
CENTRAL PURCHASING OPERATOR OBP

Date:23/04/2026

PROCESSVERBAL- Contract type - Goods

**ON THE ARGUMENTATION AND APPROVAL OF TECHNICAL SPECIFICATIONS
AND QUALIFICATION CRITERIA**

(These minutes are for publication purposes together with the tender documents)

Object of the procedure : "Purchase of Lubricating Oils for Navy ships, for the year 2026-2027".

The corresponding code in the common vocabulary of procurement (FPP) :

Oil filter 42913300-2

Grease and lubricants 24951000-5

Value of the limit fund : 16,679,426.7 (sixteen million six hundred seventy-nine thousand four hundred twenty-six point seven) lek excluding VAT or

174 671.97 (one hundred and seventy-four thousand six hundred and seventy-one euros and ninety-seven cents) euros excluding VAT:

The values in euros in these tender documents have been converted according to the official exchange rate of the Bank of Albania, dated 23.04.2026 (**12:24:58**), with an exchange rate of 95.49 (*ninety-five point forty-nine*) .

Based on Article 21, point 2, of Law No. 162/2020 "On Public Procurement" (as amended), Article 2, point 2/c and Article 78, point 2, of the Council of Ministers No. 285, dated 19.05.2021 "On the approval of public procurement rules" (as amended), the Contracting Authority/Entity, the Centralized Purchasing Operator in the role of the Central Purchasing Body, has drafted the minutes for the argumentation and approval of the qualification criteria for the above-mentioned procedure, with the following content:

SPECIAL QUALIFICATION CRITERIA

1. The bidder must submit:

a. *Summary Self-Declaration Form , according to Annex 9;*

b. *Bid Security, according to Annex 4;*

Justification : *The above criteria have been established in accordance with Article 82 “Summary self-declaration form” and Article 83 “Bid security”, of Law No. 162/2020 “On Public Procurement” as amended and in support of Article 26, Article 30, point 1, of the Council of Ministers No. 285, dated 19.5.2021 “On the Approval of Public Procurement Rules: we quote Article 83 of the LPP “ The contracting authority must request the submission of bid security from bidders in all types of procurement procedures, with the exception of low-value procurement procedures”, Article 82, of the LPP “1. Together with the submission of requests to participate or tenders, contracting authorities or entities shall accept as preliminary evidence, in lieu of certain certificates issued by public authorities or third parties, the summary self-declaration form, in accordance with the provisions of this law. The content of this form shall be determined in the public procurement rules.*

2. The tenderer must submit:

2.1 Professional capacity of economic operators:

The Bidder must declare that it meets the general eligibility/qualification criteria. These criteria must be met by submitting a written self-declaration of the entity, on the day of bid opening, according to Annex 9 .

Argument : *The above request is based on Article 76 of Law No. 162, dated 23.12.2020 "On Public Procurement" as amended and Article 25 of the Council of Ministers No. 285, dated 19.05.2021 "On the Approval of Public Procurement Rules", as amended.*

2.2 Economic and financial capacity:

2.2.1 In order to prove that economic operators have the necessary economic and financial capacity to perform the contract , they must submit proof of annual turnover for the financial years (2023, 2024, 2025), where the turnover value for at least one of the years of the required period must be **no less than 40% of the value of the limit fund of the object being procured** . The requirement to meet the financial capacity is considered fulfilled if economic operators reach the minimum turnover value, in at least one year of the period required by the contracting authority/entity.

Argument: *The above requirement is in Article 77 “ Qualification requirements”, point 3 of Law No. 162, dated 23.12.2020 “On public procurement”, as amended, in which we find it determined that: 3. With regard to the economic and financial situation, contracting authorities or entities may impose requirements that guarantee that economic operators have the necessary economic and financial capacity to perform the contract. For this purpose, contracting authorities or entities*

may require in particular that economic operators have a certain minimum annual turnover. Also, contracting authorities or entities may require that economic operators provide information in their annual balance sheets showing the ratios between assets and liabilities. The minimum annual turnover required from economic operators cannot exceed twice the estimated value of the contract”, Article 43 “Requirements for economic and financial capacities” point 2/a and Article 47 “Open procedure” of the Council of Ministers No. 285, dated 19.05.2021 “On the approval of the public procurement rules”, as amended . The determination of the years required for the submission of the annual turnover certificate is based on point 2 of Article 61, of Law No. 29/2023 “On income tax”, as amended, which states that: “The annual tax return is submitted to the tax authority no later than March 31 of the year following the tax year for which the return is submitted”. The establishment of this criterion is done with the aim of creating confidence in the Contracting Authority , regarding economic and financial capacity of the bidding economic operators , certifying through the requested documents that they have the economic and financial capacity to fulfill the contract as foreseen by the Contracting Authority .

