

Suppliers Guideline

SN Nuclearelectrica SA

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Dear Partners,



Nuclearelectrica's procurement policy offers equal access to all suppliers.

Through this commitment, we seek to provide all partners with the opportunities and information they need to grow their business with us

We want to be recognized as a company that inspires trust and respect, that creates value both for our partners and for itself, fully taking into account our strict safety, social and environmental requirements to maintain our industry-specific standards.

We want to establish and develop close and long-term relationships with our suppliers, who need to share the same safety and professionalism aspirations to improve operational performance. We assure you that we apply the same standards and have strict processes in place to comply with these requirements.

The guideline has been designed to give you an overview of the procurement process and the particular requirements of our industry. If you have any questions or suggestions that could improve our collaboration, we are open to listening to them and implementing them by mutual agreement.

Thank you in advance for your cooperation and commitment.

We look forward to our future collaboration

Cosmin Ghiță

Chief Executive Officer

Purpose

This document has been prepared for information purposes only, is indicative and exclusively indicative. Its purpose is to familiarize potential bidders with general notions, concepts and principles generally applicable in this matter. Consequently, this document can never be used in any particular procurement procedure and its provisions do not replace the specific and mandatory requirements on conditions for quality assurance, nuclear security, nuclear safety, environmental protection, occupational health and safety, applicable rules in the nuclear field, etc., mandatory



requirements / conditionalities and which are found exclusively in the applicable legislation and in the descriptive documentation and in the documentation for initiating the respective procurement procedure, respectively. In this respect, bidders are encouraged to request clarifications for the specific requirements of the procurement they apply for, under the terms provided by the procurement law in force. For the avoidance of doubt, we note that all the requirements of a procurement, both general and specific, which are therefore mandatory for all bidders participating in the procedure, are exclusively those regulated by general procurement legislation, procurement, and by the various regulatory documents, punctual and special in nature, with all these requirements being included in the documents of that procurement (award documentation, specifications, data sheets, etc.). Consequently, this Guideline cannot be relied on by bidders (potential or actual) - suppliers / service providers and/or works and/or subsuppliers/subcontractors (by chain) as a basis/justification/motivation for them to adopt a certain behavior / a certain conduct / a certain strategy and/or for performing / not performing a certain action nor, equally, for resolving / settling procedural issues (appeals, disputes, conflicts, etc.) in the procurement procedures and/or signing and/or executing contracts.

Our systems and processes are configured on the principles of the Rules issued by the National Commission for the Control of Nuclear Activities (CNCAN) and the standards ISO 14001, ISO 45001 (formerly OHSAS 18001), ISO 27001, ISO 37001. The principles and requirements included in these rules and standards must be complied with every day, not only by Nuclearelectrica, but also by our suppliers.

The procurement process

SNN purchases products, services and works by applying Law no. 99/2016 on sectoral procurement and carries out the vast majority of procurement procedures on the SEAP electronic platform.

In order to become an SNN provider, the first step is to register on the platform as a provider, and get acquainted with its functionalities. In this sense, a "**Bidder's User Manual**" is available on the platform at <https://e-licitatie.ro/pub/manual/su/>. The manual is also available in English.

On the SEAP platform, interested companies can find information on SNN's **Annual Sectoral Procurement Program** (<https://e-licitatie.ro/pub/acquisition-plans>) or on the tenders already initiated by SNN until a certain moment (<https://e-licitatie.ro/pub/notices/contract-notices/list/2/1>)

For complex projects SNN initiates **Market Consultation Notices** through SEAP (<https://e-licitatie.ro/pub/mc-notices/list/1>). During the market consultation, meetings can be arranged with interested suppliers; the issues subject to consultation may concern potential technical, financial or contractual solutions.

In addition to "classical" qualification criteria, such as similar experience, turnover, list of technical endowments and equipment, etc., tenders often require specific authorizations in the nuclear field, which are issued by the National Commission for the Control of Nuclear Activities (CNCAN).

In order not to restrict competition, SNN allows bidders to obtain these authorizations after the tender has been completed and the successful bidder has been declared.

The stages of conducting a tender are those provided by the applicable legislation (Law 99/2016 and GD 394/2026) and are, in short, the following:

- ② SNN publishes in SEAP the contract notice, to which the award documentation, including the Specifications, is attached;
- ② Until the date set out in the notice, bidders may request clarifications on the award documentation through SEAP;
- ② SNN responds to all requests, without disclosing the identity of the bidders, by publishing in the SEAP the answers, usually at least 10 days before the deadline set for the submission of tenders;
- ② Bidders upload the following to SEAP: ESPD(*), the tender guarantee, the technical offer, the financial offer, and other supporting documents required in the award documentation. This operation is done no later than 3:00 P.M. on the day which is set as the deadline for submission of tenders. All documents must be signed with an extended electronic signature. The total value of the financial proposal is encrypted in SEAP;
() ESPD – the European Single Procurement Document, provided in electronic format by using the standard format established by the European Commission, consisting in the economic operator's self-statement on the compliance with the qualification and selection criteria*
- ② In the first stage, the Evaluation Committee checks the tender guarantee and clarifies any non-conformities with the bidders. In the second stage, the Evaluation Committee verifies the content of the ESPD and the technical offer, if necessary, requesting clarifications from the bidders. After completing the technical evaluation, the result is entered in the system as "Accepted" or "Rejected". For accepted bids, the system gives the Committee access to the financial bid. In the third stage, the financial offer is checked, the admissible

offers and the ranking are established. The bidder ranked first is required to provide the supporting documents that must support the statements within the ESPD.

