Anexa Nr. 7
La Caiet de sarcini

REGISTRU UNITAR
cu penalizari aplicabile firmelor prestatoare si metodologii de aplicare

Incheiat intre **PETROTEL-LUKOIL S.A.** in calitate de **Beneficiar** si ____________________ in calitate de **Prestator**.

A. Domeniile SSM-SU, siguranta industriala, regimul intern şi de acces

Nr. Crt.	Cerinte incalcate	Sanctiunea aplicata lucratorilor (Perioada interzicere acces)	Puncte penalizare
1.	**Permisul de lucru**		
1.1	Executarea lucrarilor fara permis de lucru	1 luna	70
1.2	Neutilizarea sculelor antiex in zonele Ex cu instalatiile tehnologice in functiune/oprite	3 zile	30
1.3	Persoane gasite la lucru fara a fi mentionate in permisul de lucru	3 zile	30
1.4	Nesemnalizarea zonei de lucru		10
1.5	Neinscrierea lucratorilor/persoanelor terte in "Registrul de acces" la intrarea in obiectivele tehnologice		10
1.6	Utilizarea sculelor neconforme (cu defecte, improvizatii) sau inadecvate tipului de lucrari executate	3 zile	30
2.	**Echipament Individual de Protectie (EIP)**		
2.1	Lipsa totala a EIP in timpul lucrului	Interzicerea definitiva a accesului	90
2.2	Neutilizarea antifoanelor la executarea lucrarilor	3 zile	30
2.3	Lipsa/neutilizare casca de protectie in timpul lucrului	3 zile	30
2.4	Lipsa/neutilizare bocanci de protectie in timpul lucrului	3 zile	30
2.5	Lipsa/neutilizare ochelari de protectie in timpul lucrului	3 zile	30
2.6	Lipsa/neutilizare manusi de protectie in timpul lucrului	3 zile	30
2.7	EIP nu corespunde cerintelor PLK	3 zile	30
2.8	Lucrul fara echipament special de protectie (ex. detector H2S, masca de gaze, echipament specific pentru sudori, vopsitori, vidanjori, operatori spalari, sablori etc.)	3 zile	30
2.9	Lucrul fara informare asupra factorilor de risc	3 zile	30

2.10	Lipsa/neutilizare salopeta de protectie	3 zile	30
3.	**Lucrul la inaltime**		
3.1	Utilizarea de schele fara controlul de securitate	1 saptamana	50
3.2	Neutilizare sau utilizare incorecta a centurilor de siguranta	1 luna	70
3.3	Montarea/demontarea in conditii de nesiguranta si utilizarea/modificarea neautorizata a schelei	3 zile	30
3.4	Utilizarea scarilor neconforme (deformate, lovite, lipsa elemente anti-derapante etc.)	3 zile	30
3.5	Lipsa persoanei de asigurare a lucratorului amplasat pe scara	3 zile	30
3.6	Nerespectarea regulilor de lucru in siguranta, la inaltime	3 zile	30
3.7	Executarea lucrarilor la inaltime din pozitii periculoase	3 zile	30
3.8	Realizarea necorespunzatoare a schelelor	3 zile	30
4.	**Lucrul in spatii inchise**		
4.1	Lipsa permis de lucru cu gaze	1 luna	70
4.2	Lipsa supraveghetor la locul de munca	1 luna	70
4.3	Inceperea lucrului fara aparat izolant pentru protectia respiratiei, franghie de siguranta, centura de siguranta	3 zile	30
4.4	Inceperea lucrului fara efectuarea analizei mediului in zona de lucru	3 zile	30
4.5	Iluminat de lucru la joasa tensiune lipsa/insuficient		20
5.	**Sapaturi**		
5.1.	Lipsa permis de sapaturi	1 luna	70
5.2.	Sapaturi cu maluri nesprijinite	1 luna	70
5.3	Nerealizarea masurilor de siguranta din "Permisul de sapaturi" (executarea santurilor de prospectare etc.)	1 luna	70
5.4	Nerespectarea cerintelor si interdictiilor inscrise de catre semnatarii permisului de sapaturi (ex.: interdictia de realizare mecanizata a sapaturii)	1 saptamana	50
5.5	Lipsa supraveghetor la locul de munca pe perioada executarii lucrarilor in santuri	3 zile	30
5.6	Inceperea lucrului fara franghie de siguranta, centura de siguranta	1 saptamana	50
5.7	Blocarea cailor de acces si deplasare cu materiale, echipamente, utilaje etc.		20
5.8	Neaducerea cailor de deplasare si acces si a terenului la starea initiala de dinaintea realizarii sapaturilor	1 luna	70
6.	**Lucrul cu foc**		
6.1	Lipsa permis de lucru cu foc	1 luna	70
6.2	Inceperea lucrului fara efectuarea analizei mediului in zona de lucru	1 luna	70

