

## Compliance Rules for Tenderers

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### I. Motivation:

Compliance with applicable laws and external/internal rules is paramount to E.ON Climate & Renewables (EC&R). Any form of **Fraud or Bribery** will be treated with zero tolerance and any potential for non-compliance must be avoided. EC&R Procurement will adhere to these strict integrity requirements and has a clear instruction to reject any bids where non-compliance is identified or expected.

It is in our all best interests to avoid compliance infringements throughout the tender process to achieve the most competitive, time-effective and transparent results without the need to delay the evaluation process, disqualify bidders or require a re-tender due to compliance issues.

### II. Leading Principle

#### **DEADLINES ARE BINDING & MUST BE STRICTLY MET**

Any issue that leads, or could lead, to a delayed, incomplete or faulty submission of bids **MUST** be communicated and acknowledged by a member of Procurement as soon as is reasonably possible and prior to the end of any relevant deadline. Unsolicited tender-relevant information received after the tender return date will be deemed to be non-compliant practice.

### III. Major Requirements

The following compliance standards must be adhered to. Non-compliance may automatically lead to a rejection of your bid:

#### **Communication prior to and after the tender return date:**

- Restricted counterparts: Do not approach any member of EC&R Procurement who is not assigned to the tender and, in particular do not engage with any other EC&R or E.ON staff to

request or share tender-relevant information (“exploiting of information”).

- Information channels: Only use official communication channels to ensure that all correspondence and documentation can be retained accordingly. New information that turned out to be relevant after the start of the bidding phase will be jointly shared with the bidders by EC&R Procurement Manager.
- Structure of bid: Respect our internal standards on segregation of duties which allow independent evaluation of bids. Therefore, do not interchange or mix commercial and technical bid information. If requested within the ITT, you must submit two physically separated commercial and technical bids (two envelopes) in one package.

**Submission format:** Only the correct submission format(s) stated in the ITT will be accepted. Please do not send additional emails with the bid attached to secure a timely submission of bid unless reconciliation and agreement with Procurement responsible has taken place before.

**Conflicts of Interest:** Please disclose any possible conflicts of interest arising from either private/earlier professional involvements between your and EC&R/E.ON staff or regarding sub-contractors of yours which latently may deal with EC&R on another occasion (e.g. permitting, licensing, consultation).

**Gifts, Benefits & Hospitality:** All such types of gratuity are undue before, during and in the evaluation phase of the tender. They can be accepted for relationship keeping reasons independently from a tender, but must fulfill our internal standards on acceptability.

**In case of any doubts, please contact the responsible Procurement Manager for clarification before end of deadline.**

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**A deviation from these rules without prior agreement by EC&R Procurement will lead to the rejection of a bid.**