



**REPUBLIC OF ALBANIA
PUBLIC PROCUREMENT AGENCY**

**STANDARD DOCUMENTS OF PROCUREMENT
GOODS**

"PURCHASE OF FUEL", DIVIDED INTO 7 LOTS

I. CONTRACT NOTICE

Section 1. Contracting Authority

1.1 Name and address of the contracting authority

Name: Central Purchasing Agency
 Address: Skanderbeg Square No.3, Ministry of Interior, Tirana, Albania.
 Tel/Fax: ++355 42 256 796
 E-mail: Sigi.Zaimi@mb.gov.al
 Website: www.abp.gov.al
 Responsible person: Mr. Sigi Zaimi

1.2 Type of contracting authority:

Central Institution	Independent institution
X	
Local government unit	Other

1.3 Contract under a special agreement between Albanian and another state

Yes No **X**

Section 2. Object of the contract

2.1 Reference number of procedure: REF-56143-04-14-2020

Reference number of Lot I: REF-56145-04-14-2020

Reference number of Lot II: REF-56147-04-14-2020

Reference number of Lot III: REF-56149-04-14-2020

Reference number of Lot IV: REF-56151-04-14-2020

Reference number of Lot V: REF-56153-04-14-2020

Reference number of Lot VI: REF-56155-04-14-2020

Reference number of Lot VII: REF-56157-04-14-2020

2.2 Type of "Public Contracts for Goods"

Purchase	Rent	Leasing	Hire purchase	A combination thereof
X				

2.3 Contract based on Framework Agreement

Yes **X** No

2.4 Type of Framework Agreement

With one Economic Operator

With several Economic Operators

X

All terms are defined

Yes **X** No

In the Framework Agreement with 1 Economic Operator, when all conditions are specified, provide reasons for selecting this type of Framework Agreement:

- As the procurement procedure is divided into 7 lots, we are ahead of the framework agreement with several economic operators where all the conditions are set out in paragraph 3 of point 3 of article 47 of the RPP: "This a type of agreement is used in the case of the division of the procurement object in lots, where for each lot will be determined a winning economic operator. "
- Since each lot is considered as a separate procedure, based on article 35/1 of the PPL, article 41 and following of RPP, as well as PPA's guidelines and recommendations for framework agreements, the central purchasing body reasoned that:
- For each lot, the central purchasing body shall enter into a framework agreement with an economic operator on behalf of and on behalf of the contracting authorities for which the procedure is being conducted. The purpose is to establish the same conditions for concluding contracts during the time frame of the framework agreement. This procurement object is centrally developed and the central purchasing body has unified the technical specifications as well as the prices. This framework agreement is appropriate for this kind of goods.

2.5 Number of economic operators with which the Framework Agreement will conclude: 1 (one) winning economic operator for each lot

2.6	The terms to be followed in case of reopening of the bidding process and/or potential use of electronic bidding	<p>There will be no reopening of the competition.</p> <p>Contracts will be linked to the requirements of the Contracting Authority with the successful economic operator.</p> <p>The award of contracts shall be made by the Contracting Authority as defined in point 2.7 of the DST.</p> <p>The framework agreement will be implemented by sending invitations to tender to the economic operator, party to the agreement.</p> <p>In the event of the emergence of a concrete need to enter into a contract within the framework agreement, the contracting authority must send the "invitation to bid" to the contractor, specifying the list with the respective quantities.</p> <p>The contracting authority requires the economic operator, the winner to submit his bid.</p> <p>Communication between the contracting authority and the economic operator shall be in writing or electronic form (email, fax, etc.) and shall in any case be documented and become part of the procedure file.</p> <p>Estimated and required quantities are only orientation quantities and do NOT condition the Contracting Authority to purchase them.</p> <p>The Contracting Authority has the right to purchase fewer or more quantities than the foreseen ones. (but in any case within the estimated value of the framework agreement).</p> <p>The Contractor will not be entitled to compensation and will NOT be allowed to make unit price changes, for example if the contracting authority decides to buy less or more quantities than the specified ones</p>
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		and / or the contracting authority decides not to buy any of these quantities for some items. Unit prices are set out in the Bid Price Form. Unit prices must be fixed and should not be subject to changes to the orders set out in this framework agreement.
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2.7 Contracting Authority / Contracting Authorities, which will conclude the framework agreement: Central Purchasing Authority, Central Purchase Agency, on behalf and for the account of the following authorities:

➤ **For LOT I. “Purchase of fuel for diesel vehicles (gasoil)” - Framework agreement with a period of 2(two) years;**

1. **Public Health Institution**, with fund of the framework agreement 5,813,000 (five million eight hundred thirteen thousand) Lek without VAT;
2. **Malësi e Madhe Hospital Service Directorate**, funded by the framework agreement 2,350,000 (two million three hundred fifty thousand) Lek without VAT;
3. **State Health Inspectorate**, with framework agreement 12,000,000 (twelve million) Lek without VAT;
4. **National Blood Transfusion Center**, with framework agreement of 1,613,469 (one million six hundred thirteen thousand four hundred sixty-nine) Lek without VAT;
5. **Tirana Local Health Care Unit**, with framework agreement 3,544,080 (three million five hundred forty-four thousand eighty) Lek without VAT;
6. **Vlora Regional Hospital**, with framework agreement of 11,300,000 (eleven million three hundred thousand Lek without VAT;
7. **Puka Hospital Service Directorate**, with framework agreement of 4,500,000 (four million five hundred thousand) Lek without VAT;
8. **Healthcare Service Operator**, with framework agreement of 2,200,000 (two million two hundred thousand) Lek without VAT;

➤ **For Lot II. “Purchase of fuel for diesel vehicles (gasoil)” - Framework agreement with a period of 3(three) years;**

1. **National Centre for Medical Emergency, Sewerage and Waste Infrastructure Agency**, with fund of the framework agreement 39,690,000 (thirty-nine million six hundred ninety thousand) Lek without VAT;
2. **General Directorate of State Material Reserves**, with fund of the framework agreement 6,249,999 (six million two hundred forty-nine thousand nine hundred ninety-nine) Lek without VAT;

➤ **For Lot III. “Purchase of fuel for petrol vehicles (unleaded)”, Framework agreement with a period of 2 (two) years;**

1. **State Health Inspectorate**, with framework agreement 4,500,000 (four million five hundred thousand) Lek without VAT;

➤ **For Lot IV. “Purchase of fuel for civil and industrial heating(Gazoil < 0.1, Gazoil > 0.1, mazut) ” - Framework agreement with a period of 2(two) years;**

1. **Vlora Regional Hospital**, with fund of framework agreement 7,500,000 (seven million five hundred thousand) Lek without VAT;
2. **Shkodra Regional Hospital**, with fund agreements 20,160,000 (twenty million one hundred sixty thousand) Lek without VAT;
3. **University Hospital Centre "Nënë Tereza"**, with Funds 96,098,723 (ninety-six million ninety-eight thousand seven hundred and twenty-three) Lek without VAT;
4. **Local Health Care Unit Korçë**, with framework agreement of 3,000,000 (three million) Lek without VAT;

➤ **For Lot V. " Purchase of fuel for civil and industrial heating (solar)” - Framework agreement with a period of 2(two) years;**

1. **Lushnje Hospital**, with 7,631,000 (seven million six hundred thirty-one thousand) agreement funds Lek without VAT;
2. **Puka Hospital Service Directorate**, with Funds 3,333,333 (three million three hundred thirty-three thousand three hundred thirty-three) Lek without VAT;
3. **Hospital Service Directory Kolonjë**, with framework agreement 2,835,000 (two million eight hundred thirty-five thousand) Lek without VAT.

➤ **For Lot VI. “Purchase of Liquid fuel for automotive, for domestic and industrial purposes LPG (Michelle)” - Framework agreement with a period of 2 (two) years;**

1. **General Directorate of Prisons**, with fund of framework agreement 19,912,031 (nineteen million nine hundred twelve thousand thirty-one) ALL without VAT;

➤ **For Lot VII. " "Purchase of diesel fuel - F76", Framework agreement with a period of 2 (two) years;**

1. **Naval Force Command**, with fund of framework agreement 401,033,215 (four hundred one million thirty-three thousand two hundred fifteen) Lek without VAT;

2.8 Brief description of the contract:

1. Limit fund/Estimated framework agreement: **655,263,850** (six hundred fifty-five million two hundred sixty-three thousand eight hundred fifty) Lek without VAT, divided into lots as follows:
2. Funding Source: **State Budget**

3. Object of the framework agreement: **"Purchase of fuel", divided into 7 Lots**

2.9 Duration of the contract or time limit for execution: Starting from the date of conclusion of the contract / contracts, until fulfilled the needs of the contracting authorities within the framework agreement.

2.9.1. Duration of Framework Agreement

- **Lot I.** "Purchase of fuel for diesel vehicles (gasoil)" - Framework agreement with a period of 2(two) years;
- **Lot II.** "Purchase of fuel for diesel vehicles (gasoil)" - Framework agreement with a period of 3(three) years;
- **Lot III.** "Purchase of fuel for petrol vehicles (unleaded)", Framework agreement with a period of 2 (two) years;
- **Lot IV.** "Purchase of fuel for civil and industrial heating (Gazoil < 0.1,Gazoil > 0.1,mazut)" - Framework agreement with a period of 3(three) years;
- **Lot V.** " Purchase of fuel for civil and industrial heating (solar)" - Framework agreement with a period of 2(two) years;
- **Lot VI.** "Purchase of liquid fuel for automotive, for domestic and industrial purposes LPG (Michelle)" - Framework agreement with a period of 2 (two) years;
- **Lot VII.** " "Purchase of diesel fuel - F76", Framework agreement with a period of 2 (two) years;

2.10 Location of delivery of the contract/framework agreement object: In all addresses, buildings and territories in which the Contracting Authority specified in paragraph 2.7 of the TD. (according to Lot) have their locations and exercise their activity

For Lot VI.

In the premises of the General Directorate of Prisons, Tirana and in 23 (twenty-three) IEVP as follows:

- 1.1. I.E.V.P - Fier
- 1.2. I.E.V.P "Jordan Misja" - Tiranë
- 1.3. I.E.V.P "Ali Demi" - Tiranë
- 1.4. I.E.V.P "Mine Peza" - Tiranë
- 1.5. I.E.V.P Vaqarr - Tiranë
- 1.6. I.E.V.P - Burrel
- 1.7. I.E.V.P - Peqin
- 1.8. I.E.V.P - Rrogozhinë
- 1.9. I.E.V.P - Lezhë
- 1.10. I.E.V.P - Tepelenë
- 1.11. I.E.V.P - Lushnjë
- 1.12. I.E.V.P - Krujë
- 1.13. I.E.V.P - Vlorë
- 1.14. I.E.V.P - Durrës

- 1.15. I.E.V.P - Korçë
- 1.16. I.E.V.P - Berat
- 1.17. I.E.V.P - Fushë Krujë
- 1.18. I.E.V.P - Kukës
- 1.19. I.E.V.P - Sarandë
- 1.20. I.E.V.P - Tropojë
- 1.21. I.E.V.P “Të Miturit” - Kavajë
- 1.22. I.E.V.P - Elbasan
- 1.23. I.E.V.P - Shkodër

2.11 Division into LOTS:

Yes X No

If yes,

2.12 Division into Lots:

- **Lot I. “Purchase of fuel for diesel vehicles (gasoil)”** - Framework agreement with a period of 2(two) years, with a limit fund of the framework agreement: **43,320,549** (forty-three million three hundred twenty thousand five hundred forty-nine ALL without VAT;
- **Lot II. “Purchase of fuel for diesel vehicles (gasoil)”** - Framework agreement with a period of 3(three) years, with a limit fund of the framework agreement: **45,939,999** (forty-five million nine hundred thirty-nine thousand nine hundred ninety-nine) ALL without VAT;
- **Lot III. “Purchase of fuel for petrol vehicles (unleaded)”**, Framework agreement with a period of 2 (two) years, with limit fund of the framework agreement: **4,500,000** (four million five hundred thousand) ALL without VAT.
- **Lot IV. “Purchase of fuel for civil and industrial heating (Gazoil < 0.1,Gazoil > 0.1,mazut)”** - Framework agreement with a period of 2(two) years, with a limit fund of the framework agreement: **126,758,723** (one hundred twenty-six million seven hundred fifty-eight thousand seven hundred twenty-three) ALL VAT.
- **Lot V. " Purchase of fuel for civil and industrial heating (solar)”** - Framework agreement with a period of 2(two) years, with limit fund of framework agreement: **13,799,333** (thirteen million seven hundred ninety-nine thousand three hundred thirty-three) ALL without VAT.
- **Lot VI. “Purchase of liquid fuel for automotive, for domestic and industrial purposes LPG (Michelle)”** - Framework agreement with a period of 2 (two) years, with limit fund of framework agreement: **19,912,031** (nineteen million nine hundred twelve thousand thirty-one) ALL without VAT.
- **Lot VII. " "Purchase of diesel fuel - F76"**, Framework agreement with a period of 2 (two) years, with limit fund of the framework agreement: **401,033,215** (four hundred one million thirty-three thousand two hundred fifteen) ALL without VAT;

A Bidder can apply for [one lot], [several lots], [all lots]. A separate bid shall be submitted for each lot.

2.13 Options:

Number of possible renewals (*if any*):

Or: from to

2.14 The options shall be accepted:

Yes No **X**

2.14.1 Subcontracting will be accepted:

Yes No **X**

In case subcontracting will be allowed, the percentage of subcontracting allowed shall be specified:

The Contracting Authority shall carry out direct payments to the subcontractor:

Yes No **X**

Other notes

2.15. During the process of procurement in the field of Information and Communication Technology (ICT), the standards prepared by the National Agency on Information Society have been used:

Yes No **X**

2.16. During the process of procurement in the field of Information and Communication Technology (ICT), in the event the standards are not applicable, previous consent from National Agency on Information Society has been taken:

Yes No **X**

Section 3. Legal, economic, financial and technical information

3.1 Eligibility criteria under Annex 9.

3.2 Bid Security¹: 2% of limit Fund (applicable in case of procurement procedures above the threshold, if it is required by Contracting Authority).

The Economic Operator submits the Bid Security Form, when required, according to Annex 4. The required amount of the bid security is **2% of limit fund for each Lot**.

In the events of bid delivery for the Lots, the amount of bid security, when required, for each Lot is as follows:

- **LOT I. “Purchase of fuel for diesel vehicles (gasoil)”** - Framework agreement with a period of 2(two) years, **866,410.98** Lekë;
- **Lot II. “Purchase of fuel for diesel vehicles (gasoil)”** - Framework agreement with a period of 3(three) years, **918,799.98** Lekë;
- **Lot III. “Purchase of fuel for petrol vehicles (unleaded)”**, Framework agreement with a period of 2 (two) years, **90,000** Lekë;
- **Lot IV. “Purchase of fuel for civil and industrial heating (Gazoil < 0.1, Gazoil > 0.1, mazut)”** - Framework agreement with a period of 2(two) years, **2,535,174.46** Lekë;
- **Lot V. " Purchase of fuel for civil and industrial heating (solar)”** - Framework agreement with a period of 2(two) years **275,986.66** Lekë;
- **Lot VI. “Purchase of liquid fuel for automotive, for domestic and industrial purposes LPG (Michelle)”** - Framework agreement with a period of 2 (two) years **398,240.62** Lekë;
- **Lot VII. "Purchase of diesel fuel - F76"**, Framework agreement with a period of 2 (two) years, **8,020,664.3** Lekë;

Section 4 Procedure

4.1 Type of procedure: Open

Re-announced Procurement Procedure

Yes No **X**

In case it is a re-announced procedure, the identification information of the canceled procedure shall be completed:

a) Number of reference of the canceled procurement procedure in the system of the electronic procurement

b) Procurement object of the canceled procurement procedure _____

c) Limit fund of the canceled procurement procedure _____

4.2 Criteria for the selection of the winner:

A) **lowest price** **X**

In case of procurement procedures for supply of diesel, gas oil, benzol and heating oil, **lowest price** is based on:

- i) stock market price, according to Reuters delivered under CIF-Albania terms, which is published in the last Public Notices Bulletin, before the date of submission and opening of bids;
- ii) fiscal elements, including excise, carbon tax as well as any other tax under the legislation in force;
- iii) lower profit margin, expressed in percentage.

In case of price fluctuation, the margin absolute value shall not change during the execution of contract.

Or

B) most economically advantageous bid

In terms of importance: Price **points**

etc. **points**

The Contracting Authority shall specify the points for each selection criterion set.

4.3 Deadline for submission of bids or expression of interest:

Date: **01/06/2020** Time: **12:00** Venue: app.gov.al

If the bid is required to be sent electronically, the economic operators should submit their bid electronically through PPA's website, www.app.gov.al

4.4 Time limit for opening of bids or expression of interest:

Date: **01/06/2020** Time: **12:00**

Venue: Central Purchasing Agency, Ministry of Interior, Tirana.

The information on the bids submitted by email shall be communicated to all those Economic operators who have submitted their offers, upon their request.

4.5 Bid validity period: 150 (given in days)

4.6 Language(s) of bids or expression of interest:

Albanian	X	English	X
Other	_____		

Section 5 Complementary Information

5.1 Payable documents (*applicable only if the procedure is not developed through electronic means*):

Yes	No	X
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If yes

Currency	_____	Price	_____
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Such price covers the current costs of copying and distribution of TDs to Economic Operators. The interested Economic Operators are entitled to check the TDs before buying them.

5.2 Additional information (venue, office, ways to collect the tender documents)

Date of publication of this notification: **15.04.2020**

Contract Notice to be completed by the Contracting Authority, which will be published in the

Public Notices Bulletin

1. Name and address of the contracting authority:

Name: Central Purchasing Agency
Address: Skanderbeg Square No.3, Ministry of Interior, Tirana, Albania.
Tel/Fax: ++355 42 256 796
E-mail: Sigi.Zaimi@mb.gov.al
Website: www.abp.gov.al
Responsible person: Mr. Sigi Zaimi

2. Type of procurement procedure: Open Procedure, over the high monetary threshold – procurement of goods by electronic means - Framework agreement where all conditions are stipulated - with several economic operators - one winning economic operator for each lot.

