

Tender document

**Competition with negotiations of the Public Procurement
Act and the Regulations relating to public procurement part
I and II**

Consultancy services

Our Ref.
32565-01

Submission deadline:
21.05.2014
at 12:00

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GENERAL DESCRIPTION

1.1. Client

The Norwegian Water Resources and Energy Directorate is a governmental directorate under the Ministry of Petroleum and Energy. NVE's mandate is to ensure an integrated and environmentally sound management of the country's water resources, to promote efficient energy markets and cost-effective energy systems and contribute to efficient energy use. Further information regarding NVE can be obtained by consulting www.nve.no

1.2. Information about the procurement

NVE, in cooperation with the Ministerio de Energia e Aqua (MINEA), will develop regulations for pre-paid electricity meters and update regulations and concession contract for the concession of generation, transmission and distribution of electricity under the General Electricity Act of Angola

The Instituto Regulador do Sector Eléctrico (IRSE) is the practical counterpart for the work.

In this document NVE, MINEA and IRSE will be known as the Parties.

Part 1: Develop regulations for pre-paid electricity meters.

The objective for the assignment is to draft regulations for pre-payment meters based on best practice adapted to Angolan conditions. The regulations must take into account the rights and responsibility for the government, the utility and the customers as well as sanctions and procedures for complaints. Furthermore it is important that regulations do not constrain, but seeks to develop the sector.

Part 2: Revise and update regulations for generation, transmission and distribution and update the general concession contract.

The objective of the assignment is to update the regulations for generation, transmission and distribution of electricity so they are in conformity with the revised General Electricity Act, and also to review the regulations in order to update them to best practice and to be in conformity with the energy policy and other relevant legislation.

Part 3 (Option): Review and update existing regulations

Review and update other existing regulations to be in conformity with the revised General Electricity Act and the new regulations for generation, transmission and distribution.

For further details regarding all three parts please see Annex 1

1.3. Partial tenders

Partial tenders will not be accepted

1.4. Period of contract

The services (part I and II) shall be conducted from contract signing until the end of 2015

The Client has an option to extend the contract for 12 months on equal terms and conditions. Options shall be asked for at least one month before the expiry of the prevailing contract.

The Client has also the option to call on the bidder to exercise part 3. The Client will give notice of this no later than 12 months after the conclusion of part I and II.

1.5. Request for proposals

The Request for proposals consists of this document and the following:

- Annex 1 Terms of Reference
- Annex 2 Standard Agreement
- Annex 3 Self declaration on Salary and working requirements
- Annex 4 Self declaration on UNs Children's convention
- Annex 5 List of relevant documents

1.6. Duration of bid's commitment

The tender is binding on the bidder. The bidder must stand by the bid until the contract is signed, although not beyond 90 days after the expiry of the deadline for submitting tenders.

1.7. Language

The tender shall be in English, but some parts of the bid shall also be made out in Portuguese. The parts that shall be presented in both languages are Comments to Terms of Reference, the Proposed methodology and work plan, CVs and Personnel schedule. If there are deviations between the documents the English version shall prevail.

1.8. Time schedule

The Client has set forth a preliminary time schedule for the process:

Activity	Time
Submission deadline	21.05.2015, at 12:00
Duration of tenders commitment	Minimum 90 days after submission
Evaluation	21.5. – 29.5.2015
Negotiations	Week 24/25
Revised bids	Week 26
Selection of bid and information to bidders	Week 27
Deadline for filing complaints	10 days after selection of bid
Signing of contract	After deadline for filing complaints

Dates after submission of bids are tentative

2. Competition rules

2.1. Procurement rules

The agreement will be entered into under Norwegian Act No 69 of 16 July 199 and regulations of 7 April 2006 No 402 relating to public procurement, amended by regulations of 24 November 2006 No 1295.

The competition will be held as a negotiated procedure in-line with the Norwegian Public Procurement regulation part I and II. Based on the award criteria NVE will call on 2-4 bidders for negotiations.

2.2. Secrecy

The Client shall treat all bids and their contents in line with the Norwegian Public Administration Act § 13 and Royal Decree on 7 April 2006 No 402, concerning secrecy.

