

Approved
by the decision of
“IDGC of the South” JSC Board of directors
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Regulation
on purchase of goods, works and services for IDGC of the South, JSC

Rostov-on-Don, 2013

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1. GENERAL PROVISIONS

1.1 This Regulation on purchase of goods, works, services for needs of IDGC of the South, JSC (hereafter - the Regulation) is the internal document of IDGC of the South, JSC (hereafter - the Company, the Customer) and is prepared to execute Federal law dd. 18.07.2011 No. 223-FZ «On purchase of goods, works, services by separate kinds of legal entities». The Regulation regulates procedures of purchase of goods, works, services, (goods) irrespective of their cost. Norms of this Regulation are obligatory for application by structural divisions of the Company participating in process of realization of purchasing activity for needs of the Company.

1.2 When making purchase of goods, works, services the Customer is guided by the Constitution of the Russian Federation, the Civil Code of the Russian Federation, norms of the acting legislation of the Russian Federation, and also this Regulation.

1.3 This Regulation is applied when planning the purchasing activity, preparation and carrying out of purchasing procedures, determination of the order of the conclusion and execution of the agreement concluded by results of carried out procedure of purchase, reporting forming about the conducted purchases, but does not regulate rules of the announcement and carrying out of procedures of the purchases excluded from action of the Regulation according to the legislation of the Russian Federation.

Note:

According to Federal law dd. 18.07.2011 No.223-FZ “On purchases of goods, works, services by separate kinds of legal entities” these are the purchases connected with:

- 1) purchase and sale of securities, foreign exchange, precious metals and the conclusion of contracts which are derivative financial instruments (except contracts that are concluded outside the sphere of stock trading and settlement of liabilities on which envisages the supply of goods);
- 2) purchasing the exchange goods by the Customer at commodity exchange according to the legislation on commodity exchanges and exchange trade;
- 3) realization of placement of orders on deliveries of goods by the Customer, accomplishment of works, rendering services according to Federal law dd. July, 21st, 2005 No. 94-FZ “On order placement on deliveries of goods, accomplishment of works, rendering services for the state and municipal needs”;
- 4) purchase in sphere of military-technical cooperation;
- 5) purchase of goods, works, services according to the international agreement of the Russian Federation if such agreement provides another order of determination of suppliers (contractors, performers) of such goods, works, services;
- 6) realization by the Customer of selection of the auditor organization for carrying out of obligatory audit of the accounting (financial) reporting of the Customer according to article 5 of Federal law from December, 30th 2008 No. 307-FZ “On auditor’s activity”.
- 7) the conclusion and implementation of contracts in accordance with the laws of the Russian Federation on the electric power, which are binding on the wholesale market;
- 8) the implementation of a credit institution leasing transactions and interbank transactions, including foreign banks.

1.4 The procedural regulation of purchases is applied with a view of provision of a target and effective expenditure of money funds of the Customer, and also receipt

of economic feasibility of costs (in a form of market prices of goods) and prevention of possible abusing by the Customer (the Organizer of purchase).

1.5 Purchasing activity regulation:

1.5.1 is based on reasonable use of special acceptances for purposeful strengthening of action of market laws in each case of purchase;

1.5.2 is performed by application of compulsory procedures which should be carried out by employees of the Customer. The given procedures assume:

- a) market research;
- b) requirements planning in goods;
- c) information transparency of purchase;
- d) equality, justice, absence of discrimination and unreasonable restrictions of a tender in relation to participants of purchase;
- e) fair and reasonable choice of the most preferable offers at the complex analysis of benefits and costs (first of all the prices and qualities of goods);
- f) target and economically effective expenditure of money funds on purchasing of goods, works, services (with accounting, at necessity, of cost of life cycle of bought goods) and realizations of the measures directed on reducing costs of the Customer;
- g) absence of restriction of the admission to participation in purchase by an establishment of not measured requirements to the participant of purchase;

1.5.3 is based on the system approach which means for the Customer the availability of:

- a) the regulating environment;
- b) the established organizational structure of purchasing management and their control;
- c) the prepared staff for carrying out of purchases;
- d) the adjusted infrastructure of purchases (information support, means of electronic commerce, certification, professional advisers);

1.5.4 provides the observance of corporate unity of rules of purchases;

1.5.5 provides the control over the volume of powers and responsibility of buying employees.

1.6 This Regulation pursues the following objectives:

creation of conditions for timely and complete satisfaction of requirements of the Customer in Goods with necessary indicators of the price, quality and reliability; effective use of money funds; expanding possibilities of participation of legal and physical persons, including individual businessmen, in the goods purchase procedure and stimulation of such participation; fair tender development; provision of publicity and purchase transparency; prevention of corruption and other abusing at purchasing activity realization.

1.7 Any purchases are made according to provisions of this Regulation, taking into account the exceptions provided by this Regulation. The Customer is forbidden to split up purchases for the purpose of simplification of a method of purchase concerning the formation of priority of a purchase method (item 5.2.2 of this Regulation). At application of the given norm it is necessary to consider total amounts of purchases under any nomenclature within one financial period: on

goods bought incidentally or which financing of purchases is planned only within the next quarter, such period is a quarter, on goods of the constant nomenclature — a year. Splitting up does not mean carrying out of the purchases directly connected with accomplishment of events for grid connection with a term of a contract of grid connection no more 12 months.

1.8 The documents of the Company earlier regulating questions of purchases, from the moment of entering in action of this Regulation, become invalid.

2. MANAGEMENT OF PURCHASING ACTIVITY, REPORTING AND CONTROL

2.1 General provisions

2.1.1 The purchase management system of the Company is formed by the following control bodies over the purchasing activity:

- a) Company's Board of directors;
- b) Sole Executive body of the Company;
- c) Central purchasing body (CPB) of the Company;
- d) The purchasing commissions of the Company;
- e) The initiator of purchase of the Company;
- f) Structural division of the Company on purchases;
- g) other participants of purchasing activity within their functions and powers.

2.1.2 Functions of managing the purchasing activity are defined by current legislation, Company's Charter, this Regulation and administrative documents of the Company.

2.1.3 The main body for accepting of strategic decisions in sphere of purchases for needs of the Company is the Board of directors of the Company in accordance with Company's Charter which approves current Regulation.

2.1.4 The CPB of the Company is a constantly acting joint purchasing body of the Company, making the basic decisions in sphere of purchases. Chairperson of CPB is responsible for organization of regulated purchasing procedures in the Company.

2.1.5 The purchasing commissions of the Company are collegial bodies of the Company. The chairman, members and operating procedure of the purchasing commissions are approved by the CPB of the Company.

2.2 The reporting on purchasing activity

2.2.1 Accounting of the information on purchasing activity should be performed in an information management system applied at the Customer. Operations procedure and responsibility distribution for accounting information is established by separate organizational-administrative documents of the Customer.

2.2.2 Following the results of carrying out each purchase, except for purchase from a single source (contractor, performer), a small purchase, a simple purchase and purchases by participation in the procedures organized by sellers of goods, the report is constituted about purchase carrying out taking into account the requirements provided in item 2.3 of this Regulation.

2.2.3 The report on execution of the purchase plan is constituted according to the established form (Appendix 3 to this Regulation) and is given quarterly in the division of the Customer responsible for preparation of the summary version of the

report on the Company. An order of preparation of the Report about execution of the Plan of purchase: the structural divisions of the Customer responsible for drawing up of the report, the report summary, terms of its provision - are determined by internal organizational-administrative documents of the Customer.

2.2.4 The report on execution of the purchase plan is given annually for the approval by Company's Board of directors.

2.3 The report on carrying out the purchase

2.3.1 Upon completion of any purchase (except for purchase from a single source (contractor, performer), a small purchase, a simple purchase, purchases by participation in the procedures organized by sellers of goods) its Organizer is obliged to constitute the report.

2.3.2 The report should include the explanatory note, with the information on a course of carrying out of purchase, including:

a) the justification of choice of a method of purchase referring to number and date of the order or other administrative document on which basis the purchase was conducted;

b) the short description of bought goods, data on the initial (maximum) price of the agreement (lot);

c) data on a method and notification procedure of participants of a purchase about purchase carrying out; in case of application of closed methods or the additional address notification of participants of a purchase — in addition names and addresses of such participants which have been notified on purchase carrying out;

d) names and addresses of participants of a purchase, who officially received the documentation about purchase;

e) names and addresses of participants of a purchase, who presented bids (for competitive negotiations — all participants of negotiations) with indication of the prices of their offers;

f) the list of participants of a purchase, whose bids are rejected, with indication of the reasons of such decisions;

g) results of estimation, comparison and ranging of bids on preference degree;

h) the name and address of the participant who has presented the best (won) bid;

i) information on pre-contractual negotiations and their results, if the possibility of such negotiations was stipulated by documents on purchase in part significantly changing the conditions in documents on purchase and the winning application;

j) data on carrying out rebidding and results of its carrying out;

k) information with indication of the reasons on the decision to refuse carrying out of purchase and time of accepting the decision if such has occurred.

2.3.3 As a part of the report it is necessary to put originals of all documents, received in the course of purchase carrying out.

2.3.4 The report on carrying out the procedures together with originals of the documents, specified in item 2.3.3, is stored at the Organizer of purchase. Customer receives the duplicate.

2.4 Control

2.4.1 Control over carrying out of purchases is performed on a subject:

2.4.1.1 of accomplishment of norms and rules provided by this Regulation, and also other internal standard documents of the Customer, regulating the purchasing activity;

2.4.1.2 of conformity of accepted decisions in the field of purchases (including decisions on results of purchases) with interests of the Customer;

2.4.1.3 of conformity of actually conducted procedures to the confirmed Plans of purchases;

2.4.1.4 of accomplishment of key performance indicators of purchases, in a case of establishment of such indicators;

2.4.1.5 timely and qualitative reporting on the conducted procedures.

2.4.2 The current control over the purchasing activity procedure is performed by the CPB of the Company.

2.4.3 Except the CPB and the structural division of the Customer, the main functional tasks (obligations) of which is the activity provision of the Customer in the field of goods purchases, the control over carrying out of purchases can also be performed by other structural divisions of the Customer according to their competence and powers.

2.5 Purchasing management by categories

2.5.1 For this Regulation the category of purchases is understood as a regularly occurring set of an item of purchase, features of functioning of the market and the initial (maximum) price of the agreement (the lot price).

2.5.2 This Regulation and the organizational-administrative documents of the Customer accepted in its development can provide specification of norms of this Regulation and appendices to it depending on a purchase category.

2.5.3 Revealing of categories of purchases and the description of a concrete item of purchases, market surveillance and development of the specified procedure of payments of the initial (maximum) price of the agreement (the lot price), and also tracing of change of these parameters is performed eventually by the initiator of purchase together with division on purchases.

2.5.4 Features of carrying out of purchases on concrete categories are arranged by organizational-administrative documents of the Customer in which features can be established:

a) order of planning of purchases on the given category;

b) purchase preparations;

c) carrying out of procedures of purchase;

d) agreement conclusions;

e) agreement execution;

f) order of preparation, coordination and approval of decisions in connection with purchase.

2.5.5 Extracts from organizational-administrative documents of the Customer, concerning requirements to participants or features of preparation and carrying out of procedures of purchase, are placed on an official site.

2.6 Management of joint purchases

2.6.1 The Customer can enter into agreement on joint purchase with other Customers, including acting not by this Regulation. The agreement on joint

purchase can be signed only provided that rules of carrying out of purchases at other Customers do not contradict norms of this Regulation. Such agreement, at least, should provide:

- a) requirements to bought goods (can differ for different Customers);
- b) agreement provisions (can differ for different Customers);
- c) purchasing amount, terms and conditions of delivery, and the initial (maximum) price of the agreement (the lot price) (established for each Customer separately);
- d) requirements to participants (should be uniform within the limits of joint purchase);
- e) order and terms of carrying out of procedures of purchase (according to this Regulation and the reference to it or other documents regulating the order of carrying out of purchases), criteria of selection and estimations, an order of choice of the winner (should be uniform within the limits of joint purchase);
- f) the rights and obligations of Customers within the limits of purchase, including an order of the coordination and approval of the notice and the documentation about purchase, changes and documentation explanations about purchase, an order of forming of the purchasing commission and the order of its work, an order of carrying out of sessions of the purchasing commission and registration of its decisions;
- g) indication on the person acting as the organizer of purchase, his rights and obligations, his compensation (if necessary).

2.6.2 The agreement on joint purchases before its signing by the Customer is subject to coordination by the CPB.

2.6.3 If requirements to goods, the form and the agreement provisions, provided by item 2.6.1a) and 2.6.1b) of this Regulation, differ concerning different Customers, within the limits of joint purchase a separate lot is formed for each such Customer.

2.6.4 Purchase is announced and conducted by the person specified in the agreement on joint purchases. If it is provided by the agreement on joint purchases, the purchase organization can be transferred to the third party (agent).

2.6.5 At planning each Customer includes such purchase in the Plan of purchase according to the parameters established for it according to item 2.6.1c) of this Regulation.

2.6.6 The information on purchase should be published according to the provisions of item 3.1 of this Regulation and if it is provided by the agreement on joint purchases, in other sources.

2.6.7 By results of joint purchase can be concluded as follows:

- a) multilateral agreement between all Customers of joint purchase and one of its winners;
- b) some separate contracts between each of Customers and the winner (winners on different lots).

2.7 Incorporated purchases

2.7.1 Incorporated purchases are conducted with a view of increase of efficiency of purchases close under the product characteristics, necessary simultaneously to several consumers.

2.7.2 Types of incorporated purchases:

- a) for needs of several subsidiaries and associates/Company branches;
- b) for needs of the Customer and its subsidiaries and associates/ Company branches;

2.7.3 The incorporated purchases are conducted by the methods provided by this Regulation. The choice of a method of carrying out of incorporated purchase is performed according to this Regulation.

2.7.4 At the incorporated purchases the requirement provided in item 2.7.2 for goods for needs of a concrete Customer can be both allocated as a part of a separate lot, and included in one general lot.

2.7.5 Combined purchases are made on condition of the central purchase committee such adopting decision

3. INFORMATION SUPPORT FOR PURCHASES

3.1 Information placing on an official site

3.1.1 Official site in an information-communication network "Internet" on which the information is placed about purchases of the Customer, is the site www.zakupki.gov.ru (hereafter — Official site).

3.1.2 On an official site the following information and materials are placed:

a) this Regulation about purchase of goods, works, services, and also the changes brought in this Regulation — within 15 (fifteen) days from the date of its approval or the approval of changes accordingly;

b) the Plan of purchases, constituted for one calendar year, and the Plan of purchases, specified in item 14.1 of this Regulation, — within 10 (ten) calendar days from the date of the approval the Plan or entering changes into it. In a case if purchase of goods, works, services is performed by tender or auction carrying out, modification of the Plan of purchases is performed in time not later than placing on an official site of the notice on purchase, the documentation about purchase or changes brought in them;

c) the notice on purchase carrying out, the documentation on purchase, the contract draught as an integral part of the documentation about purchase — within the terms specified in the administrative document on carrying out of purchase and corresponding to norms of this Regulation;

d) the changes brought in the notice about purchase, the documentation about purchase, explanations of provisions of such documentation, refusal of purchase carrying out — not later than 3 (three) days from the date of decision making about entering the specified changes, about refusal of carrying out of purchase, provision of the specified explanations;

e) reports constituted in the course of purchases — not later than 3 (three) days from the date of signing of such reports;

f) data on change of quantity, price of acquired goods, terms of a contract concerning the information contained in the report, constituted following the results of purchase carrying out — not later than 10 (ten) days from the date of entering respective alterations into the agreement;

g) data on quantity and total cost of the contracts concluded by results of purchase of goods, — monthly, not later than 10 (tenth) day of the month following the reporting one;

h) data on quantity and total cost of the contracts concluded by the Customer by results of purchase from a single source (contractor, performer) — monthly, not later than the 10 (tenth) day of the month following the reporting one;

i) data on quantity and total cost of the contracts concluded by the Customer by results of purchase, data about which constitute the state secret or concerning which a corresponding decision of the Government of the Russian Federation about non-disclosure has been taken (item 3.1.7 of this Regulation) — monthly, not later than the 10 (tenth) day of the month following the reporting one.

j) other information, which the Customer will consider necessary to place on an official site under condition of technical possibility of such placing.

3.1.3 The notice on purchase carrying out is placed simultaneously with placing the documentation about purchase.

3.1.4 The information similar to the placed on the official site according to item 3.1.2a) —3.1.2j), can be placed on the corporate site of the Customer, and in a case of purchase carrying out by a third party organizer of purchase — on an official (corporate) site of the organizer.

3.1.5 In case of origin of the technical or other malfunctions arising at maintaining of an official site by the authorized person and blocking access to an official site within more than one working day, the information which is subject to placing on an official site according to item 3.1.2, is placed by the Customer on the corporate site of the Company with its subsequent placing on an official site. In the specified case placing on an official site is performed during 1 (one) working day from the date of elimination of the technical or other malfunctions blocking access to the official site.

3.1.6 The placed according to item 3.1.2 of this Regulation information and materials on a site of the Customer should be accessible to any person without payment collection.

3.1.7 The following information is not subject to placing on an official site:

a) data on the purchase, constituting the state secret provided that such data are contained in the notice on purchase, the documentation about purchase or in the contract draught, and also data on purchase on which the decision of the Government of the Russian Federation was accepted according part 16 of Federal law dated 18.07.2011 No.223-FZ.

b) data on purchase of goods, works, services which cost does not exceed one hundred thousand rubles taking into account the value added tax, and also data on purchase of goods, works, services which cost does not exceed five hundred thousand rubles taking into account the value added tax - in case the annual revenue of the Customer for reporting fiscal year constitutes more than five billion rubles.

3.1.8 At making purchases on paper carriers the Customer in addition can provide for an additional source (sources) of placing of the information besides the official site and the corporate site of the Company. The list of such mass media or other

sources, in which data on the purchases are placed, declaring the beginning of open purchases, is determined by the CPB of the Company. At carrying out of purchases on an electronic trading platform the publication is also produced on these platforms. Such publications are not official, which shall be noted in their text with the indications of the date and place of the official publication.

3.1.9 In addition to the publication on the official site and in the specified by this Regulation sources, the Customer or the Organizer of purchase has the right to publish in any sources notices about carrying out of open procedures, both in the form of a copy of the Notice on purchase carrying out, and extracts from it. Thus it is underlined that the message is not the first (official) publication, and the reference to the source is given, in which the official one is placed.

3.2 Placing of the information on purchase on the corporate site of the Customer and (or) an official site of the Organizer of purchase

3.2.1 With a view of provision of transparency of purchasing activity, on the corporate site the Customer the section on purchasing activity is maintained. Such section should have the name "Purchase".

3.2.2 The reference to the section should be placed on the main page, and also on a page in the main menu of the site, in the presence of such menu.

3.2.3 In the section on purchasing activity a possibility of placing of the following information, data, documents should be provided, including in the form of electronic references according to organizational-administrative documents of the Customer:

- a) the Plan of purchases with indication of data on initial (maximum) price of the agreement (the lot price, without indication of the purchases specified in items 5.9-5.10 of this Regulation;
- b) notices on carrying out the purchase;
- c) the documentation about the purchase, including the contract draught;
- d) the changes brought in the notice on carrying out of purchase and the documentation about purchase;
- e) explanations of provisions of the documentation about purchase, refusal of carrying out the purchase;
- f) reports constituted during purchase;
- g) data provided by items 3.1.2f)—3.1.2i) of this Regulation;
- h) organizational-administrative documents of the Customer on purchases, which placing on an official site is directly provided by this Regulation;
- i) information archive about completed purchases.

3.2.4 The section on purchasing activity should be arranged clearly, accurately, laconically. The interface of the user should not be overloaded by graphical elements. The section pages should have the minimum time of loading.

3.2.5 The section on purchasing activity should include minimum the following subsections:

- a) "Planning of purchases"; "Notices on carrying out of purchases, the documentation about purchase, information about carrying out of purchases"; "Data on the concluded contracts, amendments of the concluded contracts"; "Management of purchasing activity"; "The register of unfair suppliers

(contractors)”, including references to “the Register of unfair suppliers maintained according to Federal law No. 223-FZ”, and to “the Register of unfair suppliers maintained according to Federal law No. 94-FZ”. The section on purchasing activity should also include an information search subsystem.

3.2.6 In the subsection “Planning Purchases” the Plan of purchase is placed (and also the Plan of purchase taking into account changes brought in it) without data on the purchases specified in items 5.9-5.10 of the Regulation.

