

Annex 1 to the Contract for the Provision of Services and Performance of Construction
Manager Activities for the Project "Modernisation and Greening of the WtEP OLO"

Identification of services/activities (description of the matter of the contract)

Purpose of the contract:

The purpose of the contract is to provide expert support to the investor in the implementation of the project: "Modernisation and Greening of the WtEP OLO" (hereinafter referred to as the "Building" or "Project") aimed at achieving the highest possible quality and efficiency of the Building and its subsequent operation. The company OLO, a.s. (hereinafter referred to as the "Contracting Entity" or "investor") reasonably expects that the selected Contractor will always contribute / direct his activities in the pursuit of the most efficient solution in terms of the Building, inter alia, by actively coordinating the design preparation and implementation of the Building from the position of performance of construction and technical supervision of the investor, being able to identify and effectively prevent risks associated with construction, assessing and dealing with changes to the Building in a responsible manner, providing the investor with adequate information on the progress of the preparation and implementation of the Building in an appropriate manner and to an appropriate extent, and using persons with the appropriate education, experience, valid authorisations and managerial knowledge for the performance.

From the procurement point of view, the actual Project "Modernisation and Greening of the WtEP OLO" will be implemented in 2 phases:

1. Selection of the Project Manager, who will be responsible for the professional aspect of the Project implementation (subject of this public procurement);
2. Selection of the construction contractor in the Design&Built manner (subject of the future public procurement for the selection of the construction contractor).

Contract description:

The provision of the service will consist of:

1. Stage: Drawing up documentation to the extent necessary for the land-use decision and representation of the investor in communication with the authorities in the process of obtaining the necessary permits

- Planned duration of the stage: 6 months or until the land-use decision is issued
- Drawing up project documentation for the land-use decision to the necessary extent according to §3 of the Decree of the Ministry of Environment of the Slovak Republic No. 453/2000 Coll. (to §35 of the Building Act) and drawing up a proposal for the issuance of a decision on the location of the building;
- Provision of all input documents, in particular, but not limited, to terrain mapping and planimetrical surveys of the existing WtEP objects, above-ground and underground utilities in the WtEP for the needs of the Building (pre-realisation surveys), provision of geological surveys for the needs of the Building, informative 3D scanning of the existing technological spaces and construction objects of the Building (binding 3D scanning to be arranged by the construction contractor) necessary for obtaining the land-use decision;

- Incorporation and settlement of comments or other relevant requirements stated in statements, opinions, consents, etc. to the project for the land-use decision - affected legal and natural persons, authorities and institutions;
- Processing analysis of legislative obligations related to the construction (Permits, Notifications, Decisions, Certificates, Applications, Opinions, Statements, Expert opinions, etc.);
- Representing the investor in communication with authorities, state administration bodies, the city, the city district and third parties in the process of obtaining the necessary permits, notifications, applications, certificates (e.g. certificate for the construction of energy equipment), decisions (e.g. decision on the location of the building), statements, opinions, consents, expert opinions in all phases of the project;
- Drawing up project documentation in accordance with the requirements specified in the document "MaE WtEP for land-use decisions documentation" , which forms an annex to the Tender Dossier;
- Monitoring and ensuring compliance of the project documentation with the approved EIA, if necessary to provide amendments to the EIA or other corrective measures.

2. Stage: Provision of advisory and consultancy services to the investor in the preparation of public procurement and preparation of tender dossier

- Planned duration of the stage: 6 months (the stage will run concurrently with stage 1)
- Provision of advisory and consultancy services to the investor in the preparation of the public procurement for the general contractor of the Design & Built building, including the preparation of substantive documents for the public procurement (preparation of tender dossier), including active participation in the preparatory market consultations;
- Preparation and drafting of tender dossier for the general contractor of the Design & Built building (including translation into English). In particular, but not limited to, requirements for the technical design of the work, guaranteed parameters of the work (including minimum operating capacities of the technologies), technical and quality standards, room book, requirements for the processing of detailed design documentation, requirements for the management of changes against the approved design documentation during construction, requirements for the unification of equipment and components, project organizational structure, draft price specifications and payment schedule, quality requirements, compatibility conditions of technological equipment, project implementation schedule, construction scope and equipment requirements, construction organisation plan requirements, daily schedule, construction staffing inventory (key and non-key professionals with valid authorisations participating on the construction contractor's side in the individual project phases), requirements for the post-assembly cleaning operations, requirements for testing and inspection, and other documents that will form part of the tender dossier for the public procurement;
- Processing a revision of the existing methodology "Methodology of KKS and ED" (The methodology is based on internationally applicable standards for the development KKS. It will be included in the tender dossier for the construction contractor) for the purpose of the project "Modernisation and greening of the WtEP OLO - K3 and K2 lines" (including translation into English).

3. Stage: Participation in the public procurement for the general construction contractor Design & Built

- Estimated duration of the Stage: 12 months (depending on the existence of objections by the tenderers) - stage following directly after stage 2
- Active participation in the public procurement for the general contractor (from the position of the subject-matter sponsor), modification and completion of the documents on the basis of the tenderers' questions and comments, including drafting of the answers, participation in the selection committee (including technical evaluation of the bids), etc.

