INSTRUCTIONS TO BIDDERS_Rev1

CALL FOR TENDER FOR THE BESS SUPPLY, THE COMMISSIONING AND OPERATION & MAINTENANCE OF AMARZENA IN PORTUGAL

GENERAL INDEX

1. INTRODUCTION

1.1. PURPOSE OF THIS DOCUMENT

This document presents the Instructions to Bidders for the supply of the BESS Units (**SCOPE A**), the site installation supervision, the commissioning and the operation and maintenance for the lifetime of the Amarzena power plant.

This tender is launched within the scope of the decision to select the application submitted by AMARGILHA UNIPESSOAL LDA (hereafter the "**Project Company**") in the call for bids "*Investimento RP-C21-i08: «Flexibilidade de Rede e Armazenamento»*" launched by *Fundo Ambiental* in 2024.

This tender is governed by the general principles of impartiality, proportionality, good faith, protection of legitimate expectations, as well as the principles of competition, equal treatment, and non-discrimination.

Akuo Energy is looking for Bidders that can provide the entire scope described above.

If the Bidder is a consortium of companies, the Bidder shall indicate which company is the leader of the consortium and will specify which parts of the works will be carried out by the different consortium members. Furthermore, the maximum number of partners per consortium is 2.

1.2. PROJECT SPONSOR

The project is owned by the Project Company, a fully owned subsidiary of Akuo Energy, headquartered at 140 av. des Champs-Élysées 75008 PARIS France.

Akuo Energy SAS is a French company that develops, finances and operates renewable energy power plants in more than 20 countries. At present, Akuo Energy has over 1,700 MW in operation and under construction and over 10,000 MW in development.

1.3. PUBLICITY

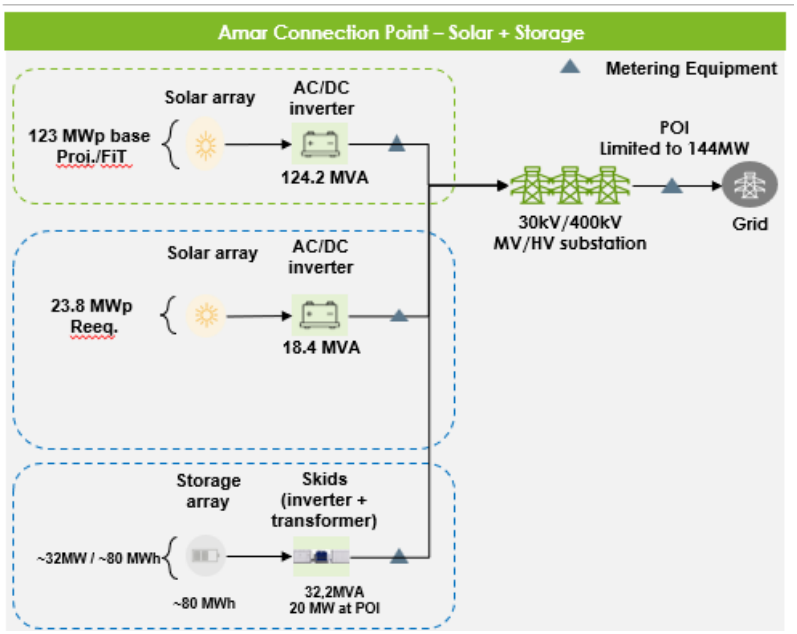
The opening of this procedure was published on the website of the Project Company at: Production d'Energie Renouvelable au Portugal | Akuo.

At the time the procedure is open, the interested parties will have access to the contract template, where the terms of the agreement to be entered into between the parties have been included (hereafter, the "**Contract Template**").

1.4. PROJECT PRESENTATION

The objective of the AMARZENA's project is to produce and sell electricity and participate in different service system markets *via* the construction and operation of Battery Storage Power plant that are connected to the public electricity grid of Portugal.