3.2.7 In the subsection “Notices on carrying out of purchases, the documentation about purchase, the information on carrying out of purchases” a copy of the information placed on an official site about conducted purchases is posted according to item 3.1.2c) - 3.1.2e).

3.2.8 In the subsection “Data on the concluded contracts, amendments of the concluded contracts” are published and (or) data on the concluded contracts are placed, specified in items 3.1.2f) - 3.1.2i).

3.2.9 In the subsection “Management of purchasing activity” the Regulation about purchase and, under the decision of the Customer, other organizational-administrative documents of the Customer, regulating questions of purchasing activity are placed.

3.2.10 Information storage in the subsection «Notices on purchase carrying out, the documentation about purchase, the information on carrying out of purchases» should provide to any interested person access to this information, at least, for 3 (three) previous years from the moment of the notice, then they are subject to archiving with access provision only to the Customer.

3.2.11 The Plan of purchases with more than an annual planning cycle is stored in archives for five years after the completion of the action, and then it is subject to archiving with access provision only to the Customer.

3.2.12 The information search subsystem should provide convenient information search by the form, a range of dates, keywords. The search subsystem should consider Russian Grammar.

3.2.13 Data, placed on a site of the Customer, should be accessible to acquaintance to any person without payment collection.

3.2.14 In case of attraction by the Customer of a third party Organizer of purchases, responsibility for placing of the information on purchase on an official site is born by the Customer.

3.3 Electronic trading platforms

3.3.1 At realization of purchasing activity the Customer uses functionality of an electronic trading platform of “IDGC of the South” JSC (hereafter — also ETP): <http://www.b2b-mrsk.ru/>. Other ETPs, used at purchasing activity realisation in the Company, should be agreed by the CPB of the Company for use and meet the following requirements:

3.3.2 The ETP functionality should provide carrying out of the procedures corresponding to norms of this Regulation. At least, possibility of carrying out of opened and closed single stage tenders, opened and closed tenders, opened and closed single stage requests of proposals, opened and closed inquiries of prices, competitive negotiations should be provided. At carrying out of a tender, request

for proposals, request for quotation, competitive negotiations carrying out the possibility of rebidding should be provided.

3.3.3 The ETP functionality should provide ample opportunities on data exchange and documents with other systems and participants, creation of documents in an automatic or semi-automatic mode from templates and on the basis of available data on ETP, archival data storage, data, copies of documents, information search in placed on ETP information, realization of the analysis of data; possibility of use of a digital signature for documents (including notices on tendering, the documentation on the tenders, application forms for participation in the tenders, the report on results of the tenders, similar documents for other purchases).

3.3.4 ETP should have the developed possibilities for information search in the purchase name, number, the responsible person, the organizer, the Customer, a purchase method, a range of dates with indication of type of date (date of the announcement of purchase, opening date etc.), goods categories. The search subsystem should consider Russian morphology.

3.3.5 It is reasonable for ETP to have the developed system of authorization of users and differentiation of access rights which would provide possibility of registration and work of several users on behalf of one Customer, the organizer of purchase, the supplier with provision of different access rights (viewing, creation, editing, deletion) to different information.

3.3.6 The ETP should work on the basis of the agreement with the Customer and (or) organizers of purchases and suppliers. In contracts the responsibility of the parties for both the made decisions and directed to each other data and documents should be provided.

3.3.7 With a view of provision of openness and transparency of purchasing activity of the Company the purchasing amount with use of the ETP should constitute not less than 95 % of total amount of the Plan of purchases in cost expression without conditional-constant purchases and purchases with a view of prevention of an emergency situation or liquidation of its consequences.

4. THE RIGHTS AND OBLIGATIONS OF THE PARTIES AT PURCHASES

4.1 The rights and obligations of the Organizer of purchase

4.1.1 The organizer of purchases (the Customer or the acting under the agreement with him third party - a specialized legal body acting as the organizer of purchase or a physical person, registered when due hereunder and performing enterprise activity without formation of a legal person (an individual businessman)) in coordination with the Customer (including the purchasing commission if corresponding responsibility is delegated to it) has the right:

4.1.1.1 to refuse carrying out of any procedure of purchases after its announcement:
a) at open tenders and auctions — according to the terms published in the notice on carrying out of tender (auction) and competitive (auction) documentation, and in absence of corresponding instructions in them — according to requirements of the Civil code of the Russian Federation;

b) at other open competitive methods of purchases — at any time if other directly is not specified in the notice on purchase carrying out and (or) documentation about purchase;

c) at closed methods of purchases — at any time, according to the terms, specified in the notice on carrying out purchases and the purchasing documentation, and in absence of corresponding instructions in them — according to requirements of the Civil code of the Russian Federation.

4.1.1.2 in coordination with the Customer to establish requirements to participants of the purchases, bought goods, to conditions of their delivery and to specify the necessary documents confirming (declaring) conformity to these requirements, under condition of inclusion of such requirements in the documentation about purchase.

4.1.2 The organizer of purchase is obliged:

4.1.2.1 To place on an official site the notice on purchase carrying out, the documentation on purchase, the reports constituted and signed at carrying out of purchase if such actions are not an obligation of the Customer;

4.1.2.2 At carrying out of the closed purchase to sign with Participants, invited for participation in it, the agreement on confidentiality concerning their participation in purchase, including in a part on preserving of confidentiality of conditions of the documentation, the contract draught, the technical project.

4.1.2.3 At decision making on entering changes in the notice on carrying out of purchase or in the documentation about purchase to perform the following actions in the following terms:

a) if purchase is performed by tendering (tender or auction) and changes on purchase are brought in the notice on purchase carrying out, in the documentation by the Customer later than 15 (fifteen) days to an expiry date of giving of application forms for participation in the tenders, the term of giving application forms for participation in such purchase is necessary to extend so that from the date of information placing on an official site the changes brought in the notice on purchase carrying out, in the documentation about purchase to an expiry date of giving application forms for participation in purchase such term is not less than 15 (fifteen) days.

b) if purchase is performed by the method which is distinct from the tenders, changes on purchase are brought in the notice and the documentation so that from the date of information placing on an official site the brought changes in the notice and the documentation on purchase before the end of giving bids is not less than half of the term specified for a concrete purchasing procedure.

4.1.2.4 to provide storage of originals of all documents concerning purchase, during 3 (three) years from date of purchase summarizing or cancellation.

4.1.2.5 All rights and obligations of the Organizer of purchase on behalf of the Customer or the third party acting under agreement with him in relation to participants of purchase and its winner are established by this Regulation and the documentation about purchase.

4.1.2.6 Distribution of functions between the Customer and the third party Organizer of purchase is determined by the agreement, concluded according to this Regulation. Such agreement should contain, including:

- a) distribution of the rights and obligations between by the Customer and the Organizer of purchase;
- b) order of accomplishment of procedures of purchases;
- c) the rights and responsibility of both parties in decision making to choose the winner of procedure;
- d) order of determination of members of the purchasing commission and its Chairman;
- e) provision that the Organizer of purchase acts on his own behalf, but for the account of the Customer;
- f) the paragraph that the Organizer of purchase should observe norms of this Regulation, including the established order of solving disagreements, and also requirements of the current legislation of the Russian Federation;
- g) rate of commission taking into account cost and purchasing amount which should not be more than 2 % of estimated price of purchase (in exceptional cases the CPB has the right to raise the specified limit);
- h) plan of preparation, approval, provision and storage of documents on purchase procedure;
- i) other aspects of mutual relations of the Customer and the Organizer (if necessary);
- j) conditions about provision of obligations of the Organizer of purchases, specified by internal organizational-administrative documents of the Customer.

4.1.2.7 At purchase carrying out it is necessarily documented, that the Purchasing commission agrees upon the documentation about purchase, and also responsibility of the party is determined to which signing of the report on results of the tenders is assigned (or agreements with the person who has given the best bid, by results of purchase), in case of failure to perform the given actions.

4.2 The rights and obligations of the Customer

4.2.1 The Customer has the right:

4.2.1.1 To place on the corporate site a direct reference to the Register of unfair suppliers provided by Federal law dd. 18.07.2011 No. 223-FZ “About purchases of goods, works, services by separate kinds of legal entities” and (or) to the Register of unfair suppliers provided by Federal law dd. 21.07.2005 No. 94-FZ “About order placement on deliveries of goods, accomplishment of works, rendering services for the state and municipal needs” without dependence on whether the Customer is the Organizer of purchase himself or not;

4.2.1.2 At purchase to establish the requirement about absence of data on participants of purchase in the Register of unfair suppliers, provided by Federal law dd. 18.07.2011 No. 223-FZ “About purchases of goods, works, services by separate kinds of legal entities” and (or) to the Register of unfair suppliers provided by Federal law dd. 21.07.2005 No. 94-FZ “About order placement on deliveries of goods, accomplishment of works, rendering services for the state and municipal needs”.

4.2.1.3 To place on the corporate site of Customer and (if necessary) an official site any information on purchasing activity, which he will consider necessary, with observance of requirements of the statutory acts regulating placing of the information on an official site.

4.2.2 The Customer is obliged:

4.2.2.1 To place on an official site the information on purchase in the volume demanded by this Regulation and the current legislation of the Russian Federation if such obligation is not transferred to the Organizer.

4.2.2.2 Based on the signed report about results of the tenders according to paragraph 448 of the Civil code of the Russian Federation to sign with the person chosen as the winner, the agreement, the right to which conclusion was a subject of the tenders — except for cases when the winner has the other right provided by the documentation about purchase (for example to be introduced to the Board of directors). Signing of such agreement is performed under condition of accomplishment by the winner of all requirements provided in the report on results of the tenders.

4.2.2.3 To sign with the person, who chosen as the winner of closed purchase or has presented the best bid, the agreement on nondisclosure of the information, concerning conditions, procedure of the conclusion, agreement execution.

4.2.2.4 To set the requirement about representation by participants of purchases of data concerning the whole chain of their proprietors, including beneficiaries (including final) according to the form of representation by participants of purchases of data concerning the whole chain of its proprietors, including beneficiaries (including final), given in Appendix 16 to this Regulation.

4.2.2.5 To reject the bid of a participant of purchase, in case of not providing the specified in item 4.2.2.4 of this Regulation data.

4.2.2.6 Other rights and obligations of the Customer are determined in the documentation about purchase.

4.3 The rights and obligations of buying employees of the Company

4.3.1 Buying employees of the Company are obliged:

a) to carry out actions with observance of the norms set by the legislation of the Russian Federation, this Regulation, and also other internal documents of the Company regulating the purchasing activity;

b) immediately to report to the sole executive body of the Company about any circumstances which can lead to negative results for the Customer, including about what can lead to impossibility or inexpediency of execution of the actions set by this Regulation;

c) to inform the sole executive body of the Company about any circumstances which do not allow the given employee to conduct purchase according to norms of the given Regulation;

d) immediately inform the sole executive body of the Company about cases of identification of facts and participation signs and (or) winning in purchases of legal or physical persons, affiliated with buying employees, including members of the purchasing commissions and involved experts, and also employees of the executive

body, employees of subsidiaries and associates/ Company branches, supervising agreement execution.

4.3.2 Buying employees Company are forbidden:

- a) to receive any benefits from purchase carrying out, except officially provided by the Customer or the Organizer of purchase who informs the Customer of it;
- b) to give to somebody, except members of the purchasing commissions, officials of the Customer, any data on a course of purchases, about day of placing of the corresponding information on an official site of the Customer;
- c) to have with participants of purchases any communication, other than arising in the course of usual economic activities (for example to be an affiliated person with a participant of purchase) of which he has not declared to the purchasing commission or the CPB of the Company;
- d) to conduct not provided by this Regulation and the documentation about purchases negotiations with participants of purchases.

4.3.3 Buying employees Company have the right:

- a) proceeding from practice of carrying out of purchases to recommend to the management to modify the documents regulating the purchasing activity;
- b) to raise their qualification in the field of purchasing activity independently or, in the presence of possibility, — at specialized courses.
- c) Personal responsibility for execution of the actions connected with carrying out of purchase is assigned to buying employees.

4.4 The right of the Customer to establish at purchases priorities for goods of a certain kind or features of participation in purchase of separate kinds of suppliers

4.4.1 At carrying out purchases priorities of goods of a certain kind or features of participation in purchase of separate kinds of suppliers are not applied except for the cases directly provided by the legislation of the Russian Federation.

4.4.2 In case of establishment by the Government of the Russian Federation of a priority of goods, works, services of the Russian origin, which are carried out, rendered by the Russian persons, in relation to the goods occurring from the foreign state, works, services which are carried out, rendered by foreign persons, taking into account the customs legislation of the Customs Union and the international contracts of the Russian Federation, and also features of participation in purchase of subjects of small and medium business, the Customer (Organizer) includes a corresponding condition in the documentation about purchase in required volume.

4.4.3 The Customer (Organizer) of purchases has the right to apply priorities of goods of a certain kind or features of participation in purchase of separate kinds of participants only in the presence of the information on the order of application of such preference (priority) in the given purchase in the notice on carrying out of purchase and in the documentation about purchase.

4.5 The rights and obligations of participants of purchases. General requirements to participants of purchases

4.5.1 Any person has the right to make an application on participation in the open purchase. Only specially invited to participation in such purchase persons can make an application on participation in the closed purchase.

4.5.2 Under condition of conformity to the requirements established by this Regulation, the participant of purchase can be:

4.5.2.1 any legal body or several legal entities acting on the party of one participant of purchase (including on the basis of the agreement on creation of simple partnership according to requirements of the current legislation of the Russian Federation), irrespective of the organisation-legal form, form of ownership, the location and the place of an origin of the capital under condition of conformity to the requirements established in the documentation about purchase, developed according to this Regulation;

4.5.2.2 any physical person or some physical persons acting on the party of one participant of purchase, including an individual businessman or several individual businessmen acting on the party of one participant of purchase (including on the basis of the agreement on creation of simple partnership according to requirements of the current legislation of the Russian Federation) under condition of conformity to the requirements established in the documentation about purchase and developed according to this Regulation.

4.5.3 In a case if the participant of purchase is a legal body, it should be registered as a legal person when due hereunder, and for the types of activity demanding according to the legislation the Russian Federation special permissions (licenses, admissions, other documents) — to have them. In a case if the participant of purchase is an individual businessman, it should be registered as an individual businessman in an order established by the legislation of the Russian Federation. In a case if the participant of purchase is a physical person — it should possess the complete right and capacity according to requirements of the current legislation of the Russian Federation.

4.5.4 Collective participants can participate in purchases if it is not directly forbidden by the documentation about purchase.

4.5.5 Members of associations which are collective participants of purchases, should have the agreement among themselves (another document), corresponding to norms of the Civil code of the Russian Federation in which the rights and obligations of the parties should be specified and the leader of such collective participant is established. In the agreement the joint liability under the obligations connected with participation in purchases, the conclusion and the subsequent agreement execution should be established.

4.5.6 At carrying out of closed purchases in the documentation about purchase it is necessarily underlined, whether there can be a person as part of the collective participant who has been not invited personally to participation in the purchase. But anyway the leader of the collective participant should be exclusively the person invited to participation in purchase.

4.5.7 At participation in the closed procedure the participant of purchase is obliged to sign with the Customer and (or) Organizer of purchases the agreement

on nondisclosure of the information which he will become aware or have become aware of in the course of participation in the purchase.

4.5.8 The participant should constitute the application form for participation in purchase under the form established in the documentation given to it about purchase. From the bid text it should follow clearly that its giving is accepting (acceptance) of all conditions of the Customer (Organizer of purchase), provided in the notice on carrying out of purchase and the documentation on purchase, including the consent to fulfill an obligation of the participant at participation in purchase.

4.5.9 Only qualified participants can apply for the conclusion of the agreement with the Customer (Organizer of purchase), or on realization of another right provided by the documentation about purchase (those have passed according to the decision of the purchasing commission a selection stage of estimation of bids).

4.6 The rights and obligations of the winner of purchase, the participant, whose bid is recognised as the best

4.6.1 The scope of the rights and obligations arising at the winner of purchase or the person, whose bid is recognized the best (usually — the right to conclude an agreement), should be accurately stipulated in the documentation about purchase.

Note:

At the tendering the subject of which was the right to the agreement conclusion, the agreement with the winner of the tenders is entered into without fail pursuant to Part 5 of Article 448 of the Civil code of the Russian Federation. At carrying out of other competitive purchases the winner receives the right to the agreement conclusion, but the Organizer of purchase does not have obligation of the agreement conclusion (refusal of purchase and the agreement conclusion with the winner is possible).

4.7. If the winner is selected in the result of the trades, it shall in the manner and time stipulated in these Regulations and documentation of purchase sign the protocol on the results of bidding in accordance with the requirements of article 448 of the Civil Code of the Russian Federation.

4.8. The decision to refuse to sign the agreement on the basis of a competitive tender procurement procedure can only be taken by central purchase committee of the Company.

4.9. Other requirements are established in documentation on purchase.

4.10. Central purchase committee has the right to change the standard requirements to the participants of procurement, which should be considered when establishing the organizer when setting forth the requirements for participating in the procurement documentation.

4.11. The purchase committee has the right to set requirements on the basis of standard procurement requirements, provided that they are consistent with the requirements established by the permitting authority of the Customer in accordance with the provisions of paragraph 4.10 of the Regulation, requirements of the legislation of the Russian Federation.

5. METHODS OF PURCHASES, THEIR VERSIONS AND CONDITIONS TO CHOOSE METHODS OF PURCHASE

5.1 The list of the permitted methods of purchases

5.1.1 This Regulation provides the following methods of purchases:

- a) tender;
- b) auction;
- c) request for proposals;
- d) request for quotation;
- e) competitive negotiations;
- f) simple purchase;
- g) small purchase;
- h) purchase from a single source (contractor, performer);
- i) purchase by participation in the procedures organized by sellers of goods;
- j) other ways of purchases.

5.1.2 This Regulation provides the following forms of carrying out of purchases, special procedures:

- a) opened and closed;
- b) in an electronic form or with use of paper carriers;
- c) with rebidding or without it;
- d) with preliminary qualifying selection by the participant or without it;
- e) with possibility of giving alternative bids or without it;
- f) in one - two- or multi stage form;
- g) with carrying out of procedure of post qualification or without it;
- h) special procedures of purchase of sophisticated goods.

5.1.3 The Company's Board of directors, sole executive body of the Company, CPB can establish requirements and (or) recommendations about carrying out and (or) not carrying out of purchases by separate methods and (or) in a separate form (with application of special procedures) in quantitative and (or) price expression.

5.1.4 The decision of the Board of directors of the Company, sole executive body of the Company, accepted according to the current legislation of the Russian Federation and the Articles of Association of the Company, a special order of carrying out of separate purchases can be provided, having deviations from this Regulation.

5.2 General provisions

5.2.1 In case of absence directly provided by this Regulation bases, purchase of any goods should be produced by carrying out opened one stage tender without application of special procedures or open auction unless expressly specified in the legislation of the Russian Federation. The decision on purchase carrying out is accepted by the person determined according to item 7.2.3 of this Regulation. Unless expressly specified in this Regulation or other organizational-administrative documents of the Customer, the same person appoints the commission on carrying out of a corresponding purchase.

5.2.2 This Regulation provides the following priority of methods of purchases (chosen depending on scope of an agreement, quantity of criteria and other factors):

- tender, auction;
- request for proposals, competitive negotiations, request for quotation;
- simple purchase, small purchase.
- purchase from a single source (contractor, performer).

5.2.3 Unless expressly specified in this Regulation, methods of purchases, and also special procedures (item 8.12 of this Regulation), are subject to application in the presence of the established bases according to the confirmed Plan of purchase or after permission granted by the CPB of the Company.

5.2.4 In exceptional cases under the decision of the Company's Board of directors for separate concrete purchases it is possible to exceed the threshold values for a choice of methods of purchase (at cost of purchase or percent) unless expressly specified in norms of the current legislation of the Russian Federation.

5.2.5 Purchases in the cases, described in item 5.1.3 and 5.1.4 of this Regulation, are approved by the Company's Board of directors or CPB of the Company at forming (adjusting) the Purchase plan and under condition of absence of restrictions established by the legislation of the Russian Federation.

5.3 Application of purchase procedures in the closed form

5.3.1 Purchases can be performed in the closed form under conditions, specified in subitem a) of item ~~Ошибка! Источник ссылки не найден.~~ of this Regulation, and also in a case, when direct address attraction of participants is a means of provision of the confidentiality necessary in interests of the Customer, which does not exclude an obligation of the Customer of obligatory publication of the notice on purchase on an official site.

5.3.2

5.4 Tender

5.4.1 Depending on a possible circle of participants a tender can be opened or closed.

5.4.2 Depending on the form of carrying out a tender can be conducted with use of paper carriers or in an electronic form.

