

CLARIFICATIONS NO. 1

on

THE NOTICE

*on the call for bids for consulting services related to the privatisation of
Societatea Complexul Energetic Hunedoara S.A.
(the "Notice")*

Societatea Complexul Energetic Hunedoara S.A. informs the interested Consultants about the received requests for clarifications and about the answers thereto. The terms written below with upper case initial will have the meaning ascribed thereto in the Notice.

Question 1. *In respect of the provision of proof that the selection criteria are met, please clarify whether the sworn statements which, according to the instructions in the pre-selection documents, must be authenticated by a notary public should only provide confirmation that the pre-selection criteria are met, or they should provide specific information about how such criteria are met (e.g. indicating names of clients, reported turnovers, etc.)*

Answer: *In this Project stage (pre-selection of Consultants and shortlisting), the authenticated sworn statements may simply confirm that the selection criteria are met. The sworn statements will indicate explicitly which of the alternative criteria provided under points (i) and (ii) of the Notice are met by each Consultant, cumulatively with the criterion provided in point (iii) of the Notice. In this Project stage, it suffices if the text of the sworn statements actually includes the specific text of the Notice that refers to the selection criteria met by the Consultant.*

Question 2. *In respect of the documents that must be provided in order to prove that the pre-selection criteria are met (during the pre-selection stage or subsequently, during the selection stage), please clarify the following:*

Question 2.1. *Which supporting documents can provide proof of the turnover level (e.g. the balance sheet)?*

Answer: *The pre-selected Consultants who will receive letters of invitation may participate in the selection by purchasing the Specifications and submitting a proper bid. The Specifications include detailed information about the documents required in order to participate in the selection process (including about the supporting documents needed to prove that the selection criteria indicated in the Notice are met).*

Question 2.2. *In respect of the balance sheet, should it be audited?*

Answer: *Please see the answer provided at point 2.1 above.*

Question 2.3. *In respect of foreign companies, please confirm if it suffices to provide an original letter of confirmation issued by the auditor (in the absence of any other "original" document).*

Answer: *Please see the answer provided at point 2.1 above.*

Question 2.4. *In respect of companies registered in Romania the balance sheet will be submitted in electronic format, with digital signature. In this situation, which is the “original” document that should be submitted?*

Answer: *Please see the answer provided at point 2.1 above.*

Question 2.5. *Which are the supporting documents meant to prove similar experience? Please specify whether it is sufficient to submit similar experience charts filled out by the bidder or, if not, what other documents are required.*

Answer: *Please see the answer provided at point 2.1 above.*

Question 2.6. *If the submission of similar experience charts is required, is there a certain form to be observed or would that be left up to the bidder's own choice?*

Answer: *Please see the answer provided at point 2.1 above.*

Question 2.7. *In respect of proving the value of certain similar transactions assisted by the bidder, please mention the method for proving this value, given that the consultant is not party to the agreement where it acted as intermediary/ it assisted and therefore it does not have access to a certified value of the transaction.*

Answer: *Please see the answer provided at point 2.1. above.*

Question 3. *In the sentence: “The documents requested according to the above shall be submitted in original, in Romanian or, if the case may be, in English, accompanied by their translation into Romanian, legalised by a Romania-based notary public office.”, the phrase “according to the above” is only a reference to the previous paragraph (“Moreover, the Consultants will submit documents supporting the fact that they are authorized to provide consulting services related to the Project (for the purpose of this stage, the supporting documents shall be the confirmation of company details issued by the Trade Register Office no more than 30 days before the submission of the expression of interest, in case of Consultants that are Romanian legal entities, and equivalent documents issued in their countries of origin, in case of Consultants that are foreign legal entities.)”, or are also referring to all supporting documents meant to prove the fulfilment of the selection criteria (i), (ii) and (iii).*

Answer: *The phrase “according to the above” refers both to the supporting documents proving that the potential Consultants are authorized to provide consulting services related to the Project (confirmations of company details or equivalent documents) and the supporting documents certifying fulfilment of the selection criteria provided at points (i), (ii) and (iii).*

Question 4. *In respect of the requirement “Documents requested according to the above shall be submitted as original, in Romanian or, as the case may be, in English, accompanied by their translation into Romanian, notarized at a notary public office in Romania.”, please confirm that submission of the original document in any language is accepted, as long as it is accompanied by the notarized translation in Romanian.*

Answer: *We mention that the original document in any language is accepted as long as it is accompanied by the notarized translation in Romanian.*