past 2 years (2014 and 2015) proving the provided figures.

Should the Participant's liquidity be less than 1, the Participant shall clearly demonstrate how it intends to fulfil its obligations for the purpose of this tender and the potential subsequent contract to successfully undertake the Project (e.g. parent company guarantee, bond, bank/liquidity guarantee or similar).

In case of joint Participants, each entity of the joint Participant shall fulfil the requirements of this section.

The Contracting Authority reserves the right to request any relevant additional evidence. (Refer to Attachment 6)

- 3.1.1.4 A Participant registered abroad (i.e. not in Estonia) shall add a copy of the legalised certificate of the competent register of the country of location as of

not older than the date of issuing the Qualification documents declaring that the Participant is registered in the commercial register of the country of location (or in the register similar to the commercial register of Estonia) according to the law of the country of location. In case of a joint Participant, each entity of the joint Participant shall provide the required information (refer to attachment 6);

- 3.1.1.5 The Participant shall have a total turnover of not less than 60 million Euros along with a positive net worth over the duration of the last 3 years (2013-2015) with an annual turnover of not less than 15 million Euros. The Participant shall provide relevant evidence to satisfy this requirement (e.g. copy of annual financial report/statement) (refer to Attachment 6);
- 3.1.1.6 The Participant shall have the capability to perform Engineering of the longwall operations and equipment (including detail engineering for equipment based on specific conditions), demonstrating the following:
- 3.1.1.6.1 The Participant shall provide a CV of an engineer anticipated to become the Participant's project team member that demonstrates experience for a minimum of 2 feasibility studies for longwall mining during the last 10 years.
- 3.1.1.6.2 The Participant shall present a project that has been undertaken based on their detailed engineering design that the competent person has had a significant role in delivering (e.g. design engineer, engineering manager or similar). The Participant shall provide evidence of at least 1 operating longwall mine that has been completed and that is based on their detailed engineering design in the past 10 years, and clearly indicate this as a reference in the CV-s of the proposed key personnel that they propose to employ on this Project.
- 3.1.1.6.3 The Participant shall present evidence of its experts and specialists, experienced in the field of engineering regarding the requirements listed below (3.1.1.6.3.1 to 3.1.1.6.3.6), involved in the Participant's proposed project team. The person whose CV the Participant is presenting shall have a minimum of 5 years of experience in one or more of the following fields, noting that the CV-s of the Participant's proposed project team shall demonstrate evidence that the Participant is able to deploy experience in all of the following fields (i.e. all these bullet-points need to be covered by the provided CV-s of the proposed project team members):
- 3.1.1.6.3.1 Underground mine on-site activities and underground construction activities (e.g. electrical works, dewatering, ventilation, material handling, storage, general site management etc);

- 3.1.1.6.3.2 Supply & delivery, assembly of the longwall equipment (shearer, roof support, conveyors, ventilation, etc);
 - 3.1.1.6.3.3 Commissioning and operation of longwall equipment
 - 3.1.1.6.3.4 Reallocation of longwall equipment to a new neighbouring panel;
 - 3.1.1.6.3.5 Roof stability analysis and pillar recovery;
 - 3.1.1.6.3.6 Experience and relevant training to safely and efficiently perform maintenance and repair, including undertake scheduled maintenance and scheduled repaired program for the longwall equipment.
- 3.1.1.6.4 The Participant shall provide the CV-s under Attachment 5, fully taking into account any further requirements stated in Attachment 5.
(Refer to Attachment 5)
- 3.1.1.7 The Participant shall provide evidence of its capability to ensure compatibility of longwall mining equipment, if equipment is supplied by different manufacturers. The Participant shall clearly state its anticipated manufacturers.
- 3.1.1.8 The Participant shall provide evidence of having delivered and put into operation, or previously used in operation, either by itself or by its intended sub-contractor, within the last 10 years (2006-2016), at least 1 shearer units with a shearer weight (without cutting drums) not less than 70 tonnes, providing details of the location and time regarding such delivery of putting into operation or previous use in operation of these shearer units. In case the Participant relies on its sub-contractor's evidence regarding this requirement, the Participant shall provide, in addition, a written confirmation from its sub-contractor signed by the sub-contractor's authorised representative, providing approval to participate in this tender process as a sub-contractor to the Participant. (Refer to Attachment 5)
- 3.1.1.9 The Participant shall provide a minimum of 2 references for having successfully undertaken and completed contracts, either by itself or by its intended sub-contractor(s), with a combined value of EUR 100 million over the past 10 years (2006 to 2016). No contract shall have the value of less than EUR 15 million. These contracts shall include, as a minimum, the longwall mining equipment manufacture, supply and assembly.

