NOTICE

ON PREQUALIFICATION PROCEDURE

This text of the notice is approved by Decision of the head of the LS departpent of MOD of the RA No 115 of 19.02.2019 and is published pursuant to Article 24 of the Law of the Republic of Armenia "On procurement"

Code of the procedure: PPM-APDZB-19/166

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

The contracting authority Ministry of Defence of the RA, located at the following address: Bagrevand 5, Yerevan,with the view of determining the potential bidders of the closed targeted tender to be arranged for acquisition of equipment of rocket troops and artillery 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 organisation 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:

(1) meet the qualification criterion "Compliance of professional activities with activities provided for by the contract", stipulated by point 1 of part 3 of Article 6 of the Law of the Republic of Armenia "On procurement". Moreover, the fact of having provided the all kinds of equipment of rocket troops and artillery shall be considered as analogous.

The bidder shall be considered as meeting the qualification criterion, provided for by this subpoint, 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withdraws from the consortium, the contract concluded by the contracting authority with the consortium shall be rescinded unilaterally and the sanctions provided for by the contract shall be imposed upon the members of the consortium.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 targeted tender, 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**

The bidder shall have the right to request the commission for clarification on the prequalification notice. The commission shall provide the clarification to the enquirer within a calendar day following the day of receipt of the.

The bidder shall submit the enquiry specified in this point by means of sending it to the electronic mail of the secretary of the commission.

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 enquiry falls beyond the contents of this invitation. 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. Modifications may be made to this notice. The secretary of the commission shall publish in the bulletin a notice on making a modification on the first working day following the day of making the modification.

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

10. A bidder shall submit a bid to the commission in order to participate in this procedure.

11. A bidder may submit a prequalification bid to the commission in hard copy 1 in a closed envelope, glued. The following shall be indicated on the envelope in the language of the prequalification bid:

a. Ministry of Defense, Republic of Armenia, Bagrevand 5, Yerevan, RA;

 b. “PPM-APDZB*-19/166*”

c. the words "PREQUALIFICATION BID";

d. name, registered office and telephone number of the bidder.

12. Prequalification bids submitted in hard copy for the procedure shall be submitted to following address:

*Yerevan, located on Bagrevand 5, Ministry of Defense of the RA N 2074 room, to secretary A. Amiryan.*

The prequalification bids submitted in a hard copy shall be registered by the secretary of the commission in the bid register in the order of receipt, by indicating in the register the registration number, date and time. A statement of information thereon shall be issued by the request of the bidder.

13. 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).

14. Where a bidder submits the prequalification bid:

(1) in hard copy, all documents included in the bid, shall be submitted in original. Notary certified copies of the original documents may be submitted instead of the original documents;

15. The prequalification bids may, in addition to Armenian, also be submitted in English or Russian.

16. The envelope and the documents provided for by this invitation, drawn up by the bidder shall be signed by the person submitting them or the authorised person thereof (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 SUMMARISATION OF THE RESULTS**

 17. Evaluation of prequalification requests will be made by the Procurement Coordinator at the Department of Logistics of the RA Ministry of Defense.

In case of satisfying the requirements for participation qualifications and qualification criteria defined by the pre-qualification statement, the participant will be considered a pre-qualified participant and will be included in the list of pre-qualified participants. Participants included in the list of pre-qualified participants are eligible for further participation in the procurement process.

 18. 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.

Where as a result of the evaluation conducted at the prequalification bid opening session, inconsistencies with regard to the requirements of this notice are detected in the bid of the bidder, the commission shall suspend the session for one working day, and the secretary of the commission shall electronically notify the bidder thereof on the same day, proposing the bidder to eliminate the inconsistency prior to the end of the suspension period. Moreover, the proposal specified in this point shall:

(1) mandatorily and thoroughly describe the detected inconsistencies;

(2) be sent from the electronic mail of the secretary, specified in this notice, to the electronic mail of the bidder, specified in the bidder's application.

 19. Where the bidder eliminates the detected inconsistency within the time limit prescribed by point 18 of this notice, the bid of the bidder shall be evaluated as satisfactory. The bid shall otherwise be evaluated as unsatisfactory and be rejected.

 20. The secretary of the commission may not participate in the activities of the commission, where at the prequalification bid opening session it appears that the organisation founded by them or the organisation wherein they hold a share (unit), or the person with whom they are linked by kinship or in-law relationships (parent, spouse, child, brother, sister as well as parent-in-law, spouse's child, spouse's brother and spouse's sister), or the organisation founded by that person or the organisation wherein that person holds a share (unit) has submitted a bid to participate in the procedure concerned. Where the condition provided for by this point exists, the member or the secretary of the commission having a conflict of interests regarding this procedure shall recuse himself or herself from the procedure concerned immediately after the prequalification bid opening session.

 21. Bidders included in the list of prequalified bidders, who confirm and within the time limit prescribed by this notice submit to the secretary of the commission the original of the letter of commitment on nondisclosure of the information containing state secret, shall be granted the right to participate in the process of closed targeted tender. In this respect, the secretary of the commission shall simultaneously send — by the end of the second working day following the end of the bid *Invitation text approval session* — a notification from his or her electronic mail specified in this notice to the electronic mails of the prequalified bidders specified in the application, indicating the procedure for receiving the invitation. Moreover, the form of the letter of commitment on nondisclosure of the information containing state secret and the conditions for filling them in shall also be attached to the notification specified in this point.

The prequalified bidders shall confirm and within three working days following the day of sending the notification specified in this point submit personally to the secretary of the commission the original of the letter of commitment on nondisclosure of the information containing state secret. The secretary of the commission shall verify on the spot the compliance of the drawn up document with the prescribed form, as well as the identity of the person having the relevant power to receive the invitation and, in case of compliance, immediately provide the invitation and a relevant statement of information by indicating the date and time of providing the invitation.

22. Prequalified bidders having submitted documents later than the time limit provided for by point 25 of this notice shall not be provided with an invitation.

 For receiving additional information concerning this notice, you may apply to the Department of Formulation of Procurement documents of the Ministry of Defense of the RA located on Bagrevand 5, Yerevan, N 2074 room, to secretary A. Amiryn, tel. /010/ 29-43-53, E-mail a.amiryan@mil.am .Annex 1

to the notice on the prequalification procedure

of the closed targeted tender under the code PNM-APDZ-19/166

**APPLICATION\***

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

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

 name of the bidder

in the prequalification procedure of the closed targeted tender under
the code \_\_\_\_ PPM-APDZB*-19/166*\_\_\_\_ of MOF RA 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 targeted tender under the code PPM-APDZB*-19/166*

**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 goods:

|  |
| --- |
| 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: ........... |
| 1 |  |  |
| 2 |  |  |
| ... |  |  |
| Date: ........... |
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name of the bidder (position, name, surname of the head) signature

Seal