2.3. Public access to information

Following the selection of the successful bidder, the tenders and the tender logbook will, upon request, be made accessible to the public, ref. the Public Information Act of 19 May 2006 No. 16.

If the bidder wishes business information of a sensitive nature to be exempt from public disclosure, a separate version of the offer in which this information is blacked out should be submitted for information purposes. The client will make the final decision concerning public disclosure of the information mentioned above.


2.4. Deviations and reservations


If the tender deviates from or includes reservations with regards to the requirements of the tender documentation, these shall be stated unambiguously in the covering letter.

Any reservations shall be stated in the covering letter even if they are also included in other parts of the bid. Reservations not stated in the covering letter will not be accepted.

In the event of reservations regarding fundamental parts of the tender documentation, the tender will be rejected.

2.5. Communication during the tender process

All communication during the process shall be routed via the Merccell-portal, www.merccell.no. This is to assure that all communication will be logged. When you are logged on to the competition, chose the flag marked "Communication", click on the symbol  "New message".

Enter the information to the authority and then click send . The authority will then receive your message. If the question regards all bidders, the authority will answer the inquiry anonymously by giving the answer as additional information. Additional information is available under the flag "Enquiry", then the flag "Additional information". You will also receive an e-mail with a link to the additional information.

Requests received later than 5 working days prior to the deadline for the offer will not be answered.

2.6. Supplements or changes to the tender documentation

The Client reserves the right to supplement or change the tender documentation before the deadline for presenting tenders. If the changes are of a nature materially changing the scope of work or other important aspects, an extension of deadline will be announced.

Any changes in the tender documentation will be published in the Merccell-database. The changes will take precedence over previous versions of the tender documentation.

If the bidder becomes aware of lack of information or ambiguities in the tender document that may affect the implementation of the assignment, pricing etc., the Client shall be made aware of this immediately. NVE reserves a right to supplement or change the tender documentation before the deadline for presenting tenders. If the changes are made too late to permit the bidders to take them into account, the deadline will be extended accordingly.

Any changes in the tender documentation will be submitted to the prospective bidders. The changes will take precedence over previous versions of the tender documentation.

If the bidder becomes aware of lack of information or ambiguities in the tender documentation that may affect the implementation of the procurement, the client should be made aware of this immediately.

2.7. Sub-contractors

There shall be one main contractor responsible for the assignment.

The main contractor may use sub-contractors for parts of the assignment. In such case, the tender shall include information regarding which sub-contractors will be used for which parts of the work.

If the bidder intends to sub-contract any part of the assignment, the Client will require documentation of the agreement, either in the form of a signed letter of intent, or a copy of a signed contract between the bidder and any sub-contractor.

The main contractor is fully responsible to the Client for the sub-contractors engaged and for committing them contractually to fulfil the requirements in the standard agreement.

3. Qualification requirements

Requirement	Supporting documentation
Bidder shall be in good order with respect to payment of tax and VAT.	<p>Company tax certificate; Value added tax certificate.</p> <p>A certificate of tax and a certificate of payment of tax issued either by the local tax office or the tax office where the bidder has its headquarters.</p> <p>Foreign bidders must submit certificates from the corresponding and relevant authorities</p>
Bidder shall have a functioning HSE system.	HSE self-declaration
Bidder must be a legally established company.	<p>Norwegian companies: Company registration certificate.</p> <p>Foreign companies: Confirmation that the company is registered in a trade or business register as prescribed by the law of the country where the bidder is established.</p>
Service provider shall have the financial capacity to undertake the assignment / contract	<p>Annual accounts including management report and auditor's notes</p> <p>If service provider has valid reasons to not submit the documentation requested by the award authority, he may prove his economic and financial position by submitting any other documentation that award authority can accept.</p>
The bidder must deliver electronic invoices to NVE (Elektronisk handlesformat (EHF))	<p>Confirmation from bidder.</p> <p>For further information see, http://www.anskaffelser.no/e-handel/artikler/web-faktura-leverandorer</p>

From the 1st of July 2012 all state entities shall demand electronic invoices from their bidders.