6.3	Inceperea lucrului inainte de a avea tot EIP mentionat in permisul de lucru	3 zile	30
6.4	Lipsa mijloacelor de prima interventie (stingator manual etc.) la locul de lucru	3 zile	30
6.5	Neacoperirea canalizarilor din zona de lucru	3 zile	30
6.6	Blocarea cailor de acces si deplasare cu materiale, echipamente etc.		20
7.	**Lucrul cu macaraua/troliu/utilaje automotoare**		
7.1	Utilizarea echipamentelor de munca (macarale, stivuitoare, electropalane, grinzi, cabluri, sufe etc.) neverificate/omologate ISCIR	1 luna	70
7.2	Utilizarea metodei "prin aruncare" a echipamentelor de munca sau a altor materiale, pentru urcarea/coborarea acestora de la locurile de munca situate la semi-inaltime/inaltime		20
7.3	Utilizare personal neautorizat	3 zile	30
7.4	Zona de lucru nu este delimitata si marcata		20
7.5	Utilizarea cablurilor nesigure/neconforme	3 zile	30
7.6	Manevrarea utilajelor de catre persoane neautorizate/neatestate	Interzicerea definitiva a accesului	90
7.7	Executarea lucrarilor cu utilaje neautorizate/neatestate	1 luna	70
7.8	Deplasarea sarcinilor fara ca macaragiul sa fie dirijat si supravegheat	3 zile	30
8.	**Instalatii si echipamente electrice**		
8.1	Utilizarea echipamentelor/instalatiilor electrice cu defectiuni, improvizatii etc.	3 zile	30
8.2	Utilizarea echipamentelor/instalatiilor electrice neadecvate mediului de lucru (neprotejat EX, la apa etc.)	1 saptamana	50
8.3	Punerea sub tensiune a consumatorilor electrici de catre persoane neautorizate	Interzicerea definitiva a accesului	90
9.	**Curatenia la locul de munca**		
9.1	Depozitarea necorespunzatoare a materialelor/deseurilor		20
9.2	Neeliminarea/necuratarea zonei dupa finalizarea lucrarilor		20
9.3	Generarea de scurgeri de produse petroliere si neluarea de masuri preventive	3 zile	30
10.	**Situatii de Urgenta**		
10.1	Nerespectarea dispozitiilor sefului de arie referitoare la SU	3 zile	30
10.2	Lipsa informare referitoare la Planul SU		20
10.3	Neautorizarea (neanuntarea) blocarii cailor de acces		20
10.4	Nerespectarea interdictiilor privind realizarea lucrariilor cu foc deschis si acces auto in zone periculoase (ex. pe timp canicular etc.)	1 saptamana	50

10.5	Utilizarea de catre toti salariatii firmelor terte a telefoanelor mobile in constructie normala in instalatiile tehnologice	3 zile	30
10.6	Utilizarea de catre personalul muncitor al firmelor terte a telefoanelor mobile in constructie normala pe teritoriul rafinariei.	3 zile	30
10.7	Utilizarea de catre personalul de conducere al firmelor terte (sefi de lucrare, maistri, ingineri, directori) a telefoanelor mobile in constructie normala pe teritoriul rafinariei fara a avea aprobare din partea PETROTEL LUKOIL S.A.	3 zile	30
10.8	Utilizarea, actionarea sau punerea in functiune a echipamentelor tehnice ale PLK (ex.: hidranti, tunuri PSI, echipamente electrice, robineti linii apa, abur, produse petroliere etc.)	1 saptamana	50
11.	**Conducerea autovehiculelor**		
11.1	Blocarea cailor de acces pentru pompieri	3 zile	30
11.2	Circulatia/stationarea pe contrasens, fara semnalizare		20
11.3	Depasirea limitei de viteza = 31 – 40 Km/h		10
11.4	Depasirea limitei de viteza = 41 – 50 Km/h		20
11.5	Depasirea limitei de viteza peste 51 Km/h	3 zile	30
11.6	Transportul persoanelor cu motostivuitorul sau alte mijloace de transport neadecvate (ex.: bena basculanta, cupa excavator etc.)	3 zile	30
11.7	Conducerea vehiculelor pe teritoriul instalatiilor fara permis	3 zile	30
11.8	Neutilizarea centurii de siguranta sau utilizarea necorespunzatoare a mijlocului de transport (transport persoane sau transport in conditii necorespunzatoare)	3 zile	30
11.9	Conducerea mijloacelor de transport sub influenţa băuturilor alcoolice	Interzicerea definitiva a accesului	90
11.10	Circulaţia mijloacelor de transport pe alte căi de acces decât cele indicate în permis	1 saptamana	50
11.11	Nefolosirea luminilor de întâlnire	3 zile	30
11.12	Folosirea mijloacelor de transport de către alte persoane decat cele indicate in permis	Interzicerea definitiva a accesului	90
11.13	Circulatia mijloacelor auto de transport cu defectiuni ale instalatiei electrice (inclusiv blocuri optice, tablou sigurante etc.)	3 zile	30
11.14	Circulatia mijloacelor auto de transport cu defectiuni ale instaliilor de alimentare cu carburanti, lubrifianti (scurgeri, neetanseitati)	3 zile	30
11.15	Lipsa sitei para-scantei la toba de esapament	3 zile	30
11.16	Lipsa stingatorului manual din dotarea vehicolului sau stingator descarcat/neverificat	3 zile	30
11.17	Circulatia fara a poseda documentele legale specifice: talon, ITP, asigurare etc.	3 zile	30
11.18	Realizarea unor reparatii la vehicul, in alte zone decat cele special amenajate		20
11.19	Tractarea unor mijloace de transport neomologate		20

12.	**Circulatia bicicletelor**		
12.1	Utilizarea telefonului mobil in timpul deplasarii pe bicicleta		20
13.	**Permise de acces persoane**		
13.1	Folosirea permiselor de acces de către alte persoane decat cele indicate in permis	Interzicerea definitiva a accesului	90
13.2	Falsificarea permiselor de acces auto si persoane	Interzicerea definitiva a accesului	90
13.3	Permise de acces persoane nedatate, nevizate sau neştampilate		20
13.4	Permise de acces deteriorate		10
13.5	Permise de acces cu termen de valabilitate expirat	3 zile	30
13.6	Efectuarea fotografierii în incinta rafinăriei fără permis şi fără însoţitor	1 saptamana	50
13.7	Introducerea de ţigări şi surse de foc neautorizate pe teritoriul rafinariei	Interzicere acces 2 ani	90
13.8	Accesul sau surprinderea pe teritoriul societăţii sub influenţa băuturilor alcoolice sau a drogurilor.	Interzicerea definitiva a accesului	90

Metodologie de aplicare pentru domeniul A:

1) Valoarea unui punct de penalizare este de **5 RON, valoare fara TVA.**

2) Lucratorii din cadrul SIPP emit note de contro,l in care aplica sanctiuni si puncte de penalizare, conform tabelului de mai sus.

