



REPUBLIC OF ALBANIA
MINISTRY OF DEFENSE
PROCUREMENT UNIT

No. _____ prot.

Tirana, on _____._____.2022

Contract notice to be completed by the Contracting Authority, which will be published in the Public Notices Bulletin and on the official website of the contracting authority

1. Name and address of the contracting authority:

Name	Ministry of Defense
Address	Rruga e Dibrës, (ish Shkolla e Bashkuar), Tiranë
Phone/Fax	(04) 2226601/ (04) 2226602
PO Box	2423
E-mail	sekprokurime@mod.gov.al
Internet address	www.mod.gov.al

2. Type of procurement procedure: "Restricted procedure", classified at the "Secret" level - (procurement in the field of defense and security).

3. Object of the contract: "Modernization of systems in the interest of increasing intelligence products".

4. Procedure reference number: Procurement order no. 48, dated 16.06.2022.

5. Limit fund: 88,818,754 (eighty-eight million eight hundred and eighteen thousand seven hundred and fifty-four) ALL without VAT .

6. Duration of the contract or deadline for execution: Starting from the date of conclusion of the contract and ending within 9 (nine) months.

7. Criteria for announcing the winner: The lowest price of the qualified offer.

8. Deadline for submitting requests for participation:

Date 24/10/2022 (within official hours, from 8:00 a.m. to 4:30 p.m.) .

Place of delivery: Ministry of Defense, Directorate of Procurement and Auctions , Floor III, office no. 205/206.

This procurement procedure will be developed based on:

- Law no. 36/2020 "On procurement in the field of defense and security";
- DCM no. 1170, dated 24.12.2020 "On the approval of procurement rules in the field of defense and security";
- DCM no. 542, dated 29.9.2021 "On the rules, procedures and requirements for the protection of classified information during procurement in the field of defense and security". and includes two main stages.

Phase 1 - Prequalification and selection of candidates:

The first phase (pre-qualification) concerns the selection of candidates, before the CA sends the invitation to bid. Pre-qualification of bidders is a different process from the bid evaluation procedure, which focuses on the price and criteria set out in the tender documents.

The pre-qualification process will focus on assessing the experience and ability of candidates to satisfactorily perform the specific contract. The main purpose of pre-qualification is to select those contractors/suppliers whose qualifications and experience minimize the risk of non-performance under the proposed project/contract.

The criteria for the selection of candidates in the First Phase are respectively as follows:

- 1.** Economic operators must be equipped with the Industrial Security Certificate (ISC), issued by NSA, which must be:
 - Not lower than the classification level "Secret";
 - Valid at the time of procurement and conclusion of the classified contract;
 - In accordance with the specific object of the classified procurement.

About this, the bidders must present the Industrial Security Certificate, released from NSA, in the bidders name.

- 2.** In function of the drafting of the offer and in the conditions when this process requires access to classified information administered by the Contracting Authority, economic operators must prove that they have personnel that meet the conditions defined for the recognition, storage, administration and transfer of classified information.

For this, bidders must submit:

- Documents/certificates issued by NSA or ISC issued in the name of the tenderer, where the staff equipped with Personnel Security Certificate is identified as follows:
 - The company administrator
 - Electronic Engineer 1 (one)
 - Electronic engineering technician/specialist and/or information and communication technology 1 (one)

Employees, as above, will have access to classified information related to the technical specifications of the items subject to procurement. Also, the contractor will install, integrate, configure the equipment and train the personnel in order to use them efficiently.

In the event that during the implementation of the contract, the winning EO will need to engage other employees, it has the obligation that access to classified information is made in accordance with the rules defined in DCM no. 542, dated 29.09.2021 "On the rules, procedures and requirements for the protection of classified information during procurement in the field of defense and security".

- 3.** Economic operators must present the declaration for submitting an independent offer, according to Appendix 4; the statement on the fulfillment of the general criteria, according to Appendix 10; the declaration on the conflict of interest, according to appendix 9 and the declaration on guaranteeing

the applicability of legal provisions in labor relations, according to appendix 11, of the tender documents published by PPA, in the section Legislation/Procurement in the field of defense and security, column STD "Restricted_Procedure_of_Goods".

4. Economic operators must self-declare that they have paid all the matured electricity obligations of the energy contracts that the economic operator registered in Albania has. This self-declaration is required for economic operators operating in the territory of the Republic of Albania.
5. Economic operators must submit copies of annual turnover statements issued by the tax administration for the last 3 (three) financial years (2019 - 2020 - 2021). The average turnover of the last three years should not be lower than 40% of the value of the limit fund object of procurement.
6. Participating economic operators must present copies of the balance sheets of the financial years 2020 and 2021, submitted to the tax authorities and certified/confirmed by these authorities.
7. Participating economic operators must prove that they have successful experience in contracts for previous, similar completions, in a value not lower than 40% of the limit fund object of procurement, realized during the last 3 (three) years.

As proof of previous experience, economic operators must submit:

- *In the case of previous experience with the public sector, the economic operator as proof of previous experience must present certificates issued by a public entity or/and sales tax invoices, where the dates, amounts and quantities of goods supplied are noted.*
 - *In the case of previous experience with the private sector, only sales tax invoices are accepted as evidence, where the dates, amounts and quantities of goods supplied are noted.*
8. Economic operators must prove that they develop their activity in the field subject to procurement in accordance with quality management and information security standards. For this, he must present the following certificates: *(applicable for the second phase)*
 - a) ISO 9001:2015 certificate on "Quality management systems" issued by accredited organizations for this purpose;
 - b) ISO 27001:2013 certificate on " *Information security management* " issued by accredited bodies for this purpose.

Certificates as above must be presented as originals or notarized copies, issued by a body accredited by the national accreditation body or international accreditation bodies, recognized by the Republic of Albania.

The certificates must be valid at the time of the tender.

In case of merging economic operators, each operator must have the above certificates.

Economic operators to qualify for the first stage of the procedure, must submit the documentation in accordance with the requirements defined above, in a closed, non-transparent envelope, signed and sealed by them. The Contracting Authority will examine the documents submitted by the economic operators and will assess whether this documentation meets the requirements defined in the contract notice.

The participation request form must be completed according to the format of the tender documents published by PPA in the section Legislation/Procurements in the field of defense and security, STD column "Restricted Procedure of Goods".

Phase 2 - Invitation to Bid and evaluation: The Contracting Authority will send an invitation to bid to Candidates who have met the pre-qualification requirements, inviting them to familiarize themselves with the tender documents and subsequently prepare and submit bids according to the provisions in TD and specifications defined in the invitation to bid. Bids will be reviewed and evaluated by the Contracting Authority to determine the winning bid.

Procurement Unit