AMARZENA will be hybrid storage systems as follows:



Hybridization with storage at AMAR's connection point

The optimal cycling of the BESS will depend on the CAPEX, OPEX and degradation associated with the proposal requested in this package. This means the proposals requested should be adapted (in cycling and lifetime of BESS) to cycling ranging from 0.8 cycles/day to 2 cycles/day.

For example, the cycling could be as such (cycling being highly dependent on the induced costs of the offer to come):

Year	Cycling/day
1	1.02
2	1.17
3	1.20
4	1.20
5	1.21
6	1.22
7	1.23
8	1.24
9	1.24
10	1.25
11	1.26
12	1.28
13	1.29
14	1.31
15	1.3
16	1.3
17	1.3
18	1.3

19	1.3
20	1.3
21	1.3
22	1.3
23	1.3
24	1.3
25	1.3

Bidder is requested to provide in its offer the degradation profile for 1 cycle, 1.5 cycle and 2 cycles per day.

The power station of **AMARZENA** will be located in Gavião municipality in Alentejo in Portugal as shown in the photo below, with an estimated installed capacity of approximately 80 MWh (hereinafter the "**Project**").

Figure 1. Amarzena Location

The general characteristics of the project are as follows:

General Information	
Secured site area	~2 ha
Project Storage Capacity	~80 MWh installed
Power chargeable from the grid (excluding PV, excluding AUX)	20 MW
Expected Financial Closing	Q4 2026
Project design lifetime	15-25 years
Grid connection	
Grid operator	REN

Point of Interconnection (POI)	Project's Point of Interconnection is on the 400kV busbar of AMAR existing HV Substation, but Project will be connected to the existing 33kV busbar
Overhead line length	0 km (project located nearby AMAR Substation)
Interconnection voltage	33 kV
Site description	
Soil conditions	The assessed site consists of sedimentary deposits with silty to clayey sandy soils varying significantly in gravel content, occasionally containing lightly cemented sand. A geotechnical model identifies four zones (GZ4 to GZ1). GZ4, the upper layer, includes topsoil and loose sandy soils unsuitable for reuse as engineered fill. Zones GZ3 to GZ1 consist of alternating layers of silty-clayey sands; GZ1 notably has higher gravel content and occasional cementation, especially near the substation. Foundation support for photovoltaic modules is planned via shallow driven piles, requiring a minimum length of 3m to resist uplift, vertical, and lateral forces. Helical anchors could be compromised due to gravel, cobbles, and boulders. Excavation is straightforward using mechanical equipment, without blasting. Excavated soils generally have good reuse potential, excluding GZ4 topsoil. Corrosion risk to metal structures is minimal; concrete should consider XA1 exposure class. Ground resistivity and thermal conductivity should guide earthing systems and cable trench designs.
Terrain slopes	The terrain has a gentle slope (between 296.5m m and 285.5 m), with slight gradients across the area. It features a mildly undulating surface, which can be easily leveled artificially to meet the project requirements.
Annual min/average/max temperature	Min 0.8°C / Avg 16.4°C / Max 42.9°C
Humidity rate	90%
Distance to the sea	> 30km
Environment	Mediterranean climate, hot and dry during the summer (summer flies and rodents on site)
Wind conditions	Max 20 m/s
Seismic zone	N/A
Main Equipment	
BESS Technology	To be proposed by the Bidders
C-rate	0,5
BESS installed Capacity (BoL)	~80MWh
Quantity of BESS containers	13
BESS Usable Power at POI	32,2MW @0,92 power factor

Number of cycles per day	1-2 cycle/day at 32,2MW charge and 32MW discharge power
BESS RTE at POI with aux. consumption	>85%

1.5. TENDER TIME FRAME

The stages for the BESS Supply Tender process are as follow:

Date	Action	Party
16/10/2025	First Issuance of Instruction to Bidders (SCOPE A)	AKUO
30/04/2026	Issuance of revised Instruction to Bidders (**SCOPE A**)	AKUO
Until 07/05/2026	Upon request: Transmission of the Tender Package Annexes	BIDDERS
04/06/2026	Submittal of Binding Offer (including Contractual mark-up)	BIDDERS
Until 18/06/2026	Clarifications of the Offers	AKUO / BIDDERS
02/07/2026	Selection of Preferred Bidder	AKUO
Until 30/07/2026	Negotiation with the Preferred Bidder	AKUO / BIDDERS
30/09/2026	Contract Signed	AKUO / BIDDERS
16/11/2026	Targeted Notice to Proceed	AKUO

1.6. LANGUAGE

The tender documents shall be submitted in English.