3) Notele de control in care sunt specificate sanctiunile si punctele de penalizare sunt transmise responsabilului de contract. Totodata, SIPP va centraliza lunar sanctiunile si punctele de penalizare si va transmite situatia lunar catre responsabilii de contract si top management.

4) In cazul in care un prestator ajunge la un punctaj cumulat de 500 puncte intr-o perioada de 12 luni consecutive, responsabilul de contract, impreuna cu top managementul, poate decide daca, dupa finalizarea contractului in derulare, va mai continua colaborarea cu acesta pentru o anumita perioada.

5) Punctele de penalizare se aplica pentru fiecare persoana si abatere savarsita, conform tabelului de mai sus.

6) Responsabilii de contract vor informa lunar sau de cate ori este nevoie, in scris, contractorii/subcontractorii, de punctajul acumulat de catre acestia, si vor intocmi un act in care se specifica numarul de puncte de penalizare acumulate intr-o luna, precum si cuantificarea valorii acestora.

7) Pe baza actului valoric precizat la punct 6 din prezenta metodologie, responsabilul de contract solicita la contabilitatea PLK emiterea facturii de penalizare.

8) In cazul in care sanctiunea aplicata se incadreaza la suspendarea accesului temporar sau definitiv al unor lucratori, SIPP va intocmi si transmite catre Serviciul Protectie Corporativa nota interna pentru retinerea permiselor de acces.

B. Domeniul Protectiei Mediului

Nr. Crt.	Fapta sanctionabila	Numar puncte de penalizare
1	Introducerea de substante chimice in rafinarie fara acordul PLK	10

2	Folosirea de mijloace de transport care prezinta scapari de lubrifiant sau carburant	15
3	Circulatia in rafinarie cu mijloace de transport murdare	20
4	Depozitarea amestecata a deseurilor	20
5	Depozitarea direct pe sol a deseurilor contaminate cu produse petroliere	35
6	Stationarea deseurilor in zona de stocare temporara dupa sfarsitul programului	20
7	Lipsa evidentei deseurilor generate	15
8	Sanctionarea PLK de catre comisarii garzii de mediu, din vina Prestatorului	100
9	Poluarea solului sau disfunctionalitati ale statiei de epurare, din vina Prestatorului	50
10	Parasirea zonei de lucru la finalizarea lucrarilor, fara curatarea zonei	25
11	Scoaterea deseurilor din afara rafinariei fara documente de transport	40
12	Scurgerea de produse petroliere pe platforma instalatiei, din vina Prestatorului	35
13	Refuzul de a decontamina zona poluata	60
14	Depozitarea deseurilor in afara zonei de stocare temporara	20
15	Imprastierea de deseuri in timpul transportului	25
16	Circulatia mijocului de transport al deseurilor pe alt traseu fata de cel impus	25

Metodologie de aplicare pentru domeniul B:

1) Valoarea unui punct de penalizare este de **5 RON, valoare fara TVA.**

2) Centralizarea si evidenta punctajului si a valorii rezultate se fac la sfarsitul fiecarei perioade de analiza (de regula 1luna) de catre serviciul de profil (Serv. Ecologie).

3) Punctele de penalizare se aplica pentru fiecare persoana si abatere savarsita, conform tabelului de mai sus.

4) La sfarsitul fiecarei perioade de analiza, serviciul de profil intocmeste si semneaza impreuna cu responsabilul de contract un raport valoric centralizator insotit de documente doveditoare (ex: PV de sanctionare, fotografii, etc.) pentru fiecare firma prestatoare, raport pe care responsabilul de contract il prezinta firmei prestatoare pentru semnare.

5) Pe baza raportului valoric precizat mai sus, responsabilul de contract solicita la Contabilitatea PLK emiterea facturii de penalizare.

6) Pentru punerea in aplicare a interzicerii accesului persoanelor sau firmelor, Serv.Ecologie trimite adresa catre SPC indicand numele persoanei, al firmei, perioada de interzicere si data de la care opereaza interzicerea.

C. Domeniul respectarii termenelor de executie ale lucrarilor si a termenelor de ofertare

Termenele de executie lucrari sunt precizate dupa caz in: contracte, comenzi de executie, grafice de executie.

Termenele de finalizare lucrari sunt cele inscrise in actele de receptie lucrari (data convocarii comisiei de receptie.)

Pentru activitatile care se deruleaza pe baza de comenzi emise de Beneficiar si insotite de devize oferte, termenul de prezentare la Beneficiar a ofertelor este precizat in procedura de planificare a Beneficiarului (pentru lucrarile planificate).

In nici un caz acest termen nu poate depasi 6 zile lucratoare de la solicitarea Beneficiarului pentru lucrarile planificate si respectiv 6 zile lucratoare de la finalizarea interventiei accidentale.

Metodologie de aplicare pentru domeniul C:

Pentru depasirea termenelor de executie ale lucrarilor/termenului de ofertare, se aplica penalizarea de **0,15%** din valoarea lucrarii (comenzii/contractului) pentru fiecare zi de intarziere.

Penalizarile in acest domeniu se aplica de catre semnatarii situatiilor de plata (Presedintele comisiei de receptie lucrare) pe baza unui raport intocmit si semnat cu Prestatorul, de catre compartimentul tehnic responsabil cu urmarirea lucrarilor respective.

Raportul va indica obligatoriu numarul de zile de depasire a termenului de executie a lucrarii respective.

Pentru evaluarea in ansamblu a Prestatorului, valoarea penalizarii continuta in Raport, poate fi convertita de catre Beneficiar in puncte de penalizare utilizand valoarea:
1 punct de penalizare = 5 RON.

Situatia de penalizare a Prestatorului pentru prezenta categorie de incalcare a prevederilor contractuale, (situatie dovedita cu documente de aplicare semnate de Parti), da dreptul Beneficiarului de a amana primirea facturii pentru lucrarea respectiva cu pana la 60 zile calendaristice fata de termenul normal.