3. Reference number of procedure: REF-56143-04-14-2020

Reference number of Lot I: REF-56145-04-14-2020

Reference number of Lot II: REF-56147-04-14-2020

Reference number of Lot III: REF-56149-04-14-2020

Reference number of Lot IV: REF-56151-04-14-2020

Reference number of Lot V: REF-56153-04-14-2020

Reference number of Lot VI: REF-56155-04-14-2020

Reference number of Lot VII: REF-56157-04-14-2020

4. Object of the framework agreement: "Purchase of fuel", divided into 7 Lots:

- **Lot I. "Purchase of fuel for diesel vehicles (gasoil)"** - Framework agreement with a period of 2(two) years;
- **Lot II. "Purchase of fuel for diesel vehicles (gasoil)"** - Framework agreement with a period of 3(three) years;
- **Lot III. "Purchase of fuel for petrol vehicles (unleaded)"**, Framework agreement with a period of 2 (two) years;
- **Lot IV. "Purchase of fuel for civil and industrial heating(Gazoil < 0.1, Gazoil > 0.1, mazut)"** - Framework agreement with a period of 2(two) years;
- **Lot V. " Purchase of fuel for civil and industrial heating (solar)"** - Framework agreement with a period of 2(two) years;
- **Lot VI. "Purchase of Liquid fuel for automotive, for domestic and industrial purposes LPG (Michelle)"** - Framework agreement with a period of 2 (two) years;
- **Lot VII. "Purchase of diesel fuel - F76"**, Framework agreement with a period of 2 (two) years;

5. Limit fund/Estimated framework agreement: 655,263,850 (six hundred fifty-five million two hundred sixty-three thousand eight hundred fifty) Lek without VAT, divided into 7 lots as follows:

- **Lot I. "Purchase of fuel for diesel vehicles (gasoil)"** - Framework agreement with a period of 2(two) years, with a limit fund of the framework agreement: **43,320,549** (forty-three million three hundred

twenty thousand five hundred forty-nine ALL without VAT;

- **Lot II. “Purchase of fuel for diesel vehicles (gasoil)”** - Framework agreement with a period of 3(three) years, with a limit fund of the framework agreement: **45,939,999** (forty-five million nine hundred thirty-nine thousand nine hundred ninety-nine) ALL without VAT;
- **Lot III. “Purchase of fuel for petrol vehicles (unleaded)”**, Framework agreement with a period of 2 (two) years, with limit fund of the framework agreement: **4,500,000** (four million five hundred thousand) ALL without VAT.
- **Lot IV. “Purchase of fuel for civil and industrial heating (Gazoil < 0.1,Gazoil > 0.1,mazut)”** - Framework agreement with a period of 2(two) years, with a limit fund of the framework agreement: **126,758,723** (one hundred twenty-six million seven hundred fifty-eight thousand seven hundred twenty-three) ALL VAT.
- **Lot V. " Purchase of fuel for civil and industrial heating (solar)”** - Framework agreement with a period of 2(two) years, with limit fund of framework agreement: **13,799,333** (thirteen million seven hundred ninety-nine thousand three hundred thirty-three) ALL without VAT.
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- **Lot VII. " "Purchase of diesel fuel - F76"**, Framework agreement with a period of 2 (two) years, with limit fund of the framework agreement: **401,033,215** (four hundred one million thirty-three thousand two hundred fifteen) ALL without VAT;

6. Duration of the contracts or time limit for execution: Starting from the date of conclusion of the contract/contracts, until fulfilled the needs of the contracting authorities within the framework agreement.

7. Time limit for submitting bids or requests for participation: on 01/06/2020, at 12:00, Venue: www.app.gov.al.

8. Time limit for opening bids or requests for participation: on 01/06/2020, at 12:00, Venue: www.app.gov.al and Central Purchasing Agency.

II. INSTRUCTIONS FOR ECONOMIC OPERATORS

Section 1. Bid Drafting

- 1.1 Economic Operators shall draft their bids, in compliance with the requirements provided under TDs herein. The bids that are not prepared according to these TDs shall be refused as non-acceptable.
- 1.2 All costs for the preparation, drafting and sending of the bid shall be borne by the bidding economic operator. The Contracting Authority is not liable for such costs.
- 1.3 In procurement procedures carried out by mail, the original bid shall be typed or written in indelible ink. All sheets must be bonded together and numbered. All pages of the bid, except printed non-changeable papers, shall be bear the initials of or signed by the Authorized Person(s). Any change in the bid must be readable and signed by the Authorized Persons.
- 1.4 In the case of bids submitted by a consortium of economic operators, the bid shall be accompanied with the Power of Attorney/written authorization for the Authorized Persons representing the consortium during the procurement procedure.
- 1.5 The economic operator is responsible for all documentation submitted as part of the bid. In case of verification of the content of the submitted documentation, or of the self-declarations, when their content is not true, the economic operator is in the conditions provided in article 13, point 3, letter (a) of the PPL.
- 1.6 **The following documents shall be included in the bid:**
 - a) Bid Submission Form, filled in according to Annex 1 of TDs or Annex 2 of TDs (in case of procurement procedure for supply of diesel, gas oil, benzol and heating oil).
 - b) Documents regarding object of procurement (*designs, catalogues, samples etc.*)
 _____ ,
 _____ ,
 _____ .
 - c) Documents and certifications required in Annex 8.
 - d) (Optional) alternative technical bid (if provided)

An Economic Operator shall submit only one offer.
- 1.7 Confidentiality according to Article 25 of the Law on Public Procurement (LPP).
- 1.8 In procurement procedures carried out by mail, Economic Operators shall submit only the original bid enclosed in a non-transparent, sealed, stamped envelope and signed with the name and address of the Bidder and marked: "Bid to supply goods; Notification No. _.

“DO NOT OPEN, EXCEPT IN PRESENCE OF THE TENDER EVALUATION COMMISSION, AND NOT BEFORE dd/mm /yyyy _____ at _____”

When bids are required to be submitted by email, the Economic Operators shall send the bid by email through the PPA’s official website, www.app.gov.al.

- 1.9 In procurement procedures carried out by mail, bidders can modify or withdraw their bids, provided that such modification or withdrawal is done before the expiry of deadline for submission of bids. Both, modification and withdrawal shall be communicated in writing to Contracting Authority before the deadline for submission of bids. The envelope enclosing the statement of bidders should be marked: **“MODIFICATION OF BID”** or **“WITHDRAWAL OF BID”**.

When bids are required to be submitted by email, the Bidder can, at any time, modify the bid, until the expiry of bid submission deadline, and it not necessary to communicate with the Contracting Authority, because such actions are performed in his account on PPA’s official website at www.app.gov.al.

Section 2 Calculation of economic offer

- 2.1 The Economic Operator shall fill in the Bid Submission Form, attached to these TDs, defining the goods to be supplied, the quantity and price thereof.
- 2.2 All prices must be given in Albanian Currency (ALL), including applicable taxes, and excluding VAT. If prices are given in foreign currency, they shall be changed in Albanian Lek according to the Bank of Albania official exchange rate on the date the contract notification was sent for publication and shall be kept in that rate until the expiration of Bid Validity Period.
- 2.3 The bidder shall include in the Bid Submission Form, the total bid price of all goods, excluding VAT. The VAT amount, where appropriate, is added to the given price and consists in the total bid value.
- 2.4. In case of a Framework Agreement which does NOT defines all the terms, prices for the contracts under the Framework Agreement are not fixed; they are subject to change following mini-bidding among economic operators, parties to the framework agreement.
- 2.5 The Bid security, if required, shall be submitted together with the bid before the expiry of bid submission deadline. Noncompliance with the bid security requirements shall result in the disqualification of the offer.
- 2.6 Bid security shall be in any of the following forms:
- a) Bank guarantee
 - b) Bond

The Bid Security Form shall be signed by the issuing party (Bank, insurance company, etc.) and shall be submitted together with the bid before opening of bids, otherwise the bid will be

rejected.

The above mentioned documents are valid during the period of bid validity. In case a Bid Security is in the form of a bank guarantee, the Contracting Authority returns it back within 15 days from the signing of Contract.

2.7 Bid Validity Period

Bid Validity Period starts at the moment of bid opening. In any case, at least 5 days before the deadline for the bid validity, the Contracting Authority can require in writing the Bidder to extend the validity period until a given date. The Bidder may reject such request in writing without losing the right to compensation of the bid security, if any. The Bidder who agrees to extend the bid validity period shall notify in writing the Contracting Authority and provides an extended bid security, is relevant. The Bid shall not be modified. In case a Bidder, following a Contracting Authority requests to extend the bid validity period, does not respond, or accept, or submit an extended bid insurance, when due, then the Contracting Authority shall reject the bid.

2.8 Unlawful actions are considered under Article 26 of Law on Public Procurement.

Section 3. Bid Evaluation

3.1 Selection criteria

(Option 1) Lowest price of qualified bid.

The contract shall be awarded to the Bidder providing the lowest price of bid.

In case of procurement procedures for supply of diesel, gas oil, benzol and heating oil, **lowest price** is based on:

- i) stock market price, according to Reuters delivered under CIF-Albania terms, which is published in the last Public Notices Bulletin, prior to the date of submission and opening of bids;
- ii) fiscal elements, including excise tax and carbon tax as well as any other fee under the legislation in force;
- iii) lower profit margin, expressed in percentage.

In case of fluctuation of price, the absolute margin amount shall not change during the execution of contract.

(Option 2) Most economically advantageous bid.

For qualification criteria, it shall be clearly defined the significance of each criterion, i.e. how many points each criterion shall have and how are the points to be calculated for the consecutive bidders.

All criteria established for the qualification of bids shall be subject objective and expressed in numbers. In any case, when the criteria are more than one, the significance of price criteria shall not be less than 50 points. The maximum points to be given to a bidder are 100.

The formula of calculation of points in this case is:

$$Po = Pk1 + Pk2 + Pk3 + \dots$$

Where:

Po - are the total points of the evaluated bid

Pk1/Pk2/Pk3/...- are the points per each evaluated criterion

The points per each criterion are calculated with the following formula:

$$Pk1 = Vmin k1 \times Pmax k1 / Ok1$$

Pk1	Points of criteria being evaluated
Vmin k1	Lowest value of the criterion being evaluated
Pmax k1	Maximum points given to the criterion being evaluated
Ok1	Bid index for the criterion being evaluated

Note: Only one of the options shall be chosen as evaluation criteria. Performance of both options makes the procedure invalid.

3.2 Correction of errors and removed parts

3.2.1 The Contracting Authority corrects such errors in the bid that are simply of an arithmetical nature, if the error is found during the assessment of bids. The Contracting Authority immediately notifies the Bidder concerned with a notification in writing/by email on any such rectification and can continue with the correction of the error, provided that the Bidder accepts such communication. If the Bidder refuses the correction proposed, the Bid shall be rejected, without seizure of bid security, if there is one.

3.2.2 Errors in the price calculation shall be rectified by the Contracting Authority as follows:

- if there is any discrepancy between amounts in figures and words, the amounts expressed in words shall prevail, except when the amount in concern relates to an arithmetical error;

- if there is any discrepancy between the unit price and the total value obtained by multiplying the unit price and the quantity, the unit price shall prevail and consequently the total sum shall be corrected; if there is any error in the total sum, corresponding to the addition or subtraction of subtotals, the subtotal shall prevail and the total shall be corrected. The amounts rectified in this way shall be binding on the bidder. If the bidder does not accept them, its bid shall be rejected. The Bids with arithmetical errors are rejected when absolute amounts of all corrections are more than $\pm 2\%$ of the economic bid offered.

3.3 Abnormally low bids

3.3.1 If the submitted bid results abnormally low in terms of goods offered, the Contracting Authority requires the Bidder concerned to justify the price given. If the Bidder fails to provide a convincing excuse to the Contracting Authority, the latter is entitled to refuse the offer.

3.3.2 The Bid shall be considered abnormally low according the provisions of Article 66, Chapter VII of

Public Procurement Rules.

If two or fewer bids are valid, according to article 56 of PPL, a bid is considered abnormally low when it was lower than 25 percent of the limit fund calculated.

If three or more bids are valid, a bid is considered abnormally low if its value is lower than 85 percent of the average valid bids, in compliance with Article 56 of Law on Public Procurement.

If one or several bids are considered abnormally low, the bid evaluation commission shall request explanations from the bidders, before taking a decision on their qualifications or not, in compliance with Article 56 of Law on Public Procurement.

In any case, the Bidder must provide documents in writing to prove the explanations on the special element(s) of the bid, in compliance with the provisions of Article 56 of Law on Public Procurement.

If three or more bids are valid, the formula to be applied for the abnormally low bid is the following:

O – Bid
M_O – Average of valid bids
n – Number of valid bids
Z_M – Possible discount

$$M_O = O_1 + O_2 + O_3 + \dots O_n / n$$

$$Z_M = 85 \% M_o$$

The value of bid is evaluated as <Z_M....., as a consequence the bid is abnormally low

In case the most economically advantageous bid is set as selection criterion, an examination whether bids are abnormally low shall be made only if the bid classified with the highest points has economic bid with the lowest value.

- 3.4.** Economic Operators can file an administrative complaint under Article 63 of Law on Public Procurement.

Section 4 Signing of Contract

4.1 Notification of the winner

The Contracting Authority notifies the winning Bidder, by sending the Notification of the winner, pursuant to Annex 14. A copy of such notice is published in the Public Notices Bulletin, as provided under Article 58 of Law on Public Procurement.

4.2 Contract Insurance

- 4.2.1** The Contracting Authority demands an insurance for the contract's execution. The amount of

such insurance shall be the 10% of the contract's value. The Contract's Insurance Form, according to Annex 19 of TDs, shall be signed and submitted before the signing of the contract.

4.2.2 Insurance for the contract's execution can be submitted in any of the following forms:

- i. Bank guarantee
- ii. Insurance guarantee

Such form is not used by the contracting authorities in case of sectorial procurement contracts.

4.3 Notification of the signed contract

According the Public Procurement Rules, following the signing of contract, the Contracting Authority shall send to PPA a notification to be published in the Public Notices Bulletin.

Note: The contracting authorities shall not make any modification in the tender documents from section 1 to 4.

III. ANNEXES

The following Annexes are integral part of TDs:

Annex 1: Bid Submission Form

Annex 2: Bid Submission Form on the procurement procedures for supply of diesel, gas oil, benzol and heating oil

Annex 2/1: Statement of Independent Offering

Annex 3: Bid Invitation as to the Framework Agreement

Annex 4: Bid Insurance Form

Annex 5: Confidential Information Form

Annex 6: Declaration on the fulfilment of technical specifications by the Economic Operator

Annex 7: Declaration on conflict of interest

Annex 8: Declaration on fulfillment of general criteria

Annex 8/1: Statement on Guaranteeing the Applicability of Legal Provisions on Employment Relations

Annex 9: General criteria of Eligibility/Qualification

Annex 10: Technical specifications

Annex 11: Planning of contracts in the Framework Agreement

Annex 12: Quantity of goods and delivery terms

Annex 13: Disqualification Notification

Annex 14: Winner Notification Form

Annex 15: Notification Form of successful Economic Operators in the Framework Agreement

Annex 16: General Conditions of Contract

Annex 17: Specific Conditions of Contract

Annex 18: Notification Form of signed Contract

Annex 18/1: Notification Form of the signed Contract for publishing in the Public Notices Bulletin

Annex 19: Contract Insurance Form

Annex 20: Complaint Form to the Contracting Authority

Annex 21: Draft Framework Agreement, where not all the terms are defined

Annex 22: Draft Framework Agreement, where all the terms are defined

Annex 23: Cancellation Notification Form

Annex 1

[Annex to be filled in by the economic operator]

BID SUBMISSION FORM

Name of Bidder _____

To: [Name and address of Contracting Authority]

* * *

Procurement procedure: [Type of procedure]

Short description of contract: [object]

Publication (if applicable): Public Notices Bulletin [Date] [Number]/Reference number in PPA's page

* * *

In reference to the above mentioned procedure, We, the undersigned, declare that:

1. The total price of our bid is [currency and bid value]; without VAT;
2. The total price of our bid is [currency and bid value]; with VAT

1	2	3	4	5	6
No.	Description of goods	Quantity	Unit price	Total price	Deadline
Price (Net)					
VAT (%)					
Total Price					

Signature of bidder _____

Seal _____

Note: The prices shall be given in ____ currency (as required in the tender documents)

Annex 2

[Annex to be filled in by the economic operator in case of procurement procedures for supply of diesel, gas oil, benzol and heating oil]

BID SUBMISSION FORM

Name of Bidder _____

To: *[Name and address of Contracting Authority]*

* * *

Procurement procedure: *[Type of procedure]*

Short description of contract: *[object]*

Publication (if applicable): Public Notices Bulletin *[Date]* *[Number]*

I.1 * * *

In reference to the above mentioned procedure, We, the undersigned, declare that:

1. Our profit margin expressed in percentage is as follows:

1	2	3	5
No.	Description of goods	Profit margin given in percentage	Delivery deadline

Signature of bidder _____

Seal _____

Appendix 2/1

[Supplement to be filled in by Economic Operator]

STATEMENT

For Introducing Independent Offers

Of the economic operator participating in the public procurement procedure to be held on: _____; by the Contracting Authority: _____; with the object: _____; with limit fund: _____.

