Appendix:

Urban Development Committee

of the Republic of Armenia

Secretary General

of Order N 100-A of 25 july 2022

**PRE-QUALIFICATION STATEMENT OF THE PURCHASE OF CONSTRUCTION WORKS RELATED TO BUILDINGS AND CONSTRUCTIONS WITH THE CODE HHQK-ShANY-22/1**

**I. CONTENTS OF THE ITEM OF PURCHASE**

1. The Customer-the Urban Development Committee of the Republic of Armenia, which is located on Government House 3, Republic Square, Yerevan, announces a pre-qualification procedure **with the purpose of obtaining construction works in the scope of fulfilling the needs recognized as urgent, in case of human casualties, significant damage to human health and the environment, large material losses and disruption of normal human life conditions or in case of a risk leading to such situations.**

**II. THE PROCEDURE AND PLACE OF PREPARATION AND SUBMISSION OF THE PREQUALIFICATION APPLICATION**

2. After the publication of the announcement, the participant wishing to participate in the pre-qualification procedure must submit Annex No. 1 of this announcement approved by him with the application for evaluation of the right to participate and for the assessment of qualification criteria, printed copies of the original documents required by this announcement in accordance with Annex No. 2 of this announcement. The specified documents are submitted to the customer in a documentary way with a cover letter or by sending them to the customer's e-mail address- [tender4@minurban.am](mailto:tender4@minurban.am) provided by the statement. The text of the pre-qualification statement will be posted on the mud.am official website of the Urban Development Committee of the Republic of Armenia.

**III. THE PROCEDURE OF GETTING CLARIFICATION**

3. Within three working days, the client must respond to the request for the clarification regarding the participant's pre-qualification statement. The customer simultaneously publishes the information about the request and the given clarification in the newsletter.

**IV. REQUIREMENTS FOR THE RIGHT TO PARTICIPATE IN THE PRE-QUALIFICATION PROCEDURE AND ELIGIBILITY AND QUALIFICATION REQUIREMENTS AND THEIR EVALUATION PROCEDURE**

4. According to Part 1 of the Article 6 of the RA Law "On Purchases" the following persons are not entitled to participate in procurement procedures:

1) which were declared bankrupt as of the date of submission of the application

2) which, or whose representative of the executive body, during the five years preceding the date of submission of the application, has been convicted of a crime involving the financing of terrorism, child exploitation or human trafficking, creating or participating in a criminal partnership, accepting a bribe, giving a bribe or brokering a bribe, and crimes against economic activities as prescribed by law, except of the cases when the conviction is removed or extinguished in accordance with the law

3) regarding which the administrative act establishing liability for anti-competitive collusion, abuse of a dominant position or unfair competition in the field of procurement has become unappealable within the three years prior to the date of submission of the application, and in the event of an appeal, it has been left unchanged

4) which, as of the date of submission of the application, are included in the list of participants who do not have the right to participate in the procurement process published according to the procurement legislation of the countries that are members of the Eurasian Economic Union. The condition provided by this issue does not apply to the purchase processes to be performed at the expense of the funds provided by international agreements

5) which are included in the list of participants who do not have the right to participate in the procurement process as of the date of submission of the bid. The participant is included in the specified list if:

a. he/she has violated the obligation provided for in the contract or undertaken within the framework of the purchase process, which led to the unilateral termination of the contract by the client or the termination of the participant's further participation in the purchase process, and the participant did not pay the amount of the bid, contract and/or qualification security within the period specified in the invitation and/or contract

b. as a selected participant has refused or has been deprived of the right of signing a contract.

5. A participant wishing to participate in the pre-qualification procedure must meet the qualification criteria provided for in Article 6, Part 3, Issue 1 of the RA Law "On Procurement", which is defined as follows:

1. A person wishing to participate in the pre-qualification procedure must have received state registration at least in the third year prior to submitting the pre-qualification application, submitting a copy of the original state registration certificate attached to the application
2. in case of construction works, the person submits a declaration with the application, within the five years preceding the submission of the application, on the execution of contracts (including contracts) in respect of contracts of at least three objects of pledge, totally concluded and executed in the prescribed manner (the act of completion approved by the customer), in order to conduct the construction or reconstruction works of residential or public buildings of not lower than 4th risk level. Moreover, the total sum of the contracts provided for in this paragraph should not be less than 1.5 billion drams.
3. Copies printed from the originals of the contracts, the acts certifying the performance of the services provided for in the contracts within the specified period (handover-acceptance protocol, etc.) and the graduation act, approved by the parties specified therein, shall be submitted to the statement.

