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APPROVED
Rīga, 25 March 2021

Regulations

"System for Conformity Assessment of Materials"

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1. Purpose of the Document

The purpose of the document is to ensure the use of sustainable, unified, uniform and high-quality goods and materials (hereinafter referred to as the Materials) in restoration, construction and repair works of Sadales tikls AS

The system for conformity pre-assessment of materials (hereinafter referred to as the System for Conformity Assessment of Materials) has been established for the recognition of materials which may be used in the electricity networks of Sadales tikls AS.

This document does not apply to the establishment and maintenance of the supplier qualification system within the meaning of the Law On the Procurement of Public Service Providers.

2. Scope of the Document

The document is binding on all manufacturers of Materials and/or suppliers of Materials, contractors, employees of Sadales tikls AS and Latvenergo Group functions, whose duties are related to the supply, purchase of Materials and planning and provision of construction works for the needs of Sadales tikls AS.

3. General provisions

- 3.1. A Register of Materials is created and maintained in the System for Conformity Assessment of Materials (hereinafter referred to as the Register of Materials), which contains the materials that can be used in the electricity network of Sadales tikls AS, the quality and fitness of which for the network renovation works is first verified by the Material Conformity Assessment Commission established by Sadales tikls AS (hereinafter referred to as the Assessment Commission).

The Register of Materials is available on the website of Sadales tikls AS www.sadalestikls.lv.

- 3.2. Participation in the selection procedure for the conformity assessment and inclusion of Materials in the Register of Materials shall be on equal and fair terms between manufacturers and/or suppliers or distributors of Materials (natural or legal person, or an association of such persons) (hereinafter referred to as the Suppliers) who wish the Materials manufactured or distributed by them to be included in the Register of Materials meeting the requirements of Sadales tikls AS.
- 3.3. Any Supplier may at any time submit Materials for their conformity assessment in accordance with the procedures specified in the System for Conformity Assessment of Materials Regulations (hereinafter referred to as the Regulations).
- 3.4. The Supplier may apply for changes to the Register of Materials in accordance with the procedures specified in the Regulations, if:
 - 3.4.1. The material included in the Register of Materials is no longer produced by its manufacturer;
 - 3.4.2. The manufacturer has made changes to the technical parameters of the Material included in the Register of Materials. If the manufacturer has changed the technical parameters of the Material, the Supplier must complete the technical specifications of the relevant Material and attach the

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relevant documents to prove that the Material complies with the technical specifications.

- 3.5. The Assessment Commission, in accordance with Paragraph 8 of these Regulations, shall examine the submitted applications and decide on the inclusion of the Materials in the Register of Materials. The Supplier shall be informed of the decision taken.
- 3.6. The inclusion of Materials in the Register of Materials shall not be construed as a promise of any kind for the conclusion of a works, supply or service contract or general agreement.
- 3.7. The Assessment Commission is responsible for maintaining the Register of Materials.
- 3.8. Amendments to the Regulations shall be approved by the Chief Development Officer of Sadales tikls AS.

4. Receipt of information on the System for Conformity Assessment of Materials

- 4.1. Suppliers can get acquainted with the Regulations on the website of Sadales tikls AS www.sadalestikls.lv.
- 4.2. Organisational information can be obtained by sending a request to e-mail dokumentiem@sadalestikls.lv by entering "*System for Conformity Assessment of Materials*" in the subject field of the e-mail.

5. Materials included in the System for Conformity Assessment of Materials

- 5.1. The technical specifications of the Materials included in the System for Conformity Assessment of Materials are published on the website of Sadales tikls AS www.sadalestikls.lv.
- 5.2. Suppliers may submit an Application for Conformity Assessment of Materials for any technical specification or technical specifications of the Materials included in the list of technical specifications.

6. Design and content of the application

- 6.1. The application and accompanying documents must be prepared in electronic format. The application must be prepared in Latvian or English, the attached documents in Latvian and/or English. The completed technical specification of Materials must be submitted using the file format published on the website of Sadales tikls AS . The application shall be submitted in accordance with the requirements specified in Paragraph 7 of the Regulations. Documents attached to the application must be submitted in pdf, but photos must be in jpg format. The application shall have a table of contents listing all the documents submitted, with the exact name of each file.
- 6.2. For the conformity of the offered Materials to be assessed, the Supplier must submit the following documents:
 - 6.2.1. The application letter in accordance with the form in Annex No. 1 to the Regulations. Suppliers must submit a separate application for conformity assessment of Materials for each technical specification of Materials;