5.4.3 Depending on a number of stages a tender can be one - two- and multi-stage.

5.4.4 Purchases can be performed by carrying out of two- and multi-stage tenders, if it is necessary for the Customer (Organizer of purchase) to carry on negotiations with participants to specify the most effective variant of satisfaction of requirements of the Customer, namely at accomplishment of at least one of the conditions:

a) owing to complexity of goods or in the presence of several variants of satisfaction of needs of the Customer it is difficult to formulate at once detailed requirements to bought goods;

b) requests are specially involved to familiarize with possible ways of satisfaction of requirements of the Customer and to choose best of them.

5.4.5 Depending on availability of procedure of preliminary qualifying selection a tender can be with carrying out or without carrying out of preliminary qualifying selection.

5.4.6 In case of purchase of especially sophisticated goods a tender can be conducted with application of special procedures of purchase of sophisticated goods, specified by the given Regulation.

5.5 Auction

5.5.1 Depending on a possible circle of participants an auction can be opened or closed.

5.5.2 Depending on the form of carrying out an auction can be conducted with use of paper carriers or in an electronic form.

5.5.3 Auction can be only one stage.

5.5.4 Depending on availability of procedure of preliminary qualifying selection an auction can be with carrying out or without carrying out of preliminary qualifying selection.

5.5.5 At auction post-qualification carrying out, the right of giving of alternative bids is not provided.

5.5.6 Auction is conducted at goods purchases for which there is a functioning market and concerning which the initiator of purchase formulates detailed requirements in the form of the technical project. The CPB of the Company has the right to specify the list of goods bought by results of carrying out of auction.

5.6 Request for proposals

5.6.1 Depending on a possible circle of participants the request for proposals can be opened, closed and by results of open competitive purchasing procedure upon completion of which a frame agreement (contract) is signed.

5.6.2 Depending on the form of carrying out the request for proposals can be conducted with use of paper carriers or in an electronic form.

5.6.3 Depending on a number of stages the request for proposals can be one- two- and multi-stage.

5.6.4 Depending on availability of procedure of preliminary qualifying selection the request for proposals is performed with carrying out or without carrying out of preliminary qualifying selection.

5.6.5 In case of purchase of especially sophisticated goods the request for proposals can be conducted with application of special procedures of purchase of sophisticated goods.

5.6.6 The request for proposals is conducted at accomplishment of at least one of the following conditions:

a) on carrying out of tender there is no time or its carrying out is inexpedient for any other weighty reasons, however there is no circumstance demanding immediate carrying out of purchase from a single source (contractor, performer), and complexity of goods or conditions of their delivery do not allow carrying out of auction, request for quotation;

Note:

another weighty reason can be, for example, that owing to specificity of an item of purchase the Customer or to its Organizer needs possibility of uncharged responsibility of refusal of purchase (and the agreement conclusion) at any stage of procedure.

- b) it is necessary to carry on negotiations with participants, and it is inexpedient to use the procedure of a two- and multi-stage tender taking into account costs of time or for other weighty reasons;
- c) when the expected purchasing amount does not exceed 10 million rubles (with value added tax);
- d) purchase of design and exploration work for construction, modernization and reconstruction of electric grid facilities necessary for realization of measures for grid connection is performed;
- e) purchase on accomplishment of works on designing of electric grid facilities for the sum up to 100 million rubles (with value added tax) is performed.

5.7 Request for quotation

5.7.1 Depending on a possible circle of participants the request for quotation can be opened, closed and by results of open competitive purchasing procedure upon completion of which a frame agreement (contract) is signed.

5.7.2 Depending on the form of carrying out the request for quotation can be conducted with use of paper carriers or in an electronic form.

5.7.3 Application of request for quotation can be performed at purchases of simple goods for which there is a functioning market, the only criterion is the price and provided that the price of the agreement does not exceed 5 million rubles (with value added tax) for opened request for quotation, and the deadline does not allow to conduct auction.

5.7.4 The request for quotation by results of open competitive purchasing procedure can be conducted without dependence on the size of the initial (maximum) price of the agreement (the lot price) provided that suppliers with whom frame agreements are entered into, were brought in to take part in such request for quotation.

5.7.5 It is forbidden to conduct purchases of sophisticate, unique (custom- made) equipment by the method of request for quotation.

Note:

The open request for quotation is intended mainly for purchases of simple goods.

5.8 Competitive negotiations

5.8.1 Depending on a possible circle of participants competitive negotiations can be opened or closed.

5.8.2 Depending on the carrying out form competitive negotiations can be conducted with use of paper carriers or in an electronic form.

5.8.3 Depending on availability of procedure of preliminary qualifying selection competitive negotiations can be with carrying out or without carrying out of preliminary qualifying selection.

5.8.4 Competitive negotiations are conducted at purchases of especially sophisticated goods when it is necessary to carry on negotiations with participants, and it is inexpedient to use the procedure of a two stage tender or request for proposals taking into account costs of time or for other reasons.

5.9 Simple purchases

5.9.1 Simple purchases are conducted only in case the revenue of the Customer for reporting fiscal year constitutes more than 5 billion rubles, in other cases such method of purchase is not applied.

5.9.2 Depending on a possible circle of participants simple purchases can be opened or closed.

5.9.3 Depending on the carrying out form simple purchase can be conducted with use of paper carriers or in an electronic form.

5.9.4 Simple purchases are conducted at the planned sum of purchases from 100 000 rubles to 500 000 rubles (with value added tax). Simple purchase under the decision of the Customer can be conducted at the sum less 100 000 rubles (including VAT).

5.9.5 Simple purchases can be conducted at accomplishment of item 5.9.4 and at least of one of the conditions:

a) availability of technical requirements unequivocally formulated to bought goods, including, when functional characteristics (consumer properties) of goods, sizes, packaging, goods shipment are specified, concrete requirements to results of work (service) in the form of the technical project are established;

b) absence of time for purchase carrying out by another competitive method.

5.10 Small purchases

5.10.1 Small purchases are performed at the planned sum of purchases up to 100 000 rubles (with value added tax).

5.10.2 Small purchases can be conducted at accomplishment of item 5.10.1 of this Regulation and at least of one of the conditions:

a) availability of technical requirements unequivocally formulated to bought goods, including, when functional characteristics (consumer properties) of goods, sizes, packaging, goods shipment are specified, concrete requirements to results of work (service) in the form of the technical project are established;

b) absence of time for purchase carrying out by another competitive method.

5.11 Purchase from a single source (contractor, performer)

5.11.1 Depending on the initiative party the purchase from a single source (contractor, performer) can be performed by direction of the offer on the agreement conclusion to a concrete supplier (to contractor, performer), or accepting the offer on the conclusion of the agreement from one supplier (contractor, performer) without consideration of competing offers. The decision to choose the supplier is accepted by the Board of directors of the Company or CPB of the Company on the basis of the information of the Customer on the conducted market research, except for the cases specified in items 5.11.4.8 and 5.11.4.11 of this Regulation at cost of purchase up to 100 thousand rubles with VAT and in case the annual revenue of the Customer for reporting fiscal year constitutes more than five billions rubles - up to 500 thousand rubles with VAT. The decision on a choice of the contractor on purchase of services in the cases specified in items 5.11.4.8 and 5.11.4.11 of this Regulation at cost of purchase up to 100 thousand rubles with VAT and in case the annual revenue of the Customer for reporting fiscal year constitutes more than five billions rubles - up to 500 thousand rubles with VAT, is accepted by the person

who is carrying out functions of chief executive officer, or another person having the right of signing of the agreement concluded by results of purchase.

5.11.2 Purchases from a single source (contractor, performer) are subdivided into:

- a) purchases of unique goods (works, services) from a single source (contractor, performer) (item 5.11.3 of this Regulation)
- b) purchases from a single supplier (contractor, performer) with a view of prevention of an emergency situation or liquidation of its consequences (item 5.12 of this Regulation).
- c) purchases from a single source (contractor, performer) of conditional-constant goods (item 5.13 of this Regulation).

5.11.3 Purchase of unique goods (works, services) from a single supplier (contractor, performer)

5.11.4 Purchase from a single supplier (contractor, performer) can be performed at least in one of the following cases:

5.11.4.1 deliveries of goods, accomplishment of works, rendering services concern the field of activity of subjects of natural monopolies according to Federal Law The law dd. August, 17th, 1995 No.147-FZ “About natural monopolies” on regulated according to the legislation of the Russian Federation prices (tariffs);

5.11.4.2 if there was a requirement for works or services, accomplishment or rendering of which can be performed by exclusively executive authorities according to their powers or their subordinated official bodies, the state unitary enterprises, the corresponding powers of which are established by standard legal acts of the Russian Federation, standard legal acts of the subject of the Russian Federation;

5.11.4.3 if goods can be received only from one supplier and there is no equivalent replacement for it, including it a single legal body rendering services in territory of another state;

Note:

The criteria, allowing to use the given point, can be as follows:

- a) the goods (works, services) are produced on unique technology, or possess unique properties that are confirmed by corresponding documents;
- b) the supplier is a single official dealer of the manufacturer of goods possessing the above-stated properties;
- c) the supplier is a single supplier, manufacturer, contractor in the given region provided that the expenses connected with attraction of counterparts from other regions make such attraction economically unprofitable;
- d) the supplier or its single dealer performs warranty and routine maintenance of goods (works), delivered earlier, and availability of another supplier is impossible on guarantee conditions;
- e) rent (purchasing) of land plots.

5.11.4.4 if there was a necessity of carrying out additional purchases when for reasons of standardization, unification, and also for compatibility or continuity of provision (for works, services) with earlier acquired goods new purchases should be made only at the same supplier. At decision making about purchase from a single supplier (contractor, performer) on the given basis it is necessary to check up whether the change of the supplier will really force the Customer:

- a) at purchase of goods — to acquire them with other technical characteristics (that can lead to considerable technical difficulties in work and servicing);
- b) at purchase of works (or services) — to experience considerable difficulties from the change of the supplier, possessing specific experience and well proven communications for successful accomplishment of works (rendering services) to the given Customer;
- c) at purchase of additional works or services which have been not included in an original project (agreement), but not separated from the main agreement without considerable difficulties;

5.11.4.5 if there was a necessity of additional purchase made by prolongation of contracts, in a case when the agreement was concluded by results of competitive purchase and prolongation possibility was provided in the documentation about purchase;

5.11.4.6 Additional purchase is reflected in reports on execution of the Plan of purchase, as the purchase from a single source and should not exceed:

- 10 % from purchase original cost - at the purchase, which original cost less than 70 million rubles (including VAT);
- 7 % from purchase original cost - at the purchase which original cost constitutes from 70 million rubles (including VAT) up to 100 million rubles (including VAT);
- 5 % from purchase original cost - at the purchase which original cost exceeds 100 million rubles (including VAT);

5.11.4.7 in case if cost of initial purchase exceeds 1 billion rubles (including VAT), additional purchase can be performed in exceptional cases and only on the basis of the decision of the Board of directors of the Company;

5.11.4.8 at purchases of services in training or carrying out of thematic seminars (meetings, trainings, forums, conferences), other services in the organization of cultural-mass and sports events if specificity of purchase is that any equivalent replacement of the contractor is impossible;

5.11.4.9 rendering services with the designer's control over development of the design documentation of items of capital construction, designer's supervision over construction, reconstruction, overhaul of items of capital construction by corresponding designers;

5.11.4.10 rendering services connected with provision of travelling events, conducted by the President of the Russian Federation, chambers of the Federal Assembly of the Russian Federation, the Government of the Russian Federation, Ministers of the Russian Federation, Deputy Ministers of the Russian Federation, Joint or sole executive powers of management of the Customer (hotel, transportation, operation of computer equipment, food provision, etc.) in case of absence of time for carrying out of competitive purchase;

5.11.4.11 rendering services connected with sending a worker on a business trip (travel to a place of business trip and back, premises hire, transportation, food provision);

5.11.4.12 presence of requirements of the current legislation of the Russian Federation about the conclusion of the agreement with the concrete counterpart;

Example:

Indication on necessity of the conclusion of the agreement with a Federal official body, subordinated to the Ministry of regional development of the Russian Federation (Glavgosexpertiza) at rendering services in an estimation of budget cost (for facilities in full or in part financed at the expense of federal (a subject of Federation, municipal) budget) and technical part of the design documentation (Resolution of the Government of the Russian Federation dd. 18.05.2009 No. 427 and Resolution of the Government of the Russian Federation dd. 05.03.2007 No. 145)

5.11.4.13 at conclusion of an agency agreement with the applicant within the limits of activity of removal of electric grid facilities from a construction site;

5.11.4.14 at conclusion of an investment agreement in construction of electric grid facilities within the limits of activity of removal of electric grid facilities from a construction site;

5.11.4.15 availability of circumstances demanding purchase from a single supplier (contractor, performer) (only under a special decision of the Company's Board of directors or Chief Executive Officer of the Company) and at this such volume should constitute no more than 5 % from general annual purchasing amount of goods, works, services.

5.12 Purchase from a single supplier (contractor, performer) with a view of prevention of an emergency situation or liquidation of its consequences

5.12.1 Purchase from a single supplier (contractor, performer) with a view of prevention of an emergency situation or liquidation of its consequences is performed in the presence of one of the following conditions:

5.12.1.1 owing to force majeure there was an urgent need in certain goods, in this connection the application of other procedures is unacceptable. At such circumstances purchase of goods from a single supplier (contractor, performer) is produced taking into account that the volume of bought goods should not exceed the sufficient amount for prevention of an emergency situation or liquidation of its consequences;

5.12.1.2 at purchase of additional works or services which have been not included in an original project (agreement), but cannot be separated from the main agreement without considerable difficulties and necessary for prevention of an emergency situation or liquidation of its consequences;

5.12.2 The decision on purchase from a single source (contractor, performer), on the bases provided in items 5.12.1.1—5.12.1.2 of this Regulation is accepted by the CPB of the Company.

5.13 Purchase from a single supplier (contractor, performer) of conditional-constant goods.

5.13.1 With a view of this Regulation conditional-constant purchases are understood as the conclusion by the Customer of contracts for:

a) rendering services in water supply, water removal, sewerage, heat supply, gas supply (except for services in sale of liquefied gas), connection (grid connection) to networks of technical and engineering infrastructure on regulated according to the legislation of the Russian Federation prices (tariffs), services in

transmission (transit) of electric power in adjacent networks, including through foreign states;

- b) acquisition of electric energy for compensation of losses in networks;
- c) rent of land plots and buildings (premises), other items of real estate necessary for realization of the main productive activity, under condition of impossibility of competitive selection of the product provider;
- d) rendering services in the organization of functioning and development of electric distribution grid;
- e) other deliveries of goods, accomplishment of works, rendering services with regulated by the legislation of the Russian Federation tariffs/prices;

5.13.2 Purchases of conditional-constant goods are reflected in the Plan of purchase in a separate page inset (as part of Appendix 2.1 to this Regulation).

5.14 Purchase by participation in the procedures organized by sellers of goods

5.14.1 Under the decision of the CPB of the Customer purchase can be made by participation of the Customer in auctions, tenders or other procedures, organized by sellers of goods (including on ETP). Some positive decision on participation in such procedures is accepted, if these procedures provide fair competition of participants.

Note:

Such purchases are produced, as a rule, in the conditions of deficit of goods when product demand exceeds its proposal.

5.14.2 The order of carrying out of procedure is determined by the Organizer of such procedure.

5.14.3 Purchases, planned by participation in procedures, organized by sellers of goods are reflected in the Plan of purchase in a separate page inset (as part of Appendix 2.2 to this Regulation).

5.15 Other ways of purchases

5.15.1 Contracts with public authorities and local government of the Russian Federation, credit, warranting the credit or co-financing organisations may provide for a special order of purchases at the expense of given resources (joint financing on the basis of credits, leasing, budgetary financing etc.). The special order can provide for deviations from this Regulation (for example if at carrying out of purchases on funds of the state budget or international financial structures purchases are performed in an order established by financing bodies). Any reservations concerning applicable procedures of purchases should be included in corresponding contracts about the credit (joint financing) only after approval by the CPB.

5.16 Purchases in an electronic form

5.16.1 Any methods of purchases can be applied with use of ETP for their making (in full or at separate stages).

5.16.2 Purchase realization in the electronic form is obligatory, if the Customer buys goods included in the confirmed by the Government of the Russian Federation list of goods, works, services which purchase is performed in the electronic form.

5.16.3 Rules and procedures of carrying out of purchase with use of ETP are established by regulations (provisions) of work of ETP and an agreement concluded between by the Customer and an ETP operator.

5.16.4 The decision on use of ETP in the cases, established in item 5.16.1 of this Regulation, is accepted at the formation or adjustment stage of the Plan of purchase with indication of a corresponding method of purchase in the given Plan.

6. PLANNING OF PURCHASES

6.1 General provisions

6.1.1 The order of planning of purchases is determined by the given section of the Regulation for one calendar year. The Plan of purchase is an action plan on the conclusion of any contracts, except for specified in item 6.1.4, during a planned period, for which conclusion (all or a certain number) carrying out of purchases (preparation and purchase carrying out) is required, unless other reasonable provided by this Regulation and (or) organizational-administrative documents of the Customer. The Plan of purchases regarding investment activity for a longer period is formed under the decision of the Company's Board of directors.

6.1.2 In case the revenue of the Customer for reporting fiscal year constitutes more than 5 billion rubles, simple and small purchases of goods, works, services may not be included in the Plan of purchases (item 5.9 and item 5.10 of this Regulation about purchase).

6.1.3 An internal organizational-administrative document of the Company may further specify the order of preparation, coordination, approval and change of the Plan of purchases by means of approval of the corresponding Regulations and with indication of concrete responsible structural divisions. Thus the given regulations should not contradict norms of this Regulation and the acting legislation of the Russian Federation.

6.1.4 Planning of purchases of innovative, highly technological goods, medical products is performed taking into account the norms provided in item 14.1 of this Regulation.

6.1.5 The approved Plan of purchases is a basis for realization of purchases irrespective of a method of their carrying out.

6.1.6 If circumstances have demanded changes in the purchase method specified in the Plan of purchase, its choice is produced according to norms of the given Regulation unless other reasonable provided by the current legislation of the Russian Federation, and the method change is subject to the coordination with the CPB of the Company. The change of a method of purchase without the coordination with the CPB of the Company is allowed in a case:

- a) change of a method of purchase for an open tender (auction);
- b) change of the form of carrying out of purchase from closed to open procedure with preserving the method of purchase, but with taking into account sub-item a) of this item.

6.1.7 The Plan of purchase by types of activity under the established form is agreed with the CPB of the Company and approved by the Company's Board of directors

6.1.8 The Plan of purchase does not include data on purchase of goods (works, services) in the cases specified in subitem a) of item **Ошибка! Источник ссылки не найден.** of this Regulation.

6.2 Preparation of the Plan of purchase

6.2.1 The preparation of the Plan of purchases to acquire innovative, highly technological goods, medical products is performed in a general order taking into account the norms of item 14.1 of this Regulation and requirements of the current legislation of the Russian Federation.

6.2.2 The Plan of purchase is formed according to the Budget draft of the Customer and on the basis of the programs determining productive activity of the Customer.

6.2.3 The Plan of purchase shall be formed in a uniform system specified by the organizational-administrative document of the Customer, including with use of means of automation, according to acting rules of work of the given system.

6.2.4 At draft forming of the Plan of purchase the following rules are observed:

6.2.4.1 purchases are included in the plan of year in which the conclusion of corresponding agreements is planned;

6.2.4.2 some reasonable consolidation of purchases of homogeneous goods is conducted;

6.2.4.3 splitting of purchase of homogeneous goods into some positions is supposed for the purpose of simplification of a method of purchase concerning formation of priority ranging of a purchase method is not allowed (item 5.2.2 of this Regulation), except the purchases directly connected with accomplishment of measures for grid connection with a term of a grid connection contract execution not exceeding 12 Months.

6.2.5 Preparation of the Plan of purchase takes 3 stages:

6.2.5.1 Draft development of the Plan of purchase on the basis of drafts of the programs determining productive activity and the draft of the budget of the Customer for the following period.

6.2.5.2 Forming the Plan of purchase under requirements (goods, works, services), corresponding to the adopted programs determining productive activity of the Customer.

6.2.6 The adjustment of this Regulation holds only after coordination with the CPB of the Company.

6.2.7 Adjustment of the Plan of purchase can be conducted:

a) by results of justification of tariffs on electric and thermal energy with state regulation bodies;

b) in connection with adjustments of the Budget of the Customer, investment and production or other programs or plans of the Customer;

c) on other bases connected with necessity of unforeseen in advance change of the Plan of purchase.