The Contract and the annexes that will be signed with the selected Bidder will be in English. However, some annexes mainly administrative could be in Portuguese.

1.7. CONTACT

The clarifications as well as financial and technical offers shall be submitted by email to

- Julian Aurelle aurelle@akuoenergy.com
- Jean-Christophe Loison loison@akuoenergy.com

The offers shall be submitted by the date as indicated in the Tender Time Frame above.

2. DIVISION OF SCOPES

The scopes of works for AMARZENA's project are as follows:

- **Scope A – BESS Contract (supply, commissioning and O&M)**
- **Scope B – EPC without BESS supply**
- **Scope C – Extension works at existing MV/HV substation**

2.1. Scope A – BESS Contract (supply, commissioning and O&M) (to be quoted)

General Scope of Work:

The Contractor is responsible for the sizing, the design, the supply and commissioning of the Battery Energy Storage System.

The Contractor's service includes the following works:

- Engineering, supply and commissioning of BESS including Battery modules, Battery racks, BMS and BPU if any
- Product and performance warranties
- Factory tests
- Transportation according to the DDP incoterm, inclusive of all applicable taxes and duties
- Recycling of defective modules during Operation phase and recycling of the BESS Containers at Plant Decommissioning

Operation and maintenance

The Contractor is responsible of the Operation and Maintenance of the BESS containers for 20 years following the Take Over. The scope covers as detailed in Appendix:

- Preventive and Corrective Maintenance
- Spare parts management and replenishment under extended guarantee
- Performance guarantees (Product, Round trip efficiency, availability and capacity)

The whole scope of works under the **SCOPE A** of the project is composed of the following sub-section:

- **Section a: BESS Supply – DC block:**
  - Supply of BESS Units or envelop fully populated with batteries with DC output.
  - Factory Acceptance Tests
  - Transportation Delivered Duty Paid ("**DDP**") incoterm, in particular dealing with the logistics and the potential storage of the BESS Units, as well as recycling requirements at import and decommissioning (Contractor being the Importer on record).

- **Section b: Supervision of the installation and commissioning:**
  - On-site support for the mechanical and electrical installation of the BESS Units by Akuo's contractor.
  - Commissioning of the supplied equipment.
  - Performances tests and all site acceptance tests that may be asked by the local authorities prior to commercial operation.

- **Section c: Corrective & Preventive Maintenance:**
  - Years 1 to End of Life ("**EoL**") of the supplied equipment
  - Associated warranties for:
    - Capacity degradation (from year 1 to EoL)
    - Product Warranty (from year 1 to EoL)
    - Round Trip Efficiency at the DC level (from year 1 to EoL)
    - Availability of the equipment supplied (from year 1 to EoL)

The **Scope** of the Contract covers the following:

1. Design, manufacturing, supply, of the BESS and all the necessary miscellaneous parts for overall performance. AC Scope including PCS, MV Transformer can be quoted as an option (not preferred).
2. Compliance with applicable Portuguese local standards (grounding, labeling, etc)
3. Transport of the supplied equipment according to the DDP incoterms 2020. A special care would be taken on the logistic plan and the potential storage of the BESS Units, as well as recycling requirements at import and decommissioning (Contractor being the Importer on record).
4. Supervision of the installation on site with sufficient staffed teams of all equipment supplied.
5. Installation of the Communication systems up to the interface with the Employer and the TSO. Perform all communication wiring necessary for the proper operation of the BESS Units particularly the wiring to enable the communication with the Plant's SCADA System.
6. Testing and commissioning including Grid compliance testing as per Client requirements.
7. Provision of all design and quality documents including but not limited to design notes and calculations, FAT results, as-built drawings, etc.
8. Provision of all procedures including test plan, commissioning plan, schedule, etc.
9. All software, manuals and documentation required to operate, maintain, service, repair and restore the supplied equipment and components.
10. 15-25 years of Operation & Maintenance services and associated warranty as:
    a. Operation and maintenance of the BESS Units and supplied equipment through Corrective and Preventive Maintenance
    b. Product and Capacity Warranties for the BESS Units
    c. RTE measured at the output of the BESS Units
    d. Availability warranty for the BESS Units.
11. The signature of an Operation & Maintenance Contract covering:

