**Tender documentation**

**For participation in the announced Tender**

**for purchasing the steel pipes by**

**Tbilisi Energy LTD (hereinafter referred to as the “Buyer”)**

This tender documentation has been developed on the basis of the Regulation on Procurement Planning and Implementation Rules in Tbilisi Energy Ltd. approved by the order of the General Director of Tbilisi Energy Ltd.

Tender documentation will be submitted to the potential supplier to prepare the relevant tender application.

1. **General Provisions**
   1. The tender documentation is intended for the potential suppliers and aims to provide them with full information about the tender terms.
   2. The tender is held to identify the supplier of steel pipes (hereinafter referred to as "goods").
2. **Goods**
   1. Name and quantity of goods:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **№** | **Name and technical specifications of the goods** | **Longitudinal meter** | **Unit price** | **Full price** |
| **1** | **Steel pipe diameter D 21,3 mm, wall thickness no less than 2 mm, strength class according to working pressure, working pressure PN 6 atmosphere, ГОСТ 3262, ГОСТ 10705-80, ГОСТ 10704-91 or similar standard according to API 5L PSL 1.** | **13 980** |  |  |
| 2 | **Steel pipe diameter D 27 mm, wall thickness no less than 2 mm, strength class according to working pressure, working pressure PN 6 atmosphere, ГОСТ 3262, ГОСТ 10705-80, ГОСТ 10704-91 or similar standard according to API 5L PSL 1.** | **46 188** |  |  |
| 3 | **Steel pipe diameter D 32 mm, wall thickness no less than 3 mm, strength class according to working pressure, working pressure PN 6 atmosphere, ГОСТ 3262, ГОСТ 10705-80, ГОСТ 10704-91 or similar standard according to API 5L PSL 1.** | **16 800** |  |  |
| 4 | **Steel pipe diameter D 42 mm, wall thickness no less than 3 mm, strength class according to working pressure, working pressure PN 6 atmosphere, ГОСТ 3262, ГОСТ 10705-80, ГОСТ 10704-91 or similar standard according to API 5L PSL 1.** | **9 384** |  |  |
| 5 | **Steel pipe diameter D 48 mm, wall thickness no less than 3 mm, strength class according to working pressure, working pressure PN 6 atmosphere, ГОСТ 3262, ГОСТ 10705-80, ГОСТ 10704-91 or similar standard according to API 5L PSL 1.** | **6 744** |  |  |
| 6 | **Steel pipe diameter D 57 mm, wall thickness no less than 3 mm, strength class according to working pressure, working pressure PN 6 atmosphere, ГОСТ 3262, ГОСТ 10705-80, ГОСТ 10704-91 or similar standard according to API 5L PSL 1.** | **25 284** |  |  |
| 7 | **Steel pipe diameter D 76 mm, wall thickness no less than 3 mm, strength class according to working pressure, working pressure PN 6 atmosphere, ГОСТ 3262, ГОСТ 10705-80, ГОСТ 10704-91 or similar standard according to API 5L PSL 1.** | **12 828** |  |  |
| 8 | **Steel pipe diameter D 89 mm, wall thickness no less than 3,5 mm, strength class according to working pressure, working pressure PN 6 atmosphere, ГОСТ 3262, ГОСТ 10705-80, ГОСТ 10704-91 or similar standard according to API 5L PSL 1.** | **11 844** |  |  |
| 9 | **Steel pipe diameter D 102 mm, wall thickness no less than 3,5 mm, strength class according to working pressure, working pressure PN 6 atmosphere, ГОСТ 3262, ГОСТ 10705-80, ГОСТ 10704-91 or similar standard according to API 5L PSL 1.** | **3 516** |  |  |
| 10 | **Steel pipe diameter D 127 mm, wall thickness no less than 4 mm, strength class according to working pressure, working pressure PN 6 atmosphere, ГОСТ 3262, ГОСТ 10705-80, ГОСТ 10704-91 or similar standard according to API 5L PSL 1.** | **780** |  |  |
| 11 | **Steel pipe diameter D 159 mm, wall thickness no less than 4 mm, strength class according to working pressure, working pressure PN 6 atmosphere, ГОСТ 3262, ГОСТ 10705-80, ГОСТ 10704-91 or similar standard according to API 5L PSL 1.** | **660** |  |  |
| **SUM:** | | |  |  |

