



Equatoriana RenPower

Terms and Conditions

REQUEST FOR QUOTATION (RFQ) PURCHASE AND SERVICE AGREEMENT (Reverse Bid Auction)

RFQ 1/2023

Issue Date: 3 January 2023

1. Object

This request is for a quotation for

- the engineering, planning, construction, and delivery of a plant (turnkey) for the production of green hydrogen from 1.1. 2026 onwards in Greenfield, at the site described in detail in Annex 1, having an original capacity of 100 MW;
- the grant of an option to increase the quantity by up to 100 MW at a fixed price to be exercised within the first year of operation of the plant;
- the grant of an option to add production facilities for eAmmonia at a fixed price to be exercised within the first year of operation of the plant; and
- training and maintenance services for the first year of operation.

The technical specifications of all attachments must be complied with. Please read all the instructions below.

- a. This request is for a quotation for the planning, construction, and delivery of a plant for the production of green hydrogen with features defined in the attachments (Basic Ordering Agreement).
- b. If any product brand names or models are shown in any attachments, they are for reference only. You can offer products of a similar quality but you must include their brand names and models in your proposal. You must additionally submit their complete and accurate technical specifications in order to allow for their accurate evaluation.
- c. This RFQ will be processed in 4 phases. Please refer to **Clause – RFQ Processing phases and deadlines** for further details.
 - 1) Phase 1 – Presentation of initial proposals (28 February 2023)
 - 2) Phase 2 – Equatoriana RenPower's internal proposal analysis (31 March 2023)
 - 3) Phase 3 – Presentation of the Lowest Bid (reverse bidding auction) (28 April 2023)
 - 4) Phase 4 – Negotiation with best two bidders – Final decision (June/July 2023)

2. Acceptance of Terms and Conditions

- a. The Bidder's submission of a proposal for this RFQ indicates:

- 1) The **Bidder's** acceptance of all terms and conditions written in this RFQ; and
 - 2) The **Bidder's** acceptance that these RFQ terms and conditions will be reflected in the contract that may be awarded should the **Bidder** win any item of this bidding process.
- b. Equatoriana RenPower reserves the right to reject at any time, entirely or partially, any proposal that does not comply with the technical specifications and/or terms and conditions of this RFQ.
 - c. According to International Laws, based on the "*locus regit actum*" principle and in order to protect the **Bidders'** intellectual proprietary information, Equatoriana RenPower will not disclose, except to its personnel and advisors, any data, specifications or technical documentation regarding the **Bidder's** proposal that are not in the public domain.
 - d. The costs of preparing and submitting **Bidder** proposals are the sole responsibility of the **Bidders**; under no circumstance will Equatoriana RenPower be responsible for these costs.
3. Supplier Registration
To participate in the RFQ, potential Bidders must have registered as suppliers before submitting their bids.

[...]
 4. Validity
All bids (quotations) must be valid for a period of at least 36 months from the signature of the Purchase and Service Agreement.
 5. Product and Prices
The exact technical specification of the final product to be delivered and the prices thereof will be determined in the final negotiations and will then be fixed in the Purchase and Service Agreement.
 6. [...]
 7. Awarding Decision
The awarding decision will be taken following the detailed negotiations with the final Bidders. Bidders are expected to have the necessary resources in place to start with the work immediately.
 8. Applicable Law to Bidding Process
The Bidding Process is governed by the Public Procurement Law of Equatoriana, which also governs the award of the contract.
 9. Local Content / Offset Agreements
A relevant factor in awarding the project will be the amount of local content in the project. Each quotation must set out in detail the amounts of materials, services, and works to be supplied by entities located in Equatoriana. At least 25% of the materials and works for the plant as well as 25% of the material used for the Electrolyser-part of the Plant should originate from Equatoriana or be sold by entities in Equatoriana.