

PUBLIC NOTIFICATION

PRELIMINARY MARKET SURVEY

(pursuant to Art. 66 of Legislative Decree 50/2016)

THE CHAIRMAN

GIVEN the terms of Legislative Decree n. 50/2016 "Implementing the provisions of 2014/23/UE, 2014/24/UE and 2014/25/UE regarding the awarding of contracts, tenders for public works and procurement procedures relating to the providers of water, energy, transport and postal services, as well as the reconfiguration of existing contracts for public works, services and supplies";

GIVEN the terms of Legislative Decree n. 56/2017 "Supplementary and corrective provisions to the Legislative Decree n. 50, of 18 April 2016".

WISHES TO INFORM INTERESTED PARTIES

That Sotacarbo S.p.A. intends to conduct a preliminary market survey to identify an industrial partner interested in the joint development of pressure-based oxy-combustion technology for applications in the fossil fuel power generation sector with the production of a carbon-dioxide stream ready for transport and reuse or geological confinement.

The development of technology will be pursued through the creation and experimental use of a pilot plant with a thermal capacity of up to 50 MW, enabling the oxy-combustion of fossil fuels (at a pressure level not less than 10 bar), steam generation, the removal of eventual waste and purification of fumes with the production of a CO₂ stream ready for subsequent treatment for reuse or geological confinement.

1. CONTRACTING BODY

Name: Sotacarbo – Società Tecnologie Avanzate Low Carbon S.p.A.

Address: Grande Miniera di Serbariu, 09013 Carbonia (CI)

Fiscal code/VAT n.: 01714900923

Telephone: 0039 0781 670444

Fax: 0039 0781 670552

e-mail: sotacarbo@sotacarbo.it

e-mail pec: sotacarbo@pec.sotacarbo.it

2. AIM

This survey aims to identify an industrial partner interested in the joint development of pressure-based oxy-combustion technology for applications in the fossil fuel power generation sector with the production of a carbon-dioxide stream ready for transport and reuse or geological confinement. The development of technology will be pursued through the creation and experimental use of a pilot plant with a thermal capacity of up to 50 MW (or a capacity at least able to sustain a future scale-up to a commercially viable level), enabling the oxy-combustion of fossil fuels (at a pressure level not less than 10 bar), steam generation, the removal of eventual waste and purification of fumes with the production of a CO₂ stream ready for subsequent treatment for reuse or geological confinement.

At the end of the experimental phase specifically foreseen as part of the project, the plant, which will be built in Sardinia, will remain in use by Sotacarbo and may be used by the company (or entrusted to third parties) for other research and development activities.

3. PROCEDURES

The survey will be conducted through a demonstration of interest by qualified operators in bidding for the project, in the manner outlined in para. 7 below. Interested bidders shall undertake to sign a temporary enterprise association (ATI) with Sotacarbo for the realisation and co-financing of the project with their own resources for at least 30% of an estimated total cost of not more than €60 million. Bidders shall also undertake to provide to Sotacarbo, free of charge - subject to specific privacy agreements - their technical expertise and any patents that may be required to develop the project.

For its part, Sotacarbo undertakes to start, with all the means at its disposal and for a period of at least 18 months, a search for public or private funds to finance the remaining 70% of the project. If, at the end of this phase, such funds are not available, the agreement reached between the parties will be deemed to have been concluded, except for commitment to confidentiality and the protection of confidential information.

Following agreement with Sotacarbo, interested bidders will be invited to carry out an inspection of the Sotacarbo Research Centre in order to examine existing structures and the area in which the project will be built.

4. BIDDER TYPE AND REQUISITES

Bidders for the project may be those defined pursuant to Art. 45 para. 2 of Legislative Decree 50/2016, and must be in possession of the following:

GENERAL REQUISITES

- meet the requirements outlined in Annex A1;
- not subject to exclusion by the terms outlined in Annex A2;
- not subject to exclusion by the terms foreseen by Art. 80 of Legislative Decree 50/2016, including the modifications and integrations of Legislative Decree 56/2017; this requirement must be certified by a separate statement pursuant to D.P.R n. 445/2000.

QUALIFYING REQUISITES

- publications, patents or research and development studies related to the development of the technologies in question;
- validation by recognised Certification and/or Control bodies;
- adequate means, tools and resources for the activities requested.

ECONOMIC AND FINANCIAL REQUISITES (Art. 83, para. 1, B) of Legislative Decree 50/2016, including the modifications and integrations of Legislative Decree /2017:

- a separate statement of possession of all the aforementioned requisites must be provided, pursuant to D.P.R. 445/2000.

7. METHOD AND DEADLINE FOR THE SUBMISSION OF BIDS

Operators with all of the necessary requisites wishing to make a bid, shall use the enclosed form, signed and accompanied by a photocopy of a valid document of identity, before 1 pm on **31 March 2018**, to be submitted solely by means of registered email (PEC): sotacarbo@pec.sotacarbo.it bearing the subject: "Bid in response to the market survey regarding the oxy-combustion project".

Any submissions made after this date, or by other means, will not be taken into account and will be automatically excluded from the assessment procedure. The submission of bids is at the sole and exclusive risk of the sender and Sotacarbo shall not be liable for mistakes of any kind, should the bid not be received within the deadline.

No additional or replacement bids received after the stated expiry date will be admitted, except at the express request of Sotacarbo.