**\* Potential suppliers must submit a price(s) in accordance to the information in sub-clauses (a) and (b) of clause 2.3 of the tender documents.**

* 1. Delivery term of goods: no later than 30 (thirty) calendar days after signing of the procurement contract.
  2. Delivery of goods is carried out:

1. **The full quantity of goods is delivered in the seller's warehouse no later than 30 (thirty) calendar days after the signing of the contract; For temporary storage term, but no more than 180 (one hundred eighty) days;**
2. **Delivery of the full quantity of goods to the buyer's warehouse no later than 30 (thirty) calendar days after the signing of the contract;**
   1. Payment Terms:
3. In case of sub-clause “a” of clause 2.3 of the tender documentation, buyer will pay in stages in accordance with the value of the goods received actually, within 15 (fifteen) calendar days after the signing of the relevant acceptance-delivery act between the parties.
4. In case of sub-clause “b” of clause 2.3 of the tender documentation, buyer will pay full amount within 30 (thirty) calendar days after the signing of the relevant acceptance-delivery act between the parties.
   1. It is obligatory to present certificates of quality and conformity of the goods issued by the manufacturer.
5. **Qualification requirements**
   1. In order to participate in the tender, the potential supplier (bidder) must present the following documents:
6. Documents required in the Technical Evaluation Criteria and Terms (annex #1)
7. Technical proposal letter (annex #2)
8. Commercial Offer (incl. price table)

The bidder should not be included in the register of unscrupulous parties (black list) participating in the procurements established by the relevant state body;

The bidder must meet other requirements defined by the legislation of Georgia and the tender documentations.

* 1. The potential supplier (bidder) must provide the buyer with copies of licenses, certificates and other documents proving its compliance with the qualification requirements.
  2. The buyer will not consider the tender application if the potential supplier does not submit the documents confirming the compliance with the qualification requirements or if the submitted documentation are incomplete, inaccurate and/or incorrect.
  3. In order to determine the compliance of the data indicated in the tender application with the qualification and other requirements, the buyer is entitled to conduct a pre-qualification selection of participants during the tender. In case of non-compliance, the potential supplier will not be allowed to evaluation.
  4. The documents submitted by the potential supplier must be issued in the post-tender announcement period.

