

**TERMS OF REFERENCE**  
**(TOR)**  
**AMENDMENT / 08.03.2021**  
**TENDER № GSU/25/2021**

regarding:

**“Purchase and delivery of burners with top covers and a new catalyst charge for secondary reformers installed at the Ammonia Plant in GA Police”**

for:

**Grupa Azoty Zakłady Chemiczne „Police” S.A.**  
**ul. Kuźnicka 1**  
**72-010 Police**

NIP [VAT-number]: 851-02-05-573;

Registry Court: District Court Szczecin-Centrum, 13th Commercial Division of the National Court Register;

KRS: 0000015501; BDO:000016847

Share capital: 1 241 757 680,00 PLN, paid up in full

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The procedure is carried out based on Unified Regulations of Order Placing in Grupa Azoty S.A. Corporate Group (Disposition № 11/2017 of the President / CEO of Grupa Azoty Zakłady Chemiczne “Police” S.A.). The entity carrying out the procedure is Grupa Azoty Zakłady Chemiczne “Police” S.A. The procedure is not subject to the Public Procurement Act of September 11<sup>th</sup>, 2019, as well as to protests or appeals.

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Approved by:

  
  

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With regard to questions and inquiries filed by potential Bidders, the Ordering Party decides as follows:

1. Part I of the Terms of Reference, Clause M.2 shall be given the following wording:

2. **QUESTIONS**

- 1) *Questions and requests for clarification regarding the contents of the Terms of Reference shall be unconditionally filed latest on the 7<sup>th</sup> day before the deadline for submitting bids. Questions and requests for clarification filed after that date may be not followed-up by the Tender Committee.*
- 2) *Comments, inquiries and proposals regarding altering / amending Terms of Reference or parts thereof (in particular: Draft Contract, General Rules for Execution of Contracts, etc.) shall be unconditionally filed latest on the 7<sup>th</sup> day before the deadline for submitting bids. Comments, inquiries and proposals filed after that date may be not followed-up by the Tender Committee.*
- 3) *The Ordering Party **will approve** and reply to correspondence sent to the Tender Committee Secretary's e-mail address, i.e. [Jaroslaw.Kociuba@grupaaazoty.com](mailto:Jaroslaw.Kociuba@grupaaazoty.com), which shall mean that any questions, comments, inquiries, as well as bids may be sent to the above e-mail address without using the Purchasing Platform. The Tender Committee will, however, publish any and all replies at the Purchasing Platform.*
- 4) *The Ordering Party **will not approve** any documents including general terms and conditions of contract, service, deliveries, etc., which have been or may be submitted by any of the Bidders. Only the documents included as parts of the Terms of Reference will be valid. The Ordering Party will review any and all comments submitted by the Bidders and regarding the aforementioned documents, provided that such are submitted within the suitable deadlines as determined in items 1 and 2 above. If the Ordering Party agrees with certain comments, such comments would be included in relevant documents and would be binding to all Bidders. The Ordering Party kindly asks all Bidders to submit comments in a form of proposals of relevant provisions to be included or altered in the original documents. This is to ensure that both the Bidder and the Ordering Party would understand the Bidder's proposal in the same way.*

2. Any other provisions of the Terms of Reference shall remain unchanged.