**REPUBLIC OF ALBANIA**

**MINISTRY OF DEFENSE**

**PROCUREMENT UNIT**

No.\_\_\_\_\_\_\_ prot. Tirana, on \_\_\_\_.\_\_\_\_.2024

 **CONTRACT NOTICE TO BE PUBLISHED IN THE BULLETIN OF PUBLIC NOTICES 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 Defense

Address Rr. of Dibra, former 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**

|  |  |  |  |
| --- | --- | --- | --- |
| Po |  | **not** | **X** |

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

**2.1 Reference number of the procedure/lot :** Procurement Order no. 2, dated 24.01.2024, of the holder of the contracting authority - Ministry of Defense.

**2.2 Type of "Work Contracts"**

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

**2.3 Contract based on the Framework Agreement**

|  |  |  |  |
| --- | --- | --- | --- |
| yes |  | **not** | **X** |

**2.4 Type of Framework Agreement**

With 1 economic operator

With some economic operators

All conditions are redefined 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 the maximum number of economic operators with whom the Framework Agreement will be concluded must be determined* ).

|  |  |  |
| --- | --- | --- |
| **2.6** | The conditions that will apply in the 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 : 57,589,973 (fifty seven million five hundred eighty nine thousand nine hundred seventy three) ALL without VAT.
2. Funding source : State budget for 2024.
3. Object of the contract : "Construction of an object, in Korça ", classified at the "Restricted" level.

**2.9 Duration of the contract OR DEADLINE time ABOUT execution :** Starting from the date of commencement of works with completion within 6(six) months.

**2.9.1 Duration of the Agreement frame**

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

**2.10 Location of the object of the contract :** Korce.

**2.11 Division into LOTS:**

|  |  |  |  |
| --- | --- | --- | --- |
| yes |  | **not** | **X** |

*If yes,*

**2.12 Brief description of lots**

(The object and the limited fund of the helots )

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 |  | **not** | **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:**

|  |  |  |  |
| --- | --- | --- | --- |
| Po |  | **not** | **X** |

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

|  |  |  |  |
| --- | --- | --- | --- |
| Po |  | **not** | **X** |

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

The contracting authority will make direct payments to the subcontractor:

|  |  |  |  |
| --- | --- | --- | --- |
| Po |  | not |  |

**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 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 non-applicable, prior approval was 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 LPFMS and Article 28 of the Procurement Rules in the field of defense and security, approved by VKM 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** ).

The 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:** Procedurelimited, classified at the "Restricted" level.

Reannounced procurement procedure

|  |  |  |  |
| --- | --- | --- | --- |
| yes |  | **not** | **X** |

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

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

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

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

This procurement procedure is classified at the "Restricted" level and will be developed based on:

* Law no. 36/2020 "On procurement in the field of defense and security";
* Law no. 10/2023 "On classified information";
* VKM no. 1170, dated 24.12.2020 "On the approval of procurement rules in the field of defense and security";
* VKM 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 under the proposed project/contract.

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

1. Participating economic operators must submit:
* authorization of the company's administrator for representation in the procurement procedure;
* copy of identity card or passport for administrator/authorized staff;
* the certificate issued by the Court for the authorized administrator/personnel;
* certificate issued by the Prosecutor's Office for the authorized administrator/personnel;
* certificate issued by the Enforcement office for the administrator/authorized personnel;
* proof of penalty for the administrator/authorized personnel;

**Note:** In case the participating economic operators are equipped with the Industrial Security Certificate (CSI), issued by AKSIK, at the "Confidential", "Secret" and " High " classification levels secret " and (CSI) is:

a) valid at the time of procurement and conclusion of the classified contract and

b) in accordance with the specific object of classified procurement;

required documentation such as (certificate issued by the Court, Prosecution, Enforcement office and evidence of penalty) should not be presented.

In this case, it is enough that the participating economic operators THE present Industrial Insurance Certificate (CSI ) , of released BY AXIC , in NAME THE bidders .

