



Request for Proposal No. PKN/2/001565/24
as part of the procurement procedure entitled:
„Feasibility study of the CO2 transmission system”

Appendix No. 6

Reasons for excluding the Bidder from the Request for Proposal and rejecting his Offer with an indication of the reason

1. The Ordering Party will exclude the Bidder from the Request for Proposal and reject its offers with an indication of the reason at each stage of the Request for Proposal. The Ordering Party informs that the rejection of the offer will apply to:
 - a) The Bidder who, for reasons attributable to him, fails to a significant extent or improperly performed or for a long period of time improperly performed important tasks an obligation arising from a prior contract, which led to termination or withdrawal from the contract, compensation, substitute performance or exercise of rights warranty for defects by any of the ORLEN Capital Group companies. The Ordering Party may not exclude the Bidder, who is in a legal dispute with ORLEN S.A. or the ORLEN Capital Group company if the exclusion would be clearly disproportionate to the Bidder.
 - b) The Bidder against whom liquidation proceedings, remedial proceedings, enforcement proceedings have been initiated or bankruptcy was declared.
 - c) The Bidder who does not pay taxes, social security or health insurance contributions.
 - d) The bidder who is a natural person and who has been legally convicted of:
 - crime against the rights of persons performing paid work,
 - crime against the environment, crime of bribery,
 - an offense against economic turnover under Chapter XXXVI of the Act of 6/06/1997 of the Penal Code (Journal of Laws of 2019, item 1950, as amended) or another offense committed in order to obtain financial benefits, as well as for a fiscal offense or an offense of participation in an organized group or association aimed at committing a crime or a fiscal offence.
 - e) The Bidder conducting business in the form of a general partnership whose partner has been legally convicted of the offense specified above in point d.
 - f) The Bidder conducting business in the form of a professional partnership whose partner or member of the management board has been legally convicted of the offense specified in point d.
 - g) The Bidder conducting business in the form of a limited partnership and a limited joint-stock partnership, the general partner of which has been legally convicted of the offense specified above in point d.
 - h) The Bidder who is a legal person whose incumbent member of the management body has been validly convicted of the offense specified above in point d.
 - i) The Bidder who is a collective entity against whom a court has issued a ban on conducting business activity pursuant to the provisions on the liability of collective entities for acts prohibited under penalty.
 - j) The Bidder who directly performed activities related to the preparation of the Request for Proposal for the Ordering Party or used persons participating in these activities to prepare the Offer, unless the participation of such a Bidder in the purchasing procedure does not impede fair competition.
 - k) The Bidder who has provided false information that influences or may influence the outcome of the Request for Proposal.
 - l) The Bidders who are related to each other by capital or person and submitted separate Offers. The reason for exclusion indicated in the previous sentence does not apply to the case of capital or personal connections between Bidders acting together as a consortium.



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- m) The Bidder who is a subcontractor of another Bidder.
- n) The Bidder who submits an offer independently and is also a member of a consortium in another Offer.
- o) If the Bidder meets at least one of the criteria specified in Appendix No. 7 to the Request for Proposal and, consequently, the Bidder's financial verification is negative by the Ordering Party.
- p) An Offer submitted by a Bidder who has been given the "disqualified" status on the CONNECT Platform, in relation to the purchasing category to which the ongoing Request for Proposal relates, and has been informed about the granting of such a status,
- q) If one or more Beneficial Owners of the Bidder appear on the Sanction Lists (in accordance with the Sanction Clause), the Ordering Party indicates that the Offer is subject to rejection and the Bidder who has not submitted the declaration indicated in Appendix F6 to the Request for Proposal or who meets one or more of the conditions set out in Sanctions Clause or for any other reasons, its activities, method of organization or ownership structure may threaten the interests of the ORLEN capital group or the Republic of Poland.
- r) The Bidder who has not met all the conditions for participation in the Request for Proposal.
- s) Any other reasons related to the Bidder that cause the selection of the Bidder to result in the risk of improper performance of the Subject of the Agreement.