4) With the pre-qualification application, the participant can also submit other additional documents, information and materials,

6. The client can verify the authenticity of the data submitted by the participant in the pre-qualification application using data obtained from official sources or receiving a written conclusion about it from the competent authorities. In the case of sending such request, the relevant state and local self-government bodies shall provide a written conclusion within three working days following the date of receipt of the request. If, as a result of checking the authenticity of the data submitted by the participant, the data is qualified as untrue, the pre-qualification application is rejected, notifying the participant about it, to which the detailed reasons for the rejection are also attached.

1. Within five working days following the date of receipt of the specified documents by the participant, if they meet the requirements of the announcement, the client signs a preliminary contract with the participant in accordance with Appendix No. 3 of this announcement, including the latter in the list of participants who have signed preliminary contracts.
2. In the case of the purchase of construction works, no more than thirty percent of the contract to be concluded can be implemented by signing a subcontract. Any other participant pre-qualified to participate in the given procedure cannot be a party to the subcontract. If the contract will be implemented through a subcontract, the pre-qualified participant shall also submit a copy of the subcontract agreement and the data of the person who is a party to it with the application.

**V. PROCEDURE FOR SIGNING THE PRELIMINARY AGREEMENT**

9. The preliminary contract stipulates that:

1) submission of the application by the participant who signed it is not mandatory.

2) the application is submitted within three working days following the date of notification

3) brief conditions for submission of bids, evaluation, decision of the selected participant and conclusion of the contract by the pre-qualified participants based on the invitation;

4) the participant may terminate the initial contract by notifying the customer in writing or electronically. Termination of an initial contract does not automatically terminate any previous contracts with that participant based on it. The initial contract is terminated on the fifth working day following the day the application is entered into the customer's electronic document circulation system or notified electronically. In the meantime, the customer removes the contract signed with the given participant from the newsletter

5) in case of submitting an application based on the invitation, the participant must reconfirm his compliance with the qualification requirement stipulated in the pre-qualification statement. The participant's compliance with the qualification requirement is considered reconfirmed if he/she submits a written statement about it with the application.

**VI. OTHER TERMS**

10. The text of the announcement is published in the bulletin in Armenian, Russian and English. 11.The announcement is valid timelessly.

11.The prequalified participant:

a. does not provide security for the application,

b. in case of the purchase of the construction works the price offer is represented by the percentage expression calculated in relation to the cost of the construction works’ implementation to be developed by the project documents already been expertised,

c. if the selected participant is recognized, he does not provide qualification security, but provides contract security in the form of a bank guarantee or cash, the amount of which is equal to twenty percent of the contract price. In the case of presentation of price offers in percentage terms, the amount of the contract security is calculated in relation to the enlarged value of the implemented construction works specified in the invitation.

12.The selected participant is determined from the number of pre-qualified participants who submitted sufficiently evaluated bids, on the principle of giving preference to the participant who submitted the lowest price offer (percentage).

13.In relation to pre-qualified participants, the qualification criteria, the terms of their evaluation, as provided by the issues 2, 3, 4 and 5 of Article 6, Part 3 of the Law (professional experience, technical means, financial means and labor resources), are to be concluded. The terms of financing, execution and management of contracts are defined by a decision approved by the Government of the Republic of Armenia on the basis of Article 15, Part 4 of the Law and will be included in the notified invitation.

For additional information related to this announcement, you can contact the secretary of the procurement process, Narine Nikolayan.

Phone: 011621821

Email: tender4@minurban.am

Customer: Urban Development Committee of the Republic of Armenia

Appendix N 1

With the code HHQK-ShANY-22/1

pre-qualification procedure statement

###### APPLICATION STATEMENT

**to participate in the pre-qualification procedure**

informs that he/she wishes to participate in the the name of the participant

pre-qualification procedure announced with the code HHQK-ShANY-22/1by the Urban Development Committee of the Republic of Armenia and submits an application in accordance with the prequalification statement

requirements

the taxpayer registration number is .

the name of the participant The taxpayer identification number

the email address is .

the name of the participant e-mail address

phone number is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

the name of the participant phone number

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_ name of the participant (position of the head, first name and last name) signature

S. P.

Appendix N 1

With the code HHQK-ShANY-22/1

pre-qualification procedure statement

**STATEMENT**

**Compliance of professional activities with the contract**

**on compliance with the qualification criterion for the intended activity**

declares and certifies that he/she has provided the following works during the

the name of the participant

five years prior to submitting the application:

|  |  |  |  |
| --- | --- | --- | --- |
| **Contracts duly executed during the five years preceding the submission of the application** | | | |
| **s/n** |  | **subject** | **The data of the customer and his contacts** |
| 1 |  | 2 | 3 |
|  | | | date: ........... year |
| 1. |  |  |  |
| 2. |  |  |  |
| … |  |  |  |
|  | | | date: ........... year |
| 1. |  |  |  |
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|  | | | date: ........... year |
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S.P.