In case the Participant relies on its sub-contractor's evidence regarding this requirement, the Participant shall provide, in addition, a written confirmation from its sub-contractor signed by the sub-contractor's authorised representative, providing approval to participate in this tender process as a sub-contractor to the Participant.

(Refer to Attachment 5)

3.1.1.10 The Participant shall provide the evidence from its previous projects demonstrating its ability to satisfy the following technical requirements:

3.1.1.10.1 Expected lifetime of a shearer until full overhaul or replacement 6 million tonnes of ROM;

(Refer to Attachment 5)

3.1.1.11 The Participant shall provide as evidence its general organisation structure (a general project organisation structure, showing linkage to the hierarchy of the overall company structure) and details of competence, capability and experience to undertake the EPC works (a description with a list of overall competence, capability and experience, describing examples of how these relate to their EPC works undertaken. (refer to Attachment 6).

3.1.1.12 The Participant shall confirm that (refer to Attachment 4):

3.1.1.12.1 in preparing the Qualification Proposal it has considered further explanations, clarifications and specifications given by the Contracting Authority during the Qualification period;

3.1.1.12.2 it is not bankrupt, its business activities have not been suspended and a compulsory liquidation procedure or another similar procedure has not been initiated against the Participant in accordance with the legislation of its country of location. In case of a joint Participant, each entity of the joint Participant shall provide the required confirmations;

3.1.1.12.3 there is no valid punishment against the Participant in accordance with the legal acts of the Participant's country of residence or location with regard to the Participant or its legal representative for committing following crimes or misdemeanours and it has not previously been convicted for committing following crimes or misdemeanours

3.1.1.12.3.1 formation or being a member of criminal organisation;

3.1.1.12.3.2 violation of the requirements of public procurement;

3.1.1.12.3.3 terrorist offences or offences linked to terrorist activities;

3.1.1.12.3.4 fraud;

3.1.1.12.3.5 offences related to money laundering or terrorist financing;

3.1.1.12.3.6 child labour;

3.1.1.12.3.7 all forms of human trafficking;

3.1.1.12.3.8 grave professional misconduct.

3.1.1.12.4 in case of a joint Participant, it has provided the required confirmations for each entity of the joint Participant.

- 3.1.1.12.5 it is duly registered in the register of economic activities in the relevant fields of activity if required by the law of the country of location.
- 3.1.1.12.6 it is capable of providing (whether manufactured by itself or by its supplier(s)), implementing and putting into operation shearer units with a shearer weight (without cutting drums) not less than 70 tonnes.
- 3.1.1.12.7 regarding its presented references it has provided signed confirmation letters (for at least a minimum number of references requested) from its previous customers to whom the references are linked to.
- 3.1.1.12.8 it intends to employ the personnel, whose CV-s it has presented, in the undertaking of the Project, should it successfully qualify and be subsequently awarded the contract.
- 3.1.1.12.9 regarding the roof support technical parameters, the expected roof support in-service life without loss of function of its provided roof bearing capacity is capable of withstanding a minimum of 26 000 in-service life cycles.
- 3.1.1.12.10 regarding the roof support technical parameters, it is capable of procuring, delivering and installing roof support sections that have been manufactured and delivered in the capacity of a minimum of 300 roof support sections in the past 3 years.
- 3.1.1.12.11 it has the ability and willingness to ensure continuity of provision of the following over a 3 year period from the start of mining operations of the NLM:
 - 3.1.1.12.11.1 maintenance and repair personnel;
 - 3.1.1.12.11.2 supply of spare parts;
 - 3.1.1.12.11.3 scheduled maintenance (according to scheduled maintenance and repair program);
- 3.1.1.12.12 it has the financial capability, relevant resources, business systems and processes required to ensure its capability to undertake an EPC of underground longwall mining operations.
- 3.1.1.12.13 it is capable of providing the LE that conforms to the EU directives for the purpose of the NLM, including the following equipment conforming to the European directive on machinery 2006/42/EC:
 - 3.1.1.12.13.1 Shearer
 - 3.1.1.12.13.2 Powered roof supports
 - 3.1.1.12.13.3 armoured face conveyors
 - 3.1.1.12.13.4 Crushers
- 3.1.1.12.14 it has the intellectual property rights required for the performance of the contract.