- ⑦ The report of the procedure shall be prepared and submitted to the Chief Executive Officer for approval. The result of the award procedure is communicated to all participating bidders. The bidders have the right to lodge an appeal within 10 or 6 days, as the case may be, as of the receipt of the notification. The law applicable in the matter of appeals is **Law no. 101/2016**.
- ⑦ The contract can be concluded only after 7/11 days from the date the communications are sent to the bidders and only if no appeals have been submitted.
- For procurement procedures aimed at providing products, services and works covered by Law 111/1996 and CNCAN Rules, the contract can be concluded only after obtaining the status of "qualified supplier" by the successful bidder (details can be found next).

The suppliers' performance is evaluated through a findings document that is issued after the completion of the contract, as per art. 161 of GD 394/2016. This document contains information on how the supplier has fulfilled its contractual obligations, and it is published in the SEAP.

Supplier evaluation and qualification (AQ qualification)

Nuclearelectrica's suppliers that make products, provide services or works classified as important for nuclear safety, meant for Cernavodă NPP and FCN Pitești, must obtain the status of "qualified supplier", before entering into the contract.

"Supplier evaluation and qualification" (AQ qualification) is a legal requirement imposed by the legislation applicable to the nuclear field (Law 111/1996, republished as further amended and supplemented and the CNCAN Rules for Quality Management Systems applicable in the nuclear field - NMC Series) and it is performed in order to gain confidence that the supplier has the technical and quality assurance capability to make a product / service / work according to the requirements specified by SNN. The evaluation and qualification activities are performed by the Departments with specific duties within Cernavodă NPP / FCN Pitești and are explicitly required in the procurement documentation.

According to the law, the organizations that hold the CNCAN authorization "ensure that its suppliers of products, services, or works as well as their subcontractors, in the chain, establish and maintain their own controlled quality management system".

PARTICULARITIES REGARDING THE QUALIFICATION OF NPP SUPPLIERS



1. When do you need to qualify as a supplier for Cernavodă NPP?

1.1 Why it is necessary to qualify suppliers? What is “supplier” qualification?

1. Obtaining the NPP supplier qualification is a requirement in the supplier selection process, carried out within the procurement procedures for structures, systems, equipment, components, assembly and construction activities, products and services classified as important for nuclear safety, for Cernavodă NPP.

2. The requirement for qualification and selection of suppliers is a legal requirement that is found both in the legislation specific to sectoral procurement (Law 99 of 2016) and in the legislation applicable to the nuclear field (CNCAN NMC-06 Rule, approved by CNCAN Order No. 70/2003).

-However, the two concepts are different and should not be confused. For the nuclear field, the supplier's qualification in terms of CNCAN legislation is mandatory and must be completed before signing the contract.

- The qualification and selection criteria from the viewpoint of the procurement legislation are regulated under art. 176 - 195 of Law no. 99/2016 on sectoral procurement, as further amended and supplemented, and are divided into 2 main categories: (1) Reasons for exclusion; (2) Criteria regarding the capacity of bidders. Pursuant to art. 185 par. (1) of Law no. 99/2016, the contracting entity has the right to apply in the award procedure only criteria regarding the capacity related to: a) the capacity to exercise the professional activity (art. 186); b) the economic and financial standing (art. 188-190); c) the technical and professional capacity (art. 191-192).

3. The qualification of a supplier is the ACCEPTED result, obtained following a process of evaluating the technical capability and the quality management system to meet the requirements of Cernavoda NPP.

1.2 If I am a distributor of products or a supplier of a service provider or a contractor, do I have to be qualified as a supplier of the NPP?

You do NOT need to be qualified, but you must be an authorized distributor of an NPP qualified manufacturer. Proof must be provided by the manufacturer on behalf of the supplier - if the supplier is not also the manufacturer of the products - whereby it is recognized as an economic agent for the marketing of its products or that there is a subcontracting agreement with a qualified service provider or a qualified contractor.

1.3 When do the manufacturer, the service provider or the contractor have to obtain the NPP supplier qualification?

- If it participates in a procurement procedure in order to provide for Cernavoda NPP directly (as a supplier) or indirectly (as a sub-supplier) some of the following activities, which fall within one of the CNCAN Rules that require the authorization of management systems:

- Design, Constructions-assembly - intended for the completion, operation or decommissioning of the NPP (with requirements from NMC).

- Supply, Research-development, Manufacture of structures, systems, equipment, components classified as important for the nuclear safety of the NPP, as well as related services (with NMC requirements).

IMPORTANT! A qualification process is necessary, from the viewpoint of Quality Management / Quality Assurance, performed by Cernavodă NPP, by evaluation according to the provisions of the CNCAN NMC 06 Rule.

1.4 When don't the manufacturer, the service provider or the contractor for the NPP HAVE TO get the AQ qualification?

- In all cases classified as BEST COMMERCIAL (with requirements of ISO 9001, without requirements of the Quality Management Rules/NMC) for carrying out the following activities:

- Design, Constructions-assembly - which do not involve NMC requirements.