a. Operation and Maintenance of the BESS Units and supplied equipment through corrective and preventive maintenance
b. the Product and Capacity Warranties for the BESS Units
c. RTE at DC output Warranty.

Contractor will provide a power plant whose characteristics are in accordance with the TSO's requirements for connection and operation.

In addition, the successful Contractor shall comply, throughout the entire project life, **with all local rules and regulations**, especially with regards to HSE, the environment and climatic conditions.

The Contractor shall respect all authorizations obtained by the Employer (building permits, environmental licenses, technical and financial proposals). The successful Bidder will provide a power plant whose characteristics are in accordance with the Grid Manager's requirements for connection and operation. In addition, the successful Bidder will do its best to respect the environment throughout the construction, testing phase and performance phase.

The detailed description of the works to be carried out for the project is presented in the specification documents provided alongside these instructions. These specifications shall form the base of the technical scope of works of the Contract.

2.2. Scope B: EPC without BESS supply (not to be quoted)

General Scope of Work:

The Contractor shall be responsible for the engineering, procurement, construction and commissioning of the Plant in an EPC turn-key contract (excluding BESS supply) including but not limited to:

- Detailed Design based on:
  - Expected performance
  - Construction permits
  - Local authorities' specifications, in particular those of the Grid Operator
  - Applicable Laws, Norms and Standards
- Calculation notes
- As-built drawings
- Site preparation (vegetation removal and earthworks)
- Geotechnical survey (construction permit requirement).
- Base camp and temporary facilities
- Site security
- Energization of the plant
- Certification of the plant
- Trainings

Main scope of works:

Scope B is composed of (non-exhaustive list):

- MV Skid including PCS and transformers: Design, supply and installation

- Civil works: Design, supply and execution of:
  - Geotechnical study
  - Foundation works: BESS containers, PCS, MV substations and other facilities
  - Internal roads:
    - Heavy roads allowing the safe transportation of the BESS containers and PCS on Site and their maintenance
    - Light roads, allowing the construction of the Plant and circulation of pick up for its maintenance
  - Spare part storage container (air conditioned)
  - Fences and gates
  - Water collection system: temporary and permanent (if required)
  - Installation of the BESS containers on the BESS foundations

- Electrical works: Design, supply and execution of:
  - PCS and MV transformers
  - DC networks
  - MV Collector system installation.
  - Earth grid
  - Communication network
  - CCTV installation (if required)
  - Electrical protection system

- Control and protection: Design, procurement, installation and configuration of:
  - AMAR Plant Master SCADA + BESS SCADA
  - AMAR Plant Master PPC Power Plant Controller + BESS PPC (and interface with BESS suppliers' power plant manager)
  - Protection relays at the RMU
  - Integration in an already operating power plant
  - Implementation of a BESS performance monitoring tool
  - Interfaces with 3rd party SCADAs (Akuo, REN, Siemens HMI, hypervision tools)

- Commissioning: cold and hot commissioning of:
  - DC networks
  - PCS
  - Transformers
  - Ring Main Units
  - MV Collector system
  - SCADA and PPC
  - Communication networks
  - Ancillary Service Certification

- Supply of the necessary equipment (spare parts) for the operation and maintenance of the Storage Plant:
  - Specific room to ensure safe storing of the spare parts

- Temporary works to ensure the temporary structural stability of the works, the energization of the equipment and the plant, the continuity of the works

- Interconnection with existing Substation:

  - 33kV buried Lines to be connected to the MV switching room of the existing substations (separate feeders), including cable terminations. For the sake of clarity, for the interface with **Scope C**, the supply, installation and connection of the cable terminations to the MV Switchgear is included in **Scope B**.

