

LIETUVOS ENERGIJA, UAB

Tender (2018-LE-141) for the Procurement of Legal Services (Legal Consultations (Advice on Legal Issues), Drafting of Documents of Legal Significance, Representation on Legal Issues, and Defence and Representation in Proceedings) in the Field of Business Law Conducted Through a Negotiated Procedure with Publication of a Tender Notice for Lot I and Lot II of the Object of Procurement

CONTENTS

1. Information about the Supplier	3
2. Consent with the Contract Documents	4
3. Information about the Sub-Suppliers to be Engaged or Reliance on the Capacities of Other Economic Entities	5
4. Tender Price	7
5. Period of Validity of the Tender	10
6. Annexes to the Tender Form	11
Annex 1: Details and Other Information Concerning the Supplier	12
Annex 2: Confidential Information	14
Annex 3: The List of the States and the Specialists Working There	15
Annex 4: The Declaration Regarding the Participation of a Group of the Suppliers United for Joint Activities	19

DLA Piper is a global law firm operating through various separate and distinct legal entities.
For further information please refer to www.dlapiper.com

1. INFORMATION ABOUT THE SUPPLIER

The name of the Supplier / The names of the members of the group of the Suppliers	DLA Piper UK LLP
The general representative or the lead member of the group of the Suppliers (to be filled in if the tender is being submitted by a group of the Suppliers)	N/A

2. CONSENT WITH THE CONTRACT DOCUMENTS

We certify hereby that by submitting our Tender, we agree with the subsequent Procurement Procedures established in the Procurement Terms (as defined in the General Procurement Terms) and the terms of the Preliminary Contract (both the general and the special part thereof).

We confirm hereby that we have carefully read all the requirements of the Procurement Terms and of the Technical Specifications, our Tender fully meets them and we undertake to comply with them in executing the Preliminary Contract. We also undertake to comply with the requirements of all other legal acts effective in the Republic of Lithuania and applicable to the Object of Procurement and the Preliminary Contract. In drawing up the Tender, we took into consideration requirements for work safety and working conditions.

If we are invited to conclude the Preliminary Contract and refuse to conclude it, we undertake, if the Authorising Authority requires so, to pay the Authorising Authority a penalty of 10% of the Final Tender of the Tenderer in EUR, net of VAT, and to cover the direct losses incurred by the Authorising Authority, including the costs of organising and execution of a new public procurement as well as the difference between the price to be received with the tenders in the new public procurement and the price bid by us in this Procurement for the whole period of validity of the Preliminary Contract as far as they are not covered by the aforementioned penalty.

3. INFORMATION ABOUT THE SUB-SUPPLIERS TO BE ENGAGED OR RELIANCE ON THE CAPACITIES OF OTHER ECONOMIC ENTITIES

3.1 The following economic entities and/or sub-suppliers will be engaged for the execution of the Contract:

Seq. No	Name of the Economic entity, the Sub-supplier whose capacities are relied on or the full name of the Economic entity (specialist) who is not an employee of the Supplier	Does the Supplier itself or a member of the group of the Suppliers meet the qualification requirement for which the capacities of other economic entities are engaged (<i>underline the appropriate</i>)	Nature of the qualification requirements for compliance wherewith the other capacities of the economic entity, for which the sub-supplier will be engaged, will be used	Part of the Contract for which the sub-supplier is engaged and for which no qualification requirements are established
1	Law Firm Ellex Valiūnas ir partneriai Jogailos 9, LT-01116 Vilnius, Lithuania +370 52681888	Yes/ <u>No</u>	Annex 4 to the Special Procurement Terms, II. Qualification Requirements 13.2, 14.2 and 15.2. Legal advice on business law issues under Lithuanian law.	

Together with the Tender, the Supplier shall submit the filled-in and signed ESPDs, which were not submitted when submitting the Application, of those economic entities, for the works to be performed by which the qualification requirements are established.

If the Buyer requests so, we will submit digital copies of the declarations of the sub-suppliers (economic entities) filled in in accordance with the form presented in the Annex to the Application Form, which certify their consent to be the Sub-suppliers of the Supplier in the Procurement conducted by the Buyer.

If the Buyer requests so, we will submit digital copies of the declarations of the economic entities (specialists), filled in in accordance with the form presented in the Annex to the Application Form, regarding their consent to be hired in case the Supplier becomes the Successful Tenderer, which certify their consent to be hired in the Procurement conducted by the Buyer.

