



**Endorsed,
President of the Board of Directors
Alexandru Sandulescu**

**INFORMATION NOTE REGARDING THE STATUS OF THE PROCUREMENT
PROCESS FOR “LEGAL ASSISTANCE/CONSULTANCY AND/OR LEGAL
REPRESENTATION SERVICES RELATED TO THE DEVELOPMENT OF
CERNAVODA NPP UNITS 3 AND 4 PROJECT”**

As per the decision of the Extraordinary General Meeting of Shareholders of SN Nuclearelectrica (“SNN”) SA, number 27/23.12.2013 and the Explanatory Note number 3857/02.04.2014, approved by the management of SNN, a procurement procedure was organized for the purchase of “Legal assistance/consultancy and/or legal representation services related to the development of Cernavoda NPP Units 3 and 4 Project”, with an estimated value of 400.000 Euro for the year 2014, as an exception from the OUG 34/2006, on the grounds of art. 16, line (1) corroborated with art. 57, line 2, letter b), by applying a comparison of offers from specialized firms.

The invitation to participate in the procurement procedure was sent on 17.04.2014 to the following specialized firms, as per the approved Explanatory Note number 3857/02.04.2014:

1. SCP „Nestor Nestor Diculescu Kingston Petersen”
2. SCP „Peli Filip”
3. SPRL „Musat & Asociatii”
4. SCP „RTPR- Allen&Overy”
5. SCP „Clifford Chance Badea”
6. SCP „Schoenherr & Asociatii”
7. SCP „DLA Piper”
8. SCP „Leaua & Asociatii”.

Following the invitation to participate, on 30.04.2014 the following companies/consortiums specialized in legal services submitted offers:

- DLA Piper Consortium (DLA Piper Dinu SCA - DLA Piper UK LLP - DLA Piper Wiater sp.k Polonia), DLA Piper Romania Consortium Leader (DLA Piper Dinu SCA);
- Schoenherr & Asociatii SCA for the Asociation Schoenherr & Asociatii SCA –Herbert Smith Freehills LL, association leader „Schoenherr & Asociatii SCA”;
- Peli Filip SCA – Linklaters LLP Association, association leader Peli Filip SCA;
- Musat & Asociatii SPARL.

The selection was performed on the basis of the principles provided at art. 4, line 2 of OUG 34/2006 (namely non-discrimination, transparency and equal treatment), on the basis of the bid specification and a descriptive documentation which established and presented: information related to the Project, description of the services and requirements related to these; participation conditions, experience of the involved personnel, evaluation, selection and awarding criteria, etc.

Taking into account the importance, the peculiarity and the conditions necessary for the completion of the Cernavoda NPP Units 3 and 4, the evaluation process considered the cumulated accomplishment of all the requirement described in the bid specification sent to the offering companies, namely:

- Relevant experience in the electricity field in the previous 5 years, calculated since the date of the submission of the bid;
- Relevant experience in legal services regarding the structuring and financing of investment projects in the electricity field with a value greater that 500 million Euro;
- Relevant experience in legal services regarding the creation and presentation of support mechanisms/schemes of state aid in the energy field in front of the European Commission (EC), in the previous 5 years.

In order to fulfil the requirements, the bidders are obliged to present a list of minimum one project and maximum 10 projects accompanied by relevant support documents such as: copy of legal assistance contract, recommendation letter issued by the client; reception records, etc. which obviously demonstrate the fact that the bidder has performed legal services within the specific project.

The awarding criteria established in the documentation was “the most economically advantageous offer”, on the basis of the evaluation factors: financial offer (fixed retained/hours) – 60 points and technical offer – 40 points.

Following the evaluation of the bids submitted by the 4 companies/consortiums, as well as the selection process, the winning bid for the contract for “Legal assistance/consultancy and/or legal representation services related to the development of Cernavoda NPP Units 3 and 4 Project” was declared the bid that fulfilled all the requirements and criteria and which had the biggest score, namely the offer submitted by the Association Schoenherr & Asociatii SCA –Herbert Smith Freehills LL, association leader „Schoenherr & Asociatii SCA”.

The retainer applies to the number of work hours within the estimated amount of the contact, which is 1.800.000 lei without VAT, the equivalent of 400.000 Euro.

The selection process was concluded by the signing of the legal services contract SNN RUEC number 689/13.05.2014, with a valid period until 31.12.2014.

**Director General
Daniela Lulache**