

## Regulations of procedure for conducting the dialogue

with potential suppliers of materials and services used in the course of construction and operation of an offshore wind farm together with a set of devices used to move power from this installation to the place of delimitation of ownership ("Regulations")

### 1. General

- 1.1. MFW Bałtyk II Sp. z o.o. and MFW Bałtyk III Sp. z o.o. (hereinafter jointly: "**Organizer**"), in connection with the implementation of projects for development of offshore wind farms in the Baltic Sea – respectively – MFW Bałtyk II and MFW Bałtyk III (hereinafter jointly: "**Projects**"), intend to conduct the dialogue referred to in Article 45(1) of the Act of 17 December 2020 *on the promotion of electricity generation in offshore wind farms* (hereinafter: "**Dialog**"), aimed at enabling entities operating within the industry sector related to the construction and operation of offshore wind farms or related industries to be prepared for potential cooperation with the Organizer in the field of the Projects, in accordance with the Supply Chain Plans, submitted by the Organizer to the President of the Energy Regulatory Office (hereinafter: "**Supply Chain Plans**").
- 1.2. The Organizer conducts the Dialogue in a way that ensures the preservation of fair competition and equal treatment of potential suppliers of materials and services and the solutions they offer.
- 1.3. All interested parties may declare their wish to join the Dialog, in the following terms as set out in section 5 Regulations. The Organizer decides to invite selected entities (hereinafter: "**Participant**") to Dialog, and sends such information to a given Participant by electronic means.
- 1.4. Detailed information on the given Dialog, including the procedure for registering interested entities to participate in Dialog, is included in the announcement of the intention to conduct a Dialogue (hereinafter: "**Announcement**").

### 2. Legal basis

- 2.1. The Dialogue is conducted on the basis of Articles 45 and 46 of the Act of 17 December 2020 *on the promotion of electricity generation in offshore wind farms*.
- 2.2. The Dialogue will be conducted in accordance with the provisions of the Regulations and the Announcement.

### 3. Announcement of Dialogue

- 3.1. The Organizer announces its intention to conduct the Dialogue with potential suppliers of materials and services, posting relevant information on the Organizer's website ([www.baltyk2.pl](http://www.baltyk2.pl) and [www.batyk3.pl](http://www.batyk3.pl)), at least 30 days before the planned date of the Dialogue and before the start of the tender procedure for the supply of specific materials and services.
- 3.2. The scope of issues that are the subject of Dialogue is indicated each time in the Announcement.

### 4. Terms of qualification and participation in Dialogue

- 4.1. Any entity (natural person, legal person, organizational unit) that provides materials or services in the supply chain of materials and services used in the course of construction and operation of an offshore wind farm together with a set of devices used to extract power from this

installation to the place of delimitation of ownership, may declare interest in participating in the Dialogue.

- 4.2. A prerequisite for participation in Dialogue is to send an application containing the information indicated in the application form, which is each time an attachment to the Announcement ("**Application Form**").
- 4.3. The Organizer reserves the right to evaluate applications and admit selected Participants to participate in the Dialogue on the basis of the analysis of the submitted Application Forms. The Organizer's decision not to admit to the Dialogue is final.
- 4.4. The eligibility criteria for the Participant to participate in the Dialogue are:
  - 4.4.1. Sending the completed Application Form;
  - 4.4.2. Acceptance of the Regulations;
  - 4.4.3. Signing a statement of confidentiality regarding information regarding the Organizer and the Projects obtained in connection with participation in the Dialogue;
  - 4.4.4. Confirmation of compliance with the basic principles of conducting business, applicable to the Organizers and its suppliers (*compliance rules*);
  - 4.4.5. Offering by the Participant materials and services falling within the subject of the Dialogue;
  - 4.4.6. Experience in the implementation of projects in the offshore wind energy sector or in related sectors.
- 4.5. The Organizer will additionally pay attention to:
  - 4.5.1. Compliance of the application with the Supply Chain Plans, including the 5 Flagship Programs indicated *therein*;
  - 4.5.2. The innovativeness of the service and material provider and the potential of the materials and services offered, alternative to traditional solutions.
- 4.6. The Organizer informs that participation in the Dialogue is possible for all suppliers of products and services, including suppliers who, due to the scope of their activities, may offer to implement only a partial scope of the subject of the Dialogue.
- 4.7. The Organizer reserves the right to invite to a tender covering a contract for the supply of materials or services, conducted after the end of the Dialogue, only to suppliers who are able to offer the full range of materials or services covered by the subject of the Dialogue, subject to the provisions of paragraphs. 6.7 Terms and Conditions.
- 4.8. Participants qualified to participate in the Dialogue will be notified by the Organizer by electronic means.