Requirement	Documentation
The bidder shall have experience with similar assignments	The bidder shall submit a list of three to five of the most important contracts in the past five years, including information about the value, date and client (name, phone number and e-mail). References will be contacted if necessary.
The bidder shall have adequate capacity to carry out the services.	<p>Details of the bidder's total staff. A minimum of 3 persons is required.</p> <p>Organization chart</p> <p>An indication of the proportion of the contract value the bidder intends to use subcontractors for.</p> <p>Commitment from subcontractors</p>
A well functioning quality assurance system for the services is required.	A description of the bidders system for quality assurance and management.

4. Award criteria

NVE will select the economically most advantageous proposal based on the following award criteria;

Criterion	Weight	Documentation requirements
Cost	10 %	Completed financial spread sheet
Competence and experience <ul style="list-style-type: none"> ➤ Relevant experience from the energy sector ➤ Good knowledge of local conditions in Angola. ➤ Ability to communicate both written and orally in Portuguese and English. ➤ Experience from preparations and drafting of laws and regulations ➤ Technical knowledge in the field of power system engineering 	50 %	CV for relevant personnel (including references from relevant projects), max 3 pages for each CV (further pages will not be considered)
Approach and methodology <ul style="list-style-type: none"> ➤ Appreciation of assignment ➤ Proposed methodology ➤ Work plan 	25 %	Description in bid.
Capacity to carry out services <ul style="list-style-type: none"> ➤ Availability of key resources ➤ Consistency of allocation of resources in line with work plan. 	15 %	Description in bid

5. Submission of Tender

The bid shall be submitted electronically through Mercell within the time-limit specified in section 1.8 above.

The tender shall be in English, but with an extra copy in Portuguese for Comments to Terms of Reference, the Proposed methodology and work plan, CVs and Personnel schedule.

The tender shall include the following elements in the indicated order:

A cover letter for the tender dated and signed by an authorised person.

The bidder shall be identified in the cover letter by the following information:

Name

Type of company

Official registration number.

Street address

Postal address

Telephone, fax and e-mail address

Contact person

The application shall have the following structure:

1. Cover letter with acceptance of terms. If the bidder has reservations regarding parts of the tender documentation, required specifications or other tender documents, it shall be clearly stated in the cover letter. Any reservations must be specified, including consequences for performance, prices or other conditions. The same applies to non-conformity. Reservations and non-conformities shall be stated precisely and unambiguously. Reservations not included in the cover letter will not be accepted. Materially changes or reservations can lead to rejection of the bid.
2. Comments to Terms of Reference (English and Portuguese)
3. Proposed methodology and work plan (English and Portuguese)
4. CVs (English and Portuguese)
5. Financial proposal
6. Personnel schedule showing allocation of key personnel to the different task (English and Portuguese)
7. Tax documentation (payment of in-come tax)
8. Tax documentation (payment of VAT)
9. HSE-self declaration form
10. Documents providing information on the legal status of the bidder
11. Annual accounts including management report and auditor's notes
12. Other documentation, if any, needed to support qualification requirements
13. Confirmation that the bidder can submit electronic invoices to NVE

14. Documentation of contractual obligations with sub-contractors
15. Self-declaration form on salary and working conditions

Special information for overseas bidders:

All tenders shall be submitted electronically via the Mercell portal, www.mercell.no by the tender deadline. Tenders delivered after the deadline will not be accepted. (The system does not permit tenders to be sent electronically via Mercell after the tender deadline.)

If you are not a Mercell customer, or you have questions regarding how the application functions, e.g how to submit a tender, please contact Mercell Support at tel +47 21 01 88 60, or by e-mail to support@mercell.com. It is recommended to submit the tender in adequate time before the deadline. A minimum of 1 hour before the deadline is suggested.

If the authority should provide additional information that results in you wanting to change your tender before the deadline, you can access your offer, open it, make the necessary changes and send it again right up to the deadline. The last submitted tender will be regarded as the final one.

The tender requires an electronic signature when it is submitted. When sending the tender electronically, an electronic signature will be requested to confirm that you are the actual bidder who has submitted the tender. An electronic signature can be obtained at www.commfides.com, www.bypass.no or www.bankid.no.