1. **Submission of tender applications. Validity of the tender applications**
   1. A potential bidder wishing to participate in the tender must submit tender application to the Buyer in two sealed envelopes. One envelope must include technical offer letter and documents required in the technical evaluation criteria and conditions; second envelope should include Commercial Offer, which must comply with requirements of clause 2 of the tender documentation.
   2. The name and address of the potential supplier must be indicated on the envelope, as well as it must be marked: "Tender for the purchase of steel pipes for" Tbilisi Energy "Ltd; Envelope 1 – “Technical Offer”; Envelope 2 – “Commercial Offer”.
   3. Documents submitted to the buyer must be certified with the seal of the potential supplier (if uses the seal).
   4. In the tender application prices must be indicated in GEL.
   5. The tender application should be submitted to the Buyer no later than 17:00 on March 21, 2022 (hereinafter - "Deadline"), at the following address: Tbilisi, Mitskevich st. 18a, Chancellery of "Tbilisi Energy" Ltd. When receiving the tender application from a potential supplier at the Chancellery, it is necessary to enclose a copy of the identity document of the direct supplier representative together with the acceptable documentations, which will indicate the exact date and time of submission of the application.
   6. The application submitted by the potential suppliers (bidders) with violation of the deadlines will not be considered by the tender commission.
   7. The potential supplier (bidder) will bear all costs related to the preparation and submission of its tender application. The buyer and the tender commission are not obliged to reimburse these costs, regardless of the results of the tender.
   8. The potential supplier (bidder) is obliged to indicate offer validity in its tender application. Tender bids should remain valid for the period specified in the bidding documents, but not less than 15 (fifteen) days after the opening date of the envelopes containing the tender bids. A tender application with a shorter validity period than required by the bidding documents will be considered as non-compliant with the bidding documentation requirements.
   9. Prior to the expiration date of the tender applications, the tender commission may request the potential supplier (bidder) to extend the validity period for a specific period of time. The potential supplier (bidder) may refuse to comply with this request.
   10. A potential bidder has the right to modify or withdraw its bid before the deadline of bids submission.
   11. The Buyer is entitled, on the written request of the potential supplier or on its own initiative, to clarify the information specified in the tender documents, which is formulated in the form of an addendum to the tender documents and is sent to all potential suppliers no later than 5 (five) calendar days before the deadline of bids submission.
2. **Opening the envelope containing the tender application, reviewing and evaluating**
   1. Envelope 1, containing the information required in sub-clause a) and b) of clause 3.1. of the tender documentation, will most likely be opened on March 22, 2022.
   2. The tender commission will not consider the tender application, if:
3. The potential supplier (bidder) does not comply with the qualification requirements of the tender;
4. Given application does not answer to the requirements of tender documentation;
5. The application is not drawn up and certified in accordance with the established rules.
   1. The attempt of a potential supplier to put pressure on the activities of the tender commission is the basis for its disqualification.
   2. The tender commission concludes the results of the tender no later than 15 days after opening the envelopes containing the tender applications.
   3. The tender commission is authorized not to review the received bids, to refuse to identify the winner and to declare the tender unsuccessful if the price offered by the suppliers and other features of the procurement object do not meet the requirements of the buyer.
6. **Concluding a procurement contract**
   1. A procurement contract shall be concluded with the potential supplier (bidder) selected by the tender (winner) in accordance with the legislation of Georgia.
   2. The potential supplier (bidder) selected by the tender (winner) shall sign the contract within 2 (two) working days after the notification of the announcement of the winner and the submission of the draft procurement contract.
   3. If the supplier is declared as the winner of the tender and does not sign the procurement contract within the period of time specified in clause 6.2 of this paragraph, on the basis of the Tender Results Protocol, the Buyer is entitled to enter into a procurement contract with another bidder, whose bid is the most favorable according to the criteria established in the tender documents.
   4. Amendments and/or new terms may not be made to the draft or signed procurement contract (except for price reductions) that may alter the content of the proposal that is the bases for supplier selection. Amendments may be made to the draft or to the signed procurement contract as part of the price reduction provided that the quality, volume and other terms on which the supplier is selected remain unchanged.
   5. Prior to signing the procurement contract, the Buyer is entitled to negotiate with the potential supplier (bidder) on the reduction of the contract price.
   6. In the event that prices for the relevant goods are reduced during the implementation of the procurement contract, the relevant amendment to the price reduction may be made to the procurement contract by mutual agreement of the buyer and the supplier.

**TECHNNICAL EVALUATION CRITERIA AND TERMS Annex 1**

Client shall evaluate the bids received based on the following criteria.

Documents submitted shall comprise the Contract to be awarded after the selection of the winner.

