

COMPETITION NOTICE

Published **11.10.2023**

TS Shipping OÜ, registration code 11163254, address: Sadama 25/2, 10111 TALLINN, Republic of Estonia (**Buyer**) announces the competition **“Wind farm commissioning service operation vessel technical documentation”**.

The competition base documents are formed of this competition notice and the competition documents (**CD**) together with annexes. The object of the competition is the conclusion of a contract for the **wind farm service operation vessel technical documentation** in accordance with the conditions and specifications set out in CD and its annexes.

GENERAL DESCRIPTION OF THE COMPETITION FOR A WINDFARM COMMISSIONING SERVICE OPERATION VESSEL (CSOV) TECHNICAL DOCUMENTATION

Technical documentation in English language of the design necessary for planning the construction of the CSOV must be prepared as a result of the conclusion of the agreement, based on which it would be possible to place a newbuilding order of CSOV(s).

CSOV that will be used for performing commissioning and maintenance works at offshore wind farms. CSOV will be working in demanding conditions, using advanced dynamic positioning and a high operational window for maximum uptime offshore. CSOV needs significant accommodation space for increased ship crew and motion-compensated walk-to-work gangway. Carbon emissions and efficiency optimisation are necessary.

Detailed description of the subject of the competition is regulated in Competition Documents.

Delivery of the CSOV technical documentation is at the latest by April 30, 2024.

REGISTRATION

It is necessary to register for the competition to participate in the competition. CD and its annexes that are necessary for the preparation of the tender shall be forwarded to parties who have registered in accordance with the requirements of this competition notice.

A person who has an interest and a reasonable prospect of participating effectively in the competition (**Interested Party**) submits by e-mail competition@ts-shipping.com the following documents to register for the competition:

- **Application for participation in the competition (CD Annex 1, Form A).**
- **Registry certificate.** If the Interested Party must be registered in the commercial register of the country of location, submit a valid registration certificate or a valid copy of the relevant registry certificate. **The registration certificate must be notarized or otherwise officially certified (e.g., by the registrar).** The submission of a registration certificate is not necessary if the country of location of the Interested Party is the Republic of Estonia.

- **Power of attorney.** If the right of representation of the person signing the application for participation in the competition on behalf of the Interested Party (CD Annex 1, Form A) is not indicated in the registration certificate, **submit a power of attorney in a notarized form** by which the Interested Party authorizes the person who signed the application as a representative of the Interested Party to be the official representative of the Interested Party in this competition and sign all documents related to the competition, including the tender and the contract.
- **Confirmations regarding the Interested Party and details of their experience (references) (CD Annex 1, Form B).** If desired, other documents confirming experience (references) may be submitted.
- **Confidentiality agreement signed by the Interest Party (CD Annex 3).**

Documents must be in Estonian and/or English. Estonian and/or English translations must be attached to documents prepared in other languages. If the document does not have a translation, the Buyer has the right to request the submission of a translation or decide not to take the submitted document into account. If the Buyer has doubts about the authenticity, truthfulness, or reliability of the submitted documents or data, the Buyer has the right to request additional explanations, documents, or attaching an *Apostille* to the submitted documents.

To register for the competition, the documents submitted by the Interested Party must have reached the Buyer by e-mail no later than November 1, 2023 at 16:00, time according to Eastern European time zone (GMT +2). Applications submitted after the deadline for registration will not be considered.

Documents must be signed. Either digitally signed documents or scanned documents signed on paper must be submitted to the e-mail address. Documents signed on paper must be delivered on demand in their original form to the Buyer's postal address no later than within seven (7) days as of receiving corresponding claim.

If the documents submitted by the Interested Party and their content are in order, the Buyer shall forward the CD with annexes and the confidentiality agreement signed by the Buyer to the Interested Party. As of forwarding CD and its annexes, the Interested Party is considered to have registered for the competition.

The confidentiality agreement (**CD Annex 3**) shall be deemed concluded, if the parties have exchanged scanned versions of the signed confidentiality agreement by e-mail, but both the Buyer and the Interested Party have the right to request delivery or forwarding by post of the original document signed by the counterparty in accordance with the above-mentioned procedure and terms.

THE COURSE OF THE COMPETITION AND OTHER CONDITIONS

The more detailed course and conditions of the competition are regulated in CD and its annexes. The competition is subject to the provisions of private law of the Republic of Estonia (§ 1009 – 1013 of the Law of Obligations Act), and this competition is not a public procurement within the meaning of the Public Procurement Act of the Republic of Estonia or

the European Union Public Procurement Directives. Pursuant to § 1012 (2) of the Law of Obligations Act, a decision made on the competition is binding and cannot be challenged in court.

The tender complying with CD and its annexes must have reached the Buyer by e-mail no later than November 8, 2023 at 16:00 (deadline for submission of tenders), time according to Eastern European time zone (GMT +2). Tenders submitted after the deadline will not be considered.

After the deadline for submission of tenders, the successful tender will be determined in three stages:

- compliance check of Tenderers and stage I tenders and evaluation of stage I tenders (stage I);
- negotiating with the Tenderers who passed stage I and submission of final tenders (stage II);
- evaluation of final tenders and announcement of the Tenderer who has submitted a successful tender (stage III).

More detailed descriptions of the stages and deadlines are provided in CD.

The Interested Party shall bear the total costs, damages, and risks related to the participation in the competition, including the possibilities of *force majeure*. Among other things, the Interested Party shall bear all costs related to the exchange of information related to the competition and preparation and submission of the tender, as well as its own travel, legal, translation, administrative, and other costs; if the tender is successful, also all its costs related to the conclusion of the contract. In no event shall the Buyer be liable for such costs or damages, regardless of the course or outcome of the competition, nor regardless of the circumstances of the conclusion, entry into force, and performance of the contract.

The Buyer may change the competition base documents, including due dates before the deadline for submission of tenders. The Buyer reserves the right to cancel the competition or reject all tenders at any time.

The Buyer shall be liable for damages caused by a violation of the terms and conditions of the competition only in case of gross negligence of the Buyer. In no case shall the Buyer be liable for the loss of income. The Buyer does not take responsibility for possible technical errors or human errors in the e-mail exchange or operation of the postal service, and the related risks are borne by the Interested Party.

The competition notice, CD and CD Annex 1 have been prepared in Estonian and translated into English. If there are discrepancies between the translation and the Estonian version, the interpretation shall be based on the Estonian version.