## **5. Application to participate in Dialogue**

- 5.1. Entities interested in participating in Dialogue submit an application containing a completed Application Form constituting annex to the Announcement.
- 5.2. Applications must be submitted via the interactive Application Form constituting attachment (<https://forms.office.com/r/v4y2rkPN1j>).

## **6. Principles of Dialogue**

- 6.1. The Dialogue will be conducted in English. All materials, including presentations, should be written in English.
- 6.2. The Dialogue will be conducted in the form of workshops through methods of direct communication at a distance. The Organizer will inform the Participants about the manner and date of conducting the workshops on its website or in messages sent electronically to the Participants qualified for the Dialogue.
- 6.3. The Participant shall provide on his own technical means that enable him to communicate through the methods of direct communication at a distance, necessary to participate in the workshops.
- 6.4. Technical problems on the part of the Organizer, preventing the Dialogue from being carried out, may result in a change in the date of the workshops. Technical problems on the part of the Participant do not prevent the possibility of conducting workshops.
- 6.5. An element of each Dialogue is to conduct at least a question and answer session, enabling the Participants to familiarize themselves with the subject of the future order and the expectations of the Organizer.
- 6.6. Participation in Dialogue is free of charge, but the participants are not entitled to reimbursement of costs related to participation in Dialogue.
- 6.7. After the end of the Dialogue, the Organizer may initiate and conduct a tender procedure regarding the conclusion of a contract for the implementation of the subject of the Dialogue. The Organizer is not obliged to provide the Participants with a request for quotation in the tender procedure. Nevertheless, the Organizer reserves the right to provide the list of Participants, especially those offering the possibility of implementing a partial scope of the Dialogue, to entities to which inquiries will be sent for the implementation of the full scope of the subject of the Dialogue. The list of Participants will be provided together with the Application Form of a given Participant.
- 6.8. By taking part in the Dialogue, the Participant agrees to communicate the information referred to in paragraph 6.7.

## **7. Clause regarding the processing of personal data**

- 7.1. In accordance with Article 13(1) and (2) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Dz. UE L 119 of 04.05.2016, p. 1), hereinafter referred to as "GDPR", the Organizer informs that:
  - a) the administrator of personal data contained in the submitted applications for participation in Dialogue are MFW Bałtyk II Sp. z o.o. and MFW Bałtyk III Sp. z o.o. with its registered office at Krucza 24/26, 00-526 Warsaw;
  - b) personal data will be processed on the basis of art. 6 para. 1 lit.C GDPR for the purpose related to the implementation of Dialogue;
  - c) personal data will not be transferred to countries outside the European Union or international organizations;
  - d) providing personal data is voluntary, but necessary to participate in Dialogue;

- e) personal data will be stored for the period resulting from the internal procedures of MFW Bałtyk II Sp. z o.o. and MFW Bałtyk III Sp. z o.o.
- f) a person whose personal data are processed in connection with the Dialogue has the right to request from the administrator of personal data access to personal data, rectification or limitation of their processing, objection to the processing and transfer of data;
- g) the recipients of personal data will be only entities authorized to obtain personal data on the basis of legal provisions;
- h) persons whose data are processed have the right to lodge a complaint to the President of the Office for Personal Data Protection with its registered office at Stawki 2, 00-193 Warsaw;
- i) in the event of restriction of the processing of personal data referred to in Article 18(1) of the GDPR preventing the Dialogue, the Organizer refuses to participate in the Dialogue.

## **8. Final provisions**

8.1. The current content of the Regulations is published together with the Announcement.

8.2. The Regulations may be changed in relation to subsequent Dialogues organized by the Organizers.