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- 6.2.2. The technical offer confirming that the offered Materials conform to the technical requirements specified for the Material. Conformity must be demonstrated by:
- accurately and completely filled technical specification of the Materials concerned published on the website of Sadales tikls AS;
 - descriptive documents for the Materials offered, as specified in the requirements of the technical specification for the Materials concerned (copies of type tests from laboratories accredited in Europe and laboratory accreditation certificates, instructions for use, photographs, etc.).
- 6.2.3. The Supplier must offer all the Materials specified in the specific technical specification.
- 6.3. If changes need to be made to the Register of Materials, in the cases referred to in paragraph 3.4 of these Regulations, the Supplier must submit the following documents:
- 6.3.1. The Application letter in accordance with the form in Annex No. 2 to the Regulations;
- 6.3.2. Technical offer confirming that the changes made in the technical parameters of the Material conform to the technical requirements specified for the Material. Conformity must be demonstrated by:
- accurately and completely filled technical specification of the Materials concerned published on the website of Sadales tikls AS;
 - descriptive documents for the Materials offered, as specified in the requirements of the technical specification for the Materials concerned (copies of type tests from laboratories accredited in Europe and laboratory accreditation certificates, instructions for use, photographs, etc.).
- 6.4. The application should be prepared in such a way that the operation of information systems of Sadales tikls AS is not jeopardised in any way and access to the information included in the application is not limited, including the application should not contain computer viruses and other malware or generators thereof.

7. Procedure of submission of applications

- 7.1. Applications shall be submitted in one of the following ways:
- 7.1.1. the application signed with a secure electronic e-signature is sent electronically to e-mail: dokumentiem@sadalestikls.lv by entering "*System for Conformity Assessment of Materials*" in the subject field of the e-mail;
- 7.1.2. a physically signed application is sent by post or submitted in person to Sadales tikls AS Šmerļa Street 1, Riga, Latvia, LV-1160 (1st floor – to the administrator). The Supplier shall submit the documents attached to the application in electronic format on a separate electronic storage medium – on a USB flash drive, placing it in a sealed envelope or other sealed packaging, writing on it the full address of the recipient and the indication "*System for Conformity Assessment of Materials. CONFIDENTIAL, TO BE OPENED BY THE ASSESSMENT COMMISSION ONLY*".
- 7.2. The applications accepted for assessment are not returned to the Supplier.

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- 7.3. There is no specific deadline for the submission of applications and they can be submitted throughout the entire period, while the System for Conformity Assessment of Materials is maintained.

8. Examination of the application

- 8.1. The submitted Applications are opened and examined at the meeting of the Assessment Commission without the participation of the Supplier's representatives. Representatives of the Supplier may be invited to participate in tests or inspections of the Material, if such are organised, by mutual agreement.
- 8.2. The submitted applications are reviewed and evaluated within 90 (ninety) calendar days, counting from the moment of their registration in the record keeping system of Sadales tikls AS. If the Materials need to be tested or additional documentation is required, the Assessment Commission may extend the deadline for examination of the application by notifying the Supplier electronically by sending a notice to the e-mail specified in the application.
- 8.3. During the assessment of the application, the Assessment Commission may require the Supplier to submit in writing additional information or explanations on any part of the submitted application, as well as additional documents necessary for objective assessment of the technical conformity of the Materials or technical and professional capabilities of the manufacturer of the Materials.
- 8.4. In the event that the Assessment Commission finds that the Supplier has not submitted all the documents required by Paragraph 6 or 8.3 of the Regulations or their content does not comply with the requirements of the Regulations, the Assessment Commission shall suspend the examination of the application, notify the Supplier of the identified deficiencies, indicating the term within which the Supplier must eliminate these deficiencies.
- 8.5. In order to ascertain the conformity of the offered Material with the technical requirements of Sadales tikls AS, in addition to the evaluation of the documentation, tests and inspections of samples of Materials may also be organised in accordance with the procedure described in Paragraph 8.7 of these Regulations.
- 8.6. The Supplier, upon the request of Sadales tikls AS, shall ensure the submission of samples of Materials by mutually agreeing on the terms and conditions of sample delivery or inspection and testing. The Assessment Commission shall suspend the examination of the application until samples of the Materials have been received and may examine, inspect or test them.
- 8.7. Conditions for performing tests or inspections on samples of Materials:
- 8.7.1. Tests or inspections are organised by Sadales tikls AS;
- 8.7.2. The Supplier is responsible for supplying samples of Materials required to perform the tests or inspections. The Supplier shall provide the Material required for the tests and its delivery at its own expense;
- 8.7.3. If the Supplier wishes to receive the Material back, it shall cover all costs related to the storage, loading and shipping of the Material;
- 8.7.4. Destructive tests may be applied to the testing or inspection of the Material, therefore Sadales tikls AS does not take responsibility for the technical condition of the Material after the tests and inspections have been performed;