We would like to remind you that it can take some days to acquire an electronic signature, and therefore recommend that this process be initiated as soon as possible.

The request for qualification shall be structured according to the structure presented below, accompanied with a signed cover letter.

The bidder is solely responsible that all questions and criteria are answered and/or reviewed.

6. Clients treatment of bids

6.1. Opening of bids

There will not be a public opening of tenders. The opening of bids will be in-line with Norwegian procurement rules.

6.2. Negotiation procedure

The competition procedure allows for negotiations and the parties may negotiate all aspects of the submitted bids.

Based on the award criteria NVE will call on 2-4 bidders for negotiations. The bidder will carry the costs of travels to negotiations. The place for negotiations will be selected on basis of what is most practically and least expensive for the participants.

6.3. Cancellation of competition

The Client may cancel the competition or reject all bids if adequate reasons are found to be existent.

6.4. Information about award of contract and deadline for filing appeals

Bidders will be notified of the client's award decision in writing ahead of the signing of the agreement, with information regarding the deadline for filing of complaints.

Annex 1 – Terms of Reference (ToR)

Background information

In the autumn of 2011, MINEA developed a “National Energy Security Strategy and Policy”¹. This document identifies a need to rapidly increase access to a regular and reliable power supply at competitive prices in order to assure an economic growth that is a prerequisite for poverty reduction. It is further seen as important to promote a balanced development of the Angolan economy and society, reducing social and geographical differences and develop a diversified energy mix that favours endogenous sources, security of supply and environmental sustainability. Fortunately, given that Angola is endowed with very large energy resources, this is achievable.

The document includes a diagnosis of the power sector, which identifies a number of factors currently restricting access to energy:

- the transmission and distribution infrastructure is confined to a few areas, and the system suffers from bottlenecks;
- the generating capacity is not sufficient to cover the demand in the areas that do have access to the grid, with much of the existing generating park being in a poor state of repair; and
- Structural financial deficits of the public enterprises in the sector result in an unsustainable situation in a strict business perspective, preventing the mobilization of private capital and burdening the state with an excessive commitment given the value of the underlying assets.

Due to the situation described above, consumers receive an irregular and poor quality service, constraining economic and social development of the country. In order to safeguard economic growth it is considered necessary to:

- Significantly increase access to energy both in areas currently covered by grid and in off-grid areas.
- Reduce the high subsidies to end-use consumers and the high cost of supply, the latter being caused by high technical losses and inadequacy and inefficiency of the generation infrastructure.
- Improve the human resource skills in the sector.
- Remedy the financial deficits in the public enterprises of the sector.

On a policy level, the following objectives are set:

- Create a generation mix that promotes efficiency and use endogenous sources.
- Expand electrification to between 50 to 60% of the population by 2025, prioritizing equally power supply to agricultural and industrial development centres.
- Gradually approach the consumer price to the full cost of electricity in order to assure the economic and financial sustainability of the power sector, still maintaining the possibility of keeping some subsidies in favour of socially disadvantaged population strata.
- Improve security of supply and efficiency of generation assets by expanding and interconnecting the various power networks.

¹ http://minea.gv.ao/index.php?option=com_docman&task=doc_download&gid=108&Itemid=128&lang=pt

- Promote the use of renewable energy technologies as a preferred choice in isolated systems.

The policy recognises that there is a need both to address short-term challenges (within what is called a stabilization phase) and at the same time work on the systemic problems (within what is called a consolidation horizon). The on-going “Power Sector Executive Program” contains several activities aimed at addressing pressing needs, for example increasing generation capacity in the power networks and strengthening the existing transmission system in order to reduce bottlenecks and improve power quality. In 2016 it is expected that the peak load (if supplied) will surpass 3 000 MW.

The sector transformation must be accompanied by a transition to a financially sustainable regime for the public enterprises working in the sector. This will both require a gradual removal of subsidies and an improvement of equipment and operations. Currently, distribution systems are frequently overloaded, a fact that is difficult to address while most customers are presently unmetered.