- 3.1.1.12.15 it has at least one focal office in the European Union (EU) and/or Switzerland and/or Norway that could, if necessary, serve as a place for conducting meetings and negotiations between the Participant and the Contracting Authority (and subsequently be applied for meetings between the Contracting Authority and the Contractor, if the Participant becomes the Contractor). The Participant shall confirm this, providing details of their office.
- 3.1.1.12.16 it accepts Estonian law and regulations in relation with this Qualification and the subsequently anticipated tender process, including the EPC contract (including potential maintenance and spare parts supply for the 3 years).
- 3.1.1.12.17 it complies with the requirements included in this document ("Qualification Information and Requirements") and any referenced and/or enclosed documents thereto.
- 3.1.1.13 The Participant shall confirm that during the previous twelve (12) months it has not breached any contract or agreement with the Contracting Authority and that there have been no decisions of an extra-judicial body or a court judgment nor ongoing disputes regarding significant breaches of contract(s). In case of a joint Participant, each entity of the joint Participant shall provide the required confirmation. (refer to Attachment 4);
- 3.1.1.14 The Participant shall appoint an authorised representative for the purpose of this procurement procedure and provide a copy of the document to evidence the appointment of this authorised representative. (refer to Attachment 3)
- 3.1.1.15 In case of a joint Proposal the Participant shall provide:
- 3.1.1.15.1 a statement confirming all the entities forming the joint Participant;
 - 3.1.1.15.2 a statement confirming that all parties constituting the joint entity of the joint Proposal are equally liable in association with the Proposal;
 - 3.1.1.15.3 the completed form in Attachment 3 document to evidence the appointment of the joint Participant's authorised representative;
 - 3.1.1.15.4 a power of attorney issued to the joint Participant's representative.
- (Refer to Attachment 3)
- 3.1.1.16 In case the Participant submitting its Qualification Proposal deems it absolutely necessary to state any exceptions, qualifications, deviations from the requirements included in this document ("Qualification Information and Requirements") and any referenced and enclosed documents thereto, the Participant shall clearly list any such exceptions, qualifications, deviations on the Form 2 only of Attachment 7. If the Participant does not have any such exceptions, qualifications, deviations, the Participant shall complete and submit with its Proposal Form 1 of Attachment 7.

However, the Participants shall note that in case they submit any such exceptions, qualifications, deviations, the Contracting Authority may not be able to successfully qualify their Proposal.

3.1.1.17 In case the Participant deems it necessary to make significant assumptions regarding the preparation and/or submission of their Proposal, the Participant shall submit a signed form, clearly stating the relevant assumptions (refer to Attachment 8).

3.1.1.18 The Qualification Proposal documents shall show the Participant's full name and registered address and the address for correspondence if it differs from the registered address. (Refer to Attachment 4).

3.1.1.19 The Qualification Proposal documents, and all documents incorporated therein, shall be in the English and/or Estonian language. If the Qualification Proposal includes copies of any documents, e.g., company Articles or registration certificates, in another language, a certified English and/or Estonian translation thereof shall be submitted also.

The Participant may present evidence in their references from their other group companies, provided that the Participant clearly presents evidence that proves their ability and intention* to deploy these other group companies' resources/capabilities for the purpose of undertaking this NLM project (e.g. a policy / process for sharing resources between companies belonging to the same group of companies signed by an authorised representative of these group companies; a service agreement between the companies to the same effect; or other similar arrangement on which evidence can be presented).

* The Participant shall, in the case of relying on any evidence from their other group companies, describe which proportion of the scope of the anticipated contract is intended to be undertaken by their other group companies whose references have been presented.

All monetary values provided in Qualification Proposals, in relation with the Participant's references and reference projects, shall be exclusive of value added tax (VAT).