- Operation and Maintenance (defect notification period of two years)

  - Two years of operation.
  - Two years of preventive and corrective maintenance to ensure the requested performance and availability.
  - SCADA availability guarantee.
  - Tests for Performance Certificate Delivery
  - Ensure the relationship with the aggregator for the availability

  - Supervision
  - Implementation of a BESS performance monitoring specific tool
  - Safety and security
  - Necessary Spare parts to ensure the performance and availability of the plant

- Operation and Maintenance for 18 years (following the end of defect notification period) as detailed in Section Annex 5 – O&M Requirements.

  - On site operation and remote operation
  - Spare part management and replenishment
  - Preventive and Corrective maintenance
  - Supervision and monitoring through SCADA
  - Availability guarantee of at least 99%
  - SCADA availability guarantee
  - Performance guarantee
  - Ensure the relationship with the aggregator for the availability

2.3. Scope C – Works at existing MV/HV substation (not to be quoted)

AMARZENA is connected to the existing AMAR substation.

The connection to the substation is done using the existing 33kV switchgear.

No new MV switchgear panels are expected to be supplied under this scope.

The work mainly consists of assessment and adaptation of existing MV cells.

The scope includes the following works:

- Connection of the BESS to the existing bus coupler (cell 1H01), including:
  - Verification of the existing current transformers (CTs) installed in 1H01 (ratio, accuracy class and burden) for protection and metering purposes
  - Replacement of CTs if required to ensure adequate protection and metering performance for BESS operation
  - Adaptation of the existing metering system if CTs are replaced
  - Verification and update of the protection settings associated with feeder 1H01

- Modification of the existing auxiliary feeder (cell 1H07), including

- Adaptation of the MV feeder to connect the new auxiliary transformer supplying BESS auxiliary loads (auxiliary transformer supplied under another project scope)
- Verification of the existing current transformers installed in feeder 1H07 (ratio, accuracy class and burden)
- Replacement of CTs if required
- Verification that the CTs include a dedicated metering core suitable for energy metering
- Installation of a new energy metering system for this feeder
- Verification and update of the protection settings associated with feeder 1H07

- Engineering updates related to MV switchgear modifications, including but not limited to:
  - Update of single line diagrams
  - Update of protection settings and coordination
  - Update of schematics and wiring diagrams
  - Update of as-built documentation

The Bidder shall provide all engineering studies, calculations and documentation necessary to ensure the proper integration of the modifications into the existing substation.

- Substation SCADA update to integrate the modified feeders and associated metering signals
- All necessary civil work
- Tests and commissioning with the Grid Operator

The Bidders shall respect all authorizations and permits obtained by Akuo (building permits, technical and financial proposals). The successful Bidder will provide a power plant whose characteristics are in accordance with the Grid Manager's requirements for connection and operation.

In addition, the successful Bidder will do its best to respect the environment throughout the construction and testing phases.

The local content offered by the Bidder will be an important criterion for being selected for the Project.

Akuo will pay a particular attention to optimizations proposed by Bidders.

2.4. Description of interfaces:

The interface between the **3 SCOPES** is described under **Annex 03 - Responsibility Matrix** attached to this ITB.

3. COST OF BIDDING

The Bidder shall bear all costs associated with the preparation and submission of its bid, and the Employer will in no case be responsible or liable for these costs, regardless of the conduct or outcome of the bidding process.

4. EMPLOYER TENDER DOCUMENTS

The characteristics of the Project to be delivered, the bidding procedures, contract terms and technical requirements are prescribed in the tender package.

