**R E P U B L I C OF A L B A N I A**

**MINISTRY OF DEFENCE**

**HEAD OF THE CONTRACTING AUTHORITY**

No.\_\_\_\_\_\_\_ prot. Tirana, on \_\_\_\_.\_\_\_\_.2023

 **CONTRACT NOTICE TO BE PUBLISHED IN THE PUBLIC NOTICES BULLETIN AND ON THE OFFICIAL WEBSITE OF THE CONTRACTING AUTHORITY**

***Section 1* Contracting Authority**

**1.1 Name and address of the contracting authority**

Name Ministry of Defence

Address Rr. of Dibra, ish United School, Tirana , PO Box 2423

Phone/Fax 042 226 601/2/3 1320, 1095

E-mail sekprokurime@mod.gov.al

Website <http://www.mod.gov.al>

**1.2 Type of contracting authority**

|  |  |
| --- | --- |
| **Central institution** | Independent institution |
| **X** |  |
| Local Government Unit | Other |
|  |  |

**1.3 Contract within the framework of a special Agreement between Albania and another country**

|  |  |  |  |
| --- | --- | --- | --- |
| Yes |  | **No** | **X** |

***Section 2* Object of the contract**

**2.1 Reference number of the procedure/lot :** Procurement Order no. 313, dated 03.03.2023, of the head of the contracting authority - Ministry of Defence.

**2.2 Type of "Work Contracts"**

|  |  |
| --- | --- |
| **Realization of works** | Design and implementation of works |
| **X** |  |

**2.3 Contract based on the Framework Agreement**

|  |  |  |  |
| --- | --- | --- | --- |
| Yes |  | **No** | **X** |

**2.4 Type of Framework Agreement**

With 1 economic operator

With some economic operators

All conditions are defined Yes No

In the Framework Agreement with 1 economic operator, when all conditions are defined, give the reasons for selecting this type of Framework Agreement

|  |
| --- |
|  |
|  |  |  |

**2.5 The number of economic operators with whom the Framework Agreement will be concluded: \_\_\_\_\_\_\_\_\_\_\_** (*Here must be determined the maximum number of economic operators with whom the Framework Agreement will be concluded*).

|  |  |  |
| --- | --- | --- |
| **2.6** | The conditions that will apply in case of reopening the competition and/or the possible use of electronic purchase. |  |

**2.7 Contracting authority/Contracting authorities which will conclude the framework agreement: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**2.8 Brief description of the contract**

1. Limit fund: 59,203,105 (fifty nine million two hundred three thousand one hundred and five) ALL without VAT.
2. In case the object of procurement consists of several items,the sum of unit prices is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
3. Funding Source: The expenses for this procedure will be covered by the funds made available by the state budget for year 2023, for the beneficial structure of the contract, in "Capital expenses", project code 18AZ312.
4. Object of the contract: "Improvement of external road infrastructure, Farkë e Vogël, Tirana ".

**2.9 Duration of the contract or time limit for the execution:**

Duration **in month 5 (five).**

or

starting by **/ /** with termination in **/ /**

**2.9.1 Duration of the Agreement frame**

|  |
| --- |
| Duration in month : *or* day : ( from signing the Framework Agreement *( no more than (5) years* ) |
| *or*starting from / / (dd/mm/yyyy)Completed on / / (dd/mm/yyyy) |

**2.10 Location of the object of the contract:** In the external premises of the garrisonFarka, Tirana.

**2.11 Division into LOTS:**

|  |  |  |  |
| --- | --- | --- | --- |
| Yes |  | **No** | **X** |

*If yes,*

**2.12 Brief description of lots**

(The object and the limited fund of the lots)

1 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

etc.

A Bidder may apply for [one lot], [several lots], [all lots]. A special offer is presented for each lot.

**2.13 Options:**

Number of possible renewals *(if any)*:

**2.14 Reduction of the number of eligible candidates *(if applicable):***

**2.14.1. A reduction in the number of eligible candidates to be invited will apply:**

|  |  |  |  |
| --- | --- | --- | --- |
| Yes |  | **No** | **X** |

**2.14.2 If the criterion for reducing the number of candidates will be applied:**

i. Specify the number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ii. Specify the criteria and rules that will be applied to reduce the number of candidates: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**2.15 The variants will be accepted:**

|  |  |  |  |
| --- | --- | --- | --- |
| Yes |  | **No** | **X** |

**2.15** .1 **Subcontracting will be accepted :**

|  |  |  |  |
| --- | --- | --- | --- |
| Yes |  | **No** | **X** |

If subcontracting will be allowed , specify the percentage allowed for subcontracting : \_\_\_\_

