



# APPENDIX G

## DECLARATION OF INTENT REGARDING A PERFORMANCE AND WARRANTY GUARANTEE

Contract on subsidy for carbon capture, transport, and Storage



### **Instructions for tenderers**

*The tenderer shall with the tenderer's offer submit a declaration of intent regarding a performance and warranty guarantee, see the Tender specifications, paragraph 13.1.3 regarding the first Indicative Offer (INDO) and paragraph 15.1 regarding the Best and Final Offer (BAFO).*

*The tenderer shall fill in this Appendix and submit it with the tenderer's offer.*

*The amount in DKK of the declaration shall be stipulated as set out in the declaration text below, i.e. amount in DKK = 3 \* Offered Rate x Annual Quantity. The tenderer is to calculate the amount in DKK of the declaration itself. For the purpose of the amount in DKK of the declaration of intent, the Offered Rate shall be the same amount in DKK that the tenderer specifies in the sheet "Offered Rate" in Appendix 6, Offered Rate, Contracted Quantity & baselines. For the purpose of the amount in DKK of the declaration of intent, the Annual Quantity shall be the same quantity of CO<sub>2</sub> that the tenderer specifies in the sheet "Contracted Quantity", field "Annual Quantity" in Appendix 6, Offered Rate, Contracted Quantity & baselines, notwithstanding whether the tenderer also specifies a 2029-Quantity in Appendix 6.*

*Prior to the signing of the Contract(s) the tenderer(s) who is awarded a Contract shall provide the DEA with an unconditional and irrevocable on-demand Performance and Warranty Guarantee issued by a Guarantor in favour of the DEA. The Performance and Warranty Guarantee shall be in the form of Appendix 11, Model performance and warranty guarantee, and otherwise in accordance with the provisions of the Contract, including clause 13 of the Contract. Reference is made to Appendix 11, Model performance and warranty guarantee, for instructions for tenderers regarding the guarantee.*

### **Important information regarding the Performance and Warranty Guarantee**

*Note that the Performance and Warranty Guarantee in Appendix 11, Model Performance and Warranty Guarantee, shall be issued with a guarantee amount in DKK calculated on the basis of the Offered Rate<sub>2026</sub> (and not based on the Offered Rate as for this Appendix G). The Offered Rate<sub>2026</sub> shall for the purpose of the Performance and Warranty Guarantee be calculated as the Offered Rate adjusted for inflation in accordance with Appendix 5, Subsidy and economy scheme, clause 5.2. The DEA will calculate and inform the tenderer of the guarantee amount for the Performance and Warranty Guarantee prior to contract signing. For further information reference is made to Appendix 11, Model performance and warranty guarantee.*

*All tenderers are encouraged to in due time during the tender procedure to present the Appendix 11, Model performance and warranty guarantee, to one or several banks and/or insurance companies and submit any comments or questions that these might have in the digital tendering system in accordance with the procedure in the Tender specifications, paragraph 8 or 11.*

*Note the requirements regarding the Guarantor as set out in clause 13 of the Contract.*



*The DEA encourages the tenderers to submit questions in accordance with the procedure in the Tender specifications, paragraph 11, if the tenderers are in doubt on how to fill in this Appendix, including how to calculate and fill in the amount in DKK of the declaration.*



## Declaration of intent regarding a performance and warranty guarantee

To: Energistyrelsen (The Danish Energy Agency)  
CVR-nr. 59778714  
Carsten Niebuhrs Gade 43  
DK-1577 Copenhagen V  
Denmark

### 1. Declaration of intent to provide an unconditional and irrevocable on-demand performance and warranty guarantee

Capitalised terms used in this declaration shall have the meaning as ascribed to them in Appendix 2, Definitions.

In connection with the tenderer *[insert name of tenderer]* submitting its offer pursuant to Contract Notice no. *[insert number]* concerning the tender for Contract on subsidy for carbon capture, transport, and Storage, *[insert name of the bank / the insurance company]* declares by signature that *[insert name of tenderer]* is our client and currently has the financial capacity to issue an on-demand performance and warranty guarantee of at least DKK *[insert amount in words ([insert amount in figures])]* (calculated as:  $amount\ in\ DKK = 3 * Offered\ Rate \times Annual\ Quantity$ ).

The final issue of the on-demand performance and warranty guarantee will be determined by *[insert name of the bank / the insurance company]*'s assessment of the financial capacity of *[insert name of tenderer]* at the time of the request from *[insert name of tenderer]* for final issue of the on-demand performance and warranty guarantee.

The final performance and warranty guarantee shall be issued in favour of the DEA on the terms and conditions specified in Appendix 11, Model performance and warranty guarantee, and clause 13 of the Contract, which *[insert name of the bank / the insurance company]* by signature declares to have read and accept.

### 2. Credit rating

*[Insert name of the bank / the insurance company]* hereby declares by signature that *[insert name of the bank / the insurance company]* has ratings for long-term debt from two (2) of the mentioned three rating



institutions (or corresponding ratings for long-term debt from similar reputable international rating institutions):

- a) A- rating for long-term debt issued by Standard & Poor's;
- b) A- rating for long-term debt issued by Fitch; and / or
- c) A3 rating for long-term debt issued by Moody's.

Signature(s)

Place:

Date:

On behalf of [*insert name of the bank / the insurance company*]

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Name:

Title: