**FORMS**

**Form 1**

**ECONOMIC OPERATOR**

…………………………… *(name)*

**DECLARATION(\*)**

**on whether the economic operator falls/does not fall in any situations likely to give rise to a conflict of interests, as described at Article 72 and Article 73 of Law no. 99/2016**

The undersigned,............................... as representative of ............... .................... *(name of economic operator)* as tenderer/tenderer member of a Joint Venture/third party providing support/subcontractor *(select the correct option depending on the capacity in the procedure)* of the tenderer ..............................................,as part of the direct procurement of *".........................."* on the date of ............. (*insert date),* performed by S.N. Nuclearelectrica SA*,* hereby declare on my own responsibility, under the penalty of exclusion from the direct procurement, as well as under the penalties carried by misrepresentation forgery in public documents, the following:

a) There are members of the Board of Directors/management or supervisory body, and/or significant shareholders, persons holding decision-making positions in the Contracting Entity**(\*\*)**?

**NO** **YES** (\*\*)

b) There are members of the Board of Directors/management or supervisory body, and/or significant shareholders**(\*)** who are my spouse, relatives or next of kin up to and including the second degree, or have business relations with any persons holding decision-making positions in the Contracting Entity?

**NO** **YES** (\*\*\*)

I hereby further declare that I shall not nominate as key persons appointed to perform the contract any persons who are spouses, relatives or next of kin up to and including the second degree, or have business relations with any persons holding decision-making positions in the Contracting Entity.

I understand that, should this declaration not be true to the reality, I shall be liable for violation of the criminal provisions on misrepresentations.

*(\*)* ***In order to give this declaration, we point out that the persons holding decision-making positions in the Contracting Entity are:***

1. Cosmin Ghita - General Director;
2. Laura-Marilena Constantin - Deputy Director, Corporate Services;
3. Dan Niculaie-Faranga – Financial Director;
4. Gabriela Catalina Toma – Main DF Substitute - Own Preventive Financial Control (CFPP) Clearance;
5. Anca Beis – Specialist Economist - CFPP Clearance;
6. Catalina-Tania Marunea – Head of Accounting Service - CFPP Clearance
7. George-Codrut Tudor – Director of the Legal Department;
8. Vlad-Ionut Chiripus – Head of Document Lawfulness Clearance Department;
9. Razvan-Dumitru Sandu – Razvan Sandu - Head of the Procurement Directorate;
10. Stella Ciulcov – Head of Procurement Department
11. Anda Roxana Pistol – Specialist Economist with the Procurement Service
12. Ludmila Iulia Tones – Director of Communication and Public Relations Directorate
13. Valentina Dinu - Head of External Communication and Public Relations Department

*(\*\*) When* **YES** *is ticked, indicate the names/positions of the persons falling in the situation likely to give rise to a conflict of interests and provide a briefly description thereof.*

*(\*\*) Significant shareholder means a person who exercises the rights attached to shares, which, when aggregated, account for at least 10% of the share capital or grants their respective holder at least 10% of the total voting rights in the general meeting.*

**Filling date ......................**

**Economic operator,**

**....................................... (*authorized signature)***

**FORM 2**

**ECONOMIC OPERATOR**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(name)*

**TENDER FORM**

To ....................................................................................................

*(name and full address of contracting authority)*

Dear Sirs,

**1.** Having examined the procurement documents, we, the undersigned, as representatives of the tenderer

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereby offer, in compliance

*(name of tenderer)*

with the provisions and requirements contained in the abovementioned documentation, to provide \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, for the amount of **EUR** …………………, without VAT, as follows:

- An ESG rating report providing the ESG rating, as well as its substantiation - **EUR** …………….., without VAT

- Benchmarking report, within the category of electric utilities, at international level, including its substantiation - **EUR** ……………, without VAT

**2.** We hereby undertake that, should our tender be declared successful, to provide the services according to the services contract.

**3.** We hereby further undertake to maintain this tender valid for a period of \_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ days, *i.e.,* until the date of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and

*(period in letters and figures)* *(day/month/year)*

that this shall be binding on us and can be accepted at any time before the expiry of its validity term.

**4.** Pending conclusion and execution of the contract, this tender, together with the notice served by you to advise us that our tender has been declared successful, shall stand for a binding contract between us.

**5.** We point out that:

🞎 we submit an alternative tender, the details of which are set out in a separate tender form, clearly marked as “alternative”;

🞎 we do not submit an alternative tender.

*(tick the corresponding option)*

**6.** We understand and agree that, should our tender be declared successful, we will lodge up a performance security accounting for 10% of the contract amount:

🞎 by wire transfer, or

🞎 as a security instrument issued according to the law

*(tick the corresponding option)*

**7.** We understand that you are under no obligation whatsoever to accept the tender offering the lowest price, or any other tender you may receive.

Date: ..............................

**...........................................................** *(name, first name) \_\_\_\_\_\_\_\_\_\_ (signature)*,as .................................... *(position)*, duly authorized to sign the tender for and on behalf of **..................................**