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8.7.5. During the tests or inspections, the conformity of the physical, chemical, functional or other parameters of the Material to the requirements included in the technical specifications of the Material is checked;

8.7.6. Tests or inspections are performed in accordance with the test scenarios developed by Sadales tikls AS or the test methods specified in the relevant standards;

8.7.7. Descriptions of test scenarios for Materials are added to the technical specifications of the Materials to which the tests or inspections can be applied.

- 8.8. Sadales tikls AS, on the basis of the submitted documentation and samples of Materials, if such were requested, assesses the conformity of the submitted Materials to the technical requirements.

Conformity criterion – the Material meets all the minimum technical requirements for the specific Material specified in the technical specification of the specific Material.

Justification of conformity – the submitted technical specifications of the Material, documents substantiating the technical conformity and the results of tests and inspections of samples of Materials, if performed.

- 8.9. Sadales tikls AS has the right to additionally assess the technical and professional capabilities of the manufacturer of the Materials. Such an assessment may be performed if Sadales tikls AS has no previous experience of cooperation with the specific manufacturer of the Materials or if a Material that has not been previously used by Sadales tikls AS is offered.
- 8.10. The criteria for the assessment of the technical and professional capability of the manufacturer of Materials, if applicable to the specific Material, are attached to the technical specification of the specific Material.
- 8.11. If the offered Materials conform to the technical requirements of Sadales tikls AS, as well as the inspection of the assessment of the technical and professional capabilities of the manufacturer of Materials performed in accordance with paragraph 8.9 of the Regulations has not revealed any reasons that could affect the technical parameters of the Material or its quality, the Materials shall be included in the Register of Materials. The Supplier is informed in writing about the decision made by sending information about the decision to the Supplier's e-mail indicated in the application.
- 8.12. The Supplier's application may be rejected if the Assessment Commission finds that:
- 8.12.1. The Supplier has tried to influence the decision of the Assessment Commission regarding the inclusion of the Supplier in the Register of Materials conforming with the requirements of Sadales tikls AS;
 - 8.12.2. The Assessment Commission finds that the Supplier, when submitting the documents for the conformity assessment of the Materials, has provided false information for the conformity assessment of the Materials.
 - 8.12.3. Within the term specified by the Assessment Commission, the Supplier has not rectified the deficiencies identified by the Assessment Commission, has not submitted the missing documents or information;
 - 8.12.4. the offered Material has previously been excluded from the Register of Materials because it did not conform to the requirements of Sadales tikls AS and/or it has been established during its use that it is unable to meet the requirements set for the Material or its quality is not appropriate. In this case,

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only the applications for conformity assessment of Materials that do not comply with the above shall be rejected;

8.12.5. The Supplier has submitted an application not meeting the requirements set in Paragraph 6 of the Regulations, including and not limited to, incomplete technical specifications have been submitted, documents certifying the quality of the material, descriptions, instructions specified in the technical specifications have not been submitted, samples of Materials required for tests have not been provided, if requested.

8.13. After the decision of the Assessment Commission, the Suppliers are informed about the conformity of the submitted Materials to the requirements and inclusion in the Register of Materials or rejection of the application within 5 (five) working days. Notification of the decision is sent electronically to the e-mail of the Supplier indicated in the application letter.

9. Validity of Materials and their exclusion from the register

9.1. The term for inclusion of a specific material in the Register of Materials of Sadales tikls AS is 5 (five) years from the adoption of the decision by the Assessment Commission regarding the inclusion of the Material in the Register of Materials, except for the cases referred to in Paragraph 9.2 of the Regulations. When this period is over, the Material is excluded from the Register of Materials, unless a decision of the Commission is made or the Applicant submits a request to extend the validity of the Material in the Register of Material.