In order to speed up the development of the sector there is a need to attract private sector finance. According to the legislation, generation and distribution of electricity are open to the private sector through concession contracts, which allows private investment especially in the form of Public-Private Partnerships. The Public-Private Partnership model is seen as a key lever for realizing larger projects, while standardized feed-in tariffs may be used to promote the realization of smaller projects. However, these lines of action will require regulatory attention to clarify the rules of the game. The current regulatory framework lags behind the intentions of the law, and therefore needs urgent attention.

Institutional structure of the Energy and Water Sectors

The Ministry of Energy and Waters, MINEA, is the Government body for the energy and water sectors, being responsible for the development of sector policies and planning, coordination, supervision and control of activities related to recovery and rational use of the national water and energy resources.

Another key institution of the energy sector is the Instituto Regulador do Sector Eléctrico (IRSE), which is the regulator. It is fairly new in operation, and regulatory framework and practices are still under development, although a foundation for the work do exist.

As part of the implementation of the policy, the “Programa de Transformação do Sector Eléctrico – PTSE” was started in 2011. This programme has as objectives to implement a market model with single buyer (the transmission system operator) and to restructure the public power sector through unbundling/fusing of the old public actors (the vertically integrated utility ENE, the distribution company in Luanda and other government controlled commercial entities) into entities focussing on generation, transmission and distribution, respectively. The President decreed the unbundling in November 2014, and the three entities, PRODEL (generation), RNT (transmission) and ENDE (distribution), have been endowed with top management.

In the areas of generation and distribution, private sector participation will be allowed. The national transmission company RNT will function as Transmission System Operator and will

also have an important role in setting up a national power market. However, the company is foreseen to be a single buyer.

About the project

The technical assistance program “Technical Assistance to the Angolan Ministry of Energy and Water by the Norwegian Water Resources and Energy Directorate in Angola 2013- 2015” was started in January 2013, aiming at developing capacity in key authorities in the areas renewable energy, energy efficiency and water resources.

As a part of the program in 2014, the General Electricity Act was revised. The revision was approved by the Cabinet in February 2015 and are now awaiting Parliaments final acceptance.

For 2015 two of the activities that are planned in this program are to develop regulations for use of pre-payment meters (part 1) and to update regulations generation, distribution and transmission of electricity and concession contract (part 2). In this regard the Client is now tendering consultancy service.

General scope for part I and II

The draft must be in accordance with Angolan legal regime and shall be drafted in Portuguese.

The complete draft shall be presented for the Parties by December 1st 2015.

The Parties shall be regularly updated of the drafting process. It is obligatory to meet the Parties during the drafting process.

The drafts must take into account the current status of Angolan energy sector and the plans for the future development of the sector.

Together with the regulation, a report or a background document describing the reasoning for the proposed regulation shall be included. In this document there shall be a summary in English.

The final product is delivered to the Parties and it's IRSE responsibility to propose the regulations for the Cabinet.

It is up to bidders to prepare their own detailed organization and methodology and technical proposals such that they fulfill the general requirements described in these Terms of Reference.

Part 1 – regulation for pre-paid meters

Objectives, purpose and expected results

In order to develop and improve the distribution of electricity in Angola and to educate and raise awareness about the use of electricity, the government wants to promote pre-paid meters for electricity. There is some use of pre-paid meters in Angola today, but this is not regulated. In this regard, MINEA and IRSE seek to develop regulation for the promotion and use of pre-payment meters. The regulation shall facilitate and stimulate consumers to choose pre-paid meters.

The main objective for the assignment is to draft regulation for pre-payment meters based on best practice adapted to Angolan conditions. The regulation must take into account the rights and responsibility of the government, the utility and the customers as well as sanctions and complaints. Furthermore is it important that regulation does not constrain, but seeks to develop the sector. The regulation must also be as technology neutral as possible.

The purpose of the assignment is for the Angolan government to have an efficient and modern tool for the regulation of pre-payment meters.

The overall result to be achieved by the bidder is a complete set of regulation with potential appendix.

Scope of work

The bidder should draft a complete regulation for pre-payment meters in Angola.

The draft must be based on Articles 13 and 41 in the revised General Electricity Act of Angola and other relevant laws and regulations.

The draft must be based on best practice experience in regulating pre-payment meters. During the drafting process the Parties may participate in study trips, conferences or seminars to gain knowledge about the regulation of pre-payment meters.