3.1.2 Structure of the Proposal

The Qualification Proposal must be submitted according to the structure provided below:

3.1.2.1 Title page;

3.1.2.2 Table of contents;

3.1.2.3 NDA according to the requirements of clause 2.4 of this document, signed by the Participant, with the Contracting Authority which does not substantially differ from the terms and conditions of Attachment 1. The Contracting Authority shall, if relevant, complete the execution of the NDA following submission of the signed NDA by the Participant;

- 3.1.2.4 Signed applications and forms according to the requirements in Section 3.1.1 above;
- 3.1.2.5 Other forms, certificates and/or information requested in the qualification criteria (clause 3.1.1 above);
- 3.1.2.6 The Qualification Proposal shall be correctly dated. Each page of the Qualification Proposal shall be numbered and forms signed by the person or persons duly authorised by the Participant's organisation.
- 3.1.2.7 Other information as appendices.
- 3.1.2.8 The Participant shall, in their Qualification Proposal, indicate any concerns that they may have with the timeline or their capability to proceed and complete procurement process within timeframe expressed in the milestones (section 2.2 above) and indicate main risks to proceed with the supply, delivery and possible mitigation of such risks.

Submission of original documents

Where the requirements of this document ask the Participant to submit any documents as originals on paper, the Participant shall submit such documents in a sealed envelope under cover of a company headed letter clearly stating the tender name and reference, arriving no later than the Proposal submission deadline at the following address:

Mr. Markko Lepikult (Procurement Manager)
Eesti Energia AS
Lelle 22
11318 Tallinn
Estonia

3.2. Qualification Proposal Conditions

The Contracting Authority has the sole right, at its option, to select or reject any Qualification Proposal. The Contracting Authority is not bound to instigate the subsequent tender process following the Qualification.

The Qualification Proposals will be prepared at the Participant's cost and expense, and under no circumstances will the Contracting Authority reimburse any costs and expenses (including, without limitation legal expenses) incurred by the Participant, its agents or any other party acting for or on behalf of the Participant.

The Contracting Authority shall have the right in its sole discretion to allow or refuse any irregularities in any Qualification Proposals or any deviations from the requirements of this document ("Qualification Information and Requirements") and any referenced and/or enclosed documents thereto.

The acceptance by the Contracting Authority of the delivery of any Qualification Proposal, and the opening of any Qualification Proposal, does not preclude subsequent rejection of such Qualification Proposal by the Contracting Authority in the event that it is found on detailed examination to be non-compliant with the terms of this document (“Qualification Information and Requirements”) and any referenced and/or enclosed documents thereto or for any other reason whatsoever.

The Contracting Authority shall be entitled to reject all Qualification Proposals and/or terminate the procurement procedure on the one or more of the following grounds:

- none of the Qualification Proposals are in compliance with the present document;
- as a result of conducting the compliance of Participants qualification to Qualification Requirements, the number of qualified Participants remains under three;
- circumstances of the project have changed, including, inter alia, changes in market conditions.

4 ATTACHMENTS

The Participant shall apply the following forms in the preparation of their Qualification Proposal as provided under the following attachments:

Attachment 1	Confidentiality and Non-Disclosure Agreement
Attachment 2	Application to participate in the procurement procedure
Attachment 3	Authorisation
Attachment 4	Confirmations
Attachment 5	Technical and professional ability
Attachment 6	Commercial requirements
Attachment 7	Exceptions
Attachment 8	Participant’s assumptions
Attachment 9	Additional Information (for information only)

ATTACHMENT 1 – Confidentiality and Non-Disclosure Agreement

to the Qualification Information and Requirements documents of the procurement
**“Engineering, Procurement and Construction (EPC) of Narva Underground Longwall Mining
Complex (NLM)”**

See separate attached document

NOTE: The Participant shall ensure that their legal entity that signs the NDA, submits the Qualification Proposal and intends to participate in the tendering phase is consistently the same throughout this tender process. Due to legal reasons the Contracting Authority will not be able to accept a change of the legal entity following submission of the Qualification Proposals (including the NDA).

ATTACHMENT 2 – Application to participate in the procurement procedure

to the Qualification Information and Requirements documents of the procurement
“**Engineering, Procurement and Construction (EPC) of Narva Underground Longwall Mining
Complex (NLM)**”

Name of the Contracting Authority: **Enefit Kaevandused AS**

Participant’s name:

The Participant herewith confirms that:

1. it fulfils all the requirements that are set in the document “Qualification Information and Requirements” and any referenced and enclosed documents thereto regarding to the personal situation, economic and financial standing, technical and professional ability of the candidate;
2. it has signed the Confidentiality and Non-Disclosure Agreement (NDA);

and submits its request to participate in the procurement procedure.