If the Buyer requests so, we will provide evidence that the capacities of the economic entities indicated in the table will be available to us in the course of the execution of the Contract.

4. TENDER PRICE

- 4.1 The Tender price shall be indicated in EUR.
- 4.2 The Tender price shall be indicated by filling in the table provided:
- 4.3. The Tender price (for each lot of the object of procurement separately) shall be indicated by filling in the table provided:

Lot I of the Object of Procurement:

Seq. No	Object of Procurement	Preliminary quantity during the period of validity of the Preliminary Contract (not more than) ¹ hours	Price rate* per hour, EUR, net of VAT	Amount used for the evaluation of tenders, EUR, net of VAT (Maximum price rate*Preliminary quantity, pcs) (Column 3 * Column 4) ²
1.	2.	3.	4.	5.
1.	Legal services (legal consultations (advice on legal issues), the drafting of documents of legal significance, representation on legal issues, and defence and representation in proceedings) in the field of business law in accordance with the law of the Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Poland, the Republic of Latvia, the Republic of Lithuania, Romania, the Slovak Republic, Ukraine, and Hungary.	3,550		

¹ The preliminary quantity of the object of Procurement is indicated. The Buyer does not undertake to purchase the whole specified quantity.

² Price, EUR, net of VAT, calculated by multiplying the price rate, EUR, net of VAT, by the preliminary quantity.

Price of the Tender, EUR, net of VAT³ (C_p –to determine the most economically advantageous Tender)	
VAT (20%)	We will not charge VAT to a receiver of services in Lithuania but the value would otherwise be 213,000
Price of the Tender, EUR, including VAT:	

*The Supplier confirms hereby that it has included in the hourly rate of the team of specialists all the costs related to the provision of the Services and all taxes/charges, except for those which are beyond the control of the Supplier and are established by legal acts (the overheads defined in the Preliminary Contract).

Lot II of the Object of Procurement:

Seq. No.	Object of Procurement	Preliminary quantity during the period of validity of the Preliminary Contract (not more than) ⁴ hours	Price rate* per hour, EUR, net of VAT	Amount used for the evaluation of tenders, EUR, net of VAT (Maximum price rate*Preliminary quantity, pcs) (Column 3 * Column 4) ⁵
1.	2.	3.	4.	5.
1.	Legal services (legal consultations (advice on legal issues), the drafting of documents of legal significance, representation on legal issues, and defence and representation in proceedings) in the field of	2,750	420	

³ The price of the Tender, EUR, net of VAT, will be used for the evaluation of the tenders. The price of the Tender, EUR, net of VAT, shall cover all costs and all taxes/charges, except for the Overheads, as well as VAT payable in accordance with the effective laws of the Republic of Lithuania, including the presentation of invoices via E.sąskaita system.

⁴ The preliminary quantity of the object of Procurement is indicated. The Buyer does not undertake to purchase the whole specified quantity.

⁵ Price, EUR, net of VAT, calculated by multiplying the price rate, EUR, net of VAT, by the preliminary quantity.

	business law in accordance with the law of Ireland, the Republic of Austria, the Kingdom of Belgium, the Kingdom of Denmark, the Hellenic Republic, the Kingdom of Spain, the Italian Republic, the United Kingdom of Great Britain and Northern Ireland, the Republic of Cyprus, the Republic of Croatia, the Grand Duchy of Luxembourg, the Republic of Malta, the Kingdom of the Netherlands, the Kingdom of Norway, Portugal, the French Republic, the Republic of Slovenia, the Republic of Finland, the Kingdom of Sweden, and the Federal Republic of Germany.			
Price of the Tender, EUR, net of VAT ⁶ (C_p –to determine the most economically advantageous Tender)				1,155,000
VAT (20%)				We will not charge VAT to a receiver of services in Lithuania but the value would otherwise be 231,000
Price of the Tender, EUR, including VAT:				1,386,000

*The Supplier confirms hereby that it has included in the hourly rate of the team of specialists all the costs related to the provision of the Services and all taxes/charges, except for those which are beyond the control of the Supplier and are established by legal acts (the overheads defined in the Preliminary Contract).

⁶ The price of the Tender, EUR, net of VAT, will be used for the evaluation of the tenders. The price of the Tender, EUR, net of VAT, shall cover all costs and all taxes/charges, except for the Overheads, as well as VAT payable in accordance with the effective laws of the Republic of Lithuania, including the presentation of invoices via E.sąskaita system.