Only Technical Offers which will pass the Technical Evaluation will be considered during the Commercial Evaluation.

| **№** | **CRITERIA** | **Document requirement** | **Criteria disclosure and evaluation terms** |
| --- | --- | --- | --- |
|  | Technical proposal | * Technical proposal letter | The letter shall be signed, sealed and dated by the authorized person without its content being changed. |
|  | Appropriate experience | * **FORM 1: Experience in similar works**   + Delivery and acceptance acts (in completed works)   + Contracts   + Portfolio documents:   + General portfolio of company (website) * Reference letter (x2) | Detailed information shall be prepared regarding 3 similar work experiences (min 200000 GEL or above) in finished or ongoing (70% completed) work over the past 7 years specified in the project task document. In order to evaluate the similarity of works by clearly seeing them the final delivery and acceptance acts and a contract for each finished work shall be attached. |
|  | Technical Base | * **FORM 2: Equipment/Facility**   Warehouse | Deatailled Infomratıon of the warehouse (address, photos, area (sq.m.)), ownership document or rental agreement/memorandum will be provided. |
|  | Participation criteria | * **FORM 3**   + National Agency of Public Registry - Extract from the register of entrepreneurs and non-entrepreneurial legal entities.   This document shows: Information about the liquidation, reorganization, insolvency process, also foreclosure, prohibition, pledge, mortgage. | To participate in the tender, a vendor must be solvent, not in liquidation, his property is not seized, his economic-financial activity is not suspended in accordance with the rules established by the current legislation of Georgia; |
|  | Participation criteria | * **FORM 4**   + Revenue Service – Extract of Notice of overdue debt to the budget and / or credit institutions. | To participate in the tender, a vendor must not have overdue debt of the budget |
|  | Participation criteria | * **FORM 5**   + Extract of company charter on website of National Agency of Public Registry | To participate in the tender, a vendor have the necessary legal capacity to conclude a procurement contract; Vendor representataives have legally been given power to sign official documents. |

*TECHNICAL PROPOSAL Annex #2*

## **Technical proposal letter**

**To: *“Tbilisi Energy” LTD***

We, the undersigned, state:

1. **No amendments:** We reviewed the bidding document, including all its attachments together with documents comprising it, so we are fully aware of supply of the materials specified herein and we have no amendments to these documents;
2. **Eligibility:** We do not violate the eligibility requirements and we confirm that there is not any conflict of interests;
3. **Technical compliance:** We offer to supply Steel Pipes within the framework of Gasification Projects in compliance with the requirements of tender documents;
4. **Bid Validity Period**: Our Bid consisting of technical and commercial proposals shall be valid for *15 days*from the date fixed for the Bid submission deadline (or as amended if applicable), and it shall remain binding upon us and may be accepted at any time before the expiration of that period;
5. **Contract:** We understand that our Bid, together with your acceptance thereof shall constitute a binding contract between us, until a formal contract is signed. Regarding the terms of contract template provided in the bidding documents (mark “X” one of the following);

( ) we have no amendment;

( ) we have amendment (is added in the contract).

1. **Not Bound to Accept**: We understand that you are not bound to accept the lowest evaluated cost, the most suitable technical evaluation or any other bid;
2. **Fraud and Corruption:** We hereby certify that we have taken steps to ensure that no person acting for us or on our behalf engages in any type of Fraud and Corruption;

Name and surname: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature and seal: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

It is authorized to sign the bid on behalf of  *(full name of the bidder)*  .

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

### **FORM 1: Experience in Similar Works**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **No** | **Start and Finish Date**[[1]](#footnote-1) | **Client / Contact person / Contact number** | **Detailed description of executed works *(location, main components, quantities/volume etc.)* and description of similarity for current works** | **Contract Value**  *(USD)* | **Completion percentage[[2]](#footnote-2)** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
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|  |  |  |  |  |  |
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***NOTE:*** Acts of acceptance relevantly approved by the client and executor showing the details/scope of all completed works or copies of acts on final completed works within the works in progress should be included in the package

### **FORM 2: Equipment/Facility List**

|  |  |  |  |
| --- | --- | --- | --- |
| **No** | **Description of the Equipment/Facility** | **Address/Location** | **Current Status** |
|  | Warehouse |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

1. Insert month and date [↑](#footnote-ref-1)
2. If the work is in progress, insert completion percentage (at least 80% of completed works may be indicated) [↑](#footnote-ref-2)