8. RULES AND CONDITIONS

This notification is exclusively intended to invite the submission of as many bids as possible, none of which shall be binding for Sotacarbo. Bids shall have the sole purpose of demonstrating to Sotacarbo a willingness to be consulted for successive phases. The documentation submitted shall include:

- The request to participate, along with a document of identification of the signatory;
- A technical report describing the structure of the bidder and a timetable (also preliminary) for the achievement of the project's objectives.

The submission of such documentation gives the bidder the right to participate only in the procedure.

In the case of only one bid being presented, Sotacarbo may decide to continue to negotiate with the sole operator, provided the documentation and requisites are in full compliance with the initial request.

In any case, all operators shall be notified by certified email (PEC) of the status of the procedure as well as Sotacarbo's intentions.

9. DATA MANAGEMENT

All personal data provided by bidders and handled will be used exclusively for the procedure outline above and in full compliance with current legislation (in particular pursuant to Legislative Decree. n. 196/2003).

10. INFORMATION AND METHODS OF NOTIFICATION

The information of this preliminary market survey and the form of its notification will be by means of publication of the full notice on the corporate website of Sotacarbo and on the web sites of the Regione Autonoma della Sardegna and ENEA, as well as the following newspapers: *Corriere della Sera*, *Repubblica*, *Unione Sarda* and *Nuova Sardegna*.

Contents:

- The present notification;
- Annex A1 – List of requisites;
- Annex A2 – List of motives for exclusion;
- Annex B – Form for bids.

Carbonia, 1 December 2017

Alessandro Lanza

SOTACARBO
SOCIETÀ TECNOLOGIE AVANZATE LOW CARBON S.P.A.
IL PRESIDENTE
Alessandro Lanza

Annex A1

GENERAL REQUISITES

Operators wishing to participate in the bid must indicate the following:

- Details of the bidder, whether an individual, company or legal entity;
- Chamber of Commerce registration details (C.C.I.A.A.);
- Full compliance with current regulations regarding social security and safety at work;
- A declaration stating that the subject is not currently subject to measures pertaining to bankruptcy, judicial administration or closure;
- A declaration stating that the subject has no pending public administration suits pursuant to Art. 32 *ter* of the Criminal Code.
- Declaration stating that the subject is not involved in any fact, action or offence of a criminal nature concerning tax fraud, against the public administration, property, personal liberty, public order or the environment;
- A declaration stating that the subject is in full possession of the minimum technical and financial requirements (total annual revenues of not less than €5 million);
- Declaration accepting all of the conditions and requirements outlined in this notification;
- A photocopy of a identity document of the signee.

Annex A2

MOTIVES FOR EXCLUSION

SOTACARBO shall be free to exclude any operator that does not meet the conditions and requirements outlined in this notification, or that:

- fails to provide all of the documentation requested;
- submits documentation containing false or misleading information;
- has received a definitive sentence or holds criminal record for any of the following offences:
 - Offences, committed or attempted, pursuant to Artt. 416, 416 *bis* of the Criminal Code;
 - Fraud pursuant to Art. 1 of the EU Convention on Financial Interests;
 - Suits concerning invalidity, suspensions or prohibitions foreseen by Art. 67 of Legislative Decree n. 159 del 06/09/2011 regarding communication and information against organised crime;
 - Serious violations of obligations regarding the payment of taxes and social charges, in compliance with Italian law;
 - Serious and proven infractions of current regulations regarding health and safety in the workplace.

Annex B
Request to participate in the bid

Subject: preliminary market survey to identify an industrial partner for the joint development of pressure-based oxy-combustion technology

The undersigned _____ born in _____
on _____ resident in the Municipality of _____ postcode
_____ in the Province of _____
at (full address) _____
in the role of _____ of (Company name) _____
with registered offices in (full address) _____
Postcode _____ Province _____ Tax Code _____
VAT n. _____ Certified email (PEC): _____
tel.: _____ Mobile: _____

REQUESTS

to participate in the bidding for the contract indicated as:

- ☐ an individual company
- ☐ the Parent Company of a temporary consortium comprising:

- ☐ the Lead Company of a temporary consortium comprising:

- ☐ an existing consortium
- ☐ _____ (other)

To this end, pursuant to D.P.R. 445/2000, and conscious of the responsibility and criminal sanctions foreseen by Art. 76 the same D.P.R. for false statements and/or declarations, and hereby

DECLARES

- ☐ that there are no grounds for the exclusion of the participating subject, however constituted, from the bidding process, pursuant to Art. 80 of Legislative Decree 50/2016;
(select as appropriate)
- ☐ to be in full possession of the requirements indicated in the present notification;
or
- ☐ to not at the present time be in full possession of the requirements indicated in the present notification but to commit to submitting at a later date a bid as the Lead Operator on behalf of a consortium, constituted pursuant to Art. 48 comma 11 of Legislative Decree 50/2016 or to present at a later date an individual bid, in the firm of an auxiliary, as foreseen by Art. 89 of Legislative Decree. 50/2016;

- ☐ to authorise the use of the certified email address (PEC): _____, for subsequent correspondence;
- ☐ to be regularly enrolled at the Chamber of Commerce (C.C.I.A.A.) in _____, registration n. _____;
- ☐ to be in full compliance with all tax and contributory declarations;
- ☐ to have read and understood all of the information contained in the present public notification.

Place and date _____

Signature
of the Legal Representative

NB: Please enclose photocopies of currently valid documents of identity (ID card, driving licence or passport) for all signatories. Failure to do so may result in exclusion from the bid.