I undersigned _____, with the capacity of the representative of the economic operator _____, in support of Article 1 of Law no. 9643, dated 20.11.2006 "On Public Procurement", as amended and in support of the Law No.9121 / 2003 "On the Protection of Competition", make this statement and I guarantee that the following statements are true and complete in every aspect :

I certify, in the interest of: _____ that:
(Name of the economic operator)

1. I have read and understood the content of this Declaration;
2. I understand that the submitted bid will be disqualified and / or excluded from participation in public procurement if this Statement is found to be incomplete and / or correct in every respect;
3. I am authorized by the Bidder to sign this Statement and to submit an offer in the interest of the Bidder;
4. Any person whose signature appears in the Bid Documentary is authorized by the Bidder to prepare and to sign the Bid in the interest of the Bidder;
5. For the purpose of this declaration and the submitted bid, I understand that the word "competitor" means any other economic operator, other than the Bidder, whether or not it is a merger of economic operators, that:
 - a) submit a bid in response to the Contract Notice and / or the Invitation to Invitation made by the Contracting Authority;
 - b) is a potential bidder who, based on his / her qualifications, abilities or experiences, may submit a Bid in reply, Contract Notice and / or Bid Invitation.
6. The bidder declares that: (click one of the following alternatives):
 - a) The Bidder has prepared his bid independently, without consulting, communicating and without making any agreement or agreement with any other competitor;

b) The Bidder has consulted, communicated, has entered into agreements with one or more competitors in connection with this procurement procedure. The bidder states that in the attached documents, the details of this offer include the names of the competitors, the nature and the reasons for the consultation, communication, agreement or engagement (case of merger of economic operators or subcontracting).

7. In particular, without prejudice to paragraphs 6 (a) and 6 (b) above, there has been no consultation, communication, contract or agreement with any competitor in respect of:

- a) prices;
- b) (b) the methods, factors or formulas used to calculate the price;
- c) the purpose or the decision to submit or not an offer; or
- d) submission of a bid that does not meet the specifications of the Bid Request.

8. In addition, there has been no consultation, communication, agreement or contract with any competitor regarding the quality, quantity, specifications or specific deliveries of the goods or services which are related to the concerned procurement, except where stated under paragraph above 6. b).

9. Bid conditions have not been made known or disclosed to the other Bidder by any means, either in advance of the date and time of the official opening of the Bids, of the Winning Bid and of the conclusion of the Contract , only if required by law or if specifically stated under paragraph 6.b).

(Name and Signature of the Authorized Person for Bidder Representation)

(Title by position at work) (Date)

Annex 3

[Annex to be filled in by contracting authority under the Framework Agreement during the reopening of mini-bidding process]

BID INVITATION

(write the name of Contracting Authority)

invites the interested persons to submit their bids in the procedure to supply the following goods:

.....
.....
.....

(provide an accurate description of the contract object and quantity as defined in Tender Documents (TDs)).

Delivery of Goods Location

(provide a short description)

The goods shall be delivered within date _____

The bid shall be send to

.....

[Provide the accurate address]

Before

.....

[Define date and time]

Eligibility criteria of winner bid _____

Form of communication:

By mail

by electronic means (email, fax, etc.)

Annex 4

[Letter with Bank/ Insurance Company logo]

[Annex to be provided by Economic Operator when requested by Contracting Authority]

BID INSURANCE FORM

[Date]

To: *[Name and address of Contracting Authority]*

On behalf of: *[Name and address of insured bidder]*

* * *

Procurement procedure *[Type of procedure]*

Short description of contract: *[object]*

Publication *(if applicable)*: Public Notices Bulletin *[Date]* *[Number]*/Reference number in PPA's page

* * *

In reference to the above mentioned procedure,

We prove that *[name of insured bidder]* has deposited in *[name and address of bank/insurance company]* the amount of *[currency and value, in words and numbers]* as a requirement for the bid insurance, submitted by the abovementioned economic operator.

We undertake to transfer to the account of *[name of contracting authority]* the assured amount, within 15 (fifteen) days from your first simple call in writing, without explanations, provided that the call states the failure to meet any of the following criteria:

- The bidder has withdrawn or changed the bid, after or before the bid submission deadline, in case it was stipulated so in the Tender Documents;
- The bidder has refused to sign the procurement contract when required by the contracting authority;
- The bidder has not provided the contract insurance, where the bid is awarded as winning or did not meet any other requirements before the signing of the contract stipulated in the Tender Documents.

Such insurance is valid for the period specified in *[contract notification or bid invitation]*.

[Representative of bank/insurance company]

Annex 5

CONFIDENTIAL INFORMATION LIST *[Annex to be filled in by the Economic Operator, if appropriate]* **CONFIDENTIAL INFORMATION LIST**

(Please enlist below the information you want to be confidential)

Type and nature of information that needs to be confidential	Number of pages and sections of TDs you want to be confidential	The reasons why such information should be confidential	Time limit such information shall be kept confidential

ATTENTION

For any information that has not been registered as confidential, it shall be taken for granted that the holder of such rights has willingly given consent for the provision of this relevant information and the Contracting Authority bears no responsibility for the publication of such information.

It does not constitute secret commercial information, which should be made public according to the law, related to the violation of the law, or that ought to be published on the basis of good commercial practices and principles of commercial ethics. The dissemination of this information is considered legitimate if this act is intended to protect the public interest.

Bidder Representative

Signature

Seal

Annex 6

[Annex to be filled in by the Economic Operator]

DECLARATION ON THE FULFILMENT OF TECHNICAL SPECIFICATIONS

Declaration issued by the economic operator participating in the public procurement procedure, to be held on _____ by Contracting Authority _____ with object _____ and limit fund _____.

I, the undersigned _____, in the quality of _____ of legal person _____ declare that:

We meet all technical specifications, as stipulated in the tender documents, and we prove it with certificates and documents (if required by the contracting authority), to be submitted together with the Declaration herein.

Declaration submission date _____

Bidder's representative

Signature

Seal

Annex 7

[Annex to be filled in by Economic Operator]

DECLARATION **On conflict of interest**

Declaration issued by the economic operator participating in the public procurement procedure, to be held on _____ by Contracting Authority _____ with object _____ and limit fund _____.

Conflict of interest is a situation of conflict between public duty and private interest of an official, in which he/she has direct or indirect private interests affecting, or that can effect or that it seems that might have effect on the unjust performance of public tasks and duties.

In implementation of Article 21, clause 1, Law no. 9367, date 07.04.2005, the categories of officials as provided under Chapter III, Section II, that are absolutely forbidden to directly or indirectly benefit from the signing contracts between a party and the public institution are:

- President of Republic, Prime Minister, Deputy Prime Minister, Ministers, or Deputy Ministers, Members of Parliament, Judges of Constitutional Court, Judges of High Court, the Head of High State Audit, General Prosecutor, Judges and Prosecutors at the level of the Court of First Instance and Court of Appeals, the Ombudsman, Members of the Central Election Commission, Members of High Council of Justice, General Inspector of the High Inspectorate of Declaration and Audit of Assets and Conflict of Interest, Members of Regulatory Entities (Bank of Albania Supervision Council, including Governor and Deputy Governor; competition; telecommunication; electricity; water supply; insurance; bonds; media authorities), General Secretaries of Central Institutions as well as every public official in any public institution whose position is equivalent to that of the General Director, heads of public administration bodies that are not part of civil service.

The middle-ranked civil servants, under article 31, and officials covered by Article 32 of Chapter III, section 2 of this Law, the prohibition of clause 1 of this article, on grounds of private interests of official, as stipulated herein, shall be applied only if case of contracts within the institution's scope and territory and the institution's jurisdiction, where the official works. This prohibition is applicable also when party to the contract is an institution under the dependency thereof.

When the official is a mayor or deputy mayor of a municipality or commune, or the chairman of a regional council, member of the respective council, or a high management official of a local government unit, the prohibition due to private interests of the official, specified herein, is applicable only in the case of entering into contracts, if any, with the municipality, commune or region where the official exercises

such duty. This prohibition is applicable also when party to the contract is a public institution at the dependency of this unit. (Article 21, clause 2, Law No.9367, date 07.4.2005).

The prohibitions provided for under Article 21 clauses 1, 2 of Law no. 9367, date 07.04.2005, with the respective exemptions, are applicable to the same extent also to the persons related with the official, i.e. **spouse, cohabitant, adult children and parents of the official and of the spouse.**

I, the undersigned _____, in the quality of representative of legal person _____ declare that under my personal responsibility:

I am aware of the requirements and prohibitions provided under Law No. 9367, date 07.04.2005 “On the prevention of conflicts of interest in the exercise of public functions” as amended, and secondary legislation adopted pursuant thereto by the High Inspectorate of Declaration and Audit of Assets, and also the Law no. 9643, date 20.11.2006 “On Public Procurement”, as amended.

In compliance thereof, I declare herein that no public official, as defined in **Chapter III, Section II** of the Law no. 9367, date 07.04.2005, and in this declaration, has any private interests, directly or indirectly, with the legal person I represent herein.

Date of declaration submission _____

Name, Surname, Signature

Seal

Annex 8

[Annex to be filled in by the Economic Operator]

STATEMENT ON GENERAL CRITERIA FULFILLMENT

Statement of the economic operator participating in the procurement procedure to be held on the date _____ by the Contractor Authority _____ with object _____ with a limit found _____.

I signed _____ in quality _____ of economic operator _____ declare under my full responsibility that:

- The economic operator _____ is registered in the National Business Center and has in the field of activity the object of the procurement. In case when the bidder is a non-profit organization, they must state that they are registered as a juridical person according to Law No. 8788, dated 07.05.2001 "On Non Profit Organizations".
- The economic operator _____ has not been sentenced for any of the criminal offenses provided for in Article 45/1 of the PPL.
- The person/s in quality of *member of the administrative body, as director or the supervisor, as a shareholder or as a partner, has either representative, decision-making or controlling powers within the economic operator*, as follows:

	Name (Names)	Surname	Birthday day month year	Father Name	Mother Name	Birthplace
1						
2						
3						

they are not or have not been convicted by a final court decision for any of the offenses, set forth in article 45/1 of the PPL¹.

- The economic operator _____ has not been convicted by a final court decision, for acts related to professional activity.
- The economic operator _____ is not in the process of bankruptcy (active status).
- The economic operator _____ has paid all the fees for the taxes payment and social security contributions, according to the legislation in power.

In any case, the contracting authority has the right to carry out the necessary verifications on the authenticity of the information declared by the economic operator as above.

Date of statement submission _____

Bidder's signature _____

Seal _____

Annex 8/1

[Supplement to be filled by Economic Operator]

STATEMENT ON GUARANTEE OF APPLICABILITY OF LEGAL PROVISIONS ON LABOR RELATIONS

Statement of Economic Operator participating in the procurement procedure to be held on _____ by the Contracting Authority _____ subject to _____ me limit fund _____.

I undersign _____ on the quality of _____ of the economic operator _____, **declare under my full responsibility that:**

- Economic operator _____ guarantees the protection of the right to employment and occupation from any form of discrimination as provided for by applicable labor legislation.
- Economic operator _____ connects the relevant employment contracts with the employee and guarantees measures in terms of safety and health at work for All and, in particular, for vulnerable groups, based on applicable labor legislation.
- Economic Operator _____ In cases when a legal violation has been found, the economic operator has taken the necessary measures to address them within the deadlines set by the ISHPSHSH.

Date of submission of statement _____

Bidder Representative

Signature

Seal

LOT I. "PURCHASE OF FUEL FOR DIESEL VEHICLES (GASOIL)"

Annex 9

[Appendix to be filled in by the Contracting Authority]

1. GENERAL ACCREDITATION / QUALIFICATION CRITERIA

The bidder must state that:

- a) It is registered at the National Business Center and has in the field of activity the object of the procurement. In the case when the Bidder is a non-profit organization, it must state that it is registered as a legal person under Law No. 8788, dated 07.05.2001 "On Non Profit Organizations".
- b) is not in the process of bankruptcy, (active status)
- c) has not been convicted of a criminal offense, in accordance with Article 45/1 of the PPL,
- ç) has not been sentenced by a final court decision for acts related to professional activity.
- d) has paid all the fees for the payment of taxes and social security contributions, according to the legislation in force.

The foreign bidder must also declare that he meets all the requirements listed above by submitting a written pleading.

If the language used in the procedure is Albanian, then the foreign language documents must be accompanied by a notarized translation into Albanian.

In the case of mergers of economic operators, each member of the group must submit the above-mentioned self-declaration.

The General Admission Criteria should not be altered by the contracting authorities.

These criteria must be met by filing the written declaration of the subject on the day of the Bid Opening pursuant to Annex 8.

In any case, the contracting authority has the right to carry out the necessary verifications on the authenticity of the information declared by the economic operator as above.

In addition, if the bid is submitted by a merger of economic operators, the following must be submitted:

- a) Notarized agreement according to which the unification of economic operators is officially established;
- b) Special Proxy.

2. SPECIFIC QUALIFICATION CRITERIA

1. The Applicant / Bidder must submit:

- a) *Bid Form, according to Annex 2;*
- b) *Declaration for the submission of independent bids according to Annex 2/1;*

- c) *Bid Security, according to Annex 4;*
- d) *Statement on the fulfillment of technical specifications, according to Annex 6;*
- e) *Declaration on the Conflict of Interest under Annex 7;*
- f) *Statement on guaranteeing the applicability of legal provisions in labor relations according to Annex 8/1;*
- g) *Confirmation that confirms the settlement of all matured electricity obligations of energy contracts that the economic operator is registered in Albania.*

2. The Applicant / Bidder must submit:

2.1. Legal / Professional Capacity of Economic Operators:

This criterion point is met by the general admission / qualification criteria set out above.

1. The participating economic operator must be certified according to the international standards ISO 9001 (valid) or its equivalent, of the quality management system. The purpose of company certification must be according to the object to be procured;
2. The participating economic operator must be certified according to international standards ISO 14001 (valid) or equivalent, of the Environmental Management System. The purpose of the company certification should be according to the object to be procured.
3. The participating economic operator must be certified according to international standards OHSAS 18001 or ISO 45001 (valid) or equivalent, of Work Safety Management. The purpose of the company certification should be according to the object to be procured.

The certificate shall be issued by a conformity assessment body accredited by the national accreditation body or international accreditation bodies recognized by the Republic of Albania.

In case of merging of economic operators, according to article 74 of DCM-914 dated 29.12.2014, each economic operator must submit ISO certificates according to the items of works / goods / services that will undertake to perform according to the agreement

2.2. Economic and financial capacity:

1. The economic operator must submit copies of annual turnover declarations or receipts from the tax administration for the turnover realized in the last three years from the date of the development of the procedure, the average value of which is not less than 40%. Lot's limit fund value.
2. The economic operator shall submit certified copies of the balance sheets of the years 2016, 2017, 2018 submitted to the relevant tax authorities.

2.3 Technical capacity:

1. The economic operator shall submit evidence of previous similar supplies carried out during the last 3 (three) years from the date of the development of the procedure, to a value of not less than 40% of the value of Lot's Lot Fund.

These previous supplies, similar, must be certified with the documentation as follows:

- a) When similar supplies are made with public entities, the economic operator must submit a certificate issued by the state institution or tax bills where the dates, amounts and quantities of

the supplied goods are to be written.

- b) When similar supplies are made with private entities, the economic operator must present the relevant sales tax invoice, listing the dates, amounts and quantities of the supplied goods.
2. The bidder must submit the list of retail fuel stations according to the addresses required by the Contracting Authority, where the Municipality of Tirana has a minimum of 5 (five) retail stations, certified with one of the available forms according to the Civil Code. (lease contract or property deed or be reflected in the commercial registration extract issued by the NBC,). Fuel retail stations must be equipped with a license issued by the local government, category IIIA (diesel) for retail fuel trade, C-type environmental permit issued by the NLC, Technical Certificate issued by the Authorized Evaluation Bodies Conformity (OMVK), Fire Protection Certificate from MZSH, and Insurance Police in one of the insurance companies operating in Albania, for retail distributors, which must be within the validity period of the opening date of bids.
 3. Analysis sheet issued by ISHTI for the running lot that should be issued within 30 days from the bidding opening date.
 4. The economic operator must submit a certificate issued by ISHTI, certifying that the bidder has traded fuels according to the standards of Albanian legislation and there have been no penalties for quality violations during the last 3 (three) years from the date of the procedure.
 5. The economic operator must submit a Technical Certificate issued by the Approved Conformity Assessment Bodies (OMVK, Type B or C Environmental Permit issued by NLC, Akt-Teknik issued by PMDP, and Police Insurance issued by insurance companies that operate in Albania for wholesale trading deposits that certifies the storage capacity of over **10,000 m³** with respect to the economic operator's reserves, in order to guarantee continuity in supply, according to the requirements of the contracting authority.
 6. The bidding entity must also submit the following statements:
 - The entity must declare that it undertakes the supply of retail petrol stations with a 24 hour personalized targetted electronic carriage of each vehicle of the contracting authority or the bot, according to the requirements of the contracting authority.
 - The entity must declare that it undertakes the supply of fuel with the public pistol.
 - The entity must declare that it undertakes to convert all the quantity of liters into the personalized targetech card of the liquid vehicle with the bot until the full termination of the contract, according to the needs of the contracting authority. The electronic mail must be without expiration until the full termination of the contract.
 - The economic operator must own or lease not less than 3 Autobote of transport of dangerous substances with carrying capacity from 3000 to 20,000 liters. Autobots must be equipped with Traffic Permit, Survey (SGS), Insurance Policies, Dangerous Goods Carriage Certificates and Vehicle Passport related to carrying capacity.
 - The economic operator must cover the supply via personalized electronic cards, according to the addresses requested by the Contracting Authority.
 - Based on DCM No. 561, dated 29.07.2016 "On Standardization and Discipline of Fuel Consumption in General Governance Units", Participating Economic Operators should provide a fuel management website (web site), where the supply and consumption of fuel for vehicles effective transportation of electronic card slots.
 - The fuel management website (webpage) should provide the service of charging the fuel quantity from the Economic Operator to the Contracting Authority, in order to recharge the personalized

targetted electronic cards and the fuel quantity management by own AK. The counterparty should also have the opportunity of displaying and administering the quantity of fuel to be performed by the contracting authority itself.