D. Domeniul respectarii termenelor de prezentare ale documentelor de plata pentru lucrarile executate

Factura se emite si se preda Beneficiarului impreuna cu documentele de receptie pana in data de 28 a lunii in curs pentru lucrarile executate si receptionate in perioada 25 luna anterioara - 24 luna in curs, conform planificarii Beneficiarului.

Termenul de prezentare dosar cu documente de plata semnate de Beneficiar este de maxim 6 zile lucratoare de la data PV de receptie lucrare (data convocarii comisiei de receptie.)

Termenul de prezentare factura este de maxim 7 zile lucratoare de la data convocarii comisiei de receptie consemnata in PV de receptie lucrare si este conditionat de existenta lucrarii respective in planul de cheltuieli al lunii in curs.

Metodologie de aplicare pentru domeniul D:

Pentru depasirea termenelor de prezentare documente de plata, se aplica penalizarea de **0,15%** din valoarea lucrarii (comenzii/contractului) pentru fiecare zi de intarziere.

Penalizarile in acest domeniu se aplica de catre Sef Birou Planificare MTRU, pe baza unui raport intocmit si semnat cu Prestatorul de catre Sef Birou Planificare MTRU pentru lucrarile respective.

Raportul va indica obligatoriu numarul de zile de depasire a termenului de facturare a lucrarii respective.

Pentru evaluarea in ansamblu a Prestatorului, valoarea penalizarii continuta in Raport, poate fi convertita de catre Beneficiar in puncte de penalizare utilizand valoarea:
1 punct de penalizare = 5 RON.

Situatia de penalizare a Prestatorului pentru prezenta categorie de incalcare ale prevederilor contractuale, (situatie dovedita cu documente de aplicare semnate de Parti), da dreptul Beneficiarului de a amana primirea facturii pentru lucrarea respectiva cu pana la 60 zile calendaristice fata de termenul normal.

E-I. Domeniul respectarii corectitudinii documentelor intocmite de catre Prestator

Pentru acest domeniu se stabilesc criteriile, perioadele de analiza si punctele de penalizare din tabelul de mai jos:

Nr. Crt.	Cerinte (criterii) privind respectarea corectitudinii documentelor intocmite de cate Prestator	Perioada analiza	Puncte penalizare

0	1	2	3
1.	Intocmirea de catre Prestator a unui deviz oferta/situatie de plata de o valoare mai mare cu cel putin 5% fata de valoarea corecta, conform conditiilor contractate si a cantitatilor de lucrari din teren	Fiecare deviz oferta/situatie de plata	20
2.	Modificari, stersaturi sau spatii necompletate in documentele dosarului de plata, cu exceptia devizelor oferta/situatiilor de plata corectate/recalculate	lunar	20
3.	Lipsa de documente la dosarul de plata fata de prevederile din contract.	lunar	20
4.	Erori la recalcularea situatiilor de plata	3 luni	50
5.	Nerespectarea termenului de convocare comisie de receptie (o zi lucratoare de la finalizarea lucrarii)	lunar	30
6.	Utilizarea de catre Prestator in descrierea operatiilor din devize oferte sau situatii de plata, a altor denumiri decat cele folosite in anexele la contract (normativ, plan de mentenanta, etc.)	lunar	20
7.	Declaratie falsa in actul de autoreceptie	3 luni	60

E-II. Domeniul respectarii cerintelor privind autorizarea, organizarea si dotarea Prestatorului

Pentru acest domeniu se stabilesc criteriile, perioadele de analiza si punctele de penalizare din tabelul de mai jos:

Nr. Crt.	Cerinte (criterii) privind autorizarea, organizarea si dotarea Prestatorului	Perioada analiza	Puncte penalizare
0	1	2	3
1.	Lipsa certificari/autorizari prevazute in contract	3 luni	30
2.	Lipsa proceduri si instructiuni de lucru conform standardului de calitate asumat prin contract	3 luni	30
3.	Lipsa personalului calificat, specializat si autorizat pentru executia lucrarilor contractate	3 luni	40
4.	Folosirea de lucratori necalificati, sau neautorizati pentru executia lucrarilor contractate	Lucrare	30
5.	Lipsa sistemului (programelor) de perfectionare a personalului implicat in executia lucrarilor contractate	3 luni	20
6.	Dotari insuficiente pentru executia lucrarilor contractate	3 luni	40
7.	Folosire de scule neconforme sau decalibrate	lunar	40
8.	Lipsa stocului minim de siguranta de materiale si piese de schimb necesare rezolvarii situatiilor	3 luni	40

	de urgenta		
9.	Refuzul sau amanarea nejustificata a interventiei la o lucrare in termen de garantie.	3 luni	50
10.	Lipsa in structura de personal a Prestatorului alocata executiei lucrarilor contractate, a unui responsabil in domeniul SSM-SU si mediu	3 luni	30

E-III. Domeniul calitatii lucrarilor executate

Pentru controlul calitatii lucrarilor se stabilesc criteriile si punctele de penalizare precizate in tabelul de mai jos:

Lucrari la utilaje statice (recipiente, conducte, cuptoare, rezervoare, armaturi, etc.)

Nr. Crt.	Cerinte (criterii) privind calitatea lucrarilor	Perioada analiza	Puncte penalizare
0	1	2	3
1.	Utilizarea de procedee de sudura neconforme	Lucrare	100
2.	Nerespectare procedeu de sudura	Lucrare	100
3.	Nerespectare diagrama de tratament termic	Lucrare	50
4.	Utilizarea de materiale neconforme cu prevederile din proiecte sau tehnologii de executie reparatii	Lucrare	50
5.	Nerespectarea trasabilitatii lucrarilor (marcaje, inscriptionari, sigilii, etc.)	Lucrare	50
6.	Montarea gresita a armaturilor	Lucrare	30
7.	Nerespectare instructiuni de depozitare materiale	Lucrare	50
8.	Ascunderea defectiunilor (neraportarea catre Beneficiar a defectiunilor constatate de Prestator, cu ocazia executarii unor lucrari la un echipament/utilaj)	3 luni	70
9.	Nerespectare instructiune/procedura de lucru	lunar	40
10.	Executie lucrare fara solicitare din partea Beneficiarului	Lucrare	30
11.	Incident cu vina dovedita prin Comisia de Incidente si Avarii	3 luni	80

Metodologie de aplicare pentru categoria E:

1) Valoarea unui punct de penalizare este de **5 RON, valoare fara T.V.A..**

2) Punctele de penalizare se aplica pentru fiecare lucrare/comanda.