The tender package includes the following documents:

- The present Instruction to Bidders document ("**ITB**")
- **Annex 1**: Technical and Performances Specifications
- **Annex 2:** HSE Requirements
- **Annex 3:** Responsibility Matrix
- **Annex 4:** Price Breakdown
- **Annex 5:** Performance & Capacity Guarantees
- **Annex 6:** Not used
- **Annex 7:** Maintenance Requirements
- **Annex 8:** Insurances
- **Annex 9:** Clarification table
- **Annex 10:** Contract template
- **Annex 11**: Recycling requirements

The Bidder is expected to request these annexes to the Employer within the time frame specified in **0**

TENDER TIME FRAME

The Bidder is expected to examine all Instructions, forms, terms, specifications and other information in the bidding documents. Failure to furnish all information and documents required in the above-listed bidding documents or submission of a bid not substantially responsive to the bidding documents in every respect will be at the Bidder's risk and may result in rejection of its bid. **In particular, the Employer will be entitled to reject any offer in which the price breakdown is not compliant with the format proposed in Annex 4 Price Breakdown.**

5. TENDER DOCUMENTS CLARIFICATION

5.1. CLARIFICATION OF TENDER DOCUMENTS

A prospective Bidder requiring any clarification on any aspect of the tender documents may notify the Employer in writing or by e-mail at the Employer's email address indicated above and within the time frame specified above. The clarifications must be submitted through the specific excel format shared in the tender package Annex 9.

The Employer will respond in writing to such requests for clarification of the tender documents. At the Employer's sole discretion, copies of the Employer's response (including a description of the enquiry but without identifying its source) may be sent to all prospective Bidders who have received the tender documents, to the exception of information of a confidential nature, proposal of material optimizations and/or competitive advantage for the Project, or which may reveal the Bidder's identity.

6. DELIVERABLES EXPECTED TO BE INCLUDED IN THE BID

The bid submitted by the Bidder shall be delivered to the address indicated in **1.7 CONTACT** and shall be composed of the following documents:

6.1. BIDDER'S TECHNICAL OFFER

The Bidder's technical offer shall comprise the following documents:

✓ **Planning and project execution plan with detailed milestones**

1. The Bidder shall describe how each project phase shall be executed; the engineering, procurement, inspection, shipment of equipment, construction and commissioning shall all be described. A time-limit for each phase must be specified.
    a. The timeline shall indicate the critical path. Supply constraints related to critical equipment likely requesting longer lead times shall be duly identified by the Bidders.
    b. The logistic plan regarding the BESS Units transport to site and installation. This document must enlight the way the potential storage of the BESS Units is handled and how the risk of excessive degradation of capacity induced by calendar ageing is mitigated.
    c. The Place of Manufacture for BESS shall be clearly mentioned.

✓ **Detailed technical description**

2. The Bidder shall submit a detailed technical description of the entirety of the Works, in particular in the form for designs, drawings, descriptive and calculation notes for the different subsets. Especially:
    a. Datasheets and technical description of the supplied equipment
    b. SCADA architecture of the BESS Units
    c. Site layout
    d. Single Line Diagram of the Units
    e. Drawings of the equipment
    f. Calculation notes for cables, protections, auxiliary consumption
    g. Fire Safety calculations notes and studies describing how the system was designed and tested to prevent fire propagation and explosion.

✓ **Operation and Maintenance Plan**

3. The Bidder shall submit an Operation and Maintenance plan, detailing the tasks, the frequency and the number of people involved. This document will describe also how the Bidder intents to maintain the availability rate proposed.

✓ **Performance Warranty**

4. The Bidder will clearly provide the values and the performances that are warrantied:
    a. Capacity degradation
    b. Round Trip Efficiency
    c. Availability
    d. Auxiliary consumption

The Bidder will find a Performance annex template attached to the tender package that will describe the application process for those warranty. The Bidders are invited to comment the template and precise what are the operational conditions of the BESS Units that needs to be ensured to maintain the warranties (list of signals to be historized, timesteps, etc…).