9.2. The term for inclusion of measuring instruments subject to state metrological control (in accordance with Regulations of the Cabinet of Ministers No.624 of 14 October 2014 "Regulations Regarding the Procedures for the Metrological Control of Measuring Instruments and the Initial Verification Marks") in the Material Register of Sadales tikls AS is determined in accordance with expiry date of the Type Approval Certificate. After the expiration of this term, the specific Material is automatically excluded from the Register of Materials of Sadales tikls AS.

9.3. The Assessment Commission may at any time exclude a particular Material from the Register of Materials if:

9.3.1. Sadales tikls AS decides not to use the specific Material or changes technologies in the future;

9.3.2. the requirements of the technical specifications of Sadales tikls AS are changed and the specific Material no longer conforms to them. In this case, the Assessment Commission may, on its own initiative, re-assess the conformity of the Material using the new version of the technical specification before removing the Material from the Register of Materials;

9.3.3. upon receipt of the Material or during the use of the Material it is detected (including when supervising and/or accepting renovation, construction and repair works) that the Material recognised as conforming does not meet any of the technical specifications or quality requirements of the Material. In this situation, if the specific Material (type, brand) is manufactured by several companies and discrepancies have been established in the products of a

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particular manufacturer, the Material of the specific manufacturer shall be excluded from the Register of Materials;

- 9.3.4. it is established that the Material recognised as conforming is no longer manufactured, or significant changes have been made to the production process, or other significant reasons have been established that make it necessary to perform a repeated conformity assessment procedure for the Materials;
 - 9.3.5. amendments are made to the regulatory enactments of the Republic of Latvia and the European Union or to the relevant standards that change the manufacture, conformity testing, certification, operation or use of the specific Material.
 - 9.3.6. The Assessment Commission finds that the Supplier, when submitting the documents for the conformity assessment of the Materials, has provided false information for the conformity assessment of the Materials.
- 9.4. In the cases specified in Paragraph 9.3 of these Regulations Sadales tikls AS shall inform the Suppliers who have submitted the said Material for inclusion in the Register of Materials about its intention to exclude a Material from the Register of Materials, indicating the reasons. Such notification shall be sent electronically by Sadales tikls AS at least 90 (ninety) days before the date on which it is intended to be excluded from the Register of Materials to the e-mails indicated by the Supplier who has submitted the application for conformity assessment of the specific Material. Such notice is also published on the website of Sadales tikls AS in the Register of Materials, indicating the Material to be excluded, its manufacturer and the date from which the Material is excluded from the Register of Materials.
- 9.5. In the cases specified in Sub-Paragraphs 9.3.3, 9.3.4, 9.3.5 and 9.3.6 of these Regulations the Assessment Commission may decide the exclude the specific Material from the Register of Materials before the deadline specified in Paragraph 9.4 of the Regulations.

10. Other provisions

- 10.1. Sadales tikls AS automatically includes in the Register of Materials the Materials offered by the Tenderers participating in procurement procedures and price polls for Materials organised by Sadales tikls AS, who have been recognised as the winners in these procedures. The inclusion of other Materials offered in this procurement procedure or price poll in the Register of Materials shall be evaluated by the Assessment Commission.
- 10.2. The Assessment Commission is responsible for the maintenance of the Regulations.

11. Processing of personal data

- 11.1. For the purpose of ensuring the fulfilment of the provisions of the Material Assessment Regulations, including the circulation of information, as well as to fulfil the legal obligations applicable to the Assessment Commission and Applicant and to respect the legitimate interests of the Assessment Commission and Applicant, the

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Parties shall have the right to process personal data obtained from each other (such as the contact details), complying with the legal requirements for the processing and protection of such data, including, but not limited to the General Data Protection Regulation ((EU) 2016/679).

11. 2. The Assessment Commission or Applicant disclosing the personal data to the other Party for processing shall be responsible for ensuring the legal basis for the processing of personal data of the respective data subjects. The person obtaining personal data within the scope of material conformity assessment shall be deemed the controller of the obtained personal data and shall be responsible for further compliance of the processing of these personal data with the requirements of regulatory enactments.
11. 3. The Assessment Commission or the Supplier undertakes without prior written consent not to transfer to third parties the data of natural persons obtained from each other, except in cases when regulatory enactments provide for the transfer of such data.
11. 4. If in accordance with regulatory enactments the Assessment Commission or the Supplier are obliged to transfer to third parties the data of natural persons obtained from each other, then before transferring such data the Assessment Commission or the Supplier, having evaluated the justification, shall coordinate the transfer of such information with the other party, unless it is prohibited to do so by regulatory enactments.
11. 5. If the Assessment Commission or the Supplier (processor) processes personal data at the instruction of the other party (controller), such processing of personal data shall take place in accordance with the Rules of Processing of Personal Data available on <https://www.sadalestikls.lv/en/about-us-2/who-we-are/processing-of-personal-data/>.
11. 6. The Assessment Commission and the Supplier undertake at the other party's request and/or after exclusion of the Supplier from the Register of Materials to destroy the data of natural persons obtained from each other, if the need to process for the fulfilment of the requirements of these Regulations ceases to exist.