- Supply, Research-development, Manufacture of structures, systems, equipment, components which are not classified as important for the nuclear safety of the NPP, as well as related services (without NMC requirements).

- If you participate in a procurement procedure and carry out activities that do NOT fall within one of the CNCAN Rules and do not require the authorization of management systems, then an AQ qualification process performed by Cernavodă NPP is not necessary, by the evaluation according to NMC06.

The award documentation may require the submission of specific certifications, granted by independent bodies attesting compliance with certain quality assurance standards such as those based on the series of European standards certified by accredited bodies (e.g. ISO 9001: 2015 or equivalent)

2. What are the requirements and steps that suppliers must go through to obtain the qualification? How long does this process last?

- The qualification requirements are provided in the procurement documentation (specifications/descriptive documentation), see Annex 2- Stage 1.
- If you are already a qualified supplier for the procurement field, you are accepted in terms of AQ qualification, and you just need to maintain the qualification.
- If you are a qualified supplier, but the qualification partially covers the field of the procurement or it does not cover it at all, you must extend the field of qualification to be accepted in terms of AQ qualification.
- If you are not a qualified supplier, you must obtain the AQ qualification.

IMPORTANT! Obtaining or extending the qualification for the specific field of procurement is mandatory, it must be completed before the conclusion of the contract and conditions the conclusion of the contract, see Annex 2 - Stage 3.

2.1. What are the steps to follow to maintain / obtain / extend the qualification?

If you are already qualified or the company's suppliers are qualified, then, in order to maintain the qualification:

- In the bidding phase: submit the form "SELF-ASSESSMENT QUESTIONNAIRE", FPC code 1182, completed by the manufacturer, the declared provider or the declared contractor, to which you attach certificates, its valid authorizations (as per Form), including the Qualification Report given by the NPP.
- In the contract development phase: Keep the certificates, the authorizations declared at the conclusion of the contract valid, including the Qualification Report given by the NPP - for the entire period of validity of the contract.

The declared and qualified manufacturer, provider or contractor - accepts the periodic evaluation performed by the NPP, according to the CNCAN Rules and the NPP's own procedures approved by CNCAN.

If you are NOT qualified or the company's suppliers are not qualified, then, in order to get the qualification:

- The declared manufacturer, provider or contractor must be evaluated by Cernavodă NPP, according to the provisions of the Rule NMC-06, Rules approved by Order no. 70/2003 of the CNCAN president, as further amended and supplemented.
- The declared manufacturer, service provider or contractor must undertake to accept the evaluation / qualification by audit, if applicable.
- In the bidding phase: submit the form "SELF-ASSESSMENT QUESTIONNAIRE", FPC code 1182, completed by the declared manufacturer/provider, to which you attach, as appropriate, copies of the documents certifying the existence of a Quality Management System, indicated in FPC- 1182 (e.g.: ISCIR/ASME Authorization Certificates, Quality Management Manual, Quality Management System Certifications / Authorizations), together with a Statement expressing your agreement to be evaluated by the NPP in case you are the successful bidder.

If you are qualified but in another field, or the subcontractors are qualified in another field, then, in order to extend the qualification:

- Follow the same steps as those for obtaining the qualification.

2.2. What is the procedure for obtaining the qualification?

A simplified scheme with estimated stages and deadlines for obtaining or extending the qualification in the tendering phase is shown in ANNEX 1. Deadlines may be reduced depending on the supplier's response.

The audit evaluation (see ANNEX 1 - Stage 3) is performed only after the preliminary evaluation of the procurement (see ANNEX 1-Stage 1).

- It is mandatory for products, services, works with NMC7-class 1-3, NMC4, NMC5, NMC6, NMC8, NMC12 requirements.

- There are exceptions in the case of suppliers audited by CANPAC and NUPIC, where their evaluation can be performed by analyzing the audit reports issued by CANPAC or NUPIC, see Annex 2 Stage 3. Also, in the case of products / services with NMC7-Class 4 requirements, although not considered mandatory, if deemed necessary, the qualification may also include the evaluation by audit, as decided by the preliminary evaluation.

An audit evaluation (taking into account the above exceptions) is also required in the case of suppliers whose qualification expires, in order to renew it.

How long does it take to issue the Qualification Report?

- The qualification report is issued no later than one month from the date of receipt of the action program from the supplier/analysis of the CANPAC/NUPIC audit report

Deadlines are conditioned by the supplier's response and may be restricted depending on the urgency of the procurement.

SPECIFIC FEATURES REGARDING THE AQ QUALIFICATION OF FCN SUPPLIERS



1. In what situations must suppliers obtain qualification as a manufacturer or provider of FCN products or services?

The following FCN product suppliers and service providers must be qualified:

- 1.1. Suppliers of products that are part of the fuel beam:
 - a) with quality class (uranium powder, bar, tubes, tin, Zircaloy-4 wire, colloidal graphite);
 - b) without quality class (metallic beryllium, zinc stearate, helium, isopropyl alcohol);
- 1.2. Suppliers of spare parts, SDVs, quality class equipment, products that are intended for Systems, Structures, Components, Nuclear Safety Equipment and physical protection system.
- 1.3. Service providers (maintenance, metrological checks, calibrations) for Systems, Structures, Components, Nuclear safety equipment, for the physical protection system, with quality class

The quality class is established by the FCN on the basis of the safety class, determined by the designer of the nuclear facility according to the importance for nuclear safety (CNCAN NMC-13 Rule).