6.2.8 The Plan Project of purchase should be agreed in an order and in terms established by the internal organizational-administrative document of the Company. Thus the Plan of purchase for forthcoming year should be submitted for approval by the Board of directors of the Company not later than October, 1st of

year prior the planned year, under condition of availability of the approved Budget of the Customer.

6.2.9 Heads or their authorized employees should participate in the coordination of the Plan of purchase and changes brought in it, from:

- a) financial and economic and (or) investment divisions of the Company, regarding the coordination of availability and financing sources;
- b) technical divisions, or end users of bought goods, regarding requirement confirmation;
- c) purchasing divisions, regarding check of conformity of the Plan of purchase to the norms of this Regulation and the current legislation of the Russian Federation.

6.2.10 The purchases planned to carrying out according to items 8.12.4 and 8.12.5 of this Regulation are brought in the Plan of purchase of the Customer beforehand or simultaneously with the conclusion of the agreement provided in the mentioned items by decision making of the CPB of the Company.

6.2.11 The initiator of purchase is obliged at preparation of the Plan of purchase to consider the long-term contracts earlier concluded for execution in the planned period, and volume of warehouse stocks to avoid duplication of acquisition of necessary goods.

6.2.12 At preparation of the Plan of purchase it is necessary to give special attention to validity of decision making about carrying out of purchases by the methods which are distinct from the methods of purchase directly provided by this Regulation taking into account price thresholds, and also about determination of the list of participants of the closed methods of purchases and name of the counterpart at purchase from a single supplier (contractor, performer). In respect to each such a decision as appendices to the Plan of purchase detailed justifications should be arranged, which should be stored in the CPB together with the Plan of purchase during the term comparable to storage duration of the corresponding Plan of purchase. In case of purchase from a single supplier (contractor, performer) the explanatory note should also contain the justification of choice of the given supplier with taking into account item 5.11.1, the cost justification of such a purchase.

6.2.13 The name of bought goods (the agreement scope, minimum necessary requirements to the goods, works, services), specified in the Plan of purchase, should completely enough and accurately describe goods bought within the limits of the corresponding line of the Plan of purchase.

6.2.14 The Plan of purchase under the form, provided by requirements of the current legislation, is placed on an official site in the order and terms provided by section 3 of this Regulation.

6.3 Special provisions

6.3.7 The CPB of the Company has the right to initiate punishment of officials of the Customer, guilty of poor-quality requirements planning of the Customer in goods. For the CPB of the Company the basic indicators determining poor-quality planning can be: facts of unreasonable "splitting up" of purchases into smaller ones; a considerable difference between the estimated in the Plan of purchase

product value and the price received as a result of carrying out of purchase; frequent non-execution of the terms established in the Plan of purchase.

7. THE ORDER OF PREPARATION AND DECISION MAKING ABOUT PURCHASE

7.1 Preparation for purchase

7.1.1 The organizer of purchase during its preparation in each case for the purpose of forming of the notice on carrying out of purchase, the documentation about purchase determines in advance:

- a) requirements to bought goods, including the initial (maximum) price of the agreement (lot) at possibility of its determination at a stage of the publication of the notice and documentation about purchase;
- b) requirements to participants of purchases;
- c) an agreement draft concluded by results of a purchase procedure;
- d) requirements to members and registration of bids;
- e) that the confirmation of conformity of bought goods (and also processes of its production, storage, transportation, etc.) to the requirements, shown to them by the Customer, is conducted according to the legislation of the Russian Federation, including on technical regulation in the accredited bodies on obligatory certification (regarding the requirements concerning safety), and in the systems of voluntary certification brought in the state register (regarding other essential requirements which list is determined by the Customer). Documentary expression of determination of conformity are certificates or other documents which do not contradict the current legislation of the Russian Federation;
- f) the order of estimation and ranging of bids by degree of their preference for the Customer and determination of the person (persons) acquiring by results of procedure of purchase the right of the conclusion of the corresponding agreement (except purchase from a single supplier (contractor, performer)).

7.1.2 The provided in item 7.1.1 of this Regulation requirements and estimation rules should not impose excessive restrictions on competitive tendering of participants. At forming lots it is not allowed to have artificial restriction of competition (membership of participants) by means of inclusion in the lots of goods, which technologically are not connected with items of purchases.

7.1.3 In case of carrying out of purchases it is not allowed to indicate trademarks, service marks, company names, patents, utility models, industrial patterns, the name of a place of origin of goods or the name of a manufacturer, and also requirements to goods, information, works, services if such requirements involve restriction of the quantity of participants of purchases. The notice on carrying out purchases, the documentation about carrying out purchases may contain indications on trade marks in case if at accomplishment of works, rendering services it is supposed to use the goods which delivery is not an item of the purchase. While indicating trade marks in the notice on the purchase making, in the documentation about purchase, they should be accompanied with the words “or an equivalent”.

7.1.4 In the case specified in item 7.1.3, it is possible not to specify the words “or equivalent”:

- a) at purchase of running spares or expendable materials for the equipment which is on a guarantee and if use of such running spares or expendable materials is provided by conditions of the guarantee, the design documentation, the technical operational documentation, at this the reference to provisions of such documentation is given in the documentation about purchase together with trademark indication;
- b) under the decision of the Customer, in a case if the bought goods will be used only together with the goods already used by the Customer, and thus already used goods are incompatible with the goods of other trademarks; thus the justification of such a decision is indicated in the documentation about purchase together with trade mark indication;
- c) in cases of standardization (unification) of bought goods according to a technical policy of the Customer; thus references to provisions of such technical policy are specified in the documentation about purchase together with trade mark indication.

7.2 Accepting and registration of the decision on purchase carrying out

7.2.1 The decision on direct carrying out of purchase (each separate or a series of the same, conducted within the limits of any program, project, time period etc.) is arranged in the form of the order (another administrative document) of the person determined according to item 7.2.3 of this Regulation, and should at least contain:

- a) item of purchase (concrete or generalized);
- b) terms of carrying out of purchase;
- c) the name of a method of purchase;
- d) data on whom the functions of the organizer of purchase are assigned to;
- e) data on members of the purchasing commission.

7.2.2 The requirements of item 7.2.1 does not cover the purchase from a single supplier (contractor, performer); simple purchase, small purchase, purchase by participation in the procedures organized by sellers of goods.

7.2.3 The decision on direct carrying out of purchase (each separate or a series of the same, conducted within the limits of any program, project, time period etc.), except purchasing at single supplier (performer, contractor), is arranged with an order (another administrative document) of the person who performs the functions of the chief executive officer, or another person having the right of signing of the agreement concluded by results of purchase, under the established form.

7.2.4 Signing the agreement on purchase, for which carrying out registration of the administrative document is not required, is performed on the basis of the confirmed Plan of purchase or the decision of the CPB of the Company, the analytical note, confirmed by the decision of the CPB of the Company when due hereunder (for small purchases).

7.2.5 The procedure of preparation and coordination with specialized divisions of the Customer of orders (other administrative documents) about direct carrying out of purchase is performed according to organizational-administrative documents of the Customer. Powers on preparation of orders (other administrative documents)

about direct carrying out of purchase can be transferred under the agreement to a third party organization. In this case the coordination and signing of orders (other administrative documents) is performed according to the procedure established by the agreement and organizational-administrative documents of the Customer.

7.2.6 The specialized division of the Customer, which is the initiator of purchase, gives the documents established according to internal organizational-administrative documents of the Customer necessary for the purchase organization and carrying out, to the division of the Customer responsible for carrying out of purchases, or to the organizer of purchase (in case of his involvement) not later than 5 (five) working days prior to the expiration established in respect of the Plan of purchase (adjusted Plan of purchase) of the term of the announcement of the purchasing procedure.

7.3 The purchase announcement

7.3.1 With a view of market research carrying out the Customer (the Organizer of purchase), if required, is recommended to announce at any time before the official beginning of any purchases the future purchases both separate, and as a part of any programs, projects etc. In the text of the published announcement it should be specified that the given publication is not an official document declaring the beginning of procedures, and also details of persons are given to whom interested suppliers can direct the information about themselves so that after the official announcement of competitive purchase, the information on the beginning of procedures will be directed to these suppliers.

7.3.2 If the announcement is performed, its copy is without fail published on the official site according to the requirements of item 3.1 and 3.2 of this Regulation. The Organizer of purchase has the right to ask interested suppliers to give any information on themselves, produced goods, terms of delivery, rendered services, performed works and so on, however he should specify that such information will not be considered as an offer, obligatory for conclusion of an agreement.

7.3.3 In the announcement text it is indicated that not holding before announced purchases cannot be a basis for any claims from suppliers.

7.4 General requirements to the notice on purchase and the documentation on purchase

7.4.1 The beginning of procedures of any purchase in the open form should be officially declared by placing on an official site of the notice on purchase carrying out and documentation about purchase. The notice on carrying out of the closed purchase, except for cases specified in item 3.1.7. of this Regulation, should be simultaneously placed on an official site and directed to all invited suppliers; the documentation about the closed purchase is transferred to such participants of purchase only after signing by them with the Organizer (Customer) agreements on confidentiality concerning their participation in the purchase.

7.4.2 Before placing on the official site the notice about purchase carrying out and the documentation about purchase should be agreed upon by the purchasing commission of the Company.

7.4.3 The following data should be specified in the notice on purchase, including:

- a) a method and form of the purchase from among those provided in Section 5 of this Regulation (except for purchase by participation in the procedures organized by sellers of goods);
- b) the name, location, postal address, e-mail address, number of contact phone of the Customer and the Organizer (in case of his attraction);
- c) the scope of the agreement with indication of quantity of the delivered goods, volume of the carried out works, rendered services,
- d) the place of delivery of goods, accomplishment of works, rendering services;
- e) data on the initial (maximum) price of the agreement (the lot price). In case of establishment of the initial (maximum) price of the agreement (the lot price) the precise indication should be contained, whether expenses on its transportation, insurance, payment of custom duties, taxes and other possible payments are included in the product value;
- f) the term, place and order of provision of the documentation about purchase, size, procedure and payment taken by the Customer for documentation provision if such payment is established by the Customer (except for cases of provision of the documentation about purchase in the form of the electronic document);
- g) the place and terms of consideration of offers of participants of purchase and purchase summarizing;

7.4.4 The data specified by this Regulation should be contained in the documentation about purchase, including:

- a) requirements to the participant of purchase and the list of the documents subject to representation by the participant of purchase and confirming his conformity, and also conformity of co-contractors (subcontractors, sub-suppliers) in the event that in the documentation about purchase some possibility is provided to involve by the participant of purchase of co-contractors (subcontractors, sub-suppliers) for the agreement execution in case, if according to the legislation of the Russian Federation the requirements are established to the persons performing deliveries of goods, accomplishment of works, rendering services, and being the item of purchase;
- b) the established by the Customer requirements to quality, technical characteristics of goods, work, service, to their safety, to functional characteristics (consumer properties) of the goods, to sizes, packaging, goods shipment, results of work and other requirements connected with determination of conformity of the delivered goods, performed work, rendered service to the requirements of the Customer; to the order of confirmation of conformity to these requirements;
- c) requirements to the content, form, registration and composition of the application form for participation in purchase;
- d) requirements to the description by participants of purchase of the delivered goods which are an item of purchase, its functional characteristics (consumer properties), its quantitative and quality characteristics, requirement to the description by participants of purchase of the performed work, rendered service which are an item of purchase, their quantitative and quality characteristics;
- e) the place, conditions and terms (periods) of delivery of goods, accomplishment of work, service rendering;

- f) data on the initial (maximum) price of the agreement (the lot price). In case of establishment of the initial (maximum) price of the agreement (the lot price) the precise indication should be contained, whether expenses on its transportation, insurance, payment of custom duties, taxes and other possible payments are included in the product value;
- g) the form, terms and payment procedure of goods, work, service;
- h) the order, place, start date and expiry date of the term of giving of application forms for participation in purchase;
- i) forms, the order, start date and expiry date of the term of provision to participants of purchase of explanations of provisions of the documentation about purchase;
- j) the place and date of consideration of offers of participants of purchase and purchase summarising;
- k) criteria of estimation and comparison of application forms for participation in purchase;
- l) the order of estimation and comparison of application forms for participation in purchase.

7.4.5 The notice on purchase, the documentation on purchase besides the data specified, accordingly, in item 7.4.3 and 7.4.4 of this Regulation, can contain other conditions of carrying out of purchase according to the provisions of item 8 of this Regulation.

7.4.6 The contract draught without fail should be attached to the documentation about purchase.

Qualifying selection criteria should not impose excessive restrictions on competitive tendering of participants.

7.4.7 The notice on purchase and the documentation on purchase are simultaneously placed on the official site in the terms specified by this Regulation depending on a method of purchase.

7.4.8 At carrying out of open competitive procedures the documentation about purchase can be given out to any participant at his request who has satisfied conditions of its receipt, at closed — exclusively to invited participants.

7.5 Acknowledgement of competitive procedure of purchase not taken place

7.5.1 Competitive procedure of purchase is recognized not taken place, if upon end of term of giving of bids (offers):

- a) only one bid (offer) has been submitted;
- b) no bid (offer) has been submitted.

7.5.2 Competitive procedure is also recognized not taken place, if by results of consideration of bids (offers) the decision is accepted:

- a) about refusal in the admission to all participants who have submitted the bids (offers);
- b) about the admission only of one participant.

7.5.3 In addition to item 7.5.1 and 7.5.2 of this Regulation, auction is recognized not taken place if any of the admitted participants of the auction have not submitted the price offer, different towards reduction from the initial (maximum) price of the agreement (the lot price).

7.5.4 If the documentation about purchase provides for two and more lots, the procedure is recognized not taken place only on that lot in which relation the provisions of one of the following items are carried out: item 7.5.1, 7.5.2 or 7.5.3 of this Regulation.

7.5.5 If at carrying out of any competitive purchase only one bid was submitted, however carrying out of new procedures of purchases is inexpedient (for example, limits of time for purchase carrying out are exhausted, carrying out of new competitive purchase will not lead to change of a circle of participants and occurrence of another winner), and the given bid is acceptable and conforms to requirements of the Notice on carrying out of purchase and the documentation about purchase, the purchasing commission has the right to make the decision on the conclusion of the agreement with the participant who has submitted such a bid. Results of not taken place open competitive procedure, in view of absence of competition in the market, can be a basis for accepting the decision by the CPB (according to its competence) on carrying out of purchase without change of an item of purchase, but with change of a method of purchase towards procedure simplification (for example to conduct request for proposals instead of a tender).

7.5.6 If at carrying out of any competitive purchase more than one bid has been submitted, but only one of them has been admitted for participation in purchase, the decision on the conclusion of the agreement with the participant, who has submitted such a bid, is accepted by the CPB of the Company.

7.5.7 If purchase carrying out has not led to a choice of the winner and (or) to the agreement conclusion on its results (except for the cases specified in item 7.5.5 and 7.5.6 of this Regulation), the purchasing commission has the right to make the decision on carrying out of repeated purchase by the same method with change or without change of conditions of the documentation on purchase. At carrying out of repeated purchase no change of an item of purchase is allowed.

7.5.8 In case if repeated carrying out of purchase has not led to a choice of the winner and (or) to the agreement conclusion (no bid submitted), the Initiator of purchase prepares the offer on change of a method of purchase and brings it for consideration by the CPB of the Company. At a session of the CPB of the Company the decision is taken on a purchase method, terms of preparation of the documentation on purchase and carrying out procedure, on other essential conditions of purchase. The CPB has the right to make the decision on purchase carrying out by any provided in section 5 of this Regulation methods without dependence on purchase cost.

8. ORDER OF CARRYING OUT OF PROCEDURES OF PURCHASE

8.1 Procedure of opened one stage tender

8.1.1 General provisions

8.1.1.1 Opened one stage tender is conducted in the following order:

- a) determination of the basic conditions, requirements and procedures of tender according to item 7.1 of this Regulation;
- b) issue of the corresponding administrative document according to item 7.2 of this Regulation;

- c) announcement of tender (if necessary) according to item 7.3 of this Regulation;
- d) development of the notice on carrying out of tender and the tender documentation according to general requirements of item 7.4 of this Regulation and to special requirements of item 8.1.2 and 8.1.3 of this Regulation, their approval according to item 7.4 of this Regulation;
- e) placing the notice about carrying out of tender and the tender documentation on an official site according to item 3.1 and 3.2 of this Regulation, and in other sources, and also, whenever possible, the additional notification of the most probable participants in an order provided by this Regulation (under the decision of the tender commission);
- f) receipt by participants of the purchase of the tender documentation according to item 8.1.4 of this Regulation;
- g) explanation of the tender documentation; change of the tender documentation (if necessary); refusal of tender carrying out (if necessary) according to item 8.1.5 of this Regulation;
- h) carrying out of preliminary qualifying selection (if necessary) according to item 8.12.1 of this Regulation;
- i) receipt of envelopes with competitive bids and (or) receipt of bids through ETP functionality according to item 8.1.7 of this Regulation;
- j) public opening of envelopes with competitive bids or access opening to the arrived bids on ETP, report placing on the official site and on ETP (at tender carrying out on ETP) according to item 8.1.8 of this Regulation;
- k) comparison and estimation of competitive bids according to item 8.1.9 of this Regulation, including carrying out rebidding, report placing on the official site according to item 3.1 and 3.2 of this Regulation;
- l) selection of winner or declaring the tender as void; publishing of information on it at official website according to paragraphs 3.1 and 3.2 of this Regulation;
- m) signing of the report on results of tender with the winner and its placing on an official site according to item 3.1 and 3.2 of this Regulation;
- n) carrying out of pre-contractual negotiations between by the Customer and the winner of the tender (if necessary);
- o) signing of the agreement with the winner;
- p) registration of the report on carrying out the tender.

8.1.1.2 Procedure of rebidding is not announced and is not conducted at tender carrying out without dependence on the size of the initial (maximum) price of the agreement (lot) in the following cases:

- a) in connection with specificity of an item of purchase the offers at the price of the agreement are identical and equal at all participants of purchase (for example MTPL insurance);
- b) At tender carrying out for the right of the conclusion of the frame agreement with the subsequent carrying out of request for quotation with participants of such a frame agreement.

8.1.2 The notice on tender carrying out

8.1.2.1 The notice on tender carrying out should be officially published and (or) placed on the official site simultaneously with the tender documentation within the following terms:

- a) at goods purchase for the sum less than 100 million RUB with taking VAT into account — not less than 20 days prior to the end of term of giving of application forms for participation in tender;
- b) at goods purchase for the sum equal or exceeding, 100 million RUB, but no more than 500 million RUB with taking VAT into account — not less than for 25 Days before the end of term of giving of application forms for participation in tender;
- c) at goods purchase for the sum of 500 million RUB with taking VAT into account and more — not less than for 30 Days before the end of term of giving of application forms for participation in tender.

8.1.2.2 Reduction of the term established in sub-item b) and c) of item 8.1.2.1 of this Regulation (but anyway not less than 20 days prior to the end of term of giving of bids) is possible only under the decision of the CPB of the Company according to its powers in the presence of the justification for accepting such decisions.

8.1.2.3 The notice on tender carrying out in addition to the data specified in item 7.4 of this Regulation, should contain:

- a) data on time of the beginning and end of acceptance of competitive bids, the place and order of their representation by participants;
- b) data on the place and time of carrying out of procedure of opening of envelopes with competitive bids or access opening to the bids transferred through ETP;
- c) indication on the right of the Customer (Organizer) to refuse carrying out of tender and the term before which the Customer (Organizer) is able to do it without any consequences for himself;
- d) the reference to the fact that other and more detailed conditions of tender are formulated in the tender documentation;
- e) other essential information if necessary.

8.1.2.4 The data specified in the notice on carrying out of tender, should correspond to the data specified in the tender documentation (item 8.1.3 of this Regulation).

8.1.2.5 The notice on tender carrying out is an integral part of the Tender documentation.

8.1.3 The tender documentation

8.1.3.1 The tender documentation should contain the information necessary and sufficient so that participants of a purchase could make the decision on participation in tender, prepare and submit bids so that the tender commission could estimate them in essence and choose the best offer.