- The fuel management page should also provide the facility for the creation of a pyramid structure in accordance with the Pyramid structure of the Contracting Authority, through electronic cards in the form of sticker (stamps), which are attached to the windscreen of the vehicle and provide the supply service fuel only for that vehicle to eliminate the possible movement of license plates from the state vehicle to private vehicles as well as the email delivery service of any vehicle delivered at the retail station for the purpose of identifying the vehicle and its users.
- The Availability / Existence of the Fuel Management Site (webpage), together with the provision of cross-border services, will be demonstrated by the participating economic operators with examples for practical implementation, in the presence of the CAA of the CA before closing the qualification process and announcing the winner.
- Failure to provide the services requested electronically through the Fuel Management Site (web site), which provides any economic operator, is a condition for disqualification.

Economic Operators to provide for more than one Lot should have economic-financial and technical capacity of the amount of lots they have bid for. In this case, the Economic Operator should submit a statement specifying the documents in order to meet the cumulative criteria for the concrete Lot. If the declared and submitted documentation in the fulfillment of the cumulative criteria does not meet the criteria set for the lottery where it participates, the economic operator will be disqualified in all the lots where he participated.

Note

For the foreign economic operator in fulfillment of the criteria defined in point 2.2 “Economic and financial capacity” and in point 2.3 “Technical capacity”, if the required documents do not exist according to the provisions of its domestic law, then the foreign economic operator must submit the equivalent documents in compliance with each of these criteria.

For foreign economic operators having registration in the member states of the Hague Convention (October 5, 1961), the issued documents must contain the apostille stamp in accordance with law no. 9060, dated 8.5.2003 "On the accession of the Republic of Albania to the Convention for the Abolition of the Request for Legalization of Foreign Official Documents".

For foreign economic operators who have registered in countries that have not ratified the Hague Convention of 05.10.1961 on "Removing the request for diplomatic and consular legalization of foreign official documents", legalization of these documents should be made in the embassies , consulates or respective offices from the country of origin.

All documents must be original or notarized copies thereof. Cases of non-delivery of a document or fake and incorrect documents are considered as conditions for disqualification

LOT II. “PURCHASE OF FUEL FOR DIESEL VEHICLES (GASOIL)”

Annex 9

[Appendix to be filled in by the Contracting Authority]

1. GENERAL ACCREDITATION / QUALIFICATION CRITERIA

The bidder must state that:

- a) It is registered at the National Business Center and has in the field of activity the object of the procurement. In the case when the Bidder is a non-profit organization, it must state that it is registered as a legal person under Law No. 8788, dated 07.05.2001 "On Non Profit Organizations".
- b) is not in the process of bankruptcy, (active status)
- c) has not been convicted of a criminal offense, in accordance with Article 45/1 of the PPL,
- ç) has not been sentenced by a final court decision for acts related to professional activity.
- d) has paid all the fees for the payment of taxes and social security contributions, according to the legislation in force.

The foreign bidder must also declare that he meets all the requirements listed above by submitting a written pleading.

If the language used in the procedure is Albanian, then the foreign language documents must be accompanied by a notarized translation into Albanian.

In the case of mergers of economic operators, each member of the group must submit the above-mentioned self-declaration.

The General Admission Criteria should not be altered by the contracting authorities.

These criteria must be met by filing the written declaration of the subject on the day of the Bid Opening pursuant to Annex 8.

In any case, the contracting authority has the right to carry out the necessary verifications on the authenticity of the information declared by the economic operator as above.

In addition, if the bid is submitted by a merger of economic operators, the following must be submitted:

- c) Notarized agreement according to which the unification of economic operators is officially established;
- d) Special Proxy.

2. SPECIFIC QUALIFICATION CRITERIA

1. The Applicant / Bidder must submit:

- h) *Bid Form, according to Annex 2;*
- i) *Declaration for the submission of independent bids according to Annex 2/I;*
- j) *Bid Security, according to Annex 4;*
- k) *Statement on the fulfillment of technical specifications, according to Annex 6;*
- l) *Declaration on the Conflict of Interest under Annex 7;*
- m) *Statement on guaranteeing the applicability of legal provisions in labor relations according to Annex 8/I;*
- n) *Confirmation that confirms the settlement of all matured electricity obligations of energy contracts*

that the economic operator is registered in Albania.

2. The Applicant / Bidder must submit:

2.1. Legal / Professional Capacity of Economic Operators:

This criterion point is met by the general admission / qualification criteria set out above.

4. The participating economic operator must be certified according to the international standards ISO 9001 (valid) or its equivalent, of the quality management system. The purpose of company certification must be according to the object to be procured;
5. The participating economic operator must be certified according to international standards ISO 14001 (valid) or equivalent, of the Environmental Management System. The purpose of the company certification should be according to the object to be procured.
6. The participating economic operator must be certified according to international standards OHSAS 18001 or ISO 45001 (valid) or equivalent, of Work Safety Management. The purpose of the company certification should be according to the object to be procured.

The certificate shall be issued by a conformity assessment body accredited by the national accreditation body or international accreditation bodies recognized by the Republic of Albania.

In case of merging of economic operators, according to article 74 of DCM-914 dated 29.12.2014, each economic operator must submit ISO certificates according to the items of works / goods / services that will undertake to perform according to the agreement

2.2. Economic and financial capacity:

3. The economic operator must submit copies of annual turnover declarations or receipts from the tax administration for the turnover realized in the last three years from the date of the development of the procedure, the average value of which is not less than 40%. Lot's limit fund value.
4. The economic operator shall submit certified copies of the balance sheets of the years 2016, 2017, 2018 submitted to the relevant tax authorities.

2.3 Technical capacity:

7. The economic operator shall submit evidence of previous similar supplies carried out during the last 3 (three) years from the date of the development of the procedure, to a value of not less than 40% of the value of Lot's Lot Fund.

These previous supplies, similar, must be certified with the documentation as follows:

- c) When similar supplies are made with public entities, the economic operator must submit a certificate issued by the state institution or tax bills where the dates, amounts and quantities of the supplied goods are to be written.
 - d) When similar supplies are made with private entities, the economic operator must present the relevant sales tax invoice, listing the dates, amounts and quantities of the supplied goods.
8. The bidder must submit the list of retail fuel stations according to the addresses required by the Contracting Authority, where the Municipality of Tirana has a minimum of 5 (five) retail stations, certified with one of the available forms according to the Civil Code. (lease contract or property deed or be reflected in the commercial registration extract issued by the NBC,). Fuel retail stations must be

equipped with a license issued by the local government, category IIIA (diesel) for retail fuel trade, C-type environmental permit issued by the NLC, Technical Certificate issued by the Authorized Evaluation Bodies Conformity (OMVK), Fire Protection Certificate from MZSH, and Insurance Police in one of the insurance companies operating in Albania, for retail distributors, which must be within the validity period of the opening date of bids.

9. Analysis sheet issued by ISHTI for the running lot that should be issued within 30 days from the bidding opening date.
10. The economic operator must submit a certificate issued by ISHTI, certifying that the bidder has traded fuels according to the standards of Albanian legislation and there have been no penalties for quality violations during the last 3 (three) years from the date of the procedure.
11. The economic operator must submit a Technical Certificate issued by the Approved Conformity Assessment Bodies (OMVK, Type B or C Environmental Permit issued by NLC, Akt-Teknik issued by PMDP, and Police Insurance issued by insurance companies that operate in Albania for wholesale trading deposits that certifies the storage capacity of over **10,000 m3** with respect to the economic operator's reserves, in order to guarantee continuity in supply, according to the requirements of the contracting authority.
12. The bidding entity must also submit the following statements:
 - The entity must declare that it undertakes the supply of retail petrol stations with a 24 hour personalized targetted electronic carriage of each vehicle of the contracting authority or the bot, according to the requirements of the contracting authority.
 - The entity must declare that it undertakes the supply of fuel with the public pistol.
 - The entity must declare that it undertakes to convert all the quantity of liters into the personalized targettech card of the liquid vehicle with the bot until the full termination of the contract, according to the needs of the contracting authority. The electronic mail must be without expiration until the full termination of the contract.
 - The economic operator must own or lease not less than 3 Autobote of transport of dangerous substances with carrying capacity from 3000 to 20,000 liters. Autobots must be equipped with Traffic Permit, Survey (SGS), Insurance Policies, Dangerous Goods Carriage Certificates and Vehicle Passport related to carrying capacity.
 - The economic operator must cover the supply via personalized electronic cards, according to the addresses requested by the Contracting Authority.
 - Based on DCM No. 561, dated 29.07.2016 "On Standardization and Discipline of Fuel Consumption in General Governance Units", Participating Economic Operators should provide a fuel management website (web site), where the supply and consumption of fuel for vehicles effective transportation of electronic card slots.
 - The fuel management website (webpage) should provide the service of charging the fuel quantity from the Economic Operator to the Contracting Authority, in order to recharge the personalized targetted electronic cards and the fuel quantity management by own AK. The counterparty should also have the opportunity of displaying and administering the quantity of fuel to be performed by the contracting authority itself.
 - The fuel management page should also provide the facility for the creation of a pyramid structure in accordance with the Pyramid structure of the Contracting Authority, through electronic cards in the form of sticker (stamps), which are attached to the windscreen of the vehicle and provide the supply service fuel only for that vehicle to eliminate the possible movement of license plates from the state

vehicle to private vehicles as well as the email delivery service of any vehicle delivered at the retail station for the purpose of identifying the vehicle and its users.

- The Availability / Existence of the Fuel Management Site (webpage), together with the provision of cross-border services, will be demonstrated by the participating economic operators with examples for practical implementation, in the presence of the CAA of the CA before closing the qualification process and announcing the winner.
- Failure to provide the services requested electronically through the Fuel Management Site (web site), which provides any economic operator, is a condition for disqualification.

Economic Operators to provide for more than one Lot should have economic-financial and technical capacity of the amount of lots they have bid for. In this case, the Economic Operator should submit a statement specifying the documents in order to meet the cumulative criteria for the concrete Lot. If the declared and submitted documentation in the fulfillment of the cumulative criteria does not meet the criteria set for the lottery where it participates, the economic operator will be disqualified in all the lots where he participated.

Note

For the foreign economic operator in fulfillment of the criteria defined in point 2.2 “Economic and financial capacity” and in point 2.3 “Technical capacity”, if the required documents do not exist according to the provisions of its domestic law, then the foreign economic operator must submit the equivalent documents in compliance with each of these criteria.

For foreign economic operators having registration in the member states of the Hague Convention (October 5, 1961), the issued documents must contain the apostille stamp in accordance with law no. 9060, dated 8.5.2003 "On the accession of the Republic of Albania to the Convention for the Abolition of the Request for Legalization of Foreign Official Documents".

For foreign economic operators who have registered in countries that have not ratified the Hague Convention of 05.10.1961 on "Removing the request for diplomatic and consular legalization of foreign official documents", legalization of these documents should be made in the embassies , consulates or respective offices from the country of origin.

All documents must be original or notarized copies thereof. Cases of non-delivery of a document or fake and incorrect documents are considered as conditions for disqualification

LOT III. “PURCHASE OF FUEL FOR PETROL VEHICLES (UNLEADED)”

Annex 9

[Annex to be filled in by the Contracting Authority]

1. GENERAL ACCREDITATION / QUALIFICATION CRITERIA

The bidder must state that:

- a) It is registered at the National Business Center and has in the field of activity the object of the procurement. In the case when the Bidder is a non-profit organization, it must state that it is registered as

a legal person under Law No. 8788, dated 07.05.2001 "On Non Profit Organizations".

b) is not in the process of bankruptcy, (active status)

c) has not been convicted of a criminal offense, in accordance with Article 45/1 of the PPL,

ç) has not been sentenced by a final court decision for acts related to professional activity.

d) has paid all the fees for the payment of taxes and social security contributions, according to the legislation in force.

The foreign bidder must also declare that he meets all the requirements listed above by submitting a written pleading.

If the language used in the procedure is Albanian, then the foreign language documents must be accompanied by a notarized translation into Albanian.

In the case of mergers of economic operators, each member of the group must submit the above-mentioned self-declaration.

The General Admission Criteria should not be altered by the contracting authorities.

These criteria must be met by filing the written declaration of the subject on the day of the Bid Opening pursuant to Annex 8.

In any case, the contracting authority has the right to carry out the necessary verifications on the authenticity of the information declared by the economic operator as above.

In addition, if the bid is submitted by a merger of economic operators, the following must be submitted:

- a) Notarized agreement according to which the unification of economic operators is officially established;
- b) Special Proxy.

2. SPECIFIC QUALIFICATION CRITERIA

1. The Applicant / Bidder must submit:

- a) *Bid Form, according to Annex 2;*
- b) *Declaration for the submission of independent bids according to Annex 2/1;*
- c) *Bid Security, according to Annex 4;*
- d) *Statement on the fulfillment of technical specifications, according to Annex 6;*
- e) *Declaration on the Conflict of Interest under Annex 7;*
- f) *Statement on guaranteeing the applicability of legal provisions in labor relations according to Annex 8/1;*
- g) *Confirmation that confirms the settlement of all matured electricity obligations of energy contracts that the economic operator is registered in Albania.*

2. The Applicant / Bidder must submit:

2.1. Legal / Professional Capacity of Economic Operators:

This criterion point is met by the general admission / qualification criteria set out above.

1. The participating economic operator must be certified according to the international standards ISO 9001 (valid) or its equivalent, of the quality management system. The purpose of company certification must be according to the object to be procured;
2. The participating economic operator must be certified according to international standards ISO 14001 (valid) or equivalent, of the Environmental Management System. The purpose of the company certification should be according to the object to be procured..
3. The participating economic operator must be certified according to international standards OHSAS 18001 or ISO 45001 (valid) or equivalent, of Work Safety Management. The purpose of company certification must be according to the object to be procured.

The certificate shall be issued by a conformity assessment body accredited by the national accreditation body or international accreditation bodies recognized by the Republic of Albania.

In case of merging of economic operators, according to article 74 of DCM-914 dated 29.12.2014, each economic operator must submit ISO certificates according to the items of works / goods / services that will undertake to perform according to the agreement

2.2. Economic and financial capacity:

1. The economic operator must submit copies of annual turnover declarations or receipts from the tax administration for the turnover realized in the last three years from the date of the development of the procedure, the average value of which is not less than 40%. Lot's limit fund value.
2. The economic operator shall submit certified copies of the balance sheets of the years 2016, 2017, 2018 submitted to the relevant tax authorities.

2.3 Technical capacity:

1. The economic operator shall submit evidence of previous similar supplies carried out during the last 3 (three) years from the date of the development of the procedure, to a value of not less than 40% of the value of Lot's Lot Fund.

These previous supplies, similar, must be certified with the documentation as follows:

- a) When similar supplies are made with public entities, the economic operator must submit a certificate issued by the state institution or tax bills where the dates, amounts and quantities of the supplied goods are to be written.
 - b) When similar supplies are made with private entities, the economic operator must present the relevant sales tax invoice, listing the dates, amounts and quantities of the supplied goods.
2. The bidder must submit the list of retail fuel stations according to the addresses required by the Contracting Authority, certified in one of the forms available under the Civil Code (lease contract or deed of ownership or be reflected in the commercial registration extract issued by the NBC,). Fuel retail stations must be equipped with a license issued by the local government for retail trade, category IIA (Vehicle Gasoline) Environmental permit type C issued by the NLC, Technical Certificate issued by the Approved Authorized Bodies (OMVK), Fire Protection Certificate from MZSH, and Insurance Police in one of the insurance companies operating in Albania, for retail distributors, which must be within the validity date of the opening of bids.
 3. Analysis sheet issued by ISHTI for the running lot that should be issued within 30 days from the bidding

opening date.

4. The economic operator must submit a certificate issued by ISHTI, certifying that the bidder has traded fuels according to the standards of Albanian legislation and there have been no penalties for quality violations during the last 3 (three) years from the date of the procedure..
5. The economic operator must submit a Technical Certificate issued by the Approved Conformity Assessment Bodies (OMVK, Type B or C Environmental Permit issued by NLC, Akt-Teknik issued by PMDP, and Police Insurance issued by insurance companies that operate in Albania for wholesale trading deposits that certifies the storage capacity of over 10,000 m3 with respect to the economic operator's reserves, in order to guarantee continuity in supply, according to the requirements of the contracting authority.
6. The bidding entity must also submit the following statements:
 - The entity must declare that it undertakes the supply of retail petrol stations with a 24 hour personalized targetted electronic carriage of each vehicle of the contracting authority or the bot, according to the requirements of the contracting authority.
 - The entity must declare that it undertakes the supply of fuel with the public pistol.
 - The entity must declare that it undertakes to convert all the quantity of liters into the personalized targetech card of the liquid vehicle with the bot until the full termination of the contract, according to the needs of the contracting authority. The electronic mail must be without expiration until the full termination of the contract.
 - The economic operator must own or lease not less than 1 Autobote of transport of dangerous substances with carrying capacity from 3000 to 20,000 liters. The autobot must be equipped with Traffic Permit, Survey (SGS), Insurance Policies, Dangerous Goods Carriage Certificates and Vehicle Passport related to carrying capacity.
 - The economic operator must cover the supply via personalized electronic cards, according to the addresses requested by the Contracting Authority.
 - Based on DCM No. 561, dated 29.07.2016 "On Standardization and Discipline of Fuel Consumption in General Governance Units", Participating Economic Operators should provide a fuel management website (web site), where the supply and consumption of fuel for vehicles effective transportation of electronic card slots.
 - The fuel management website (webpage) should provide the service of charging the fuel quantity from the Economic Operator to the Contracting Authority, in order to recharge the personalized targetted electronic cards and the fuel quantity management by own AK. The counterparty should also have the opportunity of displaying and administering the quantity of fuel to be performed by the contracting authority itself.
 - The fuel management page should also provide the facility for the creation of a pyramid structure in accordance with the Pyramid structure of the Contracting Authority, through electronic cards in the form of sticker (stamps), which are attached to the windscreen of the vehicle and provide the supply service fuel only for that vehicle to eliminate the possible movement of license plates from the state vehicle to private vehicles as well as the email delivery service of any vehicle delivered at the retail station for the purpose of identifying the vehicle and its users.
 - The Availability / Existence of the Fuel Management Site (webpage), together with the provision of cross-border services, will be demonstrated by the participating economic operators with examples for practical implementation, in the presence of the CAA of the CA before closing the qualification process and announcing the winner.