The AQ qualification requirement is entered in the Specifications / Descriptive Documentation in the Quality Assurance Requirements section. Here, too, the bidder is required to express its written consent to carry out the qualification and the steps to be followed for the qualification are detailed.

2. In what situations need suppliers not obtain qualification as a manufacturer or provider of FCN products or services?

2.1. In other situations than those shown above.

3. Why it is necessary to qualify suppliers?

3.1. Qualification is required for suppliers of products relevant to the nuclear safety of the NPP (products that are part of the fuel beam) and for suppliers of products / service providers important for the nuclear safety of the FCN.

Through qualification, suppliers / providers prove that they have the technical capability to deliver products / provide services according to FCN requirements and that they have developed and implemented a quality assurance / management system that meets regulatory requirements (CNCAN NMC07 Rule - Rules on specific requirements for Quality Management Systems applied to the activities of manufacturing products and providing services for nuclear facilities)

This is a mandatory requirement for FCN regarding the maintenance of CNCAN authorization arising from Law 111/1996 republished, as amended and supplemented, article 24, (3), d) - "organizations holding a CNCAN authorization shall ensure that its suppliers of products and services, and their chain subcontractors, establish and maintain their own controlled quality management system".

4. What are the requirements and steps that suppliers must go through to obtain the qualification? How long does this process last?

- The qualification requirements and stages are provided in the procurement documentation (specifications/ descriptive documentation).

- If you are already a qualified supplier/provider for the procurement field, you are accepted in terms of AQ qualification, and you just need to maintain the qualification.

- If you are a qualified supplier/provider, but the qualification partially covers the field of the procurement or it does not cover it at all, you must extend the field of qualification to be accepted in terms of AQ qualification.

If you are not a qualified supplier, you must obtain the qualification of supplier / provider of FCN, in terms of AQ. The steps are set according to the importance of the product / service for nuclear safety, as follows:

4.1. Qualification steps for **quality class products:**

a) analysis and evaluation of the information provided by the Supplier Presentation Report (which must be included in the technical offer) regarding the quality management standard applied and the history of manufacture and supply of the product to other customers;

b) evaluation of the results obtained when performing the acceptance control against the FCN documents applicable for a product sample submitted by the supplier for qualification;

c) manufacturing testing of the product sample to demonstrate that the product meets the technical requirements of the FCN;

d) analysis of the documents of the Quality Management System of the supplier including, as a rule, the Quality Manual and the Quality Plan;

e) the detailed evaluation of the Quality Management System of the supplier and its facilities, by direct auditing of the supplier by FCN or by accepting third party reports the SNN/NPP has established agreements in this regard with (CANPAC, NUPIC, etc.

4.2. Qualification steps **for products without a quality class**, but with a requirement in the quality management CS/DD according to ISO 9001/19443/17025 in which actions a), b), c) above are undertaken at least and the evidence of certification of the Quality Management System of the supplier by a certification body.

For products with quality class 1, 2 or 3, the qualification process of their suppliers can take up to 6 months. The actual duration of the actions specified in section 4.1. above is added the time required to obtain CNCAN authorizations for the import / transfer of product samples, which fall into the category of materials of nuclear interest.

5. When and how is the quality audit of suppliers carried out, with a corrective action plan?

5.1. The audit with the suppliers is mandatory for products with NMC 07-class 1-3 requirements and it is carried out before the conclusion of the contract, after the FCN Qualification Committee assesses that all actions from 4.1., a-d have been completed and the results obtained meet the requirements specified.

There are exceptions in the case of suppliers audited by CANPAC and NUPIC, their audit evaluation can also be performed by analyzing the audit reports issued by CANPAC or NUPIC.

