

Tender letter and declarations

A. Bid and installation(s)

A.1. Bid

The undersigned tenderer hereby submits its bid with the following bid price:

_____ Danish øre per kWh

The offered bid price is to be stated as an amount in Danish "øre" per kWh with a maximum of two decimal places.

The offered bid price per kWh applies to electricity generated at installation(s) stated in description of installation enclosed with this tender letter.

A price premium is applicable for electricity produced by installations(s) covered by the contract for 20 years from the time of grid connection of the individual installation, although maximum 23 years for onshore installations and wave power plants and 25 years for open door offshore wind turbines from the conclusion of the contract. The offered bid price is a fixed "øre" amount (constant in current prices) and will not be indexed.

The tenderer bears the full commercial risk of the offered bid price.

A.2. Total capacity of installation(s) covered by the bid

If a bid includes several technologies the capacity covered by the bid must be stated separately for each technology.

Onshore wind turbines:

Total capacity of onshore wind turbine installation(s) covered by the bid, cf. A.1 (to be stated in whole kW):

_____ kW

Solar PV installations:

For solar PV installations both the DC-capacity and the AC-capacity shall be stated, since both will affect the undersigned tenderer's future conditions.

Total DC-capacity of solar PV installation(s) covered by the bid, cf. A.1 (to be stated in whole kWp):

_____ kWp

Total AC-capacity of solar PV installation(s) covered by the bid, cf. A.1 (to be stated in whole kW):

_____ kW

Open door offshore wind turbines:

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Total capacity of open door offshore wind turbine installation(s) covered by the bid, cf. A.1 (to be stated in whole kW):

_____ kW

Wave power plants:

Total capacity of wave power installation(s) covered by the bid, cf. A.1 (to be stated in whole kW):

_____ kW

Hydroelectric power plants:

Total capacity of hydroelectric power installation(s) covered by the bid, cf. A.1 (to be stated in whole kW):

_____ kW

A.3. Total expected grid connected capacity of installation(s)

The Danish Energy Agency permits the undersigned tenderer to grid connect a capacity exceeding the capacity covered by the bid (i.e. the capacity stated in section A.2) within the time limit. However, if more capacity is connected to the grid than the capacity covered by the bid, the price premium will only be applicable for a proportional share of the electricity supplied to the Danish collective electricity supply grid by the installation(s), cf. clause 12.4 in the contract.

Connecting additional capacity to the grid using the same grid connection is not permitted after the time limit for grid connection.

Aid is conditional upon the undersigned tenderer notifying the Danish Energy Agency of all circumstances of importance for the entitlement to receive aid under the contract, among other things, whether the capacity of the actually established installation exceeds the capacity covered by the bid, cf. clause 8.4 in the contract. Notification shall be sent immediately when the circumstances concerned arise, or at the time when the undersigned tenderer becomes aware that the circumstances have arisen or will arise. If the grid connected capacity does not differ from the expected grid connected capacity stated below, then this section will constitute adequate notification.

If a bid includes several technologies the expected grid connected capacity must be stated separately for each technology.

Onshore wind turbines:

Total expected grid connected capacity of onshore wind turbine installation(s) (to be stated in whole kW):

_____ kW

Solar PV installations:

Total expected grid connected DC capacity of solar PV installation(s) (to be stated in whole kWp):

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_____ kWp

Total expected grid connected AC-capacity of solar PV installation(s) (to be stated in whole kW):

_____ kW

Open door offshore wind turbines:

Total expected grid connected capacity of open door offshore wind turbine installation(s) (to be stated in whole kW):

_____ kW

Wave power plants:

Total expected grid connected capacity of wave power installation(s) (to be stated in whole kW):

_____ kW

Hydroelectric power plants:

Total expected grid connected capacity of hydroelectric power installation(s) (to be stated in whole kW):

_____ kW

B. Declarations

The undersigned tenderer hereby undertakes to construct the installation(s) stated in description of installation enclosed with this tender letter and to connect it/them to the grid, on the terms and conditions set out in the tender documents, including in the contract, and on the terms and conditions stated in this tender letter.

The undersigned hereby furthermore solemnly declares:

- 1) that the undersigned tenderer has complied with any and each requirement for repayment of aid which the European Commission, in a previous decision, has declared illegal and incompatible with the internal market, and that the tenderer will immediately notify the Danish Energy Agency if such requirement arises during the period from submission of the tender and until the award of the contract, or if doubt arise in this regard; and
- 2) that the undersigned tenderer is not an undertaking in difficulty as defined in point 20 in the Commission Communication on Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty (2014/C 249/01), unless the tenderer became an undertaking in difficulty in the period between the 1 January 2020 and the 30 June 2021, and that the tenderer will immediately notify the Danish Energy Agency if it becomes an undertaking in difficulty during the period from submission of the tender and until the award of the contract, or if doubt arise in this regard; and

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- 3) not to receive other aid than price premiums under the contract. A guarantee that is in accordance with the at any time applicable provisions for the guarantee fund in the Act on the Promotion of Renewable energy is not considered to be aid in this context¹; and
- 4) that the undersigned tenderer has not unpaid overdue debt of DKK 100,000 or more to public authorities regarding taxes, duties or social security contributions under Danish law or the law of the country in which the applicant is established².

The undersigned hereby furthermore declare that:

- 1) that work on the project regarding construction of new installation(s) covered by this bid has not started. The definition of start of work on the project is set out in s.5(1) para (6) of Act on the Promotion of Renewable energy, see Consolidation Act no. 356 of 4 April 2019³. The definition of a new installation is stated in clause 5.2 in the tender conditions, where by a wind turbine will be considered a new installation when the entire wind turbine including tower, nacelle and rotor consists of parts straight from the factory (foundations and grid connections from a previous project can be reused to establish a new installation), a solar PV installation will be considered a new installation when the PV panels and inverters consist of parts straight from the factory (mounting structures and grid connections from a previous project can be reused in a new installation), and a hydroelectric power station or wave power plant will be considered a new installation when the entire installation consists of parts straight from the factory (grid connections from a previous project can be reused to establish a new installation), and that the project included in this bid will be connected to the grid in accordance with the at any time current grid connection rules appearing in the executive order on grid connection of wind turbines, solar PV installations, wave power plants and hydroelectric power plants, and that the project does not cover installations connected to the grid in a consumer installation; and
- 2) that this bid does not contain reservations including reservations about the tender documents; and
- 3) the undersigned is informed that the Danish Energy Agency will process personal information given by the tenderer in connection with submitting the bid; and
- 4) the undersigned is informed that the Danish Energy Agency is eligible to fully or partially publish information about this tender letter, including bid price, capacity, location, technology and the name of the winning tenderer.

The processing of personal data takes place under Article 6(1), para e of the General Data Protection Regulation authorising the processing of data that is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller.

The Danish Energy Agency will process, as data controller, the personal data until the data are filed or discarded pursuant to the rules of the Danish Archives Act (*arkivloven*)⁴, but at least for as long as the data are necessary for the procurement process.

¹ Reference is made to s.21 of the Act on the Promotion of Renewable Energy; see Consolidation Act no. 125 of February 2020.

² Reference is made to the principles of s.135(3) and 135(4) of the Danish Public Procurement Act

³ Act no. 125 of 7 February 2020.

⁴ Act no. 1201 of 28 September 2016 consolidating the Archives Act

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The Danish Energy Agency may transfer the data received to the consultants of the Danish Energy Agency, e.g. in connection with legal assistance and/or assistance in connection with the bid evaluation, or to data processors, and the Danish Energy Agency may disclose the personal data to appeals authorities.

C. Details about the tenderer

C.1 Name of the tenderer

State the exact name of the tenderer

Name: _____

C.2 Address of the tenderer

State the address of the tenderer

Address: _____

C.3 The tenderer's national registration number/identification number, or similar

If the tenderer is an undertaking, state the Danish CVR number or the national registration number of the tenderer. If the tenderer is a natural person, state the person's the Danish CPR number or the person's national identification number.

National registration number/CVR no.: _____

National identification number/CPR no.: _____

C.4 If the tenderer is an undertaking, name of a contact person:

State the name of a contact person at the tenderer if the tenderer is an undertaking

Name: _____

C.5 Telephone number of the tenderer or of a contact person

State a telephone number where the tenderer can be contacted

Telephone number: _____

C.6 E-mail address of the tenderer or of a contact person

State an e-mail address where the tenderer can be contacted

E-mail: _____

Documentation for signatory authority must be included with the bid and cannot be more than three days old from the date of signing the tender letter.

Signature