- Failure to provide the services requested electronically through the Fuel Management Site (web site), which provides any economic operator, is a condition for disqualification.

Economic Operators to provide for more than one Lot should have the financial and technical capacity of the amount of lots they have bid for. In this case, the Economic Operator should submit a statement specifying the documents in order to meet the cumulative criteria for the concrete Lot. If the declared and submitted documentation in the fulfillment of the cumulative criteria does not meet the criteria set for the lottery where it participates, the economic operator will be disqualified in all the lots where he participated.

Note

For the foreign economic operator in fulfillment of the criteria defined in point 2.2 “Economic and financial capacity” and in point 2.3 “Technical capacity”, if the required documents do not exist according to the provisions of its domestic law, then the foreign economic operator must submit the equivalent documents in compliance with each of these criteria.

For foreign economic operators having registration in the member states of the Hague Convention (October 5, 1961), the issued documents must contain the apostille stamp in accordance with law no. 9060, dated 8.5.2003 "On the accession of the Republic of Albania to the Convention for the Abolition of the Request for Legalization of Foreign Official Documents".

For foreign economic operators who have registered in countries that have not ratified the Hague Convention of 05.10.1961 on "Removing the request for diplomatic and consular legalization of foreign official documents", legalization of these documents should be made in the embassies , consulates or respective offices from the country of origin.

All documents must be original or notarized copies thereof. Cases of non-delivery of a document or fake and incorrect documents are considered as conditions for disqualification

LOT IV. “PURCHASE OF FUEL FOR CIVIL AND INDUSTRIAL HEATING (Gazoil < 0.1,Gazoil > 0.1,mazut)”

Annex 9

[Annex to be filled in by the Contracting Authority]

1. GENERAL ACCREDITATION / QUALIFICATION CRITERIA

The bidder must state that:

- a) It is registered at the National Business Center and has in the field of activity the object of the procurement. In the case when the Bidder is a non-profit organization, it must state that it is registered as a legal person under Law No. 8788, dated 07.05.2001 "On Non Profit Organizations".
- b) is not in the process of bankruptcy, (active status)
- c) has not been convicted of a criminal offense, in accordance with Article 45/1 of the PPL,
- ç) has not been sentenced by a final court decision for acts related to professional activity.
- d) has paid all the fees for the payment of taxes and social security contributions, according to the legislation in force.

The foreign bidder must also declare that he meets all the requirements listed above by submitting a written pleading.

If the language used in the procedure is Albanian, then the foreign language documents must be accompanied by a notarized translation into Albanian.

In the case of mergers of economic operators, each member of the group must submit the above-mentioned self-declaration.

The General Admission Criteria should not be altered by the contracting authorities.

These criteria must be met by filing the written declaration of the subject on the day of the Bid Opening pursuant to Annex 8.

In any case, the contracting authority has the right to carry out the necessary verifications on the authenticity of the information declared by the economic operator as above.

In addition, if the bid is submitted by a merger of economic operators, the following must be submitted:

- a) Notarized agreement according to which the unification of economic operators is officially established;
- b) Special Proxy.

2. SPECIFIC QUALIFICATION CRITERIA

1. The Applicant / Bidder must submit:

- a) *Bid Form, according to Annex 2;*
- b) *Declaration for the submission of independent bids according to Annex 2/1;*
- c) *Bid Security, according to Annex 4;*
- d) *Statement on the fulfillment of technical specifications, according to Annex 6;*
- e) *Declaration on the Conflict of Interest under Annex 7;*
- f) *Statement on guaranteeing the applicability of legal provisions in labor relations according to Annex 8/1;*
- g) *Confirmation that confirms the settlement of all matured electricity obligations of energy contracts that the economic operator is registered in Albania.*

2. The Applicant / Bidder must submit:

2.1. Legal / Professional Capacity of Economic Operators:

This criterion point is met by the general admission / qualification criteria set out above.

- 1. The participating economic operator must be certified according to the international standards ISO 9001 (valid) or its equivalent, of the quality management system. The purpose of company certification must be according to the object to be procured;
- 2. The participating economic operator must be certified according to international standards ISO 14001 (valid) or equivalent, of the Environmental Management System. The purpose of the company certification should be according to the object to be procured.
- 3. The participating economic operator must be certified according to international standards OHSAS 18001 or ISO 45001 (valid) or equivalent, of Work Safety Management. The purpose of the company

certification should be according to the object to be procured.

The certificate shall be issued by a conformity assessment body accredited by the national accreditation body or international accreditation bodies recognized by the Republic of Albania.

In case of merging of economic operators, according to article 74 of DCM-914 dated 29.12.2014, each economic operator must submit ISO certificates according to the items of works / goods / services that will undertake to perform according to the agreement

2.2. Economic and financial capacity:

1. The economic operator must submit copies of annual turnover declarations or receipts from the tax administration for the turnover realized in the last three years from the date of the development of the procedure, the average value of which is not less than 40% Lot's limit fund value.
2. The economic operator shall submit certified copies of the balance sheets of the years 2016, 2017, 2018 submitted to the relevant tax authorities.

2.3 Technical capacity:

1. The economic operator shall submit evidence of previous similar supplies carried out during the last 3 (three) years from the date of the development of the procedure, to a value of not less than 40% of the value of Lot Fund.

These previous supplies, similar, must be certified with the documentation as follows:

- a) When similar supplies are made with public entities, the economic operator must submit a certificate issued by the state institution or tax bills where the dates, amounts and quantities of the supplied goods are to be written.
 - b) When similar supplies are made with private entities, the economic operator must present the relevant sales tax invoice with the dates, amounts and quantities of the supplied goods.
2. The entity must present a license for wholesale trade (VIII.1.A for category V / B - MAZUT) and III / Ç (Fuel for civil and / or industrial thermal use) \ or retail sale of fuels for use by end customers, for Lot fuel, issued by the competent authorities.
 3. Analysis sheet issued by ISHTI for the running lot that should be issued within 30 days from the bidding opening date.
 4. The economic operator must submit a certificate issued by ISHTI, certifying that the bidder has traded fuels according to the standards of Albanian legislation and there have been no penalties for quality violations during the last 3 (three) years from the date of the procedure.
 5. Technical certificate issued by ISHTI, Environmental permit according to the legislation in force issued by NLC, Act-Technical issued by PMNZH, and Police Insurance with one of the insurance companies

operating in Albania, for deposits proving deposit capacities and reserves of the economic operator, to guarantee continuity in supply, according to the requirements of the contracting authorities.

6. The bidding entity must own not less than 5 vehicles (autobots) with a holding capacity of more than 10 000 liters certified with one of the forms of disposal according to the Civil Code (notarial contract or ownership act or to be reflected in the NRC extract, etc.). For this, it should include a travel booklet, a check certificate, mandatory vehicle insurance, a certificate for the transport of hazardous materials and the vehicle passport for carrying capacity in liters.
7. The bidding entity must submit the following statements:
 - The bidding entity must submit a statement on the basis of which it carries out the supply of fuels with its worlds and its expenditures to the place where the deposits of the contracting authority are located.
 - The entity must declare that it undertakes the 24 hour supply service in all cities where there are contracting authorities, with the liquidity, according to the requirements of the contracting authorities

Economic Operators to provide for more than one Lot should have the financial and technical capacity of the amount of lots they have bid for. In this case, the Economic Operator should submit a statement specifying the documents in order to meet the cumulative criteria for the concrete Lot. If the declared and submitted documentation in the fulfillment of the cumulative criteria does not meet the criteria set for the lottery where it participates, the economic operator will be disqualified in all the lots where he participated.

Note

For the foreign economic operator in fulfillment of the criteria defined in point 2.2 “Economic and financial capacity” and in point 2.3 “Technical capacity”, if the required documents do not exist according to the provisions of its domestic law, then the foreign economic operator must submit the equivalent documents in compliance with each of these criteria.

For foreign economic operators having registration in the member states of the Hague Convention (October 5, 1961), the issued documents must contain the apostille stamp in accordance with law no. 9060, dated 8.5.2003 "On the accession of the Republic of Albania to the Convention for the Abolition of the Request for Legalization of Foreign Official Documents".

For foreign economic operators who have registered in countries that have not ratified the Hague Convention of 05.10.1961 on "Removing the request for diplomatic and consular legalization of foreign official documents", legalization of these documents should be made in the embassies , consulates or respective offices from the country of origin.

All documents must be original or notarized copies thereof. Cases of non-delivery of a document or fake and incorrect documents are considered as conditions for disqualification

LOT V. "PURCHASE OF FUEL FOR CIVIL AND INDUSTRIAL HEATING (solar)"

Annex 9

[Annex to be filled in by the Contracting Authority]

1. GENERAL ACCREDITATION / QUALIFICATION CRITERIA

The bidder must state that:

- a) It is registered at the National Business Center and has in the field of activity the object of the procurement. In the case when the Bidder is a non-profit organization, it must state that it is registered as a legal person under Law No. 8788, dated 07.05.2001 "On Non Profit Organizations".
- b) is not in the process of bankruptcy, (active status)
- c) has not been convicted of a criminal offense, in accordance with Article 45/1 of the PPL,
- ç) has not been sentenced by a final court decision for acts related to professional activity.
- d) has paid all the fees for the payment of taxes and social security contributions, according to the legislation in force.

The foreign bidder must also declare that he meets all the requirements listed above by submitting a written pleading.

If the language used in the procedure is Albanian, then the foreign language documents must be accompanied by a notarized translation into Albanian.

In the case of mergers of economic operators, each member of the group must submit the above-mentioned self-declaration.

The General Admission Criteria should not be altered by the contracting authorities.

These criteria must be met by filing the written declaration of the subject on the day of the Bid Opening pursuant to Annex 8.

In any case, the contracting authority has the right to carry out the necessary verifications on the authenticity of the information declared by the economic operator as above.

In addition, if the bid is submitted by a merger of economic operators, the following must be

submitted:

- c) Notarized agreement according to which the unification of economic operators is officially established;
- d) Special Proxy.

2. SPECIFIC QUALIFICATION CRITERIA

1. The Applicant / Bidder must submit:

- h) Bid Form, according to Annex 2;*
- i) Declaration for the submission of independent bids according to Annex 2/1;*
- j) Bid Security, according to Annex 4;*
- k) Statement on the fulfillment of technical specifications, according to Annex 6;*
- l) Declaration on the Conflict of Interest under Annex 7;*
- m) Statement on guaranteeing the applicability of legal provisions in labor relations according to Annex 8/1;*
- n) Confirmation that confirms the settlement of all matured electricity obligations of energy contracts that the economic operator is registered in Albania.*

2. The Applicant / Bidder must submit:

2.1. Legal / Professional Capacity of Economic Operators:

This criterion point is met by the general admission / qualification criteria set out above.

- 4. The participating economic operator must be certified according to the international standards ISO 9001 (valid) or its equivalent, of the quality management system. The purpose of company certification must be according to the object to be procured;
- 5. The participating economic operator must be certified according to international standards ISO 14001 (valid) or equivalent, of the Environmental Management System. The purpose of the company certification should be according to the object to be procured.
- 6. The participating economic operator must be certified according to international standards OHSAS 18001 or ISO 45001 (valid) or equivalent, of Work Safety Management. The purpose of company certification must be according to the object to be procured.

The certificate shall be issued by a conformity assessment body accredited by the national accreditation body or international accreditation bodies recognized by the Republic of Albania.

In case of merging of economic operators, according to article 74 of DCM-914 dated 29.12.2014, each economic operator must submit ISO certificates according to the items of works / goods / services that will undertake to perform according to the agreement

2.2. Economic and financial capacity:

- 3. The economic operator must submit copies of annual turnover declarations or receipts from the tax

administration for the turnover realized in the last three years from the date of the development of the procedure, the average value of which is not less than 40%. Lot's limit fund value.

4. The economic operator shall submit certified copies of the balance sheets of the years 2016, 2017, 2018 submitted to the relevant tax authorities.

2.3 Technical capacity:

8. The economic operator shall submit evidence of previous similar supplies carried out during the last 3 (three) years from the date of the development of the procedure, to a value of not less than 40% of the value of Lot Fund.

These previous supplies, similar, must be certified with the documentation as follows:

- c) When similar supplies are made with public entities, the economic operator must submit a certificate issued by the state institution or tax bills where the dates, amounts and quantities of the supplied goods are to be written.
 - d) When similar supplies are made with private entities, the economic operator must present the relevant sales tax invoice with the dates, amounts and quantities of the supplied goods.
9. The entity must submit a license for wholesale trade (VIII.1.A for category IV / B (solar) or retail trade of fuels for use by final consumers, for Lot fuel, issued by the competent authorities
 10. Analysis sheet issued by ISHTI for the running lot that should be issued within 30 days from the bidding opening date.
 11. The economic operator must submit a certificate issued by ISHTI, certifying that the bidder has traded fuels according to the standards of Albanian legislation and there have been no penalties for quality violations during the last 3 (three) years from the date of the procedure
 12. Technical certificate issued by ISHTI, Environmental permit according to the legislation in force issued by NLC, Act-Technical issued by PMNZH, and Police Insurance with one of the insurance companies operating in Albania, for deposits proving deposit capacities and reserves of the economic operator, to guarantee continuity in supply, according to the requirements of the contracting authorities.
 13. The bidding entity must own not less than 1 vehicles with a holding capacity of more than 10 000 liters certified with one of the forms of disposal according to the Civil Code (notarial contract or ownership act or to be reflected in the NRC extract, etc.). For this, it should include a travel booklet, a check certificate, mandatory vehicle insurance, a certificate for the transport of hazardous materials and the vehicle passport for carrying capacity in liters.
 14. The bidding entity must submit the following statements:
 - The bidding entity must submit a statement on the basis of which it carries out the supply of fuels with its worlds and its expenditures to the place where the deposits of the contracting authority are located.
 - The entity must declare that it undertakes the 24 hour supply service in all cities where there are contracting authorities, with the liquidity, according to the requirements of the contracting authorities

Economic Operators to provide for more than one Lot should have the financial and technical capacity of the amount of lots they have bid for. In this case, the Economic Operator should submit a statement specifying the documents in order to meet the cumulative criteria for the concrete Lot. If the declared and submitted documentation in the fulfillment of the cumulative criteria does not meet the criteria set for the lottery where it participates, the economic operator will be disqualified in all the lots where he participated.

Note

For the foreign economic operator in fulfillment of the criteria defined in point 2.2 “Economic and financial capacity” and in point 2.3 “Technical capacity”, if the required documents do not exist according to the provisions of its domestic law, then the foreign economic operator must submit the equivalent documents in compliance with each of these criteria.

For foreign economic operators having registration in the member states of the Hague Convention (October 5, 1961), the issued documents must contain the apostille stamp in accordance with law no. 9060, dated 8.5.2003 "On the accession of the Republic of Albania to the Convention for the Abolition of the Request for Legalization of Foreign Official Documents".

For foreign economic operators who have registered in countries that have not ratified the Hague Convention of 05.10.1961 on "Removing the request for diplomatic and consular legalization of foreign official documents", legalization of these documents should be made in the embassies , consulates or respective offices from the country of origin.

All documents must be original or notarized copies thereof. Cases of non-delivery of a document or fake and incorrect documents are considered as conditions for disqualification

LOT VI. "Liquid fuel for automotive, for domestic and industrial purposes LPG (Michelle)"

Annex 9

[Annex to be filled in by the Contracting Authority]

1. GENERAL ACCREDITATION / QUALIFICATION CRITERIA

The bidder must state that:

- a) It is registered at the National Business Center and has in the field of activity the object of the procurement. In the case when the Bidder is a non-profit organization, it must state that it is registered as a legal person under Law No. 8788, dated 07.05.2001 "On Non Profit Organizations".
- b) is not in the process of bankruptcy, (active status)
- c) has not been convicted of a criminal offense, in accordance with Article 45/1 of the PPL,
- ç) has not been sentenced by a final court decision for acts related to professional activity.
- d) has paid all the fees for the payment of taxes and social security contributions, according to the legislation in force.

The foreign bidder must also declare that he meets all the requirements listed above by submitting a written pleading.

If the language used in the procedure is Albanian, then the foreign language documents must be accompanied by a notarized translation into Albanian.

In the case of mergers of economic operators, each member of the group must submit the above-mentioned self-declaration.

The General Admission Criteria should not be altered by the contracting authorities.

These criteria must be met by filing the written declaration of the subject on the day of the Bid Opening pursuant to Annex 8.

In any case, the contracting authority has the right to carry out the necessary verifications on the authenticity of the information declared by the economic operator as above.

In addition, if the bid is submitted by a merger of economic operators, the following must be submitted:

- e) Notarized agreement according to which the unification of economic operators is officially established;
- f) Special Proxy.

2. SPECIFIC QUALIFICATION CRITERIA

1. The Applicant / Bidder must submit:

- a) *Bid Form, according to Annex 2;*
- b) *Declaration for the submission of independent bids according to Annex 2/1;*
- c) *Bid Security, according to Annex 4;*
- d) *Statement on the fulfillment of technical specifications, according to Annex 6;*
- e) *Declaration on the Conflict of Interest under Annex 7;*
- f) *Statement on guaranteeing the applicability of legal provisions in labor relations according to Annex 8/1;*
- g) *Confirmation that confirms the settlement of all matured electricity obligations of energy contracts that the economic operator is registered in Albania.*

2. The Applicant / Bidder must submit:

2.1. Legal / Professional Capacity of Economic Operators:

This criterion point is met by the general admission / qualification criteria set out above.

1. The participating economic operator must be certified according to the international standards ISO 9001 (valid) or its equivalent, of the quality management system. The purpose of company certification must be according to the object to be procured;
2. The participating economic operator must be certified according to international standards ISO 14001 (valid) or equivalent, of the Environmental Management System. The purpose of the company certification should be according to the object to be procured.
3. The participating economic operator must be certified according to international standards OHSAS 18001 or ISO 45001 (valid) or equivalent, of Work Safety Management. The purpose of company certification must be according to the object to be procured.