Legal or authorised representative of the Participant:

Name: _____

Position: _____

Signature: _____

Date: _____

ATTACHMENT 3 – Authorisation

to the Qualification Information and Requirements documents of the procurement
**“Engineering, Procurement and Construction (EPC) of Narva Underground Longwall Mining
 Complex (NLM)”**

Name of the Contracting Authority: **Enefit Kaevandused AS**

Participant’s name: _____

The Participant herewith authorises[full name of the person and job title]..... to be the representative of the candidate in the procurement procedure **“Engineering, Procurement and Construction (EPC) of Narva Longwall Mine (NLM)”**. The representative is authorised to sign documents and perform other activities, which are required by the procurement procedure.

The Participant confirms that:

It participates in this tender process as a single entity	[Yes / No]
It participates in this tender process with a joint Proposal, providing details of the entities of the joint Participant below.	[Yes / No]

[in case of a joint Participant, the Participant shall complete the following table, otherwise leave blank]

Entities of joint Participant	Full company name, address and company registration number	Full name of legally authorised representative	Specimen Signature
Participant’s representative organisation			
Partner 1			
Partner 2			

Partner 3			
-----------	--	--	--

The Participant hereby confirms that the above details are correct and that in case of a joint participation in the tender process, all the entities forming the joint Participant confirm that they are equally liable in association with the Proposal.

The Participant confirms that, if it is a joint Participant, it has appended the power of attorney, issued to the joint Participant's representative, to this form.

Signature of the person authorising: _____

Name of the person authorising: _____

Position of the person authorising: _____

Date: _____

ATTACHMENT 4 – Confirmations

to the Qualification Information and Requirements documents of the procurement
“Engineering, Procurement and Construction (EPC) of Narva Underground Longwall Mining
Complex (NLM)”

Name of the Contracting Authority: **Enefit Kaevandused AS**

Participant’s name: _____

Hereby we confirm that we have examined the document “Qualification Information and Requirements” and any referenced and enclosed documents thereto and we agree with requirements and conditions in them and we wish to submit our tender in the subsequently anticipated tender process in relation with the above-mentioned procurement, subject to successful participation in the Qualification process. The Participant’s data presented as follows:

Data required	
1) Participant’s/Tenderer’s name / name of the authorised representative of joint tenderers (company name):	
2) Registry code:	
3) Registered address:	
Contact address (if different):	
4) Contact person and his/her contact details:	
Address:	
Phone no:	
E-mail address:	
Fax no:	
5) Internet web page:	
6) VAT registration no.	

Hereby we confirm that:

1. in preparing the Qualification Proposal we have considered further explanations, clarifications and specifications given by the Contracting Authority during the Qualification period;

2. it is not bankrupt, its business activities have not been suspended and a compulsory liquidation procedure or another similar procedure has not been initiated against us in accordance with the legislation of our country of location;
3. there is no valid punishment against us in accordance with the legal acts of our country of residence or location with regard to our organisation or our legal representative for committing following crimes or misdemeanours:
 - a. formation or being a member of criminal organisation;
 - b. violation of the requirements of public procurement;
 - c. terrorist offences or offences linked to terrorist activities;
 - d. fraud;
 - e. offences related to money laundering or terrorist financing;
 - f. child labour
 - g. all forms of human trafficking;
 - h. grave professional misconduct.
4. in case of a joint Participant, we have provided the required confirmations for each entity of the joint Participant;
5. we are duly registered in the register of economic activities in the relevant fields of activity as required by the law of the country of location;
6. we are capable of providing (whether manufactured by ourselves or by our supplier(s)), implementing and putting into operation shearer units with a shearer weight (without cutting drums) not less than 70 tonnes;
7. regarding our presented references we have provided signed confirmation letters (for at least a minimum number of references requested) from our previous customers to whom the references are linked to;
8. we intend to employ the personnel, whose CV-s we have presented, in the undertaking of the Project, should we successfully qualify and be subsequently awarded the contract;
9. regarding the roof support technical parameters, the expected roof support in-service life without loss of function of our provided roof is capable of withstanding a minimum of 26 000 in-service life cycles. We understand that we shall deliver a solution that meets this requirement;
10. regarding the roof support technical parameters, we are capable of procuring, delivering and installing roof support sections that have been manufactured and delivered in the capacity of a minimum of 300 roof support sections in the past 3 years;
11. we have the ability and willingness to ensure continuity of provision of the following over a 3 year period from the start of mining operations of the NLM:
 - a. maintenance and repair personnel;
 - b. supply of spare parts;
 - c. scheduled maintenance (according to scheduled maintenance and repair program);