8.1.3.2 The tender documentation in addition to the data provided in item 7.4 of this Regulation, should contain conditions and the order of carrying out of tender, including:

- a) general data on tender and its purposes, basis of its carrying out;

- b) the rights and obligations of the Organizer of the tender and its participants, including the right of the Organizer and (or) Customer to check conformity of the data given by the participant;
- c) the place, conditions and terms (periods) of delivery of goods (accomplishment of work, service rendering);
- d) the requirement to the content, form, registration, period of validity and the application form for participation in tender (during the period of which the Customer can accept, i.e. take the competitive bid and demand the agreement conclusion on its conditions taking into account the price, offered by participants at tender carrying out), and data on its filling;
- e) the description of the order of explanation of the tender documentation and entering additions into it, and also carrying over of end dates of acceptance of competitive bids;
- f) the form, order, start date and expiry date of term of provision of explanation of the tender documentation, entering additions into it according to item 8.1.5 of this Regulation, and also carrying over of end dates of acceptance of competitive bids according to sub-items 8.1.5.2 - 8.1.5.4 of this Regulation;
- g) conditions and the order of carrying out of tender (including the rights and obligations of the Organizer and participants of tender, and also criteria and the order of estimation of competitive bids and choice of the winner);
- h) the instruction on registration of competitive bids;
- i) forms of documents submitted as a part of the competitive bid;
- j) the order and term of withdrawal of application forms for participation in tender, order of modification of such bids;
- k) indication on application of special requirements and the procedures listed in subsection 8.10 of this Regulation;
- l) indication on possibility of carrying out by the Customer of pre-contractual negotiations after determination of the winner of tender;
- m) requirements to the form, size, order of representation and period of validity of provision of execution of obligations of the participant of the tender, connected with giving of the competitive bid by him (provision of competitive bids) according to item 8.1.6 of this Regulation, and provision of execution of obligations under the agreement if it is provided;
- n) the place, date and time, order of opening of envelopes with application forms for participation in tender or access opening to bids on ETP (at tender carrying out on ETP);
- o) determination of criteria and conditions of choice of the winner of tender;
- p) the term from the date of choice of the winner of tender during which the winner should sign the contract draught or make other actions provided by the tender documentation for its signing;
- q) data on the fact that in a case if for the agreement conclusion its preliminary approval by the Company's Board of directors, General meeting of shareholders of the Company is necessary, such agreement can be concluded only after corresponding approval;

r) other requirements established according to the current legislation of the Russian Federation, this Regulation or reasonable wishes of the Customer.

8.1.3.3 The tender documentation is approved by the tender commission and its original is stored at the Organizer of purchase.

8.1.4 Granting of the tender documentation

3.2 The tender documentation is placed on the official site, the corporate website of the Customer and (or) Organizer of the tender, and at purchase carrying out on ETP — on the corresponding site, according to the provisions of item 3.1 and 3.2 of this Regulation.

8.1.4.1 The Organizer of tender gives the paper version of the tender documentation to any participants of purchase, addressed to him in connection with the notice placing and (or) publication. The tender documentation should be ready to be issued to participants of purchase on the basis of their inquiry from the date of documentation placing on the official site.

8.1.5 Explanation of the tender documentation. Modification in the notice on carrying out of tender, tender documentation

8.1.5.1 The Organizer of tender on the basis of a position of the Customer in relation to the received inquiry about an explanation (if necessary) is obliged to answer any letter of inquiry of the participant of purchases in due time, concerning explanation of the notice, the tender documentation, received not later than the term established in it. Explanation of provisions of the notice, the tender documentation is subject to placing on the official site according to item 3.1 and 3.2 of this Regulation.

8.1.5.2 Before the expiry of the term of end of giving of competitive bids the Organizer of tender in coordination with the Customer can make for any reason changes to the notice, the tender documentation. Changes in the notice, the tender documentation are subject to placing on the official site according to item 3.1 and 3.2 of this Regulation. Thus the Organizer of tender should transfer end dates of acceptance of competitive bids according to the point of item 4.1.2.3a) of this Regulation.

Example:

in case of the issue of explanations or modification of the tender documentation; if one or several participants of purchase not in a condition to present the competitive bids when due hereunder and have addressed with the corresponding bid to the Organizer of tender.

8.1.5.3 At prolongation of deadline of giving of competitive bids the Organizer of tender publishes the information on it on the official site. The notification of prolongation of term of acceptance of competitive bids is placed on ETP (at tender carrying out on ETP) and (or) simultaneously goes to each participant who has received the tender documentation on the basis of corresponding inquiry (at tender carrying out on paper carriers).

8.1.5.4 The order of prolongation of term of giving of bids is regulated by the norms of item 4.1.1. and item 4.1.2.3 of this Regulation.

8.1.6 Provision of execution of obligations

8.1.6.1 The Organizer of tender in coordination with the Customer has the right to establish in the tender documentation the requirement to provide by each participant of purchase some security of execution of the obligations connected with giving by him the competitive bid (provision of the competitive bid) and (or) some security of execution of obligations under the agreement (agreement provision) by the winner. A provision method — a bank guarantee, an agreement on the penalty, a guarantee, transfer of money funds to the settlement account of the Customer or others, established by the CPB and specified in the tender documentation. Requirements to the issuer of provision should not impose excessive restrictions on competition of participants.

8.1.6.2 The size of provision of the competitive bid by the penalty should not exceed ten percent from the initial (maximum) price (if it is declared) or from the price specified by the participant of tender in the competitive bid, at use of other forms of provision — no more than three percent at cost of purchase up to 1 (one) billion rubles inclusive, no more than one percent at cost of purchase more than 1 (one) billion rubles.

8.1.6.3 The order of provision of security of obligations under the agreement, its size is determined by the Customer independently in the tender documentation, terms of return and loss of provision of obligations under the agreement are regulated in the contract draught or its essential conditions included in the tender documentation according to item 8.1.3 of this Regulation.

8.1.6.4 Provision of the competitive bid is given simultaneously with the bid. Provision period of validity should be equal or exceed period of validity of the bid and is determined by the tender documentation, thus:

- a) the requirements, concerning provisions of the competitive bid, should be identical to all participants of tender;
- b) the tender documentation should contain the requirements shown to guarantors (security), and also to methods, sums and the order of provision granting;
- c) the tender documentation should contain the description of the order of returning of provision of competitive bids, and also circumstances, at which a tender participant loses it.

8.1.7 Receipt of competitive bids

8.1.7.1 Competitive bids are accepted up to the term stipulated in the notice on carrying out of tender and (or) the tender documentation. If the participant of tender has presented the bid with delay, the bid is not considered, the envelope in which the bid is submitted, is not opened, if the envelope has data on the person who has submitted such envelope, and data on the tender. At the request of the Participant (arrived not later than 3 months from expiry date of term of accepting bids) such envelope is returned to the Participant who has submitted it.

8.1.7.2 The tender documentation should stipulate that competitive bids are to be submitted in sealed envelopes, however the Organizer of tender should not refuse acceptance of an envelope with the bid only on the ground that it is not sealed or sealed improperly. The corresponding receipt with indication of time and place of its acceptance is given to the representative of the participant, who has

presented the competitive bid. The corresponding mark is made about the receipt of the improperly sealed bid.

Note:

“Envelope” is understood as any packaging reliably closing contents (an envelope, a box, a sack, an electronic envelope (for purchases on electronic trading platforms) etc.).

8.1.7.3 The Organizer of tender is recommended to provide reasonable measures of security concerning check of contents of envelopes without their opening.

8.1.7.4 At tender carrying out on ETP, bids are accepted by the method provided by rules of the given ETP.

8.1.7.5 If the Organizer of tender prolongs the end date of acceptance of competitive bids the participant of the tender, who has already made an application, has the right to accept any of the following decisions:

- a) to withdraw the submitted bid;
- b) not to withdraw the submitted bid, having extended thus term of its action for the corresponding time period and having changed it (if desired);
- c) not to withdraw the submitted bid and not to change term of its action, thus the competitive bid loses the force in the term originally established in it.

8.1.8 Opening of the envelopes which have arrived for the tender

8.1.8.1 Procedure of opening of the envelopes which have arrived for the tender is conducted at in advance appointed time and in advance determined place according to the notice on tender carrying out; if tender is conducted on ETP the order of opening of access to bids of participants is established by corresponding regulating documents of the ETP.

8.1.8.2 Opening of the envelopes which have arrived for the tender and (or) access opening to envelopes is conducted in the presence of not fewer than two members of the tender commission (or authorized representatives from employees of the Customer, the Organizer of tender on the basis of the written order of a member of the tender commission) or at commission session, with possible attraction of other employees of the Customer, the Organizer of tender or third parties. At tender carrying out on paper carriers representatives of each of the participants of the tender, who has in due time presented the competitive bid, have the right to be present at that procedure. At tender carrying out on ETP the procedure of opening of envelopes is performed according to regulating documents of the ETP.

8.1.8.3 During public opening of the envelopes which have arrived for the tender the chairman or any of members of the tender commission, proceeding from the documents presented in the competitive bid, discloses the following information:

- a) about envelope contents (the competitive bid, its change, withdrawal, other);
- b) the name, location and actual address of the participant of tender;
- c) the short description of goods offered in the bid and the price of the competitive bid (or other instructions for a total cost of the offer of the participant of tender) if the price is specified in the bid;
- d) for envelopes with changes and withdrawals of bids — the essence of changes or the fact of withdrawal of the bid;
- e) any other information which the tender commission will consider necessary to announce.

8.1.8.4 Representatives of participants of the tender can be given the right for the report of information on the essence of the competitive offer and answers to questions of members of the tender commission within the limits of the item of tender.

8.1.8.5 The competitive bids, which are not opened and have been not read in the order described above, cannot be accepted further in the given purchase to be considered under no circumstances.

8.1.8.6 By the results of the procedure of opening the envelopes with competitive bids irrespective of the form of carrying out of opening of envelopes the corresponding report should be constituted, which should contain the following data:

- a) membership of those present at the opening procedure;
- b) the total quantity of the arrived competitive bids and the list of participants of the tender who have presented the bids, together with their addresses;
- c) the information which has been announced during the procedure;
- d) the list of the late competitive bids (or the late changes, replacement of competitive bids), rejected owing to the given circumstance, arrived with delay before the moment of drawing up the report.

8.1.9 Comparison and estimation of competitive bids

8.1.9.1 Comparison and estimation of competitive bids is performed by the tender commission. It has the right to involve in the given process experts and any other persons who it will consider necessary. Thus the tender commission should provide confidentiality of process of estimation and observance of commercial secret of participants of the tender.

8.1.9.2 Before attraction to comparison and estimation of competitive bids each member of the tender commission and also involved experts and any other persons having access to the information of competitive bids, should make addressed to the chairman of the tender commission the written application about the impartiality. A member of the tender commission, an expert or another person, who has learnt after the procedure of opening of envelopes with competitive bids that among participants of the tender there are persons whose offer he or she cannot consider impartially, he or she is obliged to disqualify himself or herself, the decision on which is accepted by the chairperson of the tender commission.

8.1.9.3 It is recommended to perform estimation of competitive bids in the following order:

- a) carrying out of a selection stage according to points 8.1.9.4—8.1.9.7 of this Regulation;
- b) carrying out of an estimation stage according to points 8.1.9.8—8.1.9.15 of this Regulation.

8.1.9.4 Selection stage. Within the limits of a selection stage the tender commission performs consistently the following actions:

- a) check of bids for observance of requirements of the tender documentation to registration of bids; thus competitive bids are considered as meeting the requirements of the tender documentation even if in them there are insignificant discrepancies under the form, or arithmetic and grammatical errors which are

corrected and the participant, who has presented the given bid, agrees with their correction;

b) check of the participant of tender on conformity to tender requirements (in case preliminary qualifying selection was not conducted);

c) check of offered goods on conformity to requirements of the tender documentation;

d) check of conformity of the price of the bid to the established initial (maximum) price if it was established;

e) availability of data on the supplier in the Register (s) of unfair suppliers if the requirement about absence of the participant in such Register (s) has been provided;

f) receipt of the opinion of the economic security service of the Customer;

g) deviation of competitive bids which, under the decision of members of the tender commission, do not conform to tender requirements in essence.

8.1.9.5 Within the limits of a selection stage if necessary the tender commission has the right to perform the following actions:

a) request from tender participants explanation of provisions of competitive bids and giving missing data and (or) documents (if necessary) provided that such data and documents have been specified in the tender documentation. Thus inquiries or requirements about giving missing documents, aimed to change the essence of the competitive bid, including change of commercial conditions of the competitive bid (the price, currency, terms and conditions of delivery, the procurement or payment schedule, other commercial conditions) are not allowed. Requests about giving absent provision of the competitive bid or change of the before given provision are not allowed either. Specifying inquiries on specifications of the competitive bid (the list of offered goods, its technical characteristics, other specifications) are allowed, thus the given specifications should not change the item of the conducted purchase;

b) correction of arithmetic, grammatical and other obvious errors revealed during consideration of competitive bids with the obligatory notification of the participant of tender about any similar correction, who presented the corresponding bid, and receipt of his consent in writing.

8.1.9.6 At carrying out of a selection stage the tender commission accepts estimations and recommendations of experts (if they were involved), however it can

make any independent decisions taking into account the order of estimation of bids, specified in the tender documentation.

8.1.9.7 At carrying out of a selection stage the Customer, the Organizer of tender has the right to check conformity of the data given by the participant to their validity, including by direction of inquiries to the state structures, to the persons specified in the bid, and also to conduct field checks.

8.1.9.8 Estimate stage. Within the limits of an estimation stage the tender commission estimates and compares competitive bids which have not been rejected at the selection stage. The purpose of comparison and estimation of bids consists in

their preliminary (before rebidding) ranging on degree of preference for the Customer.

8.1.9.9 The estimation is performed in strict conformity with the criteria and procedures specified in the tender documentation.

8.1.9.10 At ranging of bids the tender commission accepts estimations and recommendations of experts (if they were involved), however it can make any independent decisions taking into account the order of estimation of bids, provided in the tender documentation.

8.1.9.11 At the publication of criteria of estimation of bids the tender documentation should specify both the order (including hierarchy) of their application at bid evaluation, and the exact relative importance (weight coefficients) of each such criterion.

8.1.9.12 Criteria can concern:

- a) reliability and qualifications of the participant, and also the registered co-performers (subcontractors);
- b) efficiency of the offer presented by the participant, from the point of view of satisfaction of requirements of the Customer (including offered contractual conditions);
- c) the offer price considered either directly, or as calculated total costs of the Customer at accepting of the given offer (for example, the price plus expenses on operation, servicing and repair, required additional costs etc.);
- d) other reasonable criteria.

8.1.9.13 In the presence of a direct instruction in the Notice and tender documentation on application of preferences (priorities), specified in item 4.4, the tender commission at estimation and comparison of competitive bids considers such preferential adjustments.

8.1.9.14 Selection and estimation stages can be combined (be conducted simultaneously).

8.1.9.15 At estimation of quantitative parameters of activity of several legal or physical persons acting on the party of one participant of purchase (collective participants), these parameters are summed up according to distribution of supply, works, services between such physical or legal entities. Indicators not subject to summation should be available at least at one such person.

8.1.10 Procedure on price lowering (rebidding)

8.1.10.1 At carrying out of tender the organizer of tender announces in the tender documentation (irrespective of the size of the initial (maximum) agreement prices (the lot price)) that he will give to participants of tender possibility voluntarily to raise preference of their bids by decreasing the initial (specified in the bid) price (hereafter — the rebidding procedure, rebidding), under condition of preserving of other provisions of the bid without changes. Rebidding is not conducted when organizing tender for the right to conclude framework agreement, and also at carrying out of tenders where the price is not a criterion of estimation for choice of the winner.

8.1.10.2 Rebidding should be conducted after check of conformity of the bids to the requirements established in the documentation.

8.1.10.3 For rebidding all participants admitted for participation to purchase are invited without fail. The commission also has the right to admit to rebidding alternative bids of participants, in the presence of those. In preliminary ranging alternative bids are considered together with the main ones. The notification of carrying out rebidding should go to the address of the admitted participants within a reasonable term, sufficient for decision making about participation in the rebidding procedure. With a view of provision of equal possibilities of participation for all participants of the rebidding, it is recommended to fix the rebidding time taking into account time zones of participants location.

8.1.10.4 The participant of purchase, invited for rebidding, has the right not to participate in it then his bid remains acting with the earlier declared price.

8.1.10.5 Rebidding can have internal (points 8.1.10.6—8.1.10.8 of this Regulation), correspondence (point 8.1.10.9 of this Regulation) or internal-correspondence, i.e. the mixed form of carrying out (point 8.1.10.10 of this Regulation).

8.1.10.6 The persons, who have signed the bid, or the persons authorized by the participant on behalf of his name to participate in the rebidding procedure and to declare the obligatory prices for the participant, should arrive personally for internal rebidding. Anyway such persons should before the beginning of rebidding present to the Organizer of purchase the documents confirming their powers (the passport, and also the original of the letter of attorney or the order and minutes abstract of meeting of founders about appointment of the head, in case of his arrival at the rebidding procedure). More detailed requirements to the persons participating in rebidding, can be provided in the tender documentation.

8.1.10.7 Rebidding is conducted at presence not fewer than two members of the purchasing commission (or the authorized representatives from employees of the Customer, the Organizer of purchase on the basis of the written order of a member of the purchasing commission). At internal rebidding, conducted in the paper form, the organizer of purchase suggests all invited participants to declare new prices publicly. The participant declares a new price of the offer, based on knowledge of the prices of other participants, but without having an obligation to offer the price necessarily below the prices of other participants. In the tender documentation a rebidding step or order of its determination can be established. Rebidding is led consistently with all participants, with the right of omission of the announcement of the next price until all present declare that have announced the final price and will not reduce it further on.

8.1.10.8 While carrying out rebidding the organizer has the right to make audio- or videorecording on what all persons participating in the given procedure are notified in advance. Participants of the rebidding also have the right to make audio- or videorecording of the given procedure. At carrying out of internal rebidding procedure on ETP a session of the purchasing commission to fix the declared by Participants prices for rebidding may not be conducted.

8.1.10.9 At correspondence rebidding participants of a purchase, who have been invited by the organizer to this procedure, have the right to send to the organizer prior the set target date the sealed envelope with the document with a

new price, which should be less than the originally specified one. In this case the tender documentation should accurately state the order of their marking and provision, with a view of not opening them before carrying out rebidding. Also it should not limit the rights of the participants who have submitted such envelopes, for their replacement or withdrawal during the period between decision making by the organizer about carrying out rebidding and its carrying out. The specified envelopes are opened simultaneously, at presence of not fewer than two members of the tender commission (or the authorized representatives from employees of the Customer, the Organizer of purchase on the basis of the written order of a member of the tender commission), thus the final price of the bid of each participant is declared and entered in the report. Representatives of each of the participants who have in due time presented an envelope with the document with a new price have the right to be present at the given procedure of opening.

8.1.10.10 At internal-correspondence (mixed) rebidding participants of a purchase, who have been invited by the organizer to this procedure, have the right either to arrive personally (as presented by their authorized representatives) or to send to the organizer an envelope with the document with the knockdown price which is the final price of the bid of the given participant. Internal-correspondence rebidding is conducted by rules of the internal rebidding, except that before the public announcement of new prices internally by the present participants, the purchasing commission opens envelopes with the document with the knockdown price from the participants who are not present on rebidding («correspondence participation»), and declares the prices specified there.

8.1.10.11 The prices received in the course of rebidding, are registered by a report and are considered final for each of participants of this procedure. The report of internal, internal-correspondence rebidding, conducted in a paper form, is signed by the responsible secretary of the commission and representatives of participants who were present at rebidding. The organizer of purchase during 3 (three) working days after carrying out rebidding is obliged to direct to all participants the information about the new, received as a result of rebidding, prices.

8.1.10.12 Participants of purchases, who were participating in rebidding and reduced their price, are obliged to present in addition the modified documents taking into account the new price received after rebidding, which determine their commercial offer, on what it is necessary to specify in the tender documentation. Change of the price towards decrease should not cause change of other conditions of the bid or the offer except the price.

8.1.10.13 Offers of the participant on price boost are not considered, such participant is considered not participating in rebidding. This requirement should be expressly specified in the tender documentation.

8.1.10.14 After the rebidding procedure carrying out the selection stage of estimation of bids of participants can be continued and on the basis of the received responses from Participants of purchase or other information received by the Organizer, under the decision of the tender commission the bids of the Participants, not conforming to requirements of the tender documentation, can be rejected, if the

Participants have been notified by the Organizer of purchase about such possibility before carrying out the rebidding.

8.1.10.15 After receiving the final (specified) bids and carrying out rebidding the tender commission if necessary gives the instruction to the advisory council (commission of experts) to conduct an estimation according to earlier declared criteria and considering the prices received in the course of rebidding. Bids of the participants invited for rebidding, but not participating in it, are considered at making the summary ranging of bids on the original price.

8.1.10.16 The right to the agreement conclusion is awarded to that participant of the purchase, whose bid will be identified as in essence meeting the requirements of the tender documentation and taking the first place in the summary ranging estimation list. Further the procedures of choice of the winner are regularly applied (subsections 8.1.9 and 8.1.11 of this Regulation).