The certificate shall be issued by a conformity assessment body accredited by the national accreditation body or international accreditation bodies recognized by the Republic of Albania.

In case of merging of economic operators, according to article 74 of DCM-914 dated 29.12.2014, each economic operator must submit ISO certificates according to the items of works / goods / services that will undertake to perform according to the agreement

2.2. Economic and financial capacity:

1. The economic operator must submit copies of annual turnover declarations or receipts from the tax administration for the turnover realized in the last three years from the date of the development of the procedure, the average value of which is not less than 40%. Lot's limit fund value.
2. The economic operator shall submit certified copies of the balance sheets of the years 2016, 2017, 2018 submitted to the relevant tax authorities.

2.3 Technical capacity:

1. The economic operator shall submit evidence of previous similar supplies carried out during the last 3 (three) years from the date of the development of the procedure, to a value of not less than 40% of the value of Lot Fund.

These previous supplies, similar, must be certified with the documentation as follows:

- a) When similar supplies are made with public entities, the economic operator must submit a certificate issued by the state institution or tax bills where the dates, amounts and quantities of the supplied goods are to be written.
 - b) When similar supplies are made with private entities, the economic operator must present the relevant sales tax invoice with the dates, amounts and quantities of the supplied goods.
2. The entity must submit a license for wholesale or retail trade of fuels for use by final consumers, for fuel, liquefied petroleum gas (LPG), issued by the competent authorities.
 3. If the bidding economic operator is subject to retail sale of liquefied petroleum gas (LPG), then he must submit a valid contract for the supply of LPG-filled cylinders with wholesale companies. (Pursuant to DCM No. 212, dated 16.3.2016 "On determining the conditions and technical rules for the processing of cylinders filled with liquefied petroleum gas (LPG)").
 4. Analytical sheets issued by ISHTI for the competing lot which must have been issued within 30 days from the date of opening of bids
 5. **The economic operator must submit a certificate issued by ISHTI, certifying that the bidder has traded fuels according to the standards of Albanian legislation and there have been no penalties for quality violations during the last 3 (three) years from the date of the procedure**
 6. Technical certificate issued by ISHTI, Environmental permit of type B or type C issued by NLC, Technical Act issued by PMNZH, and Police Insurance with one of the insurance companies operating in Albania, for the trade deposits it certifies deposit capacities and reserves of the economic operator, to guarantee continuity in supply, according to the requirements of the contracting authorities
 7. The bidding entity must own not less than 2 autobots with a holding capacity of over 10 000 liters certified with one of the forms of disposal according to the Civil Code (notarial contract or ownership act or be reflected in the extract of NRC, etc.). For this, it should include a travel booklet, a check certificate, mandatory vehicle insurance, a certificate for the transport of

hazardous materials and the vehicle passport for carrying capacity in liters.

8. The bidding entity must submit the following statements:

- The bidder must submit a statement on the basis of which it undertakes the supply of fuel with its worlds and its expenses to the place where the deposits of the contracting authority are located.
- The bidding entity must submit a statement on the basis of which it undertakes the supply of fuel by means of cylinders with its vehicles and its expenses up to the addresses determined by the contracting authorities.
- The entity must declare that it undertakes the supply of bots with 24-hour service in all cities where the addresses of the contracting authority are located, with fuel, according to the requirements of the CA

Economic Operators to provide for more than one Lot should have the financial and technical capacity of the amount of lots they have bid for. In this case, the Economic Operator should submit a statement specifying the documents in order to meet the cumulative criteria for the concrete Lot. If the declared and submitted documentation in the fulfillment of the cumulative criteria does not meet the criteria set for the lottery where it participates, the economic operator will be disqualified in all the lots where he participated.

Note

For the foreign economic operator in fulfillment of the criteria defined in point 2.2 “Economic and financial capacity” and in point 2.3 “Technical capacity”, if the required documents do not exist according to the provisions of its domestic law, then the foreign economic operator must submit the equivalent documents in compliance with each of these criteria.

For foreign economic operators having registration in the member states of the Hague Convention (October 5, 1961), the issued documents must contain the apostille stamp in accordance with law no. 9060, dated 8.5.2003 "On the accession of the Republic of Albania to the Convention for the Abolition of the Request for Legalization of Foreign Official Documents".

For foreign economic operators who have registered in countries that have not ratified the Hague Convention of 05.10.1961 on "Removing the request for diplomatic and consular legalization of foreign official documents", legalization of these documents should be made in the embassies , consulates or respective offices from the country of origin.

All documents must be original or notarized copies thereof. Cases of non-delivery of a document or fake and incorrect documents are considered as conditions for disqualification

LOT VII. "PURCHASE OF DIESEL FUEL - F76"

Annex 9

[Annex to be filled in by the Contracting Authority]

1. GENERAL ACCREDITATION / QUALIFICATION CRITERIA

The bidder must state that:

- a) It is registered at the National Business Center and has in the field of activity the object of the procurement. In the case when the Bidder is a non-profit organization, it must state that it is registered as a legal person under Law No. 8788, dated 07.05.2001 "On Non Profit Organizations".
- b) is not in the process of bankruptcy, (active status)
- c) has not been convicted of a criminal offense, in accordance with Article 45/1 of the PPL,
- ç) has not been sentenced by a final court decision for acts related to professional activity.
- d) has paid all the fees for the payment of taxes and social security contributions, according to the legislation in force.

The foreign bidder must also declare that he meets all the requirements listed above by submitting a written pleading.

If the language used in the procedure is Albanian, then the foreign language documents must be accompanied by a notarized translation into Albanian.

In the case of mergers of economic operators, each member of the group must submit the above-mentioned self-declaration.

The General Admission Criteria should not be altered by the contracting authorities.

These criteria must be met by filing the written declaration of the subject on the day of the Bid Opening pursuant to Annex 8.

In any case, the contracting authority has the right to carry out the necessary verifications on the authenticity of the information declared by the economic operator as above.

In addition, if the bid is submitted by a merger of economic operators, the following must be submitted:

- g) Notarized agreement according to which the unification of economic operators is officially established;
- h) Special Proxy.

2. SPECIFIC QUALIFICATION CRITERIA

1. The Applicant / Bidder must submit:

- a) *Bid Form, according to Annex 2;*
- b) *Declaration for the submission of independent bids according to Annex 2/1;*
- c) *Bid Security, according to Annex 4;*
- d) *Statement on the fulfillment of technical specifications, according to Annex 6;*
- e) *Declaration on the Conflict of Interest under Annex 7;*
- f) *Statement on guaranteeing the applicability of legal provisions in labor relations according to Annex 8/1;*
- g) *Confirmation that confirms the settlement of all matured electricity obligations of energy contracts that the economic operator is registered in Albania.*

2. The Applicant / Bidder must submit:

2.1. Legal / Professional Capacity of Economic Operators:

This criterion point is met by the general admission / qualification criteria set out above.

1. The participating economic operator must be certified according to the international standards ISO 9001 (valid) or its equivalent, of the quality management system. The purpose of company certification must be according to the object to be procured;
2. The participating economic operator must be certified according to international standards ISO 14001 (valid) or equivalent, of the Environmental Management System. The purpose of the company certification should be according to the object to be procured.
3. The participating economic operator must be certified according to international standards OHSAS 18001 or ISO 45001 (valid) or equivalent, of Work Safety Management. The purpose of company certification must be according to the object to be procured.

The certificate shall be issued by a conformity assessment body accredited by the national accreditation body or international accreditation bodies recognized by the Republic of Albania.

In case of merging of economic operators, according to article 74 of DCM-914 dated 29.12.2014, each economic operator must submit ISO certificates according to the items of works / goods / services that will undertake to perform according to the agreement

2.2. Economic and financial capacity:

1. The economic operator must submit copies of annual turnover declarations or receipts from the tax administration for the turnover realized in the last three years from the date of the development of the procedure, the average value of which is not less than 40%. Lot's limit fund value.
2. The economic operator shall submit certified copies of the balance sheets of the years 2016, 2017, 2018 submitted to the relevant tax authorities.

2.3 Technical capacity:

1. The economic operator shall submit evidence of previous similar supplies carried out during the last 3 (three) years from the date of the development of the procedure, to a value of not less than 40% of the value of Lot Fund.

These previous supplies, similar, must be certified with the documentation as follows:

- a) When similar supplies are made with public entities, the economic operator must submit a certificate issued by the state institution or tax bills where the dates, amounts and quantities of the supplied goods are to be written.
 - b) When similar supplies are made with private entities, the economic operator must present the relevant sales tax invoice, listing the dates, amounts and quantities of the supplied goods.
2. The entity must be provided with a license for the trade of fuel with a license code VIII.1.A. for the supply of maritime vessels
 3. The economic operator must submit a certificate issued by ISHTI, certifying that the bidder has traded fuels according to the standards of Albanian legislation and there have been no penalties for quality

violations during the last 3 (three) years from the date of the procedure.

4. Technical certificate issued by ISHTI, Environmental permit type B, issued by NLC, Technical Act issued by PMNZH, and Police Insurance with one of the insurance companies operating in Albania, for the wholesale trade deposits that it certifies deposit capacity and reserves of the economic operator, to guarantee continuity in supply, according to the requirements of the contracting authorities.
5. The bidding entity must own not less than 4 vehicles (autobots) with a carrying capacity of over 10,000 liters certified with one of the forms of disposal under the Civil Code (notarial contract or deed of ownership or be reflected in the NRC extract, etc.). For this, you must present a circulation booklet, testing act, compulsory insurance of the vehicle, the certificate for the transport of dangerous goods and the passport of the vehicle for the carrying capacity in liters
6. Analytical sheets issued by ISHTI for the competing lot which must have been issued within 30 days from the date of opening of bids
7. The bidding entity must submit the following statements:
 - The bidding entity must submit a statement on the basis of which it carries out the supply of fuels with its worlds and its expenditures to the place where the deposits of the contracting authority are located.
 - The entity must declare that it undertakes the 24-hour supply service in all cities where there are contracting authorities, with the liquidity, according to the requirements of the contracting authorities

Economic operators who will offer more than one Lot must have the financial and technical capacity as much as the amount of lots for which they have offered, taken together. In this case, the Economic Operator must submit a declaration specifying the documents in compliance with the cumulative criteria for the specific Lot. In case the documentation declared and submitted in compliance with the cumulative criteria does not meet the criteria set for the lots in which it participates, the economic operator will be disqualified in all lots where it has participated.

Note

For the foreign economic operator in fulfillment of the criteria defined in point 2.2 “Economic and financial capacity” and in point 2.3 “Technical capacity”, if the required documents do not exist according to the provisions of its domestic law, then the foreign economic operator must submit the equivalent documents in compliance with each of these criteria.

For foreign economic operators having registration in the member states of the Hague Convention (October 5, 1961), the issued documents must contain the apostille stamp in accordance with law no. 9060, dated 8.5.2003 "On the accession of the Republic of Albania to the Convention for the Abolition of the Request for Legalization of Foreign Official Documents".

For foreign economic operators who have registered in countries that have not ratified the Hague Convention of 05.10.1961 on "Removing the request for diplomatic and consular legalization of foreign official documents", legalization of these documents should be made in the embassies , consulates or respective offices from the country of origin.

All documents must be original or notarized copies thereof. Cases of non-delivery of a document or fake and incorrect documents are considered as conditions for disqualification

Annex 10

[Annex to be filled in by Contracting Authority]

TECHNICAL SPECIFICATIONS

Refer to ANNEX No. 2

For Lot IV and Lot V, pursuant to DCM no. 429, dated 26.06.2019, "On the quality of some fuels,

liquids, for thermal, civil and industrial use, as well as use in water transport vehicles (marine, river and lake)", according to the Albanian standard SSH UNI 6579 : 2011: "Liquid fuels for civil and industrial thermal use" defined in Annex no. 2 of the DT, with the exception of the specified characteristics, according to the tables as follows:

Fuel Type	Unit	Gazoil < 0.1	Gazoil > 0.1
The flash point	0C	>55	>52
Volumetric mass in 15 °C	Kg/m ³	815-875	815-875
Distillation in 150 °C			
in 210 °C	% v/v	<2	<2
in 250 °C	% v/v		
in 300 °C	% v/v	<65	<60
in 350 °C	% v/v		<85
	% v/v	>85	
Nickel + vanad	mg/kg		
PCB (polyblorbifenil)	mg/kg	<15	<15
PCT (policlortrifenil)	mg/kg	<10	<10
Colors(1)		po	po

Fuel Type	Unit	Heavy fuel oil	
		solar	mazut
	Unit	D	E
The flash point	0C	>65	>80
Ash	% (m/m)	<0.1	<0.1
Sulfur	%(m/m)	<0.1	<1
Nickel + vanad	mg/kg	<180	<180
PCB (polyblorbifenil)	mg/kg	<4	<4
PCT (policlortrifenil)	mg/kg	<10	<10
Calorific power	Mj/kg	>40	>40

Annex 11

[Annex to be filled in by the Contracting Authority in the Framework Agreement]

PLANNING OF CONTRACTS IN THE FRAMEWORK AGREEMENT

Good: Total number of contracts under Framework Agreement		
Contract No.	Contract Title	Brief Description of the contract
01		
02		
03		

...		
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Annex12

(Annex to be filled in by Contracting Authority)

(Annex to be filled in by Contracting Authority under Framework Agreement during the reopening of mini-bidding process)

QUANTITY AND DELIVERY SCHEDULE

The amount of goods that may be required:

Refer to ANNEX No. 1

Delivery terms:

Refer to ANNEX No. 1

Starting from the date of conclusion of the contract / contracts with completion until the fulfillment of the needs of the contracting authorities, according to the framework agreement, for each lot.

For Lot VI. "Supply of fuel for vehicles, for domestic and industrial use GLN (Michelle)".

Liquid gas will be used as fuel for cooking and washing.

Gas packaging will be done mainly:

1- 50% of the total quantity, the supply will be done with a bomb with a capacity of 15 kg, 20 kg and 25 kg.

Bombs are provided by the winning supply firm and must be tested for safety. They must be accompanied by the documentation of their testing and the relevant stamps or markings, issued by the relevant institutions, in accordance with the legislation in force for pressure vessels.

2- 50% of the total quantity, the supply will be made with auto-tanks in liquefied gas deposits.

Any liquefied gas supply must be accompanied by the relevant analysis sheet, issued by the I.Q.T. analysis laboratory.

Transportation will be from the winning firm to the destination across the prisons. Supply will be made once a month.

The monthly amount will be determined by each prison, based on the proportional distribution of quantity and value, defined in the contract for each institution.

Transportation will be done by the contractor to the destination in all prisons. Supply will be made once a month.

The monthly amount will be determined by each prison, based on the proportional distribution of quantity and value, specified in the contract for each institution

Annex 13

[Annex to be filled in by the Contracting Authority]

STANDARD NOTIFICATION FOR THE DISQUALIFIED BIDDER¹

[Location and Date]

[Name and address of the Contracting Authority]

[Bidder's address]

Dear Sir/Madam, Mr./Ms. <name of contact>

Thank you for Your participation in the aforementioned public procurement procedure. The procedure is conducted in accordance with Law no. 9643 dated 20.11.2006 “On Public Procurement”.

Your bid was carefully evaluated according to the terms and conditions set out in the contract notice and the bidding file. I regret to inform You that you were disqualified because the bid submitted by you was rejected due to the following (s) reason:

If You think that the Contracting Authority has violated the LPP or RPP during the public procurement procedure, then you have the right to initiate a review procedure as provided for in Chapter VII of the LPP.

Although we could not use Your services in this case, I believe that You will continue to be interested in our procurement initiatives.

With respect

< Name >

Annex 14

[Annex to be filled in by the Contracting Authority]

WINNER NOTIFICATION FORM

[Date]

To: *[Name and address of the bidder declared winning]*

* * *

Procurement procedure:

Reference Procedure / Lot Reference:

Short description of the contract: *[Quantity or purpose and duration of the contract]*

REPUBLIKA E SHQIPËRISË
MINISTRIA E PUNËVE
TË BRENDSHME

MINISTRIA E BRENDSHME
AGJENCIA E BLERJEVE TË PËROENDRUARA

Winner selection criteria: lowest price most economically advantageous bid

We notify that these bidders have participated in the procedure with the respective values offered:

Amount _____
(in numbers and words)

Amount _____
(in numbers and words)

Etc.

1. _____
Company's full name *VAT Identification Number*

Company's full name *VAT Identification Number*

* * *

In reference to the above mentioned procedure, we herein inform *[name and address of the awarded bidder]* that the bid submitted, with a total value of *[the relevant amount expressed in words and figures]* / total points awarded *[]* identified as successful bid.

Consequently, you are encouraged to submit to *[name and address of the contracting authority and contact reference]* insurance contract, as provided in the Tender Documents within _____ days of receipt / publication of this notice.

In case you do not comply with this requirement, or withdraw from signing the contract, your bid security shall be forfeited (if any) and the contract shall be awarded to the next bidder in the final qualification, whose bid is offered with a total value of */respective value expressed in words and*

figures], as provided in Article 58 of Law 9643 date 20.11.2006 “On Public Procurement”, as amended.