12. We have the financial capability, relevant resources, business systems and processes required to ensure our capability to undertake an EPC of underground longwall mining operations;
13. We are capable of providing the LE that conforms to the EU directives for the purpose of the NLM, including the following equipment conforming to the European directive on machinery 2006/42/EC:
 - a. Shearer
 - b. Powered roof supports
 - c. armoured face conveyors
 - d. Crushers
14. We have the intellectual property rights required for the performance of the subsequent EPC contract, if awarded to us;
15. We have at least one focal office in the European Union (EU) and/or Switzerland and/or Norway that could, if necessary, serve as a place for conducting meetings and negotiations between us and the Contracting Authority (and subsequently be applied for meetings between the Contracting Authority and us as the Contractor, if we become the Contractor). We confirm this, providing details of the office in our Proposal;
16. we accept Estonian law and regulations in relation with this Qualification and the subsequently anticipated tender process, including the EPC contract (and maintenance contract, including supply of spares);
17. we accept and comply with the requirements included in this document ("Qualification Information and Requirements") and any referenced and/or enclosed documents thereto;
18. during the previous twelve (12) months we have not breached any contract or agreement with the Contracting Authority and we do not have any ongoing dispute and/or unspent sentence regarding significant breach of contract(s) that could negatively impact our ability to successfully undertake the contract for the Project, if awarded, or negatively impact the Contracting Authority's undertakings to achieve the completion of the Project.

Legal or authorised representative of the Participant:

Name: _____

Title: _____

Signature: _____

Date: _____

ATTACHMENT 5 – Technical and professional ability

to the Qualification Information and Requirements documents of the procurement
“Engineering, Procurement and Construction (EPC) of Narva Underground Longwall Mining
Complex (NLM)”

Name of the Contracting Authority: **Enefit Kaevandused AS**

Participant's name: _____

Part 1

The Participant shall complete and submit a separate table provided in Microsoft Excel format (appended to this form) for presenting its references. The Participant shall present the table in the same Microsoft Excel .xlsx format. This table shall clearly relate all the requirements stated in the table (columns I to AO) to reference projects listed and described (columns A to H).

Where requested to provide evidence, the Participant shall append the evidence to this **Attachment 5**, along with any sub-contractor and client confirmations/approvals, completing and appending **Form 3** and **Form 4** enclosed in this **Attachment 5**.

Refer to the enclosed file “*NLM Qualification Reference Form v1.xlsx*”

Part 2

The Participant confirms that it does prove its compliance of technical and professional ability with the qualification criteria on the basis of the relevant indicators.

The Participant grants the Contracting Authority the right to validate the information provided as a response to this Attachment 5 in their Proposal.

The Participant shall, in providing evidence to prove their technical and professional ability, fully take into account the following:

- 1) The Participant is allowed to present references of other legal entities belonging to their group of companies only if they are able to provide evidence of their ability to draw in such resource/capability and intend to do so, for the benefit of the NLM project (e.g. a policy / process for sharing resources between companies belonging to the same group of companies signed by an authorised representative of these group companies; a service agreement between the companies to the same effect; or other similar arrangement on which evidence can be presented). The Participant shall, in the case of relying on any evidence from their other group companies, describe which proportion of the scope of the anticipated contract is intended to be undertaken by their other group companies whose references have been presented;

- 2) The Participant will be allowed to present references of other legal entities in case of a joint Qualification Proposal / tender between these legal entities.
- 3) The Participant shall provide CV-s clearly demonstrating that they satisfy the requirements stated in the qualification criteria. Experts and specialists experienced in the field of engineering regarding the areas of expertise listed in the table below, for whom the Participant provides CV-s, must have a minimum of 5 years experience and must be a member of the Contractor's proposed project team. All the areas of expertise listed below must be presented with the CV-s provided. The Participant shall complete the below table for each CV clearly marking with "x" the area of expertise for the particular key personnel in each column as relevant for the particular person whose CV is presented.

Area of Expertise	Design engineering	Practical on-site experience
Longwall mining operation		
Mine ventilation		
Geotechnics		
Hydrogeology		
Electrical engineering		
Civil Engineering		
Repair & Maintenance		
Health & Safety (including site safety)		
Environmental Management and pre-assessment		
Process & Quality Control		

Part 3

The Participant shall provide its CV-s by enclosing them hereafter.