The determination of the required value is argued as follows: The required value is not less than the value of the limit fund. of the contract being procured is in accordance with the provisions of Article 43 "Requirements for economic and financial capacities" point 2/a of the Council of Ministers No. 285, dated 19.05.2021 "On the approval of public procurement rules", as amended, which stipulates that:

Point 2. “The minimum annual turnover required of economic operators may not exceed: a) double the estimated value of the contract or lot, in procurement procedures above the upper monetary limit”. In the specific case, the Procurement Unit considered it reasonable that the turnover value for at least one of the years of the requested period should be no less than the value of the limit fund in order to encourage the participation of economic operators in public procurement procedures, encourage competition between economic operators, as well as ensure equal and non-discriminatory treatment for all potential economic bidders. Taking into account the definition made in Article 43 “Requirements for economic and financial capacities” point 2/a, the CA cannot exceed twice the estimated value of the lot value in the request for qualification, but in compliance with legal principles and in fulfilling the purposes of the procurement law as cited above, it has the right to request a value lower than twice the estimated value of the contract to meet the minimum annual turnover value. This value is required taking into account the object of the contract, its nature and volume, to serve the contracting authority to recognize the situation and capacities of the economic operator, who must prove that they possess the necessary economic and financial capacities, all in order to successfully implement the contract.

2.2.2 Economic operators must submit certified copies of the balance sheets for the years: (2023, 2024, 2025) submitted to the relevant tax authorities. If the economic operator is in accordance with the provisions of Article 41 of Law No. 10091 of 05.03.2009, then the balance sheets must also be accompanied by the statutory audit reports of the annual financial statements, carried out by statutory auditors or auditing companies. The criterion is considered fulfilled if in two consecutive balance sheets there is no negative ratio between assets and liabilities.

Argument: *The above request is determined based on Article 77, point 3, of Law No. 162, dated 23.12.2020 "On Public Procurement" as amended; Article 43, point 4, of Council Decision No. 285, dated 19.05.2021 "On the approval of public procurement rules", as amended, which stipulates that: " If assessed, the contracting authority/entity may require economic operators to provide information in their annual balance sheets, for a maximum period of the last three financial years, to show the ratios between assets and liabilities. If one or two balance sheets are required, the requirement is considered fulfilled if there is no negative ratio between assets and liabilities in the required balance sheet(s)", as well as in point 5 of Article 61, of Law No. 29/2023 "On Income Tax", as amended, which stipulates that: "Taxpayers who keep accounting according to the requirements of the relevant law, submit the annual declaration together with the financial statements, as well as other data specified in the instruction of the minister responsible for finance for the implementation of this law.", as well as the requirements of Law No. 25/2018 "On accounting and financial statements", as amended. Through this criterion, for the presentation of the balance sheets, it has been decided, taking into account the object of the contract, its nature and volume, to serve the contracting authority to recognize the situation and capacities of the economic operator, who must prove that they possess the necessary economic and financial capacities, all in function of the successful implementation of the contract.*

1.3 Technical capacity:

2.3.1 The economic operator must provide evidence of previous similar supplies carried out during the last 3 (three) years from the date of publication of the contract notice, in the amount of **not less than 40% of the value of the limit fund**. These previous, similar supplies must be certified by the following documentation :

- a) When similar supplies have been made with public entities, the economic operator must submit certificates issued by a public entity for the successful fulfillment of the contract, indicating the value, the deadline for the completion of the contract or tax sales invoices, completed according to the requirements of the legislation in force and declared to the tax authorities, indicating the dates, amounts and quantities of the goods supplied.
- b) When similar supplies are made to private entities, the economic operator must submit sales tax invoices, completed according to the requirements of the legislation in force and declared to the tax authorities, indicating the dates, amounts and quantities of goods supplied.

Argument : *The above request is determined based on Article 77, point 4 of Law No. 162, dated 23.12.2020 "On Public Procurement" as amended by Article 40, point 4 of Council of Ministers No. 285, dated 19.05.2021 "On the Approval of Public Procurement Rules", as amended, which stipulates that: "To prove previous experience, the contracting authority/entity shall require evidence of the successful completion of one or more previous, similar contracts completed during the last three years. In any case, the total value requested shall not exceed 40% of the*

estimated value of the contract to be procured and completed during the last three years from the date of publication of the contract notice."

This criterion requires economic operators to demonstrate that they have the necessary experience to implement the contract, therefore it is required that previous similar supplies be worth no less than 40% of the value of the limit fund. The required percentage is considered necessary to prove the reliability and experience of the bidding economic operators, as well as their ability to provide goods similar to the procurement object for the successful implementation of the contract.

2.3.2 The economic operator shall submit catalogs / brochures / technical sheets for the items subject to procurement, including their technical specifications. The economic operator must mark in the catalog / brochure / technical sheet (for ease of identification) the items and technical specifications according to those specified in Annex 6 "Technical Specifications Form", in order to verify their compliance with the tender documents.

Justification: *This criterion has been established in accordance with Article 77 of Law No. 162, dated 23.12.2020 "On Public Procurement", as amended, and point 6/b, of Article 40, of the Council of Ministers No. 285, dated 19.05.2021 "On the Approval of Public Procurement Rules", as amended. The requirement for the submission of catalogues/technical sheets by the manufacturer is a necessary requirement as it enables the Contracting Authority as the Central Purchasing Body to verify the compliance of the technical specifications of the items offered by the economic operators with the required technical specifications.*

The request for the catalog/technical sheet has several advantages: Reliability of information: A technical document guarantees that the information is accurate and up-to-date. Compliance with technical specifications which ensures that the products offered comply with the technical specifications required in the procurement documents. Fraud prevention: Reduces the risk of fraud or the provision of counterfeit products.

In view of the above, by fulfilling this requirement, the CA creates certainty and guarantee that the goods to be supplied are in accordance with the specifications set out in the DST. This catalogue will also serve in the process of receiving the goods subject to procurement by the beneficiary Contracting Authority to carry out the comparability of the technical specifications during its receipt.

2.3.3 The economic operator must submit an Authorization/Agreement with the manufacturer/distributor authorized by the manufacturer for the items subject to procurement. The bidding economic operator, in case of submitting an authorization from the distributor authorized by the manufacturer, must prove the connection between the manufacturer and the official distributor authorized by the manufacturer. The authorization must contain complete data of the manufacturer such as: *(telephone, fax, e-mail, website)* necessary for the contracting authority in case of verification by it.

Justification: *This criterion is defined in Law No. 162, dated 23.12.2020 "On Public Procurement" and in implementation of the Council of Ministers No. 285 dated 19.05.2021 "On the Approval of Public Procurement Rules" as amended, regarding the request for Authorization for EO bidders from the manufacturing company or from the distributor authorized by the manufacturer, it is a necessary document to be submitted, so that the contracting authority can ensure that the entity/company that has this document guarantees sustainable supplies with the range of items, which are very specific by nature and need security in the supply chain. This criterion was also established in support of Recommendation No. 3341/1 prot. Date 20.03.2018 of the Public Procurement Agency (Legal and Monitoring Directorate) addressed to Contracting Authorities "Recommendation on the drafting of qualification criteria in the tender documents of public procurement procedures".*

2.3.4 The bidding economic operator must present the **ISO 9001:2015 certification** on “Quality Management Systems” **or equivalent** in accordance with the procurement object, issued by a conformity assessment body, accredited by the national accreditation body or by international accreditation bodies, recognized by the Republic of Albania. The certificate must be valid at the time of the tender.

2.3.5 The bidding economic operator must present the **ISO 14001:2015 “Environmental Management Systems” certificate / or equivalent** (valid on the date of the tender), in accordance with the procurement object, issued by a conformity assessment body, accredited by the national accreditation body or international accreditation bodies, recognized by the Republic of Albania.