3) Penalizarile in acest domeniu se aplica de catre semnatarii situatiilor de plata (Presedintele comisiei de receptie lucrare), pe baza unui raport intocmit si semnat cu Prestatorul, de catre compartimentul tehnic responsabil cu urmarirea calitatii lucrarilor respective.

4) Raportul va indica obligatoriu numarul de puncte de penalizare aplicat conform criteriilor din tabelul de mai sus si valoare totala rezultata.

F - Domeniul respectarii corespondentei dintre volumele de lucrari constatate pe teren si cele confirmate in situatiile de plata

PRESTATORUL si subcontractantii săi, pe toata perioada de derulare a contractului, vor colabora cu reprezentantii **Beneficiarului** pentru stabilirea concordantei dintre situatiile de plata si lucrarile realizate pe teren, inclusiv in cazul controalelor suplimentare organizate de Serviciul Protectie Corporativa (SPC) din Petrotel-Lukoil.

In cazul in care, in urma verificarilor efectuate conform articolului de mai sus, se vor stabili ca in situatiile de plata verificate sunt inscrise valori mai mari decat cele gasite pe teren, Beneficiarul va fi in drept sa aplice Prestatorului o penalizare in valoare de zece ori mai mare decat diferenta constatata de catre comisia de verificare, comisie din care trebuie sa faca parte cel putin un membru din partea Prestatorului.

Metodologia de aplicare:

Pe baza constatarii comisiei constituita sub coordonarea SPC, partile vor stabili prin Protocol semnat de catre ambele parti, calea de aplicare a penalizarii (Beneficiarul emite factura catre Prestator sau penalizarea respectiva se compenseaza la prima situatie de plata pe care urmeaza sa o intocmeasca Prestatorul).

Pentru evaluarea in ansamblu a Prestatorului, diferenta valorica constatata intre situatia de plata si situatia din teren, poate fi convertita de catre Beneficiar in puncte de penalizare, utilizand valoarea: **1 punct de penalizare = 5 RON.**

NOTE:

1) Prevederile continute de prezentul document, au ca scop motivarea Prestatorilor pentru respectarea normelor de SSM-SU-SI, Mediu, de calitate a lucrarilor precum si a termenelor de executie si facturare lucrari.

2) Aceste prevederi NU SUNT NEGOCIABILE, iar Petrotel-Lukoil isi rezerva dreptul exclusiv privind revizuirea acestor prevederi.

3) La anumite intervale de timp, Beneficiarul (Compartimentul urmarire lucrari) poate folosi punctajul centralizat pe baza criteriilor din prezentul document, pentru evaluari ale Prestatorului (la auditari, la precalificari si analize de oferte in derularea licitatiilor, etc).

4) In fiecare luna, Beneficiarul (Biroul planificare MTRU) poate utiliza punctajul centralizat actualizat al penalizarilor aplicate, pentru formarea de clasamente si raportari.

Appendix No. 7
To Specification

UNITARY REGISTER

with penalties applicable to the companies that provide services and products and application methodologies

Concluded between **PETROTEL-LUKOIL CO.** as **Beneficiary** and ______________________ as **Contractor**.

A. Occupational health and safety - emergencies, industrial safety, internal regime and access domains

No.	Requirements violated	The sanction applied to the workers (period of access prohibition)	Penalty points
1.	**Work permit**		
1.1	Execution of works without a work permit	1 month	70
1.2	Non-use of antiex tools in Ex. areas with the technological installations in operation/stopped	3 days	30
1.3	People found at work without being mentioned in the work permit	3 days	30
1.4	Lack of signaling of the work area		10
1.5	Failure to fill the workers/third parties in the "Access Register" when entering the technological objectives		10
1.6	Use of tools that are not conforming (with defects, improvisations) or inadequate to the type of works performed	3 days	30
2.	**Personal Protective Equipment (PPE)**		
2.1	Total lack of PPE during work	Definitive prohibition of access	90
2.2	Lack of use of ear plugs when executing works	3 days	30
2.3	Lack/non use of protective helmet during work	3 days	30
2.4	Lack/non use of protective boots during work	3 days	30
2.5	Lack/non-wearing protective goggles during work	3 days	30
2.6	Lack/non use of protective gloves during work	3 days	30
2.7	PPE does not meet PLK requirements	3 days	30
2.8	Work without special protective equipment (e.g. H2S detector, gas mask, specific equipment for welders, painters, drainers, washing	3 days	30