The contracting authority will make direct payments to the subcontractor :

|  |  |  |  |
| --- | --- | --- | --- |
| Yes |  | No |  |

**Other notes**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**2.16. During the procurement process in the field of Information and Communication Technology (ICT), the standards prepared by the National Agency of the Information Society were used : - not applicable.**

**2.17. During the procurement process in the field of Information and Communication Technology (ICT), in the case where the standards are not applicable, prior approval has been obtained from the National Agency of the Information Society:**

**- not applicable**

***Section 3*  Legal, economic, financial and technical information**

**3.1 Acceptance Criteria according to** **Appendix 15.**

Note: Referring to the provisions of the LPFDS and Article 28 of the Procurement Rules in the field of defence and security, approved by DCM no. 1170, dated 24.12.2020, after the closure of the pre-qualification phase and at the end of the appeal deadlines, the contracting authority will invite the selected/qualified candidates to familiarize themselves with the concrete tender documents, which also include the full acceptance criteria, according to the Appendix 15.

**3.2 Bid security** (applicable in the case of procurement procedures with a value higher than the upper monetary limit, **in the second phase**).

contracting authority/entity accepts the payment of value of the insurance of the offer by the bidder also in the form:

i. bank guarantee X

or

ii . from insurance companies licensed by the competent authorities X

***Section* 4 Procedure**

**4.1 Type of procedure:** Limited procedure

Re-announced procurement procedure

|  |  |  |  |
| --- | --- | --- | --- |
| Yes |  | **No** | **X** |

If it is a re-announced procedure, fill in the identification data of the cancelled procedure:

a) Reference number (*no. date of the procurement order* ) of the cancelled procurement procedure \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

b) Procurement object of the cancelled procurement procedure \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

c) Fund limit of the cancelled procurement procedure \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

This procurement procedure will be held based on:

* Law no. 36/2020 "On procurement in the field of defence and security";
* DCM no. 1170, dated 24.12.2020 "On the approval of procurement rules in the field of defence and security";

and includes two main phases:

**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, according to the proposed project/contract.

* 1. The criteria for the selection of candidates in the First Phase are respectively as follows:
1. Interested candidates must submit the statement on the fulfilment of the general criteria, according to Appendix 13, of the tender documents published by PPA, in the section Legislation/Procurement in the field of defence and security, STD column "Restricted\_Work\_Procedure", in accordance with the provisions of Article 38, of LPFDS, ([https://www.app.gov.al/legjislationi/procurimet-ne-fushen-e-mbrotjes-dhe-te sigiurise / dst /](https://www.app.gov.al/legjislacioni/prokurimet-ne-fushen-e-mbrojtjes-dhe-te%20sigurise/dst/) ).
2. Interested candidatesmust 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.
3. Interested candidatesmust have the necessary licenses for the implementation of the contract, based on the format approved by decision of the Council of Ministers no. 42, dated 16.01.2008 "On the approval of the regulation on the criteria and procedures for granting professional licenses for the implementation, classification and discipline of legal entities that exercise construction activities" as amended.

The professional license of Economic Operators related to the execution of works subject to the contract must contain the following categories:

**For general construction works:**

* NP 1 A Excavation works in the ground
* NP 4 C Highways, bridges, overpasses, railways, tram lines , subways, cable railways and airport runways
* NP 7 A Water pipelines, gas pipelines, oil pipelines, drainage and irrigation works
* NP 11 A Constructions for substations, transformer cabins, T/N and medium voltage lines and electricity distribution.

**For special construction works:**

* NS 6 A Non-illuminated road signs
* NS 8 A Prefabricated buildings with reinforced concrete, metal and wood structures

*For foreign operators, the professional license they have from their country of origin should be counted at the relevant institution, in addition to the professional licenses required for the execution of the contract.*

1. Participating economic operators must be equipped with a license issued by NLC, "Code III.2.B" (For collection, storage and transport of inert and solid waste), together with the act of approval, in accordance with the provisions of the decision of the Council of Ministers no. 538, dated 26.5.2009 "On licenses and permits that are handled by or through the National Licensing Center (NLC) and some other common bylaws", amended.
2. Interested candidatesmust submit copies of annual turnover statements issued by the tax administration for the last 3 (three) financial years (2020 - 2021 - 2022). The average turnover of the last three years should not be lower than 50% of the value of the limit fund object of procurement.
3. Interested candidatesmust present copies of the balance sheets of the financial years 2020 and 2021, presented to the tax authorities and certified/confirmed by these authorities and accompanied by the Expertise Act of the Authorized Accounting Expert, in the case where they are in the conditions of the law no. 10091 dated 5.3.2009 "On the legal audit, the organization of the profession of the registered accounting expert and the approved accountant", amended.
4. Interested candidatesmust have successful experience in previous contracts and for this they must present:
	1. documentation for similar items for a single object in a value not lower than 50% of the estimated value of the contract that is being procured and that has been realized during the last three years;
	2. documentation for similar works up to a limit, where the total monetary value of the works performed, taken together during the last three years, is not lower than twice the limit value of the contract being procured .