Legal or authorised representative of the Participant:

Name: _____

Signature: _____

Title: _____

Date: _____

FORM 3: Sub-Contractor Confirmation Form

to **Attachment 5** of the Qualification Information and Requirements documents of the procurement
“(Enefit Kaevandused) Engineering, Procurement and Construction (EPC) of Narva Underground
Longwall Mining Complex (NLM)”
Public Procurement Tender Reference Nr. 183951
Contracting Authority: Enefit Kaevandused AS

Participant’s name: _____

We,[full company name]..., registered in ...[name of the country]... under registration number ...[insert registration code]..., address ...[insert registered office address]... (the “Sub-Contractor”), hereby provide our approval to the Participant named above, to be named as the Participant’s sub-contractor in their Qualification Proposal in the above referenced tender process, with regards to the following items:

- ...[list goods/services/works regarding to which you provide your consent to become a sub-contractor to the Participant, should the Participant be successfully qualified and subsequently declared the successful tenderer]...

[NOTE: please note that the approval to be a sub-contractor to one Participant does not prevent the Sub-Contractor from being a sub-contractor to another Participant, unless the Sub-Contractor is a Participant or member of a joint Participant]

Legal or authorised representative of the Sub-Contractor:

Name: _____

Signature: _____

Title: _____

Date: _____

FORM 4: Client Reference Confirmation Letter

to **Attachment 5** of the Qualification Information and Requirements documents of the procurement
“(Enefit Kaevandused) Engineering, Procurement and Construction (EPC) of Narva Underground
Longwall Mining Complex (NLM)”
Public Procurement Tender Reference Nr. 183951
Contracting Authority: Enefit Kaevandused AS

Participant’s name: _____

We,[full company name]..., registered in ...[name of the country]... under registration number ...[insert registration code]..., address ...[insert registered office address]... (the “Participant’s Client”), hereby provide our confirmation to the Contracting Authority named above, that the Participant named above has completed the below listed contracts for us and that the Participant has duly fulfilled his obligations accordingly. We hereby give our approval to the Participant to use the below listed contracts as references in their Qualification Proposal in the above referenced tender process:

Nr.	Name of Reference Contract Project	Provide brief description of Participant’s contract scope of work	Start Date	Finish Date	Participant’s Total Cost of Contract (excl. VAT)
1					
2					
3					
4					
5					

[NOTE: should the reference contract information be of a confidential nature, please clearly indicate the confidential information and state its confidentiality such that the Contracting Authority may be able to ensure the confidentiality of such information accordingly]

Legal or authorised representative of the Participant’s Client:

Name: _____

Signature: _____

Title: _____

Date: _____

ATTACHMENT 6 – Commercial requirements

to the Qualification Information and Requirements documents of the procurement
“Engineering, Procurement and Construction (EPC) of Narva Longwall Mine (NLM)”

Name of the Contracting Authority: **Enefit Kaevandused AS**

Participant's name: _____

The Participant shall submit under this Attachment 6 the following:

- 1) If registered abroad (i.e. not in Estonia), a copy of the legalised certificate of the competent register of the country of location as of not older than the date of issuing the Qualification documents declaring that the Participant is registered in the commercial register of the country of location (or in the register similar to the commercial register of Estonia) according to the law of the country of location as requested in section 3.1.1.4. In case of a joint Participant, each entity of the joint Participant shall provide the required information.
- 2) Certificate(s) of the Tax and Customs Board or an institution with respective competence of the Participant's country of location, about the absence of tax arrears, as requested in section 3.1.1.2, appended to this Attachment 6.
- 3) Liquidity calculation, based on the Participant's annual report as requested in section 3.1.1.3, demonstrating its liquidity:

2014		
Liquidity =	Current Assets /	Current Liabilities
2015		
Liquidity =	Current Assets /	Current Liabilities

The Participant shall append to this Attachment its annual statements, which shall be approved by the supervisory or/and management board, for the past 2 years (2014 and 2015) proving the above figures.

Should the Participant's liquidity be less than 1, the Participant shall clearly demonstrate how it intends to fulfil its obligations for the purpose of this tender and the potential

subsequent contract to successfully undertake the Project (e.g. parent company guarantee, bond, bank/liquidity guarantee or similar).