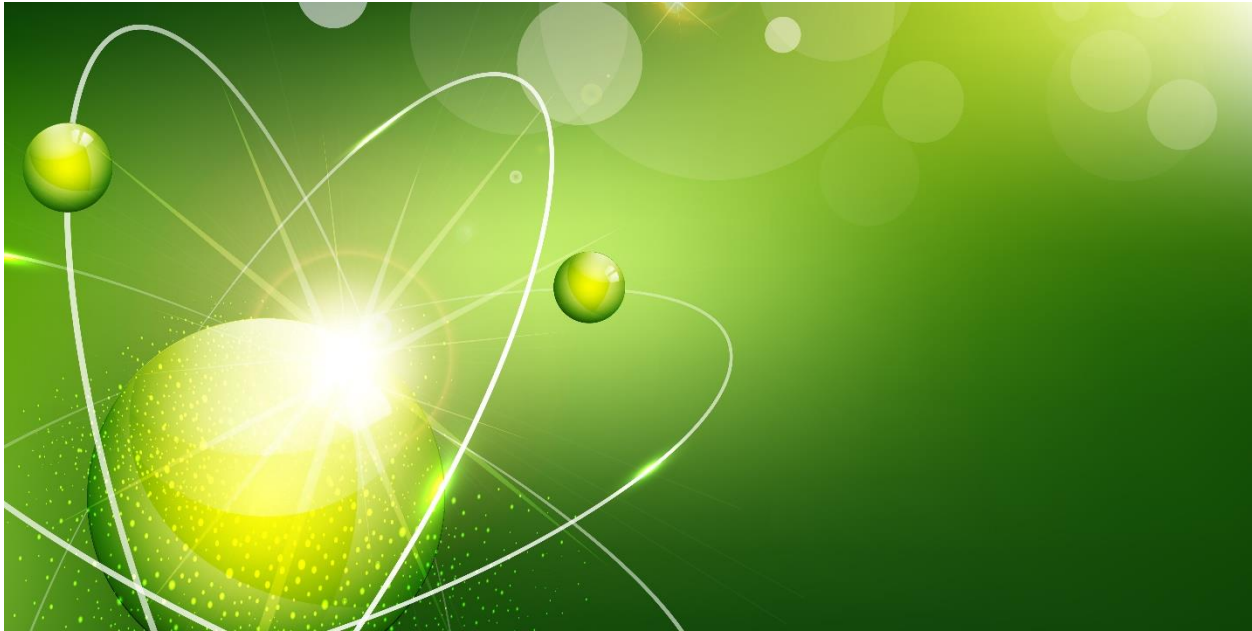
An audit evaluation is also required for suppliers whose qualifications expire.

If, following the audit, major non-conformities are identified, the qualification is not accepted and implicitly the contracting is neither.

If minor non-conformities are identified:

- a) The supplier is required to take an action plan to correct deficiencies, which must be accepted by the FCN;
- b) the qualification of the supplier with objections is accepted;
- c) the contract is signed;
- d) the status of corrective actions is reported by the supplier to the FCN, which may audit the supplier to confirm implementation.

CNCAN AUTHORIZATION



1. Why are CNCAN authorizations required?

- CNCAN means the National Commission for the Control of Nuclear Activities and it is the Romanian National Authority for the authorization, regulation and control of nuclear activities
- CNCAN authorization is mandatory for the quality management systems of the organizations that carry out any of the following activities:
 - Design, Construction-assembly for the completion, operation (or decommissioning) of Cernavodă NPP.
 - Supply, Research-development, Manufacture of structures, systems, equipment, components classified as important for the nuclear safety of Cernavodă NPP and FCN Pitești, as well as related services.
- CNCAN Authorization is a legal requirement that is found in the CNCAN NMC-01 Rule approved by CNCAN Order no. 65/2003

2. When should CNCAN authorization for the Quality Management System be obtained?

2.1. If you participate in a procurement procedure and carry out product manufacturing activities or service provision, classified as important for nuclear safety (they are of quality class), intended for Cernavodă NPP and FCN Pitești, in accordance with the CNCAN NMC 07 Rule.

-If a product or service does NOT fall within a quality class, a CNCAN authorization must be obtained?

CNCAN authorization is NOT required. Products without quality class are classified as "BEST COMMERCIAL".

- How do you know that a product or service is in a quality class?

Quality class requirements for products and services are explicitly provided in the procurement documentation (specifications/descriptive documentation, see Annex 2 - Step 1).

- How do you know when to CNCAN authorize the product manufacturer or service provider?

Authorization requirements for the product manufacturer or service provider are explicitly stated in the procurement documentation (specifications / descriptive documentation, see Annex 2 - Step 1).

- Are there exceptions to the manufacturing authorization requirement?

- The exceptions from the authorization are detailed in the CNCAN Order no. 236/2014 to art.II.

-Example of exceptions to the authorization: the situation in which spare parts and components, including related services, are procured for equipment already installed in the nuclear facilities in the operation phase.

-When does a product or service fall within a quality class?

- The methodology for calculating the class for the gradual application of the quality management rules requirements is detailed in the CNCAN NMC13 rule and the specific procedures of the NPP and FCN.

There are 4 quality classes, numbered from 1 to 4.

The most restrictive is class 1, whereas class 4 is the least restrictive

- How are the products considered that, following the calculation, do not fall within any of classes 1-4?

They are considered as BEST COMMERCIAL or products without quality class requirements

2.2. If you participate in a procurement procedure and carry out any of the following activities related to structures, systems, equipment, products, components and services classified as important for the nuclear safety of nuclear facilities, intended for Cernavodă NPP, in accordance with CNCAN NMC04, NMC05, NMC06 , NMC08, NMC12:

- research and development activities - according to NMC04

- design activities - according to NMC05

- procurement activities - according to NMC06

- constructions-assembly activities – according to NMC08

- activities for computer programs (design, development, maintenance, modification and use thereof) used in applications meant for nuclear facilities - according to NMC12

- Where do you find the requirements for the activity carried out and the CNCAN authorization requirement?

- The authorization requirements are explicitly provided in the procurement documentation (specifications/ descriptive documentation, see Annex 2- Stage 1).

- The authorization requirement refers to the declared manufacturer / service provider / contractor

Is CNCAN authorization mandatory in the bidding phase?

If there is a CNCAN authorization requirement, in the bidding phase you must submit either the proof of the CNCAN authorization (copy of the authorization within the validity period), or a commitment that you will obtain the authorization until the contract is signed, if the bid is successful.