The evaluation of the successful experience of Economic Operators will be carried out based on the following statements and documents :

* For contracts concluded with state institutions:

- contract;

- evaluation form;

- partial situations as well as tax invoices for each work situation (where the dates, value, time and nature of the work done are clearly stated);

- final situation ;

- approval act;

* For contracts concluded with private entities:

- relevant contract;

- partial situations as well as tax invoices for each work situation (where the dates, value, time and nature of the work done are clearly stated);

- the situation final ;

- approval act

1. Interested candidates must prove that they have the main personnel, technical leader in the license of the company , as follows

- Architect 1 (one)

- Construction engineer 1 (one)

- Electrical engineer 1 (one)

- Hydro technical engineer 1 (one)

For this, economic operators must submit:

* Employment contract, University diploma and salary list for the required period.

The technical managers must be employed according to the criteria of DCM no. 42 dated 16.01.2008, as amended, regarding prohibitions on double employment.

In any case, the Contracting Authority has the right to verify the declaration of the EO, in order to fulfil this criterion.

*All employees required under this point must be on the payroll of the company for the period January - March 2023 .*

1. Interested candidates must the prove that they held their activity in the field object of procurement in compliance with quality management standards, health and safety in work, environmental management and security of the information. To accomplish this they must present the following certificates :
2. **ISO 9001:2015** Certificate on "Quality management systems";
3. **ISO 45001 - 2018** Certificate on "Occupational Health and Safety Management System";
4. **ISO 14001:2015** Certificate on "Environmental management systems";
5. **ISO 27001:2013** Certificate on "Information security management".

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

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

Interested candidates to participate in the procedure, they must submit the documentation in accordance with the requirements defined above, in original or notarized copy , in a closed, non-transparent envelope, signed and sealed by them. The Contracting Authority will review the documents submitted by the economic operators and will assess whether this documentation meets the requirements set forth 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/Procurement in the field of defence and security.([https://www.app.gov.al/legjislationi/procurimet-ne-fushen-e-mbrotjes-dhe-te-sigurise/dst/](https://www.app.gov.al/legjislacioni/prokurimet-ne-fushen-e-mbrojtjes-dhe-te-sigurise/dst/)).

**Phase 2 - Invitation to Bid and evaluation:** The Contracting Authority will send an invitation to bid to Candidates who have met the requirements for pre-qualification, inviting them to submit bids according to the stipulations in the TD and the specifications set out in the invitation to bid. Bids will be reviewed and evaluated by the Contracting Authority to determine the winning bid.

**4.2 Winner selection criteria:**

**A) the lowest X price**

*OR*

B) the most economically advantageous offer

related to importance: Price **point**

etc. **point**

Contracting Authority must specify the points for each evaluation criteria established.

**4.3 Deadline for submitting requests for participation:**
**Date**: **03/05/2023 (** *dd/mm/yyyy)* **Time: 12:00**

Place: Ministry of Defence, address Rruga e Dibra, Tirana.

**4.4 Offer validity period: 180** *(expressed in days)*

**4.5**  **Language(s) for drafting offers or requests for participation:**

|  |  |  |  |
| --- | --- | --- | --- |
| Albanian | **X** | English | **X** |
| Other | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

***Section 5* Additional information**

**5.1 Paid documents** *(in cases where it is evaluated by the contracting authority )* **:**

|  |  |  |  |
| --- | --- | --- | --- |
| Yes |  | **No** | **X** |

*If yes*

|  |  |  |  |
| --- | --- | --- | --- |
| coins | **\_\_\_\_\_\_\_\_\_** | PRICE | **\_\_\_\_\_\_\_** |

This price covers the actual costs of copying and distributing the TD to Economic Operators. Interested Economic Operators have the right to check TD before their purchase.

**5.2 Additional information (place, office, ways to withdraw tender documents)**

Referring to the provisions of the LPFDS and Article 28 of the Procurement Rules in the field of defence and security, approved by DCM no. 1170, dated 24.12.2020, the tender documents will be made available to the selected candidates in order to draft and submit offers for the second stage of the procedure.

Distribution date of this notice **27/03/2023.**

**HEAD OF THE CONTRACTING AUTHORITY**

 **Gelardina Prodani**