Part 2 – regulations for generations, transmission and distribution + concession contract

Objectives, purpose and expected results

Due to the revision of the General Electricity Act, Angola's regulations for generation, transmission and distribution needs to be updated to be in conformity with the law and the policy.

The current Angolan regulations in the matter of production, transmission and distribution are fragmented and not an effective tool for the Angolan government to regulate the energy sector. The Parties therefor now seek to update and revise the regulations relevant for generation, transmission and distribution of electricity.

In addition is it necessary to update the standard concession agreement to the same standard. The Parties sees it beneficial that this is done in conjunction with the updating of the regulations.

The overall objective of the assignment is to produce up-to-date regulation for generation, transmission and distribution of electricity based on the revised General Electricity Act, the energy policy and other relevant legislations.

The expected result is complete regulations for generation, transmission and distribution of electricity and an updated version of the standard concession agreement.

Scope of work

The drafts shall be based on the existing and proposed regulations listed below and attached in Annex 5. First of all shall the regulations be updated to be in conformity with the revised

General Electric Act and other relevant laws for Angola. Furthermore shall the regulations be based on best practice for regulation of generation, transmission and distribution and they must take into account the energy policy for Angola.

Bidders may propose how to organize the set of regulation.

The regulation for generation shall be based on the following documents:

Regulamento de Produção de Energia Eléctrica (Decreto 47/01, de 20 de Julho);
Projecto de Bases da Concessão de Centro Electroprodutores do sistema Eléctrico Público;
Regulação dos “Pequenos Sistemas Isolados” – Regulamento Complementar;

The regulation for transmission shall be based on the following documents:

Regulamento do Despacho (Decreto Presidencial n.º 3/11, de 5 de Janeiro);
Regulamento de Acesso às Redes e às Interligações (Decreto Presidencial n.º 19/11, de 17 de Janeiro);
Regulamento do Transporte de Energia Eléctrica;
Projecto de Bases da Concessão da Rede Nacional de Transporte de energia Eléctrica;

The regulation for distribution shall be based on the following documents:

Regulamento de Distribuição de Energia Eléctrica (Decreto n.º 45/01 de, 13 de Julho);
Projecto de Bases da Concessão de Redes de Distribuição de Eléctrica em BT:
Projecto de Bases da Concessão de Redes de Distribuição de Energia Eléctrica em AT e MT;

There may be overlap between the stated regulations and there may be other regulations or documents relevant to the updating of the regulations mention above. This is up to the bidders discretion to sort out.

The standard concession agreement shall be based on, but not limited, to the following documents:

Contrato De Concessão Para A Construção E Exploraçãodo Aproveitamento Hidroeléctrico
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Part 3 – (optional) updating existing regulations to be in conformity with the new regulations and the updated GEL

Those regulations that are not review under Part 2, may have to be updated to be in conformity with the revised General Electricity Act. This will be agreed with the Client if necessary.

See annex 5 for list of documents.

Annex 2 – Standard Agreement and contract conditions

<http://www.difi.no/artikkel/2009/11/avtale-om-konsulentbistand-ssa-b>

(English version)

Annex 3 – Self declaration on Salary and working requirements for personnel under service contracts with Norwegian public institutions

With reference to the Circular dated 16 July 2005 from the Ministry of Administration and Reform, Norwegian public institutions shall ensure that the use of personnel engaged under service contracts complies with ILO Convention No. 94 regarding work clauses to guarantee equal working conditions regardless of nationality.

The provider shall therefore ensure that its own employees and employees of any sub-contractors enjoy the salaries and working conditions laid down in tariff agreements, regulations or whatever normally applies to the place and work in question. The manager of the entity is responsible for ensuring compliance with this regulation.

All contracts that the provider enters into that cover work under this contract shall include these provisions.

If the provider fails to comply with these provisions, the Client is entitled to retain part of the payment until compliance is documented. The amount to be withheld shall equal twice the amount saved by the provider.

The provider shall upon request present documentation regarding the salaries and documentation used.

I hereby confirm that systematic measures have been implemented to meet the above requirements in connection with salary and working requirements for personnel under service contracts with Norwegian public institutions.