	operators, sandblasters, etc.)		
2.9	Working without information on risk factors	3 days	30
2.10	Lack/no use of protective overalls	3 days	30
3.	**Work at height**		
3.1	Use of scaffolding without security check	1 week	50
3.2	Non-use or incorrect use of seat belts	1 month	70
3.3	Unsafe mounting/dismantling and unauthorized use/modification of the scaffold.	3 days	30
3.4	Use of non-compliant stairs (deformed, hit, lack of anti-skid elements, etc.)	3 days	30
3.5	Lack of the person who supports the worker located on the ladder	3 days	30
3.6	Failure to comply with the rules of safe working at height	3 days	30
3.7	Execution of works at height from dangerous positions	3 days	30
3.8	Improper construction of scaffolding	3 days	30
4.	**Working in confined spaces**		
4.1	Lack of gas work permit	1 month	70
4.2	Lack of supervisor at the work place	1 month	70
4.3	Start of work without insulating device for respiratory protection, safety rope, safety belt	3 days	30
4.4	Starting work without carrying out environmental analysis in the work area	3 days	30
4.5	Low voltage working light missing/insufficient		20
5.	**Excavations**		
5.1.	Lack of excavation permit	1 month	70
5.2.	Digging with unsupported banks	1 month	70
5.3	Failure to perform the safety measures from the "Permit of excavations" (execution of prospecting ditches etc.)	1 month	70
5.4	Failure to comply with the requirements and prohibitions submitted by the signatories of the Permit of excavations (e.g.: the prohibition of mechanized excavation)	1 week	50
5.5	Lack of supervisor at the work place during the execution of the works in the ditches	3 days	30
5.6	Start of work without safety rope, safety belt	1 week	50
5.7	Blocking the access and movement paths with materials, equipment, machinery, etc.		20
5.8	Failure to restore the movement and access roads and land to the initial state before digging	1 month	70

6.	**Working with fire**		
6.1	Lack of work permit with fire	1 month	70
6.2	Starting work without carrying out environmental analysis in the work area	1 month	70
6.3	Start of work before having all the PPE mentioned in the work permit	3 days	30
6.4	Lack of the means of primary intervention (manual extinguisher, etc.) at the workplace	3 days	30
6.5	Not covering the sewers in the work area	3 days	30
6.6	Blocking access and movement paths with materials, equipment, etc.		20
7.	**Working with crane/winch/self-propelled machinery**		
7.1	Use of work equipment (cranes, forklifts, hoists, beams, cables, plugs, etc.) unverified/approved by ISCIR	1 month	70
7.2.	Use of the "throw away" method of work equipment or other materials, for raising/lowering them from work places located at semi-height/height.		20
7.3	Use of unauthorized personnel	3 days	30
7.4	The work area is not delimited and marked		20
7.5	Use of unsafe/non-compliant cables	3 days	30
7.6	Manipulation of machines by unauthorized/uncertified persons	Definitive prohibition of access	90
7.7	Execution of works with unauthorized/untested machinery	1 month	70
7.8	Moving loads without the crane operator being guided and supervised	3 days	30
8.	**Electrical installations and equipment**		
8.1	Use of electrical equipment / installations with defects, improvisations, etc	3 days	30
8.2	Use of electrical equipment / installations unsuitable for the working environment (not protected against EX, water etc.)	1 week	50
8.3	Powering electrical consumers by unauthorized persons	Definitive prohibition of access	90
9.	**Cleanliness in the workplace**		
9.1	Improper storage of materials/waste		20
9.2	Not eliminating/cleaning the area after the completion of the works		20
9.3	Generation of oil product leaks and not taking preventive measures	3 days	30

10.	**Emergency situations**		
10.1	Failure to comply with the provisions of the head of the area regarding emergency situations	3 days	30
10.2	Lack of information regarding the Emergency Plan		20
10.3	Non-authorization (non-announcement) of the access path blocking		20
10.4	Failure to comply with the prohibitions on carrying out works with open fire and car access in hazardous areas (e.g. during hot weather etc.)	1 week	50
10.5	Use by all employees of third-party companies of mobile phones in normal construction in technological installations	3 days	30
10.6	Use by personnel of third companies of mobile phones in normal construction in the territory of the refinery.	3 days	30
10.7	The use by the management personnel of the third party companies (heads of works, masters, engineers, directors) of the mobile phones in normal construction in the territory of the refinery without having approval from Petrotel - Lukoil CO.	3 days	30
10.8	Use, actuation or commissioning of PLK's technical equipment (e.g. hydrants, fire prevention and extinguishing guns, electrical equipment, taps for water, steam, petroleum products etc.)	1 week	50
11.	**Driving cars**		
11.1	Blocking access routes for firefighters.	3 days	30
11.2	Driving / parking in the opposite direction, without signaling		20
11.3	Exceeding the speed limit = 31 - 40 Km/h		10
11.4	Exceeding the speed limit = 41 – 50 Km/h		20
11.5	Exceeding the speed limit with more than 51 km/h	3 days	30
11.6	Transport of persons with forklift or other inadequate means of transport (e.g. tipper truck, excavator bucket, etc.)	3 days	30
11.7	Driving vehicles across installations without a license	3 days	30
11.8	Failure to use the seat belt or improper use of the means of transport (transport of persons or transport in improper conditions)	3 days	30
11.9	Driving means of transport under the influence of alcoholic beverages	Definitive prohibition of access	90
11.10	Circulation of the means of transport by routes of access other than those indicated in the permit	1 week	50
11.11	Failure to use the dimmed headlights	3 days	30
11.12	Use of means of transport by persons other than those indicated in the permit	Definitive prohibition of access	90
11.13	Circulation of automobiles with failures of electrical installation (including optical blocks, electric panel etc.)	3 days	30

11.14	Circulation of the transport vehicles with failures of the fuel supply installations, lubricants (spills, leaks)	3 days	30
11.15	Lack of anti-spark screen on the exhaust drum	3 days	30
11.16	Lack of manual extinguisher from vehicle equipment or unloaded / unverified extinguisher	3 days	30
11.17	Circulation without possessing specific legal documents: vehicle registration certificate, MOT, insurance, etc.	3 days	30
11.18.	Carrying out repairs to the vehicle in areas other than those specially arranged		20
11.19.	Towing of non-approved means of transport		20
12.	**Circulation of bicycles**		
12.1	Use of the mobile phone while riding a bicycle		20
13	**Permits for persons access**		
13.1	Use of access permits by persons other than those indicated in the permit	Definitive prohibition of access	90
13.2	Counterfeiting of access permits for cars and persons	Definitive prohibition of access	90
13.3	Access permits for persons undated, unapproved or unstamped		20
13.4	Damaged access permits		10
13.5	Access permits expired	3 days	30
13.6	Taking photographs inside the refinery without a permit and without an attendant	1 week	50
13.7	Bringing cigarettes and unauthorized sources of fire in the refinery territory	Prohibition of access for 2 years	90
13.8	Access or being caught on the territory of the company under the influence of alcoholic beverages or drugs.	Definitive prohibition of access	90

Application methodology for domain A:

1) The value of a penalty point is **5 RON, value without VAT.**

2) The workers within the SIPP issue control notes in which they apply sanctions and penalty points, according to the table above.