5. PERIOD OF VALIDITY OF THE TENDER

The Tender shall be valid during the period specified in Point 10.1 of the GPT.

6. ANNEXES TO THE TENDER FORM

- 6.1. Annex No 1 – Details and other information concerning the Supplier;
- 6.2. Annex No 2 – Confidential information;
- 6.3. Annex No 3 – The number of states and the list of specialists working there;
- 6.4. Annex No 4 – The declaration regarding the participation of a Group of the Suppliers united for joint activities (*to be submitted if the Tender is submitted by a group of the Suppliers united for joint activities*).

**NOTE: It is not required to fill in Annex No 2 and to submit it together with the Tender. The submission of the documents will be requested from the Tender who has possibly become the Successful Tenderer.*

By signing this tender, I authenticate all the documents being submitted together with the tender.

↓

Chairman and Senior Partner

(Position, full name and signature of the Supplier or its authorised person)

ANNEX 1: DETAILS AND OTHER INFORMATION CONCERNING THE SUPPLIER

The name of the Supplier / The names of the members of the group of the Suppliers	DLA Piper UK LLP		
The address(es) of the Supplier (if different, please also indicate the address for correspondence)	160 Aldersgate Street, London, EC1A 4HT, United Kingdom		
The identification number(s) of the legal person (in case the Tender is signed by a natural person, the Business Licence No, etc.)	Company number OC307847		
VAT number(s) of the Supplier	VAT number GB 823 8098 15		
The account number and bank name of the Supplier / the general representative or the lead member of the group of the Suppliers		GBP	EUR
	Account name		
	Bank name		
	Address	1 Churchill Place London E14 5HP	1 Churchill Place London E14 5HP
	Account number		
	Sort code		
	IBAN		
The phone number of the Supplier / the general representative or the lead member of the group of the Suppliers			
The full name of the person authorised by the Supplier / the general representative or the lead member of the group of the Suppliers to sign the Tender			

The full name of the contact person of the Supplier / the general representative or the lead member of the group of the Suppliers who has submitted the Tender	
The phone number / mobile phone number of the contact person of the Supplier / the general representative or the lead member of the group of the Suppliers who has submitted the Tender	
The e-mail address of the contact person of the Supplier / the general representative or the lead member of the group of the Suppliers who has submitted the Tender	
The full name, phone number, and e-mail of the person authorised by the Supplier / the general representative or the lead member of the group of the Suppliers to execute the Contract	
Full name, position of the person signing the contract, legal basis for representation, whereby the person is granted the right to sign the contract on behalf of the undertaking.	
The general details of the undertaking, which will be indicated in the contract in case of becoming the Successful Tenderer in the Contest:	

Λ

Chairman and Senior Partner

(Position, full name and signature of the Supplier or its authorised person)

ANNEX 2: CONFIDENTIAL INFORMATION

A NOTE on page 4 of the Tender Form uploaded to CPP IS states that the Supplier is not required to fill in Annex No 2 and to submit it together with the Tender.

	greatest number of the states specified in Point 2.2.2 of the Technical Specification		(Partner, Finance, Projects & Restructuring)
		Belgium	— (Country Managing Partner, IPT)
		Croatia	— (Partner, Corporate)
		Cyprus	— (Partner, Corporate)
		Denmark	— (Partner, Corporate)
		Finland	— (Partner, Finance & Projects)
		France	— (Partner, Finance, Projects & Restructuring)
		Germany	— (Partner, Finance, Projects & Restructuring)
		Greece	— (Athens Managing Partner)
		Italy	— (Partner, Finance, Projects & Restructuring)
		Ireland	— (Country Managing Partner, Corporate)
		Luxembourg	— (Country Managing Partner, Corporate)

		Malta	— (Managing Partner)
		Netherlands	— (Partner, Corporate)
		Norway	— (Partner, Finance, Projects & Restructuring)
		Portugal	— (Partner, Head of Corporate M&A and Finance & Projects)
		Slovenia	— (Managing Partner, Head of Criminal and Constitutional Law Department)
		Spain	— (Partner, Litigation & Regulation)
		Sweden	— (Special Counsel, Real Estate)
		UK	— (Partner, Finance, Projects & Restructuring)

ANNEX 4: THE DECLARATION REGARDING THE PARTICIPATION OF A GROUP OF THE SUPPLIERS UNITED FOR JOINT ACTIVITIES

Not applicable.

www.dlapiper.com