1. Participating economic operators must submit the declaration for submitting an independent offer, according to Appendix 4; the statement on the fulfillment of the general criteria, according to Appendix 13 ; the declaration on the conflict of interest, according to Appendix 10 and the declaration 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/ Procurement in the field of defense and security, column DST " Restricted\_Work\_Procedure ".
2. Participating economic operators must 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 Wanted ABOUT the operators economic , to which OPERATING IN the territory of the Republic OF THE Albania .
3. Participating economic operators must 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 2 C Civil and industrial constructions;
* NP 4 A Roads, 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 2 A Hydrosanitary plants, kitchen, laundry, their maintenance;
* NS 4 A Masonry refinishing and related works, refinishing with wood, plastic, metal and glass materials and refinishing of a technical construction nature;
* NS 8 A Prefabricated buildings with reinforced concrete, metal and wood structures;
* NS 12 A Technological, thermal and conditioning plants;
* NS 13 A Telephone and telecommunication plants and lines;
* NS 14 A Internal electrical, telephone, radiotelephone, TV installations.

*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 KKL, "Code III.2.B" ( *For collection and transport of inert and solid waste* ), together with the act of approval, in accordance with the provisions of the Council's decision of Ministers no. 538, dated 26.5.2009 "On licenses and permits that are handled by or through the National Licensing Center (NCC) and some other common bylaws", amended.
2. Participating economic operatorsmust 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. Participating economic operatorsmust 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 "On the legal audit, the organization of the profession of the registered accounting expert and the approved accountant", amended.
4. Participating economic operatorsthey must have successful experience in previous contracts and for this they must present:
5. documentation for similar work for one 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;
6. documentation for similar work 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:

* Contract realized with institutions State :
* 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.
* Contract realized with private entities :
* 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);
* final situation;
* approval act.
1. Operators ECONOMIC participant , for the realization of works object contract , must THE possession personnel main , leader TECHNICAL IN the license of the company , as MORE below :
* Construction Engineer 1 (one)
* Mechanical Engineer 1 (one)
* Hydrotechnical Engineer 1 (one)
* Electrical Engineer 1 (one)
* Electronic Engineer 1 (one)
* Topographer/Surveyor/Markscheider Engineer 1 (one)

For this, economic operators must present:

* valid employment contract and university degree.

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

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

1. Economic Operators must prove that they develop their activity in the field object of procurement in compliance with management standards of quality, information safety, working health and safety and the standards of environment management. For this they must present the following certificates :
2. Certificate **ISO 9001:2015** or equivalent on "Quality *Management systems* ", issued by official institutions accredited for this purpose;
3. Certificate **ISO 27001:2022** or equivalent on "Information *Security management* ", issued by official institutions accredited for this purpose;
4. **ISO 45001-2018** certificate or equivalent on *"Health and Safety at Work Management System*", issued by official institutions accredited for this purpose;
5. Certificate **ISO 14001:2015** or equivalent on "Enviroment *Management systems*", issued by official institutions accredited 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.

Certifications must be available in the development time of the tender.

In case of merge of economic operators each operator must dispose the above certificates .

To qualify in the first stage of the procedure economic operators must submit documentation in compliance with the established requirements as above, in a closed not transparent envelope, signed and stamped. Contracting Authority, will examine the submitted documents by the economic operators and will value whether this documentation completes the requirements established in the contract notice.

All documents required for the first stage of the procurement procedure, must be originals or notarized copies thereof. Cases of non-submission of a document, or of false and incorrect documents, are considered conditions for disqualification .

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.([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**

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

**4.3 Deadline for submitting requests for participation:**
**Date:** **20/03/2024 (** *dd/mm/yyyy)* **Time : 10:00**

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

**4.4 Offer validity period: 150** *(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)* :

|  |  |  |  |
| --- | --- | --- | --- |
| Po |  | **not** | **X** |

*If yes*

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

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

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

Referring to the provisions of the LPFMS and Article 28 of the Procurement Rules in the field of defense 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.

Date of distribution of this notice **12/02/2024.**