4. Stage: Review and approval of design documentation submitted by the general contractor at the documentation for building permit, implementation project documentation design phases. Inspection and approval of the implementation documentation submitted by the general contractor

- Planned duration of the stage: 12 months
- Performance of permanent construction and technical supervision of the builder (within the meaning of FIDIC YELLOW BOOK) during the design preparation;
- Review and approval of design documentation (including a 3D model of the work through the building information modelling) submitted by the general contractor during the documentation for building permit, implementation project documentation design phases;
- Review and approval of the implementation documentation submitted by the general contractor (Construction Organisation Plan, Technical Conditions, Technological Installation Procedure, Inspection and Testing Plan, etc.);
- Representation of the investor in communication with authorities, state administration bodies, the city, the city district and third parties in the process of obtaining the necessary permits, notifications, applications, certificates, decisions, statements, opinions, consents or expert opinions in all phases of the project.

5. Stage: Performance of construction and technical supervision of the builder over the implementation of the construction, performance of independent professional technical inspection and activities of the safety and health protection at work coordinator

- Planned duration of the stage: 24 months (including K1 and K2 upgrade)
 - The start of this stage coincides with the progress of stage 4
- Exercising permanent construction and technical supervision of the investor (in accordance with the FIDIC YELLOW BOOK) by authorised persons over the execution of the construction so that all works on the building are executed in accordance with generally binding legal regulations, EN/STN standards, technical specifications within the specified time and in compliance with the conditions specified in the Contract for Work and the approved project documentation, including the approval of billing claims / milestones and the assessment of claims raised for change procedures by the construction contractor;
- Performance of permanent independent professional technical control of the investor (participation in inspections during the construction of equipment, equipment takeover, inspection of dimensions, quality control of works, quality control of materials used,

inspection of paint thickness, review of the accompanying technical documentation, participation in NDT weld inspections, participation in testing of dedicated technical equipment, etc.);

- Active participation in construction inspection days, performance of supervision entries in the construction logbook, activities of the occupational health and safety coordinator;
- Inspections by the contractor on the timely ordering of technological equipment with delivery times longer than 2 months;
- Approval of contractor's additions/requests and changes to the project that do not increase the price of the work or extend the construction period, deteriorate the parameters of the construction or its operational and utility characteristics;
- Complete maintenance of the administrative file agenda of the construction and technical supervision on the progress of the project, including the processing of an assessment of potential claims outside the contractor's contractual scope of work and the file agenda related to the contractor's invoicing;
- Review of the construction contractor's records for payment of the construction contractor's invoices
- In the case of co-financing from external sources, maintenance of file documentation related to proving the project implementation in accordance with the requirements of the financing provider (meeting the milestones, monitoring the schedule and justification of deviations from the approved schedule, invoicing checks, etc.).

6. Stage: Review and approval of the accompanying technical documentation (ATD) submitted by the general contractor and review and approval of the design documentation submitted by the general contractor in the documentation of the actual execution design phases.

- Planned duration of the stage: 6 months
 - Runs concurrently with Stage 5 (depending on construction implementation and takeover of completed construction objects and operational files)
- Inspection and approval of the accompanying technical documentation (ATD) submitted by the general contractor;
- Inspection and approval of the design documentation (including a 3D model of the work through the building information modelling) submitted by the general contractor in the documentation of the actual execution design phases.

7. Stage: Supervision of post-assembly cleaning operations, functional tests, commissioning of construction equipment for permanent operation and optimisation of technology, active participation in the take-over of the work from the general construction contractor

- Planned duration of the stage: 6 months
 - Runs concurrently with Stage 5 and/or Stage 6 (depending on construction implementation and takeover of completed construction objects and operational files)
- Inspection and approval of the documentation necessary for the commissioning of the construction equipment submitted by the general contractor (Post-assembly Cleaning Operations Plan, Functional Testing Program, Operating Rules, etc.);
- Active participation in post-installation cleaning operations;

- Active participation in individual and complex tests of the construction equipment and optimisation of the installed technology;
- Active participation in test operation and guarantee tests;
- Inspection and supervision of the training of the investor's operators by the general construction contractor;
- Inspections of the rectification of any deficiencies or shortcomings of the Building by the general construction contractor, drawing up documents for the takeover of the work by the investor;
- Active participation in the takeover of the work by the general construction contractor;
- Active participation in the final approval of the Building.

8. Stage: Advice and technical support during the first three years of operation

- Planned duration of the stage: 3 years after the final takeover of the work as a whole from the Contractor into operation
- This is optional performance (the company OLO, a.s. will have the right, but not the obligation, to request this stage of service provision);
- Monitoring and participation in the optimisation of the management of the new technologies of the power unit in order to maximise the performance of the installed technologies, minimise the operational risks (technical failures due to poor set-up, human factors, etc.), in particular, but not limited to:
 - Waste structure (calorific value and homogenisation)
 - Boiler grate
 - Boiler operation
 - Flue gas management operation
 - Cinder management operation
 - Operation of secondary technological units for CHP

Throughout the whole duration of the contract:

- Provision of other consultancy and advisory services arising from the identified competencies of key and non-key experts and the defined roles of the Construction Manager.