Place: _____ Date: _____

Signature: : _____

Annex 4 – self declaration on UN’s Childrens convention article 32 og ILO-convention nr. 138

In accordance with the provisions of the provisions of the Convention and Article 32 of ILO Convention No. 138, the following shall apply to provider:

The Contractor is familiar with the production process of the goods / products covered by the contract, and warrant that they are produced with labor in accordance with the Convention and Article 32 of ILO Convention nr.138.

In the event of breach of contract the bidder is to remedy the deficiencies noted within such time as (name of contractor), as long as this is not unreasonably short. Corrections shall be in writing and on the way (Client) decides. In the event of lack of rectification fines can be prescribed. The fines should be proportionate to the type and extent of the violations. The client may also require replacement or price reduction that is proportionate to the breach, and in relation to the client's economic interest in ensuring that the requirements are followed. Upon material breach of these points, or failure recovery, the contractor may terminate the contract.

The undersigned vendor hereby declares that the said obligations will be met.

Place: _____ Date: _____

Signature: : _____

See attachment in Merzell

Annex 5 – Relevant documents

Documents relevant, but not limited, to Part II:

Generation

1. Regulamento de Produção de Energia Eléctrica (Decreto 47/01, de 20 de Julho);
2. Projecto de Bases da Concessão de Centro Electroprodutores do sistema Eléctrico Público;
3. Regulação dos “Pequenos Sistemas Isolados” – Regulamento Complementar;

Transmission

4. Regulamento do Despacho (Decreto Presidencial n.º 3/11, de 5 de Janeiro);
5. Regulamento de Acesso às Redes e às Interligações (Decreto Presidencial n.º 19/11, de 17 de Janeiro);
6. Regulamento do Transporte de Energia Eléctrica
7. Projecto de Bases da Concessão da Rede Nacional de Transporte de energia Eléctrica;

Distribution

8. Regulamento de Distribuição de Energia Eléctrica (Decreto n.º 45/01 de, 13 de Julho);
9. Projecto de Bases da Concessão de Redes de Distribuição de Eléctrica em BT;
10. Projecto de Bases da Concessão de Redes de Distribuição de Energia Eléctrica em AT e MT;

Standard Concession Agreement

11. Contrato De Concessão Para A Construção E Exploração do Aproveitamento Hidroeléctrico

Other relevant laws and documents

Regulations

12. Regulamento da Qualidade de Serviço (Decreto Presidencial n.º 310/10, de 31 de Dezembro);
13. Regulamento das Relações Comerciais (Decreto Presidencial n.º 2/11 de, 5 de Janeiro);
14. Regulamento do Fornecimento de energia Eléctrica (Decreto n.º 27/01, de 18 de Maio);
15. Regulamento Tarifário (Decreto Presidencial n.º 4/11, de 6 de Janeiro);
16. Estatuto Orgânico do IRSE (Decreto Presidencial n.º 208/14, de 18 de Agosto).
17. Projecto de Regulamento de Informação Regulatória.

Laws

18. Proposta de Alteração Lei no14-A/96 de 31 de Maio GERAL DE ELECTRICIDADE (GEL)
19. Lei da Contratação Pública (Lei n.º 20/10 de 7 de Setembro);
20. Lei sobre as Parcerias Público-Privadas (Lei n.º 2/11, de 14 de Janeiro);
21. Lei de Delimitação dos Sectores da Actividade Económica (Lei n.º 5/02, de 16 de Abril);
22. Lei sobre a Arbitragem Voluntária (Lei n.º 16/03, de 25 de Julho);
23. Lei do Investimento Privado (Lei n.º 20/11, de 20 de Maio);

- 24. Lei de Águas (Lei n.º 6/02, de 21 de Junho);
- 25. Lei de Terras (Lei 9/04, de 9 de Novembro de 2004).

Policy

- 26. Política e a Estratégia de Segurança Energética Nacional (Decreto Presidencial n.º 256/11, de 29 de Setembro);

The Parties consider all of the above documents relevant. The bidder may, on background of local knowledge expand or select those document it consider to be sufficient to meet the objective for the different assignments.