✓ **Quality guarantees and quality control plans**

5. The Bidder shall present a strategy to control and guarantee the quality of the Project deliverables, in the form of a Quality Control Plan.

✓ **Organizational chart and key project personnel**

6. Key HR resources allocated to the project shall be presented and relevant CVs shall be submitted.

✓ **Potential Subcontractors**

7. The Bidder shall submit a list of potential subcontractors that have been identified for the works he wishes to subcontract (including any references it may have from them).

6.2. PROJECT TIME SCHEDULE

The planning for the construction of the Project shall include the following milestones:

Milestone	**Targeted date**
Final Notice to Proceed	16/11/26
Engineering phase	(can start under LNTP)
Equipment delivery	BESS deliveries: June 27 PCS deliveries: June 27
Equipment installation	Pace to be specified by bidder
Master SCADA FAT	Aug 27
Completion of Mechanical and Electrical Works	Aug 27
Works Ready for Energization	Sept 27
Energization	Sept 27
Commissioning Completion	Mid Nov 27
Take Over	Mid Dec 27
Defects Notification Period	Mid Dec 29 (scopes B&C)

The timeline shall indicate the critical path. Supply constraints related to critical equipment likely requesting longer lead times shall be duly identified by the Bidders, as part of a potential Limited Notice to Proceed phase.

The Project time schedule shall be in PDF format and in MS project form.

6.3. LIST OF SUBCONTRACTORS PROPOSED BY THE BIDDER

The Bidder shall include details of the name, nationality and references of the proposed Subcontractors, if applicable.

The Bidder shall be responsible for ensuring that any plant, equipment or services to be provided by a subcontractor complies with the Employer's requirements relevant to the subcontractor's scope.

For BESS suppliers, the Bidder shall send their ESG information package including if available:

- Carbon Neutrality Report
- Code of Conduct for Suppliers
- ESG Report
- ISO 27001
- ISO 14001

Statement against Modern Slavery and Human trafficking

6.4. ALTERNATIVE BIDS

Bidders wishing to propose technical alternatives to the requirements of the bidding documents must first price the Employer's design of the plant as described in the bidding documents and shall further provide all information necessary for a complete evaluation by the Employer of the proposed alternatives, including drawings, design calculations, technical specifications, breakdown of prices, proposed installation methodology and other relevant details. Only the technical alternatives, if any, of the lowest evaluated Bidder conforming to the basic technical requirements shall be considered by the Employer.

6.5. CONTRACT

In their offer, Bidders shall comply with the Contract Template (Annex 10) or share their deviations before the deadline indicated in the tender time frame, if any.

Bidders shall also submit a full red-line of the Contract and its main annexes with their Binding Offer.

7. BID PRICES

Bidders will quote for the entire **SCOPE A** on a "single responsibility" basis so that the total bid price covers all the Bidder's obligations mentioned in or to be reasonably inferred from the bidding documents in respect of project management, engineering, manufacture, including procurement and subcontracting (if any), delivery, construction, installation and commissioning of the BESS plant.

The Employer will be entitled to reject any offer in which the price breakdown is not compliant with the format proposed in **Annex 4 – Price Breakdown**. As mentioned above, prices must be submitted in in Excel format, with access to the formulas.

The Employer will be entitled to reject any offer in which the price breakdown is not compliant with the format proposed in Annex 4.

Commercial offers shall present fixed/lump sum prices.

Prices may be quoted in both US Dollar and in Euros.

All equipment delivery shall be DDP and the term DDP shall be governed by the rules prescribed in the current edition of Incoterms, published by the International Chamber of Commerce.

Bidder shall also provide a quote with the DDP incoterm.

The Bidder's commercial offer shall clearly separate amounts without tax from applicable taxes per item. Import taxes shall be expressly specified.

Bids shall remain valid for 180 days after the closing date for the receipt of tenders.

In exceptional circumstances, the Employer may solicit the Bidder's consent to an extension of the tender validity period.