8.1.10.17 At carrying out purchases on ETP the rebidding is conducted by rules of work of the ETP in a real time mode, and data on its progress should be accessible to all users registered for the given purchase on that ETP.

8.1.10.18 Rebidding by a general rule is conducted at one time. The invited participants of a purchase take part in it without payment entering.

8.1.10.19 After carrying out the rebidding for the first time in case of availability of the information on possibility of additional decrease in the submitted price offers, the organizer of purchase can accept the decision on carrying out rebidding repeatedly, for a third time, etc.

8.1.11 Determination of the winner of tender

8.1.11.1 The participant who has presented the competitive bid, which by the decision of the tender commission is recognised the winner by results of the estimation stage and has won the first place in the summary ranging of bids on preference degree, is recognised the winner of the tender.

8.1.11.2 The tender commission has the right to reject all competitive bids if any of them does not meet the established requirements of the tender documentation concerning the participant of tender, item of tender, agreement provisions or bid registration.

8.1.11.3 The tender commission has the right to demand from any participant of the tender, who has occupied one of upper places in the ranging, going through postqualification — confirmation of his conformity to qualifying requirements before selection of the winner.

8.1.11.4 Post-qualification is conducted by the criteria specified in the prequalifying documentation (if preliminary qualifying selection was performed) or the tender documentation. The tender documentation should specify about possibility of carrying out of post-qualification. The competitive bid of the participant of the tender, which does not meet the necessary requirements, should be rejected, and the tender commission can continue the post-qualification procedure concerning the participant of tender with the next most advantageous offer.

Note:

Post-qualification, as a rule, is conducted in case of difficult and long going tenders and also if the Organizer of tender has data that the participant, whose bid is recognised the best, has ceased to conform to the requirements established in the tender documentation.

8.1.11.5 By results of a session of the tender commission on which the estimation of competitive bids and determination of the winner of tender is performed, the report of choice of the winner is made. In it the participants of the tender, whose bids have been considered, the ranging of the bids established by the tender commission on degree of preference are listed and the winner of tender is indicated.

8.1.11.6 The Organizer of tender immediately directs to the winning participant the notification in the written, electronic or facsimile form about his acknowledgement as the winner of tender and invites him to sign the report on the tender results according to requirements of Article 448 of the Civil code of the Russian Federation.

8.1.11.7 The report on results of tender should fix the price and other essential agreement provisions (depending on its kind), its parties, term during which such agreement should be concluded, and also obligatory actions and the requirements necessary to realize its conclusion (for example, provision of security to execute obligations under the agreement), and also results of carrying out of pre-contractual negotiations if they are conducted before signing of the report on results of the tender and the possibility of their carrying out is provided by the tender documentation. In case pre-contractual negotiations by the time of signing of the report on results have not been conducted, and the possibility of their carrying out is provided in the tender documentation the agreement price may not be fixed in the report on results. Carrying out of pre-contractual negotiations should not give pre-emptive conditions of participation in the tender.

8.1.11.8 By result of carrying out the tender the provision of their competitive bids is returned to the participants of the tender, who have not been chosen as the winner.

8.1.11.9 The participant of tender chosen as the winner, loses the status of the winner, and his actions (failure to act) mean refusal to conclude the agreement in the following cases:

- a) has not signed the report on results of tender in time, set by the tender documentation
- b) has not given to the Customer in time, provided by the tender documentation, the signed agreement;
- c) has offered the Customer to make some essential changes worsening the agreement provisions, including by negotiation (except for cases when such negotiations are conducted under the initiative of the Customer according to the decision of the Tender commission)
- d) has not given provision of execution of the agreement (in case if the tender documentation sets the requirement of provision of the agreement prior to its conclusion).

8.1.11.10 Upon occurrence of the cases specified in item 8.1.11.9 of this Regulation, the Organizer of tender has the right to choose the new won bid from among other in place or to finish the tender without determination of the Winner and to offer the Customer (in case the Organizer is a third party) to consider repeated carrying out of the purchase. Data on the supplier, who lost the status of the winner of tender in the cases provided by sub-items b) and c) of item 8.1.11.9, are entered into the Register of unfair suppliers in the order provided by Resolution of the Governmental of the Russian Federation from 22.11.2012 No. 1211 "On maintaining the register of the unfair suppliers provided by the Federal law "On purchases of goods, works, services by separate kinds of legal entities".

8.1.11.11 The Organizer of tender has the right to apply additional special procedures of tender (subsection 8.12 to this Regulation) and to make special requirements to the winner. The direct instruction on application of the given procedures and availability of such requirements to the winner should be contained in the Notice on tender carrying out (short) and in the tender documentation (in detail).

8.1.12 Disqualification of the participant of tender

8.1.12.1 At any stage up to the agreement signature the tender commission has the right to discharge the participant of tender, including admitted before participation in the procedure, at finding out:

- a) the fact of giving inaccurate information by him essential to the admission of the given participant to the tender or establishment of his place in ranging;
- b) the data allowing on a reasonable basis to cancel the earlier made decision on the admission;
- c) the documentary confirmed fact of pressure by such participant on a member of the committee, an expert, the head of the organizer;
- d) availability of other bases directly provided by the tender documentation.

8.2 Features of procedures of closed tender

8.2.1 Closed tender can be conducted only in cases specified in item 5.3.1 of this Regulation.

8.2.2 In all that it is not stipulated in this subsection, rules of carrying out of open tenders are applied to carrying out of closed tenders (item 8.1 of this Regulation).

8.2.3 The Organizer of tender does not publish the notice only in the cases specified in sub-item a) of item 3.1.7 of this Regulation.

8.2.4 The Organizer of tender publishes the notice on closed tender carrying out on the official site and simultaneously (same day) directs it to personally each participant with the invitation to take part in the tender. The list of participants of closed tender is established by the Customer or the Organizer of tender in coordination with the Customer.

8.2.5 The Organizer of tender should accept all reasonable measures so that the membership of participants of closed tender remained the confidential information with a view of prevention of collusion of participants.

8.2.6 The Organizer of tender has no right to take for estimation competitive bids from participants, who he did not invite to participation in the tender. Such right

can be given in the tender documentation only to the suppliers submitting the competitive bid as a part of the collective participant.

8.3 Features of procedures of a two stage tender

8.3.1 In all that it is not stipulated in this subsection, the provisions of subsection 8.1 of this Regulation are applied to carrying out two stage tenders, and if it closed — and subsection 8.2 of this Regulation.

8.3.2 At the first stage of a two stage tender participants represent the initial competitive bids containing technical offers without indication of the price, and also the documents confirming conformity of participants to established requirements. The tender documentation can provide provision of preliminary estimates of costs, but only as some reference material.

8.3.3 At the first stage the Organizer of tender should not demand provision of the competitive bid (item 8.1.6 of this Regulation).

8.3.4 In the text of the tender documentation of the first stage, in addition to the data specified in item 8.1.3 of this Regulation, it should specify:

a) that by results of the first stage the declared preferences and requirements of the Organizer of purchase (as concerning bought goods, and participants of tender), including the technical project, can essentially change;

b) at drawing up the tender documentation for the second stage of tender the Organizer of tender has the right to add, exclude or change the provisions originally established in the tender documentation of the first stage, including any requirements to bought goods, and also any criteria originally established in this documentation for estimation and comparison of competitive bids, and has the right to add new provisions and criteria to the tender documentation;

c) the participant who doesn't want to submit the competitive bid for the second stage, has the right to leave the further participation in the tender, without bearing responsibility for it to the Organizer of tender.

8.3.5 Procedure of public single opening of the envelopes which have arrived for the tender (item 8.1.8 of this Regulation) at the first stage may not be conducted.

8.3.6 The Organizer of tender estimates conformity of participants to tender requirements, and also the essence of the offer about forming of the final technical project and the tender documentation of the second stage. Giving at the first stage of the technical offers which do not meet, according to the tender commission, the purposes of the Customer, cannot form a basis for refusal in the further participation.

8.3.7 At this stage the Organizer has the right to carry on negotiations with any participant by any position of the initial competitive bid. In need of negotiations the Organizer of tender dispatches to participants invitations to negotiations. Unless otherwise provided by the tender documentation, negotiations are led with each participant separately, their results are arranged by reports with obligatory indication of a circle of discussed questions. Reports are signed by authorized persons of the parties.

8.3.8 The Organizer has the right to exclude the participants, not conforming to tender requirements from further procedures of tender (both before negotiations, and during them or after).

8.3.9 By results of negotiations with participants of the first stage the Organizer of tender should prepare the list of the participants admitted to the second stage, the final technical project and the tender documentation of the second stage. At drawing up the tender documentation at the second stage any originally established provisions, including functional, technical or quality characteristics of bought goods, and also any originally established criteria for comparison and estimation of competitive bids can be excluded, changed or added. Any exceptions, changes or additions of the tender documentation are brought to the notice of participants as a part of the invitation to present competitive bids for the second stage to which the tender documentation of the second stage should be attached. These data are subject to placing on the official site if there is a technical possibility of such placing. Under condition of absence of such possibility the documentation on the second stage should be placed on the corporate site of the Customer, and if purchase is conducted on ETP — on the ETP.

8.3.10 Only those participants are admitted to participation in the second stage of a two stage tender, who by results of the first stage have been admitted by the tender commission to participation in the stage and have received address invitations.

8.3.11 At the second stage the Organizer of tender suggests participants to present final competitive bids with price indication — the summary commercial offer. The corresponding address invitation goes to such participants simultaneously. The participant, not wishing to represent the competitive bid for the second stage, has the right to leave the further participation in the tender.

8.3.12 The subsequent procedures are similar described in point of item 8.1 of this Regulation, except for preliminary qualifying selection which in the two stage tender is not conducted.

8.3.13 At estimation of conformity of the participant of tender to shown requirements the Organizer has the right to use data of the first stage (if requirements in this part have not changed). He also has the right to enquire from any participant conformity confirmation to these requirements.

8.3.14 It is allowed to estimate at the second stage of tender the arrived bids, both on a set of criteria, and only on the price. Anyway, participants are informed about the estimation method preliminarily — in the tender documentation of the first stage, finally — in the tender documentation of the second stage.

8.4 Features of procedures of a multi-stage tender

8.4.1 A multi-stage tender is conducted at purchase of innovative and other especially sophisticated goods.

8.4.2 At carrying out a multi-stage tender the tender documentation specifies that the tender is conducted in some stages the number of which can both be specified in advance, and not be specified.

8.4.3 The number of stages of a multi-stage tender is determined by its Organizer proceeding from complexity of a task, quality of the bids submitted by participants and results of negotiations with them.

8.4.4 Last stage of a multi-stage tender is conducted in the same order, as the second stage of a two stage tender.

8.4.5 Other stages of a multi-stage tender are conducted the same way as the first stage of a two stage tender.

8.4.6 In the rest the provisions to carrying out the multi-stage tender are applied as in item 8.3 of this Regulation, and if it closed — and in item 8.2 of this Regulation.

8.5 Features of procedures of an opened auction

8.5.1 In all that it is not stipulated in this subsection, the provisions about carrying out open one stage tender are applied to auction carrying out (item 8.1 of this Regulation).

8.5.2 Auction is conducted in the following order:

- a) determination of the basic conditions, auction requirements according to item 7.1 of this Regulation;
- b) issue of the corresponding administrative document according to item 7.2 of this Regulation;
- c) announcement of Auction (if necessary) according to item 7.3 of this Regulation;
- d) development of the notice on carrying out of auction and the auction documentation, their approval according to item 7.4 of this Regulation;
- e) placing the notice on carrying out of auction and the auction documentation on the official site according to item 3.1 and 3.2 of this Regulation and in other sources (under the decision of the Organizer of purchase);
- f) receipt by participants of purchase the auction documentation according to item 8.1.4 of this Regulation;
- g) explanation of the auction documentation; change of the auction documentation (if necessary); refusal of auction carrying out (if necessary) according to item 8.1.5 of this Regulation;
- h) carrying out of preliminary qualifying selection (if necessary) according to item 8.12.1 of this Regulation;
- i) receiving of envelopes with auction bids and (or) receipt of bids through ETP functionality according to item 8.1.7 of this Regulation;
- j) public opening of envelopes with auction bids or opening of the arrived bids on ETP, report placing on the official site and on ETP (at tender carrying out on ETP) according to item 8.1.8 of this Regulation;
- k) selection of application forms for participation in the auction according to item 8.1.9.1—8.1.9.7 of this Regulation; the report placing on the official site according to item 3.1 and 3.2 of this Regulation;
- l) auction carrying out (procedures on price lowering); auction acknowledgement not taken place (if necessary and on the bases provided by item 7.5 of this Regulation); placing the report of carrying out of auction or the report on auction acknowledgement not taken place on the official site according to item 3.1 and 3.2 of this Regulation;
- m) signing of the report on results of auction with the winner, the report placing on the official site according to item 3.1 and 3.2 of this Regulation;
- n) carrying out of pre-contractual negotiations between the Customer and the winner of auction (if necessary);
- o) signing of the agreement with the winner

p) registration of the report on auction carrying out.

8.5.3 In addition to the data established in item 7.4.3 of this Regulation, the auction documentation should contain data on the place and order of carrying out of auction.

8.5.4 For participation in the auction the participant of purchase makes an application on participation in the auction. Requirements to the content, form, registration and composition of the application form for participation in auction are specified in the auction documentation taking into account the provisions of this section.

8.5.5 The Customer is obliged to establish in the auction documentation accurate requirements to participants of purchase and to bought goods which cannot be changed by a participant of purchase.

8.5.6 The participant of purchase has the right to submit only one application form for participation in auction concerning each piece of auction (lot).

8.5.7 The offer on the bid price is indicated in the letter on offer giving. At carrying out of the procedure of opening of envelopes with the Auction bids such price, along with other data, which list is determined in the auction documentation, is subject to announcement.

8.5.8 Carrying out of the procedure of auction (price reduction by participants of Auction) is performed in the term, set in the auction documentation. Only participants who have been admitted to participation in such procedure can take part in the price reduction procedure.

8.5.9 The auction procedure, including the price reduction procedures, is determined in the auction documentation.

8.5.10 The person who has offered the lowest price of the agreement or if at carrying out of auction the agreement price has been lowered to zero admits and the auction is conducted for the right to conclude the agreement, the highest price of the agreement, is recognized the winner of the auction. In case any of participants has not reduced the price in relation to the specified one by him in the letter on offer giving, the participant, who has offered the least price according to the letter on offer giving.

8.5.11 In the course of auction carrying out the auction report is arranged. In the auction report the data on the place, date and time of carrying out of auction, participants of the auction, the initial (maximum) price of the agreement (the lot price), the minimum offers on the agreement price made by each participant of the auction and ranged as decreasing, should be contained.

8.5.12 Following the results of auction carrying out the report on results of the auction is constituted in which the data should be contained similar to provided in item 8.1.11.7 of this Regulation.

8.5.13 Auction in the electronic form is conducted taking into account the rules acting on the ETP.

8.6 Features of procedures of request for proposals

8.6.1 In all that it is not stipulated in this subsection, to carrying out the provisions about carrying out opened one stage tender are applied to the request for proposals (item 8.1 of this Regulation).

8.6.2 Request for proposals is conducted in the following sequence:

- a) determination of the basic conditions, requirements of the request for proposals according to item 7.1 of this Regulation;
- b) issue of the corresponding administrative document according to item 7.2 of this Regulation;
- c) announcement of request for proposals (If necessary) according to item 7.3 of this Regulation;
- d) development of the notice on carrying out of purchase, the documentation about purchase, their approval according to item 7.4 and 8.6.5 of this Regulation;
- e) placing the notice about the purchase and documentation about purchase on the official site according to item 3.1 and 3.2 of this Regulation and in other sources (under the decision of the Organizer of purchase);
- f) receipt by participants of the documentation about purchase according to item 8.1.4 of this Regulation;
- g) explanation of the documentation about purchase; its change (if necessary); refusal of purchase carrying out according to item 8.1.5 of this Regulation;
- h) receiving of offers on the paper carrier and (or) through ETP functionality according to item 8.1.7 of this Regulation;
- i) public opening of envelopes with offers or access opening to the arrived offers on ETP, the report placing on the official site and on ETP (at carrying out request for proposals on ETP) according to item 8.1.8 of this Regulation;
- j) studying offers; making negotiations (if necessary) according to item 8.6.10—8.6.12 of this Regulation;
- k) giving final offers by results of negotiations (if necessary) according to item 8.6.13 of this Regulation;
- l) comparison and estimation of offers including carrying out the rebidding in accordance with item 8.1.9 and 8.1.10 of this Regulation, the report placing on the official site according to item 3.1 and 3.2 of this Regulation;
- m) choice of the best offer, by results of the conducted estimation; placing of the corresponding report on the official site according to item 3.1 and 3.2 of this Regulation;
- n) signing of the agreement with the participant;
- o) registration of the report on the purchase.

8.6.2.2 For purchase at 50 million rubles in cost taking into account VAT and above the rebidding carrying out is obligatory. In exceptional cases the decision about not carrying out rebidding can be accepted at the level of the CPB of the Company. For purchase in cost less than 50 million rubles taking into account VAT the decision about not carrying out rebidding can be accepted by a decision of the purchasing commission. Established in this sub-item price threshold can be changed by a decision of the Company's Board of directors.

8.6.3 It is recommended to provide at least 15 (fifteen) days between placing on the official site of the notice on carrying out of request for proposals, documentation about request for proposals and end date of giving bids. The term of giving bids under the decision of the purchasing commission can be changed to a

lesser degree, but not less than 10 (ten) days from the date of placing the notice about purchase.

8.6.4 For carrying out of request for proposals the Organizer of purchase appoints the purchasing commission as a part of not less than three persons.

8.6.5 The notice about request for proposals necessarily underlines that it is not the Notice on tendering and also it does not impose on the Organizer of purchase or the Customer any obligations to conclude the agreement with the winner of purchase.

8.6.6 The Organizer of purchase has the right under decision of the Customer to prolong the term of giving of bids according to item 4.1.1 and item 4.1.2.3b) of this Regulation, thus he places the notice on it on the official site according to item 3.1 and 3.2 of this Regulation.

8.6.7 The Organizer of purchase sets in the documentation about purchase criteria for bid evaluation and establishes the order (including also the hierarchy) of their application at bid evaluation with indication of size of the relative importance of each such criterion (weight at points estimation).

8.6.8 The documentation about purchase can provide for giving technical and commercial parts of the proposal both at the same time and separately. In the latter case the Organizer of purchase has the right (but is not obliged) to provide that offers are opened and considered only of those participants who have taken certain places in ranging of offers on quality (for example, from the first to the third, the fourth etc. as it is specified in the documentation about purchase), or that who has scored not below a certain number of points (if the points estimation is applied).

8.6.9 The Organizer of purchase considers the received offers that way to avoid disclosing of their contents to competing participants.

8.6.10 The Organizer of purchase can carry on simultaneous or consecutive negotiations with participants concerning their offers, including negotiations on price reduction and enquire or permit revision of such offers, if the following conditions are met:

a) negotiations between the Organizer of purchase and the participant are conducted in the open form, except for negotiations concerning the confidential Information, the contents of which are not disclosed to any person without the consent of the other party;

b) possibility to participate in negotiations is given to all participants whose offers have not been rejected or have been admitted to giving offers, if the technical and commercial offers were submitted separately (item 8.6.8 of this Regulation).

8.6.11 Negotiations (except negotiations on price reduction) cannot be conducted at purchases of simple goods.

8.6.12 Negotiations are arranged by the report which is signed by members of the committee who were present at the negotiations, the organizer of purchase and the participant of purchase with whom the negotiations were carried on.

8.6.13 If necessary after completing negotiations the Organizer of purchase asks all participants, continuing to participate in procedures, to present by a certain date the

final offer. In this case the Organizer of purchase chooses the won participant from among those submitted such final offers.

8.6.14 The Organizer of purchase applies the following procedures at bid evaluation:

- a) the criteria published in request for proposals are considered only;
- b) the quality of offers contained in the offer of the participant, is estimated separately from the price (the price-quality analysis);
- c) the price of the offer is considered only after end of technical estimation (quality).

8.6.15 The Organizer of purchase makes the decision on the conclusion of the agreement with that participant whose offer was most completely satisfies to requirements of the Customer, specified according to published in the request for proposals criteria.

8.7 Features of procedures of request for quotation

8.7.1 In all that it is not stipulated in this subsection, to carrying out of request for quotation the provisions about carrying out of the opened request for proposals are applied (item 8.6 of this Regulation).