Argument: *This criterion is established in accordance with Article 79 of Law No. 162/2020 "On Public Procurement", as amended, in which we find it determined that: 1. The contracting authority or entity, in order to certify that the works, goods or services, subject to procurement, meet the quality requirements, may request bidders to submit certificates issued by a conformity assessment body, accredited by the national accreditation body or international accreditation bodies, recognized by the Republic of Albania. This provision also applies when the technical requirements refer to the qualifications of the candidate or bidder. This criterion is supported by point 1 of Article 44 of the Council of Ministers No. 285 dated 19.05.2021 "On the Approval of Public Procurement Rules" which stipulates that: 1. The contracting authority/entity, in order to verify that the works, goods or services, subject to procurement, meet the quality requirements, may require bidders to submit certificates issued by a conformity assessment body, accredited by the national accreditation body or international accreditation body, recognized by the Republic of Albania, only if they are substantiated and closely and directly related to the subject of procurement. As above, this criterion serves to recognize the capacity of the bidding economic operators and their technical and professional ability to supply quality items that are produced/placed on the market according to the above-mentioned standard. ISO 9001 defines the requirements for a quality management system and can be implemented and certified by any company, regardless of its size or field of activity. (required for the procurement object, which the*

CA requires to be carried out with quality and on time). Considering the procurement object, the contracting authority deems it necessary to require that the bidding economic operators be equipped with quality certificates in accordance with the procurement object, in order for the supplies to be carried out with quality according to the above ISO certificate.

CA considers it necessary to certify the bidding entities with ISO 14001 or equivalent, in order to guarantee that the EO enjoys the necessary confirmations from the conformity assessment body, that it has taken proactive measures in order to minimize the negative impact on the environment, and implements the relevant regulatory framework in force for environmental protection.

2.3.6 The participating economic operator must submit **a declaration** , by which it undertakes to perform the transport service of the goods subject to procurement to the address determined by the beneficiary contracting authority in accordance with the technical specifications.

Justification : *The above requirement is determined based on Article 77, point 4 of Law No. 162, dated 23.12.2020 “On Public Procurement”, as amended, and Article 40, point 8, of Council of Ministers Decision No. 285, dated 19.05.2021 “On the Approval of Public Procurement Rules”, as amended. This criterion requires operators to ensure the contracting authority that the transport of the goods will be carried out on time and at the place designated by the beneficiary Contracting Authority.*

All documents must be originals or notarized copies.

Cases of failure to submit a document, or documents with false or inaccurate data, are considered conditions for disqualification.

Argument of technical specifications :

TECHNICAL SPECIFICATIONS

No.	Nomenclature of lubricating oils	Unit/month
1	SAE 30 marine oil	liter
2	Hydraulic Oil 46	liter
3	Hydraulic Oil HVI 68	liter
4	DX III Transmission Oil	liter
5	Gear Oil 100	liter
6	Gearbox Oil 220	liter
7	Turbo Diesel 15W-40 engine oil	liter
8	2T (Two-stroke Outboard) Engine Oil	liter
9	4T (4 stroke marine) engine oil SAE 10W-30	liter
10	Compressor Engine Oil/Diesel SAE 15W-40	liter
11	Lithium EP-2 Grease	kg

Any required standard or any brand reference of the goods subject to procurement, the contracting authority will also accept its equivalent.

The technical specifications have been drafted by the contracting authority for the object being procured as needed, the drafting of the needs for lubricating oils for the supply of the Navy's ships has been done with reference to the requirements of the subordinate departments, taking into account the various exercises and the expected tasks for the realization of the constitutional mission of the Navy Command for the period 2026-2027.

In justifying the needs for the period 2026-2027, the obligation of the Naval Force Command regarding the creation of the reserve was also taken into account, based on the order of the Minister of Defense no. 18, dated 14.05.2025 "On the creation of material reserves in the Armed Forces, as well as the determination of the rules for their escalation, method of administration and use in peacetime and situations for which extraordinary measures are required".

The necessary funds related to the development of the procurement procedure for the supply of Naval Force ships with lubricating oil items , as well as the creation of a reserve for these items, have been foreseen by the Naval Force Command in the MTEF for the period 2026-2027, in Article 602.31 "Fuel and Oil".

The transport of the goods subject to procurement to the premises determined by the beneficiary Contracting Authority will be carried out by the winning economic operator.

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