8. CONDITIONS OF CONTRACT

This section provides a general overview of the Contract, with an emphasis on non-negotiable clauses set by the Employer. Bidders submitting a quote will be bound to such conditions.

The main contract conditions are the following:

- The contract is a Supply contract with Operation & Maintenance services
- The price of the contract is a lump sum;
- The Contractor's responsibility covers the entire execution of the Works, from the takeover of the soil and subsoil to the Take Over of the Works by the Employer;
- Penalties may be applied should the Works not meet the contractual specifications regarding (i) time for completion and timeliness of key milestones, (ii) performance ratios (iii) availability (iv) timely interconnection of the Project to the grid and (v) grid compliance of the Works with grid requirements.

Bidders will find the Contract Template in Annex 10.

9. OFFER ANALYSIS AND CONTRACT AWARD

9.1. CLARIFICATION OF BIDS

To assist in the examination, evaluation and comparison of bids, the Employer may, at its discretion, ask a Bidder for a clarification of its bid. Such clarification may be requested at any stage up to the awarding of the Contract.

9.2. EVALUATION OF OFFERS AND AWARD CRITERIA

In carrying out the evaluation, the Employer will examine and compare the aspects of the bids based on the information supplied by the Bidders, considering the following factors:

(a) Technical aspects (50%)

i. Overall completeness of the offer and compliance with the Technical Specifications and applicable product certifications; deviations from the Technical Specifications as identified by the Bidder; suitability of the Facilities with the site's environmental and climatic conditions ; quality, function and operation of any process included in the tender. Tenders which do not meet minimum acceptable standards in terms of completeness, consistency and detail will be rejected as non-responsive

ii. Project schedule

(b) Commercial aspects (30%)

i. Prices offered for the Scope of Works
ii. Proposed warranty period and warranty characteristics for the main equipment

(c) Experience and financial soundness aspects (20%)
i. International Storage past experiences
ii. Financial soundness of the Bidder

Akuo will pay a particular attention to optimizations proposed by Bidders. Where alternative technical solutions have been offered by the Bidder, the Employer will make a similar evaluation of the alternatives.

Employer will award the contract to the Bidder whose offer has been determined as being in compliance with Employer's technical requirements, at the lowest cost, and provide the highest level of comfort as per management of execution/planning risk..

9.3. EMPLOYER'S RIGHT TO ACCEPT ANY OFFER AND TO REJECT ANY OR ALL OFFERS

The Employer shall have the right to accept or reject any bid, and to annul the tender process and reject all bids at any time prior to the awarding of the contract, without thereby incurring any liability to any Bidder but will inform any Bidder of the grounds for the Employer's action.

9.4. NEGOTIATION PHASE

During this tender, there will be a negotiation phase with selected bidders regarding the attributes of the bids submitted, following an initial analysis and evaluation of the proposals based on the valuation factors set out in the previous clause.

The bidder(s) will be notified in advance of the date, time, and location of the negotiation sessions. The sessions may be held by telematic means, as indicated in the said notification.

During the negotiation phase, all bidders shall be given opportunities to improve their respective proposals.

At the end of the negotiation phase the bidders shall submit an improved final bid (best and final offer).

9.5. QUALIFICATION DOCUMENTS

The bidders must send the following documents to the email address indicated in article 5 of these Instructions to Bidders with their offer:

(a) Criminal record certificate of the legal entity and of the members of its administrative, management, or executive bodies;

(b) Proof of regularized status with respect to social security contributions in Portugal or, if applicable, in the country where its main establishment is located;

(c) Proof of regularized status with respect to taxes due in Portugal or, if applicable, in the country where its main establishment is located;

(d) [Insert other relevant documents for the purpose of qualifying the awarded bidder, particularly licenses, authorizations, and registrations required for carrying out the activity].

10. SUBSIDIARY APPLICATION

In all matters expressly not provided for in these Instructions to Bidders, the general principles of impartiality, proportionality, good faith, protection of legitimate expectations, as well as the principles of competition, equal treatment, and non-discrimination shall apply.