8.7.2 Request for quotation is conducted in the following order:

- a) determination of the basic conditions, requirements and procedures of request for quotation according to item 7.1 of this Regulation;
- b) issue of the corresponding administrative document according to item 7.2 of this Regulation;
- c) development of the notice on carrying out of purchase, the documentation about purchase, their approval according to item 7.4 and 8.7.5—8.7.7 of this Regulation;
- d) placings the notice about the purchase and documentation about purchase on the official site according to item 3.1 and 3.2 of this Regulation and in other sources (under the decision of the Organizer of purchase);
- e) receiving by participants of the documentation about purchase according to item 8.1.4 of this Regulation;
- f) explanation of the documentation about purchase; its change (if necessary); refusal of carrying out of purchase and information placing on the official site according to item 3.1 and 3.2 of this Regulation;
- g) receipt of offers on the paper carrier and (or) through ETP functionality according to item 8.1.7 of this Regulation;
- h) public opening of envelopes with offers or access opening to the arrived offers on ETP, the report placing on the official site and on ETP (at carrying out request for quotation on ETP) according to item 8.1.8 of this Regulation;
- i) selection of offers on participation in request for quotation according to item 8.1.9.1—8.1.9.7 of this Regulation, carrying out rebidding according to item 8.7.12 of this Regulation, determination of the winner of request for quotation according to item 8.7.13 of this Regulation, the report placing on the official site according to item 3.1 and 3.2 of this Regulation;

j) signing of the agreement with the participant who has presented the best offer (in case of accepting such a decision);

k) registration of the report on purchase carrying out.

8.7.3 The term between placing on the official site of the notice on carrying out of request for quotation, the documentation about request for quotation and end of giving offers is established depending on the size of the initial (maximum) price of the agreement (the lot price) and constitutes:

a) for the sum up to 2 500 000 rubles including VAT - not less than 5 (five) days;

b) for the sum from 2 500 000 rubles to 5 000 000 rubles including VAT - not less than 10 (ten) days.

8.7.4 Under the decision of the CPB of the Company the acceptance term for offers, established in 8.7.3b), can be reduced, but at this it should constitute not less than 5 (five) days.

8.7.5 The text of the notice on request for quotation may specify that it is also the documentation about request for quotation; in this case the documentation about request for quotation is not developed separately. On the official site the notice on carrying out request for quotation developed that way is placed simultaneously with the contract draught.

8.7.6 The Organizer of purchase specifies any accurate requirements to a purchase item, terms of delivery, payments to participants, confirmation of conformity of goods and participants to requirements of the Customer and to submitted documents.

8.7.7 The text of the documentation about purchase specifies that request for quotation is not a tender and does not impose on the Organizer of purchase or the Customer any obligations on the conclusion of the agreement with the winner of purchase.

8.7.8 The Organizer of purchase has the right under decision of the Customer to prolong the term of giving offers according to item 4.1.1 item 4.1.2.3b) of this Regulation, thus he places the notice on it on the official site according to item 3.1 and 3.2 of this Regulation.

8.7.9 At carrying out of request for quotation with use of paper carriers each participant has the right to represent only one offer. At carrying out of request for quotation on ETP the provision by one supplier of several consistently decreasing on the price within the limits of one procedure of purchase offers is allowed. Thus the prices, offered by participants, should be reflected in process of their receipt on ETP (in a real time mode — “on-line”) with the use of software and hardware program of such platform.

8.7.10 The offer of the participant should meet completely each of the shown requirements or be better, that is the specified requirements are threshold. Degree of excess of threshold requirements is not estimated and not considered. If at least under one requirement the offer of the participant does not satisfy to conditions of request, it can be rejected.

8.7.11 The Organizer of purchase has the right to demand from the participant to specify the request for quotation, if the participant had made deviations from the

required method of calculation of the price (for example, expenses on transportation, insurance, payment of custom duties, taxes and other payments are not considered, though it was required,) or to reject the offer of the participant.

8.7.12 The Organizer of purchase, in case it has been provided in the documentation on request for quotation, has the right to conduct rebidding. Rebidding is recommended to conduct in cases, if the prices, declared by participants in the offers, are considerably overestimated, or the Organizer of purchase received a request for carrying out rebidding from any participant of the request for quotation (at carrying out rebidding in the course of a selection stage).

8.7.13 The participant whose bid meets all requirements of the notice on request for quotation and the documentation about purchase, and who has offered the bottom price of the agreement is determined the winner of request for quotation by the purchasing commission.

8.7.14 The agreement is concluded with the participant, who was decided the winner according to item 8.7.13 of this Regulation. The purchasing commission has the right to reject all bids if the best offer at the price does not meet his requirements, and to make a new request for quotation.

8.7.15 At carrying out of request for quotation by results of open competitive purchasing procedure the information on carrying out of such request for quotation is placed in the order provided in item 8.7.2. Participants, with whom by results of competitive purchasing procedure the corresponding frame agreements (contracts) have been signed, can accept participation in such request for quotation.

8.8 Features of procedures of competitive negotiations

8.8.1 In all that it is not stipulated in this subsection, the provisions about carrying out of the opened request for proposals are applied to carrying out competitive negotiations (item 8.6 of this Regulation).

8.8.2 Competitive negotiations are conducted in the following sequence:

- a) determination of the basic conditions, requirements and procedures of competitive negotiations according to item 7.1 of this Regulation;
- b) issue of the corresponding administrative document according to item 7.2 of this Regulation;
- c) announcement of competitive negotiations (if necessary) according to item 7.3 of this Regulation;
- d) development of the notice on carrying out of purchase, the documentation about purchase, their approval according to item 7.4 and 8.8.7—8.8.8 of this Regulation;
- e) placing the notice about purchase and documentation about purchase on the official site according to item 3.1 and 3.2 of this Regulation and in other sources (under the decision of the Organizer of purchase);
- f) receiving by participants of the documentation about purchase according to item 8.1.4 of this Regulation;
- g) explanation of the documentation about purchase; its change (if necessary); refusal of purchase carrying out according to item 8.1.5 of this Regulation;
- h) receiving of offers on the paper carrier and (or) through ETP functionality according to item 8.1.7 of this Regulation;

- i) opening of envelopes with the received offers (access opening to the bids received through ETP) according to item 8.1.8, item 8.8.9 and 8.8.14 of this Regulation;
- j) studying of offers and conducting negotiations (if necessary);
- k) giving of final offers (if necessary) according to item 8.8.14 of this Regulation
- l) comparison and estimation of offers according to then order described in item 8.1.9 of this Regulation, the report placing on the official site according to item 3.1 and 3.2 of this Regulation;
- m) choice of the best offer; placing of the corresponding report on the official site according to item 3.1 and 3.2 of this Regulation;
- n) signing of the agreement with the participant who has presented the best offer (in case of accepting such a decision).
- o) registration of the report on purchase carrying out;

8.8.3 It is recommended to provide not less than 15 (fifteen) days between the notice on carrying out of purchase and end date of giving of preliminary offers.

8.8.4 The Organizer of purchase has the right under decision of the Customer to prolong the term of giving of offers according to item 4.1.1 item 4.1.2.3b) of this Regulation, thus he places the notice on it on the official site according to item 3.1 and 3.2 of this Regulation.

8.8.5 Competitive negotiations are conducted only by the Customer or on his behalf by the Organizer of purchase in the presence of the corresponding agreement. For carrying out of competitive negotiations the Organizer of purchase in coordination with the Customer appoints the commission consisting of not fewer than three persons.

8.8.6 The Customer (or on his behalf the Organizer of purchase) carries on open competitive negotiations or closed competitive negotiations with in advance determined participants which number is enough to provide effective competition, but anyway not less than two.

8.8.7 The text of the notice on carrying out of competitive negotiations necessarily specifies that it is not the Notice on tendering and it does not impose on the Organizer of purchase or the Customer any obligations on the conclusion of the agreement with the winner of purchase.

8.8.8 The text of the notice on carrying out of competitive negotiations may specify that it is also the documentation about competitive negotiations; in this case the documentation about competitive negotiations is not developed separately. On the official site the notice on carrying out competitive negotiations developed that way is placed simultaneously with the contract draught.

8.8.9 After the expiry of the term of giving of offers within the established in the notice on purchase and documentation on purchase time frame and place the opening of the arrived offers (access opening to the offers if competitive negotiations are conducted on ETP) is conducted according to the order specified in item 8.1.8 of this Regulation, thus the data provided for by items 8.1.8.3c) of this Regulation may not be disclosed.

8.8.10 The Organizer of purchase considers the received offers that way to avoid disclosing of their contents to competing participants.

8.8.11 The Organizer of purchase carries on consecutive negotiations with participants concerning their offers, thus:

a) negotiations between the Organizer of purchase and the participant are conducted in the open form, except for negotiations concerning the confidential information, the contents of which he does not disclose to any other person without the consent of the other party;

b) possibility to participate in negotiations is given to all participants, whose offers have not been refused.

8.8.12 By results of negotiations the report is made signed by members of the committee, present at the negotiations, the Organizer of purchase and the participant of purchase, which is stored in the reporting on purchase. Also the parties can make audio- or videorecording of the given negotiations if the other party does not object to it.

8.8.13 Any requirements concerning negotiations, guidelines, documents, explanations or other information, which are reported to any participant, are similarly reported to all other participants of negotiations.

8.8.14 After end of negotiations the purchasing commission can either choose the winner at once, or establish final general requirements to bought goods and agreement provisions, and arranges them in the form of the documentation about purchase and asks all participants, continuing to participate in the procedure, to present by a set date their final commercial proposals (offer). After the specified term the procedure of opening of the arrived final offers or access opening to the offers which have arrived on ETP, is conducted according to the order specified in item 8.1.8 of this Regulation. With the participants who have submitted the best offers, negotiations in the order described above are carried on or at once the offer is chosen, which meets the requirements of the documentation about purchase.

8.8.15 The procedure described in items 8.8.6—8.8.14 of this Regulation can be conducted as many times, as it may be necessary to choose the winner, or to the refusal of the Customer from purchase.

8.9 Features of procedures of simple purchases

8.9.1 Simple purchase is conducted by the initiator of purchase and the information on its carrying out may not be placed on the official site.

8.9.2 At carrying out of simple purchase the Customer should direct official inquiries and to receive official answers (on the form with the seal and the signature) from potential suppliers (which number is not fewer than three), specialising on this sort of deliveries (accomplishment of works, services). The inquiry should contain the information necessary for filling in an analytical note. The inquiry should go to the suppliers conforming at least to the following requirements:

a) should possess civil legal capacity in full for the conclusion and execution of the agreement assumed to the conclusion;

b) should not be in process of liquidation;

- c) should have corresponding permitting documents on accomplishment of types of activity within the limits of the agreement (if necessary);
- d) should possess necessary professional knowledge and experience of accomplishment of similar contracts, administrative competence, to have resource possibilities (financial, material, labour);
- e) not to be included in the Register of unfair suppliers which is led according to Federal law dd. 18.07.2011 No. 223-FZ “On purchases of goods, works, services by separate kinds of legal entities” or in the Register of unfair suppliers which is led according to Federal law dd. 21.07.2005 “On order placement on deliveries of goods, accomplishment of works, rendering services for the state and municipal needs”.

8.9.3 The Customer should specify in the request to suppliers:

- a) requirements to goods;
- b) requirements to the description by the participant of the offers under characteristics and quality of goods and conditions of execution of the agreement;
- c) the name and the address of the Customer, surname, name and patronymic of the responsible person, his contact phones, fax number, e-mail address and other necessary contact information;
- d) data on the term of giving of offers and the order of their representation.

8.9.4 It is also recommended to the Customer to specify in the inquiry to suppliers:

- a) a contract project or its essential conditions;
- b) the order of forming of the price of the agreement (including price currency and currency of settlement, an accounting order in the price of freight charges, insurance, payment of custom duties, taxes, fees and other obligatory payments);
- c) requirements to the order of confirmation of conformity of goods to the established requirements;
- d) requirements to suppliers (stated in item 8.9.2 of this Regulation) and the list of the documents given by participants as a part of the offer confirming their accomplishment of specified requirements;
- e) other necessary information.

8.9.5 After receipt of offers the Customer analyzes them and chooses the supplier, meeting the requirements of the inquiry and who has offered the minimum price of the agreement.

8.9.6 If owing to features of work of suppliers of the market of acquired goods, the receipt of offers of the suppliers arranged according to items 8.9.1-8.9.6, is impossible or considerably complicated, the Customer has the right to be limited to the attachment to an analytical note of copies of official price lists, public offers, printouts of the given sites of suppliers on the Internet and other similar documents.

8.9.7 The received offers should be brought into a single analytical note, confirmed by organizational-administrative documents of the Customer, which is stored by the Customer together with the concluded by results of the simple purchase agreement.

8.9.8 The analytical note under the form, established by organizational - administrative documents of the Customer, should contain the justification of choice of the supplier. In case of choice of the supplier of goods, offered the price distinct from minimum, the conclusion should be accompanied by the detailed justification of such a choice.

8.9.9 In exceptional cases, or in the absence of competition in the market of bought goods, the inquiry only of one supplier is allowed. In this case the analytical note should contain the table with the data from the offer of such supplier and a conclusion explaining the reason of absence of competition or exclusiveness of purchase from such a supplier.

8.10 Features of procedures of small purchases

8.10.1 Small purchase is conducted by the initiator of purchase (the head of a structural division) without placing of the information on its carrying out on the official site.

8.10.2 Results of small purchase are reflected in the analytical note signed by the initiator of purchase, and is stored at the Initiator's of purchase.

8.10.3 The initiator of purchase independently establishes requirements to bought goods and reflects them in an analytical note.

8.10.4 The initiator of purchase conducts market surveillance and compares the prices and other terms of delivery of goods proceeding from popular sources of the information (copies of official price lists, public offers, printouts of the given sites of suppliers on the Internet and other similar sources) or by receipt of offers from potential suppliers. Thus it is recommended to study at least three sources of the information. All sources of the information are attached to the analytical note.

8.10.5 The initiator of purchase concludes the agreement with the supplier, who has offered the minimum cost of accomplishment of the agreement. Choice of the supplier of goods, who offered the price distinct from minimum, is accompanied by the detailed justification of such choice in the analytical note under responsibility of the initiator of purchase.

8.10.6 The analytical note is stored by the initiator of purchase together with the concluded by results of small purchase agreement.

8.10.7 At purchase carrying out under corporate cards the analytical note is not formed.

8.11 Order of carrying out of purchase from a sole supplier (contractor, performer)

8.11.1 Purchase from a sole supplier (contractor, performer) is conducted in the following order:

a) preparation of the explanatory note with the justification of necessity of carrying out of purchase by not a competitive method according to this Regulation with the justification of choice of the supplier. The product value offered by the supplier is indicated, and, if it is possible, comparison of the given price with at least two officially received in reply to inquiry of the Customer offers of other suppliers;

- b) approval of a nominee of the supplier, essential conditions of the contract draught by a decision of the CPB;
- c) placing on the official site of the notice on carrying out of purchase from a sole supplier (contractor, performer), documentation about purchase, the contract draught (the text of the notice on purchase carrying out may specify that it is the documentation about purchase and in this case the documentation about purchase is not placed separately) in the term not later than 3 (three) days before date of signing of the agreement;
- d) conclusion of the agreement with the confirmed supplier.

8.11.2 At the conclusion of the agreement with the sole supplier (contractor, performer) in connection with absence of competition on the market of goods, works, services or impossibility of direction of inquiries to potential counterparts delivering similar goods (performing similar works, services), and also signing an amendment to the agreement concluded by results of purchasing procedure, providing delivery of goods (accomplishment of works, rendering services), not provided by the concluded agreement, the initiator of introducing the question represents the justification of the price of the concluded agreement (amendment) as a part of the explanatory note, containing the information and (or) calculation, with indication of the used sources of price information or other data, underlain in a basis of the declared price.

8.11.3 Other actions, undertaken at purchase from a sole supplier (contractor, performer), are determined by the Customer independently, depending on the conditions demanding such purchase, according to item 5.11 of this Regulation.

8.12 Special procedures

8.12.1 Preliminary qualifying selection

8.12.1.1 Preliminary qualifying selection is conducted only in procedures of open one stage tender, open auction, open request for proposals (except purchases on the basis provided in item 5.6.6c) of this Regulation) and open competitive negotiations.

Note:

Preliminary qualifying selection, as a rule, is conducted in cases of purchase at open tenders (a considerable quantity of new participants) of technically sophisticated or unique goods, and also at expensive purchases if questions of qualification of the contractor play an essential role in success of accomplishment of the agreement. At usual purchases of standard goods the preliminary qualifying selection, as a rule, is not conducted.

8.12.1.2 The decision on carrying out of preliminary qualifying selection is accepted exclusively by the Customer.

8.12.1.3 The decision on carrying out of preliminary qualifying selection, as a part of the corresponding procedure, is accepted before the publication of the notice on carrying out of purchase, the documentation about purchase.

8.12.1.4 At carrying out of preliminary qualifying selection the notice on carrying out purchase and the documentation about purchase in addition should contain:

- a) the information on carrying out of preliminary qualifying selection and that subsequently commercial proposals of only those participants, who have successfully passed the preliminary qualifying selection, will be considered;

b) the description of the order and indication of the place of receipt of the prequalifying documentation, the size of payment for it if that is provided, terms and the order of entering of payment for receipt of the prequalifying documentation;

c) the information on end date of acceptance and the order of giving of prequalifying bids.

8.12.1.5 The documentation about preliminary qualifying selection should contain, including:

a) a short description of bought goods and a contract draught;

b) general conditions and the order of carrying out of purchase;

c) detailed conditions and the order of carrying out of preliminary qualifying selection;

d) the rights and obligations of the Organizer of purchase and participants separately at a stage of preliminary qualifying selection and subsequent procurement cycles;

e) requirements to the participant;

f) requirements to contents and registration of the prequalifying bid, including a method of confirmation of conformity of the participant to shown requirements;

g) the order of representation of prequalifying bids, term and place of their representation;

h) data on consequences of discrepancy of the participant to the established requirements or negative result of his passage of preliminary qualifying selection;

i) other requirements and conditions established according to this Regulation and local statutory acts of the Customer.

8.12.1.6 The documentation about prequalifying selection is approved by the purchasing commission.

8.12.1.7 Prequalifying bids are accepted before the end date of the term established in the notice on carrying out of purchase with preliminary qualifying selection and in the documentation about prequalification. This term should be sufficient for participants to have time to prepare the prequalifying bid and be at least 20 (twenty) days from the date of the publication of the notice, the documentation about tendering, and for other purchases — at least 10 (ten) days from the date of the publication of the notice, the documentation about purchase.

8.12.1.8 The purchasing commission estimates conformity of participants to the established in the documentation about prequalification requirements on the basis of the documents presented by the participant. The use of not provided earlier in the documentation about prequalification criteria, requirements or procedures is not allowed.

8.12.1.9 In case of absence of any information or any documents, not allowing to estimate conformity of the participant to the established requirements, the Organizer of purchase has the right to require from him missing documents, having given for this purpose some minimum necessary term. If when due hereunder the documents are not presented, the participant is considered not passed the preliminary qualifying selection.

8.12.1.10 The Organizer of purchase is obliged within three days from the date of summarizing of preliminary qualifying selection to notify each participant on results of his passage of selection. The participants, who have successfully passed the selection, are invited to the further procedures. The term between such invitation and the expiry date of giving of bids with commercial proposals cannot be less than 10 (ten) days.

8.12.1.11 The participant, who has not passed or was not passing the established preliminary qualifying selection, is excluded from the number of participants of purchase.

8.12.1.12 A more detailed order of carrying out of preliminary qualifying selection can be in addition specified by organizational-administrative documents of the Customer.

8.12.2 Special procedures of purchase of sophisticated goods

8.12.2.1 At carrying out of tenders and requests of proposals on acquisition of especially sophisticated and unique goods (creative services, research and developmental works, unique products), at realization of large investment projects etc. under direct instructions of the Customer a set of methods can be applied, described below (items 8.12.2.2—8.12.2.8 of this Regulation) — including at the last stage of a two- or multi-stage tender.

8.12.2.2 Announcement of such a purchase is performed without fail.

8.12.2.3 Purchase of sophisticated goods can be conducted both without preliminary qualifying selection, and with it. At a stage of preliminary qualifying selection (in case of its carrying out) written inquiry can be sent to participants or representatives of participants are called for an interview for the purpose of specification of their qualification and experience. On the basis of results of the preliminary qualifying selection “The short list of participants of a purchase” is made. If such selection was conducted, persons are invited to participate in the further procedures from this list only.

