**NOTICE**

**ON PREQUALIFICATION PROCEDURE**

The current text of the announcement is Approved by the decision N 1 of October 12, 2022 of the evaluation Commission of the closed quotation request tender and is published according to Article 24 of the RA law «On Procurements».

Code of the procedure: **“HH HKK-PGHAPDZB-22/4”**

**I. DESCRIPTION OF THE SUBJECT OF PROCUREMENT**

1. The customer/The contracting authority, The Anti-Corruption Committee of the RA, located in Vagharshyan 13a, Yerevan, with the view of determining the potential bidders of the closed targeted tender to be arranged for acquisition of **administrative equipment, communication equipment and their auxiliary parts**, gives notice of the prequalification procedure.

**II. CONDITIONS OF PARTICIPATION IN THE PROCEDURE**

2. Pursuant to Article 7 of the Law of the Republic of Armenia "On procurement", any person, irrespective of the fact of being a foreign natural person, an organization or a stateless person, shall have equal right to participate in the prequalification procedure.

3. A bidder intending to participate in the prequalification procedure must meet the qualification criterion "Compliance of Professional Activity with the Activity Provided for by the Contract" defined by Article 6, Part 3, Paragraph 1 of the RA Law “On Procurement”. Moreover, the supply contracts of the **administrative equipment, communication equipment and their auxiliary parts** shall be considered as analogous.

The bidder shall be considered as meeting the qualification criterion, provided for by this subparagraph, where the bidder has submitted, in a bid, the required information։

4. The bidders may participate in the prequalification procedure as a joint venture (as a consortium). In such a case:
 1) the prequalification bid shall also include a joint venture agreement;

2) when evaluating the prequalification bid the combined qualifications of all the members to the joint venture agreement shall be considered (the qualification of each member to the joint venture agreement must comply with the qualification requirements — stipulated by this invitation — assumed under that agreement by the member concerned);
 3) the bidders shall be held liable jointly and severally;
 4) the party (parties) to the joint venture agreement may not submit separate bid (bids) for the same procedure;

 5) where a member of the consortium withdraws from the consortium, the contract concluded by the contracting authority with the consortium shall be rescinded unilaterally and the sanctions provided for by the contract shall be imposed upon the members of the consortium.

5. While conducting the closed quotation requesttender, the bidders may become aware of or be entrusted with information containing state secret, disclosure (in any manner) whereof to another person (including the relatives) may entail liability stipulated by the legislation of the Republic of Armenia.

**III. THE PROCEDURE FOR RECEIVING CLARIFICATION AND MAKING MODIFICATION TO THE NOTICE**

6. The bidder shall have the right to request clarification on the prequalification announcement from the Commission at least one calendar day before the deadline for submission of prequalification applications. Moreover, the clarification may be requested by 17:00 on the day mentioned in this point (at the time of the place of the procedure). The Commission shall provide the clarification to the enquiry within the calendar day following the day of receiving the request, but not later than at least 3 hours before the deadline for submission of prequalification applications.

The request pointed in this paragraph, shall be submitted by the participant through the e-mail to the Secretary of the Commission.

The clarification of the request shall be sent by the Secretary of the Commission from the email indicated in this Invitation to the email of the participant the request was received from.

7. The notice on the contents of the enquiry and clarifications shall be published in the bulletin on the day of providing the clarification to the enquirer without disclosing the data on the enquirer.

8. A clarification shall not be provided if the request was made in violation of the time frame set forth in this section, as well as if the request is outside the scope of this notice. Moreover, the bidder shall be notified in writing about the grounds for not providing the clarification within one calendar day following the day of receipt of the enquiry.

9. Amendments to this notice may be made at least two calendar days before the application deadline. On the first working day following the day of making the change, the Secretary of the Commission shall publish a notice on making the amendment in the bulletin.
 10. In case of amendments in the prequalification notice, the deadline for submitting prequalification applications shall be calculated from the date of publication of the amendments notice in the bulletin.

**IV. PROCEDURE FOR SUBMITTING A PREQUALIFICATION BID**

11. In order to participate in this procedure, a bidder submits a bid to the Commission, pre-qualification bids must be submitted in 13a Vagharshyan Street, Yerevan, room № 4.