3) The control notes that specify the sanctions and the penalty points, are transmitted to the agreement manager. At the same time, SIPP will centralize the sanctions and the penalty points monthly and will transmit the monthly situation to the agreement and top management officials.

4) If a Contractor reaches a cumulative score of 500 points in a period of 12 consecutive months,

the agreement manager, together with the top management, can decide whether, after the completion of the ongoing contract, he will continue his collaboration with him for a certain period.

5) The penalty points apply for each person and the offense committed according to the table above.

6) The agreement managers will inform monthly or whenever it is needed, in writing, the Contractors/subcontractors of the score accumulated by them, and will draw up an act specifying the number of penalty points accumulated in a month and the quantification of their value.

7) Based on the value quantum document specified in point 6 of this methodology, the agreement manager requests to the PLK Accounting the issuing of the penalty invoice.

8) If the sanction applied falls to temporarily or permanently suspend of the access of workers, SIPP will draft and send to Corporate Protective Service an internal memo to retain access permits.

B. Environmental Protection Domain

No.	The punishable act	Number of penalty points
1.	Bringing chemicals in the refinery without PLK approval	10
2.	Use of means of transport that have leaks of lubricant or fuel	15
3.	Circulation in the refinery with dirty means of transport	20
4.	Mixed storage of waste	20
5.	Storing the waste directly to the soil contaminated with oil products	35
6.	Storing of waste in the temporary storage area after the end of the program	20
7.	Lack of evidence of waste generated	15
8.	Sanction of PLK by the commissioners of the environmental guard for the fault of the Contractor	100
9.	Soil pollution or malfunctions of the treatment plant due to the fault of the Contractor	50
10.	Leaving the work area at the end of the day without cleaning the area	25
11.	Removing waste from the refinery without transport documents	40
12.	Leakage of petroleum products on the platform of the installation due to the supplier's fault	35
13.	Refusal to decontaminate the polluted area	60
14.	Waste storage outside the temporary storage area	20
15.	Waste dispersal during transport	25
16.	Circulation of the mean of transport of waste on a different route from the one imposed	25

<u>Application methodology for domain B:</u>

1) The value of a penalty point is **5 RON, value without VAT.**

2) The centralization and the evidence of the score and of the resultant value are made at the end of each analysis period (usually 1 month) by the profile service (Ecology Service).

3) The penalty points apply for each person and offense committed, according to the table above.

4) At the end of each analysis period, the profile service draws up and signs together with the agreement manager a centralized value report accompanied by supporting documents (e.g.: minutes of

sanctioning, photos, etc.) for each Contractor, report that the agreement manager presents it to the supplier company for signing.

5) Based on the value report mentioned above, the agreement manager asks the PLK Accounting to issue the penalty invoice.

6) For the implementation of the prohibition of access of persons or companies, the Ecology Service sends the notice to the SPC indicating the name of the person, the company, the period of prohibition and the date from which the prohibition enters into force.

C. The domain of compliance with the deadlines for the execution of the works and the tender terms

The execution deadlines for the works are specified as the case may be: agreements, execution orders, and execution graphs.

The deadlines for completing the works are those recorded in the documents of reception of works (the date of the convening of the reception commission.)

For the activities that are carried out on the basis of orders issued by the Beneficiary and accompanied by quotations offered, the deadline for presenting to the Beneficiary the offers is specified in the Beneficiary's planning procedure (for the planned works).

In any case this term may not exceed 6 working days from the Beneficiary's request for the planned works and 6 working days respectively from the completion of the accidental intervention.

Application methodology for domain C:

For exceeding the execution deadlines of the works/the tender term, is applied a penalty of **0,15%** of the value of the work (order/agreement), for each day of delay.

The penalties in this area are applied by the signers of the payment documents (the chairman of the work reception commission) based on a report drawn up and signed with the Contractor by the technical department responsible for tracking the respective works.

The report will indicate the number of days for exceeding the deadline for executing the respective work.

For the overall evaluation of the Contractor, the value of the penalty contained in the Report, can be converted by the Beneficiary into penalty points using the value:

1 penalty point - 5 RON.

The situation of the Contractor's penalty for this category of breach of contractual provisions, (proven situation with application documents signed by the Parties), gives the Beneficiary the right to postpone the receipt of the invoice for the respective work with up to 60 calendar days compared to the regular term.

D. The domain of observing the terms of presentation of payment documents for the works executed

The invoice is issued and delivered to the Beneficiary together with the reception documents up to 28 of the current month for the works executed and received during 25 previous months - 24current month, according to the Beneficiary's planning.

The deadline for submitting files with payment documents signed by the Beneficiary is a maximum of 6 working days from the date of receipt of the minutes of work reception (the date of the call of the reception commission.)

The term of presentation of the invoice is of maximum 7 working days from the date of the convocation of the reception commission recorded in the minutes of work reception and is conditioned by the existence of that work in the spending plan of the current month.

Application methodology for domain D:

For exceeding the deadlines for submission of payment documents, is applied a penalty of **0,15%** of the value of the work (order/agreement), for each day of delay.

The penalties in this area are applied by the Head of the MTRU Planning Office based on a report drawn up and signed with the Contractor by the Head of the MTRU Planning Office for the respective works.

The report will necessarily indicate the number of days of exceeding the billing term of the respective work.