8.12.2.4 The documentation about purchase, except usual data for corresponding procedures, should contain:

- a) the information on, whether the Organizer of purchase asks for bids on purpose to find out various variants of methods of satisfaction of requirements of the Customer;
- b) the description of a separate part (parts) of bought goods when it is allowed to present bids only on a part of bought goods;
- c) indication on procedure of choice of the winner (with carrying out or without carrying out of price negotiations according to items 8.12.2.6—8.12.2.8 of this Regulation);
- d) the indication on interview possibility, and also on a circle of questions, which can be discussed at pre-contractual negotiations, should be contained in the documentation about purchase.

8.12.2.5 The purchasing commission confirms the procedure of estimation of the bids, containing the order of estimation of bids, including preliminary hierarchy of criteria of estimation of bids (up to assignment of preliminary weight

coefficients), reflecting opinions of members of the purchasing commission. The mentioned criteria can concern:

- a) administrative and technical competence of the participant and his reliability;
- b) efficiency of the proposal presented by the participant, from the point of view of satisfaction of requirements of the Customer;
- c) the offer price determined either as clean price, or as total costs of the Customer at accepting of the given offer (for example, the price plus expenses on operation, maintenance and repair, required additional costs etc.);
- d) other reasonable criteria

8.12.2.6 The Customer has the right to apply one of two procedures of selection of the best bid — with carrying out or without carrying out of price negotiations.

8.12.2.7 Procedure of choice of the winner without carrying out of price negotiations is applied at goods purchase, for which the Customer, despite its complexity, can formulate accurately enough the technical project and required amount of works, and also estimate the received bids for compliance with the established requirements and is interested not only in qualitative goods, but also in possible saving of money funds. The choice of the winner is conducted in the following order:

- a) the Organizer of purchase establishes a minimum level of requirements to the quality of goods (i.e. concerning qualitative and technical aspects of offers), gives evaluation of quality under each offer and makes ranging of bids on quality;
- b) the bids, which have been recognised by not corresponding to the established minimum level of quality, are rejected and do not participate in the procedure of choice of the winner and (or) the best bid;
- c) in cases when task accomplishment substantially depends on qualification and experience of the main personnel of the participant (for example, the project leader, in whose subordination there is a big group of concrete physical persons, or developed and known scientific personnel), the Customer or the Organizer of purchase has the right to conduct at any procurement cycle interviews with the declared personnel of the participant and to consider results of these interviews at a bid quality evaluation;
- d) no party is allowed to make in the course of interviews requirements connected with change of conditions of the documentation about purchase or the bid of the participant, including the price;
- e) among bids which correspond to the established minimum level of quality (not price requirements) or exceed that one, the Organizer of purchase produces summary ranging by results of comparison of qualification of the participant, quality of the received technical proposals and the price;
- f) the participant who has submitted the technical proposal, which received the highest place in summary ranging, is invited to carrying out of pre-contractual negotiations;
- g) during such negotiations the technical project, technique of accomplishment of works, the personnel, material resources given by the Customer and special

agreement provisions are discussed. Such discussion should not lead to essential change of an initial variant of the technical project, agreement provisions and the price of the participant. The final variant of the technical project and the agreed technique are included in the contract draught;

h) the chosen participant has no right during negotiations to replace the main personnel or co-performers of the agreement (subsuppliers, subcontractors) unless both parties agree that such changes have no crucial importance for task goal achievement. The main personnel, offered as replacement, should possess the qualification similar or higher, than the initially offered main personnel (co-performers);

i) if negotiations have passed successfully, the given participant is announced the winner (at tender carrying out) or his bid is recognized the best (at carrying out of request for proposals or other competitive procedure which are distinct from tenders);

j) if during the negotiations the parties cannot agree upon the agreement text, the Organizer of purchase invites to negotiations the participant having the following (behind the highest) place in the summary ranging;

k) if during the negotiations with the following participants the parties cannot agree upon the agreement text, the Organizer of purchase can return to negotiations with those participants with whom earlier it was not possible to reach the agreement, or refuse conducting negotiation;

8.12.2.8 Procedure of choice of the winner and (or) the best bid by carrying out of successive price negotiations is applied at purchase of especially sophisticated goods when quality of goods or reliability of the participant is determining, or when consequences of choice for the Customer are enormously great in comparison with the purchase price. The choice of the winner is conducted in the following order:

a) some minimum acceptable quality level of the technical offer is established;

b) technical offers of participants are ranged on quality. The participant, who has received the highest quality evaluation of the offer, is invited to negotiation concerning the price offered by him. During them the technical project, technique of accomplishment of works, the personnel, material resources given by the Customer and special agreement provisions can be also discussed. Such discussion should not lead to essential change of an initial variant of the technical project and agreement provisions;

c) if negotiations do not lead to the conclusion of the agreement owing to impossibility of achievement of the agreement on the acceptable price, the participant is informed on suspension of negotiations with him. Further, the Organizer of purchase invites to negotiation the participant, whose technical offer has received the quality evaluation following the highest one. And so on to the conclusion of the agreement or rejection of all other offers. If during the negotiations with the following participants the parties cannot agree upon the agreement text, the Organizer of purchase can return to negotiations with those participants with whom earlier it was not possible to reach the agreement, or refuse conducting negotiation;

d) any negotiations, which are conducted with participants, have confidential character and no party of negotiations has the right to disclose to third parties the technical, price or other information concerning the subject matter of these negotiations, without the consent of the other party.

8.12.3 Features of carrying out of procedures of purchase with participation of foreign participants

8.12.3.1 Purchases, in which participation of foreign participants of purchase is supposed and (or) allowed, are conducted in the order provided by this Regulation, with obligatory accounting of the features provided by this subsection.

8.12.3.2 The foreign participant of purchase should be competent to conclude and perform the agreement (contract), the right to which conclusion is an item of purchase, including such a participant should be registered as the subject of civil law and have all necessary permissions for carrying on business according to the state legislation where he is located, in the place of accomplishment of works (rendering services) and the legislation of the Russian Federation.

8.12.3.3 The legal capacity of the foreign participant of purchase should not be limited by court and (or) state administrative authorities where he is located and (or) carrying on business, and the Russian Federation either.

8.12.3.4 The foreign participant of purchase should not be insolvent, concerning him no bankruptcy or liquidation procedure should be conducted.

8.12.3.5 Foreign participants of purchase as a part of the bid should give copies of documents (apostille copies, or notary certified translation into Russian), confirming their conformity according to item 8.12.3.2—8.12.3.4 of this Regulation and pursuant to the state legislation where he is located and (or) carrying on business, and also a short explanatory note in which they should specify:

a) provisions of the legislation of the state where he is located and (or) carrying on business, regulating their legal capacity and conditions of realization of the activity connected with execution of obligations under the agreement (contract), concluded following the results of purchase;

b) the name and details (number and acceptance date, number and date of acting edition) of national standard legal acts according to which the foreign participant of purchase conducts the activity.

8.12.3.6 If by results of purchase the agreement is concluded with the foreign participant of purchase, it can be concluded at the price expressed in foreign exchange with conditions of conversion of a currency at the Central Bank rate of the Russian Federation on a payment date, or in rubles of the Russian Federation with conversion of the currency at the Central Bank rate of the Russian Federation for the date of the agreement conclusion, if the corresponding requirements were specified in the documentation about purchase and the price in the bid of the foreign participant is expressed in foreign exchange.

8.12.4 Features of the conclusion of contracts in the course of participation of the Customer in the third-party purchase

8.12.4.1 If the Customer as one of participants makes a bid (offer) on participation in procedure of the purchase which are conducted by a third party

(further — the third-party purchase) and if it does not contradict conditions of such purchase, the Customer determines suppliers of the equipment specified in the bid and subcontractors (co-performers) of the works (services) specified in the bid in the course of preparation of such a bid (offer).

8.12.4.2 If there is enough time to prepare the bid and determine potential suppliers (subcontractors, co-performers) the Customer has the right to use procedures of tender and auction, competitive negotiations, and also request for proposals and request for quotation without price thresholds established by this Regulation for the specified procedures (item 5.6.6c), 5.6.6d), 5.6.6e) and 5.7.3 of this Regulation).

8.12.4.3 In the absence of sufficient time for preparation of the bid and determination of potential suppliers (subcontractors, co-performers) the Customer has the right to use procedure of simple purchase without the established price thresholds for its carrying out (item 5.9.4 of this Regulation).

8.12.4.4 Under decision of the CPB of the Company the choice of the supplier (subcontractor, co-performer) can be performed by method of purchase from a sole supplier (contractor, performer) on the basis of item 5.11 of this Regulation.

8.12.4.5 With the chosen supplier (subcontractor, co-performer) the preliminary agreement or the agreement under a condition of the conclusion of the agreement with the Customer by results of the third-party purchase is concluded.

8.12.4.6 At forming of requirements to bought goods, and also suppliers (subcontractors, co-performers) the Customer should consider completely all lawful conditions of participation in the third-party purchase and accordingly reflect them in the notice and the documentation about purchase, and also the agreement concluded by results of purchase.

8.12.5 Features of the conclusion of contracts after the order receipt

8.12.5.1 If the Customer is determined by the contractor under the agreement with another person (further — the third-party Customer) and the procedures provided by item 8.12.4 of this Regulation for any reasons were not applied, the Customer has the right to specify the supplier (subcontractor, co-performer) by carrying out of request for proposals, request for quotation or method of simple purchase, taking into account the price thresholds established by this Regulation for the specified procedures (item 5.6.6c), 5.6.6d), 5.6.6e), 5.7.3 and 5.9.4 of this Regulation).

8.12.5.2 Under decision of the CPB of the Customer the choice of the supplier (subcontractor, co-performer) can be performed by method of purchase from a sole supplier (contractor, performer) based on item 5.11 of this Regulation or price thresholds on concrete purchasing procedure can be raised.

9. ORDER OF THE CONCLUSION AND EXECUTION OF CONTRACTS

9.1 The contract conclusion

9.1.1 The order of the contract conclusion and execution is regulated by the Civil code of the Russian Federation, other standard legal acts of the Russian Federation, local acts of the Customer taking into account norms of this subsection.

9.1.2 The procedures performed in connection with the conclusion of the contract, provide for:

- a) preparation of the contract draught for signing by the Customer and the organization chosen as the winner and (or) which has presented under the decision of the purchasing commission the best bid/offer. The contract draught for signing is prepared on the basis of the contract draught which is an integral part of the documentation about purchase, and bids of the winner of purchase and (or) the participant who has presented the best bid/offer, and also taking into account the provisions specified during carrying out of pre-contractual negotiations (if they have been conducted). Following the results of tendering the contract is also concluded on the basis of the report on results of the tenders;
- b) the contract signing;
- c) the control over accomplishment of all conditions for the contract entering into force.

9.1.3 Term for signing of the contract by the participant, chosen as the winner and (or) who has presented under the decision of the purchasing commission the best bid/offer, is determined by the documentation about purchase.

9.1.4 In a case if in the documentation about purchase the obligation on representation of provision of the contract has been provided, such provision should be given by the organization chosen as the winner and (or) which has presented under the decision of the purchasing commission the best bid/offer on purchase in time, provided in the documentation about purchase and the contract.

9.1.5 In a case if the participant of purchase, who is to sign the contract, has not given the Customer in time, specified in item 9.1.3 of this Regulation, the contract signed by him, such participant is recognized as evading from the contract conclusion. In case of evasion of the participant of purchase from the contract conclusion the brought provision of the bid is not returned to such participant of purchase (if the requirement about the provision of security of the application form for participation in purchase has been provided by the Customer in the documentation about purchase).

9.1.6 In a case if the participant of the purchase, obliged to conclude the contract, is recognised evading from the conclusion of the contract, the Customer has the right to conclude the contract with the participant of purchase, whose application form for participation in the purchase the following index number was assigned to. Thus the term for contract signing will be similar to the term provided in item 9.1.3 of this Regulation.

9.1.7 The conclusion of party-related contracts is performed only after their approval by controls of the Customer in strict conformity with requirements of the legislation of the Russian Federation.

9.1.8 The detailed order of the conclusion of the contract by results of purchase carrying out is established in the Documentation about purchase. The documentation about purchase may also provide for the right of the Customer to conclude several contracts on result of purchase, including within one lot.

9.1.9 Procedure of the conclusion of the contract and the control of its execution is determined by local standard documents of the Customer.

9.2 The contract execution

9.2.1 The contract is performed according to the conditions determined by the legislation of the Russian Federation, and the contract itself, including the changes made to it.

9.2.2 At contract execution as agreed between the Customer and the supplier (contractor, performer) it is allowed to deliver (use) goods, the quality, technical and functional characteristics (consumer properties) of which are improved in comparison with such quality and such characteristics of goods specified in the contract.

9.2.3 The contract termination is supposed on bases and in the order provided by the civil legislation, the contract and organizational-administrative documents of the Customer.

10. THE DISPUTE RESOLUTION CONNECTED WITH CARRYING OUT OF PURCHASES

10.1 General provisions

10.1.1 Any participant who declares that he has incurred or can suffer losses as a result of infringement of the rights by the Customer, the Organizer of purchase or separate members of the purchasing commission, has the right to file a claim for dispute resolution connected with carrying out of purchases (further — disagreements) in the address of the Customer and (or) or the Organizer.

10.2 Consideration of disagreements in the first instance

10.2.1 Before the conclusion of the contract disagreements are forwarded to the address of the persons that made the purchase: to the address of the corresponding purchasing commission.

10.2.2 If disagreements are not resolved by mutual consent of the participant who has presented them and the persons that made the purchase, the participant has the right to direct a claim to the address of the CPB for dispute resolution. The responsible secretary of the CPB immediately notifies the chairman of the commission, which conducts the purchase, about receipt of the claim for dispute resolution. The CPB of the Customer within 10 days from the date of receipt of such disagreements shall make the written decision which contains:

- a) the justification of motives of decision making;
- b) the measures directed on satisfaction of stated requirements, in case of the complete or partial dispute resolution.
- c) The CPB has the right to accept one or several of the following decisions:
- d) at disagreements on tenders — to oblige members of the tender and (or) auction commission respectively, who made the wrongful actions, applied illegal procedures or accepted illegal decisions, to make actions, to apply procedures or to make the decision, corresponding to this Regulation;
- e) at disagreements on not competitive methods — in full or in part to cancel the illegal action or decision and to make his own decision, or to order to terminate the procedures of purchases;
- f) at disagreements on the completed purchases — to offer the management of the Customer to make the decision on the indemnification, suffered by the

participant as a result of an illegal action, decision or use of an illegal procedure. If the reservation on unilateral termination of the contract in case of detection of infringements of the procedure of its conclusion is included in the contract, the CPB has the right to suggest the management to make the decision on unilateral termination of the contract after its conclusion;

g) to recognize the claim of the participant unreasonable.

10.3 Other provisions

10.3.1 Disputes between Participants and Organizers of purchases, which have been conducted on ETP, also can be resolved in an order provided on these ETP.

10.3.2 The Participant has the right to appeal in an antimonopoly body in terms of action (failure to act) of the Customer at purchase of goods, works, services in cases:

a) of not placing on the official site of provisions about the purchase, the changes brought in the given Regulation, the information on the purchase which is subject to placing on the official site, or infringement of terms of such placing;

b) of presentation to participants of purchases of requirements about provision of the documents which have been not provided for by the documentation about a concrete purchase;

c) of realization by the Customer of purchase of goods in the absence of the provision confirmed and placed on the official site about purchase and without application of the provisions of Federal law dd. 21.07.2005 No. 94-FZ "On order placement on deliveries of goods, accomplishment of works, rendering services for the state and municipal needs".

10.3.3 The Participant of purchase has the right to appeal judicially in terms of action (failure to act) of the Customer at carrying out of purchases of goods, works, services.

10.3.4 The norms of this Regulation cannot be considered as any restriction of the right of participants (suppliers) of procedures of purchases to go to the law.

11. CERTIFICATION

11.1 Confirmation of conformity (certification) is conducted for the purpose of the certificate of conformity of goods, processes of production, operation, transportation, storage and recycling, works, services or other facilities to technical regulations, standards, conditions of contracts and systems of voluntary certification.

11.2 Obligatory confirmation of conformity to requirements on safety is performed by bodies on the certification, accredited in the GOST R system by rules and in an order established by the acting federal legislation on technical regulation.

11.3 Voluntary confirmation of indicators of quality of goods, indicators of quality and safety of works and services, and also competence and reliability of potential counterparts offering the works and services, is produced in voluntary certification systems registered when due hereunder by Federal agency on technical regulation and metrology (its legal successor).

11.4 Activity of the voluntary certification systems, which certificates are shown by product providers and contractors of works and services, should be performed on the basis of the principles established by the current legislation of the Russian Federation about technical regulation.

Note:

At the moment these principles are determined by article 19 of Federal law dd. December, 27th, 2002 No.184-FZ "On technical regulation".

11.4.1 The order of estimation and confirmation of conformity in the voluntary certification systems in a general view should provide for:

- a) preliminary expert examination of the bid for certification and documents attached to it in the body on certification;
- b) identification and testing of product samples in accredited or authorized laboratories;
- c) evaluation of quality and safety of executed works, rendered services, analysis of condition of production of enterprises offering their goods;
- d) carrying out of examinations and preparation of offers by results of conformity estimation in accredited or assigned with corresponding powers expert organizations from among the most competent and authoritative scientific, design, technological and research organizations;
- e) consideration in a body on certification of expert judgments and test reports and decision making about confirmation (refusal in confirmation) of conformity of a certified facility, about issue (refusal in issue) of a certificate;
- f) entering the certificate into the register.

11.5 Availability at the participant of purchase of certificates of a voluntary certification system can be considered by purchasing commissions as one of the estimate criteria increasing preference of offers of the given participant from the point of view of reliability, in a case if the system conforms simultaneously to the following requirements:

- a) has no restrictions in a choice of facilities of the certification acquired by enterprises and organizations of the electric power industry;
- b) warrants high level of professionalism and objectivity of expert evaluations and testing results which are conducted by competent institutes and test laboratories;
- c) gives the possibility to the Customer to obtain compliance confirmation under those requirements to an acquired facility which of his first interest;
- d) has various blank forms of certificates and marks of conformity for various facilities of certification that excludes possibility of their unfair use.

12. CERTIFICATION OF PURCHASED EQUIPMENT, TECHNOLOGIES AND MATERIALS

12.1 The order of certification of equipment, technologies and materials is determined by organizational-administrative documents of the Company.

13. INSURANCE OF RISKS AT CARRYING OUT OF CONTRACT WORKS

13.1 The Organizer of purchase at purchase carrying out to choose contractors for production of civil and erection works and works on reconstruction and modernization is obliged to provide inclusion in the documentation about purchase, and also the contract draught, concluded by results of carrying out of purchase, of conditions of insurance of risks at carrying out of contract works according to internal organizational-administrative documents Company.

14. TRANSITIONAL PROVISIONS

14.1 For a transition period from 01.01.2013 to 01.01.2015 the plan of purchases of innovative, highly technological goods, medical products is placed by the Customer on the official site for a three years' term. After 01.01.2015 the specified plans of purchases are placed for the term from five to seven years.

15. APPENDICES TO THE REGULATION

15.1 The Appendices to this Regulation refer as follows:

15.1.1 Appendix 1. Glossary;

15.1.2 Appendix 2. The form of the Plan of purchase;

15.1.3 Appendix 3. The report on execution of the Plan of purchase;

15.1.4 Appendix 4. Principles of forming of selection and estimation criteria and evaluation of bids of participants of purchases;

15.1.5 Appendix 5. The notice on tender carrying out;

15.1.6 Appendix 6. The notice on auction carrying out;

15.1.7 Appendix 7. The notice on carrying out of the purchase which are not tenders, a small purchase, a purchase from a sole supplier (contractor, performer);

15.1.8 Appendix 8. Regulation on activity of the purchasing commission;

15.1.9 Appendix 9. The tender documentation for open one stage tender;

15.1.10 Appendix 10. The auction documentation;

15.1.11 Appendix 11. The documentation on carrying out of open request for proposals;

15.1.12 Appendix 12. Regulation about the activity of the expert advisory body;

15.1.13 Appendix 13. The documentation on carrying out of open request for quotation;

15.1.14 Appendix 14. The invitation to participation in simple purchase;

15.1.15 Appendix 15. A set of auxiliary documents;

15.1.16 Appendix 16. The form of provision of the information about a chain of proprietors of the participant, including beneficiaries (including final ones);

15.1.17 Appendix 17. The typified form of the purchasing bid.

15.2 The listed appendices are typified forms, and can be added or replaced with other forms corresponding to this Regulation developed by the Customer and agreed with the CPB of the Company.