In case of joint Participants, each entity of the joint Participant shall fulfil this requirement.

The Contracting Authority reserves the right to request any relevant additional evidence.

- 4) Relevant evidence to demonstrate that the Participant has a total turnover of not less than 60 million Euros along with a positive net worth over the duration of the last 3 years (2013-2015) with an annual turnover of not less than 15 million Euros. The Participant shall provide relevant evidence to satisfy this requirement (e.g. copy of annual financial report/statement), as requested in section 3.1.1.5, appended to this Attachment 6.

Year	Participant's annual turnover	Participant's net worth
2013		
2014		
2015		

- 5) As evidence its general organisation structure and details of competence, capability and experience to undertake the EPC works, appended to this Attachment 6.

Legal or authorised representative of the Participant:

Name: _____

Signature: _____

Title: _____

Date: _____

ATTACHMENT 7 – Exceptions

to the Qualification Information and Requirements documents of the procurement
“**Engineering, Procurement and Construction (EPC) of Narva Longwall Mine (NLM)**”

Name of the Contracting Authority: **Enefit Kaevandused AS**

If the Participant does not wish to include any exceptions and/or qualifications with the technical part of its Qualification Proposal, the Participant shall complete and append to the Qualification Proposal the Form 1 of Attachment 7.

If, after considering fully the instructions and conditions in the “Qualification Information and Requirements” documents, the Participant wishes to include exceptions and/or qualifications with the technical and/or commercial part of its Qualification Proposal, the Participant shall identify the technical/commercial requirements of the “Qualification Information and Requirements” documents, with which it has an exception or wishes to qualify and shall append such exceptions and/or qualifications to its Qualification Proposal by completing and submitting the Form 2 of Attachment 7. Such exceptions and/or qualifications shall:

- be clearly and separately identified;
- refer specifically to the relevant technical aspect(s) of the “Qualification Information and Requirements” documents;
- include precise reasons why the Participant has raised such exceptions/qualifications;
- include any commercial implications that may result from such exceptions and/or qualifications;
- include all other relevant information necessary for Contracting Authority to evaluate fully the Qualification Proposal.

FORM 1: Compliance statement

to **Attachment 7** of the Qualification Information and Requirements documents of the procurement
“**Engineering, Procurement and Construction (EPC) of Narva Longwall Mine (NLM)**”

Participant’s name: _____

The Participant has no technical exceptions or qualifications to the Qualification Information and Requirements documents.

We hereby confirm full compliance with all of the requirements and conditions of the “Qualification Information and Requirements” documents and any documents enclosed and/or referred thereto without exception.

Legal or authorised representative of the Participant:

Name: _____

Signature: _____

Title: _____

Date: _____

ATTACHMENT 8 – Participant’s assumptions

to the Qualification Information and Requirements documents of the procurement
“Engineering, Procurement and Construction (EPC) of Narva Longwall Mine (NLM)”

Name of the Contracting Authority: **Enefit Kaevandused AS**

The Participant shall list below any assumptions which are pertinent to its Qualification Proposal.	
Qualification Information and Requirements Doc. Ref.	Assumption

This form is intended for Participants to state any assumptions pertinent to their Qualification Proposal. The Contracting Authority expects that the above list would not include any exceptions, qualifications, deviations provided in the “Form 1: Exceptions”, but instead any such assumptions that do not contradict with the requirements provided in the “Qualification Information and Requirements” documentation and which the Participant believes to be important in the provision of its Proposal.

The Participant shall not express any assumptions elsewhere in their Qualification Proposal other than in this form.

ATTACHMENT 9 – Additional information

to the Qualification Information and Requirements documents of the procurement
“Engineering, Procurement and Construction (EPC) of Narva Longwall Mine (NLM)”

Name of the Contracting Authority: **Enefit Kaevandused AS**

This Attachment 9 appends additional background information for the Participant in relation with the Contracting Authority and the Project. This additional appended background information is listed in the table below and is provided for information only:

Nr.	Document Title	File name
1	Eesti Energia – operating the world’s largest oil shale industry	<i>Eesti Energia general presentation.pdf</i>
2	Narva Long Wall Project	<i>General Description of the Project and preliminary Owner information.pdf</i>
3	Links to procurement process & contracting related documents	Estonian Public Procurement Act Eesti Energia Procurement Procedure Eesti Energia Code of Business Ethics Eesti Energia Occupational Health & Safety Requirements