3. When you need NOT obtain the CNCAN authorization for the Quality Management System?

- In all cases classified as BEST COMMERCIAL (with requirements of ISO 9001, without requirements of the Quality Management Rules/NMC).

IF you are participating in a procurement procedure for any of the following activities:

- Design, Constructions-assembly - without the NMC requirements.
- Supply, Research-development, Manufacture of structures, systems, equipment, components which are not classified as important for the nuclear safety of the NPP and FCN, as well as related services, without NMC requirements.

IF you participate in a procurement procedure for activities that do NOT fall within one of the CNCAN Rules and the authorization of management systems is NOT required.

IMPORTANT: In the procurement documentation (Specifications / descriptive documentation, see Annex 2 - Step 1) it is explicitly mentioned if a CNCAN authorization and the related CNCAN Quality Management Standard (NMC) are required

4. How can the CNCAN authorization for the Quality Management System be obtained?

- Details on the CNCAN authorization stages can be found at <http://www.cncan.ro/managementul-calitatii/autorizarea-sistemelor-de-management-al-calitatii/>

- Quality Management Rules - NMC01÷NMC13 approved by the Order no. 65 ÷ 76/2003 and no. 407/2004 of CNCAN President, as further amended and supplemented, can be found at <http://www.cncan.ro/despre-noi/legislatie/norme/norme-de-managementul-calitatii-in-domeniul-nuclear/>

The authorization is made through an evaluation carried out by the CNCAN staff, after the submission of the necessary documentation and the payment of the related fees and it is granted if after the evaluation it is found that the supplier has the ability to carry out those activities.

5. Other types of authorizations/ approvals/certificates issued by CNCAN that can be requested in the procurement procedures for the supply of products, the provision of services, the execution of works:

5.1. For products falling within the category of products with an impact on radiological safety - Radiological safety authorization or Product supply authorization issued by CNCAN in accordance with the provisions of Law 111/1996, republished as further amended and supplemented, and the *Rules on*

authorization procedures, approved by CNCAN Order no. 155/2018, published in the Official Gazette of Romania, Part I, no. 576 bis of July 9, 2018. If the bidder does not have such an authorization, it may submit with the submission of the tender a **Sworn commitment** that it will obtain the *Radiological Safety Authorization or the Product Delivery Authorization* until the date the products are delivered.

5.2. For services / works involving activities in controlled areas - Certificate of acceptance for work in controlled areas issued by CNCAN, in accordance with *Radiological Safety Rules NSR-09*. If the tenderer does not hold such a certificate, it may submit, along with the submission of the tender, a **Sworn commitment** that it will obtain the Certificate of Acceptance until the date the services / works are provided in controlled areas.

5.3. For testing and calibration services for the nuclear field and for dosimetric measurements - Designation certificate issued by CNCAN, in accordance with the *Rules on the procedure for designating laboratories for the nuclear field, approved by Order 237 of CNCAN President of 2019, published in the Official Gazette of Romania no. 798 of October 2, 2019*. If the tenderer does not hold such a certificate, it may submit, along with the submission of the tender, a **Sworn commitment** that it will obtain the Certificate of Designation until the date the related services are provided.

6. From whom can suppliers get answers regarding these authorizations

The registered office of CNCAN - 4 Lt. Zalic Street, Sector 6, Bucharest

Nuclear Fuel Cycle Directorate: telephone / fax: 021 316 24 41

The performance bonds

In accordance with the provisions of the national regulatory framework, SNN requires business partners to ensure compliance with contractual obligations. The national regulatory framework for sectoral procurement stipulates that performance guarantees must be provided within 5 working days after signing the contract, by bank transfer or by a guarantee instrument issued under the law by a credit institution in Romania or in another state or by an insurance company, or by depositing cash at the cashier's office (only in the case of guarantees of less than RON 5,000). If the parties agree, the performance guarantee may also be established by successive deductions from the amounts due for partial invoices, provided that the contracting entity has provided for this possibility in the award documentation.

SNN has established a set of prudential criteria and rules for accepting issuers of guarantee instruments, mentioned in the award documentation. If the issuer of the guarantee instrument is one of the banks owned by the Romanian State, the above requirements do not apply to them, and the guarantee instruments will be accepted without meeting the previous requirements.

At the same time, the performance bond must be irrevocable and unconditional, and have a validity equal to the duration of the contract, plus 30 days.

The form and substance requirements for instruments to ensure proper performance can be found in the award documentation.

Note: If the successful tenderer does not comply with the 5-working-day period mentioned above, the contracting entity has a legal obligation to retain the bidder's performance bond for the award procedure.