For the overall evaluation of the Contractor, the value of the penalty contained in the Report, can be converted by the Beneficiary into penalty points using the value:
1 penalty point - 5 RON.

The situation of the Contractor's penalty for this category of breach of contractual provisions, (proven situation with application documents signed by the parties), gives the Beneficiary the right to postpone the receipt of the invoice for the respective work with up to 60 calendar days compared to the normal term.

EI. The domain of respecting the correctness of the documents prepared by the Contractor

For this domain, the criteria, the analysis periods and the penalty points from the table below are established:

No.	Requirements (criteria) regarding the observance of the correctness of the documents drawn up by each Contractor	Period of analysis	Penalty points
0	1	2	3
1.	Preparation by the Contractor of a quotation offer/payment situation at a value greater than at least 5% compared to the value corrected according to the contracted conditions and the quantities of field works	Each quotation offer /payment situation	20
2.	Changes, deletions or blanks in the payment file documents, except for the quoted offer/payment situations corrected/recalculated	monthly	20
3.	Lack of documents in the payment file compared to the provisions of the Agreement	monthly	20
4.	Errors when recalculating payment situations	3 months	50
5.	Failure to comply with the term of call of the reception commission (one working day from the completion of the work)	monthly	30
6.	The use by the Contractor in describing the operations from quotations offered or payment situations, other names than those used in the annexes to the Agreement (normative, maintenance plan, etc.)	monthly	20
7.	False statement in self-acceptance act	3 months	60

EII. The domain of compliance with the requirements regarding the authorization, organization and equipment of the Contractor

For this domain, the criteria, the analysis periods and the penalty points from the table below are established:

No.	Requirements (criteria) regarding the authorization, organization and equipment of the Contractor	Period of analysis	Penalty points
0	1	2	3
1.	Lack of certifications/authorizations provided in the Agreement	3 months	30
2.	Lack of working procedures and instructions according to the quality standard assumed by the Agreement	3 months	30
3.	Lack of qualified, specialized and authorized personnel for the execution of the contracted works	3 months	40
4.	The use of unskilled or unauthorized workers for the execution of the contracted works	Work	40
5.	Lack of the system (programs) for improving the personnel involved in the execution of the contracted works	3 months	20
6.	Insufficient equipment for the execution of the contracted works	3 months	40
7.	Use of non-compliant or decalibrated tools	monthly	40
8.	Lack of the minimum safety stock of materials and spare parts needed to solve emergency situations	3 months	40
9.	Refusal or unjustified postponement of the intervention to a work within the guarantee period.	3 months	50
10.	Lack in the Contractor's personnel structure allocated to the execution of the contracted works, of a person responsible in the field of OHS-Emergency and environment	3 months	30

EIII. Quality of the executed works domain

For the control of the quality of the works, the criteria and the points of penalty specified in the table below are established:

Works on static machines (containers, pipes, furnaces, tanks, fittings, etc.)

No.	Requirements (criteria) regarding the quality of works	Period of analysis	Penalty points

0	1	2	3
1.	Using the methods of welding inconsistent	Work	100
2.	Failure to follow the welding process	Work	100
3.	Failure to observe the heat treatment diagram	Work	50
4.	The use of materials complying with the provisions of the projects or technologies of execution repair	Work	50
5.	Failure to observe the traceability of the works (markings, inscriptions, seals, etc.)	Work	50
6.	Wrong fitting of reinforcements	Work	30
7.	Non-observance of material storage instructions	Work	50
8.	Hiding defects (failure to report the Beneficiary of faults found by the Contractor with the occasion of execution of works in an equipment/machine)	3 months	70
9.	Violation of work instruction/procedure	monthly	40
10.	Execution of work without request from the Beneficiary	Work	30
11.	Incident with fault proven by the Commission of Incidents and Damage	3 months	80

Application methodology for category E:

1) The value of a penalty point is **5 RON, value without VAT.**

2) The penalty points applies for each work/order.

3) The penalties in this area are applied by the signers of the payment situations (the Chairman of the work reception commission) based on a report drawn up and signed with the Contractor, by the technical department responsible for tracking the quality of the respective works.

4) The report will necessarily indicate the number of penalty points applied according to the criteria in the tables above and the total value resulted.

F - The domain of observing the correspondence between the volumes of works found on the field and those confirmed in the payment situations.

The Contractor and his subcontractors, throughout the duration of the Agreement, will collaborate with the Beneficiary's representatives to establish the correlation between the payment situations and the works performed on in the field, including in the case of the additional controls organized by the Corporate Protection Service (SPC) of Petrotel-Lukoil.

If, following the verifications carried out according to the above article, it will be established that in the verified payment situations are values greater than those found on the field, the Beneficiary will be entitled to apply to the Contractor a penalty worth ten times more than the difference found by the verification commission, a commission of which at least one member must belong to the Contractor.

Methodology of application:

Based on the finding of the commission set up under the coordination of the SPC, the parties will establish by Protocol signed by both parties, the way of applying the penalty (The Beneficiary issues the invoice to the Contractor or the respective penalty is compensated at the first payment situation to be prepared by the Contractor. For the overall evaluation of the Contractor, the value difference found between the payment situation and the situation on the field, can be converted by the Beneficiary into penalty points using the value:

1 penalty point - 5 RON.

NOTES:

1) The provisions contained in this document are intended to motivate the Contractors to comply with the rules of OHS-ES-Fire Fighting Environment, quality of works as well as the deadlines for executing and billing works.

2) These provisions are NOT NEGOTIABLE and Petrotel-Lukoil reserves the exclusive right to revise these provisions.

3) At certain time intervals the Beneficiary (Works Tracking Department) may use the centralized score based on the criteria in this document, for evaluations of the Contractor (for audits, prequalification and analysis of offers in the conduct of tenders, etc.).

4) In every month the Beneficiary (MTRU Planning Office) can use the updated centralized score of the applied penalties, for the formation of rankings and reports.

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