12. A bidder may submit a prequalification bid to the Commission in hard copy in a closed envelope, glued. The following shall be indicated on the envelope in the language of the prequalification bid:

a. The name of the costumer and the place (address) of the application submission;

b. Procedure code;

c. "Do nօt open till the application opening session " words;

d. The bidder’s name (name), location and telephone number.

13. Bids for the procedure must be submitted to the Commission no later than 28.10.2022 at 10:00.
The prequalification bids submitted in a hard copy shall be submitted to the Commission before the expiration of deadline defined by this clause in 13a Vagharshyan, Yerevan address (the Procurement Unit of the RA Anti-Corruption Committee, to the Secretary of the Commission).

14. The prequalification bids submitted in a hard copy are received and registered in the registry of applications by the Secretary of the Commission - Head of the Procurement Unit of the RA Anti-Corruption Committee Sona Ghazaryan.

The bids are registered by the Secretary in the order of their receipt, indicating the registration number, day and time in the register. A statement of information thereon shall be issued by the request of the bidder. The bids submitted after the deadline for submission of bids are not registered in the register and they are returned by the Secretary within two working days following the day of receipt.

15. The bidder shall submit the following in the prequalification bid:

1) written application certified by the bidder for participation in the prequalification procedure pursuant to Annex 1;

2) statement certified by the bidder on compliance with the requirements of qualification criterion prescribed by this notice pursuant to Annex 2;

 (3) copy of the joint venture agreement, where bidders participate in this procedure as a joint venture (as a consortium).

16. All the documents included in the bid submitted by the bidder, except for the document provided for in sub-paragraph 3 of paragraph 15 of this notice, are submitted in original and 2 copies. The words "original" and "copy" are written on the document packages accordingly. Instead of original documents, their notarized copies may be submitted.

17. The prequalification bids may, in addition to Armenian, also be submitted in English or Russian.
 18. The envelope and the documents prepared by the bidder provided by this announcement shall be signed by the person submitting them or the person authorized by the latter (hereinafter referred to as “the agent”). Where the prequalification bid is submitted by the agent, a document certifying the power thereof to submit a bid shall be submitted in the bid. Where appropriate, the bidder may submit the required information in forms other than the forms proposed by this notice, by observing the required requisites.

**V. OPENING, EVALUATION OF THE PREQUALIFICATION BIDS AND SUMMARY OF THE RESULTS**

19. Opening, evaluation and summarizing the results of prequalification bids are taking place at the opening session of the prequalification bids at 10:00, 28.10.2022 in the address 13a Vagharshyan, Yerevan.

20. In the session of opening and evaluation of prequalification bids:

1) The Secretary of the Commission informs about the entries made in the register, hands over to the Chairman of the Commission the register of applications, the other documents that are an integral part of it, the registered bids.

2) After passing the documents mentioned in sub-paragraph 1 of this paragraph, to the chairman (chairman of the session), the Commission evaluates:

a. the compliance and submission of the envelopes containing the bids with the established procedure and opens relevant evaluated bids;

b. Existence of required (envisaged) documents in each opened envelope and their compliance with the requisites defined by this notice.

21. Bids complying with the conditions provided for by this notice shall be evaluated as satisfactory. The prequalification bids shall otherwise be evaluated as unsatisfactory and be rejected.

If, as a result of the evaluation conducted during the prequalification bid opening session, inconsistencies with regard to the requirements of this notice are detected in the bid of the bidder, the Commission suspends the session for one working day and the Secretary Commission notifies the bidder electronically on the same day proposing to correct the inconsistency before the end of the suspension period.

Moreover, mentioned in this point:

1. inconsistencies must be described mandatory and in detail in the proposal.

2. the proposal is sent to the bidder from the electronic mail of the Secretary mentioned in this notice to the email mentioned in the bidder’s application.

22. If the participant corrects the registered inconsistency within the period specified in paragraph 21 of this notice, the latter's bid is considered sufficient. Otherwise, the bid is considered to be insufficient and is rejected. The bidder submits the corrected documents in the hard copy to the address 13a Vagharshyan Street, Yerevan, room № 4.

23. A member of the Commission or the Secretary cannot participate in the Commission's work if during the opening of the prequalification application it is found out that the organization founded by them or where they have share or organization founded by a person closely related to them by kinship or guardianship (parent, spouse, child, brother, sister, as well as the parent, child, brother or sister of the spouse) or where they have share has submitted an application for participation in the procedure. Where the condition provided for by this point exists, immediately after the prequalification bid opening session, the member or Secretary of the Commission having a conflict of interest in relation to this procedure shall recuse himself or herself from the procedure.