During the performance of the contract, the contractor has the obligation to replace the performance bond instrument in the following situations:

(i) when the depository credit institution of the initial performance bond is in one of the following situations:

a) the manifest inability to pay the debts owed with the liquidities available;

b) the decrease under 2% of the credit institution's solvency ratio;

c) the withdrawal of the operating license of the credit institution, pursuant to the legal provisions, as a result of the impossibility of financial recovery of a credit institution;

(ii) where the insurance company submitting the initial performance bond is in one of the following situations:

a) the manifest inability to pay the debts owed with the liquidities available;

b) the withdrawal of the operating license of the insurance company, as a result of the impossibility of restoring, within the financial recovery procedure, the compliance with the solvency capital requirement - for the companies supervised according to Part I "Solvency II Surveillance Regime" of Law no. 237/2015 on the authorization and supervision of insurance and reinsurance activities, as further amended, or as a result of the impossibility of restoring the available solvency margin at least to the minimum limit of the solvency margin - for the companies supervised according to Part II "National Surveillance Regime" of Law no. 237/2015, as further amended;

c) the withdrawal of the authorization for the residual insurer resulting from the resolution process according to the provisions of art. 71 of Law no. 246/2015 on the insurers' recovery and resolution;

(iii) as well as in any other situations where the depository entity of the initial performance bond is in the manifest inability to pay the debts owed with the liquidities available.

The Anti-Corruption Policy



In order to promote and strengthen integrity in the carrying out of its activities, Nuclearelectrica has developed a compliance program comprising policies and principles meant to encourage and facilitate the activity of prevention, detection and fight against acts of corruption, in order to achieve the goals set by joining the National Anti-Corruption Strategy.

The Anti-Corruption Policy includes the concepts of the national legislation in the matter, the internal conduct codes and best practices generated by the international anti-corruption and anti-bribery standards ISO 37001.

The leadership of Nuclearelectrica and its personnel comply with and maintain the zero tolerance concept in terms of corruption, giving and taking bribes, being firmly committed to compliance with the national legislation and the applicable regulatory framework.

Openness and transparency ensure credibility and trust between partners during trade negotiations. We expect our business partners to manage their processes in an ethical and responsible manner, by acting with integrity. We consider that abidance by the compliance standards is a particularly significant factor in promoting our business relationships and we insist, including through contractual clauses, that our partners comply with the rules and regulations in force

Suppliers will implement a management system and a governance structure meant to facilitate compliance with laws and regulations, to promote the constant improvement of products, services and processes.

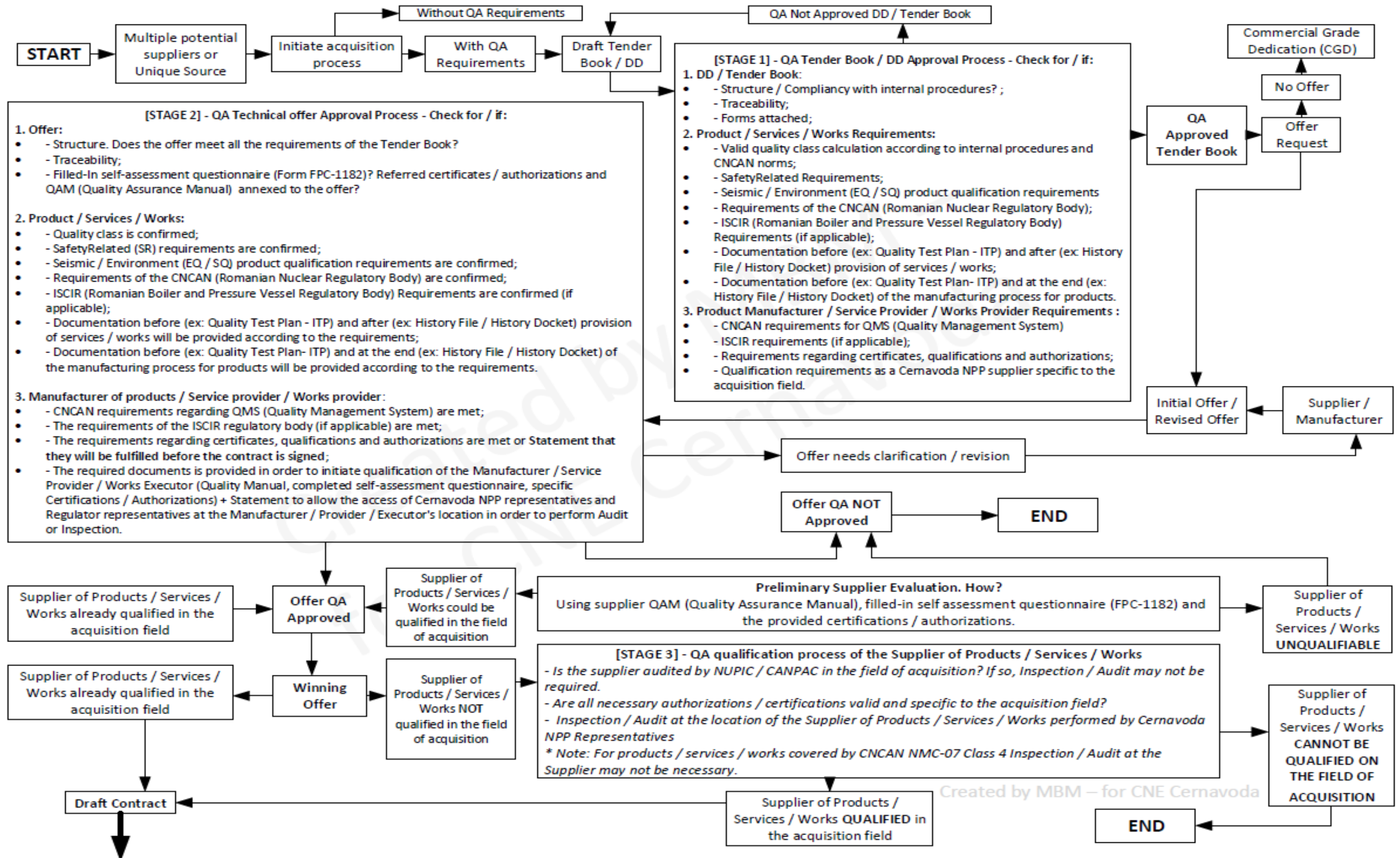
We request our partners to inform us of any situation that might be considered a conflict of interests, such as the situation in which the employees of Nuclearelectrica were to draw any personal advantages from collaborating or owning interests in those partners' business. Business partners shall not offer to our employees gifts or personal advantages that might be considered as bribery.