12. Annexes to the Regulations

12. 1. Annex No. 1: Application letter for Material conformity assessment
12. 2. Annex No. 2: Application letter for changes to the Register of Materials

APPLICATION LETTER

Attn: Sadales tīkls AS
1 Šmerļa Street,
Riga, LV-1160, Latvia
_____201_*

APPLICATION FOR CONFORMITY ASSESSMENT OF MATERIALS

By submitting this Application, we would like to register the following materials manufactured/supplied/distributed by us in the Register of Materials of Sadales tīkls AS:

No.	Category number of the Material assigned by Sadales tīkls AS	Category name of the Material assigned by Sadales tīkls AS	Name of the manufacturer of the Material and the country of manufacture	Full designation of the type of the Material

List of the documents submitted: _____

Applicant's contact information:

Name: _____

Reg. No. _____ Tax payer's reg. No.: _____

Registered address: _____

Office address: _____

Phone: _____; E-mail: _____

Contact person: _____
(Given name, surname and job title)

Phone: _____; E-mail: _____

By signing this Application, I certify that:

- the information and data provided are true and the copies of the documents submitted are true copies of the originals;
- I assume full responsibility for the completeness of the documents submitted, the information contained therein, presentation and compliance with the requirements of

the Regulations, and I am informed that in the event of providing false information I may be held liable as prescribed by law;

- I am informed and aware that Sadales tīkls AS will process my personal data (name, surname, contact address (e-mail or postal address) and telephone number) to the extent that is necessary to assess the conformity of the Materials submitted within the System for Conformity Assessment of Materials, and Sadales tīkls AS has the right both to receive and request my personal data from third parties and transfer my personal data to third parties involved in the process of the conformity assessment of the Materials. The processing of personal data will be carried out while the process of the conformity assessment of the Materials is in force.

Signature: * _____

Given name, surname: _____

Job title: _____

* If the document is signed with an electronic secure e-signature, the date and signature zone need not be filled in.

The date of signing the application is the date of the secure electronic signature and its time stamp.

APPLICATION LETTER

Attn: Sadales tīkls AS
1 Šmerļa Street,
Riga, LV-1160, Latvia
_____201_*

APPLICATION FOR CHANGES REQUIRED IN THE REGISTER OF MATERIALS

By submitting this Application (*mark as appropriate*):

we ask you to exclude the following materials manufactured/supplied/distributed by us from the Register of Materials of Sadales tīkls AS

we ask you to assess the changes made by the manufacturer to the technical parameters of the following materials manufactured/supplied/distributed by us that are included in the Register of Materials of Sadales tīkls AS:

No.	Code of the Material assigned by Sadales tīkls AS	Manufacturer of the Material	Name of the Material

List of the documents submitted: _____

Applicant's contact information:

Name: _____

Reg. No. _____ Tax payer's reg. No.: _____

Registered address: _____

Office address: _____

Phone: _____; E-mail: _____

Contact person: _____
(Given name, surname and job title)

Phone: _____; E-mail: _____

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By signing this Application, I certify that:

- the information and data provided are true and the copies of the documents submitted are true copies of the originals;
- I assume full responsibility for the completeness of the documents submitted, the information contained therein, presentation and compliance with the requirements of the Regulations, and I am informed that in the event of providing false information I may be held liable as prescribed by law;
- I am informed and aware that Sadales tīkls AS will process my personal data (name, surname, contact address (e-mail or postal address) and telephone number) to the extent that is necessary to assess the conformity of the Materials submitted within the System for Conformity Assessment of Materials, and Sadales tīkls AS has the right both to receive and request my personal data from third parties and transfer my personal data to third parties involved in the process of the conformity assessment of the Materials. The processing of personal data will be carried out while the process of the conformity assessment of the Materials is in force.

Signature: * _____

Given name, surname: _____

Job title: _____

* If the document is signed with an electronic secure e-signature, the date and signature zone need not be filled in.

The date of signing the application is the date of the secure electronic signature and its time stamp.