Award Notification published on _____

Complaint: yes, or no _____

(If any) answer received on _____

* * *

[Head of Contracting Authority]

Annex 15

[Annex to be filled in by Contracting Authority under Framework Agreement]

NOTIFICATION FORM OF SUCCESSFUL ECONOMIC OPERATORS IN THE FRAMEWORK AGREEMENT

[Date]

To: *[Name and address of successful economic operators]*

1. _____
2. _____
3. _____

* * *

Procurement procedure:

Number of procedure's reference and number of lot's reference:

Short description of contract: *[Quantity, object, duration of contract, etc.]*

Previous publications (if applicable): Public Notices Bulletin *[Date]* *[Number]*

Successful bidder selection criteria: lowest price most economically advantageous bid

We notify that the following bidders have participated in the procedure with the respective values offered:

1. _____
Company's full name *VAT Identification Number*

Amount _____
(in numbers and words)

The summary price per unit offered / value _____
(with numbers and words)

2. _____
Company's full name *VAT Identification Number*

Amount _____
(in numbers and words)

The summary price per unit offered / value _____
(with numbers and words)

Etc. _____

The following economic operators have been disqualified:

1. _____

Company's full name

VAT Identification Number

2. _____

Company's full name

VAT Identification Number

Respectively for the following reasons:

* * *

In reference to the above mentioned procedure, we herein inform that the following economic operators have been identified as successful:

1. _____

Company's full name

VAT Identification Number

Amount _____ / Total points received _____

(in numbers and words)

The summary price per unit offered / value _____

(with numbers and words)

2. _____

Company's full name

VAT Identification Number

Amount _____ / Total points received _____

(in numbers and words)

The summary price per unit offered / value _____

(with numbers and words)

Etc. _____

Consequently, you are invited to appear at *[name and address of the contracting authority and contact reference]*, before _____ days from the date of receipt / publication of this notice to conclude the draft agreement.

Classification Notice done in date _____

Complaint: yes, or no _____

(If any) answer received on _____

[Head of Contracting Authority]

Annex 16

GENERAL CONDITIONS Goods – Open Tender

Article 1: Scope

- 1.1 These general terms of contract (GTC) will be implemented for the purchase of procured goods through a negotiation procedure.
- 1.2 Law on Public Procurement in the Republic of Albania provides that the provisions of the Albanian Civil Code shall apply to public procurement contracts. Some provisions of the Code are included in the GTC in order to increase the transparency of the terms of the contract. However, quoting some provisions herein shall not in any way affect the implementation of other provisions of the Civil Code of this contract.
- 1.3 Similarly, some provisions of the Law on Public Procurement are included in the GTC in order to increase the transparency of the law governing public procurement. However, quoting some provisions herein shall not in any way affect the implementation of other provisions of the Law on Public Procurement on the rights, duties and obligations of the parties.
- 1.4 GTC shall apply to the extent not superseded by the terms and provisions set out in other parts of the contract.
- 1.5 Terms of the contract shall also include special terms of contract (STC). If case of discrepancy between the GTC and the STC, the STC shall prevail.

Article 2: Definitions

- 2.1 “Contract” means the written agreement concluded between the procuring entity and the Supplier consisting of the tender documents including the GTC and the STC, all attachments and completed forms and all other documents incorporated by reference in any document.
- 2.2 “Price of contract” means the price payable to the Contractor under the Contract for the full and proper performance of its contract obligations.
- 2.3 “Incoterms” means international trade terms that make up the rules of interpretation of commercial terms that determine the relevant obligations, costs, and risks associated with the transfer of goods from the seller to the buyer.
- 2.4 “Delivery” means all activities and actions that enable the taking of goods at the place of distribution as specified in the contract such as packaging, transport, insurance, tariffs, customs procedures, loading and unloading, installation, collection, merger, control of operations and overseeing all this activity.
- 2.5 “Contracting Authority” means the entity that is part of this contract and the provisions of this contract buys goods. This term wherever used has similar meaning to that defined in the law.
- 2.6 “Contractor” means a natural or legal person that is a party to this contract and according to the provisions of this contract, supplies the Goods.

- 2.7 “Party (ies)” mean the signatories to the contract.
- 2.8 “Goods” means raw materials, products, machinery and equipment, rigid, liquid or gaseous items.
- 2.9 “Related Services” means ancillary or unforeseeable supplies of Goods, such as transportation, installation, maintenance, training, support services or similar obligations related to the supply of Goods.
- 2.10 “Object of contract” means all Goods and Services related thereto to which the Contractor shall provide under the contract.
- 2.11 “Technical Standard” means the specifications approved by a standardization body for continuous or repeated application. Such standards are used as rules, regulations or definitions of characteristics to ensure that processed materials and services match the purpose.

Article 3: Drafting of Contract

- 3.1 The award notification shall serve as a basis for the drafting of contract between the parties, which shall be signed within the term stated in the Tender Documents.
- 3.2 The existence of contract is confirmed by the signing of a contract document incorporating all agreements between the parties.

Article 4: Corrupted Practices, Conflict of Interest and Inspection of Records

- 4.1 The Contracting Authority can petition to the court to declare the nullity of contract if it ascertains that the Contractor has committed acts of corruption. Corruptive actions include actions described in Article 26 of the Law on Public Procurement.
- 4.2 The Contractor shall not be associated (present or past) with a consultant or any other entity that has participated in the preparation of tender documents for this procurement.
- 4.3 The Contractor shall permit the Contracting Authority to inspect the accounts and records related to the implementation of the contract or to have them audited by inspectors appointed by the Contracting Authority.

Article 5: Confidential Information

- 5.1 Contractor and the Contracting Authority must keep confidential all documents, data and other information provided by the other party to the contract.
- 5.2 Contractor may provide subcontractors such documents, data or other information it receives from the Contracting Authority to the extent required for the subcontractor to perform its work under the contract. In such case, the Contractor shall include in its contract with the sub-Contractor a provision that provides for confidentiality as stated in Section 5.1 above.

Article 6: Intellectual Property

- 6.1 Except as otherwise provided in the contract, all intellectual property rights provided by the Contractor in performing the contract shall belong to the contractor who may use his discretion.
- 6.2 Except otherwise provided in the contract, the Contractor, after completion of the contract, the contracting authority shall submit all reports and data such as maps, diagrams, drawings, specifications, plans, statistics, calculations and supporting records or materials acquired, or prepared by the Contractor in performing the contract. Contractor may retain copies of such documents and data, but shall not be used for purposes related to the contract without prior written approval of the Contracting Authority.
- 6.3 The Contractor shall provide the Contracting Authority from liability for infringement of intellectual property rights that may arise from the production or distribution of goods under the contract.
- 6.4 In the event of any claim or suit against the Contracting Authority in connection with any violation of intellectual property rights caused by the implementation of the contract or the use of goods supplied under the contract, the Contractor shall provide the Contracting Authority all evidence and information in the possession Contractor pertaining to such suit or claim.

Article 7: Origin of Goods

- 7.1 There is no restriction on the nationality of the origin of goods other than those which may have been set out in any United Nations General Assembly Resolution.
- 7.2 The contractor may be required to verify the origin of the goods.
- 7.3 For verification purposes, “origin” means the place where goods are extracted or produced. Goods are produced when, through the processing, processing, or sufficient assembly of components, results in a new product known in trade that is quite different in the basic characteristics or in the purpose or use of its components.
- 7.4 The origin of the goods differs from the nationality of the Contractor or the subcontractor who provides the goods.

Article 8: Purpose of Supply and Suitability of Goods with Specifications

- 8.1 The Contractor must deliver the Goods in accordance with the quality, quantity and type specified in the contract, and placed and packaged in the manner prescribed in the contract.
- 8.2 Goods are not in compliance with the contract if they are not suitable for the special use provided for in the contract. Where it is not possible to determine such a thing, it is said that the Goods are not in accordance with the contract if they are not suitable for use for which usually other items of the same type are.
- 8.3 If the sale is made on the basis of a model or sample, the seller (Contractor) must deliver items of the same quality as the model or sample.

Article 9: Compatibility of Goods with Technical Standards

- 9.1 Goods supplied under the contract must conform to the codes and technical standards provided for in the technical specifications. If, during the execution of the contract, there are changes in the relevant codes or in the Technical Standards, these changes will only apply after approval by the Contracting Authority.
- 9.2 Except where provided for by any other provision of the contract, where no relevant Technical Standard is specified in the Technical Specifications, the Goods shall conform to International Technical Standards. If there are no International Technical Standards, the Goods must conform to the relevant Albanian Technical Standards.
- 9.3 The Contractor is not responsible for any errors in the design, data, drawing or any other aspect of the technical specifications provided by the Contracting Authority, except where the error was very apparent so that the Contractor should have noticed it and should have warned the Contracting Authority about it.
- 9.4 The Seller (Contractor) is not responsible for defects in Goods for which the Contracting Authority was aware at the time of the conclusion of the contract or was unaware because of its fault, unless the defects relate to the specified goods quality under the contract or representation of the vendor's advertising (the Contractor).

Article 10: Spare Parts

- 10.1 If it is foreseen in the contract, the Contractor shall include with the Goods delivered, a quantity of spare parts, in accordance with the technical specifications and any relevant provision of the contract.
- 10.2 Except as otherwise provided, the exchange parts shall be delivered together with the Goods.
- 10.3 The Contractor shall guarantee the availability of spare parts for a period specified in his offer and equal to the useful life of the Goods.
- 10.4 In the event that discontinuance of the production of spare parts is decided, the Contractor shall notify the Contracting Authority within an enough/reasonable time to allow it to procure sufficient quantities for subsequent use.
- 10.5 Upon termination of production of spare parts, the Contractor shall deliver to the Contracting Authority, if he so requests, any production, tool, design of spare parts used in the manufacture and maintenance of the Goods.

Article 11: Packaging

- 11.1 The Contractor shall deliver the Goods placed and packed in the manner specified in the Contract.
- 11.2 Except where provided for by any other article of the contract, it may be said that the Goods have not been placed and packaged in accordance with the contract if they are not placed and packaged in the same manner as is usually done for things of the same type or, the usual way is not available, in a manner that is appropriate for the storage and protection of the Goods.

Article 12: Tests and Inspections

- 12.1 The Contractor must make all the tests and inspections required by the contract provisions. The cost of these tests and inspections must be fully funded by the Contractor within the terms of the contract price.
- 12.2 At his own expense, the Contracting Authority has the right to pursue tests and/or inspections.
- 12.3 The Contracting Authority may also require the Contractor to undertake additional tests or inspections unforeseen in the contract but deemed necessary to verify that the Goods conform to the specifications and terms of the contract. The contracting authority will be responsible for the cost of these tests. Further, if these tests prohibit the progress of the Contractor's work, the Contracting Authority will agree to change the delivery graph.
- 12.4 The Contracting Authority shall refuse any Goods that does not pass the testing and/or inspection or is not in conformity with the technical specifications and conditions required in the performance of the contract.
- 12.5 The execution of the tests or the inspection of the Goods does not relieve the Contractor of any other warranties or obligations under the contract.

Article 13: Terms of Delivery

- 13.1 The Contractor is obliged to perform all the activities and actions of submission except when the Contractor is specifically excluded from such activity or action by any provision of the contract. If an Incoterm is used to describe the obligations of the parties, the term will have the meaning given to it by the latest edition of Incoterms published by the International Chamber of Commerce.
- 13.2 The place of delivery of the Goods will be as specified in the contract.
- 13.3 The Delivery Time of the Goods and the date of completion of the Services related thereto shall be as specified in the Contract.
- 13.4 Delivery of Goods must be done during working hours unless this requirement contradicts any provision of the contract.
- 13.5 The Contractor is obliged to notify the Contracting Authority within a reasonable time period for submitting the Goods prior to their arrival.

Article 14: Transportation of Goods

- 14.1 The Contractor is obliged to provide the loading and transportation of the Goods as required, in order to meet the deadlines and terms of delivery specified in the contract.
- 14.2 If the Contracting Authority is obliged to receive the Goods by any means of transport or transport agency, the Contractor shall provide a reasonable prior notice of the transport and submit to the Contracting Authority all necessary documents for obtaining the Goods.
- 14.3 If the seller [the Contractor] is obliged to deliver the goods to the transport vehicle in a place specified in the contract, the loss risk passes to the Contracting Authority only when the goods are delivered to the transport vehicle at the specified location. The fact that the seller [the

Contractor] is authorized to keep the representative documents of the goods does not affect the passage of the risk.

Article 15: Insurance

15.1 Except as otherwise provided in the contract, the Contractor shall ensure that the Goods to be delivered under the Contract are fully insured against loss or damage during transport, storage or delivery.

Article 16: Verification and Receipt of Goods

16.1 Prior to the receipt, the Contracting Authority has the right to verify, inspect and test the Goods. These actions must be carried out immediately after delivery of the Goods. The Contractor has the right to participate in this process and to examine the relevant reports prepared by the Contracting Authority or its agents.

16.2 The Contracting Authority accepts or rejects the Goods immediately after delivery by notifying in writing to the Contractor of its decision to accept or refuse the Goods.

Article 17: Guarantees

17.1 The Contractor warrants that the Goods are new, unused and of the latest models and incorporate recent upgrades in the design and materials, unless otherwise provided in the contract.

17.2 The Seller (the Contractor) is responsible for any defect or discrepancy that exists at the time the risk passes to the Contracting Authority, even when the defect occurs after that moment.

17.3 The Seller (the Contractor) is responsible for the discrepancy that is verified after the moment shown in the preceding paragraph and arising from non-performance of any obligation, including the guarantee that the Goods must be appropriate for their ordinary and specific use for a specified period time, or that they will preserve certain qualities and characteristics.

17.4 Except as otherwise provided in the contract or the law, the Contracting Authority loses its right to object to the defects of the item if it does not denounce them to the seller (the Contractor), specifying their nature within ten days from their discovery.

17.5 The Contracting Authority shall provide the Contractor with all the necessary means to inspect these defects.

17.6 Upon receipt of this notice, the Contractor shall promptly repair or replace defective Goods or parts thereof free of charge to the Contracting Authority.

17.7 If, upon receipt of the notice, the Contractor fails to correct the defect within a reasonable period, the Contracting Authority may take action for the necessary adjustment, at the Contractor's expense.

17.8 In any case, the Contracting Authority shall lose the right to object to the defects of the item if it fails to exercise its right within two years from the date when the items have been delivered to it, unless that period is inconsistent with the duration of contract guaranty.

- 17.9 Seller (Contractor) cannot use the rules provided here if the defects relate to facts known to him or which could not have been unknown to him and which have not been disclosed to the Contracting Authority.

Article 18: Contract Price

- 18.1 The contract price is the price given in the Contractor's bid and accepted by the Contracting Authority.
- 18.2 Except as otherwise provided in the contract, the contract price includes the costs and charges, including customs duties and charges related to the delivery of the Goods, transport, security, installation, testing, loading, download, instructions, manuals and documents in the language specified and necessary for the use, repair, maintenance and repair of the Goods. The value of taxes and fees should be determined according to the relevant legislation, in force 28 days before the opening of the bids.

Article 19: Payment Deadlines

- 19.1 The contract price, including any advance payment, must be paid in time as specified in the contract.
- 19.2 Unless otherwise provided by another provision of the contract, payment must be made in Albanian currency. The exchange rate of different currencies shall be the rate of the Bank of Albania fixed on the day of dispatch for publication of the contract notice.
- 19.3 Unless otherwise provided by another provision of the contract, the Contractor's request for payment shall be made in writing to the Contracting Authority. For each request, the Contractor shall submit an original and one copy together with a list of items describing the goods delivered and services rendered.
- 19.4 Unless otherwise provided by another provision of the contract, payment for goods shall be made within 30 calendar days from the day the goods are received or the date of receipt of the request for payment whichever is later.
- 19.5 Payment date shall be the day that the funds are debited from the account of the Contracting Authority.

Article 20: Payment Delay

- 20.1 In case of verification of delays in making payments by the Contracting Authority, although the Contractor has fulfilled all its obligations in accordance with the terms of the contract, the arrears and the relevant interest charges shall be made in accordance with the provisions of Law no. 48/2014 "On late payments in contractual and commercial liabilities".

Article 21: Amendment of Laws and Regulations

- 21.1 If after the date of signing the contract, any law, regulation, ordinance, order or procedure having the effect of law in Albania is enacted, promulgated or amended that affects the conditions, including the date of delivery, or contract price, terms or contract price shall be adjusted to the extent that the Supplier is affected in the performance of his obligations under the contract.

Article 22: Force Majeure

- 22.1 Contractor is not liable for loss of contract insurance, liquidated damages or termination of contract on grounds of default if and to the extent that its delay in performance or other failure to implement its obligations under the contract is the result of an event of Force Majeure.
- 22.2 For the purposes of this article “Force Majeure” means an event beyond the control of the Contractor on the fault or negligence and unpredictable. Such events may include, but are not limited to the actions of the Contracting Authority either in its sovereign capacity or, war or revolutions, fires, floods, earthquakes, epidemics, quarantine restrictions and embargoes.
- 22.3 If any occurrence of Force Majeure, the Contractor shall promptly notify the Contracting Authority. Unless the Contracting Authority gives different directives, the Contractor shall continue to perform its obligations under the contract as far as reasonably practical and shall seek all reasonable alternative means for performance not prevented by the Force Majeure.

Article 23: Delay in Performance and Extensions of Term

- 23.1 Except as otherwise provided, the Contractor shall commence performance of the contract immediately after signing it.
- 23.2 Unless the Contracting Authority agrees to contract extension, the Contracting Authority is entitled to liquidate damages for delay in performance if the Contractor fails to perform any of the Goods within the period specified in the contract implementation.
- 23.3 Contracting Authority may deduct the amount of liquidated damages to be paid by the amount of the payment to the Contractor. In such case the Contractor shall notify in writing the Contractor of the amount and reason for the deduction.
- 23.4 Contracting Authority shall agree to an extension of term in case of Force Majeure.
- 23.5 The Contracting Authority may agree to an extension of term in other circumstances if it is in the public interest to do so. If the Contractor encounters conditions that impede the term, the Contractor shall promptly notify the Contracting Authority in writing of the delay, the cause and the proposed date of delivery or completion. The Contracting Authority shall evaluate the request. If the Contracting Authority agrees to the delay, the extension shall come into force with a written amendment to the contract signed by the Contracting Authority and the Contractor.

Article 24: Liquidation of Damages for Late Delivery

- 24.1 Liquidated damages for late delivery will be calculated with the following daily fees:
- a) For contracts with implementation period of no more than 6 months, the daily rate shall be 4/1000 of the corresponding value not been implemented yet by the total contract price, but this value shall be calculated more than 25% of the contract price.
 - b) For contracts with implementation period of no more than 12 months, the daily rate shall be

2/1000 of the corresponding value not been implemented yet by the total contract price, but this value shall be calculated more than 25% of the contract price.