In order to highlight the joint efforts to create a climate of trust and transparency in business, we ask the partners to complete a self-assessment form of the anti-corruption management system.

SIMPLIFIED DIAGRAM OF THE SUPPLIER QUALIFICATION PROCESS
MAIN STAGES
Qualification of suppliers for Products, Services, Works with AQ requirements

Stages	Process	Process Outputs, Conclusions (bidding / contracting)	Actions, Steps, Deadlines following the Conclusions (supplier qualification)	Result records, Deadlines (supplier qualification)
Stage 1	Tender Analysis ANNEX 2, STAGE 1	a) The supplier is qualified , the qualification field corresponds to the procurement field, the Qualification Report is valid	No actions Valid qualification report	Existing valid qualification report New field preliminary evaluation report Preliminary field evaluation report Estimated time from receipt of the tender to issuance of reports = 1.5 months next Award and supplier qualification completion
		b) The supplier is qualified , the qualification field does not correspond to the procurement field - Existing , with a potential for extended field acceptance according to AQ	Step 1: Initiation Qualification / Field Extension / (Preliminary evaluation) -Evaluation of documents and Decision (D) Preliminary evaluation report issued by NPP-DDMSM -for NMC7- class 4 - D Preliminary acceptance of supplier for inclusion in the LFC - D Carrying out the evaluation audit (decision of the Head of DDMSM) - for NMC7- class 1-3, NMC4, NMC5, NMC6, NMC8, NMC12 - D Preliminary acceptance of supplier for inclusion in the LFC - + Performing evaluation audit (mandatory) Estimated duration =1.5 months NOTE: - The above term is conditioned by the external organization's response to clarifications and may be restricted depending on the urgency of the acquisition.	
		c) The supplier is not qualified - New Entry , with a potential for field acceptance according to AQ - Old , expired qualification, with a potential for field acceptance according to AQ		
Stage 2	Tender Award ANNEX 2, Successful tender & STAGE 3	The successful bidder is a Qualified Supplier, the Qualification Report is valid	No actions Valid qualification report	Existing field, valid qualification report New field, valid qualification report Extended field, valid qualification report Estimated term from the award of the tender until the completion of the qualification / Valid qualification report = 70 days = 2.3 months next Contract signing
		The successful bidder is the Supplier accepted by NPP-DDMSM through Preliminary evaluation report for a new domain/extended domain	According to the Decision (D) from Step 1 , follows: Step 2: Supplier qualification / Field expansion =>Valid Qualification Report=>inclusion in the LFC or Step 3: Performing audit evaluation and Supplier qualification / Field extension =>Audit Report =>Action program =>Valid Qualification Report=>inclusion in the LFC Estimated duration =70 days / 2.3 months , of which: 5 days audit preparation + 5 days audit performance + 30 days from closing meeting for issuing audit report and transmission to supplier + 30 days for preparation of supplier action program NOTE: The above deadlines are conditioned by the response of the external organization and may be restricted depending on the urgency of the procurement.	
Stage 3	Contract signing ANNEX 2, STAGE 4	IMPORTANT! The completion of the Qualification Process conditions the contract signing by AQ requirements!		

IMPORTANT!!! Stages cannot be reduced/ eliminated, but deadlines can be reduced, depending on the supplier's response.[above](#)



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5. NMC 04 = Rules regarding the specific requirements for the quality management systems applied to the research-development activities in the nuclear field, approved by CNCAN order no. 68/2003
6. NMC 05 = Rules regarding the specific requirements for the quality management systems applied to the design activities in the nuclear field, approved by CNCAN order no. 69/2003
- 7.NMC 06 = Rules regarding the specific requirements for the quality management systems applied to the supply activities meant for nuclear facilities, approved by CNCAN order no. 70/2003, as further amended and supplemented.
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- 10.NMC 12 = Rules regarding the specific requirements for the quality management systems applied to the manufacture and use of software for research, design, analysis and calculations designed for nuclear facilities -approved by CNCAN order no. 76/2003
- 11.NMC 13 = Rules for establishing the classes of gradual application of the quality management systems requirements for the manufacture of products and the provision of services for nuclear facilities, approved by CNCAN Order no. 407/2004

ABBREVIATIONS:

- 1.CNCAN =National Commission for the Control of Nuclear Activities
2. NPP = Nuclear Power Plant. In the content of the guideline, it refers to Cernavodă NPP
- 4.NMC = Quality Management Rule