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

**MINISTRY OF DEFENSE**

**PROCUREMENT UNIT**

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

**Notice of the contract to be completed by the Contracting Authority , which will be published in the Bulletin of Public Notices 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, (former United School), Tirana

 Phone/ Fax (04) 2226601/ (04) 2226602

 PO Box 2423

 E- mail sekprokurime@mod.gov.al

 Internet address [www.mod.gov.al](http://www.mod.gov.al)

1. **Type of procurement procedure:** Limited procedure - procurement in the field of defense and security.
2. **Object of the contract** : "Equipment with software and systems for improving the security system".
3. **Procedure reference number:** Procurement order no. 100, dated 29.08.2023.
4. **Fund limit** : 9,094,755 (nine million ninety-four thousand seven hundred and fifty-five) ALL without VAT .
5. **Contract duration or time limit for execution:**
Duration in **2 months or 60 days**

OR

starting from the date of commencement of works and ending after 60 days.

1. **Deadline for submitting requests for participation:**
**17/10/2023** *( dd / mm / yyyy )* **Time: 10:00**

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 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:
* Interested candidates must hold a Certificate of Industrial Security (CSI), which must be:
* Not lower than the classification level " Confidential " ;
* Valid at the time of procurement and conclusion of the classified contract;
* In accordance with the specific object of classified procurement".
* Interested candidates must submit the declaration on the conflict of interest, according to Appendix 10, the declaration on the fulfillment of the general criteria, according to Appendix 13 and the statement on guaranteeing the applicability of legal provisions in labor relations, according to Appendix 14, of the tender documents published by APP, in the section Legislation/Procurements in the field of defense and security, DST column "Restricted\_Work\_Procedure", in accordance with the provisions of article 38/1, of LPFMS.
* Interested candidatesmust self-declare that they have paid all the matured electricity obligations of the energy contracts that the economic operator has that is registered in Albania. This self-declaration is required for economic operators operating in the territory of the Republic of Albania.
* Interested candidatesmust self-declare that, within the same period, they are not a contractor / subcontractor for a contract / related contracts, with a joint or separate value, not greater than 100% of the maximum limit available to the candidate, according to the professional license, issued by the competent authority. In terms of the definition above, the word "period" means the duration of the investment made from the moment of the announcement of the winner until the approval of the object/investment.
* 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 "For 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 the Economic Operator related to the execution of contract works must contain the following categories:

**For general construction works:**

* NP-1 A Works digging IN land .
* NP- 2 A Civil and industrial constructions .

**For special construction works:**

* NS-13 Telephone and telecommunication equipment and lines.
* NS-14 Internal equipment, electrical, telephone, radiotelephone, TV, etc.

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

* 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.
* Interested candidatesmust present copies of the balance sheets of the financial years 2021 and 2022, submitted 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 provisions of the law no. 10091 dated 5.3.2009 "For the legal audit , the organization of the profession of the registered accounting expert and the approved accountant", amended.
* Interested candidatesthey must 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;
* situations as well as tax invoices for each work situation (where the dates, value, time and nature of the work done are clearly stated);
* situation ;
* Approval act;
* For contracts concluded with private entities:
* relevant contract;
* situations as well as tax invoices for each work situation (where the dates, value, time and nature of the work done are clearly stated);
* Situation final ;
* Approval act
* **For contracts realized as a merger of operators, the bidding economic operator must submit:** The contract of merger of operators and the special power of attorney declared in the tendering phase.
* **For contracts realized as a subcontractor, the bidding economic operator must submit :** Main contract between the Contractor and the contractual Authority as well as official approval as declared subcontractor by the contracting authority side.
* Interested candidatesmust have the necessary number of employees for the implementation of the contract, which must be part of the experience of economic operators in the field subject to procurement.

For this, the economic operators must prove that for the period of June-August 2023 they had available the following employees:

1. The average number of employees per month for the period in question must not be lower than 10 (ten) employees (this number also includes the management staff).

This must be proven with a Certificate from the Tax Directorate for the number of insured employees for the above-mentioned period and must be accompanied by a list of regularly completed payments according to the prescribed form E-SIG 025/a.

1. Economic operators must prove that they have employees on their staff:
* Electronic/IT Engineer 1 (one)

For this, economic operators must present:

* the individual employment contract and
* university degree.
	+ - 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 AKSIK (NSA) or ISC issued in the name of the tenderer, where the staff equipped with PSC is identified as follows:
* The company administrator;
* Electrical/IT Engineering.

The employees as above, have been requested in function of the preparation of the offer and the implementation of the contract as they will have access to the classified information related to the implementation projects,preventive works, sketches, plans, data and technical specifications, etc.

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".

* + - Interested candidatesmust 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:
1. **ISO 9001:2015** certificate on "Quality management systems";
2. **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.

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 selected and invited to take part in 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 operator 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 APP in the section Legislation / Procurement in the field of defense and security.

**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 TOR 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.