24. A protocol is drawn up on the opening of the bids, evaluation and summarization of the results, which confirms the list of prequalified bidders. The Secretary of the Commission the following working day of the end of the bid session:

1) presents the scanned versions of the originals of the Commission's statements on the absence of a conflict of interests signed by him/her and the members of the application opening session in the bulletin;

2) notifies the bidders who submitted bids that did not meet the requirements of this notice on the grounds for rejection of prequalification bids.

25. The right to participate in the closed target tender procedure is given to the participants included in the list of prequalified participants who:

1) In case of residents of the Republic of Armenia, approve and submit the original of the letter of commitment on protection of information containing state secret to the Secretary of the Commission for approval within the period defined by this announcement;

2) In case of non-residents of the Republic of Armenia, approve and submit the original of the letter of commitment on protection of information containing state secret to the Secretary of the Commission for approval within the period defined by this announcement as well as permission to relate (access) information containing state secrets in the manner prescribed by the legislation of the Republic of Armenia.

In this regard, the Secretary of the Commission shall send a notice to the pre-qualified bidders from the e-mail mentioned in this announcement to the e-mails mentioned in the application, indicating the order of receiving the invitation, until the end of the second working day. Moreover, the notice mentioned in this paragraph shall be accompanied by the letter of commitment on the protection of information containing state secret and the terms of completion.

Prequalified bidders shall confirm and within three working days following the dispatch of the notice referred to in this paragraph, submit personally to the Secretary of the Committee the original of the letter of commitment on the protection of information containing state secret. The Secretary of the Commission assesses on the spot the compliance of the document with the defined form and, as well as the identity of the person with the appropriate authority to receive the invitation and in case of compliance, provides the invitation and relevant reference, indicating the date and time of providing the invitation.

26. Prequalified bidders submitting documents after the deadline stipulated in paragraph 25 of this notice shall not be invited, and the deadline for submission of closed target tender shall be calculated from the day following the expiration of the deadline set by the same paragraph.

27. The appeal of this procedure is carried out in accordance with the RA Law “On Procurement” and in the manner prescribed by the RA Civil Procedure Code.

While each:

1) the interested person has the right to appeal against the actions (inaction) of the customer, the evaluation commission and the decision in the manner prescribed by the Civil Procedure Code of the Republic of Armenia;

2) a person has the right to appeal the requirements of this announcement in the manner prescribed by the Civil Procedure Code of the Republic of Armenia, before the expiration of the deadline for filing applications.

The rates of the state fee for an appeal are determined by the Law on State Fees.

For more information on this announcement, please contact the Procurement Coordinator: Head of the Procurement Unit of the **RA Anti-Corruption Committee Sona Ghazaryan**.

**Phone: 011 90 00 49, 094 73 39 40**

**E-mail: s.ghazaryan@anticorruption.am**

**Costumer/The contracting authority: RA Anti-Corruption Committee**

**Annex 1**

**to the notice on the prequalification procedure**

**of the closed quotation requesttender under the code “HH HKK-PGHAPDZB-22/5”**

**APPLICATION**

###### for participation in the prequalification procedure

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ informs of the intention to participate

 name of the bidder

in the prequalification procedure of the closed quotation requesttender under the code HH HKK-PGHAPDZB-22/5 of the RA Anti-Corruption Committee and submits a bid in compliance with the requirements of the prequalification notice.

The tax identification number of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

name of the bidder tax identification number

The electronic mail address of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

name of the bidder e-mail address

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

name of the bidder (position, name, surname of the head) signature

Seal

**Annex 2**

to the notice on the prequalification procedure

of the closed quotation requesttender under the code “HH HKK-PGHAPDZB-22/5”

**STATEMENT**

**on compliance with the qualification criterion "Compliance of professional activities with activities provided for by the contract"**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ declares and certifies that during

name of the bidder

the year of submission of the bid and the three preceding years has provided the below-mentioned services:

|  |
| --- |
| Contracts duly implemented during the year of submission of the prequalification bid and the three preceding years |
| N/N | subject matter | data on the contracting authority and the contact information thereof |
| Date: ........... |
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name of the bidder (position, name, surname of the head) signature

Seal