Appendix N 1

With the code HHQK-ShANY-22/1

pre-qualification procedure statement

«--------------------» -------- -signed with --.--.in 202

With the code HHQK-ShANY-22/1

**PRELIMINARY AGREEMENT**

City of Yerevan . . 202 .

The Urban Development Committee of the Republic of Armenia, represented by the Secretary-General of the Committee A. Mkrtchyan, acting on the basis of the charter of the Committee (hereinafter referred to as the Customer), on the one hand, and the pre-qualified participant (hereinafter referred to as the Participant) -------------------, represented by the director - ---------------------------------------------------------------- acting on the basis of -------------------- charter, on the other hand (the two together hereinafter referred to as the Parties), concluded this preliminary agreement (hereinafter referred to as the agreement) regarding the following.

1. **THE SUBJECT OF THE AGREEMENT**

1.1 The contract is concluded with the purpose of buying construction works (hereinafter referred to as service) in the scope of fulfilling the needs recognized as urgent, in case of human casualties, significant damage to human health and the environment, large material losses and disruption of normal human life conditions or in case of a risk leading to such situations.

1.2 The contract is valid for an indefinite period until the fifth working day following the date of the entry of the request for termination of the contract by the Participant into the electronic document circulation system of the Customer or being notified electronically

1.3 If the Participant is selected from the number of pre-qualified participants, an additional agreement is signed with him

1.4 The rights and obligations of the Parties provided for in the contract come into force on the day following the day of signing the agreement specified in the issue 1.3 of the contract.

**2. THE RIGHTS AND OBLIGATIONS OF THE PARTIES**

**2.1 The customer has the right to:**

2.1.1 check the authenticity of the data submitted by the Participant in the pre-qualification application, using data obtained from official sources or receiving the written conclusion of the competent authorities. In the case of sending such a request, the relevant state and local self-government bodies shall provide a written conclusion within three working days following the date of receipt of the request. If, as a result of the verification of the authenticity of the data submitted by the Participant, the data is qualified as untrue, the application for pre-qualification is rejected, notifying the Participant about it, to which the detailed reasons for the rejection are also attached.

**2.2 The customer is obliged to:**

2.2.1 Respond to a request for clarification regarding the participant's pre-qualification statement within three working days. The customer publishes the information about the request and the given clarification in the newsletter at the same time.

2.2.2 send a notice of application presentation by invitation to all pre-qualified participants

**2.3 The participant has the right to:**

2.3.1 submit other additional documents, information and materials with the pre-qualification application.

2.3.2 not to submit an application after receiving an invitation to submit an application

2.3.3 Terminate the contract by notifying the customer in writing or electronically. Termination of a contract does not automatically terminate any previous contracts with that participant based on it. The contract is terminated on the fifth working day following the date of the application being entered into the customer's electronic document circulation system or notified electronically. In the meantime, the Customer removes the contract signed with the given participant from the newsletter.

**2.4 The participant is obliged to:**

2.4.1 After being recognized as the selected participant, submit contract security in the form of a bank guarantee or cash, the amount of which is equal to twenty percent of the contract price. In the case of presentation of price offers in percentage terms, the amount of the contract security is calculated in relation to the enlarged value of the implemented construction works specified in the invitation.

2.4.2 In the case of submitting an application based on the invitation, reconfirm its compliance with the qualification requirement provided for in the pre-qualification statement. The participant's compliance with the qualification requirement is considered reconfirmed if he/she submits a written statement about it with the application.

**3. OTHER TERMS**

3.1 In the case of the purchase of construction works, no more than thirty percent of the contract to be concluded can be implemented by signing a subcontract.

3.2 In the case of a request to submit an application based on an invitation, it is submitted within three working days following the date of notification, reconfirming its compliance with the qualification requirement provided for in the pre-qualification statement.

3.3 In relation to pre-qualified participants, the qualification criteria, the terms of their evaluation, as provided by the issues 2, 3, 4 and 5 of Article 6, Part 3 of the Law (professional experience, technical means, financial means and labor resources), are to be concluded. The terms of financing, execution and management of contracts are defined by the decision approved by the Government of the Republic of Armenia on the basis of part 4 of Article 15 of the Law and will be included in the notified invitation.

**4.** **ADDRESSES, BANK ACCOUNTS AND SIGNATURES OF THE PARTIES**

|  |  |
| --- | --- |
| **CUSTOMER**  --------------------------------------------  (signature)    S.P. | **PARTICIPANT**    **--------------------------------------------**  (signature)    S.P. |