- c) For contracts with a period of performance of more than 12 months, the daily rate shall be 1/1000 of the corresponding value not been implemented by the total contract price, but this value shall be calculated more than 25% of the contract price.

Article 25: Negotiation and Amendments

- 25.1 The parties shall not negotiate changes or amendments to any element of the contract that shall change the conditions that underlie the selection of the Contractor.
- 25.2 No amendment or other variation of the contract shall be valid unless it is in writing, it is dated, it is expressly referring to the contract and it is signed by an authorized representative of the Contractor and the Contracting Authority.
- 25.3 Any withdraw from the rights, powers or remedies that may be made under the contract must be in writing, dated and signed by an authorized representative of the party granting such waiver, and must specify the right and the extent which it is issued.

Article 26: Order Modification

- 26.1 The Contracting Authority reserves the right to order additional goods or services up to a size that does not exceed 20% of the total contract price. Any extra request must be made in a manner consistent with the rules and procedures stipulated in the Law on Public Procurement.

Article 27: Termination for Default

- 27.1 The Contracting Authority may terminate the contract in whole or in part, if:
 - a) Contractor fails to delivery of the Goods within the period specified in the contract or within any extension granted; or,
 - b) Contractor fails to perform any other obligation of the contract.
- 27.2 The Contracting Authority shall give written notice of termination for default and grant the Contractor 15 days to cure the default unless the termination is for corrupt or illegal actions, in which case the termination shall be immediate.

Article 28: Termination for Insolvency

- 28.1 The Contracting Authority may terminate the contract at any time if the Contractor becomes bankrupt or insolvent.
- 28.2 The Contracting Authority shall give written notice of termination.

Article 29: Termination for reasons of Public Interest

- 29.1 The Contracting Authority may terminate the contract at any time if it determines that this action must be taken to best serve the public interest.
- 29.2 The Contracting Authority shall provide the Contractor written notice of termination.

- 29.3 The Contracting Authority shall pay the Contractor for all goods accepted and services related to them and performed before the termination and shall pay the Contractor for damages incurred for partially completed Goods and performed Services in connection with them. In calculating the amount of damages, the Contractor shall be required to take all necessary actions to minimize the damage.

Article 30: Subcontracting

- 30.1 A subcontract shall be valid only if it is in the form of a written agreement by which the contractor entrusts performance of a part of his contractual obligations to a third party.
- 30.2 The Contractor shall not subcontract without prior written approval of the Contracting Authority and not more than 40% of the contract value. The Contractor shall notify the Contracting Authority of the contract to be sub-elements and documentation that proves the ability of subcontractor. Contracting Authority shall notify the Contractor of its decision within 5 days of receiving the notification, stating the reasons whether it approves it or not.
- 30.3 Each subcontractor has the right to participate in public procurement under the Law on Public Procurement. Authority may direct payment to the subcontractor to supply goods to be.
- 30.4 The contractor remains fully responsible for the implementation of the contract irrespective of the subcontractor's behavior.

Article 31: Transfer of Rights

- 31.1 The Contractor shall not transfer, in whole or in part, its obligations under the contract except with the prior consent of the Contracting Authority.

Article 32: Contract Insurance

- 32.1 Before signing the contract, the contractor shall provide to the Contracting Authority contract insurance in the amount and form required.
- 32.2 The amount of contract insurance shall be payable to the Contracting Authority as compensation for any loss resulting from the Contractor's failure to fulfil its obligations under the contract.
- 32.3 The contract insurance guarantee shall be returned to the Contractor not later than 30 days after the date of receipt of the Goods. However, five (5) percent of the deposit will be held until satisfactory fulfillment of the contract obligations.

Article 33: Legal Basis

- 33.1 The contract shall be regulated and interpreted according to the Albanians in the applicable legislation.

Article 34: Resolution of Disputes

- 34.1 The Contracting Authority and the Contractor shall make every effort to resolve any disagreement

or dispute arising between them under or in connection with this agreement by direct negotiation.

- 34.2 If the parties fail to resolve the dispute or conflict, problems shall be considered through contract dispute resolution and legal procedures in force under the legislation of the Republic of Albania.

Article 35: Representation of Parties

- 35.1 Each party shall appoint in writing a person or organizational position that shall be responsible, on behalf of the party, for making statements and party representation in matters related to the execution of the contract.
- 35.2 Each party shall notify the other of any change in the appointment of representatives of the party. If a party fails to give notice must assume any losses caused by the failure to give adequate notice.
- 35.3 Parties may appoint additional persons or organizational units to represent the party in the specific actions or activities, in which case the written notice must be given and must determine the extent of the representative's authority.

Article 36: Notifications

- 36.1 Any notice given by one party to the other under this contract shall be made in writing to the address specified in the contract.
- 36.2 A notice shall be effective as soon as delivered.

Article 37: Calculation of deadlines

- 37.1 All references to days shall be calendar days.

Annex 17

[Annex to be filled in by the Contracting Authority]

**SPECIFIC CONDITIONS
Goods – Open Procedure**

Particular contract conditions are drafted in accordance with the specific contract object. If there is a discrepancy between the GTC and the STC shall prevail Special terms of Contract.

Article 1: Definitions

1.1 Contracting Authority is _____

1.2 Contractor is _____

Article 2: Contract Insurance

2.1 Contract Insurance in the amount of *(10% of the offer's values)* shall be provided by the Contractor to insure the execution of its obligations under the contract.

2.2 Insurance shall be issued or returned immediately to the Contractor according the following form: _____

Article 3: Start of Implementation

3.1 Implementation of the contract shall commence on _____. If the date is not set, the application shall begin on the date the Contractor signs the contract form.

Article 4: Inspections and Tests

4.1 Inspections and tests prior to the receipt of the Goods shall be made: _____

Article 5: Terms of Delivery

5.1 The date (s) and place (s) of the Delivery of the Goods shall be made according to the Schedule of Contract provided for in this Contract.

5.2 The Contractor must notify the Contracting Authority _____ days before each delivery of the Goods.

5.3 Delivery notification must be made in writing, fax, mail, e-mail, etc., at: _____

5.4 If the Contracting Authority receives Goods from a third party, the submission notice shall include

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the list of documents required for the receipt of the Goods and indicate where and when the documents will be provided to the Contracting Authority.

- 5.5 If the Contracting Authority receives the Goods from a third party, the Contractor shall submit all the necessary documents for obtaining the Goods to: _____

Article 6: Terms of Payment

- 6.1 Payment of Goods shall be made within _____ days from the date of receipt of the Goods or from the date of receipt of the written request of payment, no matter how late it may be. If not specified, the time period will be 30 days.
- 6.2 The payment currency will be _____. If left unspecified, payment will be made with Albanian currency.

Article 7. Advance Payment

- 7.1 The percentage of the advance payment shall be _____. If not specified, the Contractor shall receive advance payments.
- 7.2 If it a payment is due, the advance shall be paid within _____ days from receipt of contract insurance.
- 7.3 If the advance payment is given, the amount shall be removed from the payment to be given to the Contractor under the following formula: _____

Article 8. Services related to them

- 8.1 The following special conditions shall apply to the payment of related services _____

Article 9. Contract guarantee deduction

- 9.1 If a periodic reduction of the contract guarantee is foreseen, it is performed as follows _____

If not completed, the guarantee remains unchanged.

Annex 18

[Annex to be filled in by the Contracting Authority]

PUBLICATION FORM OF THE NOTIFICATION OF SIGNED CONTRACT

Section 1 Contracting Authority

1.1 Name and address of the contracting authority

Name _____
Address _____
Tel/Fax _____
E-mail _____
Webpage _____

1.2 Type of contracting authority:

Central Institution

Independent Institution

Local Government Unit

Other

Section 2. Object of Contract

2.1 Number of reference of procedure/lot _____

2.2 Type of “Public Contracts for Goods”

Purchase Rent Leasing Hire purchase A combination thereof

2.3 Contract based in the Framework Agreement

Yes

No

If yes, type of Framework Agreement

With 1 Economic Operator

With several Economic Operators

All terms are defined Yes No

2.4 Short description of the contract

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- 1 Limit Fund _____
2. Source of Funding _____
3. Object of the contract / framework agreement _____

2.5 Duration of the contract or time limit for execution:

Duration in **months or days**

Or

Starting from // to //

2.6 Division into LOTS:

Yes

No

If Yes, number of LOTS:

2.7 Options:

Number of possible renewals (if any):

or: from to

2.8 Subcontracting:

Yes

No

Section 3. Procedure

3.1 Type of procedure: Open

3.2 Criteria for the selection of winners:

A) **Lowest price**

or

B) **Most economically advantageous bid**

In terms of significance: Price **points**

Etc. **points**

3.3 Number of bids submitted:

Number of regular bids:

3.4. For procurement in the Information and Communication Technology (ICT), the standards drafted by National Agency on Information Society have been used:

Yes

No

3.5. For procurement in the Information and Communication Technology (ICT), in the event the standards are not applicable, previous consent from National Agency on Information Society has been taken:

Yes

No

Section 4 Contract Information

4.1 **Number of Contract:** _____ **Date of Contract //**

4.2 **Name and address of the contractor**

Name _____
Address _____
Tel/Fax _____
E-mail _____
Webpage _____

4.2.1 **Name and address of the subcontractor (s)**

Name _____
Address _____
Tel/Fax _____
E-mail _____
Webpage _____

4.3 **Total final amount of contract** *(including lots, options and subcontracting):*

Amount	_____	<i>(without VAT)</i>	Currency	_____
Amount	_____	<i>(with VAT)</i>	Currency	_____

4.3.1 **Total amount of subcontracting:** _____

Amount	_____	<i>(without VAT)</i>	Currency	_____
Amount	_____	<i>(with VAT)</i>	Currency	_____

4.4 **Additional Information**

Date of dispatch of this notice //

Annex 18/1

[Annex to be filled in by the Contracting Authority for publication in the Public Notice Bulletin]

1. Name and address of contracting authority

Name _____
Address _____
Tel/Fax _____
E-mail _____

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Webpage _____

2. Type of procedure: _____

3. Object of the contract / framework agreement _____

4. Number of reference of procedure/lot _____

5. Fund limit _____

6. Total final value of contract *(including lots, options and subcontracting)*:

Amount _____ *(with VAT)* Currency _____

Amount of subcontracting _____ *(with VAT)* Currency _____

7. Date of contract signature _____

7. Name and address of contractor/subcontractor

Name _____

Address _____

VAT Identification Number _____

Annex 19

[Letter with Bank/Insurance Company logo]

[Annex to be presented by the Economic Operator]

CONTRACT INSURANCE FORM

[Date]

To: *[name and address of the contracting authority]*

On behalf of: *[name and address of the insured bidder]*

* * *

Procurement procedure: *[type of procedure]*

Short description of the contract: *[object]*

Publication *(if applicable)*: Public Notice Bulletin *[Date]* *[Number]*

* * *

In reference to the above mentioned procedure, and provided that *[name of the winning bidder]* has been awarded the contract,

We certify that *[name of the winning bidder]* has made a deposit to the *[name and address of the bank/insurance company]* in the amount of *[currency and amount expressed in words and figures]* as a condition for the execution of contract to be signed with *[name of contracting authority]*

We undertake to transfer to the account of *[name of contracting authority]* the insured amount, within 15 (fifteen) days from your simple written first, without asking explanations, provided that the request mentions the non-fulfilment of conditions the contract.

This insurance is valid until the full execution of the contract.

[Representative of the bank/insurance company]

Annex 20

COMPLAINT FORM TO THE CONTRACTING AUTHORITY

Complaint to: Contracting Authority

Section I. Identification of Complainer

The complainer may be a bidder or potential bidder (e.g. individual, partnership, association, joint venture).

Complainer full name (please type)

Address

City

State

Postal/Zip Code

Telephone number (including area code)

Fax number (including area code)

E-mail

Name and title of the official authorized to issue the complaint (please type)

Signature of the authorized official

Date (year/month/day)

Section II. Information on Procedure

1. ID number

*Fill in the number of contract in the contract notice or in the tender documents, including **the type of procedure used** for the procurement in question (e.g., Request for Proposals (RP) Open Procedure (OP) Restricted procedure (RP), Proceedings Negotiated (PN), Consulting Services (CS), Design competition (DC).*

2. Contracting Authority

The name of the contracting authority administering the procurement process.

3. Estimated Value of the Procurement

Calculation of contract value (amount expressed in numbers and in words)

4. Object of Contract

Brief Description of works/goods/services purchased.

5. Deadline for submission of Bid

The deadline for submission of bids.

Date (year/month/day)

6. Date of Contract Award

Date (year/month/day) if applicable

Section III. Description of complaint

1. Complaint Legal Basis

(write here the law infringement, based on decisions, actions, documents, etc.)

2. Detailed Statement of Facts and Arguments

Give a detailed statement of facts and arguments that support your complaint. For any reasons, specify the date on which you became aware of the facts related to the reasons for appeal. Indicate the relevant sections of the tender documents, if applicable. Use additional pages if necessary.

3. List of Annexes

*For a complaint to be considered filed, it must be complete. Attach a readable copy of all documents relating to your complaint and a list of all these documents. Documents should normally include **any notice published, all tender documents with all amendments, annexes, and your proposal**. Determine which information is confidential, if any. Explain why the information is either a version of the relevant documents with confidential parts removed and a summary of the content.*

Send the completed form procurement complaint, all necessary attachments and additional copies, to **the Contracting Authority**

Note: For complaints to the Public Procurement Commission You shall refer to the complaint form issued by the institution.

No. Fax:

E-mail:

Signature and seal of the applicant

Annex 21

**DRAFT FRAMEWORK AGREEMENT
(DEFINING ALL TERMS)
FOR WORK/GOODS/SERVICES)**

[Use of this draft agreement is binding on all contracting authorities using the framework agreement)

No __

DATE:

This contract is concluded on *[date]* between *[name and address of the Contracting Authority]*, hereinafter referred to as the “Contracting Authority” and *[name and address of Contractor]* represented by *[representative]*, hereinafter referred to as “Contractor”.

Contractor, through his bid, on *[date]* agrees to supply goods, as specified in the terms set out in:

- This contract
- Bid Declaration Form submitted by the Bidder

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- Technical Specifications
- Bid Price Form

All these documents attached are an integral part of this Contract.

Article 1 Object

- 1.1 The scope of the framework agreement is to define terms, including prices per unit and rules for the delivery of goods/services/works below.

[General description]

- 1.2 The framework agreement shall be implemented with dispatch of invitations to tender to economic operators participating to the agreement. E.g. whenever the Contracting Authority involved in this agreement, shall purchase items under this contract, must send “invitation to tender” to the contractor, specifying the list of items to supply their respective quantities.
- 1.3 Amounts foreseen are only a quantity orientation and do NOT condition the Contracting Authority to acquire them. The Contracting Authority has the right to buy less or more quantity than those indicated.
- 1.4 The Contractor shall not be entitled to compensation and shall not be allowed to make changes to the unit price, for instance in case the contracting authority decides to purchase fewer or more quantities than those specified and/or in case the contracting authority decides not to purchase any of these quantities for some items.
- 1.5 Duration of the framework agreement:
- _____

Article 2 Price

- 2.1 Prices per unit of work/goods/services are shown in the Bid Price Form.
- 2.2 Unit prices shall be fixed and not subject to change for orders placed on this framework agreement.

Signatures and Dates

For the Contractor		For the Contracting Authority	
Name:		Name:	
Position:		Position:	
Signature:		Signature:	
Date:		Date:	
Seal:		Seal:	

Annex 22

DRAFT FRAMEWORK AGREEMENT

(NOT ALL TERMS DEFINED)
FOR WORK/GOODS/SERVICES

Name of Contracting Authority,

And

Name of Contractor

Agree as follows:

Sign this framework agreement for supply of: <put title> with identification number: < *put Procurement number* >

Article 1 Object

1.1 The scope of this framework agreement is to set the rules for contracts which shall be connected through mini –bidding process only between economic operators who are party to this framework

agreement.

1.2 This framework agreement is not a contract in itself, but sets conditions for contracts which will be signed based on it.

1.3 Contractor is only one of the parties of the framework agreement.

Article 2 Obligations of Parties

2.1 The Contracting Authority, as a party of this agreement, shall send a “Bid Invitation” whenever there is a need for work/goods/services.

2.2 The Contractor is obliged to submit an offer whenever required by the Contracting Authority.

Article 3 Contracts implementing the framework agreement

3.1 Contracts shall be signed only after the mini –bidding process.

Article 4 Mini –bidding process

4.1 The mini competition process shall be conducted with all economic operators, party to the framework agreement, whenever there will be the need for work/goods/services for the Contracting Authorities.

4.2 Contracting Authority shall re-open competition under the same conditions or other conditions set in the invitation to bid, as defined in the tender documents.

4.3 Whenever there is a need for work/good/service, the Contracting Authority must prepare a bid invitation and send it to all economic operators who are part of the framework agreement. Bid evaluation shall be done according to the criteria specified in the Bid Invitation.

Article 5 Duration of the framework agreement

Signatures and dates

For the Contractor		For the Contracting Authority	
Name:		Name:	
Position:		Position:	
Signature:		Signature:	
Date:		Date:	
Seal:		Seal:	

Annex 23

[Annex to be filled in by the Contracting Authority]

CANCELLATION NOTIFICATION FORM

1. Name and address of the contracting authority

Name _____
Address _____
Tel/Fax _____
E-mail _____
Webpage _____

- 1. Type of procedure:** _____
- 2. Reference Number:** _____
- 3. Contract Object** _____
- 4. Limit Fund** _____
- 5. Cancellation reasons:**

Based on Law no. 9643, dated 20.11.2006 "On Public Procurement" as amended, Article 24, point 1:

- a) ;
- b) ;
- c) ;
- d) ;
- e) ;
- f) ;

Etc. _____

6. Additional Information

Date of dispatch of this notice _____

